

OFFICE CONSOLIDATION

CHAPTER 54

KENNEDY ROAD SOUTH REVITALIZATION AREA SECONDARY PLAN

March 2010

EXPLANATORY NOTES

Office Consolidation Kennedy Road South Revitalization Area Secondary Plan Area 54 Chapter 54

General (pertaining to all secondary plan office consolidations)

- i. Secondary plan office consolidations are provided for convenience only, but have no *Planning Act* status. For official reference, recourse should be had to the original documents pertaining to each secondary plan.
- ii. As noted in the 2006 Official Plan (policy 5.4.10 in the 1993 Official Plan) the documentation that constitutes a specific secondary plan may consist of a Chapter in Part II of the current Official Plan, or a retained Chapter in Part IV of the 1984 Official Plan, or an amendment to or chapter of the 1978 Consolidated Official Plan.
- iii. Secondary plans form part of the Official Plan and are to be read in conjunction with all policies of the Official Plan, including interpretation and implementation provisions.
- iv. Where there is conflict or inconsistency between a provision in the current Official Plan and a provision in a secondary plan (whether directly in the text or included by reference) the current Official Plan shall prevail. When such a conflict is identified, efforts shall be made to revise the plans to correct the conflict.
- v. Reference to any provision of an Official Plan or a secondary plan (whether directly in the text or included by reference) that is superseded by a more recently adopted equivalent provision shall be deemed to be a reference to the more recently adopted equivalent provision.
- vi. When provisions in a secondary plan refer to an apparently repealed provision in a repealed Official Plan (e.g. the 1993, 1984 Official Plan or the 1978 Consolidated Official Plan), the referenced provisions shall be considered to be an active and applicable part of the secondary plan, unless:
 - (a) the referenced provision is in conflict with the current Official Plan;
 - (b) the referenced provision is superseded by a more recently adopted equivalent provision; or,
 - (c) it is evident that it was the intention of Council at the time of the repeal of the predecessor Official Plan that the referenced provision was not to be considered active and applicable for such secondary plan purposes in the future.

- vii. The Council of the City of Brampton is responsible for interpreting any provision within the Official Plan and secondary plans.

Specific (Secondary Plan 54, Kennedy Road South Revitalization Area Secondary Plan)

This office consolidation of the Kennedy Road South Revitalization Area Secondary Plan consists of Chapter 54 of the document known as the 1993 Official Plan.

Chapter 54 is based on Official Plan Amendment OP93-266 to the document known as the 1993 Official Plan, as adopted by City Council August 2, 2006 (By-Law 255-2006).

Chapter 54 incorporates all modifications and referrals made by the Ontario Municipal Board (Order No. 2844), issued on November 5, 2007 along with the following Official Plan Amendments approved by the City of Brampton:

nil

This office consolidation has been prepared without the following original documents:

OPA 23	OPA 80	OPA 97	OPA 101
OPA 103	OPA 120	OPA 229	OPA 263
OP93-167	OMB Order No. 2884		

This office consolidation is provided for convenience only. For official reference, resource should be had to the original documents noted above.

**Table of Contents
(Part II, Chapter 54)**

Purpose.....	1.0
Location	2.0
Effect of this Chapter and its Relationship to the Official Plan	3.0
General Objectives and Criteria.....	4.0
Land Use Principles.....	5.0
Residential.....	5.1
Institutional.....	5.2
Commercial	5.3
Mixed Industrial/Commercial	5.4
Industrial.....	5.5
Urban Design and Sustainability Guidelines	6.0
Transportation Network.....	7.0
General Provisions	7.1
Road Network.....	7.2
Railway Corridor	7.3
Water Servicing and Sanitary Sewer.....	8.0
Implementation.....	9.0
Appendix A Kennedy Road South Revitalization Area Secondary Plan Urban Design and Sustainability Guidelines	

THE KENNEDY ROAD SOUTH REVITALIZATION AREA SECONDARY PLAN
(Official Plan Amendment OP93-266)
Chapter 54

1.0 **PURPOSE**

The purpose of this chapter, together with Schedules SP54(A) is to establish, in accordance with Section 5.4 of the Official Plan for the City of Brampton Planning Area, detailed planning policies for the lands on either side of Kennedy Road South, north of Steeles Avenue and south of the CN tracks. The lands include all properties fronting onto Kennedy Road except for the northeast quadrant of Steeles Avenue and Kennedy Road South (former AMC Plant) and total 71.25 hectares in area (176 acres).

