

Date: September 27, 2019

Subject: **Recommendation Report**
City Initiated Official Plan Amendment and Zoning By-Law
Amendment
Queen Street Corridor Land Use Study
Wards 1 and 3

Contact: Michelle Gervais, Policy Planner, Planning and Development
Services, michelle.gervais@brampton.ca, 905-874-2073; and
Malik Majeed, Acting Manager, Land Use Policy, Planning and
Development Services, malik.majeed@brampton.ca, 905-874-2076

Recommendations:

1. **THAT** the report from Michelle Gervais, Policy Planner, Planning and Development Services, dated September 27, 2019, to the Planning and Development Committee Meeting of October 21, 2019, re: “**Recommendation Report:** City Initiated Official Plan Amendment and Zoning By-Law Amendment – Queen Street Corridor Land Use Study, Wards 1 and 3 be received;
2. **THAT** the Official Plan Amendment and Zoning By-law Amendment attached hereto respectively as Appendix 2 and 3 be adopted, on the basis that they represent good planning, including that they are consistent with the Provincial Policy Statement, conforms to the Places to Grow: Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City’s Official Plan for the reasons set out in the Planning Recommendation Report, September 27, 2019;
3. **THAT** Appendix B – Interim Design Guidelines and Special Streetscape Improvements to the Queen Street Corridor Secondary Plan Area 36 be deleted and replaced with Appendix B attached hereto respectively as Appendix 4;
4. **THAT** it is hereby determined that in adopting the attached OPA and Zoning By-law Amendment, Council has had regard for all matters of Provincial interest and the Provincial Policy Statements as set out in section 2 and 3(5) respectively of the *Planning Act*, R.S.O. 1990, c.P.13, as amended; and,
5. **THAT** Council hereby determines that no further public notice is to be given pursuant to Section 34(17) of the *Planning Act*.

Overview:

- The existing character of much of the Central Area located east of Kennedy Road is dominated by space extensive retailing, highway commercial and automotive related uses, and appropriate transition policies are required at the Secondary Plan level to achieve a transition towards the intended vision of the Central Area.
- On November 8, 2017 Council directed staff to initiate a Queen Street Corridor Land Use Study (the “Study”) for the lands located within the Queen Street Corridor, generally between Etobicoke Creek and Highway 410.
- An Interim Control By-Law (ICBL 246-2017) was enacted by Council on November 8, 2017 to protect lands within the boundaries of the Study area. The ICBL will expire on November 8, 2019.
- In January 2018, the City selected WSP to undertake the Study.
- The purpose of the Study is to develop a strategy to manage interim commercial uses as the Corridor transitions over time, recognizing that there are existing low-order commercial uses that may continue to operate over time and to recommend appropriate policies and zoning regulations to enable development that helps the City achieve its planning objectives for the area.
- This report presents for approval, City-initiated planning amendments to both the Official Plan and Zoning By-law that will implement a transitional framework, as recommended by the WSP Study.
- The OPA will include new policies that provide a specific framework for existing low-rise commercial uses to operate, expand and to be reused, while ensuring that new or reconstructed buildings or the expansion of existing uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor.
- The Zoning By-law Amendment creates a new zone category (Queen Street Mixed Use Transition) that expands the list of permitted uses to align with the uses permitted by the Official Plan and Secondary Plan; includes a maximum gross floor area; establishes moderate setbacks to enable a new or reconstructed building to be relocated on the lot in a manner that achieves the intended pedestrian-friendly built form for the Corridor; and creates a new zone category (Future Development) in areas that are zoned with uses that are not consistent with the long-term vision for the Corridor.

- **The proposed Zoning By-law Amendment will replace Interim Control By-law 246-2017, as amended, that is currently in force and effect.**
- **Two open house meetings on the Study were held in June 2018 and June 2019 and the draft City-initiated amendments were presented at a statutory public meeting on September 9, 2019.**

Background:

The Queen Street Corridor between Etobicoke Creek and Highway 410 is planned to transform into a pedestrian and bicycle friendly, mixed-use and transit-oriented environment in accordance with its UGC (UGC) designation in both the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) and the Official Plan. However, the zoning within this area has not been updated to conform to both the Growth Plan and Official Plan policies. The current permitted uses along the Queen Street Corridor generally reflect the historical low density and highway commercial development typical of suburban areas in the City. Continuing to allow this type of development would entrench existing land use patterns and make it more difficult for the City to achieve its planning objectives and long term growth forecasts.

In order to realize the full transformation of this important corridor in the City into a vibrant mixed-use centre, City Council on November 8, 2017 directed staff to initiate a planning study for the lands located within the Queen Street Corridor, generally between Etobicoke Creek and Highway 410 (see Appendix 1 – Location Map). WSP was hired by the City to complete the Queen Street Corridor Land Use Study.

On November 8, 2017, City Council passed Interim Control By-law 246-2017 to protect lands within the Queen Street Corridor study area. The Interim Control By-law (ICBL) prohibits new uses, with the exception of certain uses specified in the by-law, and the erection, enlargement or replacement of any land, building or structure within a defined area of the UGC for a period of one year while the City conducts a study of the planning policies and zoning regulations applicable to that area.

At its September 12, 2018 meeting, Council enacted ICBL 183-2018, which extended the expiry date of the Queen Street Corridor ICBL until November 8, 2019. Appeals were filed to the Local Planning Appeal Tribunal by Investors Group for both ICBL 246-2017 and ICBL-183-2018. Investors Group owns the properties located at 285, 289, 291, 293, and 295 Queen Street East. The City and Investors Group negotiated a settlement of the appeals, allowing the modernization of the properties to proceed and agreeing upon a vision for the long-term development of the properties. On June 19, 2019, Stikeman Elliott on behalf of Investors Group notified the Tribunal of their client’s withdrawal of the appeals.

Planning Context

Brampton Official Plan

It is recognized in the Official Plan that the existing character of much of the Central Area located east of Kennedy Road is dominated by space extensive retailing, highway commercial and automotive related uses, and appropriate transition policies are required at the Secondary Plan level to achieve a transition towards the intended vision of the Central Area.

Queen Street East Corridor Study Area

The Study Area stretches along Queen Street East, between the Etobicoke Creek and Highway 410. Existing uses in the Study Area are typically auto-oriented commercial and service uses. There are sections within the Study Area that include low-rise residential uses and industrial uses. New mixed-use developments that have been built within the Study Area have been excluded from the Study.

WSP has reviewed the building permit data for the Study Area between January 2008 and July 2018 and have concluded that the majority of the building permits that were issued during this time period were for alterations, renovations, revisions and change of use. There was only one permit issued for a building addition and that was to a residential dwelling. Based on the data that was reviewed, there are no indications that commercial and/or industrial building expansions are common occurrences in the Study Area. However, there appears to be considerable activity in the change of use and tenancy.

Queen Street Corridor Land Use Study

The Queen Street Corridor Land Use Study has identified inconsistencies between the in-effect zoning and planning policy and recommends a strategy for managing interim commercial uses within the study area as it transitions over time, recognizing that there are existing low-order commercial uses which may continue to operate.

The Study considered the following five (5) options to manage land use in the Queen Street Corridor to ensure it evolves towards the vision captured in the City's policy documents:

1. Maintain status quo
2. Pre-zone
3. Future Development Zones
4. Transitional Zones
5. Template Zones

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Based on the analysis completed by WSP, it is recommended that a transitional framework (Option 4) for managing change in the corridor be implemented, along with the implementation of a Future Development Zone (Option 3) in areas that are zoned with uses (industrial and single detached residential) that are not consistent with the long-term vision for the Corridor and on vacant properties. A transitional framework will balance the needs of existing owners that are not ready to redevelop while ensuring that the long-term vision for Queen Street Corridor will be achieved. WSP has indicated that this approach best reflects the specific context of the Study Area.

Option 1, which is to maintain status quo, is not recommended as there are many non-conformity issues between the zoning and the goals prescribed in the Official Plan and Secondary Plan, as well as the larger goals of the Provincial Policy Statement and the Growth Plan. Without updating the zoning, highway commercial uses could continue to proliferate and as-of-right permissions would remain in place and development could occur at densities and in forms that will undermine the City's goals to see the study area transition into a pedestrian-friendly, transit-oriented mixed-use area

Option 2, which is to pre-zone all of the lands within the Study Area, is not appropriate at this time. Council is interested in implementing a Community Planning Permit System (CPPS) By-law for Queen Street East (between Downtown and Highway 410) as a way to facilitate and streamline development, improve certainty, make further improvements to development outcomes that will all help to attract investment and employment in the City. Staff are currently preparing a Queen Street East Precinct Plan that is intended to outline development principles and guidelines for a portion of the City's UGC at a level of detail that is not included in the Queen Street Corridor Secondary Plan. The Precinct Plan will provide design concepts and development guidelines for the implementation of public infrastructure (streets, parks and trails, and community facilities) as well as the built form of new development and will provide the foundation for the preparation of the CPPS By-law. As part of the CPPS By-law planning process, a number of supporting technical studies are required to be completed to ensure that the appropriate services and infrastructure are in place to support the redevelopment and intensification of the Queen Street Corridor. Since the Precinct Plan and technical studies have not been prepared, it is premature to pre-zone the lands in the Study Area or to formulate a template zone (Option 5).

To support the recommended transitional framework, amendments to both the Queen Street Corridor Secondary Plan and Zoning By-law are required.

Proposed Official Plan Amendment

The proposed amendments to the Queen Street Corridor Secondary Plan will include policies that will permit existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor. The proposed policies address the following types of development and uses:

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- Conversions of commercial uses within existing low-rise buildings to other commercial uses;
- Minor expansions to existing low-rise commercial buildings;
- Reconstruction of existing commercial buildings;
- New buildings or major expansions;
- Existing industrial uses; and,
- Existing single detached dwellings.

Policies that are recommended to implement the recommended transitional approach are summarized as follows:

1. Facilitate the evolution of the corridor from an automobile-oriented commercial corridor to a higher-density, pedestrian- and transit-oriented, bicycle-friendly, mixed-use corridor that will balance the needs of existing businesses with the need to ensure that redevelopment and intensification opportunities are not precluded.
2. New commercial developments that exceed the maximum gross floor area permitted in the Zoning By-law, which could include a significant expansion of an existing building, major reconstruction with additional floor area and/or any new infill pad building.
3. Prohibit new drive-through uses or the expansion to existing drive-through uses.
4. Promote the creation of urban streets internally, where the size and configuration of the site permits this opportunity and to consider opportunities for consolidated or shared access between properties.
5. Encourage the redevelopment of single detached dwellings for higher-density, mixed-uses.
6. Establish criteria for the expansion of industrial uses.
7. Address the potential need for lot consolidation, recognizing that many properties in the corridor (particularly west of Kennedy Road) may not sufficiently accommodate the type of development that is envisaged without some degree of lot consolidation.
8. Prohibit the fragmentation of ownership, such as through the introduction of condominium ownership of commercial uses.

In addition, to the above noted policies, a number of housekeeping amendments to the existing policies in the Queen Street Corridor Secondary Plan are also proposed and are summarized as follows:

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1. Section 5.1.1.4 (Commercial) – Change “maximum coverage” to “maximum density”.
2. Section 5.1.2.1 (Central Area Mixed-Use) – A change to the intended mixed-use built form that is encouraged within each proposed development.
3. Section 5.1.2.5 (Central Area Mixed-Use) – Change “maximum coverage” to “maximum density”.
4. Section 5.1.2.6 (Central Area Mixed-Use) – A change to the intended mixed-use built form for those lands that straddle Queen Street between the Etobicoke Creek and Highway 410.

The draft OPA (OPA) that was presented at the statutory public meeting has been revised generally as follows:

- Added the words “bicycle-friendly” to a number of Sections to describe the transformation of the Queen Street East Corridor;
- Administrative changes to the numbering of new Sections and the references to Schedule A;
- Changed the proposed wording in Section 5.1.2.6 from “...and street-related retail and commercial uses shall comprise the majority of at-grade building frontages” to “and sufficient street-related retail and commercial uses shall be provided to contribute to a vibrant commercial corridor along Queen Street.”
- Amended Special Policy Area Section 5.7.1.2 to add the words “and Transitional Policies” following “Central Area Mixed – Use designation”;
- Changed the word “uses” to “buildings” in Section 9.1.5; and,
- Deleted Section 9.1.7 b) For single detached dwellings that do not directly front onto Queen Street East, the dwellings shall be recognized as a permitted use and shall be zoned accordingly;

A copy of the proposed OPA can be found in Appendix 2.

Proposed Zoning By-law Amendment

Below is a summary of the proposed draft Zoning By-law amendment (ZBA) that will implement the recommended transitional approach:

1. Create a new zone category (i.e. Queen Street Mixed Use Transition (QMUT) zone) that expands the list of permitted uses to align with the uses permitted by the Official Plan and Secondary Plan.
2. The maximum gross floor area for existing permitted uses will be restricted to the total gross floor area that existed on the day the by-law is passed by Council, plus 10%.

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3. Establish moderate setbacks to enable a new or reconstructed building to be relocated on the lot in a manner that achieves the intended pedestrian-friendly and transit-oriented built form along the Corridor.
4. Create a new zone category (Future Development (FD) zone) in areas that are zoned with uses (i.e. industrial and single detached residential) that are not consistent with the long-term vision for the Corridor and include provisions that restrict the height, setbacks and maximum gross floor area to what existed on the property the day the by-law is passed by Council. The FD zone will also apply to properties that are vacant on the day the by-law is passed by Council.
5. A site-specific zone (QMUT-2946) for the property located at 295 Queen Street East that is owned by Investors Group. The site-specific zone reflects the variances that were granted by the Committee of Adjustment on June 18, 2019 (Minor Variance Application File No.: A19-112).

The draft ZBA that was presented at the statutory public meeting has been revised as follows:

1. Changed the references to “passing of this By-law” to “passing of this By-law Amendment”;
2. Changed the reference to “adoption of this By-law” to “passing of this By-law Amendment”;
3. Changed the reference to “front yard is” to “front lot line shall be the lot line abutting.”; and,
4. Included a requirement that all of the lands zoned QMUT-2946 shall be treated as one lot for zoning purposes.

A copy of the proposed ZBA can be found in Appendix 3.

Urban Design Framework

There are Interim Design Guidelines and Special Streetscape Improvements that are attached as Appendix B to the Queen Street Corridor Secondary Plan. These Guidelines are temporary until such time as Council approves District Design Guidelines for the area. The Interim Design Guidelines do not contain any provisions to guide the transition of built form in the Corridor.

WSP has recommended that the Interim Design Guidelines be amended to address building expansions, building reconstructions and infill buildings to ensure that they are designed in a manner that does not inhibit or preclude desirable and planned future redevelopment within the Corridor. Revisions to Sections 1.1 and 1.3 are proposed as

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well as a new section is proposed to be added as Section 1.7 - Transition of Low-Rise Commercial Areas (Central Area Mixed Use Designation between Highway 410 and Etobicoke Creek).

Official Plan policy 1.4 – Interpretation of the Official Plan states, “*the Appendix provides background information related to interpretation and implementation, but is not part of the approved Plan.*” Based on this, the recommended changes to Appendix B – Interim Guidelines and Special Streetscape Improvements will not form part of the proposed OPA found in Appendix 2.

WSP has recommended that it would be premature to finalize the Urban Design Guidelines in a comprehensive manner while crucial work that will inform the final built form and character of the Study Area is in process.

The draft Interim Design Guidelines and Special Streetscape Improvements that was presented at the statutory public meeting has been revised as follows:

1. Deleted proposed wording of Section 1.3.2 and replaced it with the existing Secondary Plan wording found in Section 1.3.2.

A copy of the proposed Appendix B – Interim Design Guidelines and Special Streetscape Improvements can be found in Appendix 4.

