

**Adoption of Official Plan Amendment OP2006-255 (By-law 170-2023)
and Zoning By-law 171-2023**

1724 and 1730 Queen Street West

Date of Decision: October 18, 2023

Date of Notice: October 30, 2023

Last Date of Appeal: November 20, 2023

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 170-2023, to adopt Official Plan Amendment OP2006-255, and By-law 171-2023, 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 KLM Planning Partners Inc. c/o Cal-Markell Developments Inc., Ward 5 (File No. OZS-2022-0038).

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: To amend the Credit Valley Secondary Plan (SP 45) as part of the Official Plan of the City of Brampton planning Area to permit medium and high-density residential and accessory uses. The effect of the amendment is to amend Schedule SP45(A) to the Credit Valley Secondary Plan to delete “Springbrook Tertiary Plan” and “Executive Residential”, and add “Mixed Use Commercial / High Density Residential 2”, “Medium Density 3 Residential” and “Special Policy Area 7 as shown and outlined on Schedule A to this By-law; and to amend Schedule SP45(B) to the Credit Valley Secondary Plan to reduce the boundaries of the Springbrook Tertiary Plan and delete “Springbrook Tertiary Plan” and “Low Density Residential” as shown and outlined on Schedule B to this By-law.

The Purpose and Effect of the Zoning By-law Amendment: To change the zoning designation of the lands shown and outlined on Schedule A to this By-law from Residential Hamlet One (RHM1) to Residential Apartment A (Holding) – Section 3720 (R4A (H) – 3720) and Open Space (OS) to permit an apartment building and back-to-back stacked townhouse development on the subject lands.

Location of Lands Affected: northeast corner of Queen Street West and Elbern Markell Drive, legally described as Part of Lot 6, Concession 4, West of Hurontario Street, in the City of Brampton, and municipally known as 1724 and 1730 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 Edwin Li, Planner, Planning, Building and Growth Management Services at 905-874-2292 or Edwin.Li@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.

There are no other applications under the *Planning Act*, 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 November 20, 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
905.874.2116



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 170 - 2023

To adopt Amendment Number OP 2006-~~255~~ to the Official Plan of the City of
Brampton Planning Area.

WHEREAS the Council of the Corporation of the City of Brampton in accordance
with the provisions of the Planning Act R.S.O. 1900, c.P. 13, hereby ENACTS as
follows:

1. Amendment Number OP 2006-255 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 18th day of October, 2023.

Approved as to
form.

2026/10/17

SDSR

Approved as to
content.

2023/10/16

AAP

Patrick Brown, Mayor

Peter Fay, City Clerk

(OZS-2022-0038)

AMENDMENT NUMBER OP 2006- 255
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to revise the Credit Valley Secondary Plan land use designation of the subject lands outlined on Schedule A to this amendment and to add related policies in order to permit medium and high-density residential uses on the subject lands.

2.0 Location:

The lands subject to this amendment are located on the northeast corner of Queen Street West and Elbern Markell Drive. The subject lands have a frontage of approximately 100 metres (328 feet) on Queen Street West, and a frontage of approximately 202 metres (662 feet) on Elbern Markell Drive. The subject lands are legal described as Part of Lot 6, Concession 4, West of Hurontario Street, in the City of Brampton.

3.0 Amendments and Policies Relative Thereto:

3.1. The document known as the 2006 Official Plan of the City of Brampton Planning Area is hereby amended by adding to the list of amendments pertaining to Secondary Plan Area Number 45: Credit Valley Secondary Plan as set out in Part II: Secondary Plans thereof, Amendment Number OP 2006- 255.

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

a. By amending Schedule SP45(A) to the Credit Valley Secondary Plan to delete the land use designations "Springbrook Tertiary Plan" and "Executive Residential" for the subject lands, and add "Mixed Use Commercial / High Density Residential 2", "Medium Density 3 Residential" and "Special Policy Area 7", as shown on Schedule A to this amendment;

b. By amending Schedule SP45(B) to the Credit Valley Secondary Plan, to reduce the boundaries of the Springbrook Tertiary Plan area and delete "Springbrook Tertiary Plan" and "Low Density Residential" for the subject lands, as shown on Schedule B to this amendment;

c. By adding the following as Section 5.2.4. and renumbering the subsequent sections:

