

Date: 2021-11-12

Subject: **RECOMMENDATION REPORT**
Application to Amend the Official Plan and Zoning By-Law
(to permit a residential townhouse development consisting of eight townhouse units)
S. Kaur & N. Parhar - GAGNON WALKER DOMES LTD.
10196 Bramalea Road
West side of Bramalea Road, north of Peter Robertson Boulevard
Ward: 9

Contact: Yin Xiao, Development Planner, Development Services, Planning, Building and Economic Development, yinzhou.xiao@brampton.ca, 905-874-2867

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Report Number: Planning, Bld & Ec Dev-2021-1222

Recommendations:

1. **THAT** the report titled: **Recommendation Report**, Application to amend the Official Plan and Zoning By-law, **S Kaur & N. Parhar – GAGNON WALKER DOMES LTD.**, West side of Bramalea Road, north of Peter Robertson Boulevard, Ward 9 (File: C04E11.008), dated November 12, 2021, to the Planning and Development Committee Meeting of December 06, 2021, be received;
2. **THAT** the application be approved in principle and staff be directed to prepare the appropriate amendments to the Official Plan and Zoning By-law;
3. **THAT** the Official Plan be amended to re-designate a portion of the site from 'Open Space' to 'Residential' on Schedule A; 'Open Space System' to 'Communities' on Schedule 1; delete a portion of the site from the 'Woodland' designation on Schedule D; and amend Schedule 2 in the Springdale Secondary Plan, to re-designate a portion of the site from 'Natural Heritage System' to 'Medium Density Residential'.

4. **THAT** the Zoning By-law be amended to rezone the site from 'Agricultural' to "Residential Townhouse A (R3A)" zone with site specific provisions and the "Open Space" Zone.
5. **THAT** prior to the adoption of the Official Plan Amendment and the enactment of the Zoning By-law:
 - (a) A Functional Servicing Report shall be approved to the satisfaction of the Commissioner of Public Works and Engineering
 - (b) An Urban Design Brief shall be approved to the satisfaction of the Commissioner of Planning, Building and Economic Development
 - (c) A Sustainability Score and Summary shall be approved to the satisfaction of the Commissioner of Planning, Building and Economic Development
 - (d) A Restoration Planting Plan shall be approved to the satisfaction of the Commissioner of Engineering and Public Works
 - (e) An Environmental Impact Study shall be approved to the satisfaction of the Engineering and Public Works
 - (f) An Arborist Report shall be approved to the satisfaction of the Engineering and Public Works
 - (g) Adequate arrangements be made to gratuitously convey to the City, to the satisfaction of the Commissioner of Planning, Building and Economic Development, the portion of the subject lands that is required to generally provide a 15 metre wide buffer to the existing woodlot.
6. **THAT** the decision of approval for the subject application be considered null and void and a new development application be required, unless an Official Plan Amendment is approved and a Zoning By-law is passed within 36 months of the Council approval of this decision.
7. **THAT** no further public notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34(17) of the *Planning Act*.

Overview:

- **The applicant is proposing to change the land use designation in the Official Plan and change the zoning of a portion of the subject lands to facilitate the development of eight (8) townhouses.**

- **This report recommends approval in principle of the proposed Official Plan Amendment and Zoning By-law Amendment.**
- **The lands are designated in the Official Plan as ‘Open Space’ on Schedule A and “Woodland” on Schedule D of the City of Brampton Official Plan. An amendment to the Official Plan is proposed to redesignate a portion of the site from ‘Open Space’ to ‘Residential’.**
- **The subject lands are designated as “Natural Heritage System” in the Springdale Secondary Plan (Area 2). An amendment to the Secondary Plan is proposed to redesignate a portion of the site to ‘Medium Density Residential’.**
- **The subject lands are zoned “Agricultural” by By-Law 270-2004, as amended. An amendment to the Zoning By-law is proposed to rezone the site to a residential Townhouse zone with site specific provisions and ‘Open Space’.**
- **A Statutory Public Meeting for this application was held on April 8, 2019. No members of the public spoke to this application at the meeting. Details of the Statutory Public Meeting are included in Appendix 8 of this report.**
- **A number of studies/reports were submitted in support of the application. Generally, Staff is satisfied that the site can be adequately developed as proposed, however some revisions will be required to the technical reports/studies prior to the adoption of the Official Plan Amendment and enactment of the Zoning By-law.**
- **The proposed Official Plan Amendment and Zoning By-law Amendment represent good planning, is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe, and the Regional Official Plan.**
- **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.**

Background:

The application was received on June 20, 2018 and was reviewed for completeness and found to be complete in accordance with the Planning Act. On February 15, 2019, the City’s Planning staff issued formal notice that deemed the application complete. The application was heard at a Public Meeting on April 8, 2019.

