

**Date:** 2023-07-20

**File:** **OZS-2022-0039**

**Subject:** **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-2023-637

**Recommendations:**

1. That the report from Chinoye Sunny, Development Planner, Development Services to the Planning and Development Committee of August 28, 2023, re: **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 application for Official Plan Amendment 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 this Recommendation Report;
3. That the amendments to the Official Plan generally in accordance with the attached Attachment 12 to this report be adopted;
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 delete Section 4.2.1.16 of the City of Brampton Official Plan which 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”, and permit Residential and noise sensitive land uses such as nursing homes, day care centres and public and private schools on the subject property.
- The proposed land uses contemplated on the property includes a long-term care home and a daycare facility with an associated playground. No development is being proposed at this time. A Zoning By-law Amendment application will be required to facilitate the future development of the property.
- Prior to the passage of a future Zoning By-law Amendment on the property, a satisfactory noise impact and stationary noise assessment is required to ensure that airport noise impacts are addressed to the satisfactory of the City of Brampton and Greater Toronto Airport Authority (GTAA).
- The subject property is designated ‘Residential’ and ‘Special Study Area’ in Schedule A and ‘District Retail’ in Schedule A2 of the City of Brampton Official Plan. The subject property is also within the Lester B. Pearson International Airport (L.B.P.I.A) Operating Area as per the City of Brampton Official Plan.
- The subject property is located within the Springdale Secondary Plan Area 2 and is sub-designated ‘District Retail’. An amendment to the Secondary Plan is required to permit the proposed development.
- The properties are currently zoned ‘Commercial 3 Special Section 916 (C3-916)’, by By-law 270-2004, as amended. An amendment to the Zoning By-law will be required in the future to implement the proposal, but is not being contemplated currently as part of this application.
- A Statutory Public meeting for this application was held on December 12, 2022. No members of the public spoke at the meeting and one (1) piece of written correspondence was received. Details of the Statutory Public Meeting, including a summary of the issues raised and a response to those issues are included in the summary chart as well as in Attachment 10 of this report.

- **The proposal is consistent with the “2018-2022 Term of Council Priorities” by supporting “A City of Opportunities” Theme. The proposal is consistent with the direction of building complete communities to accommodate growth for people.**
- **The proposed Official Plan Amendment represent 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 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.

### **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 Official Plan to allow for residential uses and exempt lands from Official Plan policy 4.6.15 to permit residential and noise-sensitive land uses 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 L.B.P.I.A 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 will be allowed.

The proposed land uses contemplated at this time include a long-term care home and a daycare facility with an associated playground. 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.

Details of the Proposal are as follows (refer to Attachment 11):

- To permit residential development and noise sensitive land uses on the lands, 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.
- A Zoning By-law Amendment will be submitted at a future date to facilitate the development of a long-term care centre and daycare facility.

Property Description and Surrounding Land Use

The lands have the following characteristics:

- Municipally known as 2959-2989 Bovaird Drive East and 9960-9990 Airport Road, and is generally located on the west side of Airport Road and south of Bovaird Drive East;
- A total site area of approximately 7 hectares (17.30 acres);
- Has a frontage of approximately 423 metres along Bovaird Drive East and approximately 171 metres along Airport Road;
- The site is currently vacant, however it is part of a larger commercial plaza featuring a variety of commercial uses.

The surrounding land uses are as described as follows:

- North: Existing single-detached dwellings;
- South: Existing industrial building with truck and trailer parking;
- East: Existing single-detached dwellings;
- West: Existing single-detached dwellings.

Application to Amend the Official Plan

The subject property is designated 'Residential' and 'Special Study Area' as per Schedule A: General Land Use Designations of the City of Brampton Official Plan. The 'Residential' designation permits the development of a range of dwelling types ranging from single detached homes to high-rise apartments. The 'Special Study Area' designation is in relation to policy 4.2.1.16 of the City of Brampton Official Plan, which states that residential uses shall not be permitted on the subject property without an amendment to the Official Plan.

The subject property is also located within the Lester B. Pearson International Airport (L.B.P.I.A) Operating Area and is subject to policy 4.6.15.1.10 of the Official Plan which does not permit new residential development, redevelopment and infill of residential and noise-sensitive land uses such as hospitals, nursing homes, day care centers and public and private schools within the L.B.P.I.A Operating Area outlined in Schedule A of the City of Brampton's Official Plan.

The proposed Official Plan Amendment will delete policy 4.2.1.16 of the Official Plan and add additional policies to section 4.6.15.1.10 of the Official Plan. These additional policies will require a detailed noise impact and stationary noise assessment to ensure that airport noise issues are addressed to the satisfaction of the City of Brampton and the Greater Toronto Airport Authority (GTAA) through a future Zoning By-law Amendment application.

