

**Adoption of Official Plan Amendment OP2006-235 (By-law 36-2023)
and Zoning By-law 37-2023**

1879 Queen Street West

Date of Decision: March 1, 2023
Date of Notice: March 13, 2023
Last Date of Appeal: April 3, 2023

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 36-2023, to adopt Official Plan Amendment OP2006-235 and By-law 37-2023, to amend Comprehensive Zoning By-law 270-2004, under sections 17 and 34, respectively, of the *Planning Act* R.S.O., c.P.13, as amended, pursuant to an application by – by Korsiak Urban Planning on behalf of Jim and Luisa Mocon, File No: OZS-2020-0036.

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 OP2006-235 (By-law 36-2023): To amend the Official Plan to facilitate a mixed use residential development.

The Purpose and Effect of Zoning By-law 37-2023: To amend the Zoning By-law to facilitate a mixed use residential development. That includes the development of nine single detached dwellings, 39 street townhouses, one condo townhouse block, one apartment block, one park, a stormwater management pond and several Natural Heritage System blocks.

Location of Lands Affected: Located on the southeast corner of Mississauga Road and Queen Street West.

Obtaining Additional Information: A copy of the by-laws is provided. The complete by-laws 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 Kelly Henderson, City of Brampton, Planning, Building and Growth Management, kelly.henderson@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.

Under the *Planning Act* there is a Subdivision Application (21T-20011B) 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 April 3, 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
905.874.3858



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 36 - 2023

To adopt Amendment Number OP2006- 235

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 follow:

1. Amendment Number OP2006- 235 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 1st day of March, 2023.

Approved as to
form.

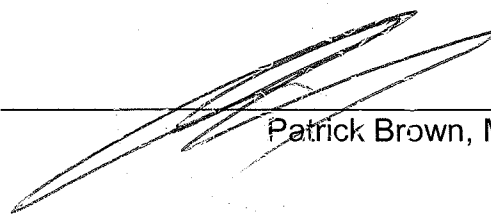
2022/06/30


SDSR

Approved as to
content.

2022/06/30

AAP


Patrick Brown, Mayor


Peter Fay, City Clerk

(OZS-2020-0036)

AMENDMENT NUMBER OP 2006- 235
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to amend the Secondary Plan Area 45, the Credit Valley Secondary Plan and Land Use Schedule, to permit the future development of lands known municipally as 1879 Queen Street West with medium and high density residential uses.

2.0 Location:

The lands subject to this amendment are located on the southeast corner of Mississauga Road and Queen Street West. The lands have an area of 6.9 hectares (17 acres) and are described as Part of Lot 5, Concession 4 WHS in the City of Brampton.

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 adding to the list of amendments pertaining to Secondary Plan Area Number 45: Credit Valley as set out in Part Two: Secondary Plans thereof, Amendment Number OP 2006- 235

3.2 The portions of the document known as the 1993 Official Plan of the City of Brampton Planning Area, which remains in force, as they relate to the Credit Valley Secondary Plan, being Chapter 45, of Part II of the City of Brampton Official Plan, as amended, are hereby further amended:

1. By changing on Schedule 45(a), the land use designations of the lands shown outlined on Schedule 'A' to this amendment from 'Low Density 1 Residential' to 'Primary Valleyland', 'Medium Density Residential' and 'High Density Residential'; from 'Primary Valleyland' and 'Low Density 1 Residential' to 'High Density Residential'; and by adding a High Density Residential designation to the legend;

2. By deleting policy 6.2.1 in its entirety and renumbering the subsequent sections

3. By deleting policy 6.2.2 in its entirety and replacing it with the following section as 6.2.1:

"6.2.1 Special Policy Area 2 recognizes the long term development potential of these lands for urban uses, in accordance with the residential designations of this Chapter. Due to various access and land use constraints, Special Policy Area 2 shall be developed as an integrated entity, generally in accordance with the Council approved Tertiary Plan dated June 20th, 2022, attached as Appendix 1"

4. By deleting policy 6.2.4 in its entirety and replacing it with the following section as 6.2.3:

"6.2.3 The Lands municipally known as 1879 Queen Street West shall be subject to the following:

- i. Notwithstanding Section 4.6.13 of the Official Plan, the limit of development, and any buffer from natural features shall be in accordance with the Scoped Environmental Impact Study 1879 Queen Street West City of Brampton" prepared by Beacon Environmental Limited and dated April 2022.

