

Date: 2023-03-31

Subject: **OZS-2021-0011**

Secondary Title: Recommendation Report

Application to Amend the Official Plan and Zoning By-law
To permit a phased residential development comprised of a 14-storey mid-rise building and three townhouse blocks (two stacked townhouse blocks and one back-to-back stacked townhouse block)
Church (Brampton) Ventures Inc. - W.E. Oughtred & Associates Inc.
55, 59 and 61 Beech Street, and 136, 140, and 142 Church Street East
Ward: 1

Contact: Tejinder Sidhu, Development Planner, Development Services
Angelo Ambrico, Manager, Development Services

Report Number: Planning, Bld & Growth Mgt-2023-304

Recommendations:

1. That the report titled: **Recommendation Report**, Application to Amend the Official Plan and Zoning By-law, **Church (Brampton) Ventures Inc. - W.E. Oughtred & Associates Inc.**, 55, 59 and 61 Beech Street, and 136, 140, and 142 Church Street East, Ward 1 (OZS-2021-0011 and Planning, Bld & Growth Mgt-2023-304), dated March 31, 2023 to the Planning and Development Committee Meeting of April 24, 2023 be received;
2. That the Official Plan Amendment and Zoning By-law Amendment application submitted by W.E. Oughtred & Associates Inc. on behalf of Church (Brampton) Ventures Inc., Ward 1, File OZS-2021-0011 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 the reasons set out in this Recommendation Report;
3. That the amendments to the Official Plan and Brampton Flowertown Secondary Plan (Area 6) generally in accordance with Attachment 10 to this report be adopted;

4. That the amendment to the Zoning By-law generally in accordance with Attachment 12 to this report be adopted; and
5. **That** no further notice or public meeting be required for the attached Official Plan and Zoning By-law Amendment pursuant to Section 22(6.1) and Section 34(17) of the Planning Act, R.S.O. c.P. 13, as amended.

Overview:

- **This report recommends the approval of the Official Plan Amendment and Zoning By-law Amendment application to facilitate a proposed residential development comprised of a 14-storey apartment, two stacked townhouse blocks and one stacked back-to-back townhouse block.**
- **The applicant is intending to develop the lands in two phases:**
 - **First Phase: Two 3-storey stacked townhouse blocks (18 and 12 units) as well as one 3-storey stacked back-to-back townhouse block (with 20 units) and**
 - **Second Phase: 14-storey apartment (273 units)**
- **The lands are designated 'Residential' on Schedule A – General Land Use Designations in the Official Plan. An amendment to the Official Plan is not required.**
- **The property is designated 'Low Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). An amendment to the Secondary Plan is required to facilitate this proposal.**
- **The site is zoned 'Residential Single Detached B (R1B)'. An amendment to the Zoning By-law is required to facilitate this development.**
- **The proposed Official Plan and Zoning By-law Amendments represent good planning, are consistent with the Provincial Policy Statement and are in conformity with the Growth Plan for the Greater Golden Horseshoe and Region Official Plan.**
- **A Statutory Public Meeting for this application was held on July 26, 2021. Four members of the public spoke at the meeting and sixteen written submissions were received. Details of the results of the Public Meeting are included in Attachment 9 of this report.**
- **The application was circulated to relevant City departments and external agencies for their review. Results of application circulation are included in Attachment 10 – Results of Application Circulation.**

- **The proposed development is consistent with the “A City of Opportunities” theme. The proposal is consistent with the direction of building complete communities to accommodate growth, as well as revitalizing neighbourhoods.**

Background:

W.E Oughtred & Associates Inc. submitted an application to amend the Official Plan and Zoning By-law on behalf of Church (Brampton) Ventures Inc., on March 18, 2021. This application has been reviewed for completeness and found to be complete in accordance with the Planning Act. A formal notice was issued deeming the application complete on April 6, 2021.

Public Meeting (July 26, 2021)

The Statutory Public Meeting for the application was held at the July 26, 2021 Planning and Development Committee Meeting. The original residential proposal contemplated a 10-storey building (197 units), 3 blocks of back-to-back stacked townhouses (76 total units) and 1 block of stacked townhouses (8 units). The heritage building on the subject lands at 136 Church Street will be relocated to 132 Church Street.

