

**Adoption of Official Plan Amendment OP2006-258 (By-law 196-2023)
and Zoning By-law 197-2023**

22, 24, 26, 28, and 32 John Street

Date of Decision: November 1, 2023

Date of Notice: November 14, 2023

Last Date of Appeal: December 4, 2023

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 196-2023, to adopt Official Plan Amendment OP2006-258, and By-law 197-2023, 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 Gagnon Walker Domes Ltd. – Mario Matteo Silvestro, Guido D'Alesio and 2088205 Ontario Ltd – Ward 3 (File: OZS-2022-0035).

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 and Zoning By-law Amendment:

To facilitate the development of the subject property to permit a 39 storey apartment dwelling consisting of 362 units, student residences and ground floor commercial.

Location of Lands Affected: legally described as Part of Lots 1, 2 and 3, Concession 1 E.H.S, Registered Plan BR-22, and municipally known as 22, 24, 26, 28 and 32 John Street.

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 Alex Sepe, Planner, Planning, Building and Growth Management Services at 905-874-3557 or Alex.Sepe@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 December 4, 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 196 - 2023

To Adopt Amendment Number OP2006- 258

To the Official Plan of the City of Brampton Planning Area

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P.13, hereby ENACTS as follows:

1. Amendment Number OP2006- 258 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 November, 2023.

Approved as to
form.

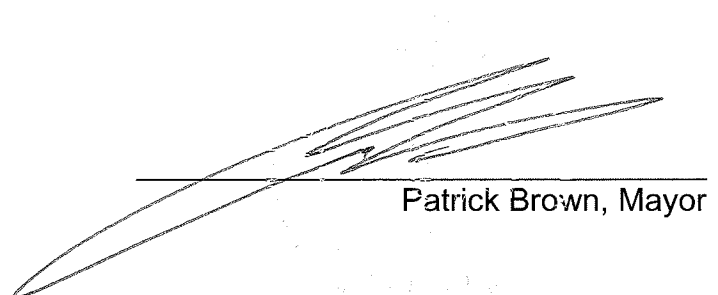
2023/10/30

SDSR

Approved as to
content.

2023/10/30

AAP



Patrick Brown, Mayor



Peter Fay, City Clerk

AMENDMENT NUMBER OP2006- 258

TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to designate lands located in Downtown Brampton shown on Schedule 'A' to permit the development of a high-density mixed-use building.

2.0 Location:

The lands subject to this amendment are known municipally as 22, 24, 26, 28, and 32 John Street. They are located on the northwest corner of John Street and Chapel Street having a combined gross area of 0.15 hectares (0.37 acres), a frontage of approximately of 46.94 metres (154 feet) on the north side of John Street and 21.95 metres (72.01 feet) on the west side of Chapel Street. The lands are legally described as Part of Lots 1, 2, and 3, Registered Plan BR-22, Concession 1, E.H.S., in the City of Brampton, in the Regional Municipality of Peel.

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 the Secondary Plan Area Number 7: Downtown Brampton Secondary Plan as set out in Part II: Secondary Plans, thereof, Amendment Number OP2006- 258 .

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 Downtown Brampton Secondary Plan (Being Part Two: Secondary Plan, as amended) are hereby amended:

- (1) by adding, after policy 5.1.2.9 the following:

"5.1.2.10 The lands located on the north side of John Street, west of Chapel Street, having a net site area of approximately 0.125 hectares (0.309 acres), which are known municipally as 22, 24, 26, 28, and 32 John Street, may be developed for high-density mixed-use purposes at a maximum Floor Space Index (FSI) of 22.0, a maximum building height of 39 storeys, and subject to the provisions of "Special Policy Area 9" in Section 5.6.8 of this chapter."