5.2.4 Medium Density 3 Residential

5.2.4.1 Lands designated as Medium Density 3 Residential as shown on Schedule SP45(A) shall permit, subject to Section 5.2.1 and Section 6.6 of this Chapter:

i) Front-loaded, back-to-back, stacked, and back-to-back stacked townhouses;

d. By replacing "Mixed Use Commercial/High Density Residential" with "Mixed Use Commercial/High Density Residential 1" in Sections 5.2.9 and 5.2.91, and by updating the Legend on Schedule 45(A) with the same change to the name of this designation.

e. By adding the following as Section 5.2.11:

5.2.11 Mixed Use Commercial/High Density Residential 2

5.2.11.1 Lands designated as Mixed Use Commercial/High Density Residential 2 as shown on Schedule SP45(A) shall permit, subject to Section 5.2.1 and Section 6.6 of this Chapter:

- i) Residential apartments and complementary uses.
- ii) Commercial uses located at grade.

f. By adding the following as Section 6.6 and renumbering the subsequent sections:

6.6 Special Policy Area 7

6.6.1 Lands designated as Special Policy Area 7 on Schedule SP45(A) include lands municipally known as 1724 Queen Street West and 1730 Queen Street West;

6.6.2 While not located with the Springbrook Tertiary Plan, lands designated as Special Policy Area 7 are recognized as a gateway to the Tertiary Plan.

A high-quality urban design, architectural treatment and streetscape will be incorporated through design excellence, expressed by means of enhanced architectural character of individual buildings and structures and by features such as landscaped boulevards, entrance features, Privately-Owned Public Spaces (POPS), amenity areas, open space, natural features, public walkways and other public realm features, to ensure an enhanced overall community appearance, and upscale image, and a strong sense of place.

6.6.3 Development on lands designated as Special Policy Area 7 shall be subject to the following:

- i) A maximum of 650 residential dwelling units shall be permitted on these lands;
- ii) Buildings should be located, massed and designed to limit overlook, provide access to natural sunlight for interior spaces, and maximize opportunities for landscaped open space between buildings through the use of generous building separation distances and rear and side yard setbacks from neighbouring properties;
- iii) Notwithstanding any building height policies within Special Policy Area 7, the height of all buildings on these lands shall not exceed a 45-degree angular plane taken from the lowest grade elevation along the northern boundary of the lands in Special Policy Area 7 and the southern limit of the Queen Street West right-of-way;
- iv) Buildings should be sited close to the public streets to create a consistent street edge;
- v) Building facades along public streets are to include building articulation and be supportive of active pedestrian uses;
- vi) In recognition of the proximity to existing low-rise residential uses, a landscaped buffer designed and

implemented to the satisfaction of the City shall be provided along the northern boundary of the lands;

- vii) An appropriate environmental buffer shall be provided from the adjacent woodlot to the east of the lands to the satisfaction of the City;
- viii) High quality architectural and landscape design treatments shall be applied to achieve a compatible development with appropriate transition and physical integration relative to the surrounding residential uses and appropriate transition and protection to adjacent or nearby Natural Heritage System;
- ix) To minimize impacts on neighbouring properties and on the public realm, appropriate transitions between development of different building types or built form on these lands and to adjacent and nearby existing low-rise residential buildings will be achieved through the stepping down of buildings;
- x) Detailed design of development on these lands will be determined through zoning and site plan applications with the required supporting studies, which include but not limited to a revised Sun/Shadow Study and a pedestrian-level Quantitative Wind Study;
- xi) Service and loading areas shall be incorporated into building designs at the rear, side or underground of buildings, and screened from public streets through appropriate architectural and landscape treatment;
- xii) No parking shall be permitted between buildings and public streets;
- xiii) Vehicular access to development on these lands shall only be provided from Elbern Markell Drive;