Ultimate Built Form and Density

The ultimate built form and density requirements along the Queen Street Corridor will evolve through other ongoing studies (i.e. Queen Street Bus Rapid Transit Study, Region of Peel Major Transit Station Area Study) and it is intended that the Secondary Plan policies and zoning along the Queen Street Corridor will be reviewed and updated again in the future to reflect any refinements or requirements to built form, density or other policies.

As discussed previously, Council is interested in implementing a CPPS By-law for Queen Street East (between Downtown and Highway 410). Staff are currently preparing a Queen Street East Precinct Plan that is intended to outline development principles and guidelines for a portion of the City's UGC at a level of detail that is not included in the Queen Street Corridor Secondary Plan. The Precinct Plan will provide design concepts and development guidelines for the implementation of public infrastructure (streets, parks and trails, and community facilities) as well as the built form of new development and will provide the foundation for the preparation of the CPPS By-law. As part of the CPPS By-law planning process, a number of supporting technical studies will be required to be completed to ensure that the appropriate services and infrastructure are in place to support the redevelopment and intensification of the Queen Street Corridor.

Analysis

The proposed Official Plan and Zoning By-law Amendments are consistent with the Provincial Policy Statement and in conformity with the Place to Grow: Growth Plan for the Greater Golden Horseshoe as well as the Region's Official Plan. The proposal is also generally consistent with Brampton's Official Plan, and appropriately considers matters of provincial interest as set out in Section 2 of the *Planning Act*. A summary of the relevant Provincial, Regional and City policies can be found in Appendix 5 – Planning Analysis.

Community Engagement

A public open house meeting was held on June 20, 2018 at Century Gardens Recreation Centre to introduce the study, to discuss preliminary findings and approaches for managing transition and to receive feedback from residents on what elements and qualities they felt were important and contribute to the character of their neighbourhood.

A second open house meeting was held on June 12, 2019 at City Hall to present the preferred approach for managing transition, including the policy, zoning and urban design framework and to receive feedback from residents on the preferred approach.

The feedback received at each of the open house meetings is summarized in WSP's Zoning Conformity Analysis Report that can be found in Appendix 6.

A summary and a response to the public feedback provided at the open house meetings can also be found in Appendix 8.

Statutory Public Meeting

The application was circulated to property owners within 240 metres of the Study Area on August 11, 2019 as per *Planning Act* requirements. The public meeting for this application was held on Monday, September 9, 2019. There were no members of the public in attendance at the meeting. There were four (4) pieces of correspondence that were received from members of the public (see Appendix 9). A response to the correspondence received can be found in Appendix 8.

Corporate Implications:

Financial Implications:

There are no financial implications associated with the OPA and ZBA.

Economic Development Implications:

There are no economic development implications associated with the OPA and ZBA.

Other Implications:

There are no other implications associated with the OPA and ZBA.

Term of Council Priorities (2019-2022)

This report directly aligns with the Strategic Direction – Brampton is a City of Opportunities by proposing policies and zoning provisions that will assist in ensuring that any transitional development that occurs within the Queen Street East Corridor does not undermine the City’s long-term goals while the City finalizes the work required to achieve the ultimate build-out of its vision. This report has been prepared in full consideration of the Term of Council Priorities (2019 – 2022).

Living the Mosaic – 2040 Vision

This Report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic.’ Specifically, the 2040 Vision identifies a “Queen’s Boulevard” for the Queen Street Corridor between Highway 410 and the Etobicoke Creek. It is envisioned to be a *‘tight corridor of higher density and scale with mixed uses and continuous commerce at grade.’*

Conclusion:

This report presents for approval, City-initiated planning amendments to both the Official Plan and Zoning By-law that will permit existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor.

Staff is satisfied that the proposed OPA and ZBA represent good planning, including that they are consistent with the Provincial Policy Statement and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and the Peel Region Official Plan.

Respectfully submitted by:

Michelle Gervais, MCIP, RPP
Policy Planner
Planning & Development Services
Department

Recommended by:

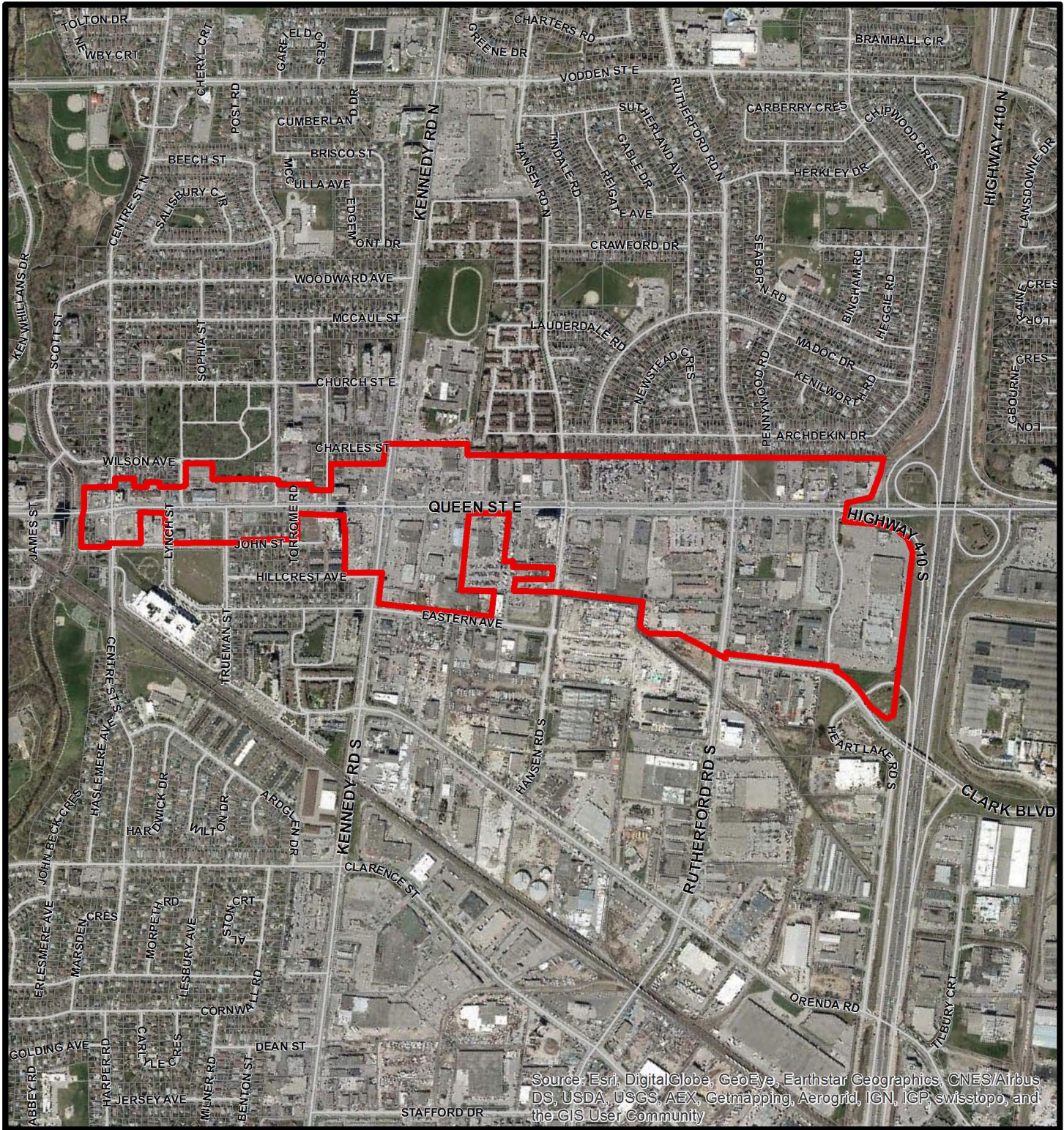
Bob Bjerke, MCIP, RPP
Director, Policy Planning
Planning & Development Services
Department


Authored by: Michelle Gervais, MCIP, RPP, Policy Planner

Attachments:

- Appendix 1: Queen Street Corridor Study Area
- Appendix 2: Official Plan Amendment
- Appendix 3: Zoning By-Law Amendment
- Appendix 4: Queen Street Corridor Secondary Plan Appendix B – Interim Design Guidelines and Streetscape Improvements
- Appendix 5: Planning Analysis
- Appendix 6: Queen Street Corridor Land Use Study - Zoning Conformity Analysis Report – prepared by WSP dated September 2019
- Appendix 7: Public Meeting Minutes – September 9, 2019
- Appendix 8: Summary and Response to Comments/Correspondence Received
- Appendix 9: Correspondence Received

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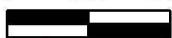


 SUBJECT LANDS



PLANNING AND DEVELOPMENT SERVICES

0 150 300



Metres

Author: CKovac

Date: 2018 02 27

ICBL 246-2017 BOUNDARY



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

To Adopt Amendment Number OP 2006-
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 OP 2006 - _____ 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 23rd day of October, 2019.

Approved as to
form.
20 __/month/day
[insert name]

Patrick Brown, Mayor

Approved as to
content.
20 __/month/day
[insert name]

Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006 - _____

to the Official Plan of the
City of Brampton Planning Area

Constitutional Statement

Part A, The Preamble does not constitute part of this Amendment.

Part B, The Amendment, consisting of amendments to the Text constitutes Amendment Number ___ to the City of Brampton Official Plan.

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

PART A - PREAMBLE

1.0 Purpose:

The purpose of this amendment to the Queen Street Corridor Secondary Plan (Secondary Plan Area 36), affecting the lands shown in Schedule 'SP36(A)', is to facilitate the evolution of the corridor from its current state to the ultimate buildout envisioned in the Secondary Plan, recognizing that transition will likely take place over a long period of time. The Queen Street Corridor forms part of Brampton's Urban Growth Centre and the Central Area, along with Downtown Brampton. The Central Area is intended to be the cultural, economic and entertainment heart of the City, accommodating a significant share of the City's population and employment growth through the introduction of major transit infrastructure, intensification and increased mixed-use development.

Accordingly, the intent of this Amendment is to balance the needs of existing businesses with the goals set out in Section 4.0 of SPA 36, including: promoting intensification and improvements in Brampton's Central Area as a major focus of commercial and community activity, promoting the character of Queen Street as a strong pedestrian, bicycle-friendly and transit environment; and promoting enhanced public transit and land assembly, while discouraging land fragmentation in order to encourage comprehensive redevelopment.

These policies are intended to prevent development that could compromise the Secondary Plan vision as a higher-density, mixed-use corridor and help to bring about development that is consistent with the long-term vision for the Corridor. While the corridor has been historically used for low-density commercial and other uses, the corridor now forms part of the City of Brampton's Urban Growth Centre, and is intended to accommodate higher density development and a mix of uses, transforming Queen Street into a vibrant, pedestrian-oriented and bicycle-friendly corridor. The Amendment introduces policies to guide existing uses and development in a manner that will ensure the long-term vision will be achieved.

This Amendment further recognizes that built form and density requirements may evolve through other initiatives ongoing at the time of completing this Amendment, including the Queen Street - Highway 7 Bus Rapid Transit Study and the applicable requirements of the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe for Major Transit Station Areas. It is intended that the policies will be reviewed and updated again in the future to reflect any refinements or requirements to built form, density or other policies.

2.0 Basis:

Managing the transition of the Urban Growth Centre has been an ongoing effort by the City of Brampton. In 2006, the City passed two Zoning By-laws (266-2006 and 267-2006), to restrict uses that do not conform to the Official Plan vision in Downtown and the Queen Street Corridor, respectively. In November 2017, recognizing that much of the zoning in the corridor was for principally low-rise commercial uses, Council approved Interim Control By-law 246-2017, as amended, pursuant to Section 38 of the *Planning Act* to prohibit new uses and the erection, enlargement or replacement of existing land, buildings and structures within the designated area for one year so that a study would be undertaken. A Zoning Analysis Report was prepared, and it included a review of existing zoning regulations and Secondary Plan policies and recommendations for updated regulations and policies to ensure compatibility with the Official Plan policies. The Zoning Analysis Report contains the detailed background, review of options and analysis, resulting in a recommended framework including recommended changes to the policies of the Queen Street Corridor Secondary Plan.

3.0 Location:

The lands subject to this amendment are generally located along Queen Street East, between Highway 410 and Etobicoke Creek, within the City's Urban Growth Centre, as shown on Schedule 'A' of the Official Plan. More specifically, this amendment affects the properties subject to Interim Control By-law 246-2017, as amended.

PART B – THE AMENDMENT

4.0 Amendments and Policies Relative Thereto:

The document known as the Queen Street Corridor Secondary Plan - Secondary Plan Area 36 is amended as follows:

- (1) **Section 4.0 – General Objectives and Criteria is amended by inserting the following bullet point between the fifth and sixth bullet points:**

“facilitates the evolution of the corridor from an automobile-oriented commercial corridor to a higher-density, pedestrian- and transit-oriented, bicycle-friendly, mixed-use corridor by balancing the needs of existing businesses with the need to ensure that redevelopment and intensification opportunities are not precluded;”

- (2) **Section 5.0 – Land Use Principles is amended by inserting the following new paragraph between the existing third paragraph and existing fourth paragraph (i.e., after “...granting of development approval.”):**

“The majority of properties along Queen Street East between Highway 410 and Downtown are designated for Central Area Mixed-Use. The existing service and highway commercial uses are expected to transition over time to a new mix of residential, employment and commercial uses that, along with the implementation of rapid transit, create a new streetscape more oriented to people than to cars. While studies are being undertaken to foster and guide this transformation and as development proceeds over time, policies should ensure that any interim development contributes to the vision for the corridor and that no development takes place that could prevent the realization of the corridor’s vision.”

- (3) **Subsection 5.1.1.4 is amended by replacing the word “coverage,” between the words “maximum” and “specified,” with the word “density.”**
- (4) **Subsection 5.1.2.1 is amended by deleting the sentence that begins “Mixed-Use development shall mean...” and replacing it with:**
- “The City shall encourage a mix of uses within each proposed development, including active commercial uses at grade, with office, institutional or residential uses located in the upper storeys. However, stand-alone uses shall also be permitted, such as office buildings and residential buildings, provided the development achieves the policies of this Plan with respect to built form, and subject to any further detailed land use policies as outlined in this Plan. Where a stand-alone residential or office building is proposed, the City will encourage, where appropriate, the ground floor to be developed with convertible frontages and a suitable ground floor building height to preserve future opportunity for conversion to commercial uses. A combination of stand-alone uses, as well as mixed-use buildings, will both contribute to achieving an overall vibrant, mixed-use corridor over the long term.”
- (5) **Subsection 5.1.1.4 is amended by replacing the text “5.1.2.4” with “5.1.2.7.”**
- (6) **Section 5.1.2 – Central Area Mixed-Use is amended by adding the following new sections to immediately follow Subsection 5.1.2.1 and renumbering all subsequent subsections accordingly (i.e., existing Subsections 5.1.2.4 – 5.1.2.6 are renumbered to 5.1.2.7 – 5.1.2.9 respectively):**

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“5.1.2.4 There are historical low-density and highway commercial developments located along the Queen Street East corridor that are designated Central Area Mixed-Use that have the potential to hinder the City’s ability to achieve the planning objectives for the area. The intent of this Plan is for the corridor to transform into a higher-density, mixed-use, transit-oriented, bicycle and pedestrian-friendly corridor. The policies contained in Section 9 of this Plan are intended to manage the transition within this portion of the Corridor and ensure existing uses may continue without compromising the full transformation of this important corridor into a vibrant, mixed-use centre.

5.1.2.5 Lot consolidation, particularly for smaller lots, shall be encouraged while ensuring that long-term redevelopment is not precluded. The submission of a Tertiary Plan and/or planning justification addressing lot consolidation may be required by the City in association with a development application to ensure that a redevelopment proposal does not negatively affect redevelopment opportunity for nearby and adjacent lots.