- (2) by adding to the legend of Schedule SP7(C) the following: "Special Policy Area No. 9"

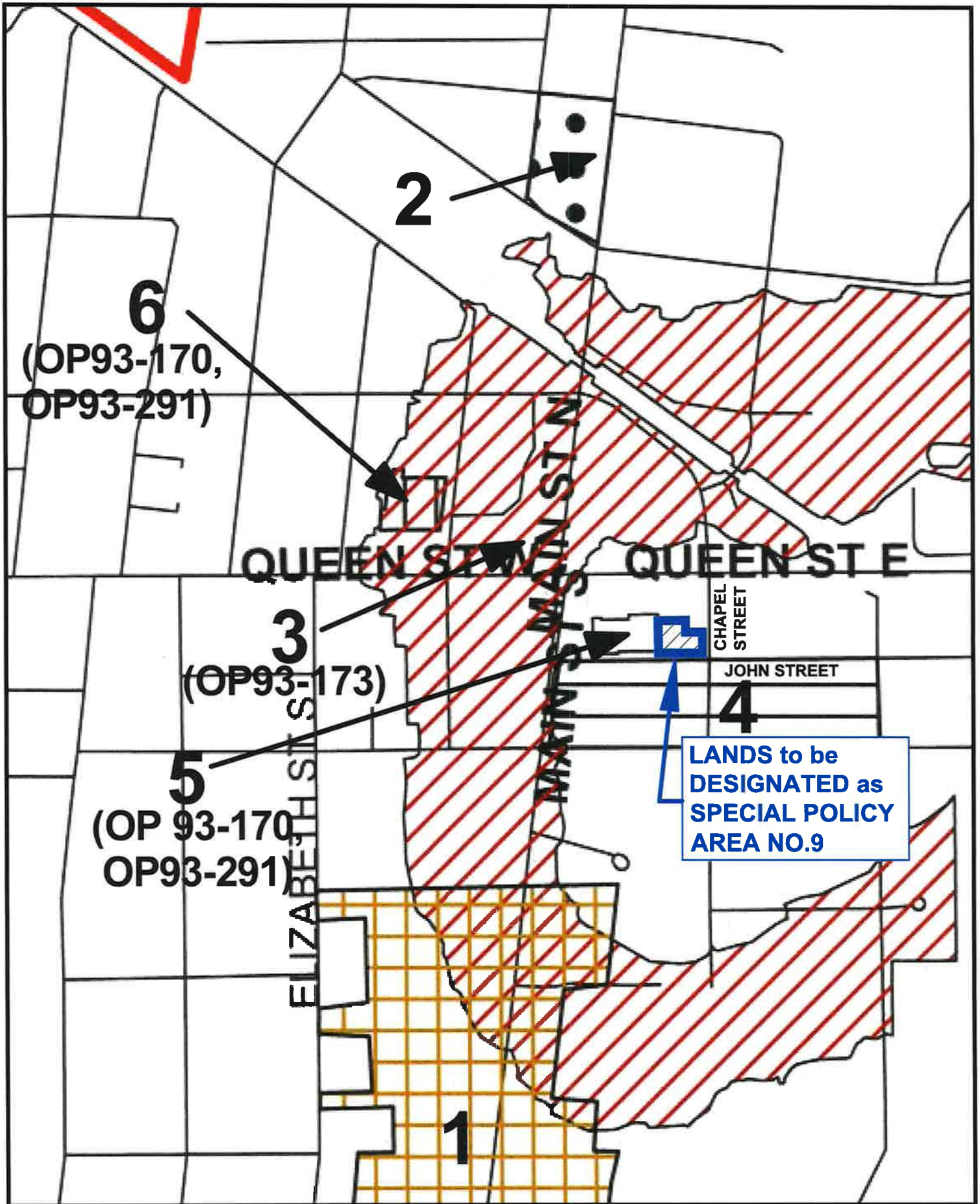
- (3) by identifying on Schedule SP7(C) the lands shown outlined on Schedule "A" to this amendment as "Special Policy Area Number 9"

- (4) by adding thereto, the following as Section 5.6.8 to Section 5.6 of Chapter 7: Downtown Secondary Plan:






"Special Policy Area Number 9"




5.6.8 The lands identified as "Special Policy Area Number 9" on Schedule SP(7)(C) may be developed for mixed-use purposes subject to the following policies:

- a. A maximum Floor Space Index (FSI) of 22.0 (exclusive of the parking garage);
- b. Development shall demonstrate a high level of design, high quality building materials, well-articulated façades, and the incorporation of a building and site elements that contribute to a strong pedestrian streetscape;
- c. Buildings are to be constructed with high life-cycle and aesthetic quality materials. Extensive use of EIFS (i.e., stucco) finish is strongly discouraged and the use of EIFS should be limited for architectural features and accents."







