

Adoption of Official Plan Amendment OP2006-232 (By-law 260-2022)

Bill 109: More Homes for Everyone Act, 2022

Date of Decision: December 14, 2022
Date of Notice: December 22, 2022
Last Date of Appeal: January 11, 2023

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 260-2022, to adopt Official Plan Amendment OP2006-232, under section 17 of the *Planning Act* R.S.O., c.P.13, as amended, pursuant to an application by City of Brampton Bill 109: More Homes for Everyone Act, 2022.

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 the Official Plan Amendment OP2006-232: to amend the Official Plan policies related to Pre-Consultation and complete application submission requirements. To improve the review process for planning applications by requiring early collaboration between applicants, staff and other stakeholders on development proposals to reach agreement on key facets of the development.

Location of Lands Affected: All lands in the City of Brampton.

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. Further enquiries or questions should be directed to David Vanderberg, City of Brampton, Development Services, 905-874-2325 or at david.vanderberg@Brampton.ca

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

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.

When and How to File an Appeal: Any appeal of the official plan amendment to the Ontario Land Tribunal (OLT) must be filed with the Clerk of the City of Brampton **no later than January 11, 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
905.874.2114



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 260 -2022

To Adopt Amendment Number OP2006- 232 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 OP2006- 232 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 14th day of December, 2022.

Approved as to
form.

2022/12/05

SDSR

Approved as to
content.

2022/12/05

AAP

Patrick Brown, Mayor

Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006-232

TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of the Official Plan Amendment (OPA) is to modify the text of Brampton's Official Plan to update the policies related to Pre-Consultation applications, and 'Complete' (as per Planning Act) application submission requirements. The goal of the amended policies is to improve the review process for planning applications by requiring early collaboration between applicants, staff and other stakeholders on development proposals to reach agreement on key facets of the development.

2.0 Location:

This amendment applies City-wide.

3.0 Amendments and Policies Relevant Thereto:

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

- (1) by deleting Section 5.32 – Pre-Consultation and Complete Submission Requirements in its entirety and replacing it with the following:

“5.32 An Effective Approach to Reviewing Development Proposals

5.32.1 Pre-Consultation Application Requirements

Pre-Consultations are an integral part of the development application process. To support the submission of a complete application, the Pre-Consultation process will include two stages. These are Stage 1: Initial Pre-Consultation, and Stage 2: Detailed Pre-Consultation – Collaboration. This two-stage process will help ensure collaboration between the City and applicants regarding the proposed development concepts, which leads to an efficient and effective development review process. The Pre-Consultation process precedes the filing of any formal application.

5.32.1.1 Pre-Consultation with City staff prior to the submission of an application requiring *Planning Act* approval will be required for applications for amendments to the Official Plan and Secondary Plans, amendments to the Zoning By-law, Site Plan Approval, Plan of Subdivision, Plan of Condominium, and Development Permit System/Community Planning Permit System Applications.

5.32.1.2 External commenting agencies, such as the Region of Peel, School Boards and Conservation Authorities, shall be circulated Pre-Consultation Applications, where appropriate, and provide comments on matters of particular relevance for their jurisdiction.

5.32.1.3 The specific plans and reports/studies that are required to be submitted together with the application form will be identified at Stage 1: Initial Pre-Consultation.

- 5.32.1.4 Stage 2: Detailed Pre-Consultation – Collaboration will facilitate a collaborative dialogue to advance the planning for development proposals that are significant because of scale, location or other matters related to the development of an area. Stage 2 is intended to achieve agreement on key elements of the development, including but not limited to land use, street network design, community infrastructure, park size and location, limits of development and/or constraints, and key built form elements. Additional supporting studies and revisions to plans may be required as part of Stage 2.
- 5.32.1.5 The City, at its sole discretion, may determine that only Stage 1: Initial Pre-Consultation is required for the purpose of satisfying the City’s Pre-Consultation requirements.
- 5.32.1.6 Public engagement is a fundamental part of the planning process. The City encourages applicants to host a public engagement meeting prior to the submission of an Official Plan amendment, Zoning By-law amendment or a Plan of Subdivision application. If an applicant chooses to host a public engagement meeting, the format of the public engagement meeting should be discussed between the applicant and City planning staff.

5.32.2 Complete Submission Requirements

The purpose of a ‘Complete’ application submission is to satisfy Planning Act requirements, and to ensure that all the relevant and required information pertaining to a development application is available at the time of submission to assist planning staff in providing a recommendation on the application, to enable City Council and its delegated approval authorities to make informed decisions within the prescribed period of time, and to ensure that the public and other stakeholders have access to all relevant information early in the planning process.

