

Eshesh, Shahinaz

From: Bajwa, Jaskiran
Sent: 2021/09/21 10:49 AM
To: Eshesh, Shahinaz
Cc: Mete, Jake; da Cunha, Roger; Heike, Christopher
Subject: RE: ARU/Garden Suite - Core Team meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Shahinaz,

Thank you so much for including Park Planning in the review process of the new policy pertaining to Garden suites. Glad to see the City taking the initiative to provide affordable housing options to City residents.

From the Park Planning perspective, the policy needs to consider the inclusion of Parkland Dedication. A Garden suite is a new detached dwelling unit from the primary household. Therefore, it is subject to parkland dedication. As a result of these additional units in an established neighborhood, we need to consider the resulting increase in population/density and its pressure on existing parks and infrastructure, plus the demand for more parkland and other services. To sustain supply/demand and meet the provision level (parkland) targets, the City must consider the importance of parkland dedication in this policy.

Meetings with Realty Services has added some further detail in how dedication will be calculated on established lots that already hold single-detached, semis, or townhouses. We understand that it will be mainly single-detached housing lots that may accommodate the Garden suites given the backyard space that these types of housing lots provide. In any case, Realty services will be exploring the best possible methods, which could include charging the owner based on 50% of the land cost or based on proposed unit numbers.

A recent email from City's legal representative has confirmed that the current Parkland Dedication By-Law supports the second suites. However, it also indicates the methods of calculation as per the by-law. She advises that CIL for the erection of Garden suites would be calculated as below. An appropriate calculation method is therefore subject to further discussion.

section 7 (c) (i)

"CIL shall be calculated at the rate of 5% of the land being Developed or Redeveloped, and the value of the land shall be calculated by the City using the market value of the lands as of the day before the issuance of the first building permit in respect of the Development or Redevelopment, as evidenced by an appraisal" [emphasis added]

Please also note, the above section refers to land value appraisals. In cases of Garden Suites applications, third-party appraisals will not be required. To encourage such proposals and make them affordable, the advice from Realty's services is that the City will take upon itself to conduct the appraisals. The fee for it, however, will be paid by the owner. While the third-party appraisals are a standard practice that a developer is subject to provide prior to obtaining their building permits, in this case, however, the City will do its own.

In addition to the above, it has come to our understanding that the Parkland Dedication By-Law assumes Garden Suites as Single Detached dwellings. Given this, it is legal's advice that we must change the definition of the Single-detached dwellings to include a Garden Suite for more clarity. We will not require public

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consultation to change this definition, but this amendment process will be subject to an internal Council hearing process for approval (pending Legal's confirmation).

We request City's Policy Planning team to consider the above comments, and before finalizing the policy, we request that further discussion on methods of calculating Parkland Dedication credits with the City's Realty Services are clarified. Further steps to amend the definitions in the Parkland Dedication By-Law will also need to be finalized.

Kind regards,
Jaskiran Kaur Bajwa
Coordinator, Park Planning & Development
Parks Maintenance and Forestry Division
Community Services Department
2 Wellington Street West
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Thank you for your message. I am currently working remotely due to building occupancy limits during COVID-19. Please note that City Hall remains closed. For information on safety, closures and reopening, please visit www.brampton.ca/reopening

-----Original Appointment-----

From: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>

Sent: 2021/09/03 5:37 PM

To: LaRota, Claudia; Mertiri, Olti; Mazzotta, Frank; Monaghan, David; Conard, Rick; Corazzola, Elizabeth; Hammond, Cindy; Canjar, Stephen; Rieger, Doug; Avbar, John; Parsons, Allan; Bahy, Dalia; Allison, Bill; da Cunha, Roger; Bajwa, Jaskiran; Kuemmling, Werner; Yeung, Yvonne

Cc: Shah, Bindu; Majeed, Malik; McNeill, Andrew; Humble, Jeffrey; Gervais, Michelle

Subject: ARU/Garden Suite - Core Team meeting

When: 2021/09/21 1:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Hello everyone,

This meeting is to discuss the City-Initiated City-wide Official Plan Amendment and Zoning By-law Amendment – Implementation of Additional Residential Unit (Garden Suites) Regulations.