This Secondary Plan sets out the detailed land use and policy framework for the area known as the Kennedy Road South Revitalization Area. This Chapter identifies Secondary Plan Area Number 54 by three well defined areas (residential, industrial and commercial) fronting a major arterial road. The intent of the Secondary Plan is to provide a controlled land use planning framework which also allows a series of initiatives to improve the functionality and appearance of street frontages and a clearer definition of the three land use areas. The Secondary Plan also provides for a set of urban design and sustainability guidelines to be used in the area.

This Chapter specifies the desired pattern of land use and the transportation network, and provides a set of urban design and sustainability guidelines to achieve high quality, efficient and orderly urban development within the Kennedy Road South Revitalization Area Secondary Plan Area.

The general policies of Secondary Plan Areas 17 and 18 with respect to the overall development area, population and facilities shall continue to apply. The policies of Secondary Plan Areas 17 and 18 with respect to areas designated for medium and high density development shall also continue to apply to the Kennedy Road South Revitalization Area.

2.0 **LOCATION**

The lands subject to the policies of this amendment are:

- comprised of a total area of approximately 71.25 hectares (176 acres);
- generally described as lands on either side of Kennedy Road South, north of Steeles Avenue and south of the CN tracks; and,

- shown as the lands subject to this amendment on each of the schedules attached hereto.

3.0 EFFECT OF THIS CHAPTER AND ITS RELATIONSHIP TO THE OFFICIAL PLAN

Lands subject to Secondary Plan Number 54 outlined on Schedule SP54(A) shall be developed in accordance with the policies of this chapter (Chapter 54 of Part II) and with Schedule SP54(A) attached thereto, and also in accordance with all other relevant policies and schedules of the City of Brampton Official Plan.

Accordingly, this Kennedy Road South Revitalization Area Secondary Plan shall not be interpreted as a free standing Official Plan document. The policies herein are designed to supplement those of the Official Plan, not to replace or repeat them. An accurate understanding of all the policies pertaining to the Secondary Plan Number 54 Area can only be achieved by reading the overall Official Plan together with Chapter 54.

The Kennedy Road South Revitalization Area Secondary Plan is intended to replace portions of the Brampton East Secondary Plan (Number 17) and the Brampton East Industrial Secondary Plan (Number 18), as amended.

4.0 GENERAL OBJECTIVES AND CRITERIA

In addition to the goals enunciated in the General Plan (Part I), the following general objectives/criteria constitute the basis for the formulation of the Kennedy Road South Revitalization Area Secondary Plan in that it:

- continues to function as an area with Kennedy Road South as a major arterial road which serves three distinct land use areas: commercial to the north, residential and institutional to the southwest and industrial to the southeast. The areas are not expected to significantly change in terms of land use in the foreseeable future.
- is expected to continue to provide flexible and affordable commercial space for a variety of businesses;
- continues to maintain a healthy, stable industrial area on the east side of Kennedy Road;

- promotes the redevelopment and improvement of the lands through the designation of clearly defined residential, commercial and industrial areas along Kennedy Road South;
- provides a response to the concerns and issues associated with the area by proposing a framework in which initiatives to improve the area can be easily implemented;
- provides a detailed level of urban design to improve the public and private realms including pedestrian networks;
- is sensitive to a wide range of land use considerations to ensure that redevelopment occurs in an orderly and efficient manner;
- promotes the consolidation of driveways along Kennedy Road South to alleviate fragmentation;
- considers the need to study the future collector road network to the east of the Secondary Plan Area;
- recognizes, protects and ensures the continuation and appropriate expansion of existing industrial operations; and,
- promotes increased ridership on public transit by improvements to bus shelters and access to bus stop locations.