Prior to 2007, the subject lands included a portion of the woodland, known as the Springdale Forest, as well as a single detached dwelling with a garage. In April 2007, the dwelling was demolished and all of the trees on the property were removed without the necessary tree removal permit approval from the City, contravening the City's Woodlot By-law.

As a result of the tree removal, court case was brought against the property owner by the City which was held on November 19, 2008 at the Ontario Court of Justice. The property owner was convicted and ordered to pay a fine to the City. As part of the legal proceedings, the City retained a consultant to complete a Woodland Impact Study that investigated the impacts of the tree removal. The Study identified a number of recommendations to minimize impacts to new forest edge trees, including establishing a 15 metre wide new forest edge adjacent to Springdale Forest on the subject property. On January 5, 2017, staff from the City of Brampton, Region of Peel, and Toronto and Region Conservation Authority completed a site visit and staked the dripline of the Springdale Forest which resulted in the established development limits. The current proposal includes the required 15 metre wide new forest edge.

Current Situation:

Proposal (Refer to Appendix 1):

The applicant is proposing to amend the Official Plan and Zoning By-law to permit a residential townhouse development. Details of the proposal are as follows:

- To develop a total of eight (8) three (3)-storey townhouse units in two (2) blocks
- To create a private condominium road with access to Bramalea Road
- To provide two (2) resident parking spaces for each unit by way of a private driveway and attached garage
- To provide a minimum frontage of 5.1 metres
- To provide a total of three (3) visitor parking spaces including one (1) accessible parking space
- To create a 15.0 metre environmental buffer / restoration zone from the dripline of Springdale Forest

Property Description and Surrounding Land Use (Refer to Appendix 2):

The lands have the following characteristics:

- a site area of 0.39 hectares (0.968 acres)
- a frontage of 46 metres along Bramalea Road
- currently vacant with some vegetation coverage along the northern property line.

The surrounding land uses are described as follows:

North: Single Detached Residential

South: Woodlot (Springdale Forest)

East: Bramalea Road, beyond which are Single and Semi-Detached Residential dwellings

West: Woodlot (Springdale Forest)

To facilitate the proposed development, the applicant is proposing the following amendments:

Application to Amend the Official Plan

This application proposes to amend the Official Plan and the Secondary Plan by:

- re-designating a portion of the site from 'Open Space' to 'Residential' in Schedule A
- re-designating a portion of the site from 'Open Space System' to 'Communities' in Schedule 1
- deleting a portion of the site from the 'Woodland' designation on Schedule D
- re-designating a portion of the site from 'Natural Heritage System' to 'Medium Density Residential' on Schedule 2 of the Springdale Secondary Plan

Application to Amend the Zoning Bylaw

This application proposes to amend the Zoning By-law by:

- Rezoning a portion of the site from '*Agricultural (A)*' to '*Residential Townhouse A (R3A)*' *with site specific provisions*
- Rezoning a portion of the site from '*Agricultural (A)*' to '*Open Space (OS)*'

Summary of Recommendations

This report recommends that Council approve the application in principle to permit eight (8) townhouse units at the subject property and direct staff to bring forward an Official Plan Amendment and Zoning By-law Amendment subsequent to the approval of studies and reports as set out in Recommendation 5 above.

Planning Analysis Summary

The proposal and implementing documents represent good planning, are consistent with the Provincial Policy Statement, and conform to the Growth Plan for the Greater Golden Horseshoe, and the Region of Peel Official Plan.

The location of the site is considered appropriate for a residential infill development. It promotes and facilitates intensification at an appropriate location by taking advantage of the existing infrastructure capacity, neighbourhood amenities and public service

facilities. It will accommodate residential growth within the built up area and contribute to achieving the intensification targets within the City.

The proposed townhouse project represents moderate intensification within the Springdale community by adding eight (8) dwelling units to the area, with a density of approximately 45 units per net hectare. The development also gives consideration to the compatibility with the surrounding area, especially the low density neighbourhood to the north and to the south.

City staff are generally satisfied that with the introduction of the 15 metre wide buffer (new forest edge) and the proposed restoration planting, impacts of the previous tree removal will be adequately mitigated. The proposed restoration in the 15 meter buffer area will enhance the existing natural heritage feature.

For more information with respect to the planning analysis for this proposal, please refer to Appendix 7 – Detailed Planning Analysis.

