

September 21, 2023

By E-Mail Only to *cityclerksoffice@brampton.ca*

Mayor Patrick Brown and Members of Council
Corporation of the City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Mr. Peter Fay, City Clerk

Mayor Brown and Members of Council

**Re: Springbrook Tertiary Plan, September 2023 (the “Tertiary Plan”)
Supplementary Report – City-Initiated Official Plan Amendment to the
Credit Valley Secondary Plan Area 45, Wards 4 and 5 (the “Staff Report”)
Comments of Crystal Homes (Wildflowers) Corporation (“Crystal Homes”)**

We are counsel to Crystal Homes, the owner of 1626, 1646 and 1654 Queen Street West. We write to ensure that certain materials filed on behalf of Crystal Homes are brought to the attention of the Committee and Council given their omission from the Staff Report. We also provide servicing policy suggestions for the proposed Tertiary Plan now that Credit Valley Conservation, Peel Region, and City Staff are all satisfied with the Joint FSR.

Omitted Material – Comment Letter and Angular Plane Study

On April 20, 2023 we filed a comment letter regarding the version of the Tertiary Plan then proposed. We noticed that correspondence from others was included in the Staff Report, but ours was not. To remedy the omission our April 20, 2023 letter is enclosed.

An Angular Plane Study for Crystal Homes’ site-specific planning proposal was also provided to the City. While the angular plane studies of others can be found in Attachments 7 & 8 of the Staff Report, again Crystal Homes’ document is not provided. The Crystal Homes’ Angular Plan Study is attached to complete the record.

Tertiary Plan Servicing Policy Revisions

As mentioned in the Staff Report, a considerable amount of effort was made on behalf of all stakeholders to prepare and finalize the Joint FSR. Though servicing design has advanced, Tertiary Plan policies have not. Now that the Joint FSR is approved, a policy approach that is less procedural and more implementation focused should be adopted.

By way of illustration, policies 5.2.7.3(f)(i) and 5.2.7.3(f)(ii), which are reproduced below for ease of reference, require actions that have already been completed:

i. In order to properly coordinate the appropriate provision of municipal services, including storm water management, required to support redevelopment within the Tertiary Plan, landowners within the plan will be required to submit a joint Functional Servicing Report and Storm Water Management Plan (Master Servicing Plan) or alternative, to be approved to the satisfaction of the City and the Region, prior to the approval of any development application within the Tertiary Plan.

ii. The Stormwater Management Plan shall address such concerns as low impact development measures, flow attenuation (quantity), water detention (quantity and quality), groundwater quantity/quality issues, water balance for groundwater and natural heritage features and erosion/siltation control design requirements, as appropriate.

The “Joint Functional Servicing Report and Stormwater Management Plan” referred to above is the Joint FSR that was completed over the course of the summer, submitted, and ultimately approved. Accordingly, there is no longer a need for these policies which should be deleted.

In their place, schedules and policies should be developed that reflect the current status of servicing work. Schedules should be prepared that identify new servicing required to build-out the Tertiary Plan. Accompanying policies would then identify how those services will be provided (e.g. through development charges, cost sharing agreement addendum, or as a local service). This approach would generally align with how proposed new roads are treated in the Tertiary Plan, as those are identified in the schedules.

We would be pleased to work with Staff on updating the Tertiary Plan to reflect present circumstances in an effort to improve the efficiency of implementation the Tertiary Plan.

We continue to ask for notice in this matter, including notice of any additional meetings and Council’s decision.

Should you have any questions, please do not hesitate to contact the undersigned directly.

Yours truly,
DAVIES HOWE LLP



Alex Lusty

encls.: as above

copy: Mr. Marlon Kallideen, Chief Administrative Officer, City of Brampton
Mr. Steve Ganesh, Planning Commissioner, City of Brampton
Mr. Henrik Zbogor, Planning Acting Director, City of Brampton
Mr. Jeffery Humble, Planning Manager, City of Brampton
Mr. Neil Chadda, Policy Planner II, City of Brampton
Mr. David McKay, MHBC Planning
Mr. Paul Cifoni, Trafalgar Engineering
Client

