



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

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:

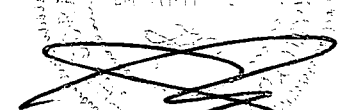
1. Amendment Number OP 2006 - 174 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.

ENACTED and PASSED this 25th day of September, 2019.

Approved as to
form.
2019/Sept/18
AWP

Approved as to
content.
2019/Sept/18
RJB


Patrick Brown, Mayor


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.

IN THE MATTER OF the *Planning Act*, R.S.O.
1990, as amended, section 17;

AND IN THE MATTER OF the City of Brampton Official Plan Amendment OP2006-174,
adopted by By-law 235-2019 – Tertiary Plan Policies (File JB.a)

DECLARATION

I, Peter Fay, of the City of Brampton, in the Region of Peel, hereby make oath and say as follows:

1. I am the City Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 235-2019 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 25th day of September, 2019, to adopt Amendment Number OP2006-174 to the 2006 Official Plan.
3. Written notice of Official Plan Amendment OP2006-174, adopted by By-law 235-2019; as required by section 17(23) of the *Planning Act*, was given on the 10th day of October, 2019, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as amended.
4. No notice of appeal was filed under section 17(24) of the *Planning Act* on or before the final date for filing objections.
5. In all other respects, the Official Plan Amendment has been processed in accordance with all of the *Planning Act* requirements including regulations for notice.
6. Official Plan Amendment OP2006-174, adopted by By-law 235-2019, is deemed to have come into effect on the 25th day of September, 2019, in accordance with Section 17(27) of the *Planning Act*, R.S.O. 1990, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the)
City of Brampton in the)
Region of Peel this)
7th day of November, 2019)



Peter Fay



A Commissioner, etc.

Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.