I am still waiting for feedback and comments, but some key groups we are looking to hear back from are Zoning, Engineering, Traffic and Transit. Some follow up discussion items we have:

- 1) Amendments to by-laws – Site Plan Bylaw, Registration Bylaw, Parkland Dedication Bylaw
 - a. Status on amendments to site plan control bylaw?
- 2) Municipal street address for garden suites
- 3) Minimum % of landscaped area / permeable surface
- 4) Impacts to stormwater run-off and site drainage – basements in garden suites?
- 5) Type of foundation required for garden suites – can it be mobile on wheels or slab on grade?
- 6) Pre-fabricated garden suites and potential impacts

Please review the attached material for this discussion.

Eshesh, Shahinaz

From: Eshesh, Shahinaz
Sent: 2021/10/29 3:56 PM
To: Lee, Janet
Subject: RE: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Ok great, thanks for clarifying.

Shahinaz Eshesh, RPP MCIP

Policy Planner III, City Planning & Design
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From: Lee, Janet <Janet.Lee@brampton.ca>
Sent: 2021/10/29 3:54 PM
To: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>
Subject: RE: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Hi Shahinaz,

Development charges are usually collected at the issuance of the building permit, so this would be no different.

Janet

From: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>
Sent: 2021/10/29 3:48 PM
To: Lee, Janet <Janet.Lee@brampton.ca>
Subject: RE: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Hi Janet,

I have a follow up question on the collection of EDCs for garden suites. The garden suites will only be required to go through building permit. Can we calculate and collect EDCs at this stage?

Thank you & have a good weekend,

Shahinaz Eshesh, RPP MCIP
Policy Planner III, City Planning & Design

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From: Lee, Janet <Janet.Lee@brampton.ca>

Sent: 2021/08/16 3:44 PM

To: LaRota, Claudia <Claudia.LaRota@brampton.ca>; Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>

Subject: RE: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

My pleasure!

From: LaRota, Claudia <Claudia.LaRota@brampton.ca>

Sent: 2021/08/16 3:41 PM

To: Lee, Janet <Janet.Lee@brampton.ca>; Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>

Subject: RE: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Thanks so much Janet.

This is really helpful!

From: Lee, Janet <Janet.Lee@brampton.ca>

Sent: 2021/08/16 3:36 PM

To: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>; LaRota, Claudia <Claudia.LaRota@brampton.ca>

Subject: RE: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Hi Shahinaz,

I am certainly no expert on the *Education Act*, but from the table you provided (that being):

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PART II EXEMPTIONS

ADDITIONAL DWELLING UNIT EXEMPTION

3. For the purposes of clause 257.54 (3) (b) of the Act, the following table sets out the name and description of the classes of residential buildings that are prescribed, the maximum number of additional dwelling units that are prescribed for buildings in those classes and restrictions for each class.

Name of class of residential building	Description of class of residential buildings	Maximum number of additional dwelling units	Restrictions
Single detached dwellings	Residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings	Two	The total gross floor area of the additional dwelling unit or units must be less than equal to the gross floor area of the dwelling unit already in the building.
Semi-detached dwellings or row dwellings	Residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings	One	The gross floor area of the additional dwelling unit must be less than or equal the gross floor area of the dwelling unit already in the building.
Other residential buildings	A residential building not in another class of residential building described in this table.	One	The gross floor area of the additional dwelling unit must be less than or equal the gross floor area of the smallest dwelling unit already in the building.

It looks identical to what was contained in the old regulations to the *Development Charges Act*, prior to the Province amending via Bills 108 and 197. I would interpret the above table to only exempt secondary units within existing residential dwelling units. Therefore from my cursory review of the *Education Act*, garden suites (in a separate detached accessory structure) would be subject to Educational development charges.

It's a shame that the Province did not amend the Education Act to be consistent with the changes made to the *DC Act*. That being, also exempting secondary units within new single/semi-detached or row dwelling units (not just existing). As well as exempting proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling. I am hoping (?) that it was just an oversight on their part, as opposed to the Province not wanting to take the revenue hit but expecting municipalities to do so.

