



## Minutes

### Planning and Development Committee The Corporation of the City of Brampton

**Monday, October 26, 2020**

- Members Present:
- Regional Councillor M. Medeiros - Wards 3 and 4
  - Regional Councillor P. Fortini - Wards 7 and 8
  - Regional Councillor R. Santos - Wards 1 and 5
  - Regional Councillor P. Vicente - Wards 1 and 5
  - City Councillor D. Whillans - Wards 2 and 6
  - Regional Councillor M. Palleschi - Wards 2 and 6
  - City Councillor J. Bowman - Wards 3 and 4
  - City Councillor C. Williams - Wards 7 and 8
  - City Councillor H. Singh - Wards 9 and 10
  - Regional Councillor G. Dhillon - Wards 9 and 10
- Staff Present:
- Chief Administrative Officer, David Barrick
  - Richard Forward, Commissioner Planning and Development Services
  - Allan Parsons, Director, Development Services
  - Rick Conard, Director of Building and Chief Building Official
  - Bob Bjerke, Director, Policy Planning
  - Jeffrey Humble, Manager, Land Use Policy, Planning, Building and Economic Development
  - Elizabeth Corazzola, Manager, Zoning and Sign By-law Services, Planning, Building and Economic Development
  - Michelle Gervais, Policy Planner, Planning, Building and Economic Development
  - Sameer Akhtar, City Solicitor
  - Peter Fay, City Clerk
  - Charlotte Gravlev, Deputy City Clerk
  - Shauna Danton, Legislative Coordinator

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1. **Call To Order**

Note: In consideration of the current COVID-19 public health orders prohibiting large public gatherings of people and requirements for physical distancing between persons, in-person attendance at this Planning and Development Committee meeting was limited and physical distancing was maintained in Council Chambers at all times during the meeting.

The meeting was called to order at 1:07p.m., and adjourned at 2:45 p.m.

As this meeting of the Planning and Development Committee was conducted with electronic participation by Members of Council, the meeting started with the City Clerk calling the roll for attendance at the meeting, as follows:

Members present during roll call: Councillor Dhillon, Councillor Singh, Councillor Fortini, Councillor Williams, Councillor Bowman, Councillor Palleschi, Councillor Whillans, Councillor Vicente, Councillor Santos, Councillor Medeiros

Members absent during roll call: nil

Councillor Whillans left the meeting at 2:31 p.m. (personal)

2. **Approval of Agenda**

The following motion was considered:

**PDC117-2020**

That the Agenda for the Planning and Development Committee Meeting of October 26, 2020, be approved as published and circulated.

Carried

3. **Declarations of Interest under the Municipal Conflict of Interest Act**

Nil

4. **Consent Motion**

\* The following items listed with a caret (^) were considered to be routine and non-controversial by the Committee and were approved at one time.

**(7.3, 7.4)**

**(Item 7.4 was added into consent)**

**5. Statutory Public Meeting Reports**

Nil

**6. Public Delegations (5 minutes maximum)**

- 6.1 Possible delegations re: Amendment to Business Licensing By-law 332-2013 - Amendment to the definition of "Lodging House" in Schedule 17

Note: notice regarding this matter was published on the City's website on October 15, 2020

P. Fay, City Clerk, confirmed that no delegation requests were received for this matter.

See Item 7.2

**7. Staff Presentations and Planning Reports**

- 7.1 Presentation by Rick Conard, Director of Building and Chief Building Official, re: Technology Improvement Roadmap

Rick Conard, Director of Building and Chief Building Official, presented an overview of the technology updates implemented by the Building Division that included the following:

- current and future solutions
  - digitization of property records
  - on-line applications
  - remote virtual inspections
  - on-line appointment booking system
  - real time inspection results
  - on-line payment
- revised Building Division webpage
- online records request
- online applications for residential and two-unit dwellings
- online inspection requests and status
- Queue management and booking request
- smartphone solution for inspectors

- logistic mapping for inspectors
- Phase 2 - contractor app, public portal, and next steps

An informational video was shown that highlights the functions and capabilities of the software.

Committee consideration of the matter included questions of clarification with respect to the anticipated timelines of phase 2 of the project and budget considerations, and a request for Council Office staff to receive training on the new program.

The following motion was considered:

**PDC118-2020**

That the presentation by Rick Conard, Director of Building and Chief Building Official, re: **Technology Improvement Roadmap** to the Planning and Development Committee Meeting of October 26, 2020, be received.

