

Date: 2021-04-01

File: **C10E04.005**

Subject: **Supplementary Recommendation Report**
Application to Amend the Official Plan
(To align policies in the Official Plan the approved Ministerial Zoning Order (MZO) that has been approved to permit the development of the site with a residential subdivision consisting of single detached dwellings, townhouse blocks, a high density mixed-use block, an employment/office block, a park block, a stormwater management facility block, and natural heritage system)
TACC Holborn Corporation – Malone Given Parsons Ltd.
8863 The Gore Road
Ward: 8

Contact: Steve Ganesh, Manager, Development Services
Planning Building and Economic Development
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Report Number: Planning, Building and Economic Development-2021-062

Recommendations:

1. **THAT** the report titled: **Supplementary Recommendation Report**, Application to Amend the Official Plan, **TACC Holborn Corporation – Malone Given Parsons Ltd.**, 8863 The Gore Road, Ward 8 (C10E04.005, Planning, Building and Economic Development-2021-062), dated April 1, 2021 to the Planning and Development Committee Meeting of April 26, 2021 be received;
2. **THAT** the Official Plan Amendment application submitted by Malone Given Parsons Ltd., 8863 The Gore Road, Ward 8, C10E04.005 be approved, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in this Recommendation Report; and
3. **THAT** the amendment to the Official Plan generally in accordance with the attached Appendix 11 to this report be adopted.

4. **THAT** it is determined that the extent of the changes does not require any further notice be given in respect of the proposal.

Overview:

- **This report recommends the approval of an Official Plan amendment to align the policies of the Official Plan and Secondary Plan with the zoning permissions that were previously applied through a Ministerial Zoning Order (MZO) in association with the application. Although the MZO (Ontario Regulation 171/20) amended the zoning permissions on the site, it did not amend the policies of the Official Plan or Secondary Plan. The amendments proposed herein will result in those policy documents designating the subject property in a manner that is consistent with the uses that are permitted by the MZO, being residential, commercial, employment, and open space uses.**
- **City Council had previously approved “in principle” this development application on April 18, 2018.**
- **The subject property is currently designated “Neighbourhood Retail”, “Mixed Commercial/Industrial”, “Special Policy Area 8 (Office Node – Mixed Commercial/Industrial)”, and “Valleyland” on Schedule SP41(a) of the Bram East Secondary Plan. Amendments to the Secondary Plan are attached (Appendix 11) that will facilitate the proposed development.**
- **A further amendment to the Zoning By-law is also proposed through a separate application (File: OZS-2020-0032) for a portion of the subject lands to permit additional density in the “Residential High Density” zone. That matter will be dealt with separately.**
- **The proposed Official Plan Amendment represents good planning, is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Brampton Official Plan.**
- **A statutory Public Meeting for this application was held on June 5, 2017. Five members of the public made presentations before the Planning and Development Committee. Details of the Public Meeting are included in Appendix 9 of this report.**

- **The proposal is consistent with the “2018-2022 Term of Council Priorities” by supporting the “A City of Opportunities” theme. The proposal will add a new use (residential) to the area and support intensification and integration into the existing and potential future urban fabric.**

Background:

This application proposes to amend the Official Plan by amending the designations within the Bram East Secondary Plan to permit the development of a residential subdivision at 8863 The Gore Road.

The applicant originally submitted the application in April 2013 and the original submission included an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision. The initial proposal was for a residential development containing 79 Single Detached Dwellings, 36 Semi Detached Dwellings (72 semi units), 27 blocks of Street Townhouse Dwellings (149 units), 4 blocks of live-work townhouses (28 units), and an apartment block containing two apartment buildings of 8 and 12 storey height (302 units).

The proposal involved the conversion of the entire property from an “Employment Lands” designation to a “Residential” designation to facilitate the proposed development. It was circulated to City departments and agencies, and an initial statutory public meeting was held on June 10, 2013.

The proposed conversion from the “Employment Lands” designation was approved by Council on May 30, 2016, and a related Official Plan amendment OP2006-130 was approved by Council on April 26, 2017. The Official Plan amendment for employment conversion was subsequently appealed to the LPAT.

The applicant completed revisions to the development proposal to include office uses along Queen Street East and The Gore Road at the southern end of the parcel, another public meeting was held on June 5, 2017.

Due to revisions to the proposed development to include office uses along Queen Street East and The Gore Road at the southern end of the parcel, another public meeting was held on June 5, 2017. The Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision were only approved in principle by Council on April 18, 2018 as it is necessary for the appeal of OP2006-130 to be resolved before enacting the OP and Zoning amendments.

