

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

August 30, 1983

TO: The Mayor and Members of Council

FROM: J.A. Marshall,
Director of Planning Policy and Research

RE: Proposed Official Plan for the
City of Brampton Planning Area
Our File: 02.6

BACKGROUND:

In August 1980, Council passed a new Official Plan for the City of Brampton Planning Area and it was forwarded to the Minister of Housing for approval.

The plan was circulated to all Provincial Ministries and other public agencies involved in land use planning, and the City received a post-circulation letter from the Ministry of Municipal Affairs and Housing in March 1982. At that time the Ministry of Agriculture and Food had not commented upon the plan.

Council considered a staff report responding to the post-circulation letter in April 1982 and subsequently held a public meeting to allow the public the opportunity of reviewing and making representation with respect to proposed modifications to the plan.

Council passed a revised Official Plan in July 1982 and re-submitted this to the Minister of Municipal Affairs and Housing for approval.

The Ministry of Agriculture and Food provided their comments on the plan in a letter dated July 4, 1983 and the Ministry of Municipal Affairs and Housing sent a second post-circulation letter to the City on July 15, 1983.

This letter contains not only the comments of the Ministry of Agriculture and Food, but also objections that have been received by the Ministry since July 1982. The Ministry of Municipal Affairs and Housing ask that Council give consideration to the suggested modifications and referral requests contained in the letter and that the Ministry be formally advised of Council's most recent position.

Subsequent to the Minister's receipt of Council's response, it is anticipated that he will expeditiously approve the plan with whatever modification he deems appropriate, and refer certain unresolved matters to the Ontario Municipal Board.

COMMENTS:

In this report, staff have summarized the various comments and objections contained in the post-circulation letter and have made recommendations in respect of a Council response to the Minister of Municipal Affairs and Housing.

A. MINISTRY OF AGRICULTURE AND FOOD COMMENTS:

1. Section 1.1.2.2 (D) and (E), pages 27-28

The Ministry has indicated that these policies permit two severances per 100 acre original farm half-lot and also allow severances for other than farm-related purposes. These policies conflict with section 4 A.20 of the Food Land Guidelines and, therefore, they have asked that they be deleted and replaced with policies which apply to farm-related severances.

The Ministry recommends, therefore, that subsections (D) and (E) be deleted and replaced with the following:

- (D) Severances to create a residential lot in the Agricultural designation shall only be permitted if the lot is intended as a retirement lot for a farmer who has been farming a substantial number of years and is retiring from active working life, or

- (E) A residential lot is required to provide accommodation for full-time farm help whose working activity is primarily devoted to the farm operation and where the nature of the farm operation requires this help to be accommodated close to the farm.

Staff Comments:

The proposed requirements related to retiring farmers or the accommodation of farm help places the onus on the City and the Land Division Committee to establish the authenticity of the intent of a particular applicant for a consent. The suggested policies also require the City to arrive at an operational definition of a bona fide farmer and then determining whether or not that particular applicant falls within the definition.

After having considerable difficulty in equitably applying policies that contained references to a bona fide farmer, the City approved Official Plan policies that restrict the evaluation of a proposed consent to sever to strictly planning considerations.

Recommendation:

That Council request the Minister not to modify Section 1.1.2(2)(b) (ii)(D) and (E).

2. Section 2.5.3.2.4, pages 125-126

The Ministry has requested the inclusion of an additional criterion for Council in reviewing applications for new cemeteries or the enlargement of existing cemeteries, namely, that the following be added at the end of Section 2.5.3.2.4:

"(viii) impact on Agricultural Land"

Staff Comments:

Staff have no objection to the proposed modification.

Recommendation:

That section 2.5.3.2.4 be modified by adding the following at the end of that section:

"(viii) impact on agricultural land."

3. Section 2.8 Rural Land Use Category, pages 129-135

The Ministry has requested, that since virtually all the lands within the "Rural" designation are high-capability agricultural lands as defined by the Food Land Guidelines, that the designation should be changed to "Agricultural". This would accurately reflect the predominant land use and intended future use of the area.

Staff Comments:

The term Rural was used in the plan in response to comments of farmers in Brampton to the effect that the long term viability of the agricultural industry in Brampton under existing economic conditions was questionable. They therefore considered the use of the term "Agriculture" as misleading, and expressed a strong preference for the use of the term "Rural" to describe the non-urban areas of the plan in that it did not imply any long term viability for Agriculture, notwithstanding the capability of the soil.

It is the opinion of staff that the substitution of the term "Agricultural" for "Rural" does not have any impact on the effect of the Official Plan, since the policies remain essentially intact. The question is therefore one of semantics.

The Oxford English Dictionary defines the words as follows:

Agriculture: The science and art of cultivating the soil; including the allied pursuits of gathering in the crops and rearing livestock, tillage, husbandry, farming (in the widest sense).

Rural:engaged in country occupations; agricultural or pastoral.

The Official Plan defines the term Rural as follows:

"The Rural designation as shown on Schedule "A" includes all agricultural activities and other low density, low intensity uses associated with conservation management, outdoor sports, natural resource education and non-commercial recreation. Farm residences, limited non-farm related residences, Transfer Stations associated with waste management operations, and mineral extraction operations will also be permitted. Sanitary Landfill Sites will be permitted in the Rural designation only by specific amendment to the Plan."

Since the term Rural is more general in meaning than Agricultural, and since the Rural designation encompasses more uses than Agricultural uses it is logical to use the broader term.

Recommendation:

That the term Rural not be modified to Agricultural.

4. Sections 2.8.2 and 2.8.3, page 129

The Ministry feels that these objectives are not sufficiently protective of Agriculture to be consistent with the Food Land Guidelines and has recommended the following replacements:

"2.8.2 OBJECTIVE:

The availability of lands for agriculture and related uses on a long term basis.