It sounds like you have done your homework, but just in case, here are the Regulations to the DC Act that made the above exemptions:

<https://www.ontario.ca/laws/regulation/r19454>

Janet

From: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>

Sent: 2021/08/13 3:15 PM

To: Lee, Janet <Janet.Lee@brampton.ca>; LaRota, Claudia <Claudia.LaRota@brampton.ca>

Subject: RE: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Thank you Janet for your quick response. This is quite helpful, from my research as well the DC By-law does exempt DC collection for municipal and regional DCs. I'm still uncertain about EDCs.. I will be setting up a meeting next week with Legal and if it's ok, I will include you in that conversation.

We have a meeting with Roger to discuss parkland dedication.

Have a good weekend.

Shahinaz Eshesh, BURPI

Policy Planner III, City Planning & Design

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From: Lee, Janet <Janet.Lee@brampton.ca>

Sent: 2021/08/12 6:20 PM

To: LaRota, Claudia <Claudia.LaRota@brampton.ca>

Cc: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>

Subject: RE: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Hi Claudia,

Nice to hear from you! I'm doing well, and hope you are too. What an interesting topic!

Educational development charges is a revenue tool made available to school boards via the *Educational Act*; whereas the DCs imposed by municipalities are governed by the *Development Charges Act*. It is odd to me that the Province would amend only the DC Act to exempt garden suites, secondary suites, etc. from municipal development charges, but did not amend the *Educational Act* to provide the same exemption. So yes, accordingly to the DPCDSB DC By-law, DCs would apply to garden suites.

To be clear, these types of units are statutorily exempt in the DC Act. So not City nor Regional DCs would apply.

In terms of the CIL... I am no expert in that field. I'd suggest you contact Roger da Cunha as he is the City's subject matter expert in terms of parkland dedication.

My scan of the EDC by-law suggests that the garden suites would be charged on a per unit basis. Only non-residential development would be charged on a GFA basis. And yes, the EDCs would be payable upon issuance of the building permit.

Let me know if that answers all of your questions. Happy to chat as well.

Take care,
Janet

From: LaRota, Claudia <Claudia.LaRota@brampton.ca>

Sent: 2021/08/12 3:29 PM

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To: Lee, Janet <Janet.Lee@brampton.ca>

Cc: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>

Subject: City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Good afternoon Janet, hope all is well.

I was wondering if you could help us with something.

Shahinaz and I are working on an OPA and ZBL to implement permissions for additional residential uses, specifically in the form of garden suites (in a separate detached accessory structure), to be permitted in addition to second units.

Comments received from DPCDSB indicate that garden suites are not exempt from paying DC's because of the additional GFA, which we weren't aware. Would this just apply to the education portion of the DC's or all of it? Would they also be subject to parkland dedication?

Are these two payments calculated based on the GFA of the garden suite (or I think parkland is paid on a per unit basis?). We are proposing a max. size of 35 sq. m. for most residential areas, and up to 80 sq. m. in estate lots. Would these be payable when the building permit is issued?

We are bringing forward the OPA for adoption in December, so we would need to clarify this information to include it in the report.

Thanks so much for your help!

Claudia

Claudia LaRota, MCIP, RPP

Principal Planner/Supervisor, City Planning & Design
Planning, Building and Economic Development

City of Brampton | 2 Wellington Street W | Brampton ON L6Y 4R2

The City of Brampton is updating the current Official Plan to guide land use and development to 2051, this new Official Plan will be called the *Brampton Plan*. If you would like to receive information regarding the Official Plan review please email us at opreview@brampton.ca.

From: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>

Sent: 2021/08/12 1:29 PM

To: LaRota, Claudia <Claudia.LaRota@brampton.ca>

Subject: FW: [EXTERNAL]Comments City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

DPCDSB provided their comments and requires the garden suites to be considered for DPCDSB DC collection. This really surprises me, I'll be reaching out to other municipalities to see if they have / are expecting the same – parkland dedication and DCs.



Shahinaz Eshesh, BURPI

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From: Koops, Krystina <Krystina.Koops@dpcdsb.org>

Sent: 2021/08/12 12:54 PM

To: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>

Cc: phillip.sousa@peelsb.com

Subject: [EXTERNAL]Comments City Initiated Official Plan Amendment & Zoning By-law Amendment - Additional Residential Unit Reg

Caution: This email originated from outside the organization. Do not click links or open attachments that you do not trust or are not expecting.

Hi Shahinaz,

Please find attached comments from DPCDSB.

