

**Date:** 2022-06-01

**File:** OZS-2020-0036 and 21T-20011B

**Subject:** **RECOMMENDATION REPORT**

Application to Amend the Official Plan, Zoning By-law and Draft Plan of Subdivision.

*(To facilitate a Plan of Subdivision consisting of 9 single detached dwellings, 39 street townhouses, one condo townhouse block, one apartment block, one park, one partial stormwater management pond and several Natural Heritage System blocks)*

**Korsiak Urban Planning – Jim and Luisa Mocon**

1879 Queen Street West

South side of Queen Street West and east of Mississauga Road

Ward: 4

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**Report Number:** Planning, Bld & Ec Dev-2022-500

**Recommendations:**

1. **That** the report titled: **Recommendation Report**, Application to Amend the Official Plan, Zoning By-law and for a Draft Plan of Subdivision, **Korsiak Urban Planning – Jim and Luisa Mocon**, 1879 Queen Street Ward 4 (File #: OZS-2020-0036), dated June 1<sup>st</sup>, 2022 to the Planning and Development Committee Meeting of June 20<sup>th</sup>, 2022, be received; and,
2. **THAT** the Official Plan, Zoning By-law Amendment and Draft Plan of Subdivision application submitted by Korsiak Urban Planning, on behalf of Jim and Luisa Mocon. (File: OZS-2020-0036) be approved, on the basis that they represent good planning, including that they are consistent with the Provincial Policy Statement, conform to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City's Official Plan for the reasons set out in the Planning Recommendation Report dated June 1<sup>st</sup>, 2022;

3. **THAT** the amendments to the Official Plan generally in accordance with the attached Appendix 13 to this report be adopted;
4. **THAT** the amendments to the Zoning By-law generally in accordance with the attached Appendix 14 this report be adopted;
5. **THAT** the attached Tertiary Plan included in the Official Plan Amendment attached as Appendix 13 to this report be approved;
6. **THAT** no further notice or public meeting be required for the attached Official plan Amendment and Zoning By-law Amendment as per section 22 (6.1) and Section 34 (10.4) of the *Planning Act*, R.S.O. c. P. 13, as amended.

**Overview:**

- This report recommends approval of an application to amend the Official Plan, Zoning By-law and a proposed Draft Plan of Subdivision.
- The proposal includes a residential development consisting of 9 single detached dwellings, 39 street townhouses, one condo townhouse block, one apartment block, one park, one partial stormwater management pond and several Natural Heritage System blocks.
- The lands are designated 'Residential' and 'Open Space' on Schedule A of the Official Plan, 'Valleylands and Watercourse Corridors' and 'Areas of Natural and Scientific Interest – Life Science' on Schedule D – Natural Heritage Features and Areas. An Amendment to the Official Plan is required.
- The subject property is designated 'Special Policy Area, 'Low Density Residential 1' and 'Primary Valleyland' within the Credit Valley Secondary Plan (SPA 45). An Amendment to the Secondary Plan is required.
- The property is located within the Queen Street West – Credit Valley Tertiary Plan, the Tertiary Plan is proposed to be revised to recognize an increase in height and density for the apartment block.
- The property is zoned 'Agriculture' (A) and 'Recreation Commercial Section 560' (RC-560) by By-law 270-2004, as amended. An Amendment to the Zoning By-law is required to facilitate the proposal.
- A Statutory Public Meeting for this application was held on June 7<sup>th</sup> 2021. Member of the public provided written comments on the application prior to the public meeting. Details of the Statutory Public Meeting are included in Appendix 10 of this report.

- **The Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment are generally consistent with the application presented as the Public Meeting held June 7<sup>th</sup>, 2021.**
- **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 as well as the Region and City's Official Plans.**
- **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:**

This application proposes to amend the Official Plan, Zoning By-law and a proposed Draft Plan of Subdivision to facilitate the development of nine single detached dwellings, 39 street townhouses, one condo townhouse block, one apartment block, one park, one partial stormwater management pond and several Natural Heritage System blocks.

The subject application was submitted on behalf of Jim and Luisa Mocon on March 29<sup>th</sup>, 2021. The application has been reviewed for completeness and found to be complete in accordance with the Planning Act. A formal Notice of Complete Application dated April 6<sup>th</sup>, 2021 was provided to the applicant, with the Public meeting taking place on June 7<sup>th</sup>, 2021.