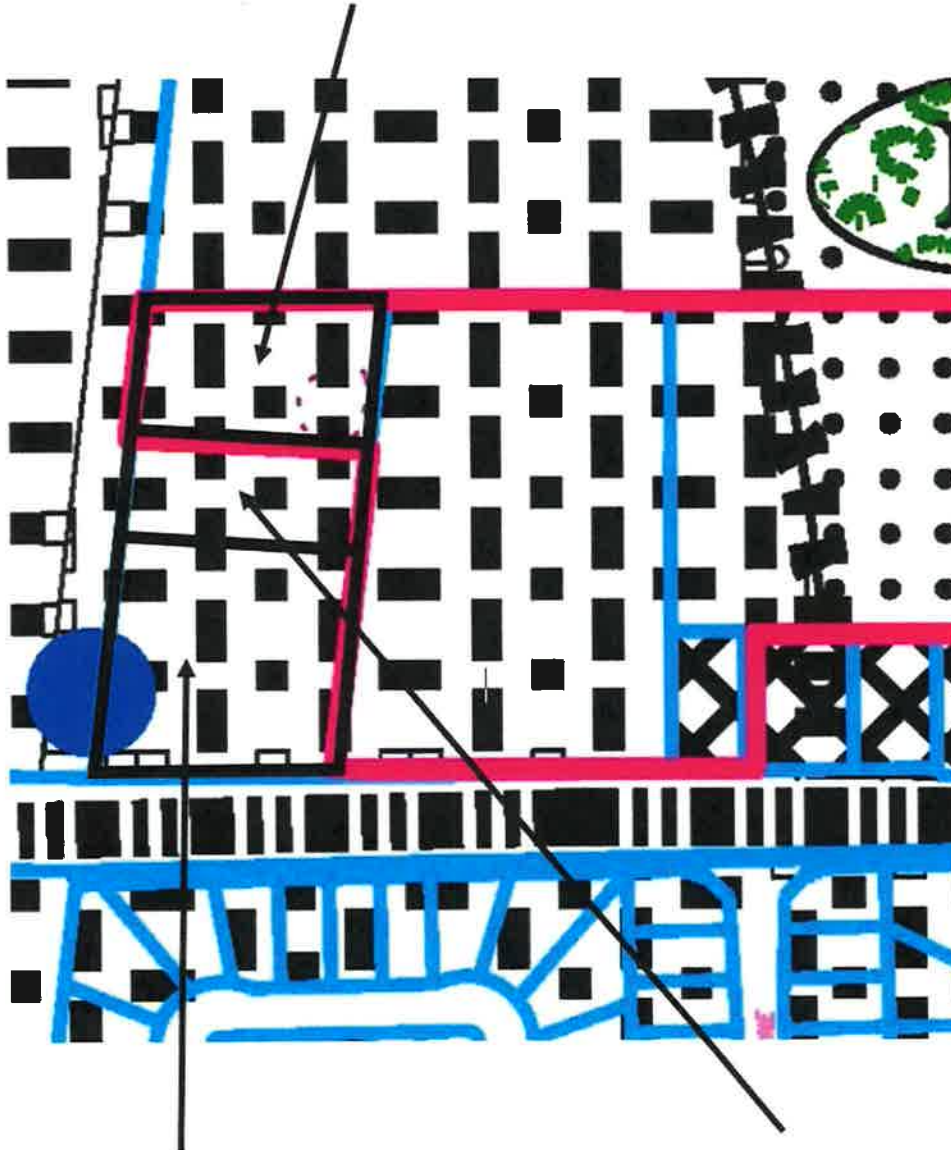
6.6.4 Development on lands within 100 metres of Queen Street West shall be further subject to the following:

- i) For residential apartment buildings, a maximum height of 14 storeys is permitted, with the exception of any high-rise residential buildings at the northeast corner of Queen Street West and Elbern Markell Drive, where a maximum height of 16 storeys is permitted;
- ii) Ground floor units fronting onto a public street shall have individual access to the public street to support active pedestrian uses;
- iii) Retail, commercial or institutional uses and street frontage, or alternatively convertible frontage, shall be required at grade fronting onto Queen Street West. Convertible frontage at grade shall mean residential frontage that is designed and permitted to transition to retail, commercial or institutional frontage in the future;
- iv) Buildings fronting or located closest to Queen Street West shall be sited and oriented to address the street frontage and intersection with Elbern Markell Drive, contribute to the establishment of well-structure focal

point at the intersection, and create a sense of arrival and landmark conditions at this location. Site design, landscaping and appropriate buffer treatment will be required to recognize, establish and reinforce the focal significance of this location;






- 6.6.5 Where water, wastewater, and stormwater servicing improvements are required by the development, cost appointment and construction requirements will be secured through cost-sharing agreements or any other agreements as deemed to be appropriate by the City of Brampton and the Region of Peel.
- 6.6.6 In accordance with Section 4.12 and other relevant policies of the Official Plan, the City and the Region may require servicing or phasing agreements with developers as conditions of approvals to ensure that development only proceeds in a manner that does not outpace the provision of sewer, water, and stormwater services.