April 20, 2023

By E-Mail Only to cityclerksoffice@brampton.ca

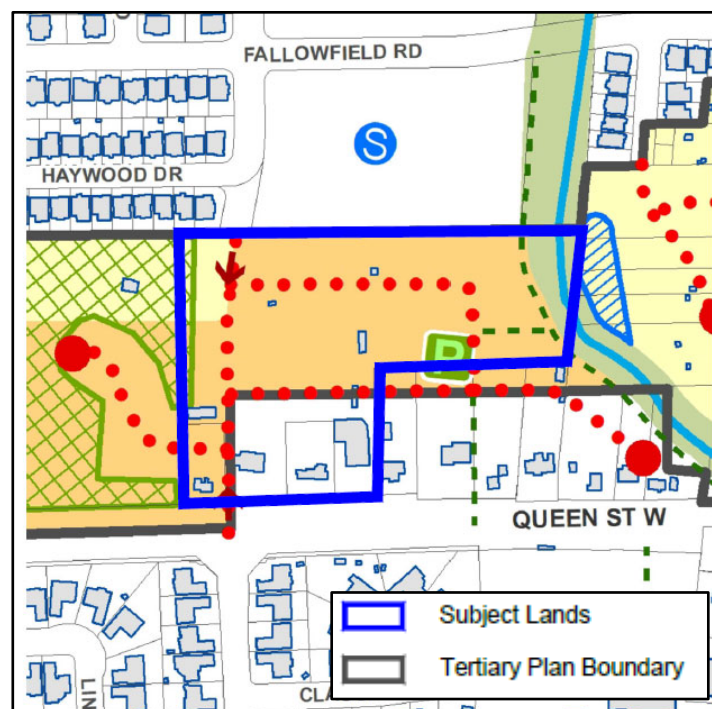
His Worship Mayor Patrick Brown and Members of Council
Corporation of the City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Mr. Peter Fay, City Clerk

Your Worship and Members of Council

**Re: Springbrook Tertiary Plan
Comments of Crystal Homes (Wildflowers) Corporation (“Crystal Homes”)**

We are counsel to Crystal Homes, the owner of 1626, 1646 and 1654 Queen Street West (the “**Subject Lands**”). Currently the Subject Lands are partially within the Springbrook Tertiary Plan Area (the “**Plan Area**”). As shown below, the portion outside the Plan Area fronts onto Queen Street West where, as expressed in October 2020, Council envisioned higher densities than were proposed by the Springbrook Tertiary Plan at that time.



Background on Active Applications

Crystal Homes has active Official Plan Amendment, Zoning By-law Amendment, Subdivision and Site Plan applications on the Subject Lands (the “**Applications**”). The Applications were initiated in April 2020. Since then, Crystal Homes has revised the Applications in keeping with Council’s direction to provide taller buildings along Queen Street West.

The current Subdivision Plan is enclosed. As can be seen, the proposed subdivision consists of:

1. A block fronting onto Queen Street West currently intended to accommodate a 10-storey building.
2. 60 street townhouses in several blocks north of the proposed 10-storey building.
3. Additions to the street network through Streets A, B and C.
4. Toward the easterly boundary of the Subject Lands, a parkette and natural areas.
5. Toward the westerly boundary, two blocks for single detached dwellings, a block protecting for future road access and blocks for natural purposes.

The current Site Plan for the block fronting onto Queen Street West is also enclosed and shows that the contemplated 10-storey building:

1. Contains a total of 411 dwelling units.
2. Accommodates 508 vehicular parking spaces and 280 bicycle parking spaces.
3. Has a total amenity area of approximately 1,960 m² (21,097 ft²).
4. Has a density, as measured by floor space index, of 3.7.
5. Is accessed from the north *via* proposed Street C.

Comments on the Springbrook Tertiary Plan

Crystal Homes has reviewed the proposed Springbrook Tertiary Plan contained in Appendices A and B of City Staff Report 2022-776 (the “**Staff Report**”). Crystal Homes appreciates this opportunity to provide comments on the Springbrook Tertiary Plan and can advise that Crystal Homes is:

