

**Date:** 2023-10-05

**File:** OZS-2022-0039

**Subject:** **Supplementary Recommendation Report**  
Application to Amend the Official Plan (To permit residential development and noise sensitive land uses on the subject property)  
**Calloway REIT (Bramport) Inc. c/o SmartCentres REIT**  
2959-2989 Bovaird Drive East and 9960-9990 Airport Road  
Ward: 8

**Contact:** Chinoye Sunny, Development Planner, Development Services  
  
Angelo Ambrico, Manager, Development Services

**Report Number:** Planning, Bld & Growth Mgt-2023-860

**Recommendations:**

1. That the report from Chinoye Sunny, Development Planner, Development Services to the Planning and Development Committee of November 6, 2023, re: **Supplementary Recommendation Report**, Application to Amend the Official Plan, **Calloway REIT (Bramport) Inc. c/o SmartCentres REIT**, 2959-2989 Bovaird Drive East & 9960-9990 Airport Road, Ward 8, be received;
2. That the Official Plan amendment application submitted by SmartCentres REIT on behalf of Calloway REIT (Bramport) Inc. Ward 8, File: OZS-2022-0039 be approved on the basis that it is consistent with the Provincial Policy Statement, and 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, and for the reasons set out in the Recommendation Report dated August 28, 2023 attached to this report as Attachment 1;
3. That the amendments to the Official Plan generally in accordance with the attached Attachment 2 to this report be adopted; and
4. That no further notice of public meeting be required for the attached Official Plan Amendment as per Section 22 (6.1) of the Planning Act, R.S.O. c.P. 13, as amended.

**Overview:**

- **The purpose of this application is to amend the City of Brampton Official Plan to permit residential and noise sensitive land uses such as nursing homes, day care centres and public and private schools on the subject property.**
- **The report titled “Recommendation Report, Application to Amend the Official Plan, Calloway REIT (Bramport) Inc. c/o SmartCentres REIT, 2959-2989 Bovaird Drive East & 9960-9990 Airport Road, Ward 8” was brought forward to the Planning and Development Committee on August 28, 2023 for consideration. The report was referred back to staff to further work with the applicant to refine the proposal.**
- **The purpose of the Supplementary Recommendation Report is to present additional information provided by the applicant (attached as Attachment 4 to this report) to address concerns raised by the Planning and Development Committee on August 28, 2023.**
- **Staff’s planning position on the development proposal remains the same as outlined in the Recommendation Report brought forward to the August 28, 2023 Planning and Development Committee. Therefore, this report recommends the approval of the application to amend the Official Plan, submitted by SmartCentres REIT on behalf of Calloway REIT (Bramport) Inc.**
- **No development is being proposed at this time and development on the subject property will require a future Zoning By-law Amendment and Site Plan applications. A satisfactory noise impact and stationary noise assessment is required with a future application to ensure that airport noise impacts are addressed to the satisfactory of the City of Brampton and Greater Toronto Airport Authority (GTAA).**
- **The proposed Official Plan Amendment represents good planning, has regard for matters of Provincial interest in 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 Regional Official Plan, and the City of Brampton Official Plan.**

**Background:**

The lands subject to the Official Plan Amendment are located at 2959-2989 Bovaird Drive East and 9960-9990 Airport Road. SmartCentres REIT submitted an application on behalf of Calloway REIT (Brampton) Inc. on August 15<sup>th</sup>, 2022. This application was deemed complete on September 21<sup>st</sup>, 2022, in accordance with Section 22 (6.1) of the Planning Act.

The Statutory Public Meeting for the application was held at the Planning and Development Committee Meeting on December 12, 2022. Since the time of receipt of the application and the public meeting, the applicant has submitted two submission packages to refine the technical details associated with the proposal.

The report titled “Recommendation Report Application to Amend the Official Plan, Calloway REIT (Bramport) Inc. c/o SmartCentres REIT, 2959-2989 Bovaird Drive East & 9960-9990 Airport Road, Ward 8” was brought forward to the Planning and Development Committee on August 28, 2023 for consideration.

The report was referred back to staff in order for the applicant to work with City staff to receive additional information on the intent of proposal. The Applicant has provided a letter to the staff, dated September 26, 2023, which clarifies that the intent of the proposal is to allow for residential and noise sensitive uses on this site as a development option. A copy of this letter is attached as Attachment 4 to this report. Smart Centres notes that in order to attract potential tenants or operators, they require assurances that noise sensitive uses will be permitted prior to entering into an agreement or lease. The proposed amendment would allow for those assurances, while the City would have an opportunity to review a more detailed proposal at the time of a future Zoning By-law Amendment application and Site Plan application.