**LANDS TO BE REDESIGNATED FROM "EXECUTIVE RESIDENTIAL"
AND "SPRINGBROOK TERTIARY PLAN" TO "MEDIUM DENSITY 3
RESIDENTIAL" AND SPECIAL POLICY AREA 7"**



LANDS TO BE REDESIGNATED FROM "EXECUTIVE RESIDENTIAL" TO "MIXED USE COMMERCIAL/HIGH DENSITY RESIDENTIAL 2" AND SPECIAL POLICY AREA 7"

LANDS TO BE REDESIGNATED FROM "EXECUTIVE RESIDENTIAL" TO "MEDIUM DENSITY 3 RESIDENTIAL" AND SPECIAL POLICY AREA 7"

- RESIDENTIAL**
Low Density 1
-  Low Density 2
-  **Medium Density**
-  **Executive Residential**
-  **Springbrook Settlement Area**
- INSTITUTIONAL**
 **Separate Elementary School**

- OPEN SPACE**
-  **Primary Valleyland**
-  **Terrestrial Features**
-  **Neighbourhood Park**
-  **Potential Stormwater Management Ponds**
- INFRASTRUCTURE**
-  **Minor Arterial Roads**
-  **Collector Roads**



“SPRINGBROOK TERTIARY PLAN” AND “LOW DENSITY RESIDENTIAL” TO BE DELETED

Legend

- | | | | | |
|-----------------------------|-------------------------------------|--|--------------------------------|------------------------------|
| Tertiary Plan Boundary | Wetland (subject to further study) | Existing Stormwater Management Pond | Low Density Residential | Conceptual Road |
| Existing Building Footprint | Woodland (subject to further study) | Proposed Stormwater Management Pond (subject to further study) | Low-Medium Density Residential | Conceptual Trail Opportunity |
| Watercourses | Valleyland/Watercourse Corridor | Parkette - Conceptual | | Conceptual Access |





THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 171 - 2023

To amend By-law 270-2004, as amended

WHEREAS 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. By-law 270-2004, as amended, is hereby further amended:

- (1) By changing the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From:	To:
Residential Hamlet One (RHM1)	Residential Apartment A (Holding)– Section 3720 (R4A (H)-3720) Open Space (OS)

- (2) By adding the following sections:

“3720 The lands designated R4A-3720 on Schedule A to this by-law:

3720.1 Within 100.0 metres of the Front Lot Line, shall only be used for the following purposes:

- (1) An Apartment Dwelling;
- (2) For the first storey:
 - (i) Uses permitted under Section 21.2.1 (Commercial Two – C2 Zone) except:
 - a. A Service Station or Gas Bar;
 - b. A Garden Centre Sales Establishment that includes the outdoor storage of goods;
 - c. An Amusement Arcade;
 - d. A Taxi or Bus Station;
 - (ii) An Art Gallery;
 - (iii) An Art Studio;

- (iv) A Day Nursery;
 - (v) A Medical Office;
 - (vi) A Radio, Television, Broadcasting and Transmission Facility;
- (3) Purposes accessory to permitted uses;

3720.2 Beyond 100.0 metres of the Front Lot Line, shall only be used for the following purposes:

- (1) Street Townhouse Dwelling;
- (2) Townhouse Dwelling;
- (3) Stacked Townhouse Dwelling;
- (4) Back To Back Townhouse Dwelling;
- (5) Back to Back Stacked Townhouse Dwelling;
- (6) Purposes accessory to permitted uses;

3720.3 Shall be subject to the requirements and restrictions:

(a) Minimum Lot Area	No requirement.
(b) Minimum Front Yard Depth	1.5 metres
(c) Minimum Interior Side Yard Width	3.5 metres
(d) Minimum Exterior Side Yard Width	3.0 metres
(e) Minimum Rear Yard Width	10.0 metres
(f) For the purposes of this zone, Queen Street West shall be defined as the Front Lot Line and Elbern Markell shall be defined as the Exterior Lot Line.	
(g) Minimum Setback from a Daylighting Triangle	0.0 metres
(h) Minimum Setback to utility infrastructure including transformers, gas pads, or telecommunications infrastructure	No requirement.
(i) Minimum separation between buildings located beyond 100.0 metres of the Front Lot Line	4.5 metres
(j) Minimum tower separation	25.0 metres
(k) Minimum podium and tower stepback on the	2.5 metres

