



**Report**  
**Staff Report**  
 The Corporation of the City of Brampton  
 12/9/2024

**Date:** 2024-11-18

**File:** OZS-2024-0049

**Subject:** **RECOMMENDATION REPORT** Application to Amend the Zoning By-law  
*(to facilitate changes in built form (previously approved under OZS-2021-0050) to permit a mix of freehold townhouses and apartments)*  
**Glen Schnarr and Associates. – Castlemore Country Properties & 47-1 Country Properties Limited.**  
**5076 Old Castlemore Road**  
**Ward: 10**

**Contact:** Arjun Singh, Planner, Development Services & Design  
 Angelo Ambrico, Manager, Development Services & Design

**Report number:** Planning, Bld & Growth Mgt-2024-941

**RECOMMENDATIONS:**

1. That the report from Arjun Singh, Development Planner, Development Services to the Planning and Development Committee of December 9, 2024, re: **Recommendation Report**, Application to Amend the Zoning By-Law, **Glen Schnarr and Associates. – Castlemore Country Properties & 47-1 Country Properties Limited.**, 5076 Old Castlemore Road, Ward 10, be received;
2. That the application for an Amendment to the Zoning By-law submitted by Glen Schnarr and Associates., on behalf of Castlemore Country Properties & 47-1 Country Properties Limited. (File: OZS-2024-0049) be approved, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in this Recommendation Report;
3. That the amendment to the Zoning By-law, generally in accordance with the attached Attachment 10 to this report be adopted; and,
4. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34 (10.4) of the Planning Act, R.S.O., as amended.

<b>OVERVIEW:</b>
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- The applicant submitted an amendment to the Zoning By-Law and for a Draft Plan of Subdivision to facilitate changes in built form (previously approved under OZS-2021-0050) to permit a mix of freehold townhouses and apartments.
- The property is designated '*Residential*', '*Special Study Area*', and '*Open Space*' on Schedule A General Land Use Designations of the Brampton Official Plan. The lands are designated as 'Medium Density Residential', 'Special Policy Area 9', 'Special Policy Area 11', 'Service Commercial', 'Existing Wetland and Buffer', and 'Heritage Resource' in the Highway 427 Industrial Secondary Plan (SP47). An Amendment to the Official Plan and Secondary Plan is not required to facilitate the proposal.
- The property is within the Highway 427 Industrial Secondary Plan Block Plan for Sub Area 47-1. Staff have reviewed the Zoning By-law Amendment, and it is generally consistent with the approved Block Plan for the area.
- The property is zoned *with site-specific residential classifications permitting a range of residential unit types in various locations on these lands, as well as Open Space (OS), and Floodplain (F)*. An amendment to the Zoning By-Law is required to permit the adjustments that are now proposed. The draft Zoning By-Law is attached as Attachment 10.
- A Statutory Public Meeting for this application was held on November 4<sup>th</sup>, 2024. No members of the public was present to delegate on this item. Additionally, one letter of written correspondence was received by members of the public. Details of the Statutory Public meeting are included in Attachment 8 of this report.
- The proposal represents good planning, is consistent with the Provincial Policy Statement and is in conformity the Region and Brampton Official Plan.
- The proposal is consistent with the Strategic Focus Area - Growing Urban Centres & Neighbourhoods. The proposal will facilitate an economy that thrives with communities that are strong and connected

## **BACKGROUND:**

### ***Previous File: OZS-2021-0050***

Glen Schnarr & Associates Inc. originally submitted an application in January 2022 for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to permit the development of lands located at the northeast corner of Castlemore Road

and Clarkway Drive under City File OZS-2021-0050. The proposal had originally proposed the following:

- 86 freehold townhouse dwellings;
- Approximately 324 condominium townhouse dwellings;
- Approximately 896 apartment dwellings;
- Valleyland and associated Buffer Block (0.48 ha. / 1.19 ac.);
- Two Stormwater Management Pond Blocks (1.54 ha. / 3.81 ac.); and,
- Public roads and laneways

A supportive Recommendation Report was provided to the Planning and Development Committee on November 20, 2023 and was approved by the Committee and a subsequent Notice of Adoption was issued with no appeals received.

