

**Notice of Passing of Official Plan Amendment  
Tertiary Plan Policies  
City-wide**

**Date of Decision: September 25, 2019**

**Date of Notice: October 10, 2019**

**Last Date of Appeal: October 30, 2019**

On the date noted above, the Council of the Corporation of the City of Brampton passed **Official Plan Amendment OP2006-174, adopted by By-law 235-2019**, to amend the Official Plan of the City of Brampton, under Section 16 of the *Planning Act*, R.S.O., c.P.13, as amended (File JB.a)

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.

**Purpose and Effect of the Official Plan Amendment:** to add new policies in the Official Plan with respect to Tertiary Plans.

**Location of Lands:** the Tertiary Plan policies apply to the entirety of the City of Brampton.

**Obtaining Additional Information:** 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](http://www.brampton.ca). Further enquiries or questions should be directed to Malik Majeed, Acting Manager, Land Use Policy, Planning and Development Services, at 905. 874.2076, or at [malik.majeed@brampton.ca](mailto:malik.majeed@brampton.ca).

Any and all written submissions relating to this amendment that were made to Council, and the Planning and Development Committee, before its decision and any and all oral submissions related to these applications 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 these matters.

The City is currently processing various applications under the *Planning Act* for lands subject to this amendment. Information regarding current applications can be obtained by contacting the Planning and Development Services Department at 905-874-2050.

**When and How to File an Appeal:** An appeal of the by-law amendment to the Local Planning Appeal Tribunal (LPAT) must be filed with the Clerk of the City of Brampton **no later than October 30, 2019**. An appeal form is available from the LPAT website at [www.elfto.gov.on.ca/tribunals/lpat/forms](http://www.elfto.gov.on.ca/tribunals/lpat/forms).

**The Notice of Appeal must:**

- (1) set out the reasons for appeal; and,
- (2) be accompanied by the fee required by the Local Planning Appeal Tribunal in the amount of \$300.00, payable by certified cheque or money order to the Minister of Finance, Province of Ontario.

Only individuals, corporations and public bodies may appeal an Official Plan Amendment and/or zoning by-law to the Local Planning Appeal Tribunal. 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 LPAT, there are reasonable grounds to add the person or public body as a party.

**Notice of Appeal may be mailed/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 235 - 2019

To Adopt Amendment Number OP 2006- 174  
to the Official Plan of the City of Brampton Planning Area

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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 - 174 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.

ENACTED and PASSED this 25<sup>th</sup> day of September, 2019.

Approved as to  
form.


2019/Sept/18

AWP

Approved as to  
content.

2019/Sept/18

RJB



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Patrick Brown, Mayor



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Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006 - 174  
to the Official Plan of the  
City of Brampton Planning Area

AMENDMENT NUMBER OP 2006 - 174  
TO THE OFFICIAL PLAN OF THE  
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to revise Section 5.5 of the Official Plan pertaining to Tertiary Plan policies.

2.0 Location:

All lands in the City of Brampton are subject to this amendment.

3.0 Amendments and Policies Relative Thereto:

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

- (1) by deleting the title of Section 5.5 and replacing it with the following:  
"Community Block Plans"
- (2) by deleting section 5.5.13 and re-numbering section 5.5.14 accordingly.
- (3) by adding the following definition under Section 5.2 as follows:  
"Tertiary Plan" is a detailed land use study and a vision intended to guide new development within an area that the City determines would benefit from such a study. Generally, Tertiary Plans address site-specific matters in relation to the broader area and focus on topics such as but not limited to, land use, the natural heritage system if applicable, patterns of development, development standards, access, right-of-ways, compatibility and urban design.
- (4) by adding the following item to the end of the list in Section 5.31.1
  - Tertiary Plan
- (5) by adding the following new section as follows:

"5.34 Tertiary Plans

**Objectives**

*Tertiary Plans may be required by the City where appropriate, in accordance with this policy. Tertiary Plans do not serve as substitutes for any other submissions/documents, such as site plans. The main objectives of Tertiary Plans are to ensure new developments contribute to/enhance the character of the community, prevent greenfield and developable parcels from being landlocked or otherwise undevelopable, complement and improve the community urban structure, assess functional site servicing, and reduce/mitigate any adverse impacts on the surrounding areas.*

**Policies**

5.34.1 A Tertiary Plan may be required as part of a complete application to support the following proposals:

- 1) Official Plan Amendments, which includes Secondary Plan and Block Plan Amendments;
- 2) Zoning By-law Amendments;
- 3) Plans of Subdivisions;
- 4) Site Plan Applications; and
- 5) Consent to Sever Applications.

