

**Date:** 2023-11-01

**File:** OZS-2021-0019 & 21T-21005B

**Subject:** **Recommendation Report**  
Draft Plan of Subdivision and Application to Amend the Zoning By-law  
*(To facilitate a residential development consisting of 93 single detached dwellings, 26 street townhouses, future residential blocks for single detached dwellings and townhouses, park block, valleyland and buffer blocks)*  
**Cedar Developments (Clarkway) Inc. – Glen Schnarr & Associates Inc.**  
10308 Clarkway Drive - North of Castlemore Road, west of Clarkway and south of the proposed E/W arterial road.  
Ward: 10

**Contact:** Andrew Ramsammy, Development Planner, Development Services  
  
Angelo Ambrico, Manager, Development Services

**Report Number:** Planning, Bld & Growth Mgt-2023-911

**Recommendations:**

1. That the report titled: **Recommendation Report**, Draft Plan of Subdivision and Application to Amend the Zoning By-law, **Cedar Developments (Clarkway) Inc. – Glen Schnarr & Associates Inc.**, North of Castlemore Road, west of Clarkway and south of the proposed E/W arterial road., Ward 10 (OZS-2021-0019 & 21T-21005B, and Planning, Bld & Growth Mgt-2023-911), dated November 1, 2023 to the Planning and Development Committee Meeting of November 20, 2023, be received;
2. That Application for a Draft Plan of Subdivision and to Amend the Zoning By-law submitted by Glen Schnarr & Associates Inc. on behalf of Cedar Developments (Clarkway) Inc., File: OZS-2021-0019 & 21T-21005B, be endorsed, on the basis that it represents good planning, including that it is consistent with the Planning Act, and for the reasons set out in the Planning Recommendation Report, dated November 1, 2023;

3. That the amendment to the Zoning By-law generally in accordance with the by-law attached as Attachment 9 of this report be adopted; and,
4. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. c.P. 13, as amended.

**Overview:**

- **This report recommends approval of an amendment to the Zoning By-law and for a Draft Plan of Subdivision to accommodate the proposed development of a residential development consisting of 93 single detached dwellings, 26 townhouses, future residential blocks for single detached dwellings and townhouses, 1 park block, and the protection of a valleyland and associated buffer blocks.**
- **The proposed development conforms to the designations for these lands as identified in the Official Plan, Secondary Plan and Block Plan.**
- **The property is zoned “Agricultural (A)” by By-law 270-2004, as amended. The Zoning By-law Amendment recommended by staff, as attached in Attachment 9, will implement the proposed residential and open space uses.**
- **A Statutory Public Meeting for this application was held on September 13, 2021. No written correspondence was received and no members of the public spoke at the meeting. Details of the Statutory Public Meeting are summarized in Attachment 11 of this report.**
- **The proposal is consistent with the City of Brampton Strategic Focus Area of Growing Urban Centres and Neighbourhoods by contributing to an economy that thrives with communities that are strong and connected.**
- **The application represents good planning, has regard for the Planning Act, is consistent with the Provincial Policy Statement and is in conformity with A Place to Grow: 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 the application to amend the Zoning By-law and for a Draft Plan of Subdivision, the proposed development underwent a Pre-Consultation Application. Following the meeting on November 4, 2020, a Pre-Development Application Consultation Checklist was provided to the Applicant, outlining the reports and studies requested with the submission of this application.

This application has been reviewed for completeness and found to be complete in accordance with Section 51 (19.1), Section 35 (10.4), and Section 22 (6.1) of the *Planning Act*. A formal Notice of Complete Application was provided to the applicant on June 14, 2021.

A Statutory Public Meeting was held on September 13, 2021 to provide information about the application to the public which satisfies the notice and statutory public meeting requirements in the Planning Act and the Public Meeting policies in S. 5.30 of the Official Plan.