#### Springdale Secondary Plan (Area 2)

The subject properties are designated 'District Retail' in the Springdale Secondary Plan (Area 2). The 'District Retail' designation is defined as establishments ranging from 125,000 to 500,000 square feet, and may include supermarkets, major department stores, and home improvement stores etc.

The proposal will re-designate the lands to Special Site Area 6. The proposed designation will continue to permit 'District Retail' land uses on the lands, while also permitting high-density residential, a nursing and/or retirement home, public and private schools, and a day care centres. The high-density residential provision will be limited to a building height maximum of seven (7) storeys.

The detailed planning analysis (Attachment 11) provides a detailed overview of the Official Plan Amendment.

### **Summary of Recommendations**

This report recommends that Council approve the proposed Official Plan Amendment in accordance with Attachment 12. 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 allowing necessary services such as long-term

care homes 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 – see associated details in Attachment 11.

### **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 proposal represents the orderly development of safe and healthy communities as it will make efficient use of the land that is currently occupied by low-density commercial units. The proposal allows for the introduction of a variety of residential land uses in the City of Brampton in accordance with Sections 2 h), j) and o) of the Planning Act. This proposal is within an appropriate location for growth and development and adequate services exist to support the proposed development in accordance with Sections e) and f) of the Planning Act.

Staff is satisfied that the proposed development has regard for matters of provincial interest in the Planning Act.

#### **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. This proposal contemplates an amendment to City of Brampton Official Plan policy 4.2.1.16 which will allow residential and noise sensitive uses such as nursing homes, day care centres, and public and private schools, thus providing an appropriate mix of residential land use types. As such, the proposed development promotes efficient development and land use patterns over the long term by providing units that will connect with municipal infrastructure and services in accordance with S.1.1.1 of the PPS.

Furthermore, the proposed development subject site will contribute to the range of housing opportunities, serving both the local community and future residents who may wish to live in the area in accordance with S.1.4.3. The proposed Official Plan Amendment will intensify a currently underutilized parcel and contribute to a mix of housing options and densities to assist in accommodating the overall residential growth. The proposal will allow for increased density that will support existing transit and existing commercial developments within the community.

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

#### 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. 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 proposal will contribute to the establishment of complete communities in accordance with S.2.2.1.2, S.2.2.1.4, and S.2.2.1.4.10 through optimization of land use and overall expansion of the range and housing types. The proposed introduction of residential and sensitive land uses such as nursing homes, day cares, private and public schools, also further contribute to the social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes in accordance with S.2.2.1.4 c). The proposal will ultimately accommodate a diversified range of household types and institutional uses, supporting the overall achievement of a complete community.

Moreover, the site is located within immediate proximity to the Bovaird Drive East and Airport Road intersection with transit access. Pursuant to S.2.2.1.4 d) of the Growth Plan, the proposal expands convenient access to existing transit service levels. The subject application conforms to the applicable policies as outlined in the Growth Plan for the Greater Golden Horseshoe, as it directs growth to a settlement area that has access to existing or planned municipal water and wastewater systems.

Based on the above, staff is satisfied that the proposed Official Plan Amendment conforms to the policies 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

property is located within the 'Urban System' designation in the Regional Official Plan and conforms to the related policies with respect to healthy communities, achieving an intensified and a mix of land uses in appropriate areas that efficiently use resources.

The proposal and its location within the Regional Urban Boundary are consistent with the Regional Official Plan's goal of ensuring that development and redevelopment takes place in a timely, orderly, and sequential manner. The proposed amendment ultimately intensifies an underutilized property, is transit-supportive, creates a pedestrian-friendly urban environment, and adds to the vitality of the surrounding area in accordance with S.5.4.10, S.5.6.2, S.5.6.3, S.5.6.4, and S.5.6.11.

Based on the above, staff is satisfied that the proposed Official Plan Amendment generally conforms to the Regional Official Plan.

#### City of Brampton Official Plan

The purpose of the City of Brampton's Official Plan is to give clear direction as to how physical development and land use decisions should plan to meet the current and future needs of its residents. The property is designated 'Residential' and 'Special Study Area' in Schedule A and 'District Retail' in Schedule A2 of the City of Brampton Official Plan. The subject property is also within the L.B.P.I.A Operating Area as per the City of Brampton Official Plan. Although the subject property is within the L.B.P.I.A. Operating Area, the GTAA has provided clearance on the Official Plan amendment application. The detailed Noise Study to address the redevelopment of the site will be reviewed in the future rezoning application. The proposed development conforms to the intent of this plan. The residential designation permits the development of a range of dwelling types ranging from single detached homes to high-rise apartments. The 'Special Study Area' designation is in relation to policy 4.2.1.16 of the City of Brampton Official Plan, which states that residential uses shall not be permitted on the subject property without an amendment to the Official Plan.