Outstanding items

Technical Studies

The applicant is in the process of preparing a resubmission that includes the following technical studies:

- A revised Functional Servicing Report
- A revised Urban Design Brief
- A revised Sustainability Score and Summary
- A revised Restoration Planting Plan
- A revised Environmental Impact Study
- A revised Arborist Report

Staff are satisfied that while these studies have not been approved, the required revisions are minor in nature and will not have an impact on the land use, density and overall site layout. The proposed Official Plan and Zoning By-law Amendment shall not be adopted until these studies are approved to the satisfaction of the City.

Land Conveyance

An environmental buffer that measures 15 metres from the staked dripline of the existing Natural Heritage Feature shall be conveyed gratuitously to the City to accommodate its long term protection and preservation. The proposed Official Plan and Zoning By-law Amendment shall not be adopted until such time when the arrangements for the gratuitous conveyance of the buffer are completed to the satisfaction of the Commissioner of Planning, Building and Economic Development.

Matters of Provincial Interest:

Planning Act:

This proposal has regard for matters of provincial interest that are set out in the Planning Act. The proposal represents orderly development in a location that is suitable for growth and development due to its proximity to existing and planned transit options, and nearby recreational, community and commercial services.

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 location of the site is considered appropriate for intensification as it will take advantage of the existing infrastructure capacity and public service facilities including transit, which avoids unnecessary land consumption and servicing costs. Staff is satisfied that the proposed development is consistent with the applicable sections of the PPS.

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

The Growth Plan for the Greater Golden Horseshoe (the Growth Plan) supports the achievement of complete communities through more compact building forms and opportunities to provide a diverse range of housing options. The development is taking place within a delineated built boundary that has access to existing municipal water and wastewater systems. It represents appropriate intensification which will contribute to the Growth Plan target of achieving 50 percent of all development within the built-up area. This development proposal conforms to the applicable sections of the Growth Plan.

Municipal Planning Documents:

Region of Peel Official Plan:

The Region of Peel Official Plan provides a long-term policy framework that is used to manage Peel's growth and development. The intent of the Regional Official Plan is to manage resources, direct growth and establish a basis for providing Regional services in an efficient and effective manner. The proposal conforms to relevant policies of the Regional Official Plan by contributing to the building of a complete community that offers housing, employment, recreational and cultural activities and providing an environmental buffer to enhance the ecological function of the adjacent natural heritage feature.

City of Brampton Official Plan and Springdale Secondary Plan:

The City's Official Plan and associated Secondary Plans are intended to guide development and infrastructure decisions on issues related to land use, built form, transportation and the environment. The applicant has applied to amend the Official Plan and the Springdale Secondary Plan. Staff has evaluated the proposal and

determined that the proposed application is supportable subject to the approval of the outstanding technical studies and the conveyance of the environmental buffer.

Community Engagement:

The proposed Zoning By-law Amendment 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. Notice signs were also placed on the subject lands to advise members of the public that an application had been filed with the City. This report along with the complete application requirements, including studies, have been posted to the City's website.

A statutory public meeting for this application was held on April 8, 2019. There were some members of the public in attendance at the meeting in regard to this application and a presentation was requested but no member of public spoke at the meeting. In addition, six (6) pieces of correspondence were received. Please refer to Appendix 8 for details regarding comments received by email prior to and after the meeting.

Corporate Implications:

Economic Development Implications

There are no Economic Development 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 Implications:

There are no other corporate implications associated with this application.

Term of Council Priorities:

This application is consistent with the "A City with Opportunities" and "A Green City" theme. It supports the building of complete communities and implementation of a green framework. The proposal satisfies this by:

- efficiently using land and resources;
- directing development to an existing built up area that is within close proximity of existing community services, parks, and schools; and,
- protecting, restoring and enhancing natural heritage features.

Living the Mosaic – 2040 Vision

This proposal directly aligns with the vision that Brampton will be a mosaic of complete neighbourhoods. 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 Official Plan and Zoning By-law Amendment application represents good planning. This application is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, and the Peel Region Official Plan. Staff therefore recommend that the proposed Official Plan and Zoning By-law Amendment be approved in principle.

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Attachments:

Appendix 1:	Concept Site Plan
Appendix 2:	Location Map
Appendix 3:	Official Plan Designations
Appendix 4:	Secondary Plan Designations
Appendix 5:	Zoning Designations
Appendix 6:	Aerial & Existing Land Use
Appendix 7:	Detailed Planning Analysis
Appendix 8:	Results of the Public Meeting and Correspondence Received

Appendix 9: Results of the circulation