2.8.3 OBJECTIVE:

Within areas having long term resource capabilities for agriculture, only agricultural uses, uses compatible with agriculture, and uses directly related to agriculture and necessary in proximity to agriculture."

Staff Comments:

The subject objectives are presently worded as follows in the Official Plan:

"2.8.2 OBJECTIVE:

The availability of some land for agriculture and related uses.

2.8.3 OBJECTIVE:

Limited non-farm related uses in areas having long-term land resource capabilities for agriculture."

The revised wording proposed by the Ministry of Agriculture and Food places slightly more emphasis on the availability of the agricultural resource over the long term. Since the Ministry has proposed no modifications to the definition of Rural or to the policies of Section 2.8, the revised wording of these objectives has no affect on the substance of the plan. Therefore staff have no objection to the revised wording.

Recommendation:

That Sections 2.8.2 and 2.8.3 of the plan be deleted and replaced with the proposed wording of the Ministry of Agriculture and Food.

5. Section 2.8.3.1, pages 129-130

Section 2.8.3.1 of the Plan is worded as follows:

"2.8.3.1 Council shall request the local Field Representative of the Ministry of Agriculture and Food to apply the appropriate technical provisions of the Agricultural Code of Practice, as amended from time to time, when processing severance or variance applications associated with non-agricultural uses which are in proximity to a livestock operation. Council will recommend refusal of a development proposal where the proposal fails to comply with the provisions of the Agricultural Code of Practice unless the applicant can demonstrate that this action will cause him unfair and unreasonable hardship."

The Ministry has requested the deletion of the words "unless the applicant can demonstrate that this action will cause him unfair and unreasonable hardship" from the end of this section. The Ministry feels that this does not take into account the hardship or unfairness that approval of the application can cause to the livestock operation.

Staff Comments:

The Agricultural Code of Practice is a Provincial Guideline for the operation of livestock operations and the separation of livestock operations from non-compatible uses. The code contains a number of somewhat complicated formulae for calculating the minimum distance between a livestock operation and non-compatible uses.

The main use of the code for the City is to evaluate the suitability of a proposed land severance in the proximity of a livestock operation.

The clause to which the Ministry objects was used to enable Council to take into account extenuating circumstances in evaluating an application for development in proximity to a livestock operation. Since the removal of the particular phrase results in Council having no discretion in reviewing an application, when the provisions of the

Agriculture Code of Practice are applicable, it is recommended that the second sentence of the policy be changed to require that Council shall have due regard for the provisions of the Agriculture Code of Practice.

Recommendation:

That the second sentence of Section 2.8.3.1 be deleted and replaced with the following:

"Council shall have due regard for the provisions of the Agricultural Code of Practice in the evaluation of a proposed consent to sever land in the proximity of a livestock operation."

6. Section 2.10.1, page 137, Snelgrove Area

The Ministry recognizes that the Snelgrove Area will be subject of further study and a possible future Official Plan Amendment. As much of the land within the study area is good agricultural land, as defined by the Food Land Guidelines, the Ministry feels that any future proposal for non-agricultural use in this area will need to justify development as outlined in sections 3.13 and 3.14 of the Guidelines. They recommend the addition of the following new paragraph at the end of Section 2.10.1.2, namely:

"In the Snelgrove-Mayfield Study, the City will satisfy sections 3.13 and 3.14 of the Food Land Guidelines, for that portion of the study which is located within the City of Brampton."

Staff Comments:

Sections 3.13 and 3.14 of the Food Land Guidelines require that municipalities document in detail the justification for development on high capability agricultural lands and indicate why the development could not be equally well located on alternative sites having lower agricultural capability.

Since the Ministry of Agriculture and Food will have the opportunity of making comments on any Official Plan Amendment for Snelgrove and may object to such an amendment on the basis of inadequate justification for the designation of such lands for development, Brampton will have to provide the justification as per sections 3.13 and 3.14 of the Food Land Guidelines. Since the comments of the Ministry are made within the framework of the Food Land Guidelines, any Official Plan Amendment that proposes development on high capability agricultural lands will be subject to the provisions of the Guidelines, whether or not a statement to this effect is contained in the Official Plan. Therefore Staff see no need to include reference to the Food Land Guidelines in general or with respect to this particular area.

RECOMMENDATION:

That Section 2.10.1 of the Official Plan not be modified to include reference to sections 3.13 and 3.14 of the Food Land Guidelines.

7. SCHEDULE A: GENERAL LAND USE DESIGNATIONS

(a) Huttonville Specialty Crop Area

The Ministry indicates that a specialty crop area exists in the vicinity of Huttonville that warrants special recognition in the plan. This is an area within which the coarse textured soils have led to the production of tree fruits, and nursery and greenhouse crops. The Ministry has asked that the area be identified on the Land Use Schedule and in the text to indicate that only agricultural uses will be permitted on the lands. The subject area is indicated on the attached map and the Ministry recommends that an appropriate policy be added to the text.

The Ministry has also requested an addition to the policies which would prohibit the expansion of Huttonville, particularly to the south and west.

STAFF COMMENTS:

Staff agree that the subject lands are a particularly valuable agricultural resource and merit the more stringent controls on land use than the remainder of the rural area. To achieve this, staff propose that the subject area be designated as "Rural-Huttonville Specialty Agricultural Area" and included as a sub-category of the rural designation.

This designation would be defined as follows:

"The Rural-Huttonville Specialty Agricultural Area designation as shown on Schedule A includes all agricultural activities and farm-related residences."

Policies of the Rural section would also apply to the Rural-Huttonville Specialty Agricultural Area designation.

It is proposed that one additional policy be added to this section that would permit existing non-farm residences and lots created for residential purposes to be recognized in the zoning by-law.

Since the new Official Plan clearly defines the limits of Huttonville on Schedule E (1), therefore, it is implicit that no further expansion to Huttonville would be permitted without amendment to the Plan.