The proposed development is located at the intersection of Bovaird Drive East and Airport Road. The proposal supports public transit, pedestrian, and bicycle transportation by promoting an intensified housing form that is transit-supportive in accordance with S.4.11.4.7 viii). As per S.4.11.4.7 ii), the proposal will enhance and contribute toward revitalizing the character of the area. The detailed planning analysis (Attachment 11) includes an extensive overview of the Official Plan Amendment, and the proposed Official Plan Amendment is attached as Attachment 12.

Staff is satisfied that the proposed Official Plan Amendment conforms to the policies of the City of Brampton Official Plan.

#### Springdale Secondary Plan (SPA2)

The property is designated 'District Retail' in the Springdale Secondary Plan Area 2. The Secondary Plan policies indicate that the District Retail designation are subject to



S.4.3.4 of the City of Brampton Official Plan. The proposed development is in accordance with the District Retail policies in the Official Plan. The proposal will re-designate the lands to Special Site Area 6. The proposed designation will continue to permit 'District Retail' land uses on the lands, while also permitting high-density residential, a nursing and/or retirement home, public and private schools, and a day care centres. The high-density residential provision will be limited to a building height maximum of seven (7) storeys.

Staff is satisfied that the proposed Official Plan Amendment is consistent with the policies of the Springdale Secondary Plan.

#### Zoning By-law Amendment

The properties are currently zoned 'Commercial 3 Special Section 916 (C3-916)', by By-law 270-2004, as amended. 'Commercial 3 Special Section 916 (C3-916)' designation permits commercial uses including, but not limited to, commercial schools, convenience stores, service shops, banks, community clubs, health centres, and more. A Zoning By-law Amendment is required to facilitate the proposed future development. A satisfactory noise impact and stationary noise assessment is required at the rezoning stage to ensure that airport noise impacts are addressed to the satisfactory of the City of Brampton and Greater Toronto Airport Authority (GTAA).

#### Community Engagement

The proposed Official Plan Amendment was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject property in accordance with and exceeding the Planning Act requirements. Public Notice signs were also placed on the subject property 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 December 12<sup>th</sup>, 2022. No members of the public spoke at the meeting and one (1) piece of written correspondence was received. Details of the Statutory Public Meeting, including a summary of the issues raised and a response to those issues are included in the summary chart as well as in Attachment 10 of this report.

Concern Raised	Staff Response
Increase in local traffic	A Traffic Impact Study (TIS), dated March 2023, was prepared by CGH Transportation to assess the transportation-related aspects of the proposed development. The report includes a review and assessment of the existing road network, traffic volumes, vehicle maneuvering and circulation. The

	Traffic Services department have reviewed the TIS and have found the document to be satisfactory.
Construction disrupting the surrounding neighbourhood	The proposed development will require a Building Permit from the City of Brampton, any site works will be subject to City requirements (i.e. hoarding, shoring, phasing, street access, hours of construction and applicable securities etc.).
Environmental concerns	Since the application is solely for an Official Plan Amendment, a Sustainability Score and Metric was not required. The Sustainability Score and Metric will be reviewed and evaluated during the future rezoning and site plan application process.

### **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 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:

Staff is satisfied that the proposed Official Plan Amendment 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 Springdale Secondary Plan (Area 2).

The report recommends that Council enact the Official Plan Amendment attached hereto as Attachment 12. The Official Plan Amendment 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 location of the proposed development provides multi-modal transportation option which will allow residents to utilize alternative modes of transportation; and
- 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 Official Plan Amendment as the proposal is in the public interest.

Authored by:

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**Attachments:**

Attachment 1: Concept Plan  
Attachment 2: Location Map  
Attachment 3: Official Plan Designations  
Attachment 4: Secondary Plan Designations  
Attachment 5: Zoning Designations  
Attachment 6: Aerial and Existing Land Use  
Attachment 7: Heritage Resources  
Attachment 8: Propane Facilities  
Attachment 9: Results of External Circulation  
Attachment 10: Results of Public Meeting  
Attachment 11: Detailed Planning Analysis  
Attachment 12: Official Plan Amendment  
Attachment 12a: Official Plan Amendment Schedule