

June 3, 2022

GWD File: 2224

**The Corporation of the City of Brampton
2 Wellington Street West
City of Brampton, Ontario
L6Y 4R2**

Attention: Members of City of Brampton Council

-AND-

**Jason Schmidt-Shoukri,
Commissioner, Planning, Building & Economic Development**

**Subject: City of Brampton Official Plan Conformity Review
Public Input – Draft New City of Brampton Official Plan
8671 Heritage Road, City of Brampton, Ontario
Zia Mohammad and Shamyla Hameed**

Gagnon Walker Domes Ltd. (“GWD”) is agent to Zia Mohammad and Shamyla Hameed (“Client”); the registered owners of the property municipally known as 8671 Heritage Road in the City of Brampton (“subject site”). The subject site measures approximately 1.30 hectares (3.22 acres) with a street frontage along Heritage Road.

The subject site is currently occupied by a residential dwelling generally located at the rear of the property, near the north lot line. Access to the subject site is provided by a long driveway connecting to Heritage Road at the middle of the site’s frontage. The rear of the property is vacant. The northwest portion of the subject site is traversed by a tributary of Levi Creek.

A Provincially Significant Wetland is located north of the subject site, which also encroaches into the northwest limits of the property; northwest of Levi Creek. A headwater drainage feature extends from Heritage Road into the centre of the subject site, located generally south of the driveway and the existing dwelling. A woodlot feature encroaches a small portion of the northeast limits of the property.



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EXISTING LAND USE DESIGNATIONS OVERVIEW

2006 City of Brampton Official Plan

The current 2006 City of Brampton Official Plan (“BOP”) designates/identifies the subject site as follows:

- ‘Communities’ (Schedule 1 - City Concept);
- ‘Designated Greenfield Area’ (Schedule 1 - City Concept);
- ‘Residential’ (Schedule A - General Land Use Designations)
- ‘Open Space’ (Schedule A - General Land Use Designations)
- ‘Valleylands/Watercourses Corridor’, ‘Woodlands’, ‘Other Wetland’ (Schedule D – Natural Heritage Features and Areas)

The Residential designation permits predominantly residential land uses; including, a full range of dwelling types; ranging from single detached houses to residential high-rise apartments in appropriate locations.

2019 Bram West Secondary Plan (Area 40 (d))

The subject site is also located within the Bram West Secondary Plan Area, which designates the subject site as follows:

- ‘Low/Medium Density Residential’;
- ‘Valleylands’; and
- ‘Woodlot’.

Permitted uses in the Low/Medium Density Residential designation include single detached, semi-detached and townhouse dwellings.

2011 Riverview Heights Block Plan (Area 40-3)

The subject site is located within the Riverview Heights Block Plan, which designates the subject site as follows

- ‘Low/Medium Density Residential’; and
- ‘Open Space/Woodlots’.

DEVELOPMENT PROPOSAL/ FORMAL AMENDMENT APPLICATION

Our Client submitted a formal application to amend the Bram West Secondary Plan (Area 40 (d)), Riverview Heights Block Plan and Zoning By-Law (“Amendment Application”) to the City of Brampton in December 2021 (City File: OZS-2022-0002). The Amendment Application proposes the redevelopment of the subject site for a 7-storey seniors retirement building featuring 122 residential units. The Amendment Application also proposes the adaptive reuse of the existing dwelling as an accessory building to the primary seniors retirement building, the extension of Hammerslea Court and enhancement, preservation and dedication of natural features on the subject site.



Our Client has participated in a number of meetings with City Staff to discuss the development proposal, including a Pre-Application Consultation Meeting on February 12, 2020. Pursuant to the Pre-Application Consultation and corresponding circulation comments/checklist, City Staff advised that amendments to the Bram West Secondary Plan (Area 40 (d)), Riverview Heights Block Plan and Zoning By-Law would be required to facilitate the approval process. A site-specific amendment to the Parent BOP was not identified as being required.

On May 16, 2022, a Statutory Public Meeting was held in connection with the Amendment Application.