If you have any questions, please let me know.

Regards,

Krystina Koops, MCIP, RPP

Planner - Planning Department

Dufferin-Peel Catholic District School Board

40 Matheson Boulevard West, Mississauga ON L5R 1C5

Tel: 905-890-0708 ext. 24407 | Email: krystina.koops@dpcdsb.org

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Eshesh, Shahinaz

From: Albrecht, Frank
Sent: 2022/04/25 9:45 AM
To: LaRota, Claudia; Mete, Jake; Humble, Jeffrey
Cc: Eshesh, Shahinaz; Bjerke, Bob; da Cunha, Roger
Subject: RE: ARUs and Garden Suites - Parkland

Hi All,

Until the current by-law has been revised/new parkland dedication by-law enacted, ARU's will be subject to CIL based on the estimated land value as of 1 day prior to the issuance of building permit issuance.
The amount is site specific, dependent on location, market conditions, lot size and # of units on the subject lot.

For example, if lot value is \$500,000 improved with 1 SFD, then the CIL would be = \$12,500 [Land Value \$500,000 x 5% (dedication rate) x 50% (pro rata to total # of units on the lot after ARU has been built).

Frank Albrecht SR/WA
Senior Real Estate Coordinator
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Division - Realty Services
Department - Legislative Services

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From: LaRota, Claudia <Claudia.LaRota@brampton.ca>
Sent: 2022/04/22 9:00 AM
To: Mete, Jake <Jake.Mete@brampton.ca>; Humble, Jeffrey <Jeffrey.Humble@brampton.ca>
Cc: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>; Albrecht, Frank <Frank.Albrecht@brampton.ca>; Bjerke, Bob <Bob.Bjerke@brampton.ca>; da Cunha, Roger <Roger.daCunha@brampton.ca>
Subject: RE: ARUs and Garden Suites - Parkland

Thanks for the response Jake.

To clarify, I am assuming the waiving of the fees will require an amendment to the current Parkland By-law, and if so, do you have an estimate of timing for this to be completed?

As we are targeting approval of the ARUs amendments in June, the City would be in a position to accept garden suite registrations by mid June. Any registrations submitted at that time would still be subject to parkland until a new by-law is in effect, so is there a way to know what the charge would be and at what point would it be payable (issuance of bldg. permit)?

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We would probably need to provide some details of this in the Rec. Report that we will be bringing in June.

Thanks again.

Claudia

Claudia LaRota, MCIP, RPP

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From: Mete, Jake <Jake.Mete@brampton.ca>

Sent: 2022/04/22 8:44 AM

To: Humble, Jeffrey <Jeffrey.Humble@brampton.ca>; LaRota, Claudia <Claudia.LaRota@brampton.ca>

Cc: Eshesh, Shahinaz <Shahinaz.Eshesh@brampton.ca>; Albrecht, Frank <Frank.Albrecht@brampton.ca>; Bjerke, Bob <Bob.Bjerke@brampton.ca>; da Cunha, Roger <Roger.daCunha@brampton.ca>

Subject: Re: ARUs and Garden Suites - Parkland

Hi Jeff,

We've discussed this and offer a few points below for consideration:



- As part of the Parkland Dedication By-law review, a reduced rate is being considered for affordable housing projects (i.e. Region of Peel), which is seen as a public good and benefit to the community
- However, without any restrictions or controls in place for these ARU/Garden Suite development types (other than limiting its size to 35 sq.m.), the land owner is free to charge full market rate for profit
- Fundamentally, this is different from other social/affordable housing options that typically operate below fair market value and must align with certain criteria (i.e. who can live there/income based). So by definition, these unit types would not be classified as affordable housing
- If the term 'affordable housing' is solely being used based on the price of these garden suites, then the potential costs (ie- we estimate approximately \$250,000 to construct) the parkland charge would be minimal once a calculation is finalized
- As a result, our position is that we're willing to waive the charge for now. It's nearly impossible to forecast the uptake at this point in time, so we recommend this be reviewed again in 5 years, to review the popularity/effectiveness of these units, and determine if the waiver should continue or not.

If you have any questions, please let us know.

Thanks,

Jake Mete, OALA, CSLA

Interim Senior Manager, Park Planning and Development
Community Services, City of Brampton