

Filing Date: 23-Mar-2021

Hearing Date: 20-Apr-2021

File: A-2021-0056

**Owner/
Applicant:** Mattamy (Fletcher's Creek) Limited – Catherine McEwan (Korsiak Urban Planning)

Address: 6 WORTHINGTON AVE, BRAMPTON, ON

Ward: 6

Contact: Tejinder Sidhu, Planner I, Development

Recommendations:

That application A-2021-0056 is supportable, subject to the following conditions being imposed:

1. That the sales pavilion relate only to SP17-126, SP17-087, PRE-2020-0146, SPA-2020-0190 and any associated applications within Block Plan Area 44-1 of the Fletcher's Meadow Secondary Plan and Block Plan Area 45-3 of the Credit Valley Secondary Plan as well as any other applications as deemed appropriate by the Director of Development Services;
 2. That the proposed variances be allowed for a temporary period of five (5) years from the final date of the Committee's decision or until all dwelling units identified in condition (1) are sold, whichever comes first;
 3. That the owner and builders amend the existing Temporary Structures Agreement with the City to extend the date of expiry 5 years from the date of the Committee's decision or until such time all dwelling units identified in condition (1) are sold, whichever comes first;
 4. That the owner provide a security in the amount of \$40,000 to ensure the removal of the sales office, parking areas, temporary access and all associated signage and flags;
 5. That all signage associated with the temporary sales office is to be in accordance with the Sign By-law and shall not be installed or displayed until such time as appropriate permits have been issued; and
 6. That failure to comply with the conditions of the Committee will render the approval null and void.
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Background:

In September 2011 (City File: A11-214) and again on July 2016 (City File: A16-112), the Committee approved an application to allow a new homes sales pavilion on the property for a temporary period of five (5) years. Approval was also provided for variances relating to the required minimum setback to Salvation Road (formerly Creditview Road), Worthington Avenue and Bovaird Drive as well as minimum required landscaped area abutting Worthington Avenue and Salvation Road (Creditview Road).

The applicant is now seeking to allow the continued use of an existing new home sales pavilion for a temporary period of five (5) years. The temporary approval previously granted by the Committee in July 2016 is set to expire August, 2021.

Existing Zoning:

The property is zoned 'Agricultural – Special Section 1002 (A - 1002)', according to By-law 270- 2004, as amended.

Requested Variance:

The applicant is requesting the following variances:

1. To permit a new homes sales pavilion for a temporary period of five (5) years, having a minimum setback of 3.0 metres to Salvation Road (formerly Creditview Road), a setback of 3.0 metres to Worthington Avenue, and a setback of 18.9 metres to Bovaird Drive West whereas the by-law does not permit any buildings or structures;
2. To permit a landscaped open space area of 1.4 metres abutting Worthington Avenue whereas the by-law requires a minimum landscaped open space area of 3.0 metres;
3. To permit a landscaped open space area of 0.6 metres abutting Salvation Road (formerly Creditview Road) whereas the by-law requires a minimum landscaped open space area of 3.0 metres

Current Situation:**1. Conforms to the Intent of the Official Plan**

The property is designated 'Residential' in the Official Plan and 'Medium Density Residential in the Fletcher's Meadow Secondary Plan (Area 44). The requested variances conform to the general intent and purpose of the Official Plan.

The requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned Agricultural (A) - Section 1002 (A-1002) under By-law 270-2004, as amended.

Conditional approval was granted by the Committee in 2011 and 2016 to allow the establishment of the temporary sales pavilion use for a temporary period of five (5) years. The use has not caused any adverse impacts to the surrounding neighbourhood. Subject to the conditions of approval, the requested variances are considered to maintain the general intent of the by-law.

3. Desirable for the Appropriate Development of the Land

The requested variances as previously approved, include to permit a new homes sales pavilion for a temporary period of five (5) years with minimum setbacks to the abutting streets whereas the by-law does not permit any buildings or structures. As Variance 1 is to permit a homes sales pavilion for a temporary period and no impacts were noted in previous approval decisions, this variance is desirable for the appropriate development of the land.

Variance 2 and Variance 3 are to permit a reduced landscape area abutting Worthington Avenue (1.4 metres) and abutting Salvation Road (formerly Creditview Road) (0.6 metres) whereas a minimum landscaped area of 3.0 metres is required for each street. Subject to the conditions of approval, Variances 2 and 3 are considered to be desirable for the appropriate development of the land.

The temporary sales trailer is in an area that is developed mainly for residential and commercial uses, and extension of the existing temporary use for a new home sales pavilion is desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances for this temporary use are considered to be minor in nature. Variance 1 is to permit a homes sales pavilion for a temporary period of five (5) years with minimum setbacks required to abutting streets. Variances 2 and 3 are to permit reduced landscaped areas abutting Worthington Avenue and Washington Avenue. The proposed homes sales pavilion is only contemplated as a temporary use. Additionally, the conditions of approval will ensure that land will be reinstated to original condition. As such, these variances are considered to be minor in nature.

Respectfully Submitted,

T. Sidhu

Tejinder Sidhu, Planner 1, Development