

Date: 2022-10-31

Subject: **Recommendation Report**
Application to Amend the Zoning By-law
*(To rezone the subject lands to facilitate the
future development of two single detached
dwellings)*
Mattamy (Castlemore) Ltd. – Korsiak Urban Planning
10417 Airport Road
Ward: 10

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Report Number: Planning, Bld & Ec Dev-2022-815

Recommendations:

1. **THAT** the report titled: Recommendation Report, Application to Amend the Zoning By-law, Mattamy (Castlemore) Ltd. – Korsiak Urban Planning, 10417 Airport Road, Ward 10 (File #: OZS-2022-0006), dated October 31, 2022 to the Planning and Development Committee Meeting of November 28, 2022, be received; and
2. **THAT** the Zoning By-law Amendment applications submitted by Korsiak Urban Planning (c/o Mattamy (Castlemore) Ltd.) be approved on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for reasons set out in this Recommendation Report; and
3. **THAT** the amendment to the Zoning By-law generally in accordance with the attached Appendix 11 to this report be adopted.

Overview:

- The report recommends approval of an application to amend the Zoning By-law to facilitate the rezoning of the subject properties to permit the development of two (2) single detached dwellings.
- The property is designated 'Residential' on Schedule A of the Official Plan. An amendment to the Official Plan is not required to permit the proposed development.
- The property is designated 'Low Density 2' in the Vales of Castlemore Secondary Plan (Area 42). An amendment to the Secondary Plan is not required to permit the proposed development.
- The property is zoned "Agricultural (A)" by By-law 270-2004, as amended. An amendment to the Zoning By-law is required to permit the proposed development.
- A Statutory Public Meeting for this application was held on June 20th, 2022. Two members of the public provided written comment on the application prior to the public meeting, and one member of the public delegated at the meeting. Results of the Statutory Public Meeting are included in Appendix 9 of this report.
- The proposed Zoning By-law Amendment represents good planning, is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City of Brampton Official Plan.

Background:

Prior to the submission of this application, the proposed development underwent a Pre-Application Consultation in 2021. Following the meeting a Pre-Application Consultation Checklist was provided to the applicant outlining the reports and studies that City staff required with the submission of this application. This application was received on April 22nd, 2022 and was reviewed for Completeness as per the Planning Act and found to be Complete on May 4th, 2022. A formal Notice of Complete Application dated May 4th, 2022 was provided to the applicant.

Consent to Sever Application for the subject lands

The Applicant also submitted a Consent to Sever Application to the Committee of Adjustment in August of 2021 to sever part of the property. The two parcels were granted consent to sever in September of 2021 under City Files B-2021-0018 and B-2021-0019.

Pursuant to the approval of the Consent Application, it was determined that the conditions of Consent could not be fulfilled, and that applications requesting Changes to the Conditions of Provisional Consent (Planning Act subsection 53(23)) would be required to fulfill the conditions of the consent applications. The application requesting Changes to the Conditions of Provisional Consent were subsequently heard at the October 4th Committee of Adjustment Hearing, where the requested changes to the conditions of consent were approved.

Through the requested Changes to the Conditions of Provisional Consent application, City staff engaged with the owner of the property to arrange to have part of the lands, which have natural heritage value, conveyed gratuitously to the City for our long term stewardship and protection. The portion that is environmentally sensitive is located south of the proposed lots that are the subject of this Zoning By-law Amendment Application. The owner was amenable to the conveyance of the natural heritage lands. The owner will be required to prepare a Reference Plan depicting the limits of the natural heritage system to be conveyed to the City, which will be subject to approval by the Director of Development Services. The reference plan will be required to be deposited with the Land Registry Office within two years of the Notice of Decision for the Request to Change Conditions of Provisional Consent application.

Current Situation:

This application proposes to amend the Zoning By-law to permit residential uses on portions of the subject property that will ultimately serve part of two new residential lots that will be part of the existing residential community. The proposed westerly parcel that was the subject of severance application B-2021-0018, is to be rezoned to with a site-specific residential zone (R1A-1711), and merged with the adjacent block to the north (Block 174, Plan 43M-1449), which when combined, will accommodate one new residential lot. Similarly, the easterly parcel that was the subject of severance application B-2021-0019, is to be zoned the same way, and when merged with the adjacent block to the north (Block 177, Plan 43M-1449) will create another residential lot.

Rezoning of the subject lands will facilitate completion of two single lots fronting onto Sparta Drive for the future development of two single-detached dwellings.

Application to Amend the Zoning By-law:

The application proposes to amend the Zoning By-law to rezone the subject properties from 'Agricultural Zone – (A)' to Residential Single Detached A –Section 1711 (R1A-1711). The Zoning By-law Amendment is included in Appendix 11.

Property Description and Surrounding Land Use (Refer to Appendix 6):

The westerly parcel has the following characteristics:

- Has a site area of approximately 356 square metres (0.36 hectares);
- Has a width of approximately 9.24 metres (30.31 feet);
- Has a depth of approximately 18.7 metres (61.35 feet);
- Block 177, to which the parcel will be added, is currently zoned 'Residential Single Detached A – Section 1711 (R1A - 1711); and
- Future access to the property from Sparta Drive.

