

Date: 2021-08-20

Subject: **RECOMMENDATION REPORT**
Proposed Draft Plan of Subdivision
(A “technical” plan of subdivision to create one development block and two 0.30m reserve blocks to facilitate a particular type of condominium ownership for the townhouse units that previously received zoning approval)
Madan Sharma – Kennedy Road Owners Group (KROG)
0, 7646, 7660 & 7686 Kennedy Rd. S.,
Ward 3
(OZS-2020-0020 and 21T-20007B)

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Report Number: Planning, Bld & Ec Dev-2021-864

Recommendations:

1. **THAT** the report titled: **Recommendation Report**, Proposed Draft Plan of Subdivision, Madan Sharma – Kennedy Road Owners Group (KROG), 0, 7646, 7660 & 7686 Kennedy Road South, Ward 3 (OZS-2020-0020, 21T-20007B, and Planning, Building and Economic Development-2021-864), dated August 20, 2021 to the Planning and Development Committee Meeting of September 13, 2021 be received;
2. **THAT** the Draft Plan of Subdivision application submitted by Kennedy Road Owners Group (KROG), Ward 3, Files: OZS-2020-0020 and 21T-20007B 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** it is determined that no further notice be given in respect of the proposal and that no further public meeting be held.

Overview:

- This is a “technical” Plan of Subdivision application that is needed to facilitate a particular type of condominium ownership (common element condo). The property was previously rezoned to approve approx. 70 townhouse units, via an Local Planning Appeal Tribunal (LPAT) decision, (now referred to as the Ontario Land Tribunal (OLT)).
- The lands are designated ‘Residential’ and ‘Special Land Use Policy Area 21’ in the Official Plan. The Official Plan permits the proposed residential use. An amendment to the Official Plan is not required to permit the proposed development.
- The property is split zoned ‘Residential Townhouse C – Section 2970’ (R3C-2970) and ‘Residential Townhouse C – Section 2971’ (R3C-2971) as per Zoning By-law 270-2004, as amended. An amendment to the Zoning By-law is not required to permit the proposed development.
- A Statutory Public Meeting for this application was held on November 16, 2020. Members of the public provided written comments on the application prior to the Public Meeting. Details of the Statutory Public Meeting and Correspondence Received are included in Appendix 9 of this report.
- The proposal is consistent with the “2018-2022 Term of Council Priorities” by supporting “A City of Opportunities” theme. The proposal is consistent with the direction of building complete communities to accommodate growth for people and jobs.
- The proposal 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.

Background:

The subject Draft Plan of Subdivision application was submitted by Madan Sharma on behalf of the Kennedy Road Owners Group (KROG) on March 9, 2020.

City Staff have reviewed the application for completeness and deemed the application complete in accordance with the Planning Act on August 18, 2020. A formal Notice of Complete Application was issued to the applicant on August 19, 2020.

The site was the subject of a previous Official Plan and Zoning By-law Amendment application (File: T01E14.017) submitted to the City on May 28, 2013 to permit the development of the

lands with 72 townhouse dwelling units. The application was approved by City Council December 2015 with “prior to” conditions, which were to be satisfied prior to the zoning amendment being approved. On November 24, 2017, a non-decision appeal was filed by the owner to seek approval from the Ontario Land Tribunal (OLT), formerly the Local Planning Appeal Tribunal (LPAT) and Ontario Municipal Board (OMB). The Official Plan Amendment (By-law 1-2019) and Zoning By-law Amendment (By-law 4-2019) were approved by the OLT in 2019 (OLT Case File: PL171426) to permit the development of townhouses and a single detached dwelling.

This Plan of Subdivision application has been filed solely due to the technical need to have the lands identified as a block on a registered plan of subdivision, in order to facilitate the applicant’s intended condominium ownership type, specifically a common elements plan of condominium for the residential units. The Plan of Subdivision application does not propose changes to the overall development proposal approved by OLT.

Current Situation:

Proposal (Refer to Appendix 1)

The Draft Plan of Subdivision would create the development block which will facilitate the future development of a common elements condominium for the already approved (via the Zoning By-law) residential development, which includes 71 unit townhouses, one single detached dwelling, an outdoor amenity space of approximately 130.70 square metres, and a private road to service the condominium units, as well as visitor parking spaces.

Details of the proposal are as follows:

- To create one (1) residential block.
- To create 2 (two) reserve blocks along Kennedy Road South.
- To permit seventy-one (71) townhouse dwelling units and one (1) detached dwelling.

Property Description:

The lands have the following characteristics:

- Are municipally known as 0, 7646, 7660 & 7686 Kennedy Rd. S., which is located on the west side of Kennedy Rd. S. between Steeles Ave. W. and Highway 407;
- Have a site area of approximately 1.34 hectares (3.31 acres);
- Have a frontage along Kennedy Road South of approximately 241.69 metres (792.95 feet); and,
- Are currently occupied by three single detached dwellings and associated accessory structures, which will be demolished to accommodate the development proposal.