#### Area 47 Block Plan:

The approval of Block Plans 47-1 and 47-2 was appealed to the Local Planning Appeal Tribunal (file numbers PL180276 and PL180277) by the landowners groups for each area. A settlement hearing was held on October 6, 2020 and on October 20, 2020 the LPAT issued a decision. As per the terms of settlement, numerous studies were required to be submitted to the City for the entire SP47-1 and SP47-2 Block Plan, which included an updated Functional Servicing Report (FSR), Environmental Implementation Report (EIR), Transportation Impact Study (TIS), and Growth Management Staging & Sequencing Strategy (GMSSS).

Part of the settlement terms indicate that once these studies have been filed, the City of Brampton, Toronto Region Conservation Authority (TRCA) and Region of Peel would accept the planning application to initiate the review process, but were under no obligation to enact the zoning by-law or issue draft plan approval until these studies are approved. The required studies as per the terms of settlement have since been submitted and approved to the City of Brampton, TRCA and Region of Peel satisfaction. The technical studies for this individual application has also been approved over the course of the application review and is now in position to be brought forward for a decision. As further noted in this report, there are a number of legal agreements that still need to be finalized and signed-off by the City and SP47 landowner group, which will be addressed through prior to registration conditions in the forthcoming draft approval of the subdivision application.

This application is one of twenty active applications submitted for Block Plan Areas 47-1 and 47-2. Collectively, these block plans are expected to accommodate 10,401 residential units with an expected population of approximately 35,987 people. The block plans are also anticipated to accommodate approximately 3,516 jobs based on the commercial designations proposed within the block plan area. Secondary Plan Area 47 will be a complete community which includes a variety of housing typologies, a range of employment areas, parkland and trails and future improvements to necessary infrastructure including roads, watermains, sanitary sewers and stormwater management ponds.

## **Current Situation:**

### Proposal (Attachment 1)

The application is proposing to amend the Zoning By-law to permit residential, park and open space uses. In addition, the applicant has submitted an application for a Draft Plan of Subdivision to create the proposed lots and blocks. The creation of the townhouse units can be facilitated through the part lot control process. The creation of the future single detached lots in the residential reserve blocks can also be facilitated through the part lot control process. Details of the proposal are as follows:

- 93 lots for single detached residential dwelling lots;
- 19 units (lots) for street townhouse residential dwellings;
- 7 units (lots) for rear lane townhouse dwellings;
- One park block (0.06ha / 0.15ac);
- Valleyland (3.17ha / 7.83ac);
- Walkways, Open Space and Buffer Blocks; and
- Public roads and laneways.

### Property Description and Surrounding Land Use (Attachment 2):

The current conditions on-site are as follows:

- has a total site area of approximately 10.13 hectares (25.03 acres);
- has frontage onto Clarkway Drive,
- has a single detached dwelling on Clarkway Drive,
- is divided by the valleylands.

The surrounding land uses are as follows:

North	Agricultural lands, and lands part of Block Plan 47-1 proposed for residential uses as part of application OZS-2021-0058;
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East	Clarkway Drive, beyond Clarkway Drive is a single detached dwelling and agricultural lands proposed for residential development as part of OZS-2021-0057 and OZS-2022-0025, located in Block Plan 47-1;
South	Agricultural lands proposed for future residential, employment and commercial uses as part of application OZS-2021-0038;
West	Agricultural lands proposed for future residential uses as part of application OZS-2021-0041.

### **Servicing of Area 47-1 – Spine Servicing Agreement**

Secondary Plan 47 (Blocks 47-1 and 47-2) is dependent on significant capacity upgrades and development staging for the provision of sanitary sewer and watermain connections, arterial and/or collector roads, and storm water management ponds. Through the Growth Management Staging and Sequencing Strategy (GMSS), which was approved by the City in April 2022, servicing is anticipated to be provided in a general south to north pattern, with certain areas within the block plan lands dependent on the provision of services and amenities being provided in adjacent areas.

