

October 15, 2024

By Email: coa@brampton.ca; clara.vani@brampton.ca

Clara Vani
Legislative Coordinator & Secretary-Treasurer Committee of Adjustment
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Clara Vani,

**Re: Consent Application – B-2024-0015
Minor Variance Application – A-2024-0352
122-130 Main Street North, 6 & 7 Nelson Street East, 7 & 11 Church Street East
City of Brampton, Region of Peel
Owner: Rose Garden Investments LP
Agent: UrbanSolutions Planning & Land Development Consultants Inc.**

This letter will acknowledge receipt of the City's circulation of the above noted Minor Variance and Consent Application received by Toronto and Region Conservation Authority (TRCA) on September 16, 2024. A list of materials reviewed by TRCA is included in Appendix "A".

TRCA staff have reviewed the application in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed these applications in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

Purpose of the Applications

TRCA staff understand that the purpose of the Consent Application is to:

1. Sever a parcel of land currently having a total area of approximately 0.87 hectares. The proposed severed lot has a frontage of approximately 18.89 m; a depth of approximately 84.63 m and an area of approximately 0.36 ha. It is proposed that two (2) lots be established from the existing lot

for future mixed-use development of a 22-storey building on the proposed severed lot, along with the creation of access easements and a blanket easement for stormwater management.

TRCA staff understand that the purpose of Minor Variance Application is to:

1. To permit a maximum front yard setback (Main Street North) of 8.5 m, whereas the by-law permits a maximum front yard setback of 3.0 m;
2. To permit a minimum front yard setback of 8.5 m to a tower and 0.0 m to a podium, whereas the by-law requires a minimum front yard setback of 10.0 m to a tower and 1.7 m to a podium;
3. To permit an interior side yard setback of 0.0 m to a podium abutting a commercial zone, whereas the by-law permits a minimum interior side yard setback of 0.5 m to a podium abutting a commercial zone;
4. To permit an exterior side yard setback of 9.5 m to a podium, whereas the by-law requires a minimum exterior side yard setback of 15.0 m;
5. To permit a minimum rear yard setback of 1.2 m to a zone boundary, whereas the by-law requires a minimum rear yard setback of 10.0 m to the zone boundary;
6. To permit a maximum building height of 35 storeys, whereas a maximum building height of 29-storeys is currently permitted;
7. To permit a minimum non-residential gross floor area of 405 square m, whereas a minimum non-residential gross floor area of 2000.0 metres is currently permitted; and,
8. To permit a visitor parking rate of 0.05 spaces per unit, whereas the by-law requires a minimum visitor parking rate of 0.20 spaces per unit.

TRCA staff understand that a Site Plan Application (City File #SPA-2021-0269) has been filed with the City. Staff understand that the initial submission of the Site Plan Application consisted of two (2) 29-storey mixed-use buildings joined by a 6-storey podium and 3-storey stacked townhouse. In total the proposal contained 676 residential units. However, we understand the applicant is now proposing a revised concept consisting of one (1) 35-storey mixed-use building, one (1) 22-storey mixed-use building and a 3-storey stacked townhouse. The revised concept proposes 676 residential units and approval of the above noted Minor Variance Application is required to advance the revised concept.

O. Reg. 41/24 and CA Act

The subject lands are partially located within the Regulatory Floodplain of Etobicoke Creek and are located within the Provincially approved Downtown Brampton Special Policy Area (SPA). As such, a portion of the subject lands are located within TRCA's Regulated Area and are subject O. Reg. 41/24 and the CA Act. A TRCA Permit (Permit #C-221416) was issued on December 2, 2022, to permit the development of the initial Site Plan Application concept that consisted of two (2) 29-storey mixed-use buildings joined by a 6-storey podium and 3-storey stacked townhouse. This permit has been issued until December 1, 2024. To facilitate the development of the revised concept, please advise the applicant to submit a TRCA Permit Extension/Revision Application and associated fees. Please contact the undersigned for further information.

Background

As background, a Zoning By-law Amendment (City File #C01E06.056) was enacted and passed by City of Brampton Council on December 11, 2019. TRCA staff understand the implementing Zoning By-law permits a maximum of 590 dwelling units on the subject property subject to site-specific zoning performance standards and a Holding (H) provision.

As noted above, a Site Plan Application (City File #SPA-2021-0269) for the subject lands was submitted on December 8, 2021 and is currently under review.

A Minor Variance Application (City File #A-2023-0050) was approved by the City Committee of Adjustment on March 28, 2023, to permit 676 dwelling units. As per the Downtown Brampton Secondary Plan Area 7, the area identifies as Special Policy Area (SPA) Number 3A on Schedule SP7(C2) is subject to flooding during a Regulatory Storm event. Section 5.6.3.3 of the Secondary Plan sets out the land use and density requirements for SPA 3A. Policy 5.6.3.3 (a) (iii) states that a maximum of 900 units shall be permitted over the entire SPA 3A. TRCA staff understand that there is only one other active development location within the SPA 3A area and that development combined with this proposed 676 units associated with this project result in a total of 890 new residential units within the SPA 3A, maintaining the 900-unit threshold.

Recommendation

Based on the above, TRCA staff has **no objection** to the above noted Consent Application and Minor Variance Application subject to the following conditions:

1. That the applicant provides the required \$3845.00 planning review fee.

Should you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Colleen Bonner, MCIP RPP
Senior Planner | Development Planning and Permits
Colleen.bonner@TRCA.ca

cc: Rose Garden Investments LP – asalomon@thehi-risegroup.com
UrbanSolutions Planning & Land Development Consultants – mjohnston@urbansolutions.info

Appendix 'A' Materials Received by TRCA

- Severance Application Form Revised – B-2024-0015
- Sheet 1: Severance Sketch, prepared by Urban Solutions, dated Sept 24, 2024
- Plan of Survey Lots 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 85 & 86, City of Brampton, prepared by A.T. McLaren, received by CoA Sept 25, 2024
- Severance supplementary Letter, prepared by Urban Solutions, dated September 25, 2024
- Minor Variance Application A-2024-0352
- Minor Variance Letter, prepared by Urban Solutions, dated Sept 4, 2024