Prior to this application being submitted and in accordance with the policies of Special Policy Area 2 of the Secondary Plan, the subject applicant participated in a Tertiary Plan process. A Tertiary Plan is a non-statutory planning document required in specific areas identified by the City to show how multiple parcels can be developed in a holistic and coordinated manner. Owners currently developing their lands are required to show that their plans do not impede on the future development of other lands in close proximity. Tertiary Plans are illustrative, and are not binding on land owners. They are often amended as formal development applications proceed.

Cesta, Larencore and the Brampton Rotary Club were the initial participating owners who submitted a tertiary plan on February 2018, which was revised on July 26, 2019. The owners worked cooperatively with staff, the Region, and Credit Valley Conservation (CVC) to refine the tertiary plan, which was supported by a substantial amount of technical work. Originally the Tertiary Plan report was deferred from the September 23, 2019 Planning Committee, after which, the lands owned by the Mocon's, owners of the lands subject to this application, became an additional participating owner. On October 16<sup>th</sup>, 2019, all participating landowners submitted a Tertiary Plan that they all agreed

on. Council accepted and endorsed the tertiary plan at their meeting of October 19th, 2019.

It should be noted that an amendment to the Tertiary Plan has been submitted as part of this application to demonstrate how all the properties can be developed with the increased density within the apartment block proposed through the application subject to this application.

### **Current Situation:**

#### Proposal:

The proposal to amend the Official Plan, Zoning By-law and Draft Plan of Subdivision application has been filed with the City to develop the approximately 6.9 ha (17.1 ac.) site. The details of the proposal are as follows (refer to Appendix 1):

- Nine single detached units;
- 39 street townhouses;
- One Townhouse Condominium Block with seventeen units;
- An apartment block, being 12 storeys with 200 units;
- A park and a stormwater management block;
- Three public streets (shown s Street 'A', 'B' and 'C'). Street 'A' is proposed to connect to Queen Street West; and,
- Natural Heritage Systems with buffers.

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

The lands have the following characteristics:

- is municipally known as 1879 Queen Street West
- has a total site area of approximately 6.9 hectares (17.1 acres)
- has a frontage of approximately 96.6 metres (316.9 feet) along Queen Street West

The surrounding land uses are described as follows:

- North: Beyond Queen Street West are single detached dwellings and a stormwater management pond.
- South: Natural Heritage features and Lionhead Golf Course.
- East: The Rotary Club lands planned for an apartment building and beyond is Branthaven's townhouse development.
- West: Cesta's development planned for a range of residential and townhouse dwellings before Mississauga Road.

### Summary of Recommendations

This report recommends that Council enact the Official Plan Amendment and Tertiary Plan attached hereto as Appendix 13 and the Zoning By-law Amendment attached hereto as Appendix 14.

### Planning Analysis Summary

This application proposes a compatible residential development at an appropriate residential density for the subject area, and helps with the achievement of a complete community with access to public transit.

With respect to urban and community design, the proposed development implements an upscale executive residential design through elements such as vehicular and pedestrian access, the appropriate design and siting of the proposed dwellings, and open space features.

The proposed applications are consistent with the Provincial Policy Statement and are in conformity with the Growth Plan for the Greater Golden Horseshoe as well as the City and Region's Official Plans. The proposal appropriately considers matters of provincial interest as set out in Section 2 of the Planning Act (Please see Appendix 9 for a detailed analysis).

### Planning Act

The proposal has regard for matters of provincial interest that are set out in the Planning Act. The proposed development is in an appropriate location (Section 2(h)) for a high-density, mixed-use development as it is located adjacent to an existing transit route, being Zum and the proposed BRT route. The development includes a mix of built forms, network of pedestrian-friendly streets and an interconnected open space. It is designed to be sustainable, to support public transit (Section 2(q)). The development is well designed, encourages a sense of place and provides for high quality public spaces (Section 2(r)). The mix of proposed built forms provides for a wide range of housing

opportunities (Section 2(j)). The development has regard for matters of provincial interest that are set out in the Planning Act and represents orderly development in a location that is suitable for growth and development with adequate consideration for the protection of the ecological system (Section 2(a)).

### 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 PPS includes a number of policies encouraging intensification within appropriate areas (Sections 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.4.1, 1.4.3). The application proposes to transform an existing greenhouse into a higher density, mixed housing development. This proposal will help achieve the intensification policies of the PPS.

Section 1.4 of the PPS provides policies requiring planning authorities to provide for an appropriate mix and range of housing opportunities. The proposed development will include a range of dwelling types ranging from singles, townhomes and apartment units. The application is consistent with the policy statements in this section.