Since then, through the review of this application, further revisions were made to the site layout and proposed density and height of the dwelling typologies. Key revisions to the site layout include increase of the apartment building from 10-storeys to 14-storeys, removal of a townhouse block (so that only three townhouse blocks are proposed as opposed to four) and providing only one block of stacked back-to-back townhouses as opposed to the three blocks previously proposed. These changes minimize impact to the adjacent residential neighbourhood and focus the density at the corner of the site, at Church Street and Beech Street.

Staff is satisfied that additional notice is not needed as the overall density remains relatively the same, increasing slightly from the previously proposed density, 2.7 Floor Space Index to 3.11 Floor Space Index.

Current Situation:

Proposal (refer to Attachment 1):

The applicant intends to develop the site in two phases, however this will not be required as per the recommended approval. In Phase One, the three townhouse blocks, underground parking for the whole site and a portion of the access road from Beech Street is to be built; and in Phase Two, the 14-storey apartment and remaining portion of the access road from Church Street Street will be constructed.

Details of the proposal are as follows:

- Two Phases with a total of 323 residential units
- Phase 1 - One stacked back-to-back and two stacked townhouse blocks
 - 3 storeys; and
 - Comprised of 50 units with proposed breakdown:
 - 8 One-Bedroom Studio;
 - 20 One-Bedroom + Den Units;
 - 12 Two-Bedroom Units; and
 - 10 Three Bedroom Units
- Phase 2 – Apartment building
 - 14-storeys; and
 - Comprised of 273 units with proposed breakdown:
 - 10 One-Bedroom Studio Units;
 - 66 One-Bedroom Units;
 - 124 One-Bedroom + Den Units; and
 - 73 Two-Bedroom Units;
- Total Gross Floor Area: 25,224 m²
- Total of 371 vehicular parking spaces including 306 residential and 65 visitor parking spaces
 - 2 surface short-term visitor spaces and 2 levels of underground parking
- 4,347 m² amenity space;
- A Floor Space Index of 3.11
- Two full-move vehicular access points from Beech Street and Church Street

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

The lands have the following characteristics:

- Has a site area of 0.85 hectares (2.1 acres) with 98 metres of frontage along Beech Street
- Located at the northwest corner of Beech Street and Church Street
- Consists of 6 single detached dwellings that have driveways fronting on Beech Street or Church Street East
- Subject lands contain four properties that are listed on the City's Municipal Register of Cultural Heritage Resources
- Existing Heritage dwelling at 136 Church Street East will be retained and relocated to 132 Church Street East

The surrounding land uses are described as follows:

- North: single detached residential dwellings beyond which is McCaul Street;
- East: Beech Street, beyond which is a low density residential neighbourhood;
- South: Church Street East, beyond which is a cemetery; and
- West: Single Detached Dwellings, beyond which is Sophia Street.

Corporate Implications:

Summary of Recommendations:

This report recommends that the Committee approve the proposed Official Plan and Zoning By-law amendments generally in accordance with Attachment 11 and Attachment 12, respectively. These documents will be used to implement a future site plan application.

Planning Analysis Summary

The proposed phased residential development provides a compatible development that complements the existing area. This proposal will aid in the achievement of complete communities and provide a variety of residential units.

The proposed development is consistent with the Planning Act, Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and City Official Plan.

Studies have been submitted by the applicant in support of this proposal to demonstrate the appropriateness of this development from a technical perspective. These were reviewed and approved by Staff.

For further information regarding the planning analysis for this proposal including the specific studies submitted and conformity with legislation, please refer to Attachment 8.

Planning Act:

This proposal has regard for matters of provincial interest that are set out in Section 2 of the Planning Act including Section 2(f),(h),(j),(p)(q) and (r). The proposed application facilitates the orderly development of safe and healthy communities, efficiently uses infrastructure on the site including the transit network, is an appropriate area of growth and development, and provides a range of housing options.

Provincial Policy Statement (2020):

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The proposed application promotes healthy, liveable and safe communities. It optimizes the existing site to take advantage of existing infrastructure (including water and sanitary servicing) to provide a residential development that has been designed to accommodate a range of household sizes and income levels.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020):

The Growth Plan for the Greater Golden Horseshoe includes policy and direction intended to accommodate and forecast growth in complete communities.

The subject lands are located within the “Built-up Area” as defined by the 2020 Growth Plan for the Greater Golden Horseshoe (GGH).