A Spine Servicing Agreement is currently being finalized by City Legal and Engineering staff, and the landowner group to facilitate the orderly staging and phasing of development within the Secondary Plan area. There are ten (10) development staging areas which establishes a logical order by which development could proceed based on the provision of complete communities to incorporate required spine services and community amenities. As outlined in the GMSSS, staging will be implemented through Draft Plan of Subdivision approval conditions, requiring developers to provide the agreed-upon servicing prior to Plan of Subdivision registration. Plan of Subdivision registration in areas staged for later development will be contingent on registration of adjacent areas which provide necessary servicing and community amenities.

At this time, the Spine Servicing Agreement is at an advanced stage, however has not been finalized and signed-off by the SP47 landowner group and the City. Through the forthcoming draft approval of this subdivision application, appropriate conditions are to be included to ensure that subdivision registration cannot occur, until such time as the Spine Servicing Agreement for the necessary 'sub area' is finalized.

### **Parkland Conveyance Agreement**

Block Plan 47-1 contains 6 neighborhood parks, and Block Plan 47-2 contains 11 neighborhood parks. Parks within the two Block Plan areas range in area from 0.75 ha to 1.95 ha (1.85 acres to 4.82 acres). Block Plan 47-1 also includes 4 vest/ pocket parks ranging in size from 0.25 ha to 0.5 ha (0.6 acres to 1.23 acres) in area. Block Plan 47-2 features a 16 ha (39.53 acres) Community Park to be located at the northeast intersection of Clarkway Drive and the proposed East-West Minor Arterial Road.

The planned configuration of parklands (including the 16ha Community Park) within SP47 is to be secured through a parkland conveyance agreement between the City and landowner group. At this time, the parkland conveyance agreement is still being reviewed by City staff and the landowner group. Through the forthcoming draft approval of this subdivision application, appropriate conditions are to be included to ensure that subdivision registration cannot occur, until such time as the Parkland Conveyance Agreement is finalized, and signed off by the City and landowner group.

### **Community Benefit Charge Agreement for Affordable Housing**

A Community Benefit Charge Agreement for Affordable Housing is currently being reviewed by the City and landowner group in Block 47-1. The purpose of the agreement is to secure the provision of thirty (30) secondary dwelling units within proposed subdivision developments among participating landowners, as well as an agreed upon cash contribution to satisfy contribution towards the City's Community Benefit Charge By-law. Through the forthcoming draft approval of this subdivision application, appropriate conditions are to be included to ensure that subdivision registration cannot occur, until such time as the Community Benefit Charge Agreement for Affordable Housing is finalized, and signed off by the City and landowner group.

### **East-West Trail Connections**

East-West trail connections have been planned throughout the approved Block Plan 47-1 and 47-2 areas. These trail connections are identified on the Block Plan with orange arrows across the valleyland. Attachment 4b shows the entirety of the Block Plan, general location of the East-West trail connections (by way of the orange arrows), as well as the development applications received and/or active within the Block Plan. Parks Planning is working with the individual applications to oversee the implementation of the trails. The east-west trail connections will be achieved with the exact locations to be determined through the detailed design phase prior to subdivision registration.

### **Garage and Driveway Dimensions**

Appropriate provisions have been included in the draft Zoning By-law to ensure residential dwellings can accommodate a minimum of two parked vehicles, in accordance with the minimum parking requirements for a residential dwelling as per Section 10.9.1 of the Zoning By-law. The site specific Zoning By-law for this application proposes a provision to require a minimum 6 metre setback to a garage door from the front lot line to maintain an appropriate driveway length. The driveways will also maintain the minimum width of 3 metres, accommodating a minimum driveway dimension of 3 metres by 6 metres.

A provision has also been included to establish minimum interior garage dimensions to ensure garages can adequately function as a parking space while maintaining adequate storage areas for regional waste/recycle bins within the garage. A minimum dimension of 6 metres in length by 3.1 metres in width has been included as a requirement of the

draft by-law. Single garages of this dimension have been deemed to be functional by City Staff. The dimension of the driveway and garage exceed the standard parking space requirement of the Zoning By-law which require a minimum dimensioned space of 2.7 metres by 5.4 metres.