Section 1.5 of the PPS includes policies promoting healthy, active communities by planning streets and public spaces to be safe, to facilitate active transportation and provide for a full range of open spaces. The proposed development includes a series of connected road ways to adjacent developments, as well as a new park for the community, which connects to the adjacent development.

Staff is satisfied that the proposed development is consistent with the applicable sections of the Provincial Policy Statement.

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

The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) includes policy and direction intended to accommodate and forecast growth in complete communities. These are communities that are well 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. The subject applications conforms to the Growth Plan by supporting complete communities by providing a mix of housing near a proposed public transit route (Bus Rapid Transit).

The development proposal conforms to the applicable sections of the Growth Plan.

### Region of Peel Official Plan

The Region of Peel Official Plan sets the Regional context for more detailed planning by protecting the environment, managing resources, directing growth and establishing a basis for providing Regional services in an efficient and effective manner. The subject lands are located within the 'Urban System' and 'Built Up Area' designation in the Region of Peel Official Plan. Further, the subject property contains a portion of the 'Core Areas' of the Greenland boundary, and is also located along an 'Other Potential Rapid Transit Corridor'.

The subject application conforms to the related policies with respect to healthy communities, efficiently uses resources, located near accessible transportation, and protects the natural heritage features.

### City of Brampton Official Plan

The City of Brampton Official Plan provides guidance and policies for the future of the City. The subject lands are designated as 'Residential' and 'Open Space on Schedule A – General Land Use Designation of the Official Plan and identified as 'Valleyland/Watercourse Corridor' and 'Areas of Natural and Scientific Interest – Life Science' on Schedule D – Natural Heritage Features and Areas of the Official Plan. The property is identified on 'Schedule A1 – Upscale Executive Housing Special Policy Areas', as 'Upscale Executive Housing Special'. Areas. As stated in section 4.2.2.7, the size and configuration of Upscale Executive Housing Policy Areas may be reduced through the Secondary Plan process. The approved Credit Valley Secondary Plan removed the subject lands from the Executive Housing Policy Area.

The proposed development conforms to the OP as the location of the development is within a residential area and provides a transit-supportive development along an identified future BRT route within a Built-Up area. The proposal is a mixed residential development that will provide a new park, and is connected to active transportation and transit routes, therefore supporting a complete community.

The proposal is compatible with the proposed adjacent subdivision, as both of these subdivisions will be interconnected not only by streets, but the entire area was planned through a Tertiary Plan process, which included Community Design Guidelines that are to be adhered to. Furthermore, the development included an Urban Design Brief to ensure that the proposal complemented the existing and future development. The Urban Design Brief further informs the development by ensuring high quality design that ensures compatibility with the existing homes in the area. In order to further address compatibility with the existing residents the applicant has proposed that the apartment block be located at the back of the subdivision in order to reduce any impact on the existing residents, as well as ensure sight lines to the valleylands.

The proposal is consistent with the Official Plan as it meets the general intent of the plan regarding the type of development, the design of the development is consistent with the policies, and that all of the technical matters have been resolved.

Staff are satisfied that the objectives of the Official Plan have been met.

#### Credit Valley Secondary Plan (SPA 45)

The subject property is located within the Credit Valley Secondary Plan (SPA 45). Within this plan the property is designated as 'Low Density 1 Residential', 'Primary Valleyland' and 'Special Policy Area 2'. The Primary Valleyland designation does not permit any development, and as part of this application these lands will be dedicated to the City.

The Low Density 1 Residential designation shall be developed primarily for a variety of large lot and wide frontage single-detached housing that takes advantage of the location and natural attributes of the area and acts as a transition between the Executive Residential Area and the conventional areas of the community. Low Density 1 Residential area together with the Executive Residential areas shall reflect the Upscale Executive Housing Policies, Principles and Standards established in the Official Plan.

The subject property is designated as 'Low Density 1', as noted above, which permits residential dwelling types, including, single detached, semi-detached and townhouse units, at a maximum density of 19.5 units per hectare. This application proposes to amend the Secondary Plan to create a "Medium Density Residential" designation, as well as a "High Density Residential" designation on portions of the lands. The proposal is for a combined density of 127.5 units per hectare (exclusive of roads, parkland, SWM pond and NHS). Specifically though, the medium density portion of the development is proposed to be 48.5 units per hectare, and the high density portion (apartment) is proposed to be a density of 273.9 units per hectare.

