

Adoption of Official Plan Amendment OP2006-259 (By-law 204-2023)**2959-2989 Bovaird Drive East and 9960-9990 Airport Road****Date of Decision: November 22, 2023****Date of Notice: December 5, 2023****Last Date of Appeal: December 27, 2023**

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 204-2023, to adopt Official Plan Amendment OP2006-259, under section 17 of the *Planning Act* R.S.O., c.P.13, as amended, pursuant to an application by Calloway REIT (Brampton) Inc., c/o SmartCentres REIT, Ward 8 (File: OZS-2022-0039).

This official plan amendment is exempt from approval by the Region of Peel and the decision of Council is final if a notice of appeal is not received on or before the last day for filing such notice.

The Purpose and Effect of Official Plan Amendment OP2006-259: The purpose of By-law 204-2023 is to amend the City of Brampton Official Plan to permit residential development and noise sensitive land uses on the subject property.

Location of Lands Affected: west side of Airport Road and south of Bovaird Drive East, legally described as Chinguacousy CON 6 EHS Part lot 10 RP 43R31544 Part 4 and 5; and Chinguacousy CON 6 EHS Part lots 9 and 10 RP 43R32093 Part 1 to 3 and 13, and municipally known as 2959-2989 Bovaird Drive East and 9960-9990 Airport Road.

Obtaining Additional Information: A copy of the by-law is provided. The complete by-law and background materials are available for inspection in the City Clerk's Office during regular office hours, or online at www.brampton.ca. Any further inquiries or questions should be directed to Chinoye Sunny, Planner, Planning, Building and Growth Management Services at 905-874-2064 or chinoye.sunny@brampton.ca.

Any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the *Planning Act*, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter.

There are no other applications under the *Planning Act*, pertaining to the subject lands.

When and How to File an Appeal: Any appeal of the official plan amendment or zoning by-law to the Ontario Land Tribunal (OLT) must be filed with the Clerk of the City of Brampton **no later than December 27, 2023**, shown above as the last date of appeal. An appeal form is available from the OLT website at <https://olt.gov.on.ca/appeals-process/forms/>.

The Notice of Appeal must:

- (1) set out the reasons for appeal; and,
- (2) be accompanied by the fee required by the Ontario Land Tribunal in the amount of \$1,100.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario. A copy of the Ontario Land Tribunal Fee Schedule may be found at <https://olt.gov.on.ca/appeals-process/fee-chart/>

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal (OLT). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

Notice of Appeal may be hand delivered to:

City of Brampton
Office of the City Clerk
2 Wellington St. W.,
Brampton, ON L6Y 4R2
905.874.2116



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 204 - 2023

To adopt Amendment Number OP 2006- 259

To the Official Plan of the
City of Brampton Planning Area

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

1. Amendment Number OP 2006- 259 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this bylaw.

ENACTED and PASSED this 22nd day of November, 2023.

Approved as to
form.

2023/11/10

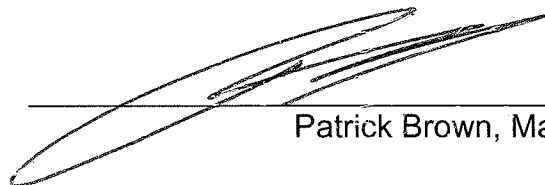
SDSR

Approved as to
content.

2023/11/10

AAP

(GZS-2022-0039)



Patrick Brown, Mayor



Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006- 259
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of the Amendment is to amend the Official Plan and the Springdale Secondary Plan (Area 2), to permit the development of a nursing home and/or retirement home, daycare centre, and public and private schools on the lands identified in Schedule 'A' and Schedule 'B' of this amendment.

2.0 Location:

The lands subject to this amendment are municipally known as 2959-2989 Bovaird Drive East and 9960-9990 Airport Road. The lands are located on the south side of Bovaird Drive East and west of Airport Road. The lands are legally described as Part of Lot 10, Concession 6 EHS, RP 43R31544 Parts 4 and 5 and Part of Lots 9 and 10, Concession 6 EHS, RP 43R32093 Parts 1 to 3 and 13.