1. Supportive of the inclusion of all the Subject Lands in the Plan Area.
2. Pleased to see that the heights envisioned in the Medium Density designation along Queen Street West will permit the 10-storey building being advanced through the Applications. Crystal Homes will work with Staff to explore the opportunity to increase heights along Queen Street West and provide suitable transition through the Applications.
3. Satisfied with the consistency between the current and proposed policy framework for the Low-Medium Density and Low-Density designations, which permit the townhouses and single detached dwellings currently proposed in the Applications.
4. Concerned with elements of the “Servicing and Stormwater Management” policies. For example:
 - a. Servicing Policy i requires that a joint Functional Servicing Report and Stormwater Management Plan be approved prior to the approval of any development application within the Plan Area regardless of available servicing capacity.
 - b. Servicing Policy i should instead require that the joint reporting be approved prior to the approval of any plan of subdivision, consent, site plan or building permit where no interim servicing solution is feasible.
 - c. For developments without available servicing capacity Holding zones and cost sharing conditions could still be imposed. For developments capable of being serviced through an interim solution, conditions could be imposed requiring that the ultimate servicing obligation be financially secured based on engineering estimates.
 - d. Proceeding in this manner would avoid delaying development that can create new housing in the near-term, while still ensuring an orderly approach to servicing over the long-term.
5. Concerned with Servicing Policy iii, which requires confirmation of water, wastewater and stormwater servicing prior to zoning and subdivision approval being granted. It should be made clear that for zoning an approval may be granted prior to confirmation of servicing if a Holding provision is put in place.
6. Recommending that the City amend the Servicing and Stormwater Management polices to allow for the joint Functional Servicing Report and Stormwater Management Plan to be completed, reviewed and approved in two parts. One part would be for lands east of the Springbrook Creek Tributary and the other part to its west. This flexibility is needed as it may be necessary to proceed with two

distinct sets of reports given the grading and nature of existing infrastructure in the area.

7. Concerned with the proposed inclusion of the new “Urban Design” section in the Springbrook Tertiary Plan. These policies should not be included in the Springbrook Tertiary Plan. They are intended to be guidelines for “consideration”, but by including them some may mistake them as policies requiring “conformity”. Furthermore, these guidelines are already well understood by architects and urban designers and so are of limited benefit. Lastly, the policies themselves are sometimes overly restrictive or unclear, for example:
 - a. Design Policy iv is overly restrictive as overlook, light access and suitable landscaped open space are heavily context dependant and there is no acknowledgement of the importance of context in the policy.
 - b. Design Policies v and vi are overly restrictive because regardless of design intent and overall transition scheme, the 45-degree angular plane measured from low-rise properties is generally not to be exceeded.
 - c. Design Policy vi it is unclear if the reference to “low-rise properties” here is intended to refer to the “Low Density Residential” designation in the Springbrook Tertiary Plan or something else.

We therefore recommend that the design policies be entirely removed. Alternatively, it should be made clear that they are provided for consideration only and do not require conformity.

8. Concerned to the extent that the Urban Design Neighbourhood Concept found in Appendix E of the Staff Report differs from the heights, density, park distribution and road distribution being advanced through the Applications, which are now on their second submission. That said, Crystal Homes’ concerns are moderated by the understanding that Appendix E does not form part of the Springbrook Tertiary Plan and is provided for illustrative purposes only.

Please add the undersigned to the notice list. In particular, we ask that notice of Council’s decision be provided. We also request notice of the sworn declaration required by s. 17(28) of the *Planning Act* or confirmation that an appeal has been filed, as the case may be.

Should you have any questions, please do not hesitate to contact the undersigned directly.