The proposal supports the achievement of complete communities through the provision of a range of studio and one-to-three-bedroom units which contributes to the overall housing stock in the Flowertown Community, as well as within the City.

Region of Peel Official Plan (April 2022):

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 designated “Urban System” in Schedule E-1 (Regional Structure) and within a Primary / Secondary Major Transit Station Area and Local Intensification Corridor in Schedule E-2, Strategic Growth Areas. The site is also designated as “Built-up Area” in Schedule E-3, Growth Plan Policy Areas in Peel.

The proposed development is consistent with the objectives, policies and targets of the Urban System and Strategic Growth Areas. The proposal will assist in the achievement of healthy complete communities that provide a range of residential types.

City of Brampton Official Plan (2006):

The subject lands are designated ‘Residential’ on Schedule A (General Land Use Designations).

The proposed mixed-use residential development is consistent with the intent and vision of the Official Plan. The proposed development is in keeping with policies for ‘Residential’ designated sites by providing for a range of housing opportunities as well as optimizing this infill development with a mix of uses.

The development is located within the proposed major transit station area at Queen Street and Centre Street. The apartment building will have a height of 14 storeys with step backs and terracing incorporated into the design. The blocks of three storey townhomes will provide a transition between the apartment building and adjacent detached dwellings.

Flowertown Secondary Plan (Area 6)

The property is designated ‘Low Density’ in Schedule 6 of the Flowertown Secondary Plan. Section 4.2.1.2 specifies that lands designated Low Density shall have a maximum density of 30 units/net hectare and the only permitted dwelling type is single detached homes. As such, a Secondary Plan Amendment is required to permit additional density.

Draft Official Plan Amendment (Attachment 11) re-designates the lands to ‘High Density Residential’ and ‘Special Policy Area 8’ which permits additional density of 3.11 Floor Space Index (FSI), permits townhouse and apartments and confirms that the existing heritage home on 136 Church Street East is to be relocated to 132 Church Street East.

Zoning By-law 270-2004

The property is currently zoned Residential Single Detached B (R1B). The proposed residential development comprised of an apartment building and three townhouse blocks are not permitted within the current residential zoning designation. The zoning will be amended to permit the proposed dwelling types and site-specific development standards.

Public Meeting Notification Area:

The application was circulated to City Departments, external commenting agencies and property owners within 240 metres of the subject property, exceeding the Planning Act requirement of 120 metres for such applications. A summary of issues received by the Public and comments received by external agencies is included as Attachment 9 – Results of Public Meeting, and Attachment 10 – Results of Application Circulation. Notice signs were placed on the subject lands to advise members of the public that the development application to amend the Zoning By-law was filed with the City.

A Statutory Public Meeting for this application was held on July 26, 2021. Three residents spoke at the meeting and sixteen written submissions were received. Details of the Statutory Public Meeting, including summary of the issues raised and a response to those issues, are included in the Summary Chart below as well as in Attachment 9 of this report:

Concern Raised	Staff Response
A. Capacity of Schools	<p>The Conseil Scolaire Viamonde, Peel District School Board (PDSB) and Dufferin Catholic District School Board (DCDSB) have been circulated on this application and none have objected to the proposed development.</p> <p>Further details regarding school board response is provided in Attachment 9.</p>
B. Increase in traffic of local area	<p>A Traffic Impact Study has been submitted by the applicant that Staff has found acceptable for rezoning purposes.</p> <p>The analysis concluded that the proposed full moves access from the proposal to Beech Street and Church Street will operate at acceptable level with minimum delay. Additionally, the intersection capacity analysis indicated that while queueing may occasionally spill back on the left turn at Kennedy Road and Queen Street, there should be no major operational issues.</p>
C. Construction crew will park at the street	<p>Any parking on-street or at public facilities needs to be compliant with current city by-laws and policies.</p>
D. Big trucks will use residential streets during construction of the application	<p>Construction vehicle access will be coordinated as a part of the Road Occupancy Permit process.</p> <p>This permit provides temporary construction access and is required for any work done on roads or boulevards on City of Brampton streets.</p>