	side facing a public street for a building within 100.0 metres of the Front Lot Line	
(l)	Maximum Building Height beyond 100.0 metres of the Front Lot Line	4 storeys to the maximum of 14.0 metres.
(m)	Maximum Building Height within 100.0 metres of the Front Lot Line (exclusive of any roof-top mechanical penthouse or architectural features)	<p>(i) 16 storeys to a maximum of 56.0 metres within 30.0 metres from the Exterior Side Lot Line.</p> <p>(ii) 14 storeys to a maximum of 50.0 metres beyond 30.0 metres from the Exterior Side Lot Line.</p>
(n)	Minimum Building Height within 100.0 metres of the Front Lot Line	5 storeys to a minimum of 16.5 metres
(o)	Maximum podium height for a building within 100.0 metres of the Front Lot Line (exclusive of architectural features)	8 storeys to a maximum of 29.0 metres
(p)	Minimum floor to ceiling height for ground related units that are directly accessible from Queen Street West	4.5 metres for units within a minimum distance of 65.0 metres of the Exterior Side Lot Line.
(q)	Maximum Number of Dwelling Units	650 dwelling units
(r)	Maximum Gross Floor Area for Apartment Dwelling	43,000 square metres
(s)	Maximum tower floorplate	800.0 square metres for each storey above the tenth storey.
(t)	Minimum Landscaped Open Space	No requirement.
(u)	Minimum Landscaped Buffer Area width along the Rear Lot Line	5.5 metres
(v)	Landscape Buffer Area encroachment	Utility infrastructure including transformers, gas pads, and telecommunications infrastructure, and hard landscaping including retaining walls are permitted if the total encroachment is less than 75% of the Landscape Buffer Area.

(w) Yard encroachment	(i) A Balcony, Porch or bay window may project into the Front and Side Yards by a maximum of 1.8 metres. (ii) Eaves, cornices and gutters may project into the Front and Side Yards by a maximum of 0.6 metres. (iii) Porches or decks and associated steps and ramps may encroach into a required Yard to a maximum of 1.0 metre from a Lot Line.
(x) Public street access for the first storey of a Building	Every ground related residential or commercial unit that fronts onto a public street shall provide a direct access to a public street.
(y) Apartment Building street access	An Apartment Building shall have a common entrance directly accessible from a public street.
(z) Garbage, refuse, and waste	All garbage, refuse and waste containers for any use shall be located within a building or within a containment system or enclosure that is screened from view of a street or public thoroughfare.
(aa) Rooftop mechanical equipment	Mechanical equipment on the roof of a building shall be screened.
(bb) Maximum Lot Coverage	No requirement.
(cc) Maximum Floor Space Index	No requirement.

3720.4 Shall be subject to the following requirements and restrictions for parking:

(a) Minimum vehicular parking spaces for residents:	0.9 parking space per dwelling unit
(b) Minimum vehicular parking spaces for apartment and townhouse visitors:	0.2 parking space per dwelling unit
(c) Minimum bicycle parking spaces for residents:	0.1 parking space per dwelling unit

(d) Minimum bicycle parking spaces for apartment and townhouse visitors:	30 parking spaces
(e) Location of vehicular parking spaces	Only residential vehicular visitor parking spaces are permitted at grade.
(f) Location of bicycle parking spaces for visitors	All visitor bicycle parking spaces are permitted to be located outdoor.

3720.5 Until such time as the Holding (H) is lifted, lands zoned R4A-3720 (H) shall only be used for purposes that are legally existing at the date of the passing of this by-law.

3720.6 The Holding (H) symbol for all or any part of the land zoned R4A-3720 (H) shall not be removed until such a time as the following condition has been met:

 (1) The Commissioner of Planning, Building and Growth Management is satisfied that the owner of the subject lands has fulfilled the requirements for any applicable Cost Sharing Agreements of which the landowner is identified as being a party.

3720.7 For the purpose of this by-law, “Back to Back Stacked Townhouse Dwelling” shall mean a Building containing four or more Dwelling units separated both vertically and horizontally by a common wall, including a rear common wall, where no rear yard is provided and where each unit is directly accessibly from the outside of the Building.

3720.8 Shall also be subject to all requirements and restrictions and the general provision of the By-law which are not in conflict with those set out in Section 3720.

3720.9 All lands zoned R4A-3720 shall be deemed as one lot for zoning purposes.”

ENACTED and PASSED this 18th day of October, 2023.

Approved as to form.