5.1.2.6 Recognizing that there are low-rise commercial plazas in the Central Area Mixed-Use designation, fragmentation of ownership through condominium conversion for an existing low-rise commercial development will not be permitted to ensure that redevelopment opportunity is not inhibited.”

(7) Subsection 5.1.2.5 (formerly 5.1.2.2) is amended by replacing the word “coverage,” between the words “maximum” and “specified” in the final sentence of the paragraph, with the word “density.”

(8) Subsection 5.1.2.6 (formerly 5.1.2.3) is amended by:

a) Deleting the entirety of the second sentence, beginning with “All new development shall accommodate...” and replacing the sentence with “In these areas, residential uses will be encouraged, and sufficient street-related retail and commercial uses shall be provided to contribute to a vibrant commercial corridor along Queen Street.”

b) Deleting the entirety of the text following “Central Area Mixed-Use redevelopment areas are” in the final sentence of the first paragraph and replacing it with “set out in Table 1.”

- (9) **Section 5.7 – Special Study Areas is amended by:**
- a) Adding the words “and Transitional Policies” following “Central Area Mixed – Use designation” in Subsection 5.7.1.2.

- (10) **Section 6 – Road Network is amended by inserting the new Subsection 6.2.7, following the existing Subsection 6.2.6:**

“6.2.7 Development, redevelopment or intensification shall not preclude any future potential additions, improvements and extensions to the road network described in Section 6.2.4.”

- (11) **Section 8.2 – Character Principles is amended by inserting the following new subsection after Section 8.2.3, and renumbering all subsequent Sections accordingly (i.e., 8.2.4 – 8.2.7 are renumbered to 8.2.8 – 8.2.11, respectively):**

“8.2.4 It is the first principle of this Plan to promote Queen Street East as a pedestrian-oriented corridor, framed by multi-storey buildings that provide for a majority of street-related commercial uses at grade. The City shall prefer that lands with direct frontage onto Queen Street East be developed for a mix of uses, and a minimum height of 4 storeys.

8.2.5 To the west of Highway 410, the City shall promote the appropriate transition of built form from the current low-rise commercial format to the higher-density, pedestrian- and transit-oriented, bicycle-friendly mixed-use corridor intended by this Plan. The policies in Section 9 of this Plan and the Interim Design Guidelines in Appendix ‘B’ provide additional guidance and policies with respect to this transition.

8.2.6 The City will also explore and promote the creation of complete, pedestrian-oriented streets internally within sites, where comprehensive, transformative redevelopment is proposed or is possible, and where the size and configuration of the site permits this opportunity. In these cases, the City will encourage multi-storey commercial or mixed-use buildings with street-related uses located at-grade to frame the internal streets.

8.2.7 The City will promote the clustering of public amenity spaces, urban squares and parks with mixed-use, higher density developments on the Queen Street East frontage and as part of internal streets.”

- (12) **Section 9.0 – Transitional Policies** is inserted immediately following Section 8.6.4, and the existing subsequent sections are renumbered accordingly (i.e., Section 9.0 – Implementation becomes 10.0 – Implementation):

“9.1 Transition of Low-Rise Commercial Uses to Mixed Uses (Central Area Mixed-Use Lands Located Between Etobicoke Creek and Highway 410)

This Section addresses the long-term transition of the corridor from a principally low-rise, highway commercial corridor, to a higher-density, pedestrian- and transit-oriented, bicycle-friendly, mixed-use corridor, recognizing that many existing low-rise commercial uses will continue to operate during this transitional period.

The policies of Section 9.1 apply specifically to lands between the Etobicoke Creek and Highway 410 which are designated Central Area Mixed-Use. These policies are not applicable to other lands in this Corridor, such as the lands designated Industrial. Other Central Area Mixed-Use lands outside of this corridor are also not subject to this Section, but are subject to Section 9.2.

The purpose of these policies is to provide a specific framework for existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor. The policies address the following types of development and uses:

- Proposals to convert commercial uses within existing low-rise buildings to other commercial uses;
- Proposals involving a minor expansion of an existing low-rise commercial building;
- Proposals to reconstruct an existing commercial building;
- Proposals involving new buildings or major expansions;
- Existing industrial uses; and
- Existing single detached dwellings.

Additional design guidance is included in the Interim Design Guidelines, contained in Appendix ‘B’ and the Official Plan.

Proposals to Convert Commercial Uses in Existing Low-Rise Buildings

- 9.1.1 Commercial uses within low-rise buildings that existed on the date of approval of this Amendment shall be permitted to convert to other commercial uses that are permitted in accordance with the Central Area Mixed-Use policies in Section 5.1.2.

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Proposals for the Minor Expansion of Existing Low-Rise Commercial Buildings

9.1.2 For all sites, expansions of existing low-rise commercial uses and buildings may be permitted, provided:

- a) The use is permitted in the Central Area Mixed-Use designation;
- b) The maximum gross floor area is the total gross floor area existing on the date of approval of this Amendment, plus 10%;
- c) Where possible, the building expansion should be located away from the Queen Street East Frontage in order to maximize opportunities for the future infill of mixed-use, higher-density development that addresses Queen Street East;
- d) New or expanding drive-through uses shall not be permitted; and,
- e) Consideration shall be made to locate the building expansion in a manner that facilitates the long-term road network (Section 6.2) and to consider opportunities for consolidated or shared access between sites.

Proposals to Reconstruct Existing Low-Rise Commercial Buildings

9.1.3 Reconstruction of low-rise commercial buildings existing on the date of approval of this Amendment may be permitted, provided that the policies in Section 9.1.2 are met.

9.1.4 Where appropriate due to the scale/configuration of the site, the nature of the use and in consideration of the specific long-term development potential of the site, the City may encourage a reconstructed building to be located close to the Queen Street East frontage. A more pedestrian-oriented built form, including encouraging a minimum height of at least two functional storeys, in accordance with the Interim Design Guidelines (Appendix B) is promoted.

Proposals for New Buildings, Major Expansions, etc.

9.1.5 Where new low-rise commercial buildings exceeding the maximum gross floor area permitted in the Zoning By-law are proposed, including a significant expansion of an existing building, major

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reconstruction with additional floor area and/or any new infill pad building, the development may be permitted, provided:

- a) A proposed low-rise commercial development shall not be located within the Queen Street East frontage, generally defined as any lands within approximately 50 metres of the Queen Street East street line;
- b) The proposed development implements the urban form character principles in Section 8.2 and the applicable Interim Design Guidelines in Appendix B;
- c) A long-term phasing or development concept including site-specific design guidelines is submitted to the City's satisfaction, to illustrate how the proposed development will be able to transition and intensify over the long term to achieve the land use and density requirements of the Central Area Mixed-Use designation under Section 5.1.2;
- d) The development is planned to support implementation of the long-term road network and considers consolidated access; and,
- e) Any proposed retail warehouse use shall only be permitted if it is integrated into a multi-storey mixed-use building.

Policies Related to the Existing Industrial Uses

9.1.6 It is recognized that there are several existing industrial uses located in the Central Area Mixed-Use designation between Etobicoke Creek and Highway 410, and north of Eastern Avenue/Clark Boulevard. In these areas, which are exclusive of any lands designated Industrial on Schedule SP36(A), existing industrial uses shall be recognized as permitted uses but shall not be permitted to expand except where it is demonstrated that:

- a) The proposed expansion will not adversely affect other adjacent uses due to noise, vibration, odour, parking needs, lighting, dust, smoke or other impacts, and appropriate buffers, setbacks and location of the expansion will be used to mitigate impacts;
- b) The proposed expansion will not adversely impact the ability of adjacent lands to be developed or redeveloped for the permitted uses, including sensitive uses (residential), due to increased noise or other impacts which would normally necessitate greater separation; and,

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- c) The proposed expansion is minor in scale and size, generally not exceeding an increase of 10% of gross floor area.

Policies Related to the Existing Single Detached Dwellings

9.1.7 It is recognized that there are existing single detached residences in the Central Area Mixed-Use designation between Etobicoke Creek and Highway 410, and these uses are not consistent with the long-term vision for the corridor. For these uses, the following policies shall apply:

- a) With respect to single detached dwellings fronting directly onto Queen Street East, the existing single detached dwellings shall be recognized as legal non-conforming uses, and this shall be implemented in the Zoning By-law; and,
- b) The City will encourage the consolidation and redevelopment of these dwellings for higher-density, mixed uses, in accordance with this Plan.

9.2 Transition of Other Central Area Mixed-Use Lands (east of Highway 410)

9.2.1 Notwithstanding the policies of section 5.1.2, properties designated Central Area Mixed-Use on Schedule SP36(A), excluding all lands located between Etobicoke Creek and Highway 410, may be developed in the interim for a range of lower-order commercial uses, subject to the judicious use of landscaping, the controlled use of signs, and the prohibition of outside storage of equipment or materials associated with the proposed use.”

(13) Section 10.0 – Implementation is hereby amended by deleting newly renumbered policy 10.3.

Approved as to
content.

20__/month/day

[insert name]



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

To amend By-law 270-2004, as amended

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 adding to Section 3.1.2 the following zone:

“Queen Street Mixed Use Transition - QMUT”

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

From:	To:
Service Commercial (SC-3453, SC-3103, SC-3375, SC-3174, SC-3199, SC-3058, SC-3072, SC-3083, SC-3105, SC-3123, SC-3136, SC-3150, SC-3155, SC-3160, SC-3201, SC-3214, SC-3255, SC-3303, SC-3350, SC-3382); Highway Commercial One (HC1-3453, HC1-3454, HC1, HC1-3153, HC1-3138, HC2, HC1-3053, HC1-3069, HC2-3179, HC1-3232, HC1-3250), Highway Commercial Two (HC2-3453); Commercial Two (C2-3404, C2-3162); Commercial Three (C3-3064, C3-3256).	Queen Street Mixed Use Transition (QMUT)

(3) By adding thereto the following section:

“ 29.3 QUEEN STREET MIXED USE TRANSITION – QMUT

29.3.1 The lands zoned QMUT on Schedule 'A' to this by-law shall only be used for the following purposes:

- a. Commercial
 - i. a retail establishment having no outside storage
 - ii. a service shop
 - iii. a personal service shop
 - iv. a bank, trust company, or finance company
 - v. a dry cleaning and laundry distribution station
 - vi. a laundromat
 - vii. a dining room restaurant, a convenience restaurant or a take-out restaurant
 - viii. a tavern
 - ix. a printing or copying establishment
 - x. a commercial, technical or recreational school
 - xi. a community club
 - xii. a health centre or fitness centre
 - xiii. a recreational facility
 - xiv. an art gallery, museum or art/photo studio
 - xv. a convenience store or grocery store
 - xvi. a travel agency
 - xvii. an office
 - xviii. a hotel
 - xix. a shopping centre
 - xx. a banquet hall
 - xxi. a place of commercial recreation
 - xxii. a supermarket
 - xxiii. an animal hospital
 - xxiv. a theatre
 - xxv. a body art and/or tattoo parlour
 - xxvi. an amusement arcade
 - xxvii. a motor vehicle rental or car sharing establishment (small-scale)
- b. Institutional
 - i. a place of worship
 - ii. a day nursery
 - iii. a private or public school
 - iv. a library
 - v. a community centre
 - vi. a private or public hospital
 - vii. a public park
- c. Other
 - i. purposes accessory to the other permitted uses

29.3.2 Shall not be used for the following purposes:

- a. Prohibited Uses
 - i. an adult video store
 - ii. an adult entertainment parlour
 - iii. a massage or body rub parlour
 - iv. a drive-through facility associated with any use

29.3.3 Shall be subject to the following requirements and restrictions:

- a. Maximum Building Height: 4 storeys

- b. Minimum Lot Width: The existing lot width
- c. Minimum Lot Depth: The existing lot depth
- c. Minimum Front Yard Depth: 0.0 m
- d. Maximum Front Yard Depth: The greater of the existing front yard setback or 4.5 m
- e. Minimum Exterior Side Yard Width: 0.0 m
- f. Maximum Exterior Side Yard Width: The greater of the existing exterior side yard setback or 4.5 m
- g. Minimum Interior Side Yard Width: 0.0 m
- h. Minimum Rear Yard Depth: 7.5 m
- i. Maximum Gross Floor Area
 - i. For uses listed as permitted uses, the maximum gross floor area shall be the existing gross floor area that existed on the date of passing of this By-law amendment, plus 10%.
 - ii. For any other use, including any legal non-conforming use, the maximum gross floor area shall be the existing gross floor area as it existed on the date of passing of this By-law amendment.
- j. Minimum Landscaped Buffer Area: A landscaped buffer area having a width not less than 1.5 m shall be provided between any portion of a parking area and a street. The landscaped buffer area may be crossed only by walkways and driveways to provide pedestrian or vehicular access into or out of the site from the street or sidewalk.
- k. Drive-Through Facilities: An existing legal non-conforming drive-through facility shall not be permitted to expand in terms of the number of stacking lanes or stacking spaces as they existed on the date of the passing of this By-law amendment.
- l. For the purposes of the QMUT zone, the following term is defined:

MOTOR VEHICLE RENTAL OR CAR SHARING

ESTABLISHMENT (SMALL-SCALE) shall mean premises used principally for the temporary storage of up to five (5) motor vehicles, excluding oversized motor vehicles, for the purposes of rental or temporary usage by members or patrons of a car sharing business.

(4) By adding to Section 3.1.2 the following zone:

“Future Development - FD”

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By-law Number _____ - 2019

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

From:	To:
Industrial Two (M2); Residential Single Detached B (R1B), Residential Single Detached B – 3453 (R1B- 3453)	Future Development (FD)

- (6) By adding thereto the following sections:

“29.4 Future Development – FD

29.4.1 The lands zoned FD on Schedule ‘A’ to this by-law shall only be used for the following purposes:

- a. A building, structure or use that was existing on the date of the passing of this By-law amendment.

29.4.2 Shall be subject to the following requirements and restrictions:

- a. Maximum Building Height: The existing building height
- b. Minimum Lot Width: The existing lot width
- c. Minimum Lot Depth: The existing lot depth
- d. Minimum Front Yard Depth: The existing front yard depth
- e. Minimum Side Yard Width: The existing side yard width
- f. Minimum Rear Yard Depth: The existing rear yard depth
- g. Maximum Gross Floor Area: The existing gross floor area

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

From:	To:
Commercial Three – 3064 (C3 – 3064)	Queen Street Mixed Use Transition – 2946 (QMUT – 2946)

2946.1 The lands zoned QMUT - 2946 on Schedule ‘A’ to this by-law shall only be used for the following purposes:

- a. The uses permitted in the QMUT zone to this by-law.

2946.2 Shall be subject to the following requirements and restrictions:

- a. For the purposes of this section, the front lot line shall be the lot line abutting Queen Street East.
- b. Minimum building height for any portion of any building within 65 metres of Queen Street East shall be 2 storeys.
- c. Minimum building height for any portion of any building located within 50 metres of the westerly boundary of the lands zoned

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QMUT – 2946 and set back between 65 metres and 165 metres from Queen Street East shall be 6 metres.

- d. Maximum front yard depth shall only apply to a 2 storey building located within 65 metres of Queen Street East.
- e. Minimum Rear Yard Depth: 1.5 metres
- f. Notwithstanding Section 2946.2 (d), the minimum building setback from Highway 410 and the on-ramp rounding shall be 14 metres.
- g. The maximum gross floor area requirement under Section 29.3.3 (i). shall not apply.
- h. All lands zoned QMUT – 2946 shall be treated as one lot for zoning purposes.”

ENACTED and PASSED this 23rd day of October, 2019.