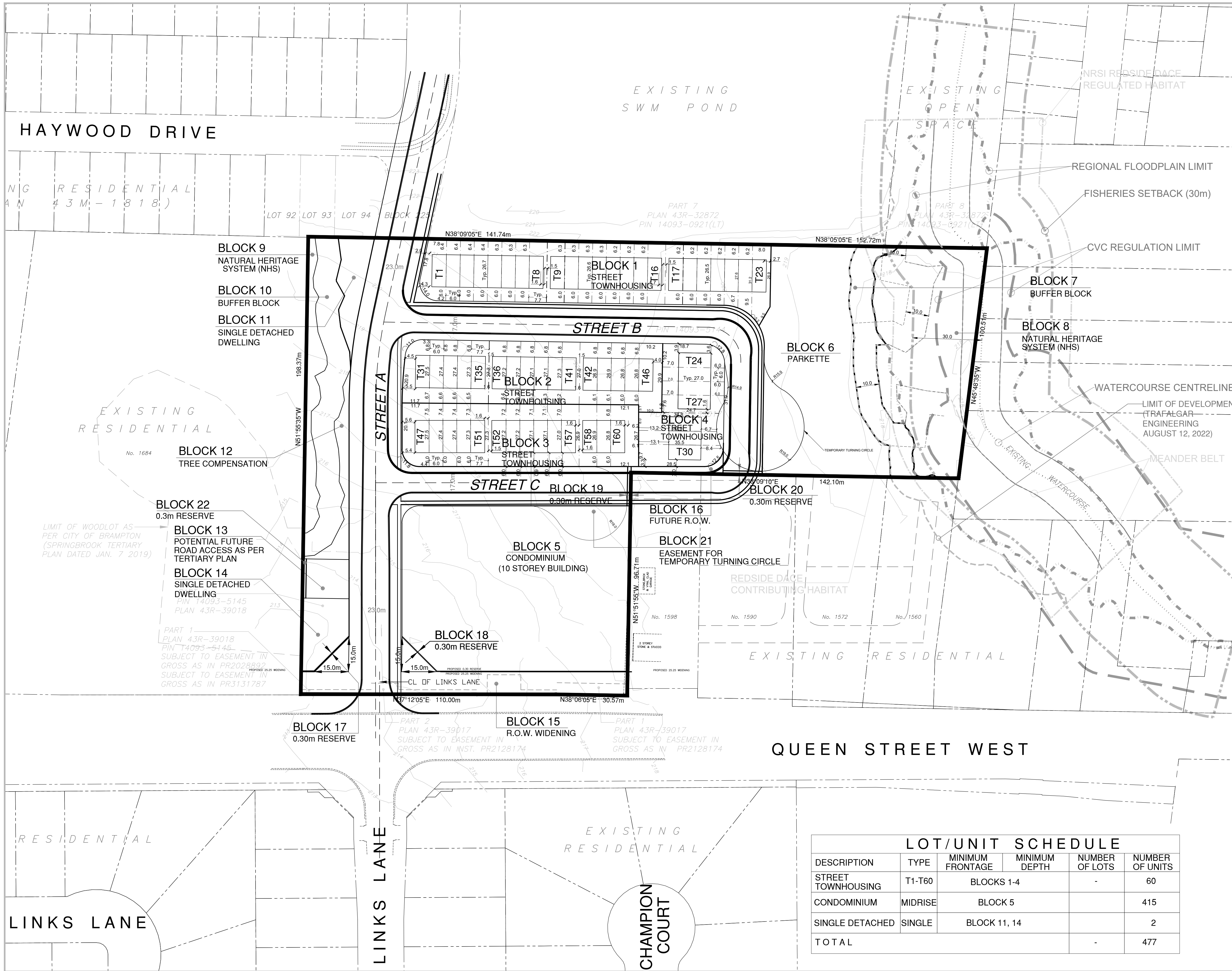
Yours truly,
DAVIES HOWE LLP



Alex Lusty

encls.: as above

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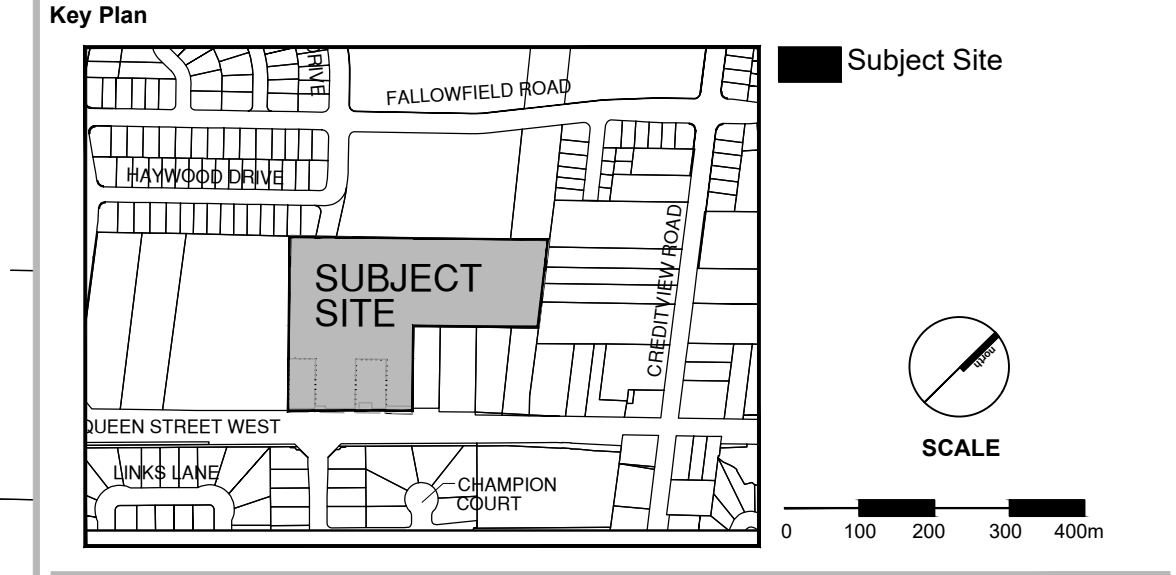
Legal Description
 PART OF LOT 6, CONCESSION 4 W.H.S
 (GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY, COUNTY OF PEEL)
 CITY OF BRAMPTON
 REGIONAL MUNICIPALITY OF PEEL