Recommendation:

That the area indicated on the attached map be designated as "Rural-Huttonville Specialty Agricultural Area", and that this designation become a sub-category of the Rural designation; and

That the text be amended to define the Rural-Huttonville Specialty Agricultural Area designation as an area where only agricultural activities and farm related residences are permitted; and

That a policy be added to section 2.8 to allow non-farm residences and lots created for residential purposes to be recognized in the zoning by-law.

(b) Industrial Designations in the North-west Quadrant of the Urban Area (Lots 9-13, Concession 2, W.H.S.)

The Ministry objects to the Industrial designation of the majority of the lands in this area. The Ministry feels that the background documentation did not justify the need to designate these lands for industrial purposes, they feel that the documentation provided indicates that the City has adequate land designated for Industrial purposes for 344,000 population level without the inclusion of this area.

With the exception of a small site in Lot 8, Concession 2, W.H.S., (which is currently designated as Industrial), the lands are presently designated and used for agriculture and the soils have a high capability for agriculture. The Ministry of Municipal Affairs and Housing reiterate that they have already received referral requests from the APPEAL group for all of the lands designated Industrial in this area, and from the Brampton North-west Rural Ratepayers on the Industrial designation of lands located in Lots 11-13.

The Ministry of Municipal Affairs and Housing staff recommend that the subject lands be redesignated from Industrial to Agricultural.

Staff Comments:

This area was dealt with at length in a report to Planning Committee in April, 1980 in response to a request from the landowners that their lands be designated Industrial. In that report, staff demonstrated that a total of 7,500 net acres of land were designated Industrial in the draft Official Plan, without the inclusion of these areas, and approximately 6,540 net acres could be justified on the basis of a

capacity population of 344,000.

The inclusion of the lands designated Industrial in Lots 9 - 13, Concession 2, W.H.S. therefore cannot be justified since there are more than enough lands designated for Industrial development in relation to the Industrial employment corresponding to a capacity population of 344,000. The lands presently designated for Industrial development provide a full range of Industrial opportunities within the City relative to location, transportation and services.

The main argument for including the lands in Lots 8, 9 and 10 for Industrial development is the strategic location of the lands relative to the CNR mainline and Highway No. 7, available water service, imminent sanitary sewer service and the draft approval of the Bramacres Industrial subdivision in the south-east corner of this area (abutting the CNR mainline and McLaughlin Road). A watermain can be extended to this area at any time from the Kodak plant area, and the Fletcher's Creek Trunk Sewer extension to this area is scheduled for 1985 construction. These factors combine to make the CNR mainline a very tenuous boundary for urban development in this area.

From strictly a "logical boundary" standpoint, Highway #7 and Second Line West can be supported on the basis of the above factors. In the April, 1980 report, Planning staff, with some reservations, recommended that the area south of Highway No. 7 between McLaughlin Road and Second Line West be designated Industrial.

The Rowntree Farms/Paradise Homes lands north of Highway No. 7, west of McLaughlin Road (Lots 11-13, Concession 2, W.H.S.) similarly cannot be justified from the point of view of being required over the planning period for Industrial development, in light of the population capacity of the plan. McLaughlin Road and Highway No. 7 are more defensible boundaries for development in this area on the basis that there is no precedent for Industrial development approvals west of McLaughlin Road, north of Highway No. 7, and McLaughlin Road is the

westerly boundary of the Etobicoke Creek drainage area north of Highway No. 7. However, from a long term servicing and rail access point of view, this area has no significant constraints.

Staff recommended against the designation of this area as Industrial in the Official Plan in the report of April 1980.

Recommendation:

This is presented for Council decision to either support the designation of the subject areas or recommend to the Minister of Municipal Affairs and Housing to modify the Official Plan to designate the land in Lots 9 - 13, Concession 2, W.H.S. as Rural.

(c) Rural Estate Expansion Areas

The Ministry objects to the designation of the 3 "Rural Estate Expansion Areas". The soils are high capability agricultural land as defined by the Food Land Guidelines. The guidelines clearly indicate that the estate residential development shall only be permitted if it can be accommodated on low capability agricultural land, in areas well removed from agricultural activity, and in a separate designation from agriculture. Because of this conflict with the guidelines, the Ministry objects to the designation of three sites and the related policy section in the text. This area is also objected to by the APPEAL group.

The Ministry of Municipal Affairs and Housing recommends that the 3 "Rural Estate Expansion Areas" be deleted from Schedule A and that Section 2.1.3.2.11, page 64, be deleted from the text.

Staff Comments:

The area designated Rural Estate in the new Official Plan was originally approved (except for a minor additional area) in 1973 as Amendment Number 5 to the Official Plan of the former Township of

Toronto Gore. Since that time, the area has been the subject of considerable subdivision and construction activity as shown on Tables 1 and 2.

Table 1 describes the eighteen registered plans of subdivision in the Rural Estate area in terms of number of lots, building permit activity since 1977, number of vacant lots and number of lots sold. As shown on Table 1, over 45 percent of the lots in registered plans have been built upon, and almost 69 percent of the lots have been sold.

Table 2 shows the draft plans of subdivision that have been approved in the Rural Estate area. A total of 105 lots are presently draft approved, in addition to the 494 lots contained in registered plans of subdivision. Of the approximately 3,200 acres designated Rural Estate, over 1,800 acres are presently covered by registered or draft approved subdivisions.