The driveway in combination with the garage will provide the necessary space to park two vehicles while maintaining space to store regional waste/recycle bins. Attachment 14 illustrates the functional design of the garage template, which have been approved by the City's Traffic Services department.

### **Additional Residential Units (ARU)**

Appropriate measures have been taken to protect for the opportunity of future residents to create ARUs within detached and semi-detached dwellings. Provisions have been included in the draft Zoning By-law to protect for the minimum 1.2 metre unobstructed path of travel to meet Ontario Building Code requirements to accommodate additional residential units. Typical rear yard depths range between 6.0 metres and 7.5 metres (depending on location and building typology) within the SP47-1 Block Plan. It is more than likely that a majority of ARUs will take the form of a secondary unit in the basement of a dwelling unit, given some of the space limitations associated with rear yard setbacks. ARUs in the rear yard would be difficult for lots approved with a 7m rear yard depth or less. Reduced setbacks through a minor variance application are likely to be needed to accommodate rear yard ARUs for these lots, which are to be reviewed on a site by site basis. Please refer to Attachment 15 for a conceptual rendering of potential arrangements for ARUs within SP47.

### **Sustainability Score**

The subject application achieved a sustainability score of 30, attaining the bronze threshold. 10 additional points would be required to achieve the silver threshold. There may be opportunity to attain more points by considering the following metrics at the detailed design phase:

- Traffic Calming Strategies (up to 2 points);
- Pedestrian amenities to encourage walkable streets (i.e seating, lighting, wide sidewalks, shading) (2 points);
- Committing to an energuide rating for 75%-90% of single family homes (2-4 points),
- Confirmation of no uplighting (fixtures less than 1000 lumens) (1 point),
- Use of LEDs and/or photocells for all lighting fixtures (2 points).

Through the subdivision registration process, staff will continue to work with the applicant to ensure that additional sustainability score metrics can be achieved through the detailed design phase. This may include a variety of sustainability metrics such as those listed above. It is worth noting that this subdivision has been prepared in alignment with the LPAT (now OLT) approved SP47 Block Plan. Given this, there are

limited opportunities to score higher on other metrics related to the built environment considering this area is a new greenfield development.

### Application to Amend the Zoning By-law

The subject property is zoned “Agricultural – (A)” as per Zoning By-law 270-2004, as amended. The zoning designation does not permit the proposed residential units.

The proposed Zoning By-law Amendment will rezone the property to new single detached residential zones (R1F – 11.0 – 3737 and R1F – 9.15 – 3738), residential townhouse zones (R3E – 6.0 – 3739 and R3E – 6.1 – 3740), and open space (OS). The schedule depicting the proposed zones can be found attached in Attachment 9.

### Summary of Recommendations:

This report recommends that Council endorse the approval of the proposed Zoning By-law Amendment and Draft Plan of Subdivision Application. This report further recommends that Council approve the Zoning By-law amendment generally in accordance with the attached Attachment 9.

The proposed residential development represents good planning, 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 of Brampton Official Plan – see associated details in Attachment 8.

## **Planning Analysis Summary**

This proposal and implementing documents have regard for matters of provincial interest that are set out in the Planning Act. The Draft Plan of Subdivision and application to amend the Zoning By-law is consistent with the Provincial Policy Statement, the goals and objectives of the City’s Official Plan, and conforms to the Growth Plan for the Greater Golden Horseshoe and the Region of Peel Official Plan.

### Matters of Provincial Interest

#### *Planning Act*

This development proposal has regard for the matters of Provincial interest as set out in Section 2 of the Planning Act. The proposed development has regard for Section 2(h)(j)(o)(p)(q) and (r), as well as Section 51(24)-a)b)c)d) and h) of the Planning Act.