- 5.32.2.1 Subject to Section 5.32.1.3, the City and external agency submission requirements for a complete application for Applications to Amend the Official Plan and/or Zoning By-law, Draft Plan of Subdivision, Draft Plan of Condominium, Site Plan Approval, and Development Permit System/Community Planning Permit System Application, may include but are not limited to any of the following plans and reports/studies:
- a. Planning Justification Report
 - b. Tertiary Plan
 - c. Housing Analysis or a Housing Assessment Report
 - d. Rental Conversion Report
 - e. Market Impact/Planned Function Study
 - f. Financial Impact Study
 - g. Phasing Plan
 - h. Concept Site Plan
 - i. Transportation Study
 - j. Area-Specific Urban Design Guidelines
 - k. Shadow Study

- l. Micro-Climate Wind Study
- m. Health Impact Study (in accordance with the Region's Healthy Development Framework)
- n. Sustainability Score and Summary
- o. Energy Management Plan/ Energy Model
- p. Community Energy Plan/Integrated Energy Plan
- q. Alternative and Renewable Energy Systems Feasibility Study
- r. Functional Servicing Report
- s. Environmental Implementation Report
- t. Subwatershed Study
- u. Vegetation Assessment Report/Tree Evaluation Report/Tree Preservation Plan
- v. Woodland Management Plan
- w. Invasive Species Management Plan
- x. Noise/Vibration Study
- y. Grading and Drainage Plan
- z. Sediment/Erosion Control Plan
- aa. Wetland Management Plan
- bb. Air Quality Impact Report
- cc. Hydrogeological Report
- dd. Phase I Environmental Site Assessment
- ee. Phase II Environmental Site Assessment – Record of Site Condition
- ff. Cultural Heritage Evaluation Report
- gg. Archaeological Assessment
- hh. Cultural Heritage Evaluation Report
- ii. Heritage Impact Assessment
- jj. A Community Infrastructure Impact Study
- kk. Community Facilities Study/ Community Services and Facilities Assessment and Strategy
- ll. Facility Fit Plan
- mm. Zoning Compliance Letter (if required)

5.32.2.2 All plans and reports/studies required for a complete application shall be prepared in accordance with an approved Terms of Reference and shall be signed off by a qualified, registered, and/or licensed professional.

5.32.2.3 In addition to the prescribed information required by the *Planning Act*, and the report/studies outlined in Section 5.32.2.1 of this Plan, additional studies, information and materials may be required by the City or an external agency to assist in understanding, evaluating and making recommendations on the application, and to ensure that

sufficient information in an appropriate format can be made available to the commenting agencies and the public, and to City Council and its delegated approval authorities. This information will be set out during the Pre-Consultation process.

- 5.32.2.4 An application will be deemed Complete by the City when:
- a. The prescribed application fees have been paid;
 - b. A fully complete application form that contains all of the requested information has been submitted;
 - c. All required plans and report/studies have been submitted to the City and it has been confirmed that the plans and report/studies address all matters in the approved Terms of Reference and have been signed-off by a qualified, registered, and/or licensed professional;
 - d. The clearances from the applicable City Departments and external agency referred to below have been submitted, which clearances include but are not limited to:
 - i. written confirmation from the Region of Peel confirming servicing requirements and capacity are present or have been committed to,
 - ii. written confirmation from either the Region of Peel or Ministry of Transportation that the location, type and capacity of roads is acceptable,
 - iii. written confirmation of the limits of development from the applicable Conservation Authority,
 - iv. written confirmation of park size and configuration,
 - v. written confirmation from the applicable authority or agency of the adequacy of other community infrastructure (e.g. fire halls, community and recreation centres), and
 - vi. written confirmation from the applicable School Board that the school block size, location and configuration is acceptable (if applicable);
 - e. Stage 2 - Collaborative Pre-Consultation process has been completed or that Stage 2 has been waived in accordance with Section 5.32.1.6, has been received;
 - f. For a Site Plan Approval Application, the applicant has submitted a zoning compliance letter to ensure the development proposal complies with the Zoning By-law; and
 - g. For a Site Plan Approval Application and a Plan of Subdivision, the minimum performance standards have been achieved under Brampton's Sustainable New Communities Program.
- 5.32.2.5 The City may deem an application incomplete if any information and/or materials submitted as part of an application(s) if the quality of the submission is unsatisfactory and is not considered to be in accordance with the applicable Terms of Reference.
- 5.32.2.6 Prior to the submission of a Complete *Planning Act* application, where complete application requirements have been

determined through a formal Pre-Consultation Application process prior to January 1, 2023, the City may:

- a) Amend the formal Pre-Consultation Application requirements; or
- b) Require a new Pre-Consultation Application.

5.32.2.7 Exemptions to any of the requirements of a Complete application and any additional requirements will be determined and specified during the Pre-Consultation process and can include allowing the review of an incomplete application to advance at the discretion of the Director of Development Services.

5.32.2.8 The City and external agency requirements for a Consent to Sever Application, may include, but not limited to:

- a. Environmental Site Screening Checklist;
- b. Tree Inventory and Preservation Study; and
- c. Servicing drawings showing existing and proposed watermain, stormwater and sanitary sewer services.”