TABLE 1

Inventory of Vacant Registered Lots and Building Permits
Issued from 1977 to 1983

Registered Plan Numbers	Total Number of Lots	Date of Registration Plan	No. Building Permits ¹ Issued							No. Vacant Reg'd Lots	No. Lots Sold ²
			/77	/78	/79	/80	/81	/82	/83 (Aug)		
M-79	12	June '75	1	2	2	1	3	0	0	3	12
1002	28	Dec. '73	2	1	1	1	3	2	1	6	28
M-312	19	Nov. '79	-	-	-	2	4	4	0	9	19
M-153	12	June '76	-	1	2	1	-	0	0	8	12
M-90	16	Aug. '75	-	3	2	1	1	0	1	7	16
M-415	4	July '81	-	-	-	-	-	0	1	3	3
M-350	42	Mar. '80	-	-	-	-	-	2	0	40	21
M-232	27	Mar/ '78	-	4	5	5	2	1	0	10	27
M-413	6	July '81	-	-	-	-	-	0	0	6	1
M-440	36	Nov. '81	-	-	-	-	-	1	1	35	12
M-322	74	Jan. '80	-	-	-	4	16	7	2	45	1
M-337	34	Mar. '80	-	-	-	5	24	0	2	3	34
M-287	42	May '79	-	-	-	2	4	5	5	26	42
M-314	11	Dec. '79	-	-	-	3	2	0	0	6	11
999	28	Dec. '73	4	-	-	1	7	2	0	5	28
M-304	76	Sep. '79	-	-	2	14	14	1	0	38	54
M-345	20	May '80	-	-	-	1	5	2	0	12	19
M-497	7	Apr. '83	-	-	-	-	-	-	0	7	N/A
	494		7	11	14	41	85	27	13	269	340
Percentage of Total										54.5%	68.8%

¹ Building Permits issued prior to 1977 have not been shown, but are included in the figure for Number of Vacant Registered Lots.

² The Number of Lots Sold is based on an examination of the registered owners of lots, indicated on the Assessment Roll, as compared with the owner of the Plan of Subdivision registration.

TABLE 2

Draft Approved Estate Residential Subdivisions

<u>Developer:</u>	<u>Location:</u>	<u>No. of Lots:</u>
1. Textile Laminations T-25301	Lot 15, Conc. 8, N.D.	25
2. Lorenzo Buldo T-78017B	Lot 13, Conc. 8, N.D.	7
3. Toronto Gore Land Syndicate T-80010B	Lot 13, Conc. 8, N.D.	21
4. Iabono and Guglielmi T-78060B	Lot 15, Conc. 8, N.D.	14
5. Pollari T-77009	Lot 15, Conc. 9, N.D.	10
6. Rushville Construction T-77072B	Lot 13, Conc. 9, N.D.	13
7. Entrance Diversified T-81034	Lot 17, Conc. 8, N.D.	11
8. Rudolf & Gabriele Litz T-82007	Lot 13, Conc. 9, N.D.	4

As part of the process of formulating the new Official Plan, Council directed that certain areas abutting the Rural Estate Area be designated for the eventual expansion of the Rural Estate designation in light of the 20-25 year time frame of the Official Plan. Staff recommended the Rural Estate Expansion Areas as shown on Schedule A on the basis of their location abutting the existing Rural Estate Area, land ownership patterns and the existence of significant water course boundaries.

Since the demand for Rural Estate development is difficult to analyze over the long term, staff recommended that the eventual designation of these areas for Rural Estate development per se be contingent upon substantial development of the Rural Estate area i.e. there would be an amendment from Rural Estate Expansion Area to Rural Estate. This staging strategy is consistent with the wishes of the Ministry of Agriculture and Food as expressed in their letter in that it would ensure that agricultural lands in the area be available for farming for as long as possible.

The current level of subdivision, construction and lot sales activity, clearly supports the position that Rural Estate Expansion Areas will be required within the planning period.

Throughout the period of preparing the Official Plan farmers in the area have maintained that the high capability classification of these lands is questionable.

The attached petition containing 16 signatures has been submitted to the City in support of the Rural Estate Expansion Area designation.

Recommendation:

That the Rural Estate Expansion Area designation not be modified.

(d) Residential Designation of Lots 11-15, Concessions 3-6, W.H.S.
(Ronto/Sandringham Lands)

The Ministry notes that although the designation of this area represents a significant change from the 1978 draft of the Plan, the Ministry recognizes that this land will eventually be required to accommodate urban growth. However, they feel strongly that there is a need for a phasing scheme for this area so that the agricultural community is aware of the sequence of development and can plan accordingly for continued agricultural production in the area until development occurs. They would want to see as much of this land as possible farmed so long as it is not needed for housing.

The Ministry has asked that a phasing or staging plan for residential growth of this area be incorporated into the plan, consistent with section 4C.6 of the Food Land Guidelines. Staff of the City, Ministry of Agriculture and Food and the Ministry of Municipal Affairs and Housing have met to discuss this request by the Ministry of Agriculture and Food and concluded that policies should be included in the plan which would encourage the orderly retreat of the agricultural use, speak to the issue of leasing good agricultural land back to farmers and provide criteria (in addition to those included in section 7.4) for development phasing so as to preserve agricultural land as long as possible.

The Ministry of Municipal Affairs and Housing suggest that objectives and policies be included in the general provisions, specific secondary plans and budgeting and development phasing sections of the plan and wherever else City staff deems it appropriate.

Staff Comments:

A significant section of the proposed Official Plan contains policies that address the issue of staging development in areas contiguous to existing development and in accordance with the availability of hard services and community services. While these policies do not explicitly deal with the agricultural issue, their implementation will

automatically achieve the objectives of the Ministry. The Ministry, however, would like greater emphasis in the plan on the issue of ensuring the longest possible availability of agricultural lands in large areas undergoing development.

Staff have discussed this matter with the Ministry of Agriculture and Food and the Ministry of Municipal Affairs and Housing and propose that the Official Plan be modified by adding the policies set out in the recommendation. These policies serve to specifically address the issue of phasing out agricultural uses in an orderly manner in areas undergoing development. The issue is dealt with in a general manner in the proposed policies to be added to general provisions chapter, and more specifically in the policies dealing with the Ronto/Sandringham Secondary Plan Area (Section 7.2.7.28) and with development phasing.

Recommendation:

That the Official Plan be modified as follows:

1. add the following objective and policies to Chapter 1: General Provisions:

"1.11 ORDERLY RETREAT OF AGRICULTURAL USES

Introduction

Significant areas presently used for agricultural purposes are designated for urban development in this Plan. Development of these lands for urban purposes must be phased in such a manner that the opportunity for agricultural purposes remains intact as long as is practicable.