BRAMPTON OFFICIAL PLAN CONFORMITY REVIEW/ NEW “BRAMPTON PLAN”

The purpose of the City of Brampton Official Plan review is to achieve Official Plan conformity with the new Region of Peel Official Plan (“ROP”) that was recently adopted by Regional Council on April 28, 2022 (pending approval by the Ministry of Municipal Affairs and Housing) and Provincial Plans.

Recently, on April 26, 2022, the City of Brampton released the draft new City of Brampton Official Plan (“Brampton Plan”) for public review and comment. The City has since requested that public comments and concerns on the draft Brampton Plan be provided by June 3, 2022. It is understood that the new Brampton Plan is targeted for final adoption by the City Council on July 6, 2022.

In consideration of the extent of the proposed Official Plan policy updates and the impacts that the new proposed policy framework may have on residents, businesses, employees and various landholders, it is our opinion that the short 71 day review period provided to the general public is insufficient and does not represent meaningful and appropriate public consultation. Given that the *Planning Act* does not require that the City of Brampton proceed to final consideration of the draft Brampton Plan in such a truncated fashion, it is only appropriate that stakeholders be provided with additional time to review the draft policy framework and work with City Staff to discuss their questions or concerns in effort to have them addressed, where deemed appropriate, prior to final City of Brampton Council consideration. We do not believe the review, comment and consultation period that has been provided is sufficient.

- **Proposed Process Modification:** City Council defer its consideration of a final Recommendation Report on July 6, 2022 to Q3/Q4 2022 to provide additional time and opportunity for stakeholders with an identified interest to discuss identified policy concerns with City/Regional Staff and have revised draft policy issued, where appropriate, prior to final Council consideration of the Brampton Plan.

DRAFT NEW “BRAMPTON PLAN” LAND USE DESIGNATION OVERVIEW

The following are some of the key designations and overlays of the draft Brampton Plan that are proposed to apply to the subject site:

- **Schedule 1 - City Structure:**
 - ‘Neighbourhoods’;
 - ‘Natural Heritage System’;



- Schedule 3B – Transit Network:
 - ‘Support Corridor (Heritage Road)’;
-
- Schedule 4 – Provincial Plans & Policy Areas:
 - ‘Designated Greenfield Area’;
- Schedule 5 – Designations:
 - ‘Neighbourhoods’;
 - ‘Natural Heritage System’;
- Schedule 7 – Natural Heritage Features:
 - ‘Valleyland and Watercourse Corridor’, ‘Woodland’, ‘Unevaluated Wetland’;
- Schedule 13 – Secondary Plan and Precinct Plan Areas:
 - ‘Bram West Secondary Plan 40 (d)’;
 - ‘Precinct Plan Area 40-3’.

CLIENT’S CONCERNS WITH DRAFT NEW “BRAMPTON PLAN”

Based on our preliminary review of the draft Brampton Plan, the following are our Client’s comments and concerns. Recommended policy redlines are included in Appendix 1.

A. General Concerns

Applicability of Brampton Plan:

- Policy 1.1.7.b) reads, “*Land uses and designations approved prior to the implementation of Brampton Plan, as well as uses legally in existence prior to the implementation of this Plan, will be permitted to be established and continue without an amendment to the Brampton Plan.*”

Policy 3.1.91 states, “*Planning and development applications filed after the adoption of Brampton Plan by Council and prior to the approval of this Plan by the Region will be encouraged to work with the City to consider the implications of the policies of Brampton Plan as they relate to the proposed application.*”

The subject site should be identified in the new draft Brampton Plan as being an appropriate location for mid-rise seniors development in the City Structure as identified in the Amendment Application.

The City should consider a transition clause(s) for those in-process development applications submitted prior to the final enactment of the Brampton Plan.

- **Required Policy Clarification:** Please provide clarification on the above noted policies including an explanation of how the City intends on addressing development applications that have been submitted to the City in advance of City Council approval of the new draft Brampton Plan and/or in advance of Region of Peel approval.



Additional and/or revised comments may be provided depending on the municipal response to the above.