- ii. Notwithstanding the provisions of the 'Medium Density' designation of this Plan, a maximum density of 62 units per net residential hectare shall be permitted on the 1.34 hectares designated as 'Medium Density' within the subject lands.
 - iii. Notwithstanding the lands being designated on Schedule A1-Upsclae Executive Housing Special Policy Area of the Official Plan, the lands are not designated Executive Residential on Schedule 45(A) of the Credit Valley Secondary Plan. However, the development of the lands shall implement the Upscale Executive Housing design principles and standards through the approved Community Design Guidelines."
5. By adding to Section 5.2 (Residential), a new subsection titled 'High Density Residential' as follows:

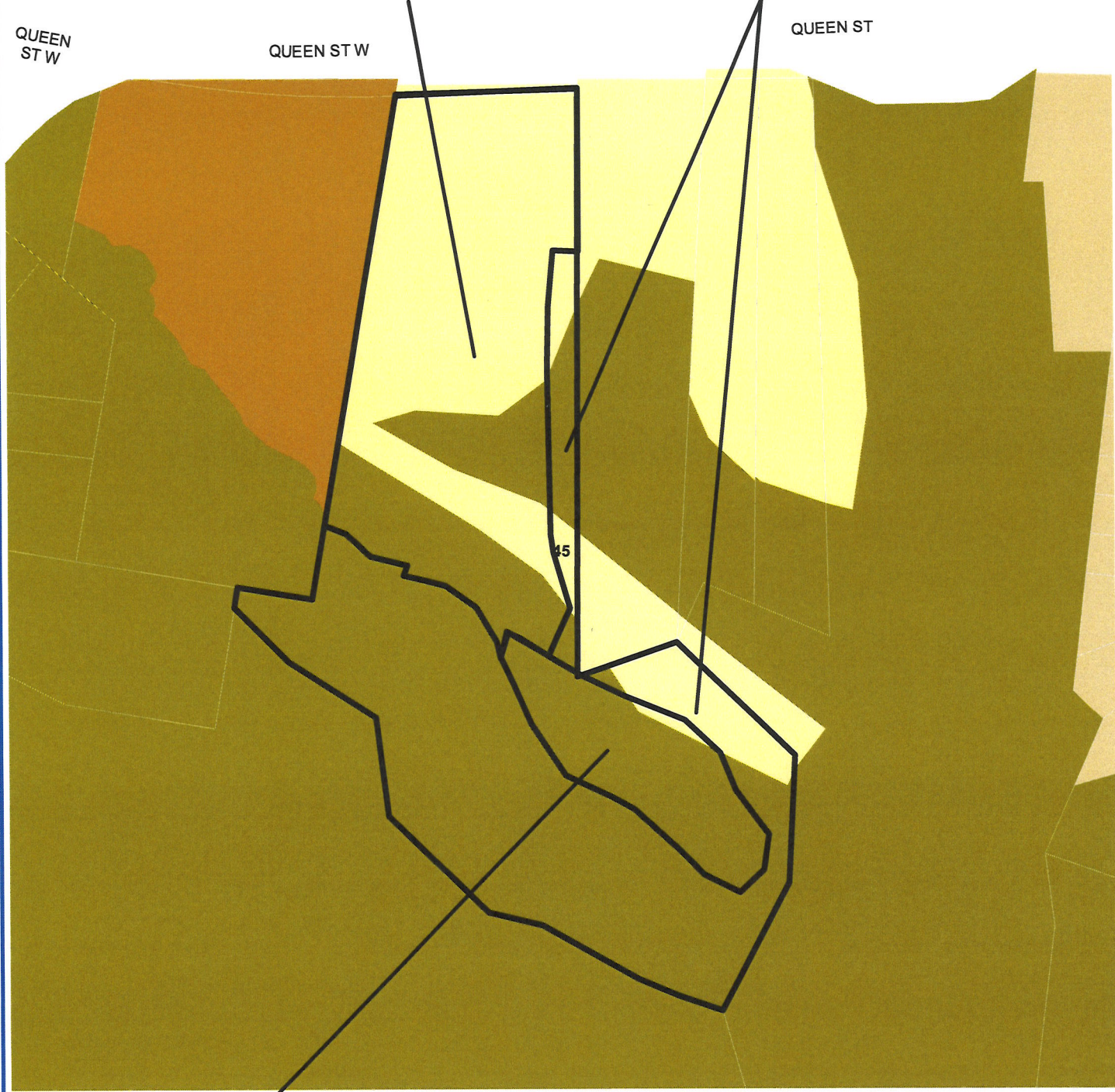
"5.2.11 High Density Residential

5.2.11.1 On lands designated High Density Residential, as shown on SPA45(a) the following shall apply, subject to section 5.2.1 of this Chapter:

- i. Permitted uses shall include an apartment building; and
- ii. A maximum Floor Space Index of 3.0 shall be permitted (exclusive of underground parking garage)."

LANDS TO BE REDESIGNATED FROM
"LOW DENSITY RESIDENTIAL 1" AND
"PRIMARY VALLEYLAND" TO
"MEDIUM DENSITY RESIDENTIAL"

LANDS TO BE REDESIGNATED FROM
"LOW DENSITY RESIDENTIAL 1" AND
"PRIMARY VALLEYLAND" TO
"PRIMARY VALLEYLAND"



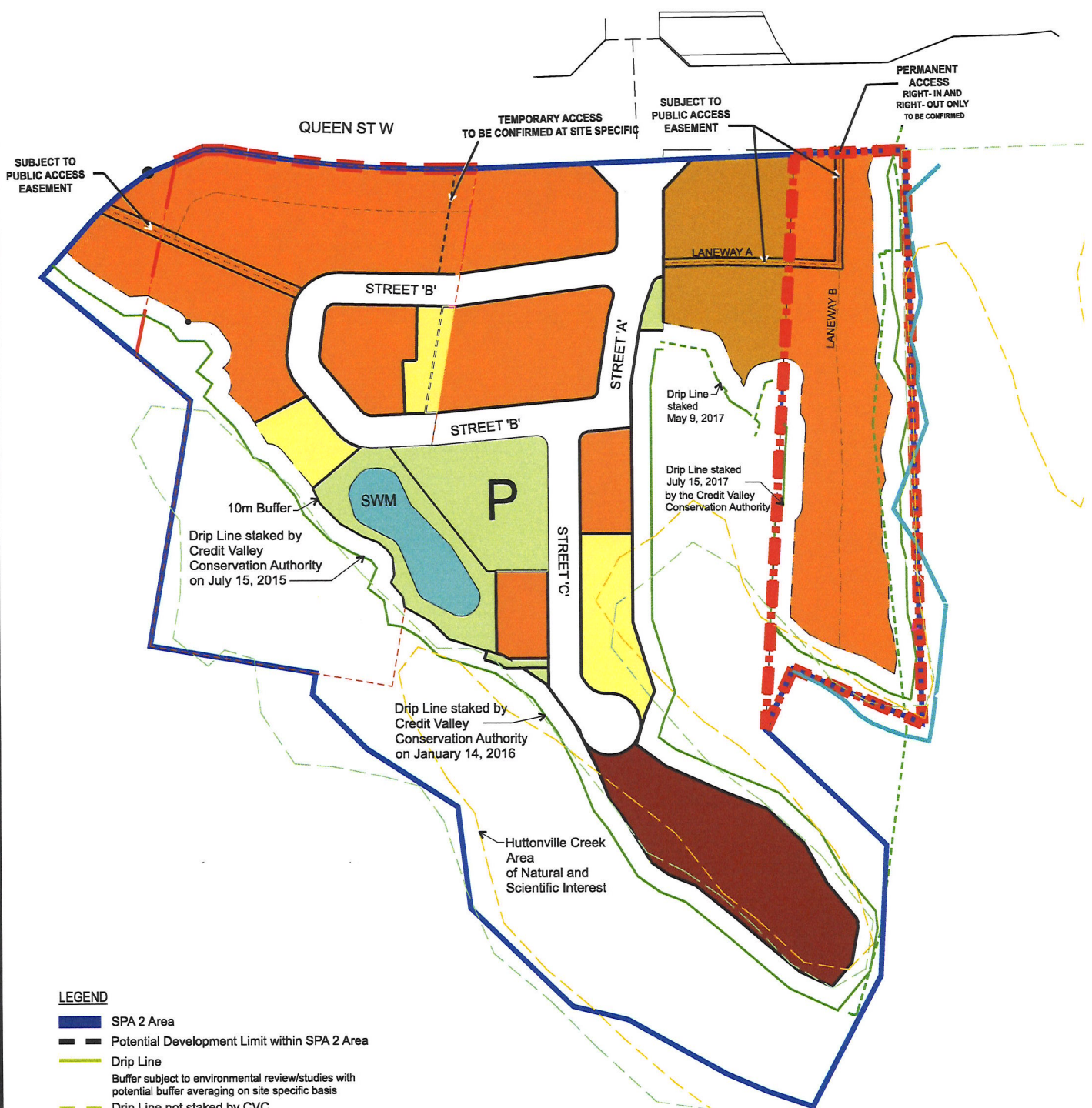
LANDS TO BE REDESIGNATED FROM
"PRIMARY VALLEYLAND AND
"LOW DENSITY RESIDENTIAL 1" TO
"HIGH DENSITY RESIDENTIAL"