LEGEND

-  LANDS to be DESIGNATED as SPECIAL POLICY AREA NO. 9
-  SPECIAL POLICY AREA NO.1
-  SPECIAL POLICY AREA NO. 2
-  SPECIAL POLICY AREA NO. 3
-  SPECIAL POLICY AREA NO. 4

-  SECONDARY PLAN BOUNDARY
-  SPECIAL POLICY AREA NO. 5
-  SPECIAL POLICY AREA NO. 3

OFFICIAL PLAN AMENDMENT OP2006# 258
SCHEDULE A
DOWNTOWN BRAMPTON SECONDARY PLAN
SECONDARY PLAN AREA 7
SCHEDULE SP7(C)

By-law 196-2023

P.N.: 21.2883	Date: May 11, 2022
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.: 2883 OPA_MAY_11_2022
	  



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 197 - 2023

To Amend 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.O. 1990, c.P. 13*, hereby ENACTS as follows:

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

From:	To:
DOWNTOWN COMMERCIAL (DC) – SECTION 3154 (DC-3154)	DOWNTOWN COMMERCIAL (DC) – SECTION 3746 (DC-3746)

(2) By adding the following Sections:

“3746 The lands designated DC – 3746 on Schedule A to this by-law:

3746.1 Shall only be used for the following purposes:

- 1) Purposes permitted in the R4A zone
- 2) Student residence
- 3) Senior citizen residence
- 4) Residential care home
- 5) Non-residential uses:
 - a. A retail establishment, with or without outdoor display and sales
 - b. An office, including an office of a physician, dentist, or drugless practitioner
 - c. A grocery store or supermarket
 - d. A service shop
 - e. A personal service shop, excluding a massage or body rub parlour
 - f. A bank, trust company or finance company
 - g. A dry cleaning and laundry distribution establishment
 - h. A laundromat
 - i. A dining room restaurant, or take-out restaurant
 - j. A printing or copying establishment
 - k. A custom workshop

- l. A day nursery
- m. A commercial school
- n. A health or fitness centre
- o. A hotel

6) Purposes accessory to the other permitted purposes

3746.2 Shall be subject to the following requirements and restrictions:

- 1) Minimum Lot Area: No requirement
- 2) Minimum Lot Width: No requirement
- 3) Minimum Lot Depth: No requirement
- 4) For the purposes of this Section:
 - a. The lot line abutting John Street shall be the front lot line
 - b. The lot line abutting Chapel Street shall be the exterior side yard
- 5) Minimum Front Yard Depth: 0.0 metres
- 6) Minimum Exterior Side Yard Width: 3.0 metres
- 7) Minimum Setback to a Daylight Triangle or Rounding: 0.0 metres
- 8) Minimum Setback for an Underground Parking Garage: 0.0 metres
- 9) Minimum Interior Side Yard Width:
 - a. For any portion of a building 10 storeys in height or less: 2.3 metres
 - b. For any portion of a building 11 to 39 storeys in height: 5.5 metres
- 10) Minimum Interior Side Yard Width for building(s) located within 20 metres of the exterior lot line:
 - a. For any portion of a building 1 storey in height or less: 1.0 metres
 - b. For any portion of a building 2 to 39 storeys in height: 2.8 metres
- 11) Minimum Rear Yard Width:
 - a. For any portion of a building 2 storeys in height or less: 1.2 metres
 - b. For any portion of a building 3 to 10 storeys: 3.9 metres
 - c. For any portion of a building 11 to 39 storeys: 5.76 metres
- 12) Maximum Building Height: 39 Storeys
(Exclusive of any roof-top mechanical penthouse, architectural feature(s), or other features as permitted by Section 6.16)
- 13) Maximum Floor Space Index (FSI): 22.0
(Exclusive of a below grade parking garage)
- 14) Maximum Lot Coverage: No requirement
- 15) Minimum Landscaped Open Space: No requirement
- 16) Minimum Ground Floor Height: 4.5 metres