Owner's Certificate
 I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.

DATE: _____ CRYSTAL HOMES CORPORATION

Surveyor's Certificate
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: _____ BONEY CHERIAN - O.L.S.
 DAVID B. SEARLES SURVEYING LTD.
 4255 SHERWOODTOWNE BLVD., SUITE 206, MISSISSAUGA
 TEL: (905) 273-6840 Email: info@dssearles.ca



Revision No. **Date** **Issued / Revision** **By**

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

A. As shown B. As shown C. As shown
 D. Land to be used in accordance with the Area Schedule
 E. As shown F. As shown
 G. As shown H. Full municipal services to be provided
 J. As shown K. Full municipal services to be provided L. As shown

Area Schedule

Description	Lots/Blocks	Area (Hectares)	Area (Acres)
Residential (Street Townhousing)	1, 2, 3, 4	1.154	2.851
Residential (Condominium)	5	0.653	1.612
Residential (Single Detached)	11, 14	0.100	0.247
Parkette	6	0.413	1.021
NHS BUFFER	7, 10	0.258	0.637
NHS	8, 9	0.437	1.079
Tree Compensation	12	0.038	0.093
Future Road Access	13	0.034	0.083
R.O.W. Widening	15	0.139	0.344
Future R.O.W.	16	0.013	0.032
0.3m Reserve	17-20,22	0.010	0.025
Easement for Temporary Turning Circle	21	0.110	0.271
Public Roads	Street A, B, C	0.907	2.241
Total		4.264	10.536

230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7 | P: 905-761-5588 F: 905-761-5589 | WWW.MHBCPLAN.COM