***Current File: OZS-2024-0049***

Glen Schnarr and Associates, on behalf of Castlemore Country Properties & 47-1 Country Properties Limited submitted a new application to amend the Zoning By-law on August 8<sup>th</sup>, 2024. The purpose of the application was to amend the zoning to allow mainly for administrative changes to permit predominantly freehold townhouses, whereas previously condominium townhouses were envisioned. This change required an amendment to the previously approved zoning by-law. The application was deemed complete in accordance with the requirements of the *Planning Act* and a formal Notice of Complete Application was issued on August 14<sup>th</sup>, 2024.

A Statutory Public Meeting for this application was held on November 4<sup>th</sup>, 2024. No members of the public were present to delegate on this item. Additionally, one written submission was received by members of the public. Details of the Statutory Public meeting are included in Attachment 8 of this report.

This application is one of twenty active applications submitted for Block Plan Areas 47-1 and 47-2. Collectively, these block plans are expected to accommodate 10,401 residential units with an expected population of approximately 35,987 people. The block plans are also anticipated to accommodate approximately 3,516 jobs based on the commercial designations proposed within the block plan area. Secondary Plan Area 47 will be a complete community which includes a variety of housing typologies, a range of employment areas, parkland and trails and future improvements to necessary infrastructure including roads, watermain, sanitary sewers and stormwater management ponds.

**CURRENT SITUATION:**

***Proposal (Please refer to Attachment 1):***

A proposal to amend the Zoning By-law has been filed with the City to develop the subject property located on the east side of Clarkway Drive, north of Castlemore Road.

The proposal seeks to amend the Zoning By-law, which was previously approved through file: OZS-2021-0050. The new proposal consists of a mix of freehold townhouses and future apartment blocks. A total of 1,333 residential units in the form of 235 townhouse units, 66 back-to-back townhouse units, and 1032 apartment units. Reserve blocks are also proposed within the Draft Plan of Subdivision to permit the development of the adjacent lands remaining consistent with the Block Plan for the area.

Details of the proposal are as follows (please refer to Attachment 1):

- Introduction of Public Street network replacing Private Roads
- Increase in 'freehold' townhouse units from 81 to 235 units (formerly condominium units)
- Introduction of 66 back-to-back townhouse units
- A new parkette block approximately 0.16 h.a. in size
- Total Unit Breakdown: 1,333 units
  - 235 Townhouse Units
  - 66 Back-to-Back Townhouse Units
  - 1032 apartment units

***Property Description and Surrounding Land Use (Please refer to Attachment 6):***

The lands have the following characteristics:

- The application is a combination of six properties. There are City Right of-Ways that are part of this application that will require a transfer of ownership;
- A total site area of approximately 13.39 hectares (33.09 acres);
- A total frontage of approximately 300 metres (984 feet) along Castlemore Road and 261 metres (856 feet) along Clarkway Drive;
- is currently vacant;
- access to the site is currently maintained off Clarkway Drive and Old Castlemore Road

The surrounding land uses are described as follows:

North: Agricultural and vacant lands, beyond which are lands subject to active development applications for residential subdivisions.

South: Old Castlemore Road, Fines Avenue, and Castlemore Road, beyond which are Low-Rise Residential lands.

East: Natural Heritage System, beyond which are lands subject to an active Site Plan application for Employment and Commercial uses.

West: Clarkway Drive, beyond which are Agricultural and Vacant lands subject to active development applications for mixed use developments

### **Summary of Recommendations**

This report recommends that Council endorse the approval of the proposed Zoning By-law Amendment. This report further recommends that Council approve the Zoning By-law amendment generally in accordance with the attached Attachment 10.

The proposed development represents good planning, is consistent with the Provincial Policy Statement, and conforms to the Region of Peel Official Plan, and the City of Brampton Official Plan – see associated details in Attachment 8 – Detailed Planning Analysis.