The surrounding land uses are described as follows:

North: Commercial recreational uses (Brampton Golf Club)

South: Institutional (Masumeen Islamic Centre)

East: Recreational uses (CAA Centre, Brampton Sports Park) east of Kennedy Road South

West: Commercial recreational uses (Brampton Golf Club)

Summary of Recommendations:

This report recommends the approval of the Draft Plan of Subdivision application attached hereto as Appendix 8 – 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 and Section 51(24) of the Planning Act.

The proposed townhouse development (as well as a detached dwelling) helps to satisfy demands for a variety of housing types in the City. The proposed townhouses offer a variety of two-bedroom and three-bedroom options. The proposed development is located within the City's urban boundary and efficiently uses existing regional and municipal infrastructure. This includes proximity to transit infrastructure that residents can use and encourages active transportation.

Provincial Policy Statement (2020):

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 sets out fundamental planning principles and provides policy direction on matters of provincial interest related to land use planning and development. The proposed development is an efficient use of the site and optimizes existing infrastructure to provide housing. Staff is satisfied that the proposed development is consistent with the applicable sections of the Provincial Policy Statement (PPS).

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Office Consolidation, August 2020):

The Growth Plan for the Greater Golden Horseshoe provides a policy framework for building stronger, prosperous communities by managing growth over the long term. The proposed development provides housing as well as efficiently uses existing transit network and existing infrastructure. Staff is satisfied that the proposed development is consistent with the applicable sections of the Growth Plan.

Region of Peel Official Plan (Office Consolidation, December 2018):

The Region of Peel Official Plan provides a strategic policy framework to ensure planning occurs in a manner that protects the environments, manages resources, and directs growth efficiently. The subject application is identified as an Urban System and located within the

Regional Urban Boundary as per Schedule D, Regional Structure in the Peel Region Official Plan.

The proposed development makes efficient use of the land and existing infrastructure and is consistent with the policies for development within the Urban System. Staff is satisfied that the proposed development is consistent with the applicable sections of the Peel Region Official Plan.

City of Brampton Official Plan (Office Consolidation, September 2020):

The City of Brampton Official Plan provides comprehensive policies that facilitate land use decision making. The purpose of the plan is to guide development and infrastructure decisions and set the basis for addressing the challenges of growth in Brampton.

The subject site is designated 'Residential' and subject to 'Special Land Use Policy Area 21' policies. The 'Residential' designation permits a variety of residential land uses including single detached homes and townhouses. The 'Special Land Use Policy Area 21' provides site specific policies applicable for the subject site. It notes that the site is designated Residential and shall only be developed for townhouse and single detached dwellings. This section also provides permissions for maximum density (53.75 units per hectare), restrictions on the location of where dual frontage lots and balconies are permitted within the development and other site-specific direction. The proposed development is consistent with the permissions for the 'Residential' designation and 'Special Land Use Policy Area 21' policies. The proposed application also efficiently uses existing infrastructure. Staff is satisfied that the proposed development is consistent with the policies provided in the City of Brampton Official Plan.

Application Evaluation:

A detailed planning analysis (Appendix 8) provides a comprehensive evaluation of how this proposal complies with existing provincial and municipal planning documents and policies.

Community Engagement:

The proposed Draft Plan of Subdivision was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject lands in accordance with and exceeding the Planning Act requirements. A copy of all department/agency comments are included in Appendix 10 of this report. Notice signs were also placed on the subject lands to advise members of the public that an application had been filed with the City.

A Statutory Public Meeting for this application was held on November 16, 2020. There were no delegations at the meeting. One written submission was provided by member of the public. Details of this meeting, the submission received, and staff's response are included in Appendix 9, 'Results of the Public Meeting' of this report.

Corporate Implications:

Financial Implications:

There are no financial implications identified at this time. Revenue collected through development application fees are accounted for in the approved operating budget.

Other Implications:

There are no other corporate implications associated with this application.

Term of Council Priorities:

This application is consistent with the “A City of Opportunities” theme. The redevelopment of lands (which are currently occupied by three detached dwellings) with a townhouse development (comprised of 71 units) and a detached dwelling makes efficient use of land and resources. The proposal optimizes existing infrastructure and will provide a transit supportive, pedestrian friendly development.

Living the Mosaic – 2040 Vision:

This report directly aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres. 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:

This report recommends that the proposed Draft Plan of Subdivision be approved, based on the below items:

- The proposed development will support the creation of complete communities by optimizing existing infrastructure and providing a range of dwelling types and mix of units; and
- This application is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, the Peel Region Official Plan, and the City’s Official Plan.

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Attachments:

Appendix 1:	Draft Plan of Subdivision
Appendix 1A:	Proposed Development Block Plan
Appendix 2:	Location Map
Appendix 3:	Official Plan Designations
Appendix 4:	Zoning Designations
Appendix 5:	Aerial & Existing Land Uses
Appendix 6:	Heritage Resources
Appendix 7:	Propone Facilities
Appendix 8:	Detailed Planning Analysis
Appendix 9:	Results of the Public Meeting
Appendix 10:	Results of Application Circulation
Appendix 11:	Conditions of Draft Approval