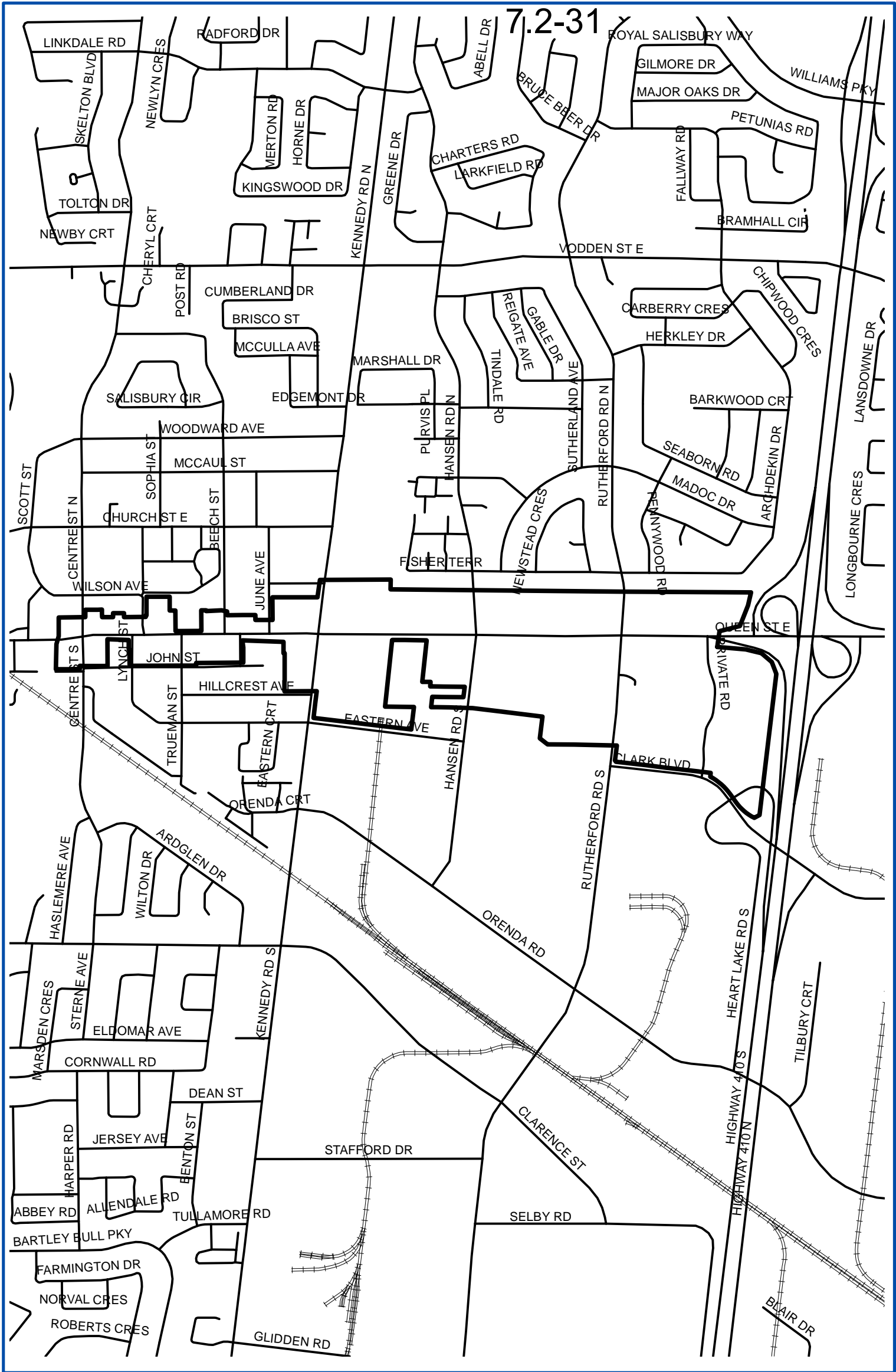
Approved as to form. 20 __/month/day [insert name]

Patrick Brown, Mayor

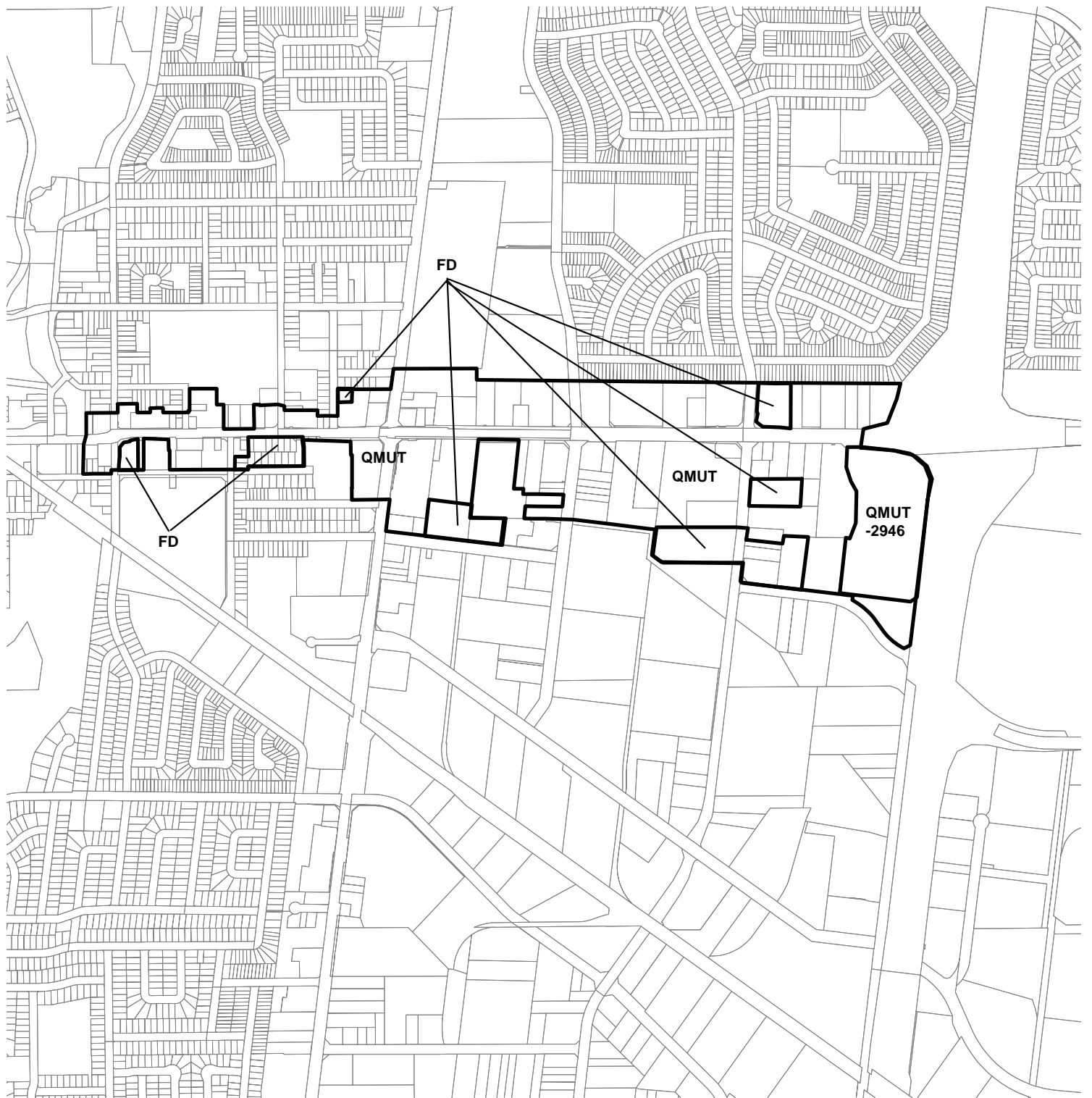
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Peter Fay, City Clerk

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KEY MAP



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1.0 INTERIM DESIGN GUIDELINES

1.1 Preamble

The following interim guidelines are intended to provide guidance on physical form to all future development in the Secondary Plan Area until Council has adopted the District Design Guidelines referred in Section 8.2 of this Plan. The completion of the District Design Guidelines is subject to the completion of ongoing studies, such as the Queen Street - Highway 7 Bus Rapid Transit Study, implementation of Major Transit Station Areas under the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, as well as the Official Plan Review. The City is also examining the potential to utilize a Community Planning Permit System. It is anticipated that, through these studies, permitted uses, heights and densities will be further defined in the Corridor. Once final determination of permitted uses, densities and other considerations has been made, it is the intent of the City to update and finalize the District Design Guidelines to align with the long-term policy direction.

Until that time, the goal of these interim guidelines is to start delivering urban built form elements that will create an environment where people want to live, play, shop and work as the Queen Street Corridor evolves. This includes a framework for guiding the transition of low-rise commercial areas in the Central Area Mixed Use Designation in a manner that contributes positively towards the long-term intended built form of the corridor.

These interim guidelines are organized in six topic areas as follows:

- i) spatial organization;
- ii) building height and massing;
- iii) design in the public realm;
- iv) site access;
- v) other environmental considerations; and
- vi) transition of low-rise commercial areas (between Highway 410 and Etobicoke Creek).

1.2 Spatial Organization

- 1.2.1 Every development shall be considered for its spatial relationship to the immediate neighbourhood. Building forms and the spaces between them shall be considered as visual compositions as viewed sequentially along the street rather than as individual developments.

1.3 Building Height and Massing

- 1.3.1 The primary elements of building massing are height and setbacks. Subject to the formulation of the District Design Guidelines, these characteristics will be determined on a site-specific basis through the application of land use densities, parking standards and setback specifications.
- 1.3.2 To promote human-scale development, a general setback angle will apply to buildings which face public streets where no building may rise above a plane inclined 45 degrees from the horizontal which intersects the opposite line of the designated public street right-of-way forming the frontage of the property. On narrow streets where the right-of-way is 26 metres (85 feet) or less, the height of the building wall facing the street will be limited to three storeys and the higher floors will be stepped back 6 metres (20 feet). Setback provisions that ensure human-scale development and adequate sunlight penetration shall also be established where the rear property line abuts residential development.

1.4 Design in the Public Realm

- 1.4.1 The City shall encourage creative detailing of building façades, taking into account the visual context of the neighbourhood. Special consideration shall be given to the arrangement of entrances and windows for optimum exposure to the street and other surrounding public open spaces. Special effects through the use of colour, texture, mouldings, murals and faux painting are also encouraged where appropriate.
- 1.4.2 The City shall encourage the provision of safe, attractive pedestrian environments which promote walking as a primary means of access within the district. On commercial frontages such pedestrian amenities shall include ample space for sidewalk merchandising, displays, seating, planters, snow storage, bicycle racks.
- 1.4.3 The roofs of buildings 5 storeys or less shall be considered as surfaces requiring design effort and attention, as they form a prominent part of the landscape as seen from higher buildings. Roof equipment and appurtenances shall be organized and neatly laid out. Rooftops may not be used for storage. On roofs of structured parking lots, rooftop recreation or garden provision is encouraged.
- 1.4.4 The use of overhead shelter through such means as canopies, skylights or awnings shall be encouraged for the protection of pedestrian areas against adverse weather conditions. Where the sidewalk space is also used for commercial display purposes, the method of weather protection shall be deep enough to allow pedestrians to pass these displays and still remain under cover.
- 1.4.5 All new developments shall incorporate the principles of C.P.T.E.D. (Crime Prevention through Environmental Design) for the purpose of reducing the fear and

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incidences of crime within the Secondary Plan by increasing opportunities for surveillance of accessible spaces.

- 1.4.6 The City shall encourage signage which adds to the diversity and colour of the street while presenting an unobtrusive, positive image and identification for the tenants. The City shall also encourage attention to the placement of signs in relation to other streetscape components, such as trees, to ensure that signage remains reasonably visible from the street over the long term. Consistent identification of individual addresses, clearly visible from the street shall also be encouraged. The City may prescribe uniform signage for this purpose.
- 1.4.7 Subject to the adoption of a decorative street light design and appropriate new lighting grid for the district, each new development shall incorporate special lighting to encourage night-time pedestrian activities.
- 1.4.8 The City shall encourage the appropriate use of a variety of surface treatments such as brick pavers, concrete, grass and other vegetative ground covers.
- 1.4.9 The City shall encourage the retention of large trees along streets and the provision of additional trees to promote the objective of continuous urban forest where practicable. If it is necessary to remove an existing large tree from within the street right-of-way, it shall be replaced by other specimen quality trees of an appropriate size and in a suitable location elsewhere within the right-of-way, as determined by the City.
- 1.4.10 The City shall encourage the provision of street furniture in the district including benches, planters, lighting, trash containers and bicycle stands.
- 1.4.11 The City shall encourage the use of floral displays as a seasonal streetscape improvement element in the Secondary Plan Area.
- 1.4.12 The City shall encourage the use of special streetscape improvement features in the Secondary Plan Area including, but not limited to: centre medians, flags, banners and water features.

1.5 Site Access

- 1.5.1 Site design shall take into account efficient vehicular circulation, including internal site movement, interconnectivity between sites, access and the relationship to the overall transportation network for the Secondary Plan Area.
- 1.5.2 Site design shall take into account the efficient provision of transit facilities including bus bays, transit stops, shelters and other weather protection features, efficient pedestrian connections to transit facilities, and the relationship to the overall transportation network for the Secondary Plan Area.
- 1.5.3 Site design shall take into account the efficient movement of emergency and service vehicles.

- 1.5.4 The City shall encourage the use of planting screens whenever possible in surface parking areas. Surface parking lots shall be bordered by a strip 3 metres in width along the street. Surface parking lots containing over 50 spaces shall be subdivided into small parking courts through the provision of a 1.5-metre-wide landscaped area.
- 1.5.5 The City shall encourage the provision of structured parking either below or above grade in the Residential designations which permit densities above 20 units per acre, and in the Central Area Mixed-Use and Primary Office Node designations.
- 1.5.6 On sites where loading areas are visible from main streets or residential areas, screening shall be provided to block public view.
- 1.5.7 The City shall discourage the proliferation of private roads in new development within the Secondary Plan Area. If private roads are built as part of a large development, they shall not have entry gates. Public sidewalks and vehicular access shall continue along the road as if it were a public street.

1.6 Other Environmental Considerations

- 1.6.1 All development in the Secondary Plan Area shall be consistent with the noise attenuation, drainage, air quality, energy conservation and environmental management policies of the Brampton Official Plan.

1.7 Transition of Low-Rise Commercial Areas (Central Area Mixed Use Designation between Highway 410 and Etobicoke Creek)

- 1.7.1 Lands designated Central Area Mixed Use in the area generally located between Highway 410 and Etobicoke Creek are expected to transition to mixed-use development over time. Any interim expansions, reconstruction or infill development of low-rise commercial uses should be designed in such a manner that contributes to, and does not preclude, the future positive transformation of Queen Street East into a pedestrian-oriented corridor.

While the City will strongly encourage lands to redevelop to the higher density, mixed-use format that is intended by the Secondary Plan as a priority, it is recognized that interim uses and development may be proposed and can be designed in a manner that contributes positively to the long-term vision for the corridor. However, this will require thoughtful site design and consideration, and each development proposal is likely to be unique.

The purpose of the Guidelines of Section 1.7 is to provide guidance for the suitable long-term transition of low-rise commercial areas. The application of these guidelines will vary considerably based on the individual context of the site and the proposed development, and the City will exercise judgement and discretion in its application of these guidelines.