### **Current Situation:**

#### Proposal:

An application to amend the Official Plan has been filed with the City to permit residential development and noise-sensitive land uses on the lands municipally known as 2959-2989 Bovaird Drive East and 9960-9990 Airport Road.

Specifically, the proposal is to amend policy 4.2.1.16 in the City of Brampton to allow for residential uses and exempt lands, such as nursing homes, day care centres and public and private schools. Policy 4.2.1.16 states: “Notwithstanding the Residential designation on Schedule “A”, residential uses shall not be permitted on the land located at the southwest corner of Airport Road and Bovaird Drive without an amendment to this Plan”. Although the lands are designated ‘Residential’ within the Official Plan, the lands are within the Lester B Pearson International Airport (LBPIA) Operating Area which does not permit any residential uses or noise-sensitive land uses on the site.

By deleting this site-specific policy, permissions for residential and noise-sensitive land uses would be permitted, subject to a future Zoning By-law Amendment and Site Plan application.

At the time of the initial submission to the City, the proposed future development of the lands were to include a long-term care centre and a daycare. Recently, the Applicant advised that there is no longer interest from their potential tenant to develop a long-term care centre. However, the inclusion of a long-term care home is still being proposed by the applicant to provide the owner with options should there be interests from other future tenants.

The applicant has no immediate plans to redevelop the site at the moment. The proposed Official Plan amendment is to provide greater flexibility on the site for future development. A future Zoning By-law Amendment and Site Plan Application will be required to facilitate the redevelopment of the subject property.

Planning staff have also received confirmation from the Greater Toronto Airport Authority (GTAA) that they have no objections to the proposal, as sufficient information has been provided in the Noise Report submitted as part of the application. Future comments conditions would apply at the Zoning By-law Amendment and Site Plan approval stage.

#### Details of the Proposal are as follows

- To permit residential development and noise sensitive land uses on the subject property, including a long-term care home and daycare facility, which are not currently permitted in the Official Plan.
- To permit high-density residential development with a maximum building height of seven (7) storeys.
- To add additional policies to require an updated noise study at the time of a future Zoning By-law amendment application.

#### **Summary of Recommendations**

This report recommends that Council approve the proposed Official Plan Amendment in accordance with Attachment 2. The proposed development will permit residential and noise-sensitive uses on the subject property. The proposed permitted uses will support the creation of a complete community by incorporating services such as a private school and daycare facilities in close proximity to existing transit and commercial buildings.

The proposed Official Plan Amendment will also incorporate architectural noise mitigation features to meet acoustical Provincial and Municipal requirements as the subject property is within the L.B.P.I.A Operating Area. The architectural noise mitigation features and detailed Noise Impact and Stationary Noise Assessments will be further examined and reviewed at the time of a future Zoning By-law Amendment application.

The proposal 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.

### **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.

### **Strategic Focus Area:**

The application aligns with the Strategic Focus Area as it supports the building of complete communities to accommodate growth for people and jobs. The proposal satisfies this by:

- Efficiently using land and resources;
- Directing development to an existing settlement area that is within proximity of existing commercial areas and uses; and,
- Providing opportunity for efficient growth within an existing community.

#### Living the Mosaic – 2040 Vision:

This report has been prepared in full consideration of the overall vision that the people of Brampton will “Live the Mosaic.” This report aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres.

### **Conclusion:**

On the basis of the information and analysis provided both in the “Recommendation Report Application to Amend the Official Plan, Calloway REIT (Bramport) Inc. c/o SmartCentres REIT, 2959-2989 Bovaird Drive East & 9960-9990 Airport Road, Ward 8” that was brought forward to Planning and Development Committee on August 28, 2023, and the information provided in this Supplementary Recommendation Report, it is recommended that Council enact the Official Plan Amendment attached hereto as Attachment 2.

Authored by:

Reviewed by:

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Chinoye Sunny  
Development Planner  
Planning, Building and Growth  
Management

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Allan Parsons MCIP, RPP  
Director, Development Services  
Planning, Building and Growth  
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Approved by:

Approved by:

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Steve Ganesh, MCIP, RPP  
Commissioner  
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Marlon Kallideen  
Chief Administrative Officer

**Attachments:**

- Attachment 1 – August 28, 2023 Recommendation Report
- Attachment 2 – Official Plan Amendment
- Attachment 2a – Official Plan Amendment Schedule
- Attachment 3 – Council Motion
- Attachment 4 – Applicant Response Letter re. August 28, 2023 Referral Decision