EXTRACT FROM SCHEDULE SP45(A) OF THE DOCUMENT KNOWN AS THE CREDIT VALLEY SECONDARY PLAN

RESIDENTIAL	COMMERCIAL	OPEN SPACE
EXECUTIVE RESIDENTIAL	CONVENIENCE COMMERCIAL	CITY WIDE PARK
LOW DENSITY RESIDENTIAL 1	COMMERCIAL	COMMUNITY PARK
LOW DENSITY RESIDENTIAL 2	DISTRICT RETAIL	NEIGHBOURHOOD PARK
MEDIUM DENSITY RESIDENTIAL	HIGHWAY COMMERCIAL	OPEN SPACE
VILLAGE RESIDENTIAL		PRIMARY VALLEYLAND
INSTITUTIONAL	OTHER	SECONDARY VALLEY LAND
PUBLIC JUNIOR ELEMENTARY SCHOOL	HERITAGE RESOURCE	SPRINGBROOK SETTLEMENT AREA
PUBLIC SECONDARY SCHOOL	ONTARIO HYDRO POWER CORRIDOR	WOODLOT
SEPARATE ELEMENTARY SCHOOL	RAILWAY	FLOOD / HAZARD LANDS
JUNIOR PUBLIC SCHOOL		SIGNIFICANT WOODLOTS
PLACE OF WORSHIP		STORM WATER MANAGEMENT POND
PUBLIC SENIOR ELEMENTARY SCHOOL		TERRESTRIAL FEATURES
SEPARATE SECONDARY SCHOOL		VALLEYLAND

NOTE: "HIGH DENSITY 1
RESIDENTIAL" TO
BE ADDED TO LEGEND

APPENDIX 1



APPENDIX 1 - TERTIARY PLAN



BRAMPTON
FlowerCity

Date: 2022 06 28
File: OZS-2020-0036

Drawn By: CJK



By-law 36-2023



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 37 - 2023

To amend the Comprehensive Zoning By-law 270-2004

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

AND WHEREAS....