Proposals for the Minor Expansion of Existing Low-Rise Commercial Buildings

1.7.2 There may be circumstances where an existing low-rise commercial building is proposed to be expanded in terms of floor area, to accommodate the changing needs of the business. Where an expansion to a low-rise commercial building is proposed and is permitted in accordance with the Secondary Plan, the following guidelines will apply:

- a) The location or extent of the expansion should not compromise any planned roadways or opportunities to consolidate site access with adjacent sites.
- b) A proposed expansion into the front or exterior side yard should consider integrating a more pedestrian-oriented design, including incorporating functional doors directly front onto public realm, pedestrian-oriented access from the street, as well as suitable landscaping. Further, consideration should be made to relocating any front yard parking/aisles in favour of the expansion and landscaping, where feasible, while ensuring adequate site circulation is maintained.
- c) The expansion should not negatively impact any adjacent sensitive uses, and consideration should be made to integrate increased landscaping/buffers, fencing and setbacks.

Proposals for the Reconstruction of Existing Low-Rise Commercial Uses

1.7.3 The following guidelines will apply for the reconstruction of existing low-rise commercial buildings:

- a) The City envisions Queen Street East frontage to be utilized for a mix of uses with a minimum height of four storeys.
- b) Reconstructed low-rise buildings should be located internally in the site to minimize negative impact to the Queen Street East frontage.
- c) There may be opportunity to incorporate internal urban streets within the site, to create improved connectivity throughout the Corridor. Where internal urban streets are possible, they should be framed in large part by multi-storey mixed-use buildings and incorporate streetscape improvements with pedestrian amenities (pedestrian-scaled lighting, benches and landscaping).
- d) The City will promote landscaping, streetscaping of Queen Street East, where applicable to buffer any parking areas and buildings.
- e) The reconstructed building should be compatible with adjacent sensitive uses through the use of a suitable landscaped buffer strip and separation of parking and loading areas.

1.7.4 In certain cases, it may be desirable for the reconstruction of a low-rise commercial building to be reconstructed closer to the Queen Street East frontage to promote

the gradual transition towards a pedestrian-oriented built form. In these cases, the following guidelines apply:

- a) The City will encourage the reconstruction to achieve at least two functional storeys for buildings that directly front onto Queen Street East.
- b) The building and active-outdoor uses (such as outdoor patios) should be designed to achieve a street wall of at least 70% of the lot frontage.
- c) Parking areas should be located in the rear of the lot preferably, or in an interior side yard where the rear yard does not provide sufficient space to achieve the applicable minimum parking requirement in the Zoning By-law. In no case should a parking area be located in a front yard or exterior side yard, with the exception of lay-by parking configured to a way that is satisfactory to the City.
- d) The City will encourage the provision of outdoor restaurant patios close to Queen Street East in conjunction with a reconstructed restaurant.

General Guidelines

- 1.7.5 Where feasible, as part of any development project involving low-rise commercial uses, opportunities for consolidating site access should be explored to minimize and reduce direct access to Queen Street East.
- 1.7.6 Parking areas should incorporate appropriate landscaping areas and low impact development features to contribute positively to infiltration and promote aesthetics, shade and greening.
- 1.7.7 Development will be required to facilitate the planned road network as shown on Schedule B of the Secondary Plan. Further, future access to the planned road network or any planned laneway should be provided for in the site planning process. More specifically, Schedule B and Section 6.2 of the Secondary Plan identify an extension of Clark Boulevard eastward from Hansen Road to Rutherford Road, a new east-west collector road between Queen Street East and Clark Boulevard and several new north-south collectors between Kennedy Road and Highway 401, on the south side of Queen Street East.
- 1.7.8 The City may request a demonstration plan covering the subject development block and the abutting areas to the satisfaction of the City, to demonstrate the implementation of these guidelines, and to illustrate a long-term plan for phasing in desired long-term mixed uses and built form.

2.0 SPECIAL STREETSCAPE IMPROVEMENTS

- 2.1 The locations, treatments and implementation strategies for the Special Streetscape Improvements identified in Section 8.4 of this Plan are to be formulated by the City in cooperation with the affected property owners. The timing

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of these improvements will be determined by Council depending upon the current level of interest from property owners in the particular area and the availability of funding and staff resources to coordinate the work. Specific improvement projects, when approved by Council will be attached to Appendix B of this Plan.

Appendix 5 – Planning Analysis

Matters of Provincial Interest (*Planning Act* – Section 2)

The proposed OPA and ZBA for the Queen Street Corridor have regard to, among other matters, the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians (Section 2 q).

Over time, the expectation is that the Queen Street Corridor will evolve from a low density commercial area into a vibrant, transit-supportive pedestrian-friendly environment. The goal of the Official Plan and ZBA is to have the necessary policies and zoning in place that ensure a gradual but consistent transition from low-rise commercial uses to a new, human-scale, mixed-use area.

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) supports healthy, liveable and safe communities by promoting efficient development and land use patterns that sustain the long-term financial well-being of the Province and municipalities. The Queen Street Corridor is located within the defined Settlement Area, which are areas that are to provide for a mix of land uses and densities that contribute to more efficient use of land, infrastructure and can support active transportation and transit (Section 1.1.3.2).

As per Section 1.1.3.3, municipalities are to identify and promote opportunities for intensification. Both the Growth Plan for the Greater Golden Horseshoe and the City's Official Plan have identified the Queen Street Corridor as an area for intensification.

The PPS also promotes providing for an appropriate mix and range of employment and institutional uses to meet long-term needs and encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

The proposed amendments to the Official Plan and Zoning By-law will ensure that no short-term development or redevelopment compromises Brampton's ability to achieve these goals. The proposed amendments are consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019

The Growth Plan is about accommodating forecasted growth in complete communities. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.

Section 2.2.3 establishes that UGCs (UGC) will be planned as focal areas for investment, mixed-use development, places of transit connectivity. The Queen Street Corridor is

located within a designated UGC and it is recognized as a regional focal point for accommodating population and employment growth. The continued revitalization of UGC's as meeting places, locations for cultural facilities, public institutions, and major services and transit hubs with the potential to become more vibrant, mixed-use, transit - supportive communities is important. The Brampton UGC is required to achieve by 2031, or earlier, a density target of 200 residents and jobs combined per hectare.

Section 2.2.4 designates Queen Street East as a priority transit corridor. The Growth Plan recognizes transit as a first priority for major transportation investments. The City's Queen Street Transit Master Plan is underway that will consider upgrading the current service, along with identifying and studying potential Major Transit Station Areas along the corridor. Simultaneously, the Region of Peel is undertaking a Major Transit Station Area Study that includes the Queen Street East Corridor.

With the understanding that Queen Street East will evolve into a higher order transit corridor, it is important to ensure that the policies and zoning are amended to prevent development that may hinder the City's ability to achieve its planning objectives for the area. The proposed OPA and ZBA will eliminate some of the undesirable uses and built form requirements (i.e. setbacks) that could compromise the achievement of the Growth Plan policies and goals during the long-term buildout of the UGC. The proposed amendments conform with the policies of the Growth Plan.

Region of Peel

The Queen Street Corridor is located within the designated Urban System of the Region's Official Plan. The Urban System policies direct the development of healthy, complete urban communities that achieve a compact form and a mix of land uses that are pedestrian friendly and transit supportive.

The Official Plan speaks to UGCs, which includes the Study Area, as major locations for intensification, linked by public transit, provide a range and mix of compact forms and activities, support active transportation and include a range and mix of housing and employment opportunities.

The proposed OPA and ZBA conform to the Region of Peel Official Plan and support its goals of protecting the rapid transit corridor for future mixed-use development and promoting intensification within the UGC.

City of Brampton's Official Plan

Brampton's City Structure is the fundamental basis for building a compact and transit-supportive City where growth will be concentrated within its UGC, along intensification corridors, around mobility hubs and major transit station areas. Development that maintains the City Structure is the focus of the Official Plan. The physical structure of the City is characterized by the following elements:

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- A vibrant Central Area which includes the UGC with a strong image and character that functions as the heart of the City and embodies a broad range of high density uses; and
- Intensification Corridors providing opportunities for intensive, transit supportive land uses along roads that link districts/communities with key destinations.

The Central Area is comprised of three distinct precincts with their own unique functions and characters. One precinct area is the Queen Street Corridor between Centre Street and Highway 410 and it is recognized in the Official Plan that this precinct has the potential to transform into a mixed-use, transit-oriented pedestrian-friendly environment. This precinct area is included within the boundaries of the Queen Street Corridor Land Use Study.

It is recognized in the Official Plan that the existing character of much of the Central Area located east of Kennedy Road is dominated by space extensive retailing, highway commercial and automotive related uses, and appropriate transition policies are required at the Secondary Plan level to achieve a transition towards the intended vision of the Central Area. Consistent with this Official Plan policy, the purpose of the Queen Street Corridor Land Use Study is to develop a strategy to manage interim commercial uses as the Corridor transitions over time, recognizing that there are existing low-order commercial uses that may continue to operate over time and to recommend appropriate policies and zoning regulations to enable development that helps the City achieve its planning objectives for the area.

As noted above, the Province has defined a significant portion of the Central Area as an UGC. The UGC is accessed by all modes of transportation including walking, cycling and automobiles, however, high order transit anchors the network and allows access from within and outside the City, including inter-regional travel. Significant regional rapid transit provided by both GO and the City's higher order transit program connects the UGC to all parts of the City and to outside regions. With a high level of transit service, the priority is for transit-supportive densities, uses and built form in the Central Area designed to foster a pedestrian-friendly environment.

The Queen Street East corridor located within the boundaries of the study area is designated as a "Primary Intensification Corridor." Intensification corridors will accommodate a mix of residential, office, institutional, employment and commercial development which support the transit focus of these areas. To accomplish the intended vision for the City's intensification corridors, higher order uses which enhance the use of transit, and encourage walkability shall be promoted. Uses such as highway commercial, auto repair, warehousing/distribution and those uses involving open storage are discouraged. Superior urban design is also required to achieve the intended vision for the City's corridors.

The proposed OPA and ZBA conform to the goals and objectives for the Central Area and Queen Street East as a Primary Intensification Corridor as their purpose is to ensure that any redevelopment or new development does not undermine the achievement of

those goals and works towards ensuring a gradual but consistent transition from existing low-rise commercial uses to a new, human-scale, mixed-use area.

Queen Street Corridor Secondary Plan Area 36

Section 4.0 of the Secondary Plan outlines the general objectives and criteria, which include promoting:

- Intensification and improvements in the Central Area;
- The character of Queen Street for pedestrian and transit use; and
- Road and transit improvements along with land assembly to encourage and facilitate redevelopment.

Section 5.0 – Land Use Principles recognize that a strong and continually revitalizing Central Area is essential to the identity of Brampton as a community and that further Residential Intensification Studies, Land Use Transportation Study and District Design Guidelines are required to guide the ultimate development of the Queen Street Corridor. It is the goal that any redevelopment along the Queen Street Corridor will work towards achieving the above noted goals and objectives of the Secondary Plan.

The majority of the Study Area is designated “Central Area Mixed Use” and a small portion is designated “Medium Density Residential” in the Queen Street Corridor Secondary Plan. The lands between Highway 410 and Rutherford Road South and south of Queen Street East are also designated “Primary Office Node” and “Special Study Area 1”.

The intent of the Central Area Mixed-Use designation is to accommodate mixed-use development with any combination of commercial, retail, office, residential, hotel, open space, recreational, institutional, entertainment and cultural uses managed as a unit. This could include both freestanding uses or a combination of office, retail, commercial, institutional or residential uses. The “Medium Density Residential” designation permits block townhouse, street townhouse, quaterplexes and interlot housing types at a maximum density of 50 units per net residential hectare (15 to 20 units per net residential acre). The intent of the Medium Density designation is to encourage infill residential development of a sympathetic scale to existing building stock.

The Primary Office Node designation in the southwest quadrant of Highway Number 410 and Queen Street consists of approximately 21.2 hectares (52 acres) bounded by Queen Street East to the north, Clark Boulevard to the south and from Rutherford Road east to Highway Number 410. Office development in this area shall be permitted at densities greater than the standard office nodes designated in the City of Brampton. This area is intended to be the only primary location of office development within the Central Area of the City of Brampton. Lands designated Central Area Mixed-Use within the Primary Office Node shall be developed to a maximum density of 5.0 FSI. The ultimate development of this Primary Office Node including the type, location, and interrelationship of land uses shall be determined as part of a comprehensive land use transportation study (Special Study Area 1).

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The Secondary Plan includes character principles that promote vertical landmark definition of built form in the Office Node, transition from highway commercial to urban store fronts, mixed uses and pedestrian and transit accessibility (Policy 8.2.3). The Secondary Plan (Policy 8.2.6) recognizes that the two primary visual corridors in the Secondary Plan Area are Queen Street and Highway 410 and are the focus area for providing enhanced pedestrian and visual amenities. In addition, Interim Design Guidelines are attached as Appendix B to the Secondary Plan. They provide guidelines with respect to spatial organization, building massing, design in the public realm, site access and other environmental considerations. These guidelines are intended to provide guidance on development in the Secondary Plan Area until Council has adopted District Design Guidelines.

Policy 9.3 in the implementation section of the Secondary Plan speaks to the evolution of the corridor and states that notwithstanding the Central Area Mixed Use policies, development may occur in the interim for “a range of lower order commercial uses, subject to the judicious use of landscaping, the controlled use of signs and the prohibition of outside storage...” The proposed OPA amends Policy 9.3 to provide clearer direction for the Corridor as is transitions from the current low-rise commercial to the intended mixed use, higher density built form.

There are some existing industrial uses and single detached residential dwellings in the Study Area that are designated “Central Area Mixed Use”. Appropriate policies and zoning restrictions for industrial and single detached residential uses located within the “Central Area Mixed Use” designation are included in the proposed Official Plan and Zoning By-law Amendment, so that these uses may transition appropriately to the intended mixed use, pedestrian and bicycle friendly and transit-oriented built form, which is the goal of the Queen Street Corridor Secondary Plan.

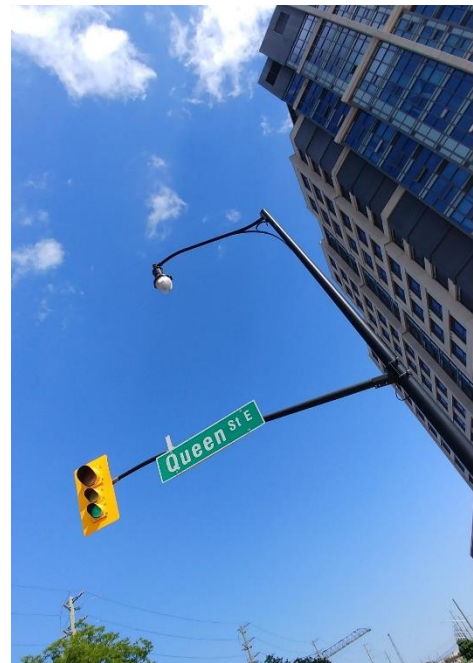
Given that there are no detailed policies in the Secondary Plan that guide transition of the Central Area, it is appropriate that amendments to the Secondary Plan are made. The proposed OPA will include policies that will permit existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor. Amendments to the Zoning By-law are also required to conform to the Official Plan. This includes eliminating some of the undesirable uses and built form requirements that could compromise the achievement of the Central Area policies. The proposed amendments conform to the Secondary Plan.

CITY OF BRAMPTON

QUEEN STREET CORRIDOR LAND USE STUDY ZONING CONFORMITY ANALYSIS

SEPTEMBER 27, 2019

FINAL





QUEEN STREET
CORRIDOR
LAND USE STUDY
ZONING CONFORMITY
ANALYSIS

CITY OF BRAMPTON

FINAL

DATE: SEPTEMBER 27, 2019

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1 INTRODUCTION

1.1 PURPOSE

The need for the Queen Street Corridor Study (the “Study”) grew from a recognition that redevelopment in the area is potentially subject to outdated zoning regulations that are out of sync with the newer policy goals for the Study Area. In November 2017, Council approved Interim Control By-law 246-2017 (“ICBL”), freezing development in the Study Area for a period of up to one year, after which Council can renew the ICBL for another year. This period provides an opportunity for the City to study and/or review policies within the designated area without undesirable development compromising its goals.