	<p>Staff will ensure that appropriate construction management techniques (including time of day permitted for construction) are applied to the development.</p>
<p>E. Whether proposed parking spaces and rate is satisfactory</p>	<p>The proposal provides parking at a rate of 0.95 spaces per residential unit and 0.20 spaces per unit for visitors. This results in a total of 306 residential spaces and 65 visitor parking spaces.</p> <p>City Staff find this parking rate acceptable. Further details regarding this including the Traffic Impact Study provided to support the parking reduction is provided in Attachment 9.</p>
<p>F. Increased Noise from Proposal</p>	<p>Some noise and dust can be expected during construction. The applicant is required to adhere to City By-laws in place regarding noise to minimize disruption to the local community.</p> <p>Additionally, prior to site plan approval and construction, Noise Staff will require a letter from the applicant that provides information on any potential noise-emitting sources.</p>
<p>G. Impacts to Property Value</p>	<p>Planning staff cannot comment on the future potential valuation of land. This application is reviewed on the merits of criteria set out in the "Planning Act" and City, Regional and Provincial policies regarding land use planning.</p>
<p>H. Concerns regarding loss of mature trees and loss of greenery</p>	<p>An Arborist Report and Tree Inventory and Preservation Plan was provided for this application that will be further refined and finalized at the site plan stage.</p> <p>The report notes that many of the 146 trees inventoried within the site are in declining health and that they should be removed. No tree removals will be permitted until the Arborist Report and Site Plan approval is provided.</p> <p>The applicant has also provided a Sustainability Assessment that measures the sustainability performance of new development. The application achieves a final sustainability score of 65, which meets the 'Silver' level. This score will be further refined at the site plan stage to ensure City's sustainability requirements are met.</p>
<p>I. Submitted Tree Preservation Plan and Arborist Report has some inconsistencies.</p>	<p>The submitted Arborist Report and Tree Preservation Plan have been received by Staff and will be refined at the Site Plan stage.</p> <p>Open Space Staff agree that there are inconsistencies in the submitted documents that will need to be addressed in a future revision.</p> <p>No tree removals are permitted until tree compensation payment has been provided and the Arborist Report and Site Plan Application is approved.</p>

<p>J. Notification of proposal was only provided within a 240m radius. It should have been provided to the whole ward.</p>	<p>In accordance with the City's <u>Official Plan</u>, notice of the Public Meeting are given by prepaid first class mail to all persons assessed in respect of land to which the proposal applies and within 240 metres of the subject property as shown on the last revised assessment roll, and by public notification in the Brampton Guardian. These notification standards exceed the minimum notification requirements of the Planning Act. Notice of any statutory Public Meeting will be given at least 20 days prior to the date of the meeting.</p> <p>Additionally, Public Notice signs are posted on all frontages of the application, which provides members of the public an additional opportunity to learn about the proposed changes.</p>
<p>K. Confirmation that the Heritage Home will be relocated at 136 Church Street</p>	<p>A Heritage Impact Assessment has concluded that the property at 136 Church Street East has heritage significance and that home will be retained and relocated to 132 Church Street East. City.</p> <p>The unique form at 61 Beech Street (that has a polygonal house plan) will also be commemorated in a similarly shaped gazebo that will serve to provide shade and seating to residents.</p> <p>Refer to Attachment 9 for further information on requirements that need to be met related to the heritage home at the site plan stage.</p>
<p>L. Transition and impact to adjacent low-density residential neighbourhood that has a historical heritage character</p>	<p>The proposal has been revised from its initial concept to provide a better transition and increased compatibility with the adjacent neighbourhood. This includes directing density at the corner of Beech and Church Street, away from interior residential streets and removing a previously proposed townhouse block.</p> <p>The applicant has provided appropriate justification for the increase in height and density based on the applicable Provincial, Regional and local policies.</p> <p>A Heritage Impact Assessment has also been submitted by the applicant that assesses the impacts of the proposal that contains four heritage properties. This study noted that the heritage home on 136 Church Street is to be preserved. The other three heritage properties did not meet the criteria for designation. However, due to the unique design of 61 Beech Street, the study recommended that the form be commemorated within the proposal. Through these mitigation measures, heritage properties have been integrated within the proposal.</p> <p>Through the implementation of the recommendations in the submitted Heritage Impact Assessment as well as the approved</p>