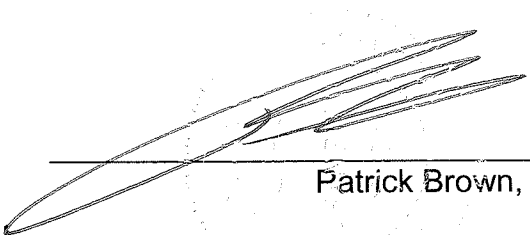
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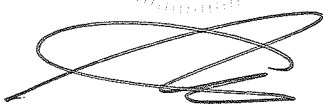
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Approved as to content.

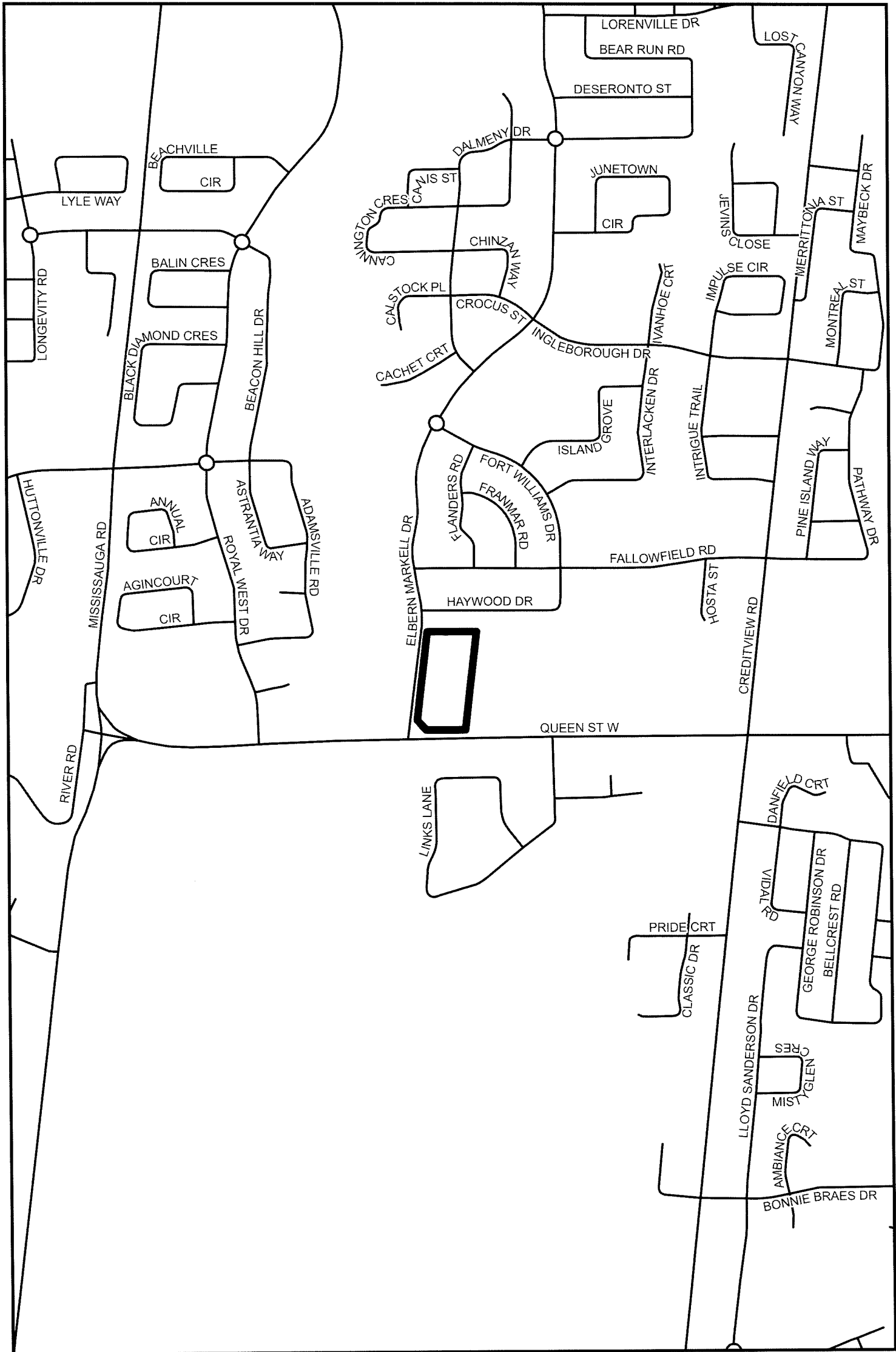
2023/10/16


AAP


Patrick Brown, Mayor


Peter Fay, City Clerk





 Subject Lands



KEY MAP