The Study Area (Figure 1) stretches along Queen Street, between Etobicoke Creek and Highway 410, is within Brampton’s Urban Growth Centre (“UGC”), is a designated Central Area and Primary Corridor under the City’s Official Plan. The corridor is currently served by Bus Rapid Transit (Züm) and future improvements are contemplated, at least initially including dedicated transit lanes within 5-10 years (as identified in the staff report to Council, dated June 7, 2018). The City is simultaneously conducting a Queen Street Bus Rapid Transit study to consider upgrading the current service, as well as identifying and studying potential Major Transit Station Areas along the corridor. However, the current zoning in this area provides for some as-of-right permissions for commercial uses that are not in conformity with policy, and their continued development may preclude the ability for the City to achieve its policy objectives and intended minimum density within the Urban Growth Centre. The policy and zoning context is detailed further in this report.

The outcome of the Study will be the identification of inconsistencies between the in-effect zoning and planning policy. This will include recommended updates to the Zoning By-law provisions and Secondary Plan policies to ensure the achievement of the visions and targets of the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) and the Official Plan. The Study will also include a recommended strategy for managing interim commercial uses within the Study Area as it transitions over time, recognizing that there are existing low-rise commercial uses which may continue operation over time. Through this Study, there may also be required Secondary Plan policy updates, to reflect the strategy for managing transitional uses and making other related improvements to the policies.

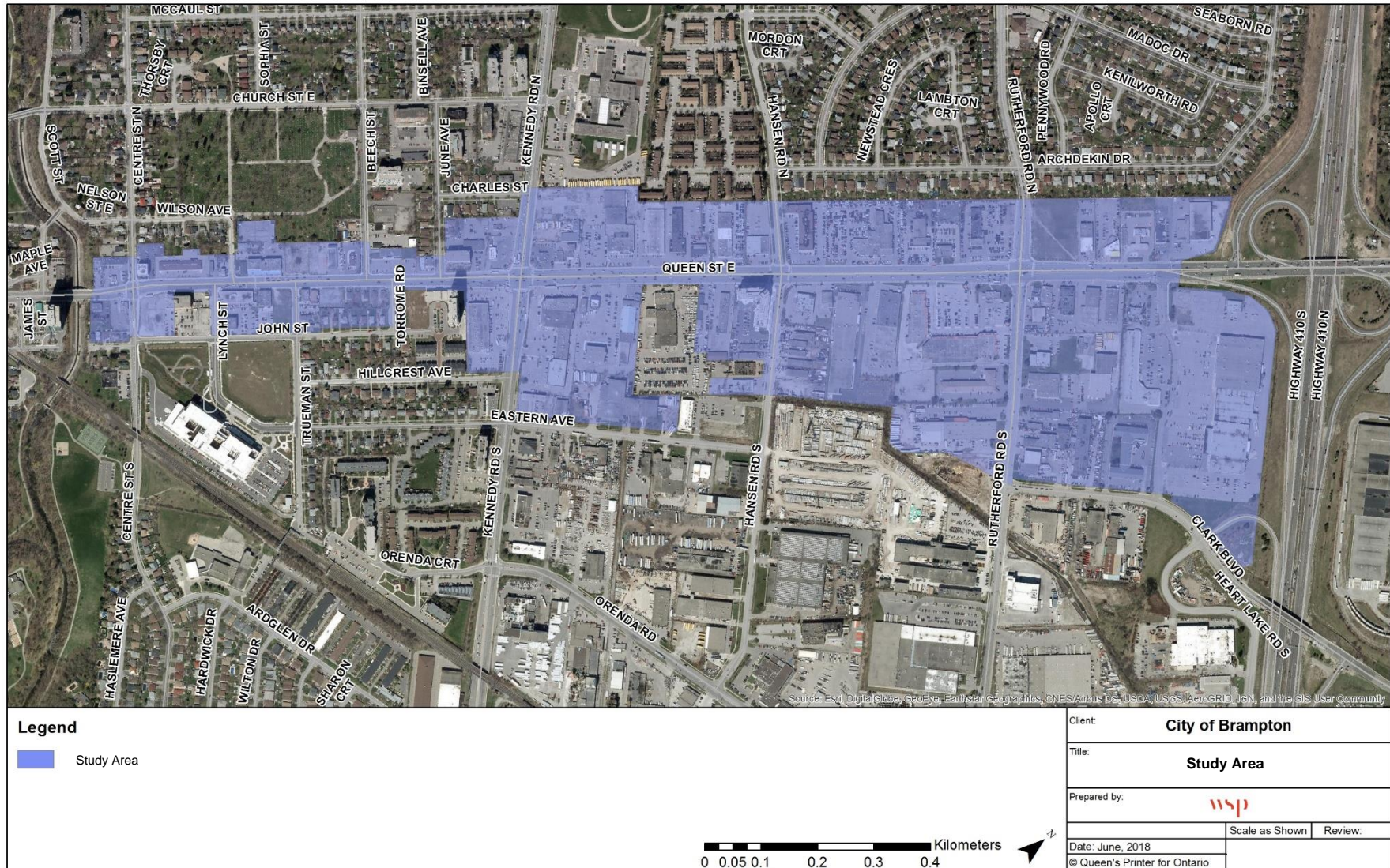
However, the scope of this Study is not intended to constitute a review of the Queen Street Corridor Secondary Plan. Rather, this Study focuses on updating the zoning, and making necessary improvements to bring about greater clarity in the policies and to complement the recommended approach to zoning and managing land use in the corridor.

The Study Area is illustrated in Figure 1 and consists of lands located between Etobicoke Creek (westerly limit) to Highway 410 (easterly limit). The Study Area is located entirely within the UGC. The area east of Highway 410, was excluded from the Study Area as it is considered less vulnerable to undesirable redevelopment due to the existing high-rise development and Bramalea City Centre Mall. The western section of the UGC, Downtown Brampton, was also not included as its zoning was updated in 2006 to be consistent with the intensification policies. As will be discussed further, although the zoning for the Queen Street Corridor was also updated

7.2-52

somewhat in 2006, the zoning continues to permit low-density, industrial and other uses not consistent with the current policies for the Study Area.

Figure 1 – Study Area



1.2 REPORT OVERVIEW

The goal of this Study is to ensure conformity between the Official Plan (and Secondary Plan) and the zoning in place in the corridor. This requires a thorough understanding of current policy, current zoning, as well as existing land use and development history. The report will begin with a review of the relevant policy documents and zoning, including:

- Provincial Policy Statement, 2014;
- Growth Plan for the Greater Golden Horseshoe, 2019;
- Region of Peel Official Plan, December 2016 consolidation;
- City of Brampton Official Plan, 2006;
- Queen Street Corridor Secondary Plan, 2013 consolidation; and
- Comprehensive Zoning By-law 270-2004.

The Study will compare the existing zoning to what is prescribed in the policy documents and highlight inconsistencies. Options will be presented for bringing the zoning into conformity with the City's larger policy goals and for managing transitional uses for current commercial tenants. The identification of options is informed by a review of similar studies conducted by the City of Brampton and other municipalities. On the basis of options and the current context, as well as consultation undertaken to date, this report recommends a strategy for updating the zoning as well as Secondary Plan policy updates.

2 POLICY AND ZONING REVIEW

In Ontario, land use planning decisions must be taken in accordance with Provincial policy, including the 2014 PPS and the 2017 Growth Plan. Land use planning decisions must also consider the policies of the Region of Peel Official Plan, which is implemented in more detail by the City of Brampton Official Plan. The Queen Street Corridor Secondary Plan is also applicable to the Study Area. Zoning changes must conform to these applicable policies. The relationship of these policies and the City's current Comprehensive Zoning By-law, as it applies within the Queen Street Corridor, that is the focus of this study. This section reviews these applicable documents.

2.1 PROVINCIAL POLICY STATEMENT, 2014

The Provincial Policy Statement, 2014 (PPS) provides policy direction on matters of Provincial interest related to land use planning and development, and is issued under the authority of Section 3 of the *Planning Act*. In accordance with Section 3(5)(a) of the *Planning Act*, municipal planning decisions must be consistent with the policies of the PPS, so any recommendations made through this process must be consistent with the policies of the PPS.

The PPS supports healthy, liveable and safe communities by promoting efficient development and land use patterns, which sustains the long-term financial well-being of the Province and municipalities. Settlement areas are defined to generally include Urban Areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Land uses in settlement areas are to provide for a mix of land uses and densities that contribute to more efficient use of land, infrastructure and can support active transportation and transit (Section 1.1.3.2). Municipalities are to identify and promote opportunities for intensification (Section 1.1.3.3), and the Queen Street Corridor is one such location identified for intensification per the Growth Plan and the Official Plan. Under Section 1.1.3.4, appropriate development standards should be promoted which facilitate intensification. Planning authorities are also to establish targets for intensification, which are set out in the Growth Plan and the Official Plan as discussed later (1.1.3.5).

The policies of Section 1.4 apply to housing, and there is an intent to provide for an appropriate range and mix of housing types (1.4.1).

The Official Plan (including Secondary Plan) is the most important vehicle for implementing the PPS. Further, Section 4.8 intend for zoning and development permit by-laws to be important for implementing the PPS, and it is intended that zoning be kept up to date with the Official Plan and the PPS.

The PPS also establishes policies that provide an appropriate mix and range of employment and institutional uses alongside residential uses and for fostering efficient land use and development patterns and support healthy, liveable and safe communities, protect the environment and public health and safety, and facilitate economic growth.

The recommended zoning and policies developed as an outcome of this Study will need to be consistent with the applicable policies of the PPS.

2.2 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2017)

The Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan) updated the 2006 Growth Plan and establishes a comprehensive growth management strategy to the year 2041 for municipalities within the Greater Golden Horseshoe Area, including the City of Brampton. The Growth Plan was established to promote healthy communities, to maintain a strong economy and to protect the environment. At the time of completing this Report, the 2017 Growth Plan was replaced by the 2019 Growth Plan (refer to section 2.2.1 below).

More generally, the Growth Plan includes policies for achieving complete communities that feature a diverse mix of land uses, ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards. It also speaks to promoting economic development and competitiveness by making more efficient use of underutilized employment sites.

The Growth Plan provides policies for where and how to grow and includes growth forecasts. The Plan encourages municipalities to utilize land and resources efficiently to promote complete communities in areas which infrastructure currently exist.

Schedule 3 of the Growth Plan includes updated forecasts of population and employment growth for the Greater Golden Horseshoe to the year 2041. This schedule projects Peel Region to grow to 1,770,000 persons by 2031, 1,870,000 by 2036 and 1,970,000 by 2041. Peel Region allocated these targets to the lower tier municipalities and Brampton's population is expected to increase from a 2016 population of 614,000 to 890,000 by 2041.

While the 2006 Growth Plan established that a minimum of 40% of this growth must be directed to settlement areas within the built boundary, the 2017 Growth Plan increases this target to 50% annually for the period between the next municipal comprehensive review and 2031, and to 60% from 2031 to 2041. However, until the next municipal comprehensive review is approved and in effect, the annual minimum target contained in the applicable upper-tier and lower-tier Official Plan will be in effect. Currently, the target is 40% in Brampton's Official Plan between 2015 and 2025, and Brampton's Official Plan recognizes the Region of Peel Official Plan plans for a minimum of 50% of new residential development occur in the built-up area by 2026. In the future, there will be a growing need for the City to plan for and accommodate intensification and the role of the Queen Street Corridor to accommodate intensification will become increasingly critical.

The Growth Plan designates Urban Growth Centres (UGCs), including Downtown Brampton, which are to be focal areas for investment and employment and residential growth, including transit-supportive density and design. In accordance with Section 2.3.1.2 b), the Brampton UGC, in which the Study Area is located, is required to achieve a density target of 200 residents and jobs combined per hectare by 2031 or earlier. This target is unchanged from the 2006 Growth Plan.

Section 2.2.4 addresses transit corridors and station areas. The rail corridor south of the Study Area is considered a priority transit corridor, linking the Downtown Brampton Urban Growth Centre with other Urban Growth Centres in the GGH. While the Queen Street Corridor is being planned by the City for improvements to Bus Rapid Transit, this corridor is not identified in the

Growth Plan. The policies of the Growth Plan regarding Major Transit Station Areas (MTSAs) and Higher Order Transit are relevant to the consideration of future improved rapid transit along the Queen Street Corridor, which may ultimately be considered higher order transit as defined by the Growth Plan:

“Transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way.”

Lands in proximity to future rapid transit stations along such a corridor would constitute MTSAs. Under Section 2.2.4.11, planning for lands in proximity to higher transit corridors should require identification and protection of lands needed for future enhancement of the infrastructure. Until the specific transit approach, location of transit station stops and major transit station areas are determined, the Growth Plan’s policies for higher order transit corridors and Major Transit Station Areas cannot be fully implemented through this process. This is being studied through the Queen Street Transit Master Plan process, as discussed in the staff report to Council dated June 20, 2018. Further, as noted in the staff report, it was noted that any rapid transit stop will be considered an MTSA, and all of the existing Züm stops on Queen Street East will be considered as potential rapid transit stops, so some or all of the existing Züm stops could evolve into focal points for MTSAs. Recognizing that Queen Street East is being planned to evolve into a higher order transit corridor with Major Transit Station Areas, there should be an increased urgency to modify the zoning to prevent non-conforming uses from being established or developed which is the key objective of this study.

The City is to delineate in its Official Plan, through a municipal comprehensive review, built-up areas, major growth centres, major transit station areas and other areas (5.2.5.5). As noted, the Urban Growth Centre is already delineated in Brampton’s Official Plan, but no major transit station areas are currently identified in the Study Area in Brampton’s Official Plan. This could evolve in the future as the Queen Street Transit Master Plan process advances. Minimum density targets are to be implemented through appropriate policies including secondary plans, and the Queen Street Corridor Secondary Plan is applicable. Further, the Growth Plan states that these delineated areas are to be implemented by “zoning all lands in a manner that would implement the official plan policies,” along with utilizing other tools (5.2.5.5). This process is a key opportunity to work towards achieving this policy, though future actions may be required upon implementation of the Queen Street Transit Master Plan process.

2.2.1 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019

As of May 16, 2019, the 2017 Growth Plan is supplanted by A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan). The draft changes to the Growth Plan were first introduced through the release of Proposed Amendment 1 on January 15, 2019 and then formalized with the release of the new, 2019 Growth Plan in May 2019.

The broader policies and principles of the Growth Plan 2019, as well as the population projections, remain unchanged from the 2017 Growth Plan. However, the 2019 Growth Plan introduces several modifications that affect the City of Brampton and the Queen Street Corridor, in particular:

- Section 2.2.2.1 has been modified so Peel Region municipalities must now achieve a minimum of 50 per cent of all residential development within the built boundary, down from the 60 per cent in the 2017 Growth Plan;
- A change to Section 2.2.2.3 encourages intensification throughout the built-up area rather than to “achieve the desired urban structure”;
- Under the density targets in Section 2.2.7.2, Peel Region’s municipalities must achieve a minimum of 50 persons and jobs per hectare in the greenfield areas (not applicable in this process). The targets for Urban Growth Centres, including Brampton’s Central Area, are unchanged, however;
- Policies regarding Major Transit Station Areas, introduced in the 2017 Growth Plan’s Section 2.4, have been modified so the delineated area may be expanded from 500 m to 800 m and these areas may be delineated in advance of the next municipal comprehensive review so long as it is done in accordance with Sections 16(5) and 16(6) of the *Planning Act*; and
- The 2019 Growth Plan also allows municipalities to request an alternative to the prescribed target so long as it can be demonstrated that development is severely restricted within the delineated area or that while there are a limited number of jobs and residents within the area, there is a major trip generator present (e.g. post-secondary institution, major park).