3.0 Amendments and Policies Relevant Thereto:

3.1 The document known as the 2006 Official Plan of the City of Brampton Planning Area is hereby amended as follows:

- 1) By changing the Official Plan to permit residential and noise sensitive land uses on the lands shown outlined on Schedule 'B' to this amendment.
- 2) By adding to the list of the amendments pertaining to the Secondary Plan Number 2: Springdale Plan as set out in Part II: Secondary Plans thereof, Amendment Number OP 2006- 259.
- 3) By changing Schedule A: General Land Use Designations, of the Official Plan by deleting the 'Special Study Area' designation, as shown outlined on Schedule 'B' to this amendment.

3.2 The document known as the 2006 Official Plan of the City of Brampton Planning Area is hereby further amended:

- 1) By deleting Section 4.2.1.16 in its entirety.
- 2) By adding to Section 4.6.15.1.10, Aircraft Noise Policies, a new sub-section and the following additional policies will apply:

"4.6.15.1.10b	Notwithstanding Policy 4.6.15.1.10 above, residential uses, a nursing home and/or retirement home, day care centre, and public and private schools shall be permitted on the property located at 2959-2989 Bovaird Drive East and 9960-9990 Airport Road at the south west corner of the Bovaird Drive East and Airport Road intersection.
	i) Completion of a noise impact assessment study from a qualified acoustical engineer certifying the level

of noise impact on any noise sensitive uses to the satisfaction of the City of Brampton, at the time of a future Zoning By-law Amendment application.

The stationary noise assessment, shall be undertaken to ensure that airport noise issues are addressed in accordance with Provincial government guidelines. Findings of that study should serve as a guideline for architectural design work aimed at mitigating indoor noise levels.

ii) Establishment of a tripartite Aircraft Noise Warning Agreement between the developer/property owner, City of Brampton and the Greater Toronto Airports Authority for the subject lands. This Agreement would stipulate that as a condition of approval, the Developer must enter into a Development Agreement, registerable on title. The Agreement will contain but is not limited to elements such as construction conditions and warning clauses for development on the site. Furthermore, the agreement requires such warning clauses acknowledging potential interference from both indoor and outdoor activities to be made available to all prospective users and residents of buildings with noise sensitive uses on the subject lands.

iii) The Greater Toronto Airports Authority must receive post-construction inspection and certification from a qualified acoustical engineer, to the satisfaction of the City of Brampton, that buildings with noise sensitive uses are in compliance with all applicable Ministry of Environment interior noise guidelines.”

3.3 The document known as Secondary Plan Area 2 – Springdale Secondary Plan (Part Two: Secondary Plan, as amended, of the City of Brampton Official Plan) is hereby further amended as follows:

- 1) By changing Schedule 2 of the Springdale Secondary Plan to re-designate the lands from ‘District Retail’ to ‘Special Site Area – District Retail’ as shown in Schedule ‘A’ of this amendment.
- 2) By adding to **Section 7, Special Site Areas**, a new sub-section as follows:

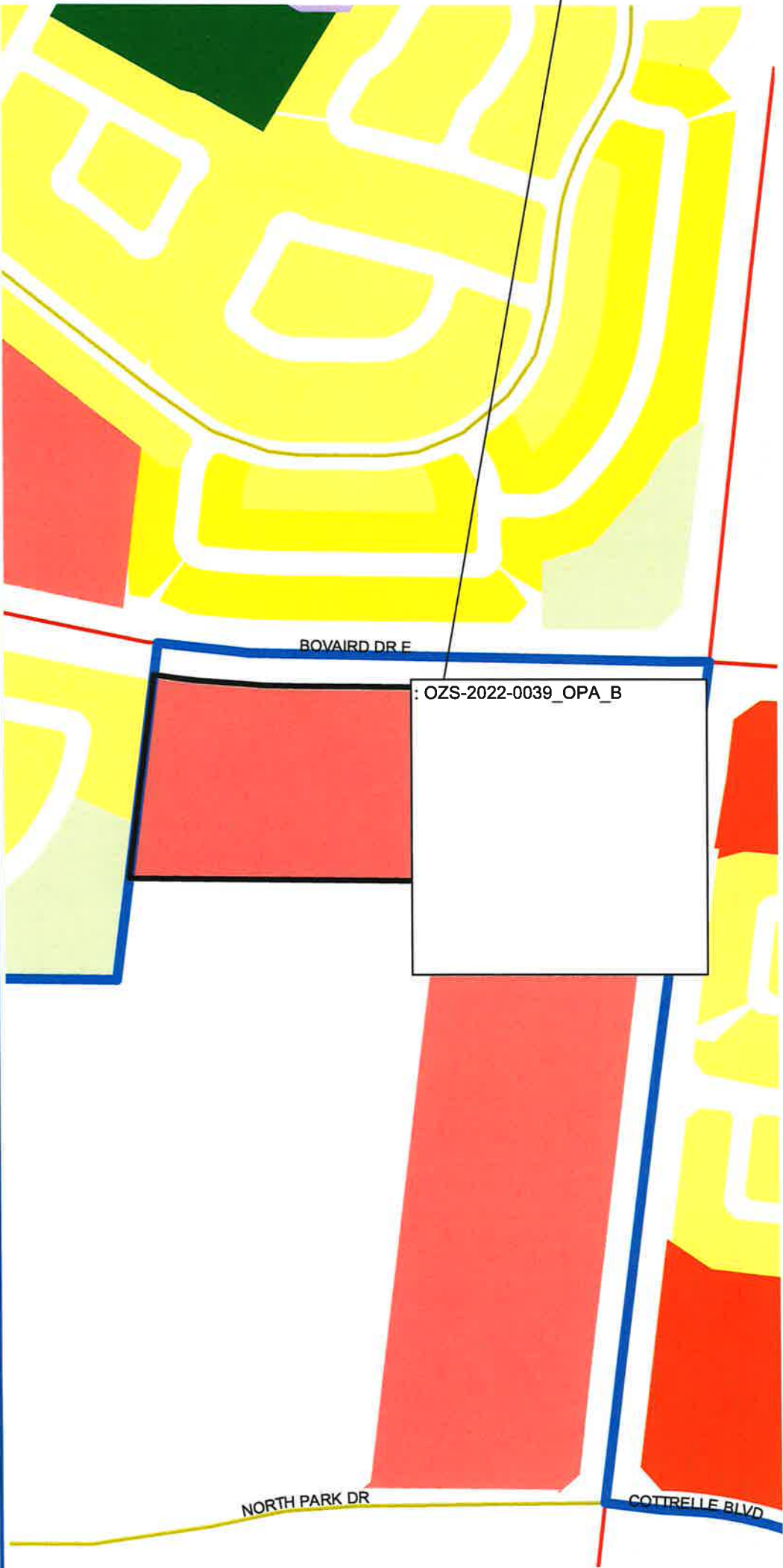
“7.6 Special Site Area 6

Special Site Area 6, located on the south side of Bovaird Drive East and west of Airport Road, and designated District Retail, shall be used for:

- a) High density residential;

- b) A nursing and/or retirement home;
- c) Public and private schools; and,
- d) A day care centre.”

LANDS TO BE DESIGNATED "SPECIAL
SITE AREA 6 - DISTRICT RETAIL"



- RESIDENTIAL**
- LOW DENSITY RESIDENTIAL 1
 - MEDIUM DENSITY RESIDENTIAL
 - MEDIUM/HIGH DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
- INSTITUTIONAL**
- INSTITUTIONAL
 - ELEMENTARY SCHOOL
 - MIDDLE SCHOOL
 - SECONDARY SCHOOL
 - PLACE OF WORSHIP
 - FIRE STATION
- COMMERCIAL**
- CONVENIENCE RETAIL
 - DISTRICT RETAIL
 - NEIGHBOURHOOD RETAIL
 - REGIONAL RETAIL
 - SERVICE COMMERCIAL
 - HIGHWAY COMMERCIAL
- OPEN SPACE**
- NATURAL HERITAGE SYSTEM
 - OPEN SPACE
- UTILITY**
- TRANSCANADA PIPELINE
- ROADS**
- COLLECTOR ROAD
 - MAJOR ARTERIAL ROAD
 - MINOR ARTERIAL ROAD
 - PROVINCIAL HIGHWAY
- SPECIAL SITE AREA**
- 1 SPECIAL SITE AREA
 - 6 SPECIAL SITE AREA 6 - DISTRICT RETAIL
- LBPIA Operating Area



 SUBJECT LAND
  INDUSTRIAL
  RESIDENTIAL

 BUSINESS CORRIDOR
  OPENSOURCE
  SPECIAL STUDY AREA