Carried

7.2 Staff report re: City Initiated Zoning By-law Amendment to Align Lodging House Definition with Provincial Legislation

In response to questions of clarification from Committee, staff noted the following:

- a business license is required for lodging houses with more than 4 occupants
  - a business licence is no longer required for a lodging house with up to 4 occupants
- the amendment harmonizes the provincial legislation, Building Code, Fire Code, and the City's Business Licensing by-law
- the amendment does not allow lodging houses outside of the areas permitted by the Zoning By-law
- enforcement of illegal lodging houses and lodging houses in contravention of the Fire Code or Building Code is not impacted by the amendment
- student housing and basement dwelling definitions under review

The following motion was considered:

**PDC119-2020**

1. That the staff report re: **City Initiated Zoning By-Law Amendment to Align Lodging House Definition with Provincial Legislation** to the Planning and Development Committee meeting of October 26, 2020, be received;

2. That the Zoning By-law Amendment attached hereto as Appendix 1 be adopted, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to A Place to Grow: 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 September 30, 2020;

3. That staff be directed to prepare an amendment to Schedule 17 of Business Licensing By-law 332-2013 to amend the definition of "Lodging House" to generally correspond with the proposed Zoning By-law amendment attached to the report as Appendix 1; and

4. That Council hereby determines that no further public notice is to be given pursuant to Section 34(17) of the *Planning Act*.

Carried

7.3 ^ Staff report re: City-initiated Zoning By-law Amendments to Clarify and Improve Residential Development Standards

**PD120-2020**

1. That the staff report re: **City-initiated Zoning By-law Amendments to Clarify and Improve Residential Development Standards - City-wide**, to the Planning and Development Committee meeting of October 26, 2020, be received;

2. That the Zoning By-law Amendments attached to the report as Appendices 1 through 7 be adopted, on the basis that they represent good planning, including that they are consistent with the Provincial Policy Statement, conform to A Place to Grow: 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 September 30, 2020; and

3. That Council hereby determines that no further public notice is to be given pursuant to Section 34(17) of the *Planning Act*.

Carried

- 7.4 ^Staff report re: Application to Amend the Official Plan and Zoning By-law and Proposed Draft Plan of Subdivision - Malone Given Parsons Ltd. - Shayma Dick Holdings Inc. - File C05W06.007 and 21T-06026B

**PDC121-2020**

1. That the staff report re: **Application to Amend the Official Plan and Zoning By-law and Proposed Draft Plan of Subdivision - Malone Given Parsons Ltd. - Shayma Dick Holdings Inc. - File C05W06.007 and 21T-06026B**, to the Planning and Development Committee Meeting of October 26, 2020, be received;

2. That the application to amend the Official Plan and Zoning By-law, and Proposed Draft Plan of Subdivision, submitted by Malone Given Parsons Ltd. on behalf of Shayma Dick Holdings Inc., Kendalwood Land Development Inc. and 2570616 Ontario Inc., Ward: 6, Files C05W06.007 & 21T-06026B, be approved on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, and conforms 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 report;

3. That the amendments to the Official Plan including the BramWest Secondary Plan and the Riverview Heights Block Plan in general accordance with the by-law attached as Appendix 9 to the report be adopted;

4. That the amendments to the Zoning By-law, in general accordance with by-law attached as Appendix 10 to the report be adopted;

5. That the implementing Draft Plan of Subdivision Conditions in general accordance with Appendix 11 to the report be approved.

Carried

7.5 Staff report re: Review of Regulatory Model Governing Two-unit Dwellings

In response to questions from Committee, staff provided details on the following:

- business justification for request for additional staff members
  - consistent and sharp increase in basement unit applications
  - the City is receiving permit requests at a rate 10x higher than comparable municipalities
- investigate the potential to license second units
- history of permitting second units in the City
- permitted parking and enforcement
- sufficient infrastructure, especially in mature neighbourhoods, and ability to handle potential population increase
  - request for staff to investigate previously approved subdivisions and if the applicant submitted studies (traffic, functional servicing, sustainability, etc.) are still relevant and the infrastructure has withstood the evolving neighbourhoods; will report back to Committee at a future date
- right of access
- anticipated return date of the short-term rental report

The following motion was considered:

**PDC122-2020**

1. That the staff report re: **Review of Regulatory Model for Two-Unit Dwellings**, to the Planning and Development Committee Meeting of October 26, 2020, be received;

2. That staff be directed to review amending the Zoning By-law to only allow an above grade door in the side yard where there is a minimum 4' continuous path of travel leading up to and including the door.

3. That staff be directed to review amending the Official Plan Policies for second units to enable the Committee of Adjustment to consider and approve, where appropriate, minor variance applications involving the implementing Provisions for Two-Unit Dwelling set out in the Zoning By-law.