2.3 REGION OF PEEL OFFICIAL PLAN, 2016 CONSOLIDATION

The Regional Official Plan (December 2016 Consolidation) aims to apply a sustainable development framework and holistic approach to planning in the face of rapid population growth. The Official Plan is currently subject to an ongoing review process (Peel 2041).

Policies related to the Urban System are contained in Section 5.3, including policies to establish healthy, complete urban communities (5.3.1.3) and to achieve a compact form and mix of land uses that are pedestrian-friendly, cycling friendly and transit supportive (5.3.1.4, 5.3.1.5).

Section 5.3.3 speaks specifically to Urban Growth Centres, such as Brampton’s Central Area. These are to be major locations for intensification, linked by public transit and a range and mix of compact forms and activities, support active transportation and include a range and mix of housing and employment opportunities. Brampton is thereafter directed to designate and delineate the boundaries of its UGC and enact policies related to its character, extent, population objectives etc.

Schedule G of the Official Plan identifies rapid transit corridors, which is inclusive of Queen Street, identified as an “Other Rapid Transit Corridor”. Further, the GO Rail Line (Express Rail), located south of the Study Area, is identified on Schedule G. Downtown Brampton is conceptually shown as a Mobility Hub – Anchor but this appears to exclude the Study Area. Section 5.9.5.1.4 encourages and supports transit-supportive development densities and patterns particularly along rapid transit corridors and other designated areas. Section 5.9.5.2.1 supports protection of rapid transit corridor and changes will require an amendment to the ROP.

2.4 CITY OF BRAMPTON OFFICIAL PLAN, 2006

The City's Official Plan, adopted by City Council in 2006 and approved in 2008 (September 2015 Office Consolidation), establishes a vision of Brampton as a dynamic, sustainable City with managed growth that protects the environment, enhances its "Flower City" heritage, contributes to economic prosperity and improves the quality of life for all residents and workers.

The Study Area forms a component of the City's Central Area, described by Section 4.1 of the Official Plan as the "cultural, economic and entertainment heart of the City." The Central Area comprises Brampton's historic Downtown Core and the Queen Street Corridor from McLaughlin Road to Bramalea Road. In this area, walking, cycling and transit are to be given priority and a wide range of land uses, including day/night and year-round activities are to be promoted. This Section 4.2.2 also recognizes the need to revitalize the area through improved and upgraded transit and policies that ensure a "gradual but consistent" transition from existing uses to this new, human-scale, mixed-use area. The Central Area, as described by Section 3.2.3, consists of three precincts, inclusive of the Queen Street Corridor:

The Queen Street Corridor between Centre Street and Highway 410 has the potential to transform into a mixed-use, transit-oriented, pedestrian-friendly environment.

The Central Area is intended to achieve a minimum density of 200 persons and jobs combined per hectare by 2031 or before, measured over the gross area of the Urban Growth Centre (3.2.3.2 and 4.1.1). Development is intended to be designed to achieve at least 4 storeys (3.2.3.3). Further, bonusing is intended to apply in accordance with Section 5.12 (3.2.3.4). This area is the major location for mixed development such as offices, residential uses, entertainment uses, cultural uses, government uses, institutional uses and so on (4.1.2).

The Study Area is also located along a Primary Intensification Corridor (Schedule 1), reflective of the existing Züm service and future upgrades. As described in Section 3.2.6, intensification corridors are planned to accommodate significant growth through higher density development which supports transit. The intensification corridor policies of Section 3.2.6 are highlighted in the Official Plan's 2015 Office Consolidation, but are denoted as being subject only to site specific appeals which are not located in the Study Area. The City encourages major offices, hotels, and similar uses. The City may establish community improvement programs (4.1.7) to promote appropriate development in the Central Area.

Intensification corridors are to accommodate a mix of uses, including residential, commercial, institutional and employment. However, permitted uses are also subject to underlying land use designations. Highway commercial/auto repair, open storage and similar uses are discouraged while superior urban design is required. Although development within Primary Intensification Corridors is normally to be designed to achieve a floor space index of 1.5 over the whole corridor within buildings 2-10 storeys (3.2.6.2), Section 3.2.3.1 excludes this policy from applying to the Central Area, presumably in favour of achieving the greater densities required in the Central Area. Opportunities may exist for higher densities and height based upon detailed planning studies including the preparation of a comprehensive master plan completed under 3.2.6.6. Section 3.2.6.6 requires the City to prepare a comprehensive master plan, in combination with a review of Secondary Plans, to guide land use and intensify and built form. It is unclear if this has been fulfilled specifically; however, it is noted that the Queen Street

Secondary Plan provides detailed guidance for built form (see Section 2.5). Opportunity may also exist to implement density bonusing/transfers under Section 5.12 of the Official Plan.

Policies regarding Mixed-Use Development are included in Section 4.11.3.4 of the Official Plan. Mixed-use development refers to integrated development which supports richer community life. Mixed-use development is contemplated in the Central Area, amongst other areas of the City. Policies include:

- Permitting mixed-use buildings as-of-right within the City, whereas larger scale mixed-use developments are encouraged in the Central Area and designated Mobility Hubs and intensification corridors (4.11.3.4.1);
- Encouraging site consolidation to achieve better configuration and efficiency (4.11.3.4.2);
- Giving priority to transit and walking, with consideration given to amenities for cyclists, shared parking and other transit-oriented design as well as an attractive pedestrian realm (4.11.3.4.4, 4.10.3.4.5, 4.11.3.4.6); and
- Ensuring compatibility among various land uses through layout, orientation and location and use of open spaces and other buffers (4.11.3.4.7).

Section 4.11.3.6 speaks specifically to auto-oriented development and notes, “As a general policy, auto-oriented development is not permitted at main gateways in the Central Area” (4.11.3.6.1).

Within the Central Area, the key relevant policies are contained in Section 4.1 of the Official Plan. The policies of Section 4 address a wide range of land uses as well as other general development policies which may have some applicability to this study. The policies of Section 4.11 addresses urban design, including policies regarding intensification, mixed use development and many urban design concepts that have relevance to the Study Area. Some of the land use policies under Section 4.2 (Residential), 4.3 (Commercial), 4.9 (Institutional & Public Uses) have some relevant policies that may apply to specific existing and permitted uses. Section 5 of the Official Plan identifies a wide range of policies for implementing the Plan, including Secondary Plans (5.4) and Zoning By-laws (5.8).

Some other policies that are particularly relevant to the Study Area are noted as follows:

- Section 5.17.15 discourages consent to sever applications within the Central Area Mixed Use area, except to facilitate land assembly.
- Section 5.20 encourages Central Area revitalization, noting that “the general objective for the Central Area is to allow for the intensification and redevelopment of the area for residential, office, restaurant, community, entertainment and institutional activities.”

2.5 QUEEN STREET CORRIDOR SECONDARY PLAN, 2013

The City of Brampton is further divided into numerous Secondary Plan areas. An exercise aimed at consolidating and harmonizing them is currently underway. The Study Area is located in the Queen Street Corridor Secondary Plan Area (SPA 36). This Secondary Plan will not be consolidated as part of the housekeeping exercise.

The general goals of SPA 36 are described in Section 4.0 and include promoting:

- Intensification and improvements in the Central Area;

- The character of Queen Street for pedestrian, cycling and transit use; and
- Road and transit improvements along with land assembly to encourage and facilitate redevelopment.

2.5.1 CENTRAL AREA MIXED USE

The entirety of the Study Area falls within the Central Area Mixed Use designation of the Queen Street Corridor Secondary Plan. Figure 2 illustrates land use designations in the Central Area, based on the City's Geographic Information Systems (GIS) data. It is noted that there are some lands shown as Medium Density Residential on the south side of Queen Street, east of Centre Street. However, in Schedule A, these lands are designated as Central Area Mixed Use.

The intent of the Central Area Mixed-Use designation is to accommodate mixed-use development with any combination of commercial, retail, office, residential, hotel, open space, recreational, institutional, entertainment and cultural uses managed as a unit. This could include both freestanding uses or a combination of office, retail, commercial, institutional or residential uses (5.1.2.1).

The Secondary Plan generally sets out a maximum floor space index (FSI) of 3.5 with a maximum FSI of 2.0 for residential uses. However, Table 1 sets out more specific maximum FSI requirements in certain portions of the corridor:

- West of Beech Street and Trueman Street (the westernmost portion of the Study Area), the maximum FSI is 2.0 and the maximum residential FSI is 1.0.
- For lands east of Beech Street and Trueman Street, up to Rutherford Road (the central portion of the Study Area), the maximum FSI is 3.5 and the maximum residential FSI is 2.0.
- The Primary Office Node, bounded by Queen Street East to the north, Rutherford Road North to the west, Clark Boulevard to the south, and Highway 410 to the east, has a maximum FSI of 5.0 overall and 2.0 for residential uses.

These density requirements are also illustrated on a map attached Appendix A to the Secondary Plan. There are no prescribed minimum FSI requirements, nor any detailed policies for building height.

Section 5.1.2.3 further notes lands within the Study Area are suitable for mixed-use redevelopment and requires all new development to “accommodate the potential for residential accommodation, while street-related retail and commercial uses shall comprise the majority of the at-grade building frontages.” This section further restates the maximum FSI policies which were previously noted in Section 5.1.2.2 and Table 1.

Section 5.1.2.4 contains site-specific policies for 145 Queen Street East, located just west of Lynch Street, on the south side of Queen Street East, which is intended for retail, service, commercial, office and residential uses subject to a maximum FSI of 2.79, a maximum of 96 dwelling units and the maintenance of the ground floor for retail, service, commercial and apartment and office service purposes only. The site is currently occupied by a five-storey office tower but has been amalgamated with the adjacent lot, 147 Queen Street East, which housed a diner and parking lot but is now being redeveloped as a mixed-use project.

Section 5.1.2.5 addresses lands on the north side of Queen Street East between Hansen Road and Highway 410. In this area, residential uses are not permitted and mixed-use commercial

buildings are to be up to a maximum height of 27 m, which requirements for rear yard setbacks based on the height of the building. A sound barrier is also required and there are requirements regarding surface parking. However, requests to add residential uses and requests to increase height to up to 47 m will be considered without amending the Plan, provided it is demonstrated through a development application that uses or heights will not detrimentally impact existing Archdekin Drive residential properties. These policies generally appear to be intended to ensure that development in this portion of the corridor is compatible with adjacent low-rise residential uses.

The policies of Section 5.1.3.1 address the Primary Office Node, which is located southwest of Highway 410 and Queen Street. Principally permitted uses include offices, hotels and motels and uses consistent with the Regional Commercial and District commercial designations of the “General Plan” (presumed to be the predecessor to the current Official Plan) (Section 5.1.3.3). These lands consist of about 52 acres and higher densities are contemplated, up to 5.0 FSI (2.0 for residential uses). A comprehensive land use and transportation study is required for this area as set out in Section 5.7.1 (Special Study Area Number 1 policies). It is intended the City will undertake this study (Section 5.7.1.1).

Section 5.1.6.2 acknowledges the continued operation of the district scale retail plazas in the area but until they are redeveloped in accordance with the long term (i.e. mixed-use) designations, require a detailed tertiary plan for any development application submission. However, as this policy is contained in Section 5.1.6 (policies addressing Former District Commercial Use Areas that are now designated Central Area Mixed-Use) it is interpreted that this policy relates to the southeast corner of Highway 7 and Highway 410 as indicated in Section 5.1.6.1.

2.5.2 POLICIES FOR INDUSTRIAL AREAS

The policies of Section 5.2 address Industrial Uses in the Secondary Plan area. While no designated industrial lands are included in the Study Area, the Study Area is adjacent to industrial uses. Further, there are some existing industrial uses in the Study Area which are designated mixed use. The general intent of the industrial area designation is to provide for continued operation and expansion of industrial uses including some minor low density office and business support uses (5.2.1). Section 5.2.3 notes that industrial lands adjacent to residential uses intend for compatibility measures to be undertaken including setbacks, noise walls and landscaping.

Section 5.8.1 provides policies for “Special Policy Area One” which addresses a transitional area between Central Area Mixed Uses and industrial lands to the south of Clark Boulevard / Eastern Drive (see Figure 3). Within this area, residential uses, hotels/motels, hospitals, schools (except technical/business schools), places of worship, group homes and other sensitive uses are not permitted (5.8.1.2). There are also policies regarding streetscape design (5.8.1.3) and built form (5.8.1.4), generally intending buildings to address the streetscape and providing for a high quality streetscape design with a pedestrian- and cycling-friendly design.

2.5.3 TRANSPORTATION AND SERVICING POLICIES

Section 6.1 provides general policies for the transportation network, with an emphasis on promoting the use of public transit while making other efficiency improvements. Section 6.2

addresses the road network, which is identified on Schedule B. This includes development of new collector and local roads along with necessary road widenings. A list of potentially needed improvements is identified in Section 6.2.4, including extension of Clark Boulevard, new roads within the Primary Office Node, highway interchange improvements, additional lanes of capacity to better connect the Secondary Plan area to Downtown Brampton, and widening of Queen Street from Kennedy Road easterly to six lanes. These improvements may be subject to Environmental Assessment processes (6.2.5). Further to this, Section 6.5 addresses transportation monitoring and staging of improvements.

Section 6.3 provides policies for transit, and it is intended that the ultimate redevelopment of the Secondary Plan Area is formulated on the basis of certain improvements to the public transit system, namely the development of transit service on Queen Street for a significant transit route, connecting Downtown Brampton to Pearson International Airport via priority transit lanes on Highway 410, establishment of a Transit Node within the Primary Office Node, which accommodates parking and transit facilities that connects with the rail line, frequent bus service on Queen Street, and other measures.

Section 6.4 addresses traffic and assessment management to generally reduce accesses to Queen Street through appropriate measures, including zoning controls (6.4.2).

Section 6.6 addresses parking, encouraging more flexible and less stringent parking standards (6.6.1) and exempting certain developments from on-site parking requirements (6.6.2). Shared parking or “swing parking” may be a basis for reducing parking standards (6.6.3).

From a compatibility perspective it is noted that Section 6.8.1 requires development within 300 m of a railway right-of-way may require noise studies and development within 75 m may be required to undertake vibration studies. Although the railway corridor is not located in the Study Area, portions of the Study Area likely fall within 300 m of the railway.

With respect to water and wastewater servicing, development is subject to servicing supply and capacity reinforcements as may be required (Section 7).

2.5.4 URBAN DESIGN

The policies of Section 8.0 address urban design. Within the Study Area, development which promotes vertical landmark definition of built form in the Office Node, transition from highway commercial to urban store fronts, mixed uses, pedestrian, cycling and transit accessibility are the key principles (8.2.3). The Primary Office Node, located southwest of Highway 410 and Queen Street East, is intended to have opportunities for enhanced amenities and landmarks.

It is intended that the City will prepare District Design Guidelines, in accordance with Section 8.3.2. Until that time, development is intended to be consistent with Interim Design Guidelines attached as Appendix B to the Secondary Plan. The guidelines are briefly summarized as follows:

- Massing, angular plane and setback regulations are in Section 1.3, including an emphasis on human-scale development and adequate sunlight penetration;
- Public realm guidelines in Section 1.4 include that the City should encourage creative detailing of building facades and the provision of attractive and safe pedestrian environments. Commercial frontages should include space for sidewalk merchandising, displays, seating, planting, snow storage and bicycle racks. Developments should include

the principles of Crime Prevention Through Environmental Design and incorporate lighting to encourage night-time pedestrian activity. Street furniture, floral displays and other features can be used to improve the streetscape;

- Section 1.5 contains policies related to site access, including designing for efficient provision of transit facilities and movement of emergency service vehicles. Structured parking should be encouraged in denser residential/mixed-use designations and planting screens should be used in surface parking areas; and
- Section 1.6 requires development to meet the noise attenuation, drainage, air quality, energy conservation and environmental management policies of the Brampton Official Plan; and
- Section 2 establishes that streetscape improvements should be formulated and timed in cooperation between the City and property owners.