The primary objective for the existing residential area in the Kennedy Road South Revitalization Area is to create a more positive street frontage along Kennedy Road and improve the pedestrian realm.

The primary objective for the commercial areas is to provide for a more cohesive commercial corridor with improved design and accessibility. It is also a primary objective to provide an opportunity for the redevelopment of the consolidated parcels immediately south of Clarence Street on the east side of Kennedy Road which clearly prohibits incompatible uses such as motor vehicle repair, service, body shop or sales establishments.

The primary objective for the industrial areas on the east side of Kennedy Road is to maintain and strengthen the existing employment uses and allow for expansion.

5.0 LAND USE PRINCIPLES

As a result of a comprehensive land use planning and transportation study known as the Kennedy Road South Revitalization Study completed by Brook McIlroy (June 2006), several recommendations were made to revitalize the Kennedy Road South Revitalization Area and provide for a planning framework in which to implement land use and transportation related changes in both the short and long term planning horizon.

All development proposals shall comply with the urban design and sustainability guidelines for the Kennedy Road South Revitalization Area as provided in Appendix A.

The following policies shall be considered in conjunction with all development applications in the Kennedy Road South Revitalization Area:

5.1 Residential

5.1.1 The residential lands which front onto Kennedy Road South provide for a range of multiple housing types including townhouses and high-rise apartments. The primary objective in the residential areas is to improve the pedestrian realm, the interconnection of open space and pedestrian movement.

5.1.2 Medium and high density residential uses shall continue to be permitted within the residential areas in accordance with the policies of the Official Plan.

5.1.3 Future consideration for limited live-work uses in the residential designations shall be subject to appropriate urban design and traffic studies. Implementation of live-work uses shall require an amendment to the Official Plan and the Zoning By-law.

5.2 Institutional

5.2.1 The Kennedy Road South Revitalization Area contains a community soccer recreational centre and a public elementary school. There is also an existing long term care facility. It is intended that these uses are expected to continue in the foreseeable future.

5.2.2 Expansions to the existing institutional uses shall be permitted and implemented through the Zoning By-law and be subject to land use and traffic studies.

5.3 Commercial

5.3.1 The commercial areas in the Kennedy Road South Revitalization Area are comprised of a range of commercial uses and include a convenience commercial centre, a neighbourhood commercial centre and a highway commercial use. There is also a mix of service commercial and industrial commercial uses which front onto Kennedy Road South. There is an older shopping centre on the east side of Kennedy Road South just south of Clarence Street and a mix of retail and service commercial uses scattered along the east side of Kennedy Road South. It is intended that the area continue to permit a range of community serving commercial uses. Redevelopment in the commercial areas shall aim to improve urban design and accessibility and create more cohesive commercial centres.

5.3.2 Convenience Commercial

5.3.2.1 The existing convenience commercial centre located at the northwest corner of Kennedy Road South and Steeles Avenue is designated as Convenience Commercial and shall continue to serve the day to day needs of the surrounding community and employment area.

5.3.3 Neighbourhood Commercial

5.3.3.1 In the long term, redevelopment of the existing commercial plaza designated Neighbourhood Commercial at Kennedy Road South and Rambler Drive shall be encouraged to provide for a mixed-use form of development, including offices on the second floor and continue to be compatible with the existing residential area. Redevelopment of these lands shall promote development closer to the street and promote superior urban design.

5.3.4 Highway Commercial

5.3.4.1 The existing service station located at the northwest corner Kennedy Road South and Rambler Drive is designated Highway Commercial. It will continue to serve the surrounding community and any redevelopment shall be compatible with the existing residential community and incorporate superior urban design.