B. City Structure

Part 2.1 of the Brampton Plan outlines the proposed City Structure which consists of the City-Wide Growth Management Framework and Mobility Framework. The City-Wide Growth Management Framework, as identified on Schedule 2, is comprised of ‘Centres’, ‘Boulevards’, ‘Corridors’, ‘Neighbourhoods’, ‘Employment Areas’, and the ‘Natural Heritage System’.

Neighbourhoods:

- Policy 2.1.2.d) reads, “*Neighbourhoods reflect new and existing lower-scale residential, commercial and institutional areas of Brampton...*”.

Policy 2.1.6 reads, “*Neighbourhoods will be planned at a lower-scale than Centres, Boulevards and Corridors, and will accommodate the lowest density and building heights while providing a full range and mix of housing options.*”

The Amendment Application proposes a mid-rise building typology in the form of a 7-storey seniors retirement building, which is located along an arterial road. On this basis, mid-rise building typology should be permitted at select locations within the City’s Neighbourhoods.

- **Proposed Policy Modification:** Policy 2.1.6 and Policy 2.1.2.d) be modified to permit a mid-rise building typology in the Neighbourhoods areas of the City Structure.

C. Land Use Designations

The subject site is proposed to be designated to ‘Neighbourhoods’ on Schedule 5 of the draft Brampton Plan.

Neighbourhoods Designation:

- Table 4 identifies the built form typologies permitted within the Neighbourhoods designation. More specifically, according to draft Table 4, lands designated Neighbourhoods which are within 400 metres of a ‘Support Corridor’ as Shown on Schedule 3C, are restricted to ‘Low-Rise Plus’ buildings. Pursuant to the definitions of the draft Brampton Plan, Low-Rise Plus buildings shall be no higher than 4 storeys.

Policy 2.2.87 identifies that “*Predominantly ground-oriented dwelling forms will be directed to locations in Neighbourhoods outside of Mixed-Use Districts and Corridors.*”

The Table 4 building typology permissions for lands designated Neighbourhoods is inconsistent with our Client’s development proposal, which proposes a building height of 7 storeys. The determination of building heights for lands located within



the Neighbourhoods designation should be determined on a case-by-case basis through the review of site specific development applications.

- **Proposed Policy Modification:** Table 4 should be modified to permit a mid-rise building typology in the Neighbourhoods designation where lands are within 400 metres of a Support Corridor.
- **Proposed Policy Modification:** Policy 2.2.87 should be modified to permit a mid-rise building typology in select locations within the Neighbourhoods designation outside of Mixed-Use Districts and Corridors.
- Policy 2.2.88 identifies that *“Rear lotting will be prohibited in new Neighbourhoods. Noise walls that are required to protect amenity areas, as defined by Provincial guidelines, will be avoided in the design of new Neighbourhoods.”*
 - **Proposed Policy Modification:** Policy 2.2.88 should be deleted as this is a detailed design matter that is inflexible and shall be determined on a case by case basis as part of a Zoning By-law Amendment and Site Plan Approval.

Natural Heritage System Designation:

- The subject site is constrained from a natural heritage perspective, being identified with a number of environmental features, which include: the Levi Creek, a headwater drainage feature, a wetland and woodlands.

The Amendment Application submitted by our Client in connection with the proposed development is being reviewed in the context of the current, in-force natural heritage policies of the BOP.

Our Client opposes all natural heritage policy proposed through the new draft Brampton Plan that is contrary to the environmental studies, plans and reports completed by our Client’s consulting team as advanced by the Amendment Application.

FINAL COMMENTS AND RECOMMENDATION

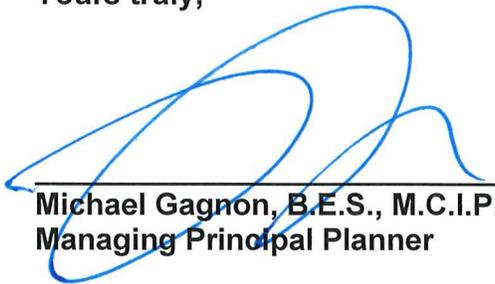
We request that City Staff meet with our Client and its core consulting team at its earliest opportunity to discuss the concerns as outlined herein.