1.11.1 OBJECTIVE:

The productive use of lands having high agricultural capability and located within the Urban Boundary, for as long as is practicable.

Policies:

1.11.1.1 Through the orderly phasing of development in accordance with the policies of section 7.4 of this Plan, Council shall endeavour to ensure that lands with high agricultural capability remain available for agricultural purposes for as long as is practicable.

1.11.1.2 Council may require as a condition of secondary plan or subdivision approval that the development of lands be phased in such a manner that portions of a New Development Area with high agricultural capability remain available for agricultural purposes for as long as is practicable.

1.11.1.3 Council shall encourage developers of land within the Urban Boundary, shown on Schedule A to this Plan, to lease such lands to farmers on a long term basis prior to the construction of urban uses."

2. add the following policy to subsection 7.2.7.28:

"7.2.7.28 Area 28: North-east Brampton

Council shall set out policies in the secondary plan for Secondary Plan Area 28 where necessary to ensure that development is phased in such a manner that lands having high agricultural capability remain available for agricultural purposes for as long as is practicable."

3. add the following criterion under policy 7.4.2 (within Section 7.4: Budgeting and Development Phasing) as 7.4.2(ix) and renumber the last two criteria accordingly.

"(ix) Availability of Agricultural Land: Favours those developments that are on the least capable agricultural land, are contiguous to existing development, and do not encroach on large units of undeveloped agricultural lands that are defined by significant natural or man-made boundaries."

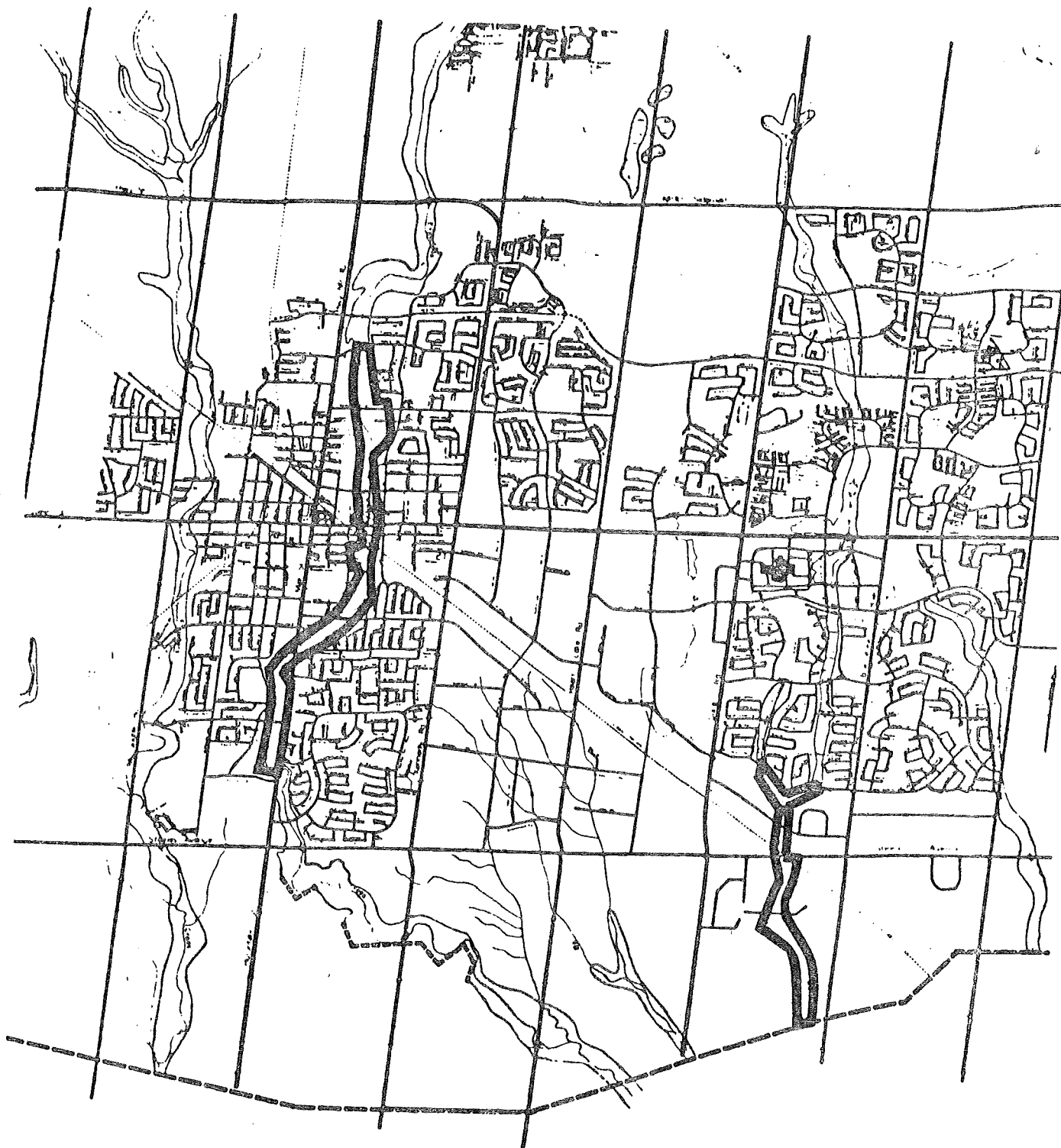
B. OTHER ISSUES AND REFERRAL REQUESTS

1. Metro Toronto and Region Conservation Authority

Since sending out their previous post-circulation letter, the Ministry of Municipal Affairs and Housing have received new mapping from the Metro Toronto and Region Conservation Authority which indicates that more land is subject to possible flooding under the Regional Storm Conditions than that shown on Schedule B. This additional land is located along the Etobicoke Creek. The new mapping was not finalized at the time the Brampton Plan was adopted and circulated to the Authority. At that time, the Authority indicated that new mapping was being prepared and might show additional lands as being subject to flooding.