5.3.4.2 No motor vehicle repair, service, body shop or sales establishments shall be permitted.

5.3.5 District Commercial

5.3.5.1 The lands located south of Clarence Street on the east side of Kennedy Road South are designated District Commercial. The uses permitted shall be in accordance with the District Commercial policies of the Official Plan.

5.3.5.2 Redevelopment shall proceed where possible on the basis of consolidation of all of the lands to provide for a new commercial centre. There shall be limitations on the number and location of drive-thru facilities which shall be implemented through the Zoning By-law.

5.3.5.3 Redevelopment of the lands shall be undertaken in accordance with a comprehensive site plan which provides for shared parking, access, signage and landscaping. A new ring road shall be encouraged to service the new development and development shall be encouraged to move closer to the street.

5.3.6 Service Commercial

5.3.6.1 The lands located on the west side of Kennedy Road South, south of Clarence Street and north of the existing long term care facility are designated Service Commercial and shall be encouraged to develop as a commercial corridor.

5.3.6.2 A range of service commercial uses shall be permitted including service and office uses, accessory retail and restaurants. Commercial schools shall be permitted. While existing auto-related service commercial uses shall be permitted to continue, no new motor vehicle repair, service, body shop or sales establishments shall be allowed.

5.3.6.3 New infill development and redevelopment shall proceed with the consolidation of existing vehicular access driveways. Access to and from Kennedy Road South shall continue to be restricted. Parking shall be directed away from the street edge towards the rear of buildings.

5.3.6.4 The lands immediately north of the existing long term care facility shall be carefully considered for redevelopment and provide for service commercial uses which are compatible with the adjacent institutional use.

5.3.6.5 No outdoor storage of goods or materials may be permitted.

5.3.6.6 Special Service Commercial Policy Area 1

Special Policy Area 1, as shown on Schedule SP54(A), permits a range of uses as provided for in the Official Plan, and in addition recognizes the continuation of motor vehicle repairs as a legal non-conforming use and in conjunction with such use the ancillary use of the lands for motor vehicle sales shall be permitted in accordance with the following development principles :

- (i) motor vehicle sales shall be permitted on the lands for a period not to exceed five years, commencing on the date of approval of this amendment by the Ontario Municipal Board, subject to the display for sale of no more than three motor vehicles at any given time, and;
- (ii) the signage in respect of the motor vehicle sales shall be subordinate to and less predominant than any signage in respect of the principal use.

5.4 **Mixed Industrial/Commercial**

5.4.1 The areas located on the west side of Kennedy Road South, north of Clarence Street and along the east side of Kennedy Road South are designated Mixed Industrial/Commercial.

5.4.2 A range of service commercial and light industrial uses shall be permitted including service and office uses, accessory retail and restaurants. No new motor vehicle repair, service, body shop or sales establishments shall be permitted. No warehouse distribution centres shall be permitted.

5.4.3 No outdoor storage of goods or materials may be permitted.

5.4.4 Special Mixed Industrial/Commercial Policy Area 2

The lands designated Special Policy Area 2 on Schedule SP54(A) shall be used for limited outdoor storage in conjunction with a fencing business until the matter of outdoor storage is resolved through the next Official Plan review. The following development principals shall apply:

- (i) open storage is restricted to the present area and no expansions or additions shall be permitted on the subject property; and,
- (ii) appropriate screening shall continue to be provided on the subject site to minimize adverse impacts on surrounding properties and to minimize visual impacts from Kennedy Road South.

This Special Policy Area shall not be regarded as setting precedent for the approval of similar outdoor storage permissions for lands within the Kennedy Road South Secondary Plan Area that are not permitted by the implementing official plan amendment or zoning by-law.