### **Application to Amend the Zoning By-law:**

The subject property is zoned:

- Residential Townhouse E - 5.5 - Section 3712 (R3E-5.5 -3712);
- Residential Townhouse C - Section 3713 (R3C-3713);
- Residential Apartment A - Section 3714 (R4A-3714);
- Residential Apartment A (H) - Section 3753 (R4A(H)-3753);
- Residential Townhouse C (H) - Section 3752 (R3C(H)-3752);
- Residential Townhouse E (H) - 5.5 - Section 3754 (R3E-5.5(H)-3754);
- Open Space (OS);
- Floodplain (F)

Permitted uses within the residential zones include townhouse dwellings, and apartment dwellings. Permitted uses in the Open Space and Floodplain zones include conservation areas, flood and erosion control, and recreational facilities. A zoning by-law amendment is required to facilitate changes in the development scheme.

The proposed Zoning By-law Amendment will rezone the subject lands from the above noted site-specific residential zones to Residential Street Townhouse B and Residential Apartment A with new Special Sections. The special sections will include performance standards to regulate building height, building setbacks, garage widths, encroachments, and other items as attached in Attachment 10 to this report.

### ***Requirements for Amendments to Draft Plan of Subdivision (approved under File: OZS-2021-0050)***

As part of the revisions to the subject application, an amendment to the Draft Plan of subdivision application (File: OZS-2021-0050/21T-21021B) will be required to

accommodate the built form changes along with any required updates to Schedule A - Conditions of Draft Approval.

### ***Surplus Land Declaration for Fines Avenue Right-of-Way***

The Fines Avenue right-of-way is anticipated to be declared surplus upon the construction of a new public street (shown as Street A on the Draft Plan of Subdivision) and storm water management pond. Staff are currently recommending using a Holding (H) provision in the Zoning By-law to ensure the orderly phasing of development so that the conveyance and construction of the new public street and storm water management pond can occur, so that portions of Fines Avenue can be 'stopped up and closed', and declared surplus. A concept plan (attached as Attachment 1B) has been submitted depicting the ultimate development concept plan should the applicant be successful in acquiring the surplus right-of-ways at fair market value. In the event that the lands are not acquired by the applicant, an alternative concept plan (attached as Attachment 1) has been submitted demonstrating an alternative development configuration. Both sets of plans are supported by the Development Services and Design staff. Portions of the future development will be facilitated through site plan applications

### **Planning Analysis Summary:**

The proposed Zoning By-law amendment is consistent with the Provincial Policy Statement and conforms to the City and Region's Official Plan. The application also has regard for matters of provincial interest under Section 2 of the Planning Act.

The proposed Zoning By-law Amendment will rezone the subject lands from site-specific residential zones to Residential Street Townhouse B and Residential Apartment A with new Special Sections. The proposed Zoning By-law meets the intent of both municipal and provincial planning policies. The proposed Zoning By-Law Amendment will result in the redevelopment of an underutilized site and contribute to the creation of new housing supply, which will further assist in helping Brampton achieve its housing pledge of creating 113,000 new housing units by 2031.

Additional information with respect to individual policies is provided in Attachment 8 (Detailed Planning Analysis).

### **Matters of Provincial Interest:**

#### ***Planning Act, (2020):***

This development proposal has regard for the matters of Provincial interest as set out in Section 2 of the Planning Act. The development supports the orderly development of safe and healthy communities and the adequate provision of housing and the efficient use of land in accordance with S. 2 (h) and (j). The development represents the appropriate location of growth and development as the subject property is located in a

designated greenfield area in accordance with S. 2 (p) of the Planning Act. As a future amendment to the Draft Plan Conditions will be required, a notice will be issued to the appropriate parties as required by Section 51 (45) of the Planning Act.

Staff is satisfied that the proposed development is consistent with the matters of provincial interest as set out in the Planning Act.

***Provincial Policy Statement (PPS), (2024):***

Section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development.

The proposed development supports livable, healthy communities, and the policies in S. 2.1.6 of the Provincial Policy Statement by supporting residential land uses and a variety of dwelling types at appropriate densities to implement the policies of the Highway 427 Industrial Secondary Plan. The proposal is in proximity to a diverse range of land uses within the Block Plan 47-1 area, including recreational trails, park, and open space facilities, planned future commercial uses, services, and other uses to meet long-term needs in accordance with S. 2.2.1 of the PPS. The proposed development avoids environmental concern by placing a 10-meter buffer from the limits of the natural heritage system, and through careful consideration for mitigation measures through the previously completed scoped Environmental Impact Study submitted on the subject lands in accordance with S. 4.1.1 (c).