Staff of the Ministry of Municipal Affairs and Housing met with City staff, the staff of the M.T.R.C.A. and the Ministry of Natural Resources to discuss the new mapping. It was concluded that the most appropriate method of including the new mapping into the new Brampton Official Plan would be by recommending that the following parts of the plan be deferred:

- (a) the areas shaded on the attached copy of Schedule B Hazard Lands, and
- (b) section 1.2 "Hazard Lands" of the text, but only insofar as it applies to the areas shaded on the attached copy of Schedule B.



Hazard Land Areas
Proposed For Deferral



CITY OF BRAMPTON
Planning and Development

Date: 83 09 01 Drawn by: RB
File no. Map no.

This deferral would enable staff to prepare appropriate mapping and policies for orderly development in accordance with the purposes and intent of your Official Plan, but at the same time also in accordance with the Provincial policy on planning for floodplain lands as announced in September of 1982. Such additional mapping policies can then be incorporated into the Official Plan by amendment.

Staff Comments:

Staff have reviewed the latest floodplain mapping from the M.T.R.C.A. and note that formerly indefinite "spill" zones related to the West and Central Branches of the Etobicoke Creek have been more accurately mapped and cover some areas of existing development.

The mapping sets out two floodlines: The Regional Storm (the most sever flooding event anticipated) and the 100 Year Storm. The area between them, the "flood fringe", can be developed subject to special construction requirements. Since the proposed Brampton Official Plan puts out only a single hazard land designation, there is a need to review the approach to this designation in order to clearly delineate the two levels of development constraints.

Considerable further discussion is required and this issue can be resolved subsequent to the remainder of the plan being approved.

Recommendation:

That Council concur with the deferral of the areas shaded on the attached copy of Schedule B, Hazard Lands, and Section 1.2 of the text as it applies to the area shaded on Schedule B.

2. Lands Located at the South-west Corner of Steeles Avenue and Kennedy Road

The Ministry of Municipal Affairs and Housing note that the plan designates as "Open Space" some 20 hectares (50 acres) of land at the

south-west corner of Steeles Avenue and Kennedy Road. It appears that this designation was placed on the lands because they are owned by the Province and were acquired as part of the original 100 acre parcel. The Parkway Belt West Plan, as approved by Cabinet in July 1978, calls for public acquisition of the south-westerly half of the property only. The other half lying outside of the Parkway Belt West Plan, was and is still not required for Parkway Belt purposes and will be disposed of together with numerous remnant parcels throughout the Parkway Belt which have already been sold or will be sold in the near future.

Ministry staff are prepared to recommend that the designation of the subject parcel be deferred at the time of the approval of the Brampton Official Plan. This would enable the staff of the City and Provincial staff to discuss the most appropriate land use designation for the subject property.

Recommendation:

That Council concur with the deferral of the lands designated Open Space at the south-west corner of Steeles Avenue and Kennedy Road.

3. Objection from Mrs. Verna Flowers, on behalf of APPEAL

The letter of objection from Mrs. Flowers on behalf of APPEAL was received by the Ministry subsequent to Council approval of the Official Plan in July 1982 and further clarifies the objections of APPEAL. The Ministry requests any further comments that Council may have on this objection.

Staff Comments:

APPEAL submitted a 23 page objection to the proposed Official Plan that is attached for the consideration of Council. The letter consists of two parts: a covering letter that expresses their objection to the development of Class 1 agricultural lands in Brampton and two appendices that propose a rewrite of many sections of the plan and the

addition of numerous goals, objectives and policies to emphasize the point of view of preserving agricultural land. APPEAL specifically objects to the designation of the following areas for development:

- New Development Area 1 - Snelgrove
- New Development Area 4 - Ronto/Sandringham Area
- New Development Area 8 - Rowntree Farm/Paradise Homes Area
- New Development Area 9 - Proposed Industrial Area south of Highway #7, west of McLaughlin Road
- New Development Areas 10, 11 & 12 - Proposed residential areas between existing development and Second Line West, between the CNR mainline and Steeles Avenue
- The Expansion Rural Settlements
- The Rural Estate Expansion Areas

In general, it is the opinion of staff that most of the suggested changes have no technical basis, are inappropriate in an Official Plan, or are redundant, and would result in a complete over-emphasis of the agricultural issue in the Official Plan. A number of points raised by APPEAL have also been raised by the Ministry of Agriculture and Food and responded to earlier in the report.

For the sake of brevity, staff have responded only to those comments of the APPEAL group (other than those raised by the Ministry of Agriculture and Food) that merit modification of the plan. Staff are prepared to respond verbally to any of the points that have not led to a recommendation for modification.

(a) Justification For Lands Designated For Urban Development

The APPEAL group have objected to the designation of several areas of the plan for development almost solely on the basis of its Class 1 Agricultural capability. They have also questioned the growth projections in the Official Plan but have presented no technical substantiation for their lower population figures.

Planning staff have, on a number of occasions, presented the substantiation for the amount of residential development proposed in the plan on the basis of:

- population growth projections,
- the amount of industrial land already approved in the Consolidated Official Plan,
- servicing commitments,
- sound planning principles.

As indicated previously in the report, the only areas within the plan that cannot be justified on the basis of growth projections and an appropriate ratio of residential designations to industrial designations are the Industrial lands west of McLaughlin Road north of the CNR mainline (Lots 9-13, Concession 2, W.H.S.)

(b) Section 1.1.1(1) - Land Severances

APPEAL requests the addition of the following policy as Section 1.1.1(1)(g) in order to emphasize the important principles in the Food Land Guidelines and the role of the Ministry of Agriculture and Food:

"Severances on land designated agricultural shall be in accordance with the general provisions of the Food Land Guidelines, and the Food Land Preservation Branch of the Ministry of Agriculture and Food should be consulted with respect to applications in these areas."