- 17) Minimum Setback to a Hydro Transformer in any yard: 0 metres
- 18) Windows and Doors at Grade:
For the first storey of any wall adjacent to a street, a minimum of 60% of the gross area of the portion of the wall that is above grade shall have clear vision windows and/or doors
- 19) Visitor parking for a senior citizen residence, residential care home, shall be provided at a rate of 0.20 visitor parking spaces per dwelling unit
- 20) Bicycle parking:
a. Resident: 0.05 spaces per apartment dwelling unit
b. Visitor: 0.05 spaces per apartment dwelling unit
c. 0.05 spaces per 100m² of gross commercial floor area or portion thereof
- 21) Minimum number of loading spaces per building: 1 space
- 22) Waste Disposal and Storage:
a. Loading, unloading and waste disposal facilities, accepting access thereto, shall not be located on the wall facing a public road;
b. All garbage, refuse and waste containers shall be located within a climate-controlled area within the same building containing the use
- 23) All lands zoned DC-3746 shall be treated as a single lot for zoning purposes
- 24) A drive-through facility shall not be permitted in association with any use
- 25) Shall also be subject to the requirements and restrictions of the DC zone and all the general provisions of this By-law, which are not in conflicts with those set out in Section 3746

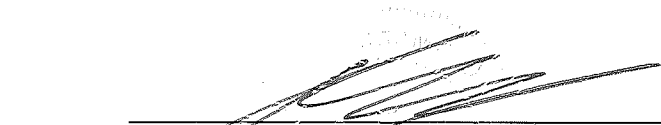
- 3746.3 For the purposes of this Section 3746:
Student Residence shall mean premises operated by a public school, private school, commercial school, post-secondary school or educational facility, consisting of dwelling units, bed-sitting rooms or rooms, used for student accommodation.
- 3746.4 Existing buildings and accessory structures at the time of the passing of this By-law shall be subject to the restrictions and requirements of the DC-3154
- 3746.5 That the Holding (H) symbol shall not be removed until such time as the following have been provided:
- 1) Confirmation that a Quantitative Wind Study have been provided to the satisfaction of the Commissioner of Planning, Building and Growth Management.”

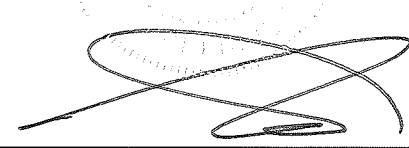
ENACTED and PASSED this 1st day of November, 2023.

Approved as to
form.
2023/10/30
SDSR

Approved as to
content.
2023/10/30
AAP

(OZS-2022-0035)