Staff is satisfied that the proposed Zoning By-law Amendment is consistent with the policies of the Provincial Policy Statement.

***City of Brampton Official Plan (2006):***

The City of Brampton Official Plan provides guidance and policies for the future of the City. The lands are designated ‘Residential’, ‘Open Space’, ‘Special Study Area’, and ‘Open Space’ on Schedule A – General Land Use Designations of the City of Brampton Official Plan.

The ‘Residential’ designation permits predominantly residential land uses including a full range of dwelling types ranging from single detached dwellings to high-rise apartments as well as parks, schools and other associated uses. The ‘Open Space’ designation permits a limited amount of uses that are restricted to minimizing the impacts of development on the natural heritage system. The proposal conforms to the ‘Residential’ and ‘Open Space’ designations of the Official Plan. The proposal includes townhouse, back-to-back townhouse, and apartment units which accommodates a mix of housing types and a variety of built form in the City. Additionally, a parkette, SWM ponds, natural heritage system block, and buffer block are included in the plan.

Staff is satisfied that the proposed development conforms to the City of Brampton Official Plan.

***Brampton Plan (2023):***

On November 1<sup>st</sup>, 2023, City Council adopted the City of Brampton's new Official Plan titled "Brampton Plan". Brampton Plan has been approved by the Region of Peel and at the time of writing this report is serving its statutory appeal period.

The subject site is designated as Neighbourhoods and Natural Heritage System, on Schedule 2 – Designations in Brampton Plan.

Under Section 2.2.9.30 Brampton Plan will provide clear direction and a unified framework for long-term protection, restoration, enhancement, and conservation of the Natural Heritage System and Water Resource System and the achievement of the goals and objectives of the City's Natural Heritage and Environmental Management Strategy. The proposal provides appropriate buffers and appropriate zoning designation for the lands west which are an existing Natural Heritage Feature. Lands located within the Neighbourhoods designation include mainly residential communities with other locally-serving community services and amenities. Under Section 2.2.7.3 planning for Neighbourhoods within the built-up area and designated greenfield areas requires a comprehensive approach to plan urban land uses, streets, parks, infrastructure, community services and facilities to support development and build complete communities. The subject development provided a comprehensive approach to development as it seeks to implement the approved Block Plan for the area. Interconnected streets and pedestrian routes are defined, transit is provided both in the current form and future planned routes, along with services and facilities (school and park blocks) to support residents.

Staff is satisfied that the proposal conforms to Brampton Plan.

***Highway 427 Industrial Secondary Plan (Area 47):***

The lands are designated as 'Medium Density Residential', 'Special Policy Area 9', 'Special Policy Area 11', 'Service Commercial', 'Existing Wetland and Buffer', and 'Heritage Resource'.

The residential designations permit apartments, back-to-back townhouses, and stacked townhouses. Special Policy Area 11 applies to lands designated 'Medium Density Residential' which may permit a maximum density of 130 units per net residential hectares (51 units per net residential acre), and a maximum height of 12 stories. The proposed development will provide appropriate residential intensification while accommodating a mix of housing types and a variety of built form in the City that are in conformity with the existing land use designations.



Staff is satisfied that the proposed development conforms to the Secondary Plan.

***Block Plan 47-1:***

The property is designated as 'Medium Density Residential', 'Wetland Restoration', 'SWM Pond', 'Valleyland', 'Special Policy Area 9', 'Heritage Resource', 'Existing Wetland and Buffer', 'Service Commercial', in the Highway 427 Industrial 47-1, 47-2 Block Plan.

The proposed development is generally in accordance with the Block Plan, an amendment to the Block Plan is not required. Staff is satisfied that the proposed development conforms to the Block Plan.