4. That a letter be sent to the Province from the Mayor on behalf of Council recommending to the Province to add a third clause, clause (c), to the definition of unsafe building in the Building Code Act to include the occupancy of a space as a dwelling without an occupancy permit having been issued by the Chief Building Official and that 16(1)(d) of the Building Code Act be amended to include a reference to 15.9(6)(c). That the letter include support for adoption of a new Section in the Ontario Building Code that would provide consistent rules for the creation of a two-unit dwelling irrespective of the age of the building. That the letter include a recommendation to amend the Planning Act to include a definition for "Obstruction" and include a reasonable time frame within which entry must be granted before an officer may charge the occupant with obstruction and; that the letter include a request to review the Municipal Tax model with the goal of providing an equitable way to collect municipal taxes, taking into consideration homes with multiple dwelling units.

5. That Council support the strengthening of the City's Licensing By-law through the comprehensive Licensing By-Law review to support the requirement to be a licensed contractor to work within the City of Brampton.

Yea (10): Regional Councillor M. Medeiros, Regional Councillor P. Fortini, Regional Councillor Santos , Regional Councillor Vicente, City Councillor Whillans, Regional Councillor Palleschi, City Councillor Bowman, City Councillor Williams, City Councillor Singh, and Regional Councillor G. Dhillon

Carried (10 to 0)

7.6 Supplementary Staff Report re: City-Initiated Official Plan Amendment to the Credit Valley Secondary Plan Area 45 - Implementing the Springbrook Settlement Area Tertiary Plan

In response to questions from Committee, staff confirmed that the proposed official plan amendment will meet Committee's request for increased density in



specified areas, and provided clarification on the land use schedule attached to the report.

Committee acknowledged the proposed revised Appendix 'A' to the Official Plan Amendment, dated October 26, 2020.

The following motion was considered:

**PDC123-2020**

1. That the supplementary staff report re: **City-Initiated Official Plan Amendment to the Credit Valley Secondary Plan Area 45 - Implementing the Springbrook Settlement Area Tertiary Plan**, to the Planning and Development Committee meeting of October 26, 2020, be received;

2. That the Official Plan Amendment be approved, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to A Place to Grow: 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 Report;

3. That the revised Official Plan Amendment, attached as Appendix 'A' to the report, dated October 26, 2020, be adopted; and,

4. That staff be directed to initiate a separate planning process for lands fronting Queen Street West, where higher densities are envisioned, and hold a statutory public meeting to present the proposed changes.

Carried

**8. Committee Minutes**

**8.1 Minutes - Brampton Heritage Board - October 20, 2020**

Committee discussion of the matter included questions of clarification with respect to the status and next steps of the Heritage Property located at 12061 Hurontario Road - Brampton Heritage Board Recommendation HB026-2020.

The following motion was considered:

**PDC124-2020**

Moved by Regional Councillor Vicente

That the **Minutes of the Brampton Heritage Board Meeting of October 20, 2020**, Recommendations HB025-2020 to HB035-2020, to the Planning and Development Committee Meeting of October 26, 2020, be approved.

The recommendations were approved as follows:

**HB025-2020**

That the agenda for the Brampton Heritage Board Meeting of October 20, 2020 be approved as published and circulated.

**HB026-2020**

1. That the delegation from Rob El-Sayed, Church of Archangel Michael and St. Tekla, re: **Request for Delisting the Heritage Property located at 12061 Hurontario Street (Snelgrove Baptist Church) – Ward 2**, to the Brampton Heritage Board Meeting of October 20, 2020, be received; and,
2. That staff report back to the Board in early 2021 with information on the subject property, to include photographs.

**HB027-2020**

1. That the delegation from Mark Jachecki, property owner, re: **Heritage Incentive Grant Increase for Window Replacement – 87 Elizabeth Street South – Ward 3**, to the Brampton Heritage Board Meeting of October 20, 2020, be received; and,
2. That the request from Mr. Jachecki for consideration of an increased grant amount for window replacement at 87 Elizabeth Street South be **referred** to staff for consideration.

**HB028-2020**

1. That the report titled: Recommendation Report: Designated Heritage Property Incentive Grant Increase and Update to the Designated Heritage Property incentive Grant By-Law and Application Kit, to the Brampton Heritage Board Meeting of October 20, 2020, be received;
2. That the increase in the Designated Heritage Property Incentive Grant to a maximum matching grant of \$10,000 be approved;

3. That the Designated Heritage Property Incentive Grant funds be moved to a capital account in the Policy Planning budget; and

4. That Council pass the by-law amending By-law 266-2011, attached as Appendix D.

#### **HB029-2020**

That the delegation from David Eckler, AREA Architects, re: **Item 11.2 – Staff Report re: Heritage Permit Application and Revised Designation Report for 23 Centre Street South – Ward 3**, to the Brampton Heritage Board Meeting of October 20, 2020, be received.