The Special Policy Area 2 designation includes the Rotary Club of Brampton Banquet Hall (1857 Queen Street), a commercial Green house (this application – 1879 Queen Street) and west of this site known as 1879 Queen (Cesta) and east of Rotary (Branthaven development). Due to various access and land use constraints in this area, Special Policy Area 2 requires the lands to be developed as in integrated entity, which requires the creation of a Tertiary Plan for the entire area that is required to be approved by Council and it has been determined, through the preparation of an Environmental Implementation Report, that the ecological function and natural heritage features are not adversely impacted, provided the recommendations from the study are reflected in development and policies. It shall be noted that the proposed zoning by-law amendment does reflect a natural heritage system zone with a buffer to ensure the protection of the natural heritage features.

The Special Policy Area required that a Tertiary Plan be created for the entire block. This was created and presented to Council and endorsed. The subject proposal does



propose revisions to the Tertiary Plan to allow a 12-storey apartment building with 200 units, as opposed to what was previously endorsed with 6-storeys with 117 units.

It should be noted that the density permitted within the Low Density 1 designation is not consistent with the Medium Density Residential use that is shown in the Council endorsed Tertiary Plan. Furthermore, the proposed density is also supported by the existing and proposed public transit along Queen Street, and makes efficient use of existing and proposed infrastructure and services. The proposed density is also further supported by the submitted studies, as well as achieving a complete community.

The proposed increase in density and height from what is permitted in the Secondary Plan is supported by Provincial Planning policies by proposing transit supportive densities within close proximity to a transit route (BRT at Queen Street and Mississauga Road). Furthermore, by proposing a mix of housing types the proposal is more in line with Provincial policies, which requires a range of housing types, an efficient use of resources (existing infrastructure), as well as encourages complete communities.

Staff is satisfied with the proposed Official Plan Amendment.

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

The subject property is zoned 'Agricultural' (A) and 'Recreation Commercial exception 560' (RC-560) in the City of Brampton Zoning By-law 270-2004, as amended. The proposal seeks to rezone the subject lands to a new site specific Residential Single Detached F-9.0 (R1F-9.0-2970) zone, site-specific Residential Townhouse C (R3C-3639) zone, site-specific Residential Townhouse E-6.0 (R3E-5.5-2972), site specific Residential Apartment (R4A-3640) zone, Open Space (OS) zone and Floodplain (F) zone to permit the proposed development.

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

#### Community Engagement

The application was circulated to City Departments and External Agencies for comment and notification was provided to property owners within 240 metres of the subject lands, exceeding the Planning Act requirement of 120 metres for such applications, as well as notice was issued in the Brampton Guardian. Notice signs were also placed on the subject lands to advise members of the public that an application of the proposed applications were filed with the City. The correspondence received from commenting agencies are included as Appendix 11 – Results of Application Circulation.

A Statutory Public Meeting for this application was held on June 7, 2021. There were residents that spoke at the public meeting and several correspondence letters were received. Details of the Statutory Public Meeting, including a summary of the issues raised and a response to those issues, are included in Appendix 10 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 the applications that have not been noted elsewhere.

## **Term of Council Priorities:**

The application is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs. The proposal also develops otherwise underutilized lands with a use consistent with the surrounding context. 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 proposal provides an opportunity to redevelop an underutilized parcel of land with new housing integrated into the surrounding neighbourhood. The proposal represents an appropriate use of land by providing a compact form of housing that is compatible with the context and supports the City’s vision of directing intensification towards growth areas.

The proposed development is consistent with the Provincial Policy Statement (2020), and conforms to the Growth Plan for the Greater Golden Horseshoe (2019), Region of Peel Official Plan and the City’s Official Plan. Staff is satisfied that the application represents good planning and recommends approval of the Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment.

This report recommends that Council enact the Official Plan Amendment and Tertiary Plan attached hereto as Appendix 13, the Zoning By-law Amendment attached hereto as Appendix 14.

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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### **Attachments:**

Appendix 1: Draft Plan of Subdivision  
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: Heritage Resources  
Appendix 8: Tertiary Plan  
Appendix 9: Detailed Planning Analysis  
Appendix 10: Results of the Public Meeting  
Appendix 11: Results of the Application Circulation  
Appendix 12: Conditions of Draft Approval  
Appendix 13: Draft Official Plan Amendment  
Appendix 14: Draft Zoning By-law Amendment  
Appendix 15: Sustainability Snapshot