5.5 Industrial

- 5.5.1 The existing industrial areas located on the east side of Kennedy Road South shall continue to be designated as Industrial and shall continue to permit a wide range of industrial uses including manufacturing, processing, repair and servicing, and warehousing.
- 5.5.2 While the existing retail and service commercial uses will be permitted to continue, new retail and service commercial uses shall be limited and implemented through the Zoning By-law. Such uses shall be restricted to locations at the front of the industrial buildings. No distribution centres shall be permitted.
- 5.5.3 No outdoor storage, or outdoor display or sale of goods and materials shall be permitted.
- 5.5.4 Notwithstanding Section 5.5.3 above, existing outside storage areas within the Industrial designation shall continue to be recognized, although expansion of same or the development of new open storage areas shall not be permitted.
- 5.5.5 Special Industrial Policy Area 3
 - 5.5.5.1 Permitted industrial uses on the lands designated Special Policy Area 3 on SP54(A) shall include warehousing, manufacturing, cleaning, packaging, processing, repairing or assembling of goods, foods or material within an enclosed building. Non-Industrial uses permitted shall include limited retail and service commercial uses which shall be defined by the zoning by-law.

6.0 URBAN DESIGN AND SUSTAINABILITY GUIDELINES

The following are general principles for urban design to be applied to all lands within the Kennedy Road South Revitalization Secondary Plan Area. All development proposals shall comply with the Urban Design and Sustainability Guidelines found in Appendix A. Sites that redevelop shall be subject to the Urban Design and Sustainability Guidelines.

The following key principles of urban design shall be addressed to improve the public and private realms:

- Improvements to landscaping and open space interconnections and integration;
- Improvements to the streetscape through the provision of street-oriented building design, lighting, street furniture, changes to surface parking areas and improved signage; and,
- Improvements to pedestrian connections and the creation of mid-block pathways, where appropriate.

7.0 TRANSPORTATION NETWORK

7.1 General Provisions

7.1.1 The general intent of this chapter is to ensure the development and maintenance of an efficient transportation network that will:

- (i) maximize accessibility to and within the Secondary Plan Area with no new access driveways to be permitted on Kennedy Road South;
- (ii) to promote the consolidation of driveways along Kennedy Road South to alleviate fragmentation;
- (iii) consider the need to study a future collector road network to the east of the Secondary Plan Area;
- (iv) accommodate the scope of redevelopment prescribed by the Secondary Plan, commensurate with the capacity of the local road network;
- (v) promote increased ridership on public transit through improvements to bus shelters and access to bus stop locations;
- (vi) encourage adequate and safe rail facilities; and,
- (vii) provide new pedestrian and cycling connections as part of redevelopment applications and where applicable, improvements to existing pedestrian and cycling pathways.

7.2 Road Network

- 7.2.1 Consideration shall be given to the creation of new East-West and North-South roads on the east side of Kennedy Road South outside of the Secondary Plan Area as provided in the urban design and sustainability guidelines (Appendix A). These potential roads shall be the subject of a further land use and transportation study to be undertaken by the City.

7.3 Railway Corridor

- 7.3.1 All proposed development will be required to undertake noise and vibration studies, to the satisfaction of the City of Brampton and the Ministry of the Environment and Energy in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse noise and vibration that have been identified.
- 7.3.2 Development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the City in consultation with the appropriate railway authority.

8.0 WATER SERVICING AND SANITARY SEWER

- 8.1 New development within the Secondary Plan Area shall be subject to the capacity of existing piped municipal sanitary sewers and any necessary capacity reinforcements.

9.0 IMPLEMENTATION

- 9.1 The provisions of Section 5.0 of the Brampton Official Plan shall apply to the implementation and interpretation of this Chapter.
- 9.2 The various terms used in the policies of this Secondary Plan shall be interpreted in accordance with the definitions in the Official Plan, or in accordance with any supplementary definitions in this Chapter, or if they are not specifically defined in either, in accordance with conventional planning or general usage.

APPENDIX A

Kennedy Road South Revitalization Area Secondary Plan
Urban Design and Sustainability Guidelines