The easterly parcel has the following characteristics:

- Has a site area of approximately 90 square metres (0.009 hectares);
- Has a width of approximately 9.24 metres (30.31 feet);
- Has a depth of approximately 6.6 metres (21.65 feet);
- Block 177, to which the parcel will be added, is currently zoned 'Residential Single Detached A – Section 1711 (R1A - 1711); and
- Future access to the property from Sparta Drive.

The surrounding land uses are as follows:

- North: Low-density residential uses beyond Sparta Drive, as well as a commercial development at the corner of Airport Road and Braydon Boulevard, and Treeline Public School.
- East: Lands zoned "Floodplain", low-density residential uses, and beyond Goreway Drive there are rural estate residential properties.
- South: Low-density residential uses, a commercial development at the corner of Airport Road and Humberwest Parkway, and Fairlawn Public School is located east of Airport Road.
- West: Low-density residential uses, lands zoned "Floodplain", and Mountain Ash Public School is located south of Sandalwood Parkway East.

Summary of Recommendations:

This report recommends that Council enact the Zoning By-law attached hereto as Appendix 11.

Analysis

The proposed Zoning By-law Amendment 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's Official Plan. The proposal is also generally consistent with the City of Brampton's Official Plan, and appropriately considers matters of provincial interest

as set out in Section 2 of the *Planning Act*. Refer to Appendix 8 “Detailed Planning Analysis” for additional details.

Matters of Provincial Interest

Planning Act:

This development proposal has regard for the following matters of Provincial interest as set out in Section 2 of the *Planning Act*:

- The orderly development of safe and healthy communities; and,
- The appropriate location of growth and development.

The location of the development capitalizes on the existing infrastructure and established neighbourhood within the existing subdivision north of Sparta Drive, and provides the opportunity to complete two single lots in an existing neighbourhood. The two single lots would be within 400 metres of an existing bus stop at Airport Road and Braydon Boulevard, and is located within 400 metres from recreational trails in Hackett Valley, located on the west side of Airport Road.

Provincial Policy Statement:

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 application to amend the Zoning By-law is consistent with the PPS as set out in Section 1.1.1:

Section 1.1.1 – healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- c) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; and,
- d) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

The proposal conforms to Section 1.1.1 of the PPS by efficiently using vacant land in an existing residential neighbourhood and providing a cost-effective development that supplies additional dwellings units within an existing subdivision already supported by transit and infrastructure services.

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

The Growth Plan for the Greater Golden Horseshoe 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 by providing convenient access to local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. The subject application conforms to the applicable policies as outlined in the Growth Plan for the Greater Golden Horseshoe with respect to the provision of housing units and residential development within the delineated built-up area.

Region of Peel Official Plan:

The Regional 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" designation in the Regional Official Plan and conform to the related policies with respect to the efficient use of land and residential development within areas containing existing infrastructure.

City of Brampton Official Plan:

The City of Brampton Official Plan provides guidance and policies for the future of the City. The proposal is consistent with the Official Plan as it meets the intent of the plan regarding the type of development (residential use) and that the environmental policies are met, that the design of the development is consistent with the policies, and that all of the technical matters have been resolved.

The lands are designated 'Residential' in the Official Plan. The residential designation permits a range of dwelling typologies, including single detached dwellings, townhouses and apartments. The applicant has demonstrated that the proposal meets the requirements of the Residential designation.

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.

Notice signs were also placed on the subject lands to advise members of the public that the proposed applications were filed with the City, and a Statutory Public Meeting for this application was held on June 20th, 2022.

One resident spoke at the public meeting, and two written submissions were received. A concern with respect to the noise impacts from Airport Road was raised by a member of the public. A Commitment Letter was provided by Mattamy (Castlemore) Limited to

provide certainty that the warning clauses and noise abatement measures, as outlined in Valcoustics Canada Ltd 10417 Airport Rd Environmental Noise Feasibility Study dated April 6, 2022 and subsequent Addendum Letter #1 to Environmental Noise Feasibility Study dated September 16, 2022, will be installed on Block 174 and Block 177, and included in the future agreement of purchase and sale. The Commitment Letter is included in Appendix 12 – Noise Abatement Commitment Letter, of this report. Details of the Statutory Public Meeting, including a summary of the issues raised and a response to those issues, are included in Appendix 9 – Results of Public Meeting, of this report. The correspondence received from commenting agencies are included as Appendix 10a – Results of Application Circulation (Public) and Appendix 10b – Results of Application Circulation (Internal).

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 develops otherwise underutilized lands with a use consistent with the surrounding context. The development of the lands makes efficient use of land and resources, takes advantage of existing infrastructure and will provide new housing opportunities within the City of Brampton.

Conclusion:

The proposed development is consistent with the Provincial Policy Statement (2020), and conforms to the Growth Plan for the Greater Golden Horseshoe (2020), 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 Zoning By-law Amendment.

Authored by:

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Attachments:

Appendix 1:	Concept Plan
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:	Detailed Planning Analysis
Appendix 9:	Results of the Public Meeting
Appendix 10a:	Results of the Application Circulation (Public)
Appendix 10b:	Results of the Application Circulation (Internal)
Appendix 11:	Zoning By-law Amendment
Appendix 12:	Noise Abatement Commitment Letter