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. By-law 270-2004, as amended, is hereby further amended:
 - 1) By changing Schedule A thereto, the zoning designation of the lands as shown outline on Schedule A to this by-law:

From:	To:
Agricultural (A) and Recreation Commercial Section 560 (RC-560)	Residential Single Detached F-9.0- Section-2970 (R1F-9.0-2970)
	Residential Townhouse C – Section 3639 (R3C-3639)
	Residential Townhouse E – 5.5 – Section 2972 (R3E-5.5.-2972)
	Residential Apartment A – Section 3640 (R4A-3640)
	Open Space (OS)
	Floodplain (F)

- 2) By adding the following sections:

“3639 The lands designated R3C-3639 on Schedule A to this By-law:

3639.1 Shall only be used for the following purposes:

- a) Rear Lane Townhouse Dwelling

b) Back-to-Back Townhouse Dwelling

3639.2 For lands designated R3C-3639, Section 10.13.2 shall not apply

3639.3 Rear Lane Townhouses shall be subject to the following requirements and restrictions:

a) Minimum Lot Area:

- a. Interior Lot – 84 square metres
- b. Corner Lot – 120 square metres
- c. End Lot – 90 square metres

b) Minimum Lot Width

- a. Interior Lot – 5.0 metres
- b. Corner Lot – 8.0 metres
- c. End Lot – 6.2 metres

c) Minimum Front Yard Setback:

- a. 1.4 metres;
- b. The main wall of a dwelling may encroach into the front yard to within 0.0 metres of a daylight rounding/triangle

d) Minimum Exterior Side Yard Setback

- a. 1.2 metres
- b. The main wall of a dwelling may encroach into the exterior side yard to within 0.0 metres of a daylight rounding/triangle

e) Minimum Rear Yard Setback

- a. No minimum rear yard depth shall apply except where a garage door is accessed by a rear lane the minimum setback to a garage door is 0.6 metres

f) Minimum Interior Side Yard Setback

- a. 1.2 metres; for a total separation of a minimum 2.4 metres between townhouse blocks
- b. 0.0 metres when an abutting a side lot line that coincides with a common wall between two dwellings and/or two garages

g) Maximum Building Height: 14.0 metres

h) Minimum Dwelling Unit Width: 5.0 metres

i) Minimum Amenity Area

- a. 3.5 square metres shall be provided either on a balcony/uncovered terrace on the second floor, third floor or roof or in the front yard at ground level;

j) Minimum Landscape Open Space: No requirement.

k) The following shall apply to garages:

- a. The maximum cumulative garage door width shall be 3.0 metres
- b. The interior garage width, as calculated 3.0 metres from the garage opening shall be a maximum 0.9 metres greater than the maximum garage door width permitted on the lot;

- l) Air conditioning units may be located on a balcony or uncovered terrace or rear yard
- m) Maximum fence height permitted with the front yard: 1.2 metres
- n) No more than 8 dwelling units shall be attached