#### **HB030-2020**

1. That the report titled: **Recommendation Report: Heritage Permit Application for the Removal of the Kitchen Tail and Conservation of the Remainder of the Dwelling at 23 Centre Street South (Kilpatrick-Young House) and Demolition of Outbuildings on the Property and Revised Designation Report – 23 Centre Street South - Ward 3** (HE.x 23 Centre Street South), to the Brampton Heritage Board meeting of October 20, 2020, be received;

2. That the Heritage Permit application for the removal of the kitchen tail and conservation of the remainder of the dwelling known as the Kilpatrick-Young House be approved in accordance with Section 33 of the Ontario Heritage Act (the “Act”) subject to the following terms and conditions:

a) That prior to the issuance of site plan approval and any heritage permit or building permit, including a demolition permit, for the works associated with this heritage permit, the Owner shall:

i. Provide a Heritage Conservation Plan, prepared by a qualified heritage consultant and to the satisfaction of the Brampton Heritage Board and the Director of Policy Planning, in support of a subsequent heritage permit application for the conservation of the dwelling at 23 Centre Street South known as the Kilpatrick-Young House;

ii. Provide measured drawings and photo documentation of the interior and exterior portion of the building to be removed to the satisfaction of the Director of Policy Planning and for submission to the Archives at the Peel Art Gallery Museum and Archives (PAMA);

iii Provide financial securities as specified in the Heritage Conservation Plan in a

form and amount satisfactory to the Commissioner of Planning and Development Services to secure all work included in the Heritage Building Protection Plan and Heritage Conservation Plan; and,

iv. Enter into a Heritage Easement Agreement (the “HEA”) with respect to the conservation of the Kilpatrick-Young House with the City, with content satisfactory to the Commissioner of Planning and Development Services, and in a form satisfactory to the City Solicitor.

b) That prior to the release of financial securities, the owner provide a letter, prepared and signed by a qualified heritage expert, certifying that all works as outlined in the approved Heritage Conservation Plan have been completed, and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Director of Policy Planning, Planning and Development Services; and,

c) That the owner notify Heritage Planning staff of the removal date for the kitchen tail so that Heritage staff can be in attendance.

d) That until such time as the conservation work on the property at 23 Centre Street South can be completed, the owner ensure that the Property Standards By-law, as amended, is adhered to.

3. That the Heritage Impact Assessment (the “HIA”) prepared by AREA Architects, attached as Appendix B to this report, be received and that the recommendations/mitigation options contained therein be approved.

4. That the Notice of Intention to Designate 23 Centre Street South be withdrawn in order to facilitate for the issuance of a new Notice of Intention to Designate with a revised statement of cultural heritage value and heritage attributes.

5. That staff be authorized to publish and serve the Notice of Withdrawal to Designate the property at 23 Centre Street South in accordance with the requirements of the Act.

6. That the revised Designation Report for 23 Centre Street South, attached as Appendix D to this report, be approved.

7. That the designation of the property at 23 Centre Street South under Part IV, Section 29 of the Act be approved;

8. That staff be authorized to publish and serve the revised Notice of Intention to designate the property at 23 Centre Street South in accordance with the requirements of the Act;

9. That, in the event that no objections to the designation are received, a by-law be passed to designate the subject property;

10. That, in the event that any objections to the designation are received, staff be directed to refer the proposed designation to the Ontario Conservation Review Board; and,

11. That staff be authorized to attend any hearing process held by the Conservation Review Board in support of Council's decision to designate the subject property.

#### **HB031-2020**

That the correspondence from Krista Hulshof, Vice President, Ontario Barn Preservation, re: **Preservation of Barns in Ontario**, to the Brampton Heritage Board Meeting of October 20, 2020, be received.

#### **HB032-2020**

1. That the verbal advisory from Paul Willoughby, Board Member, re: **Riverwalk Urban Design Master Plan - Community Liaison Team**, to the Brampton Heritage Board Meeting of October 20, 2020, be received; and,

2. That Paul Willoughby be named the Board's representative on the Riverwalk Urban Design Master Plan - Community Liaison Team.