Staff is satisfied that the proposed development is consistent with the matters of provincial interest as set out in the Planning Act.

#### *Provincial Policy Statement (PPS):*



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 is consistent with *Section 1.1.1, 1.1.3 and 1.6.7.2* of the PPS which speaks to promoting efficient development and land use patterns over the long term by providing residential intensification that will connect with municipal infrastructure, services, and amenities. The proposal will also allow for an appropriate and supportable form of residential intensification that will promote surrounding transit and active transportation within an area of Brampton that is predominantly vacant and/or occupied by single-detached residential dwellings. The proposed development will be in close proximity to future transit corridors along Clarkway Drive and the proposed east/west Arterial Road, as well as the existing bus route along Castlemore Road which aligns with *Sections 1.4.3(e), 1.6.7.2 and 1.8.1e*.

Staff is satisfied that the proposed development is consistent with the applicable sections of the Provincial Policy Statement.

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

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 property is located within the Built-up Area – Conceptual of the Growth Plan and will contribute to achieving a complete community in accordance with *Sections 2.2.1.2, 2.2.1.4, and 2.2.1.4.10* through optimization of land use and overall expansion of land use diversity through the introduction of residential uses of varying densities. The recommendations conform to the applicable sections of the Growth Plan.

Municipal Planning Documents

*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. The proposed Zoning By-law Amendment and Draft Plan of Subdivision conforms to the Regional Policies with respect to healthy communities, achieving a mix of land uses in appropriate areas that will optimize the use of underutilized and vacant land, utilize planned infrastructure, and enhance the public open space system. Staff is satisfied that the proposed development conforms to the Region of Peel Official Plan.

*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 and that the environmental policies are met, the design of the development is consistent with the policies and that all technical matters have been resolved.

The lands are designated “Residential” and “Open Space” on Schedule A – General Land Use Designations of the City of Brampton Official Plan. The ‘Residential’ designation permits predominantly residential land uses including a full range of dwelling types ranging from single detached dwellings to high-rise apartments as well as parks and other associated uses. The “Open Space” designation permits a limited amount of uses that are restricted to minimizing the impacts of development on the natural heritage system. The proposal conforms to the “Residential” and “Open Space” designations of the Official Plan. The Draft Plan of Subdivision includes detached dwellings, street townhouses, and rear lane townhouses to accommodate a mix of housing types and a variety of built form in the City. Additional land uses include a valleyland block, park block, walkway block, and several internal roads to support attractive streetscapes and provide walkable connections to adjacent lands.

The application has demonstrated that the proposal adheres to the policies of the designated land uses identified in the Official Plan. Staff is satisfied that the proposed Zoning By-law Amendment and Draft Plan of Subdivision is consistent with the policies of the City of Brampton Official Plan.

#### *Secondary Plan Area 47 Policy Review:*

The subject property is designated “Low/Medium Density Residential”, “Medium Density Residential”, “Valleyland” and “Special Policy Area 9” in the Highway 427 Industrial Secondary Plan (Area 47). The proposal will provide appropriate residential intensification while accommodating a mix of housing types and a variety of built form in the City that are in conformity with the existing land use designation. The Valleyland designation represents the NHS Corridor that runs through the centre of the property. The technical matters have been resolved with both TRCA and City of Brampton providing clearance to the supporting reports and proposed development which includes appropriate setbacks, buffers and compensation area have been provided to protect the existing natural area. Staff is satisfied that the proposed development aligns with the policies of the Highway 427 Industrial Secondary Plan (Area 47).

#### *Highway 427 Industrial 47-1 Block Plan:*

The property is identified as “Low / Medium Density Residential”, “Medium Density Residential” and “Park” in the Highway 427 Industrial 47-1 and 47-2 Block Plan. The Block Plan does not have policies associated with each area.