Patrick Brown, Mayor


Peter Fay, City Clerk

QUEEN STREET EAST

CHAPEL STREET

DC-3746

JOHN STREET

JOHN STREET

CHAPEL STREET

WELLINGTON STREET EAST



LEGEND

LANDS SUBJECT to AMENDMENT
ZONE BOUNDARY

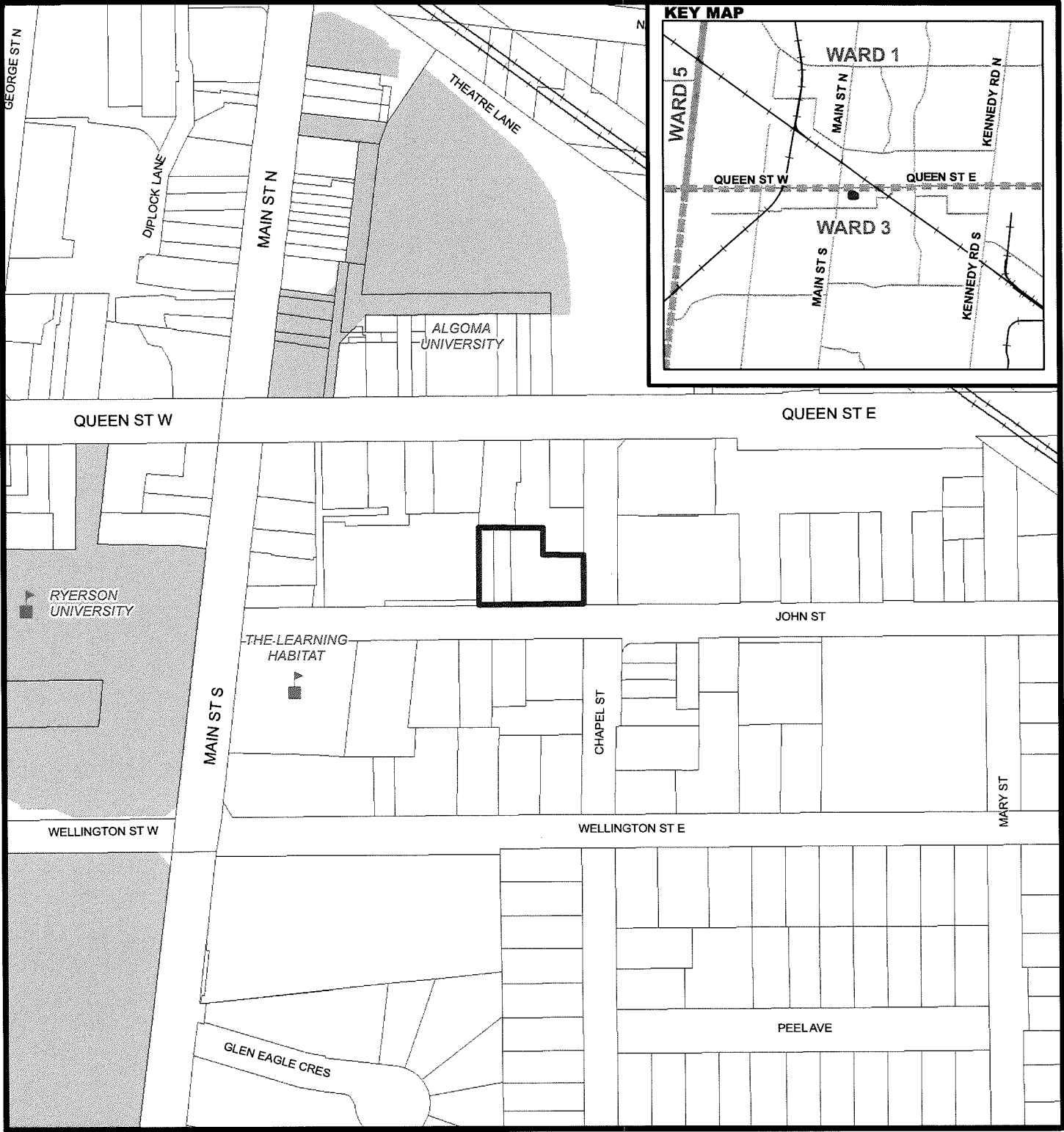
DC - SECTION 3764 DOWNTOWN COMMERCIAL






SCHEDULE A
ZONING BY-LAW 270-2004
22, 24, 26, 28, 32 JOHN STREET
PART of LOTS 1, 2 and 3, REGISTERED PLAN BR-22
CITY of BRAMPTON

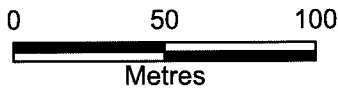
By-law 197-2023

P.N.: 21.2883	
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.: 2883 ZBLA_MAY_2023
	 GWD Gagnon Walker Domes PROFESSIONAL PLANNERS <small>7685 Hurontario Street Suite 501 Brampton, Ontario L6W 0B4 p: (905) 796-5790 t: 1 (855) 771-7266 w: www.gwdplanners.com</small>