5.34.2 The City may require the applicant to prepare and submit a proposed Tertiary Plan in the event that one or more of the following criteria are met:

- 1) A Tertiary Plan requirement is explicitly identified for a particular area within the Official Plan or Secondary Plan;

- 2) A site has multiple landowners;
- 3) A new public right-of-way or shared private right-of-way, public park, or other publicly owned facility is proposed;
- 4) Vehicular or pedestrian accessibility for neighbouring sites is affected by the proposal;
- 5) The proposal affects the development potential of neighbouring sites;
- 6) A new higher order transit station is proposed or the site is adjacent to an existing higher order transit station; or
- 7) The proposal has the potential to prohibit future comprehensive re-development of an area.

5.34.3 Subject to any applicable Secondary Plan policies to the contrary, Staff are authorized to endorse Tertiary Plans for inclusion as non-statutory appendices to the applicable Secondary Plan prior to the approval of development applications. These appendices will serve as guidelines for both current application(s) as well as future planning applications in a given area, and could be subject to additional refinement. This additional refinement does not require Council approval, unless otherwise stated in the applicable Secondary Plan.

5.34.4 Tertiary Plans need not include the same level of detail as a Site Plan, but must be to scale and include the following items:

- Standard information including date, address and north arrow;
- Location boundaries based on legal surveys;
- Identification of surrounding land uses;
- A written vision for the area;
- A written explanation of how the development proposal and tertiary plan proposal is consistent with the City of Brampton Development Design Guidelines;
- Identification of which landowners commissioned the Tertiary Plan and which landowners are non-participating;
- Building Envelopes, including proposed height, step-backs, typology, land use and size of buildings in square metres and square footage;
- Illustrated density in heights, with a particular focus on the built form relationship between proposed buildings and surrounding lands. Spacing dimensions between buildings must also be included;
- Clear differentiation between private common elements and public space;
- Proposed transportation infrastructure which includes public and private vehicular connections (rights-of-way);
- Proposed non-vehicular connections including sidewalks, cycling and walking trails;
- Location of Parking;
- Identification of existing Natural Heritage Systems, including all natural hazards and constraints, plus minimum buffers;
- Identification of cultural and built heritage resources and how they are to be integrated;
- Location of Parks, Open Spaces, Urban Spaces;
- The location of key natural elements including mature trees and vegetation;
- Proposed strategies to protect key natural elements;
- Location of Stormwater management facilities and/or green infrastructure;
- Identification of proposed site phasing; and
- Any other requirements deemed appropriate by City staff.

5.34.5 When a Tertiary Plan is identified as a submission requirement, the following studies may be requested and must be prepared comprehensively for all properties within the Tertiary Plan area to the satisfaction of the City and other reviewing agencies:

- Urban Design Brief with an Open Space component;
- Environmental Implementation Report;
- Functional Servicing Report;
- Storm Water Management Plan;
- Traffic Impact Study;
- Parking Study;

- *Planning Justification Report, which would include a proposed approach to Cost Sharing for participating and non-participating owners;*
- *Market Impact / Planned Function Study;*
- *Shadow Study;*
- *Phasing Plan; and*
- *Heritage Impact Assessment.*

5.34.6 *In addition to the requirement of section 5.34.5, the applicant may be required to submit any other supporting information and material that may be identified by the Commissioner of Planning & Development Services during the pre-consultation process.*

5.34.7 *Whenever a Tertiary Plan is identified as a requirement of a development application, prior to initiating the tertiary planning process, the City shall circulate a notice via registered mail to all landowners within the Tertiary Plan area inviting them to participate in the Tertiary Plan process. Should the City not receive a response within 30 days, the invited landowner will be deemed a non-participating landowner and will be notified accordingly. In such cases, the non-participating land, similar to the participating land, would be planned based on good planning principles.*

5.34.8 *The City will evaluate the proposed tertiary plan based on good planning principles. Through the Pre-Consultation process, staff will provide comments to the applicant and identify the most pertinent development principles that are to be achieved through the Tertiary Plan process, to the satisfaction of the Commissioner of Planning & Development Services.*

*Upon submission of the draft Tertiary Plan, staff will ensure consistency with the City's Terms of Reference for Tertiary Plan submissions. If the submission is deemed consistent with the Terms of Reference, staff will determine if the principles identified in the Pre-Consultation process have been successfully achieved, which would enable staff to deem the Tertiary Plan submission complete and proceed with the development application, subject to Policy 5.31. Should a submitted Tertiary Plan not be consistent with the Terms of Reference or the development principles, staff reserve the right to refuse submission of the application under Section 5.34.1 in whole until such time that the deficiencies are corrected.*

*The recommendation report for the original development application (and all subsequent development applications involved in this tertiary plan) will include a condition of approval stating that the proposed development will be consistent with the endorsed Tertiary Plan.*