Council adopted a motion on October 16, 2019 to request that the Province enact a Minister’s Zoning Order (MZO) for the site. A MZO (Ontario Regulation 171/20) was issued on April 24, 2020. The MZO provided Zoning permissions to allow the

development, but MZO's do not amend the City Official Plan policy. In this regard the Official Plan designations for the subject site do not conform to the as of right permissions that were created by the MZO.

The LPAT approved OP2006-130 permitting the employment conversion in July 2020. Now that the LPAT has rendered a decision on OP2006-130, the Official Plan Amendment can be brought forward for Council's consideration. The applicant subsequently entered into a Subdivision Agreement with the City in August 2020. The subdivision plan (43M-2092) was registered on November 5, 2020.

Current Situation:

Proposal (Refer to Appendix 7)

The applicant had submitted an application for an Official Plan Amendment to permit the development of the residential subdivision. The subdivision that has been approved, and zoned, will provide 113 single detached dwellings, 25 townhouse blocks (161 units), a high density mixed-use block (664 units), an employment/office block, a park block, a stormwater management facility block, buffer blocks, natural heritage system, walkways, reserve blocks, and public streets and lanes.

Application to Amend the Official Plan

The subject property is currently designated "Neighbourhood Retail", "Mixed Commercial/Industrial", "Special Policy Area 8 (Office Node – Mixed Commercial/Industrial)", and "Valleyland" on Schedule SP41(a) of the Bram East Secondary Plan.

The proposed amendment will revise the land use designations of the Secondary Plan to: "Medium Density", "Cluster/High Density", "Office Node", "Neighbourhood Park", "Storm Water Management Facility", "Valleyland", "Special Policy Area 18 (Mixed Use High Density)", and "Special Policy Area 19 (Office Node)". Revisions to the proposed amending documents have been made since the time of the two public meetings to accommodate the range of land uses proposed, and a wide range of potential urban building forms. The proposed changes are shown in Appendix 11.

In addition, the applicant is proposing to add the following sections to the Secondary Plan: "Special Policy Area 18 (Mixed Use High Density)" to allow high density development, and "Special Policy Area 19 (Office Node)" to permit development of higher density employment uses within the "Office Node" designation. The proposed text changes to the Secondary Plan are shown in Appendix 11.

Property Description and Surrounding Land Uses

The lands have the following characteristics:

- Located on the east side of The Gore Road, between Queen Street East and Fogal Road;
- Site Area of approximately 17.84 hectares (44.08 acres);
- Frontage of approximately 500 metres (1,640.42 feet) along The Gore Road and 160 metres (524.93 feet) along Queen Street East; and
- Currently vacant.

The surrounding land uses are described as follows:

- North: Beyond Fogal Road are industrial/commercial uses and vacant lands proposed to develop as townhouses.
- South: Beyond Queen Street East are vacant lands designated for employment uses.
- East: Valleyland and floodplain followed by vacant lands designated for employment uses.
- West: Beyond The Gore Road are commercial uses including a commercial plaza and convention centre.

Summary of Recommendations

This report recommends that Council approve the Official Plan Amendment to result in land use policies that are aligned with the approved MZO permissions for development of this site, including residential uses (low and high densities), an employment/office block, a park block, a stormwater management facility block. The Official Plan Amendment is attached to this report as Appendix 11.

Summary of Planning Analysis

The proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conform to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan.

The proposed development supports the creation of sustainable communities. The proposed application is introducing a mix of land uses including residential in various built forms and density, employment, and open space in an appropriate location. This development supports the creation of complete communities by providing a range of housing options adjacent to employment uses and existing and planned transit infrastructure.

A review of the various studies submitted in support of the application has demonstrated there are adequate services, parking and infrastructure to support the original submission included with the Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision. For more information with respect to the planning analysis for this proposal, please refer to Appendix 7 – Detailed Planning Analysis.

Matters of Provincial Interest

Planning Act

This development proposal has regard for the following matters of Provincial interest as set out in Section 2 of the Planning Act:

- Section 2(a) the protection of ecological systems, including natural areas, features and functions;
- Section 2(h) the orderly development of safe and healthy communities;
- Section 2(j) the adequate provision of a full range of housing, including affordable housing;
- Section 2(k) the adequate provision of employment opportunities;
- Section 2(p) the appropriate location of growth and development;
- Section 2(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- Section 2(r) the promotion of built form that,
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

The proposal is consistent with the above noted matters as the development proposes to create a range of housing types and employment opportunities.

Provincial Policy Statement (PPS)

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 application are consistent with the PPS with respect to the land designations, the environment and housing opportunities. Generally staff are satisfied

that Sections of the PPS are applicable and the application is in conformity with these policies.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe includes policy and direction intended to accommodate and forecast growth in complete communities. These are communities that are designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.