Our Client reserves the right to provide additional/revised comments based on the City of Brampton and/or Region of Peel response to the concerns identified herein and any further reports/studies or draft Official Plan Amendments produced in connection with the draft Brampton Plan.

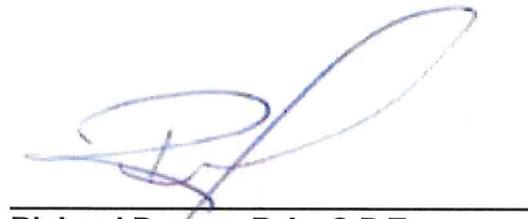
By way of this correspondence, we also respectfully request to be notified in writing of any and all future informal Open House and Statutory Public Meetings, as well as the tabling of Information and/or Recommendation Reports to Planning Committee/Council related to draft Brampton Plan/ Official Plan Review exercise; including all Notices of Decision.



Yours truly,



Michael Gagnon, B.E.S., M.C.I.P., R.P.P.
Managing Principal Planner



Richard Domes, B.A., C.P.T
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Nikhail Dawan, B.E.S.
Planning Associate

cc: Zia Mohammad and Shamyla Hameed
J. Baker, Region of Peel
A. Smith, Region of Peel
A. Parsons, City of Brampton
A. McNeill, City of Brampton



APPENDIX A

Policy/Schedule	Proposed Policy/Schedule Modification
<p>2.1.2.d - Neighbourhoods reflect new and existing lower-scale residential, commercial, and institutional areas of Brampton, where people live, shop, work and play, with the amenities, including parks and open space, they need for day-to-day living close to home.</p>	<p>2.1.2.d – Neighbourhoods reflect new and existing lower-scale residential, commercial, and institutional areas of Brampton, where people live, shop, work and play, with the amenities, including parks and open space, they need for day-to-day living close to home. <u>Where appropriate, mid-rise building typology will be permitted at select locations within Neighbourhoods.</u></p>
<p>2.1.6 - Neighbourhoods will be planned at a lower scale than Centres, Boulevards, and Corridors and will accommodate the lowest densities and building heights, while providing a full range and mix of housing options.</p>	<p>2.1.6 - Neighbourhoods will be planned at a lower scale than Centres, Boulevards, and Corridors and will accommodate the lowest densities and building heights, while providing a full range and mix of housing options, <u>however, mid-rise building typology will be permitted, where appropriate, at select locations.</u></p>
<p>Table 4 Designation: Neighbourhoods</p> <ul style="list-style-type: none"> • Building Typology: Low-Rise • Additional Permissions: Low-Rise Plus within 400 metres of a Support Corridor shown on Schedule 3C 	<p>Table 4 Designation: Neighbourhoods</p> <ul style="list-style-type: none"> • Building Typology: Low-Rise <u>and Low-Rise Plus</u> • Additional Permissions: <u>Mid-Rise</u> within 400 metres of a Support Corridor shown on Schedule <u>3C 3B</u>
<p>2.2.87 - Predominantly ground-oriented dwelling forms will be directed to locations in Neighbourhoods outside of Mixed-Use Districts and Corridors.</p>	<p>2.2.87 - Predominantly ground-oriented dwelling forms will be directed to locations in Neighbourhoods outside of Mixed-Use Districts and Corridors, <u>however, Mid-Rise dwelling forms will be permitted at select locations.</u></p>
<p>2.2.88 - Rear lotting will be prohibited in new Neighbourhoods. Noise walls that are required to protect amenity areas, as defined by Provincial guidelines, will be avoided in the design of new Neighbourhoods.</p>	<p>2.2.88 - Rear lotting will be prohibited in new Neighbourhoods. Noise walls that are required to protect amenity areas, as defined by Provincial guidelines, will be avoided in the design of new Neighbourhoods.</p>