3639.4 A Back to Back Townhouse Dwelling shall be subject to the following requirements and restrictions:

- a) Minimum Lot Area:
 - a. Interior Lot – 72 square metres
 - b. Corner Lot - 108 square metres
 - c. End Lot – 95 square metres
- b) Minimum Lot Width:
 - a. Interior Lot – 6.0 metres
 - b. Corner Lot – 9.0 metres
 - c. End Lot 7.2 metres
- c) Minimum Front Yard Depth
 - a. 3.0 metres
 - b. 5.5 metres to a garage door facing the front lot line
- d) Minimum Exterior Side Yard Width
 - a. 1.2 metres to a public road
 - b. 1.2 metres where a side yard abuts a common amenity area
- e) Minimum Rear Yard Depth: 0.0 metres
- f) Minimum Interior Side Yard Width
 - a. 1.2 metres
 - b. 0.0 metres when abutting a side lot line that coincides with the shared common wall between two dwellings
- g) Maximum Building Height: 14.0 metres, except that a mechanical penthouse access to a roof terrace and parapet may project beyond the permitted building height by a maximum of 3.5 metres
- h) For Back to Back Townhouses a maximum of 16 Dwelling Units may be attached in a contiguous structure, provided the structure is only 8 units wide and 2 units deep;
- i) Minimum Amenity Area:
 - a. 3.5 square metres shall be provided either on a balcony/uncovered terrace on the second floor or third floor or in the front yard at ground level;
- j) Minimum Landscape Open Space: No requirement
- k) Air conditioning units may be located on a balcony or uncovered terrace.
- l) The following provisions shall apply to garages:
 - a. The maximum cumulative garage door width shall be 3.0 metres;
 - b. The maximum interior garage width, of an attached garage, shall be 0.9 metres wider than the maximum permitted cumulative garage door width

3639.5 Notwithstanding Section 6.13, the following encroachments shall be permitted:

- a) A porch and/or balcony with or without a foundation or cold cellar may encroach 1.4 metres into the minimum front yard;
- b) A bay window, bow window or box window with or without foundation or cold cellar may encroach 1.0 metres into the front yard;
- c) A bay window, bow window or box window with or without a foundation or cold cellar may encroach 0.7 metres into a 1.2 metres side yard;
- d) Exterior risers may project to a setback of 0.3 metres from any lot line, private walkway, private lane, and private road.

3639.6 Notwithstanding Section 6.13, Table 6.13A, the following shall apply:

- a) The maximum width of a bay, bow, or box window with or without foundations shall be 4.5 metres
- b) The maximum depth of a bay, bow, or box window with or without foundations shall be 1.0 metres
- c) A bay, bow, or box window with a maximum depth 0.6 metres is not required to include side windows
- d) A bay, bow, or box window with a depth greater than 0.6 metres up to a maximum depth of 1.0 metres shall include side windows

3639.7 Shall also be subject to the requirements and restrictions of the R3C zone and all the general provisions of this by-law, which are not in conflict with those set out in Section 3639.”

“3640.1 The lands designated R4A-3640 on Schedule A to this By-law:

- a) Shall only be used for the purposes permitted in an R4A zone;
- b) Shall be subject to the following requirements and restrictions:
 - a. Minimum Lot Width: Shall not apply
 - b. Minimum Side Yard Setback: 2.0 metres
 - c. Minimum Rear Yard Setback: 10 metres
 - d. Minimum Landscaped Open Space: 40%
 - e. Maximum Number of Apartment Units: 200 units
 - f. Maximum Height: 12 storeys
 - g. Maximum Floor Space Index: 3.0

3640.2 For the purposes of this by-law, the following shall apply:

- a) Notwithstanding section 6.10, utility installations shall not be subject to the setbacks and yard requirements of the zone in which they are located.
- b) Section 10.3 shall not apply to accessory structures, gazebos and play structures owned by a condominium corporation.

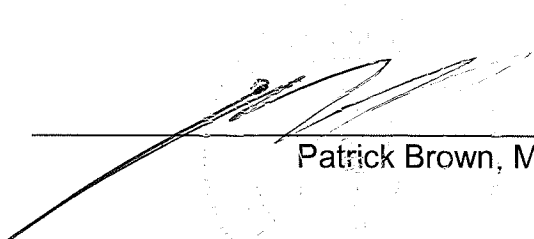
3640.3 Shall also be subject to the requirements and restrictions to the R4A zone and all general provisions of this by-law, which are not in conflict with those set out in Section 3640.”

ENACTED and PASSED this 1st day of March, 2023.