Staff Comment:

Policy 1.1.1(1)(f) of the plan is as follows:

"(f) The Ministry of Natural Resources or the Conservation Authority should be consulted with respect to applications covered by their jurisdictions."

Since severance applications are routinely referred to the Ministry of Agriculture and Food for comments by the Regional Land Division Committee staff, it is recommended that the Ministry of Agriculture and Food be added to the other agencies included in policy 1.1.1(1)(f).

Recommendation:

That policy 1.1.1(1)(f) be deleted and replaced with the following:

"The Ministry of Natural Resources, the Conservation Authority or the Ministry of Agriculture and Food should be consulted with respect to applications in areas covered by their jurisdictions."

(c) Section 4.1.1 - Transportation Objective

APPEAL requests referral of this section insofar as it fails to recognize farming as an integral and essential component of the Brampton Planning Area.

Section 4.1.1 reads as follows:

"OBJECTIVE:

Efficient transportation services which are compatible with other land uses and meet the varied needs of most of those who live, shop or work in Brampton, as well as those who pass through Brampton."

APPEAL will argue that the word "farm" be added to this section between the words "shop" and "or".

Staff Comments:

Staff agree that farming should be mentioned in this section as a land use activity served by the transportation network.

Recommendation:

That section 4.1.1 be amended to read as follows:

"OBJECTIVE:

Efficient transportation services which are compatible with other land uses and meet the varied needs of most of those who live, shop, farm, or work in Brampton, as well as those who pass through Brampton.

4. Letter from Mr. Elbert van Donkersgoed, on behalf of the Coalition to Preserve Foodland

The attached letter from Mr. van Donkersgoed supports the objection of APPEAL, citing basically the same arguments.

Staff Comments:

Since Mr. van Donkersgoed's concerns have been addressed in comments dealing with the Ministry of Agriculture and Food and the APPEAL comments, no further comment is required.

5. Objection from the Town of Caledon regarding Tullamore

The Town of Caledon objects to Section 2.1.2.43 of the Official Plan together with any other solution of the plan pertaining to the servicing of Tullamore.

Staff Comments:

The Town of Caledon objection to the Brampton Official Plan policies for Tullamore is based on the relatively modest amount of new development proposed in Brampton (approximately 42 acres to be developed on 1 acre lots) contrasted with a substantial amount of development on full services proposed for the Caledon portion.

Caledon Planning staff presented their proposal for Tullamore in response to the Region of Peel Snelgrove/Mayfield study on February 22, 1982. This report proposed that Tullamore become a "moderate growth centre" with an eventual population of 4,275 and 115 acres of industrial and commercial development on the basis that it would be "in keeping with the philosophy of preserving a distinctly rural character in Caledon by strengthening the village form of development and preventing the incursion of urban development from Brampton". The proposed development would be as follows:

- 225 acres of residential development on both sides of Airport Road at 5 units per acre and a small strip of residential lots along Number 17 Sideroad intended to recognize existing residential uses
- 100 acres of industrial development east of Airport Road
- 15 acres of commercial development on the north-east and north-west corners of Airport Road and Number 17 Sideroad
- municipal water and sanitary sewers required to service development

Brampton staff expressed the following concerns regarding the Caledon proposal for Tullamore:

- the 340 acres allocated for development in Caledon is totally out of scale with the 42 acres designated for development in Brampton
- Caledon has provided no valid justification for the amount of development proposed in Tullamore that would be a form of "leap frog" development on the periphery of Brampton
- Caledon proposed urban development densities of 5 units per acre on full municipal services, in contrast with the rural settlement density of 1 unit per acre on private sewage disposal and water supply in Brampton
- the extension of a sanitary trunk sewer to Tullamore from the Brampton urban boundary would put development pressure on an area designated Rural in the Brampton Official Plan

Region of Peel Public Works staff have serious reservations as to the practicality and desirability of providing water (looped system) and sanitary sewer service to the Tullamore area.

Brampton Council approved the following recommendation on April 26, 1982 regarding Tullamore:

"THAT the Town of Caledon be informed of Council's concern about the development of Tullamore and requested to reduce the scale of development and servicing requirements in Tullamore to make it consistent with the scale of development and servicing required in the Brampton portion."

In response to these comments, Caledon Planning staff contended, in a report dated June 21, 1982, that the increased scale of development in the Caledon portion of Tullamore does not automatically imply incompatibility. They stated that Brampton's implication that the justification for development in Tullamore appears to be based primarily on a concern for improving the assessment ratio of residential to industrial lands is a misrepresentation of their position. They stated that the primary purpose of development in Tullamore is to add a new, large village in Caledon.

In the report dated June 29, 1982, Brampton staff maintained their original position that the scale of development being proposed for Tullamore and Caledon is inconsistent with that of Tullamore in Brampton.

At its meeting of July 16, 1982, Brampton City Council passed the following resolution:

"THAT the Town of Caledon be informed that Brampton Council maintains its position regarding the reduction of scale and servicing requirements for the

proposed development of Tullamore to make it consistent with the Official Plan designation for the rural settlement of Tullamore."

The basic concern of the Town of Caledon is that the approval of the type and scale of development and related services proposed for the Brampton portion of Tullamore will prejudice the Caledon proposal. It is the opinion of staff that the Caledon proposal is not supportable on planning grounds and that Council should maintain its position regarding the type and scale of development in the Brampton portion of Tullamore.

Recommendation:

That there be no modification to the Official Plan as it affects the Rural settlement of Tullamore.

6. Objection by Mr. R.K. Webb, Q.C., on behalf of Dr. Allan Russell, west half of Lot 12, Concession 10, N.D.

The subject lands are located on the east side of The Gore Road, just north of No. 10 Sideroad (Castlemore Road).