Furthermore, the plan identifies major transit station areas on priority transit corridors that are to be planned and designed to be transit-supportive. These are communities that makes transit viable through compact and mixed-use development that has a high level of employment and residential densities.

The application conforms to the policies of the Growth Plan (2020) in terms of:

- Section 2.2.1.2 Directing growth to settlement areas.
- Section 2.2.1.4 Provision of a diverse range of housing options.
- Section 2.2.4.3 Residential and Office uses will contribute towards achieving the planned density for the major transit station area.
- Section 2.2.5.3 Offices uses will support active transportation and exiting or planned transit.
- Section 2.2.5.9 Conversion of lands within employment areas to non-employment uses is accomplished through a municipal comprehensive review.

The proposed development supports the achievement of complete communities by providing a range of housing types and employment opportunities which supports active transportation and existing and planned transit.

Region of Peel Official Plan

The Region of Peel's Official Plan provides a long term policy framework that is used to manage Peel's growth and development. The subject lands are located within the "Urban System" designation in the Region of Peel Official Plan. The proposed development supports the achievement of intensified and compact form of development that efficiently uses land, services and infrastructure. The application conforms to the policies of the Region of Peel Official Plan.

City of Brampton Official Plan and the Bram East Secondary Plan (Area 41)

The purpose of the City of Brampton Official Plan is to give clear direction as to how physical development and land use decisions should take place to meet the current and future needs of its residents. The subject lands are designated “Residential”, “Office”, “Open Space”, and “Special Land Use Policy Area 19” in the Brampton Official Plan. These designations permit a range of residential uses, offices uses and associated commercial uses, and recreational uses.

The proposal satisfies the general intent of the Official Plan relating to optimizing opportunities for residential and employment uses along intensification corridors and major transit station areas. Staff is satisfied that the proposal fulfills the objectives of the Official Plan. The proposed Secondary Plan amendment is consistent with the general intent of the Official Plan and Secondary Plan.

Community Engagement:

The application was circulated to City Departments, community agencies and property owners within 240 metres of the subject property, exceeding the Planning Act requirement of 120 metres for such applications. The correspondence received from commenting agencies are included as Appendix 10 – Results of Application Circulation. Notice signs were placed on the subject lands to advise members of the public that the application to amend the Official Plan was filed with the City.

Two statutory Public Meetings for this application were previously held. Five members of the public made presentations at the second public meeting on June 5, 2017. Two members of the public were in favour of the application. Three members of the public raised the following issues:

- Unsuitability of the proposed development for the area
- The need to include commercial developments in the application
- The need to include more residential developments in the area

A response to the residents’ comments and concerns is attached as Appendix 9 – Results of Public Meeting.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this application. Revenue that is collected through the development application fees are accounted for in the approved operating budget.

Other Related Applications:

On November 19, 2020 the owner submitted an application to amend the Zoning By-law to permit the development of a 664 unit mixed-use high-density development. That application is being processed and reviewed under a separate file: OZS-2020-0032. The application has supporting studies (i.e. functional servicing review, traffic impact study) to support the increase in height and density from the original 10 storeys to two high-rise towers of 25 and 30 storeys with a connecting podium of 10 storeys.

Term of Council Priorities:

This application to amend the Official Plan and the Zoning By-law is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs. The redevelopment of the lands makes efficient use of land and resources and takes advantage of existing infrastructure and will provide a transit supportive, pedestrian friendly development.

Living the Mosaic – 2040 Vision:

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

Conclusion:

The proposed development represents the efficient and orderly development of lands for residential, employment, and open space purposes. The proposed density is appropriate in supporting a complete community and supports City’s vision of directing intensification towards strategic growth areas such as intensification corridors and major transit station areas.

The proposed development is consistent with the Provincial Policy Statement (2020), and conforms to the Growth Plan for the Greater Golden Horseshoe (2020), Region of Peel Official Plan the City’s Official Plan. Staff is satisfied that the application represents good planning and recommend approval of the Official Plan Amendment.

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Attachments:

Appendix 1: Location Map
Appendix 2: Official Plan Designations
Appendix 3: Secondary Plan Designations
Appendix 4: Zoning Designations
Appendix 5: Aerial & Existing Land Use
Appendix 6: Heritage Resources
Appendix 7: Registered Plan of Subdivision 43M-2092
Appendix 8: Detailed Planning Analysis
Appendix 9: Results of Public Meeting
Appendix 10: Results of Application Circulation
Appendix 11: Draft Official Plan Amendment