Approved as to
form.
2022/06/30
SDSR

Approved as to
content.
2022/06/30
AAP

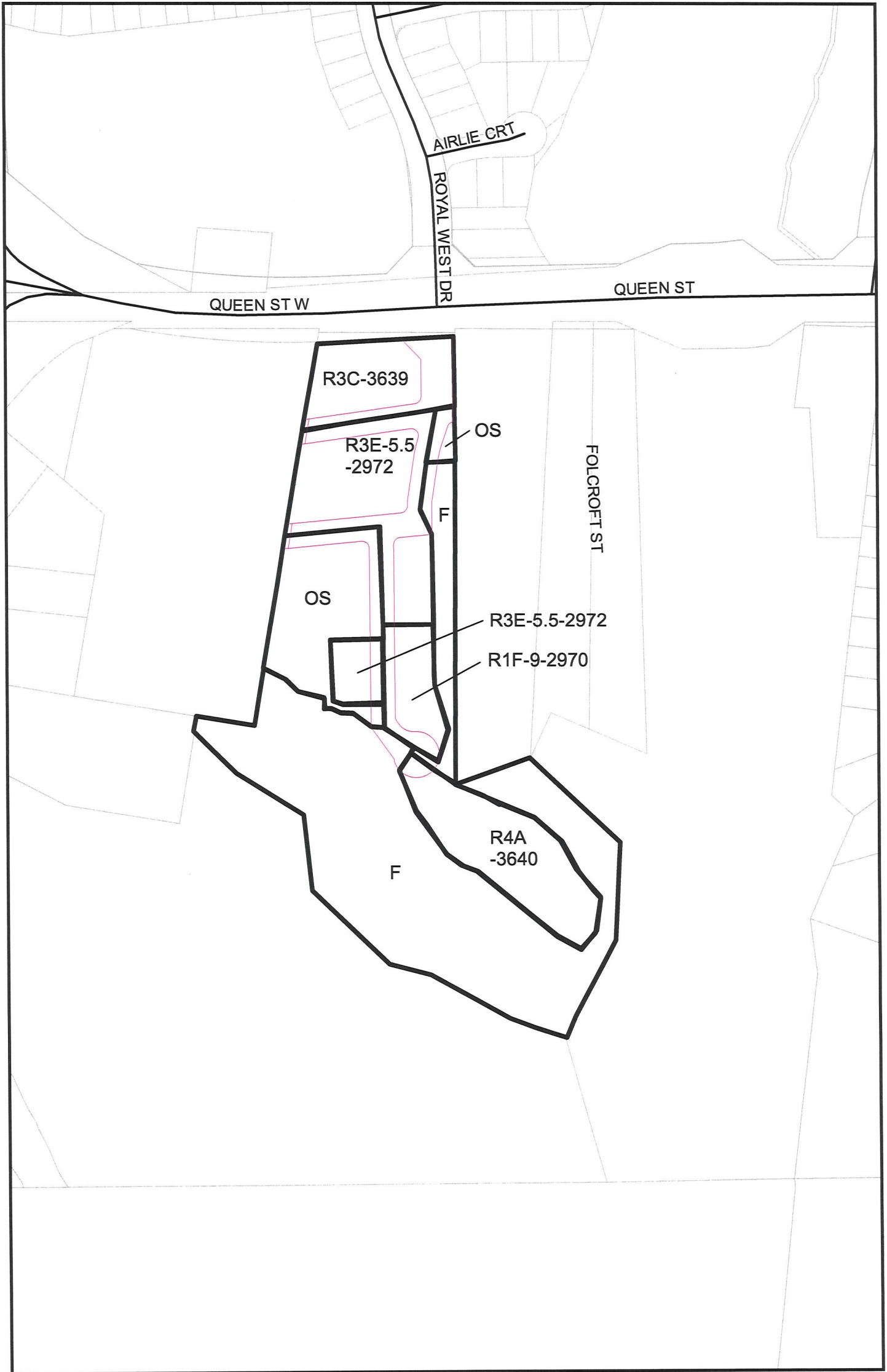
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