***City of Brampton Zoning By-law 270-2004***

The property is zoned:

- Residential Townhouse E - 5.5 - Section 3712 (R3E-5.5 -3712);
- Residential Townhouse C - Section 3713 (R3C-3713);
- Residential Apartment A - Section 3714 (R4A-3714);
- Residential Apartment A (H) - Section 3753 (R4A(H)-3753);
- Residential Townhouse C (H) - Section 3752 (R3C(H)-3752);
- Residential Townhouse E (H) - 5.5 - Section 3754 (R3E-5.5(H)-3754);
- Open Space (OS);
- Floodplain (F)

by By-law 270-2004, as amended. This zone allows the development of a variety of residential dwelling types including townhouses and apartments.

An amendment to the Zoning By-law is required to rezone the lands to facilitate changes in the built form. The proposed Zoning By-law includes development standards including permitted uses, building setbacks, minimum lot widths, maximum building heights, minimum garage dimensions, among other items.

The detailed planning analysis (Attachment 8) includes a detailed overview of the Zoning By-law Amendment. The development standards are included in the proposed Zoning By-law Amendment as shown in Attachment 10 – Draft Zoning By-law Amendment.

Staff is satisfied with the proposed Zoning provisions for the development of the lands.

***Community Engagement***

The application was circulated to City Departments, commenting agencies, and property owners within 240 metres of the subject lands in August 2024, in accordance with and exceeding the Planning Act requirement of 120 metres for such applications. A copy of

all department / agency comments are attached as Attachment 9 to this report. Notice signs were placed on the subject lands to advise members of the public that the application had been filed with the City.

A Statutory Public Meeting for this application was held on November 4<sup>th</sup>, 2024. There was no members of the public in attendance to speak to this item at the statutory public meeting. One letter of written correspondence was received from members of the public.

Details of the Statutory Public Meeting are included in Attachment 8 of this report.

## **CORPORATE IMPLICATIONS:**

### **Financial Implications:**

There is no financial impact resulting from the adoption of the recommendations in this report. Revenue collected through development application fees are accounted for in the approved operating budget.

### **Other Implications:**

There are no other corporate implications associated with the applications.

## **STRATEGIC FOCUS AREA:**

The application is consistent with the Strategic Focus Area - Growing Urban Centres & Neighbourhoods. This development proposal will facilitate the development of underutilized lands and will assist in growing of Brampton's economy by helping to create complete communities that are strong and connected.

### ***Living the Mosaic – 2040 Vision***

This report directly aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres with quality jobs. This report has been prepared in full consideration of the overall vision that the people of Brampton will 'Live the Mosaic'

## **CONCLUSION:**

Staff is satisfied that the proposed Zoning By-law amendment represent good planning, because it is consistent with the Provincial Policy Statement, conforms to the Peel Region Official Plan, and is in keeping with the general principles of the Brampton Official Plan.

This report recommends that Council enact the Zoning By-law Amendment attached hereto as Attachment 10 respectively as the following criteria have been met:

- the proposed development takes advantage of an underutilized site to provide a development that is aligned with the applicable policies

- the proposed development precludes development on lands within the City's open space network;
- as confirmed through the circulation of the applications, all financial and technical requirements have been addressed.

In summary, the applications are appropriate for the orderly development of the lands and represent good planning.

Authored by:

Reviewed by:

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Arjun Singh,  
Development Planner,  
Development Services & Design

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Approved by:

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Marlon Kallideen  
Chief Administrative Officer  
City of Brampton

### **Attachments:**

- Attachment 1 – Draft Plan of Subdivision
- Attachment 1B – Concept Plan including Surplus ROW
- Attachment 2 – Location Map
- Attachment 3 – Official Plan Designations
- Attachment 4 – Secondary Plan Designations
- Attachment 4A – Block Plan Designations
- Attachment 4B – Active Applications in Block Plan 47-1 and 47-2
- Attachment 5 – Zoning By-law Designations
- Attachment 6 – Aerial & Existing Land Use
- Attachment 7 – Heritage Resources
- Attachment 8 – Detailed Planning Analysis
- Attachment 9 – Results of Public Meeting
- Attachment 10 – Draft Zoning By-law Amendment
- Attachment 11 – Results of Application Circulation