An amendment to the Block Plan is not required. In accordance with Section 4.1.1, minor adjustments and relocations of land uses are permitted. The proposed

development is generally in accordance with the Block Plan and will not require an amendment.

## **Community Engagement**

The proposed Zoning By-law amendment and Draft Plan of Subdivision was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject lands in accordance with and exceeding the Planning Act requirements. Notice signs were also placed on the subject lands to advise members of the public that an application had been filed with the City. This report along with the complete application requirements, including studies, have been posted to the City's website.

A Statutory Public Meeting for this application was held on September 13<sup>th</sup>, 2021. No members of the public spoke at the meeting and no pieces of written correspondence were received.

## **Corporate Implications:**

### Financial Implications:

There are no financial implications associated with this application. Revenue that was collected through the development application fees is accounted for in the approved operating budget.

### Other Implications:

There are no other corporate implications associated with this application.

## **Strategic Focus Area:**

This application to amend the Official Plan and Zoning By-law is consistent with the "Growing Urban Centres & Neighbourhoods" strategic focus area. The proposal will result in the intensification of six underutilized parcels of land to implement the policies of the Highway 427 Industrial Secondary Plan and will add to the diversity of housing options that are offered in Brampton. The proposal is an example of the efficient use of land and resources within the City's greenfield area.

## **Conclusion:**

Staff is satisfied that the proposed Draft Plan of Subdivision and Zoning By-law Amendment, subject to the Draft Conditions of Draft Approval in Attachment 10, represent good planning. The proposal has regard for matters of provincial interest in Section 2.0 of the Planning Act, and the proposed development conforms to provincial plans including the Growth Plan for the Greater Golden Horseshoe, and is consistent with the Provincial Policy Statement. Furthermore, the proposal conforms to the principles and policy direction of the Region of Peel Official Plan, the City of Brampton Official Plan and the Highway 427 Secondary Plan (Area 47).

The report recommends that Council enact the Zoning By-law Amendment attached hereto as Attachment 9. The Zoning By-law Amendment and Plan of Subdivision application is appropriate for the orderly development of the lands considering the following:

- The proposal conforms to provincial plans such as the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement;
- The proposed development precludes development on lands within the City's open space network;
- The development proposes residential typologies and densities which conform to the City of Brampton Official Plan and Highway 427 Secondary Plan (Area 47);
- The application has been circulated to the appropriate internal reviewers and external agencies to ensure technical matters have been adequately addressed.

The application is appropriate for the orderly development of the lands and represents good planning. Staff recommends approval of the Zoning By-law Amendment and endorsement of the Draft Plan of Subdivision as the proposal is in the public interest.

Authored by:

Reviewed by:

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Andrew Ramsammy  
Development Planner, Development  
Services  
Planning, Building and Growth  
Management

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Allan Parsons MCIP, RPP  
Director, Development Services  
Planning, Building, and Growth  
Management

Approved by:

Approved by:

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Steve Ganesh MCIP, RPP  
Commissioner  
Planning, Building and Growth  
Management

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Marlon Kallideen  
Chief Administrative Officer

**Attachments:**

- Attachment 1: Draft Plan of Subdivision
- Attachment 2: Location Map
- Attachment 3: Official Plan Designations
- Attachment 4: Secondary Plan Designations
- Attachment 4A: Block Plan Designations
- Attachment 4B: Active Applications in Block Plan 47-1 and 47-2
- Attachment 5: Zoning Designations
- Attachment 6: Existing Land Use Plan
- Attachment 7: Heritage Resources Plan
- Attachment 8: Detailed Planning Analysis
- Attachment 9: Draft Zoning By-law Amendment
- Attachment 10: Draft Conditions of Draft Plan Approval
- Attachment 11: Results of Public Meeting
- Attachment 12: Results of Application Circulation
- Attachment 13: Sustainability Snapshot
- Attachment 14: Conceptual Drawing – Garage Template
- Attachment 15: Conceptual Streetscapes and ARU