Stamp

Date: **February 9, 2023**

File No.: **16191E**

Plan Scale: **1:750 (Arch D)**

Drawn By: **L.L.**

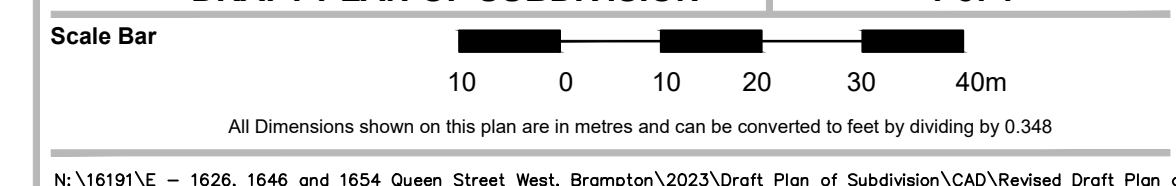
Checked By: **D.M.**

Other: _____

Project

1626, 1646 and 1654 Queen Street West, Brampton

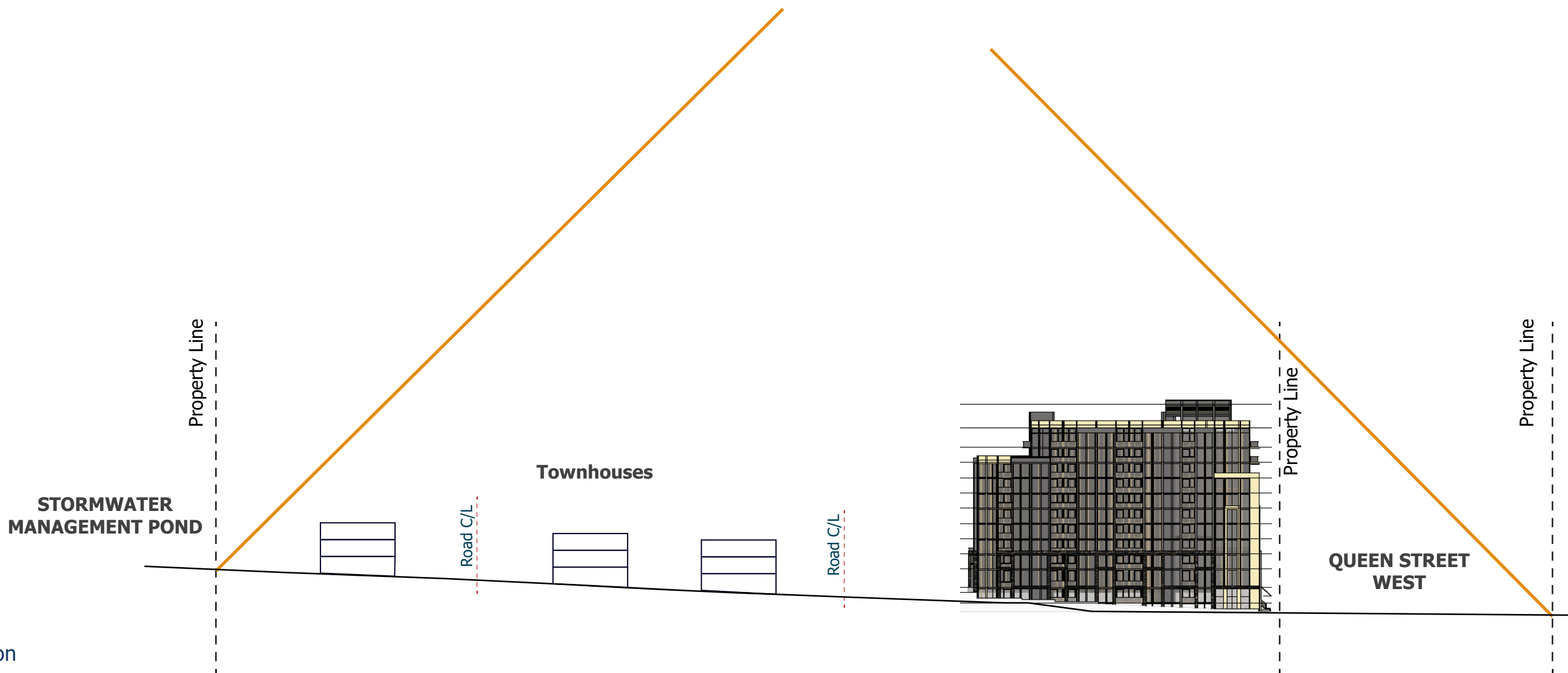
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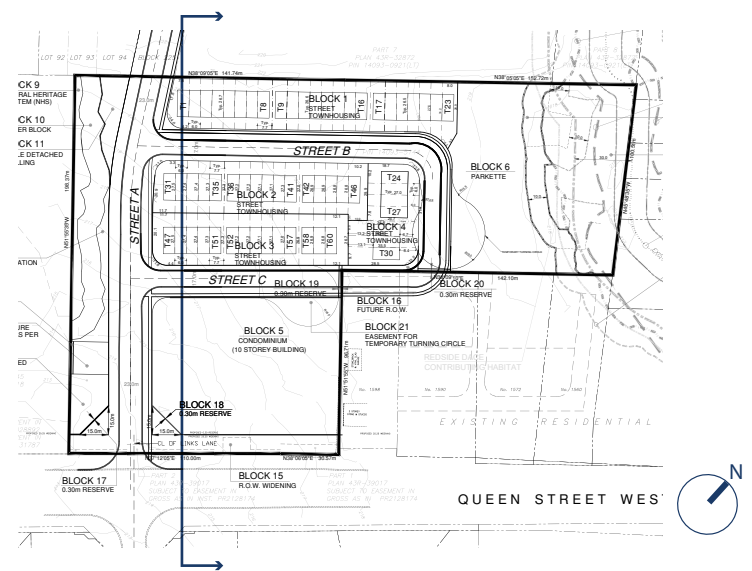
LOT/UNIT SCHEDULE

DESCRIPTION	TYPE	MINIMUM FRONTAGE	MINIMUM DEPTH	NUMBER OF LOTS	NUMBER OF UNITS
STREET TOWNHOUSING	T1-T60	BLOCKS 1-4		-	60
CONDOMINIUM	MIDRISE	BLOCK 5		-	415
SINGLE DETACHED	SINGLE	BLOCK 11, 14		-	2
TOTAL				-	477

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Site Section



Key Plan