#### **HB033-2020**

1. That the report from Cassandra Jasinski, Heritage Planner, Policy Planning, dated October 20, 2020, to the Brampton Heritage Board meeting of October 20, 2020, City of Brampton's Comments Regarding the Proposed Regulation under the Ontario Heritage Act (Bill 108), be received;

2. That the Brampton Heritage Board endorse the comments and concerns of staff, outlined in the report and in the Appendix, and the recommendations below;

3. That the proposed comments in response to the relevant Environmental Registry of Ontario (ERO) notice regarding Proposed Regulation under the

Ontario Heritage Act (Bill 108), included as an appendix to this report, be submitted as the City of Brampton's formal response;

4. That the Mayor write to the Premier of Ontario and the Ministry of Heritage, Sport, Tourism and Culture Industries before the commenting period of 45-days expires on November 5, 2020 to highlight the City's concern with the timing of the consultation period and the coming into and effect of the proposed amendments, given the ongoing COVID-19 Pandemic;

5. That the Mayor and/or designate be authorized to make a written and/or a verbal submission on the Proposed Regulation, when it is referred, to the appropriate Legislative Committee for review;

6. That a copy of this report and any associated Council resolution be submitted to the Province, through the Environmental Registry of Ontario, the Ministry of Heritage, Sport, Tourism and Culture Industries, Brampton Members of Provincial Parliament, and to the Region of Peel and the Association of Municipalities of Ontario.

#### **HB034-2020**

1. That the report titled: Designation, Demolition and Reconstruction of the Heritage Property at 15 Bramalea Road – Ward 7 (HE.x 15 Bramalea Road), to the Brampton Heritage Board Meeting of September 15, 2020, be received;

2. That City Council state its intention to designate the property at 15 Bramalea Road under Part IV, Section 29 of the Ontario Heritage Act, as amended (the "Act") in accordance with the Statement of Significance, reasons for designation and list of heritage attributes attached as Appendix A to this report;

3. That staff be authorized to publish and serve the Notice of Intention to designate 15 Bramalea Road in accordance with the requirements of the Act;

4. That, in the event that no objections to the designation are received, a by-law be passed to designate the subject property;

5. That, in the event that any objections to the designation are received, staff be directed to refer the proposed designation to the Ontario Conservation Review Board;

6. That staff be authorized to attend any hearing process held by the Conservation Review Board in support of Council's decision to designate the subject property; and

7. That City Council approve the request made under section 34 of the Act to demolish the subject property, to allow for the construction of a new warehouse

building and the construction of two new office buildings, including the reconstruction of the existing one-storey front heritage office wing, as approved by the Local Planning Appeal Tribunal (the “LPAT”) in principle on September 13, 2019, substantially in accordance with the Heritage Impact Assessment by Goldsmith Borgal & Company Ltd., dated 15 February, 2019 (final revised submission), including the addendum dated June 6, 2019 and attached as Appendix B to this report, and the Conservation Plan (Stage 1) prepared by Goldsmith Borgal & Company Ltd., dated June 6, 2019 (final revised submission) and attached as Appendix C to this report, all subject to the following additional conditions:

a) That the reconstruction of the heritage office wing includes the salvage, reuse and reinstatement of the existing white brick veneer and top aggregate panels with pebble dash from the existing one-storey front heritage office wing; and

b) That prior to the issuance of any permit for all or any part of the property located at 15 Bramalea Road, including a heritage permit, a building permit or a permit related to the demolition, shoring and excavation of the subject property, the Owner shall:

i. Provide a Conservation and Reconstruction Plan (Stage 2) to the satisfaction of the Director of Policy Planning, Planning, Building and Economic Development to provide the final details for the conservation and reconstruction of the one-storey front wing facing Bramalea Road that has not been provided in the Conservation Plan (Stage 1); and

ii. Provide full documentation of the existing heritage property at 15 Bramalea Road, including two (2) sets of archival quality 8” x 10” colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a CD in tiff format keyed to a location map, elevations and measured drawings to the satisfaction of the Directory of Policy Planning, Planning, Building and Economic Development.

### **HB035-2020**

That the Brampton Heritage Board do now adjourn to meet again on Tuesday, November 17, 2020 at 7:00 p.m. or at the call of the Chair.

Carried

**9. Other Business/New Business**

Nil

**10. Referred/Deferred Matters**

Nil

**11. Correspondence**

Nil

**12. Councillor Question Period**

Nil

**13. Public Question Period**

The public was given the opportunity to submit questions via e-mail to the City Clerk's Office regarding any decisions made under this section of the agenda.

P. Fay, City Clerk, confirmed that no questions were submitted regarding decisions made at this meeting.

**14. Closed Session**

Nil

**15. Adjournment**

The following motion was considered:

**PDC125-2020**

That the Planning and Development Committee do now adjourn to meet again on Monday, November 16, 2020, at 7:00 p.m., or at the call of the Chair.

Carried

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Regional Councillor M. Medeiros, Chair