Mr. Webb objects to the designation of the west half of lot 12, Concession 10, N.D. in that his desire is that all of the subject lands be designated for "Rural Estate Expansion".

Staff Comments:

The subject lands are bisected by the boundary of the Rural Estate Expansion Area which coincides with the watercourse. As an alternative to this clear and natural boundary, the objector proposes the mid-concession line which is arbitrary and has no basis from a planning perspective.

Recommendation:

That there be no modification to the Rural Estate Expansion Area boundary.

7. Mr. R. Maksymiw, Q.C., on behalf of 8 parties (Albert D'Orazio et al), part of Lots 11-13, Concession 7, N.D.

The objection is on behalf of the owners of 8 properties in the area bounded by Airport Road, Number 15 Sideroad, Goreway Drive and Number 10 Sideroad. He objects to the designation of the lands as Rural in that:

- . abutting lands are designated for development,
- . the lands abut Airport Road, a busy artery,
- . no serious servicing problems are evident (an unsubstantiated claim),
- . wide tracts of open space lands to the east provide convenient and effective buffers between the subject lands and proposed rural estate designated lands to the east.

Staff Comments:

The subject lands are an area of rural designated lands between the rural estate expansion area to the east and the Residential designation (Ronto et al lands) to the west of Airport Road.

Region of Peel Public Works staff indicate that there are no plans to provide sanitary sewer service to this area, therefore there is no basis for the claim that no serious servicing problems are evident.

It is the opinion of staff that there is no justification for designating these lands for development on the basis that additional residential, industrial or rural estate lands are required in the long term. Since the subject lands are interstitial to areas designated for development, their future suitability for development can be evaluated in the future when the plan is reviewed every 5 years.

In the meantime the lands would remain available for agriculture and form a buffer between the Residential and the Rural Estate designations.

Recommendation:

That the Official Plan not be modified as it affects Lots 11-13, Concession 7, N.D.

8. Objection by Mr. R.K. Webb, Q.C., on behalf of B. and D. Skoko

Mr. Webb objects to section 1.1.2(2)(b)(ii)(D), page 27 because, in his opinion, the policy is too restrictive to his clients. The subject policy sets out that no more than two consents per 40.5 hectare (100 acre) original farm half lot shall be permitted even if the proposed consent complies with all of the preceding policies and criteria in the plan.

Staff Comments:

The limit on two severances per 100 acre original farm half lot is a long established planning policy in Brampton, derived from the Consolidated Official Plan. Such a limit is essential in preventing the fragmenting of agricultural land holds by incremental severances.

It is noted that the Ministry of Agriculture and Food desire an even more stringent policy regarding severances than that proposed in the new Official Plan.

Recommendation:

That Section 1.1.2(2)(b)(ii)(D) not be modified.

9. Objection by Mr. Edward Sorbara, on behalf of Sam-Sor Enterprises

Mr. Sorbara has asked that the Industrial designation of part of lot 4, concession 9, N.D. not be deferred as was suggested by Council.

Staff Comments:

On June 23, 1980 Brampton City Council recommended that the Sam-Sor Enterprises Incorporated draft plan of subdivision for dry industrial purposes at the south-west corner of Highway #7 and The Gore Road be approved. This draft approval was made conditional upon the applicant providing water services to the site by means of a central water supply or individual wells. These lands were designated industrial in the August 1980 proposed Official Plan with special provisions relating to the dry industrial use.

In June 1982 the applicant had not yet satisfied the condition of supplying potable water to the subdivision, therefore there was a question whether or not the proposed industrial subdivision on the Sam-Sor lands was feasible. Therefore staff recommended, and Council approved a request to the Minister of Municipal Affairs and Housing that the designation of the property and the site specific policies set out in section 2.3.9 of the new Official Plan be deferred until the water supply concerns had been resolved.

At its meeting of August 2, 1983, Region of Peel Council approved a local improvement watermain on The Gore Road which will run from its present termination to the intersection of The Gore Road and Highway #7. At this meeting, Regional Council granted Sam-Sor Enterprises permission to connect to the watermain. The major contingency of water supply upon which the referral request was based has therefore been resolved.

Recommendation:

That Council withdraw its request that the Minister of Municipal Affairs and Housing defer approval of section 2.3.9 of the plan and the industrial designation in part of the East Half of Lot 4, Concession 9, N.D.

10. Letter from Mr. Albert Starkman

Mr. Starkman has requested clarification as to whether or not his entire property located between Steeles Avenue and the C.P.R. line, east of the Second Line West, is included within the Urban Boundary (New Development Area No. 12).

Staff Comments:

The urban boundary in the subject area will coincide with the Mavis Road extension and/or the westerly limit of the Fletcher's Creek Sanitary Sewer drainage area. The Urban Boundary limit as shown on Schedule "A" of the new Official Plan may be moved to coincide with either or both of these features without amendment to the Plan. This interpretation is based on the flexibility provision contained in Section 7.3.6 of the Plan.

Recommendation:

That the Ministry of Municipal Affairs and Housing be informed of Council's interpretation of the urban boundary in Lots 1 and 2, Concession 2. W.H.S.

11. Letter from Mr. J. Taylor, R.E. Winter & Associates Limited, on behalf of Paramount Development Corporation Limited, in support of the Official Plan

Mr. James Taylor of R.E. Winter and Associates Limited has submitted two letters to the Minister of Municipal Affairs and Housing in support of the residential designation of new Development Area 12 (the area between the CPR tracks and Steeles Avenue west of the existing Sheridan Woods subdivision).

OVERALL RECOMMENDATION:

That the recommendations in this report be forwarded to the Minister of Municipal Affairs and Housing as the City of Brampton response to

the Ministry's post-circulation letter dated July 15, 1983 on the proposed Official Plan for the City of Brampton Planning Area.

CONCUR:

F.R. Dalzell,
Commissioner of Planning
and Development.

JAM/kab

John A. Marshall, M.C.I.P.,
Director of Planning Policy
and Research.