APPENDIX 2



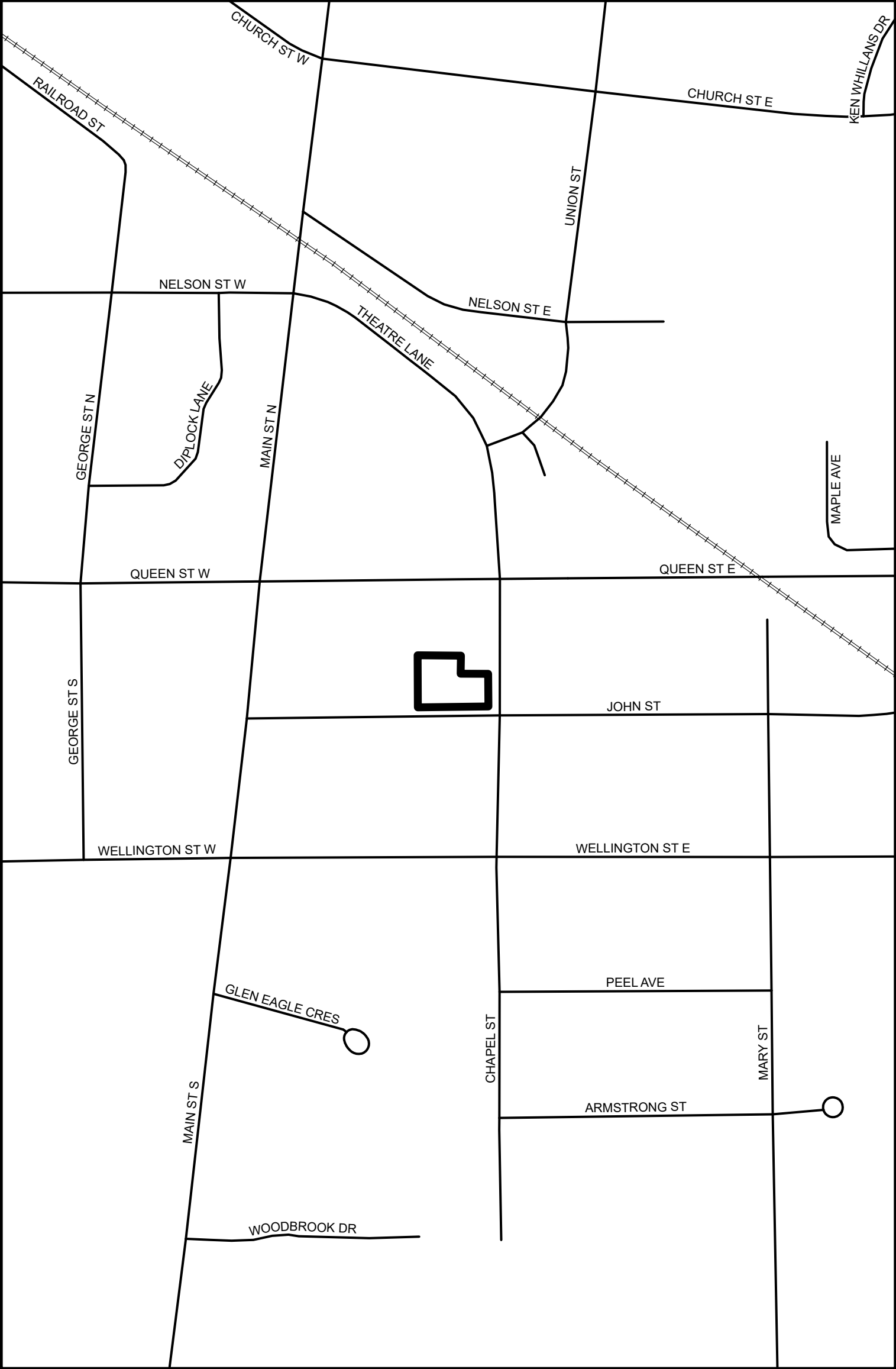
-  SUBJECT LAND  GREENSPACE  SCHOOLS
-  PROPERTY LINE  RAILWAYS





Author: ckovac
Date: 2022/07/19

APPENDIX 2
LOCATION MAP
GAGNON WALKER DOMES LTD.
MARIO MATTEO, GUIDO D'ALELIO
AND 2088205 ONTARIO LTD.
CITY FILE: OZS-2022-0035

By-law 197-2023



 Subject Lands  RAILWAYS



KEY MAP