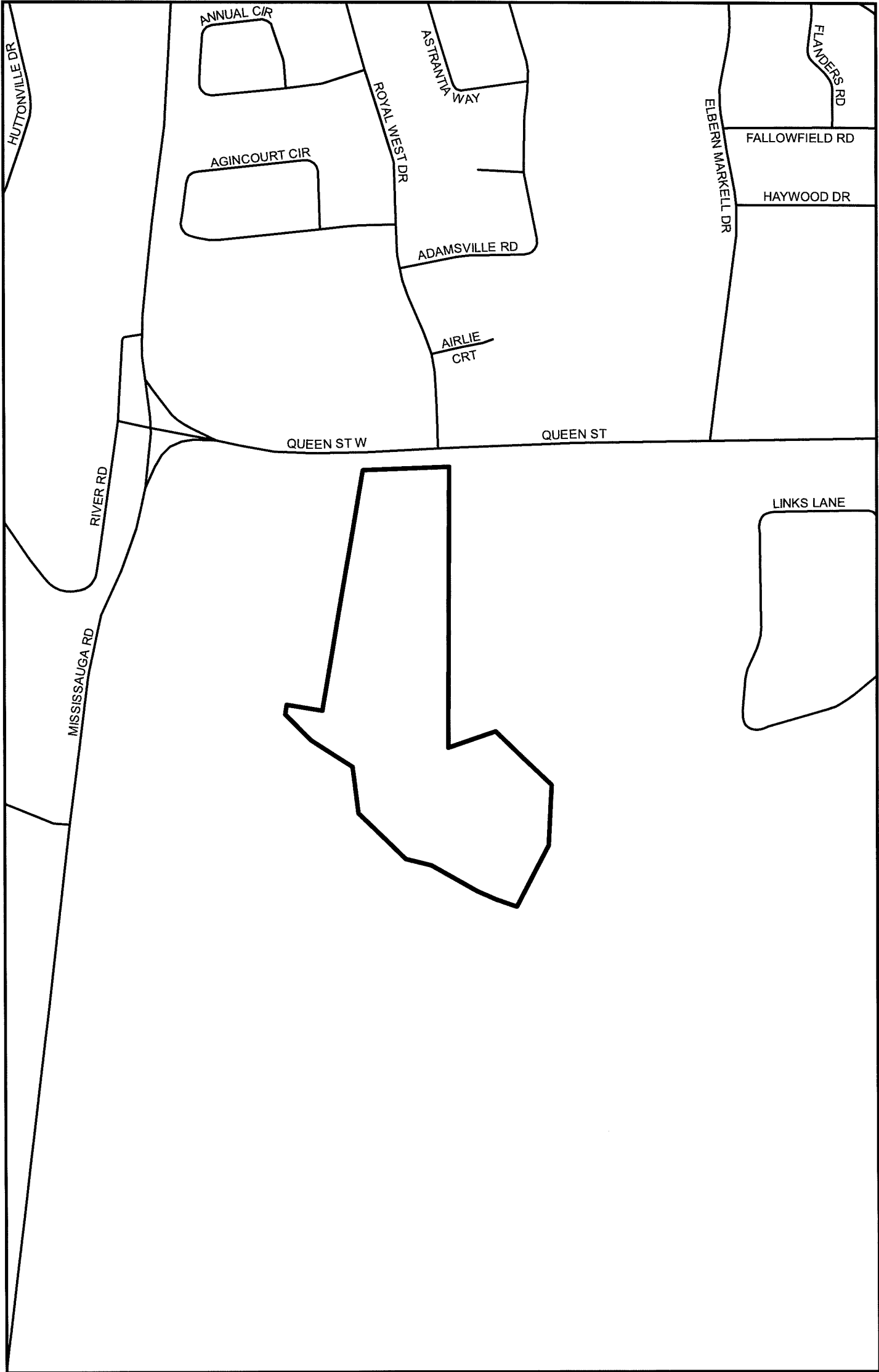


Patrick Brown, Mayor



Peter Fay, City Clerk





SUBJECT LANDS



RAILWAYS



KEY MAP