	<p>Urban Design Brief, it will be ensured that the built form reflects a contemporary architectural aesthetic that respects the heritage character of the neighbourhood.</p> <p>Refer to Attachment 9 for further information regarding this comment.</p>
<p>M. Loss of Privacy</p>	<p>Design strategies have been applied that strategically minimize shadowing impacts and maintain light, view, and privacy for adjacent low density residential neighbourhoods.</p> <p><i>Design Strategies</i></p> <p>The highest density proposed, the 14-storey apartment, is located at the corner of Beech and Church Street. Gradual stepbacks have been applied above the fourth storey to provide an appropriate streetscape.</p> <p>The building fits mostly within a 45-degree angular plane, measured from the abutting property line, except for some small projections on the 8th floor, 10th to 14th floor and mechanical penthouse. This provides an appropriate transition between the proposed building and existing neighbourhood.</p> <p>The proposed three-storey stacked townhouse blocks are also setback approximately 7.0m, from the rear, which backs onto the backyards of homes. This helps to maintain privacy and transition of density.</p> <p><i>Shadowing</i></p> <p>A Sun/Shadow Analysis (included within the Urban Design Brief document and Architectural Set) was prepared by KFA architects + planners inc., that showed shadow impacts at 9:30AM, 12:30PM, 3:30PM and 6:30PM for March/September 21 (Spring and Fall Equinoxes) as well as June 21 and December 21 (Summer and Winter solstice).</p> <p>The study has demonstrated that the shadow cast from the proposal onto adjacent properties will be of minimal duration at brief periods in the day (3 hours or less) and that the surrounding areas still have sun exposure. Shadow impacts were the most noticeable on adjacent properties during December 21, the shortest day of the year.</p>
<p>N. Infrastructure Capacity to support development proposal</p>	<p>A Functional Servicing and Stormwater Management Report was prepared for the application by Crozier Consulting Engineers.</p> <p>City and Region of Peel Staff have reviewed the document and are satisfied that the site can achieve the proposed grading, storm servicing and stormwater management strategies.</p>

	Refer to Attachment 9 for further information on the specific findings of the report.
O. Availability of Green Space	<p>The Brampton Flowertown Secondary Plan provides direction on conceptual land uses anticipated for the area including where Recreational Open Space is to be located. The closest City Parks to the site near the subject site for all members of the public are the Sheridan Parkette, Salisbury Circle Parkette and Duggan Park. The Brampton Cemetery is another example of open space in the neighbourhood.</p> <p>The proposed development also provides indoor and outdoor amenity space for residents of the proposed development. This has been reviewed and accepted by Urban Design and Open Space staff.</p>

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 and the associated public meeting facilitate compliance with the Term of Council Priorities 2019-2022 “A Well-run City (Good Government)” priority, with respect to encouraging public participation by actively engaging the community. The proposed application efficiently uses the lands and existing infrastructure to provide a transit supportive residential development

This application supports the following strategic direction; Brampton is a City of Opportunities. The proposal optimizes the existing land and infrastructure to provide a residential development that will provide diversity of housing options. The application will also help achieve growth targets established by the Region of Peel and the City of Brampton.

Conclusion:

Staff recommends approval of the Official Plan Amendment (Attachment 11) and Zoning By-law Amendment (Attachment 12), as the following has been satisfied:

- The application is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, City of Brampton Official Plan and Brampton Flowertown Secondary Plan;

- The proposed development provides an opportunity to direct growth to an existing settlement area and provides a range of housing options;
- The proposed development is located in proximity to existing and planned transportation infrastructure; and,
- Technical requirements have been addressed through studies submitted in support of the proposal and approved by City staff.

Authored by:

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Attachments:

- Attachment 1 – Concept Site Plan
- Attachment 1A -1 – Townhouse Elevations – Block A
- Attachment 1A -2 – Townhouse Elevations - Block B
- Attachment 1A -3 – Townhouse Elevations - Block C
- Attachment 1B – Apartment Elevations
- Attachment 1C – Section
- Attachment 1D – Angular Plane Rendering
- Attachment 1E – Proposal Rendering
- Attachment 2 – Location Map
- Attachment 3 – Official Plan Designations
- Attachment 4 – Secondary Plan Designations
- Attachment 5 – Zoning Designations
- Attachment 6 – Aerial & Existing Land Use
- Attachment 7 – Heritage Properties
- Attachment 8 – Detailed Planning Analysis
- Attachment 9 – Results of Public Meeting
- Attachment 10 – Results of Application Circulation
- Attachment 11 – Draft Official Plan Amendment

- Attachment 12 – Draft Zoning By-law Amendment
- Attachment 13 – Sustainability Snapshot