2.5.5 IMPLEMENTATION (TRANSITION POLICY)

Section 9.3, contained in the implementation section, states that notwithstanding the Central Area Mixed Use policies, development may occur in the interim for “a range of lower order commercial uses, subject to the judicious use of landscaping, the controlled use of signs and the prohibition of outside storage...” This appears to be the key policy that has relevance to the evolution of the corridor from the current highway commercial format to the intended mixed use, higher density form.

Figure 2 – Queen Street Corridor Secondary Plan Land Use Designations (Source: City of Brampton GIS Data, obtained March 2018)

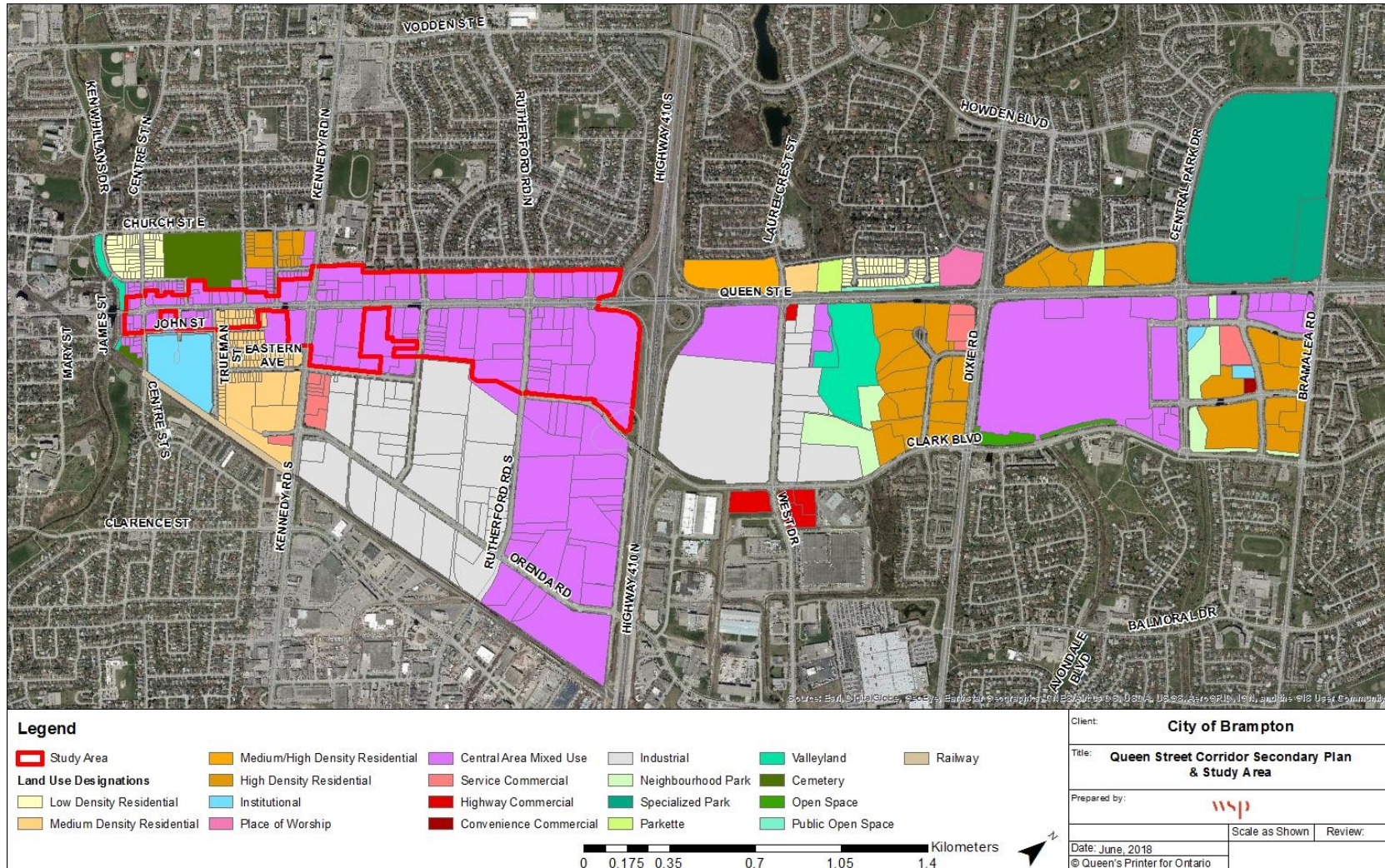
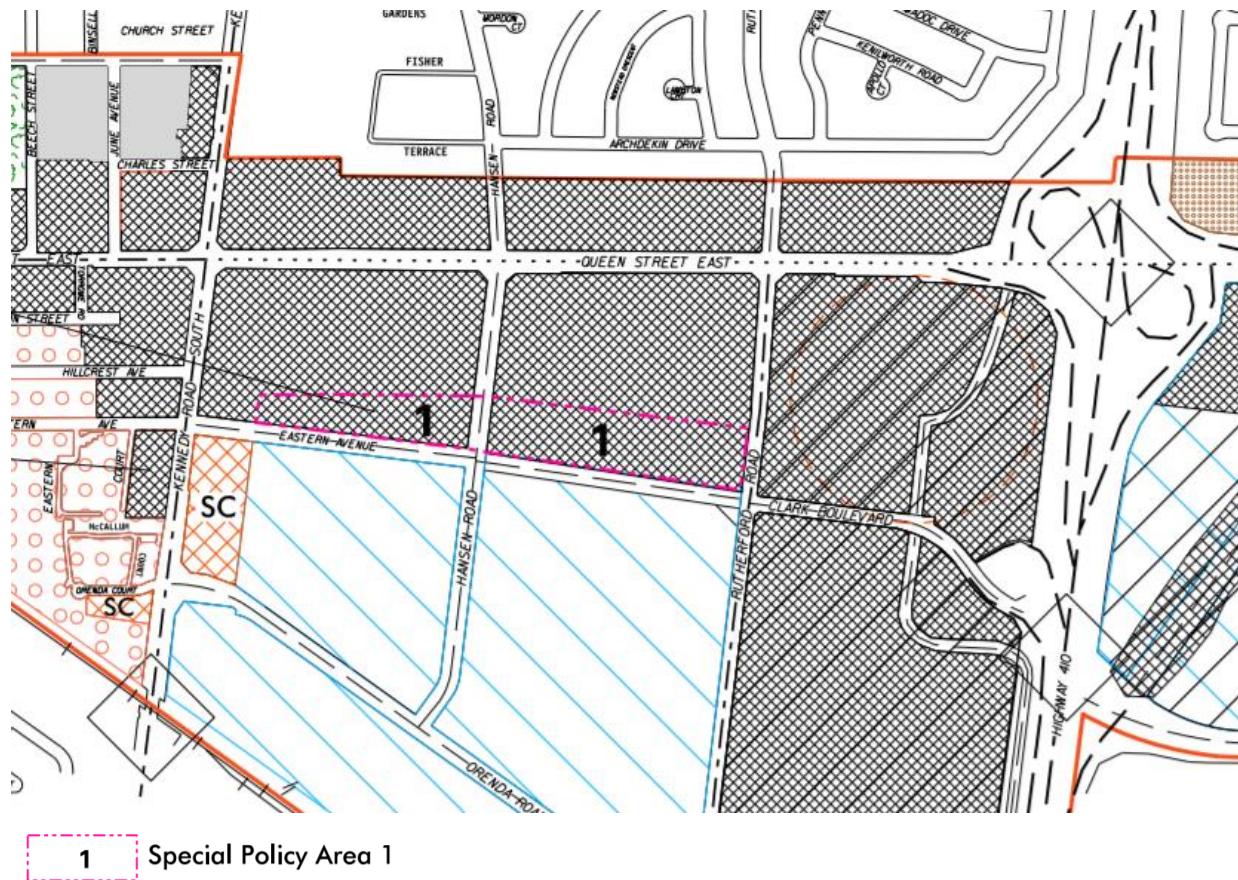


Figure 3 – Location of Special Policy Area 1 (Schedule A, Queen Street Corridor Secondary Plan, dated April 2013)



2.6 CONSOLIDATED ZONING BY-LAW 270-2004

The City of Brampton's in-effect comprehensive zoning by-law is Zoning By-law 270-2004. As will be discussed in the next section, the Study Area is subject to many special sections (i.e., site-specific exceptions) as the result of a rezoning exercise conducted by the City. Existing zoning is shown in **Figure 4** (the westerly portion of the Study Area) and **Figure 5** (the easterly portion of the Study Area). Generally speaking, the zoning in the area may be described as follows:

- Lands fronting onto Queen Street are subject to a variety of Commercial zones, principally Service Commercial (SC) or Highway Commercial One (HC1). The Highway Commercial One zone permits a limited range of motorist-oriented uses (e.g. motor vehicle sales and repair, banquet facilities, hotels, restaurants). Lot and building requirements in the HC1 zone set out automobile-oriented standards such as a minimum front yard depth of 15 m and

7.2-67

- minimum exterior side yard of 6 m. At least 20% of the front yard and 50% of the exterior side yard is required to be landscaped. The maximum permitted building height is 3 storeys.
- Service Commercial (SC) zones permit a wide range of retail and service functions (e.g., retail uses, personal services, banks, offices, laundromats, fitness centres, restaurants, places of worship), but excluding some of the automobile oriented uses above. The yard requirements are relatively permissive, with minimum front and exterior yards of 5.0 m. The maximum building height is 3 storeys and a minimum of 60% of the front yard and the exterior side yard must be landscaped open space.
 - Other commercial zoning includes Commercial Two (C2) and Commercial Three (C3). The C2 zone permits a wide range of commercial uses, including retail, supermarkets, banks, offices, restaurants, service stations, commercial schools, garden centre sales, recreational uses, custom workshops, places of worship and other uses. The lot and building requirements of the C2 zone address a very automobile-oriented built form, including a minimum front yard depth of 21 m and minimum exterior yard of 18 m. Minimum landscaped area is 8% of the lot. Maximum building height is up to 6 storeys. C3 zones are applied within the planned Primary Office Node and other locations. The C3 zone permits a wider range of uses, including uses in the C2 zone, plus motor vehicle sales and services. The lot and building requirements are similar to the C2 zone except there is no restriction on maximum building height.
 - Two properties are also zoned Downtown Commercial (DC). This zone permits a wide range of commercial uses, including retail, restaurants, offices, theatres, motor vehicle/boat sales/rental, as well as apartments in which a maximum of 30% of the gross floor area is used for commercial purposes. It is unclear why there is a maximum permitted commercial area associated with residential uses. It appears that standalone commercial uses would be permitted. The lot and building requirements are very permissive, with front/exterior yard setbacks of only 2 m. The maximum building height is 11 storeys. Further, the requirements of the R4B zone applies to residential uses permitted in the DC zone.
 - One property is zoned Highway Commercial Two (HC2). This zone permits a very limited range of uses, such as service stations, vehicle washing as well as restaurants/convenience retail which must be in conjunction with a service station. This zone requires restrictive lot and building requirements, such as a minimum 15 m front yard and minimum lot width and depth of 45 m, and maximum building height of 2 storeys.
 - There are a few industrial-zoned (M2) properties south of Queen Street, east of Kennedy Road (Figure 5). The M2 zone permits manufacturing uses and “less-obnoxious” industrial uses, including printing establishments, warehouses and freight classification yards but excluding junk yards and wrecking yards.
 - Lot sizes are generally smaller west of Kennedy Road (Figure 4). There is a block consisting almost entirely of Residential Single Detached (R1B) zones, bound by Queen Street East to the north, John Street to the south, Trueman Street to the west and Torrorme Road to the east.
 - Most properties in the Study Area are subject to special sections of the Zoning By-law, which includes some prohibitions on the permitted uses described above. This will be reviewed and discussed later in this report.

Figure 4 – Existing Zoning in the Westerly Portion of the Study Area

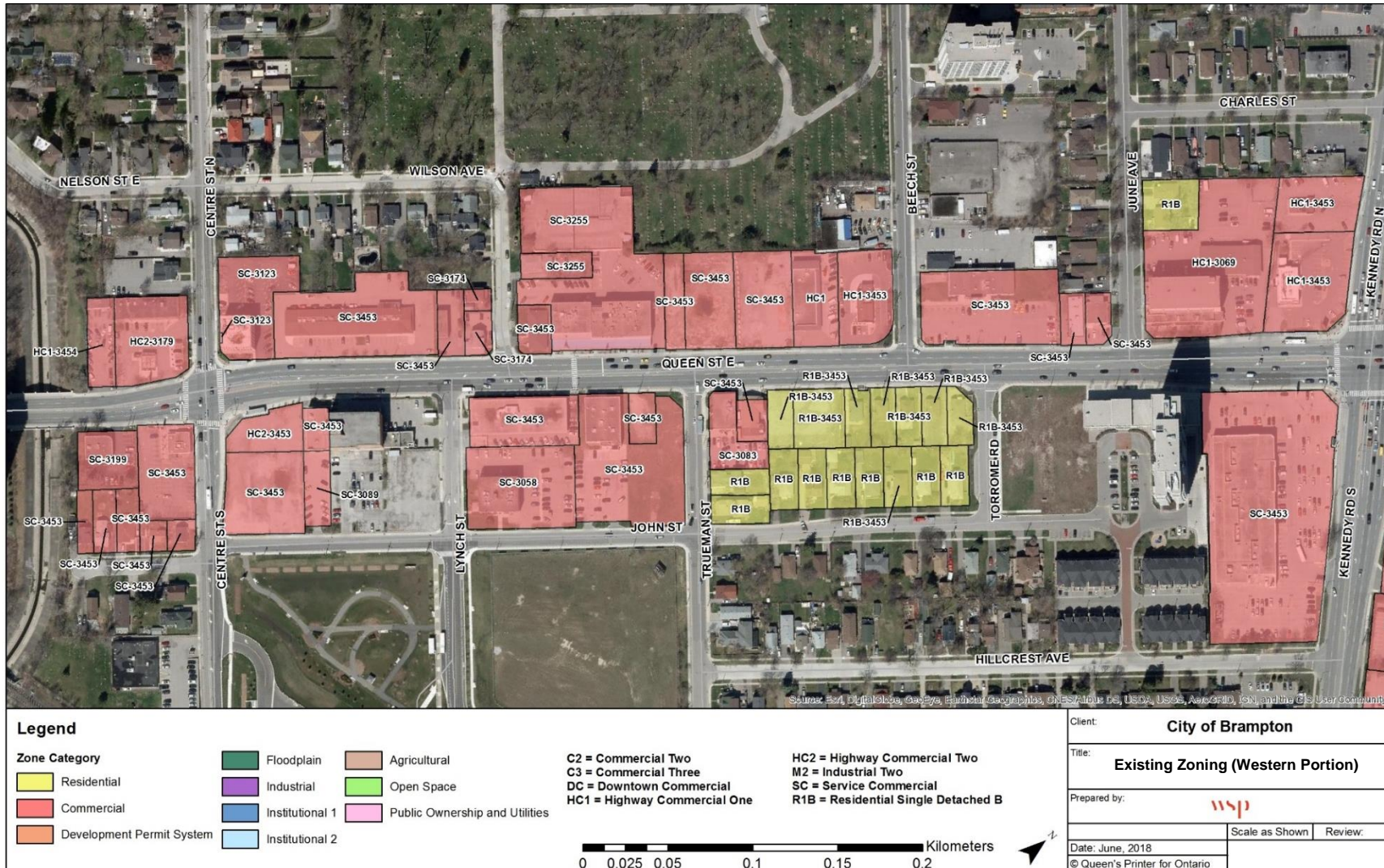
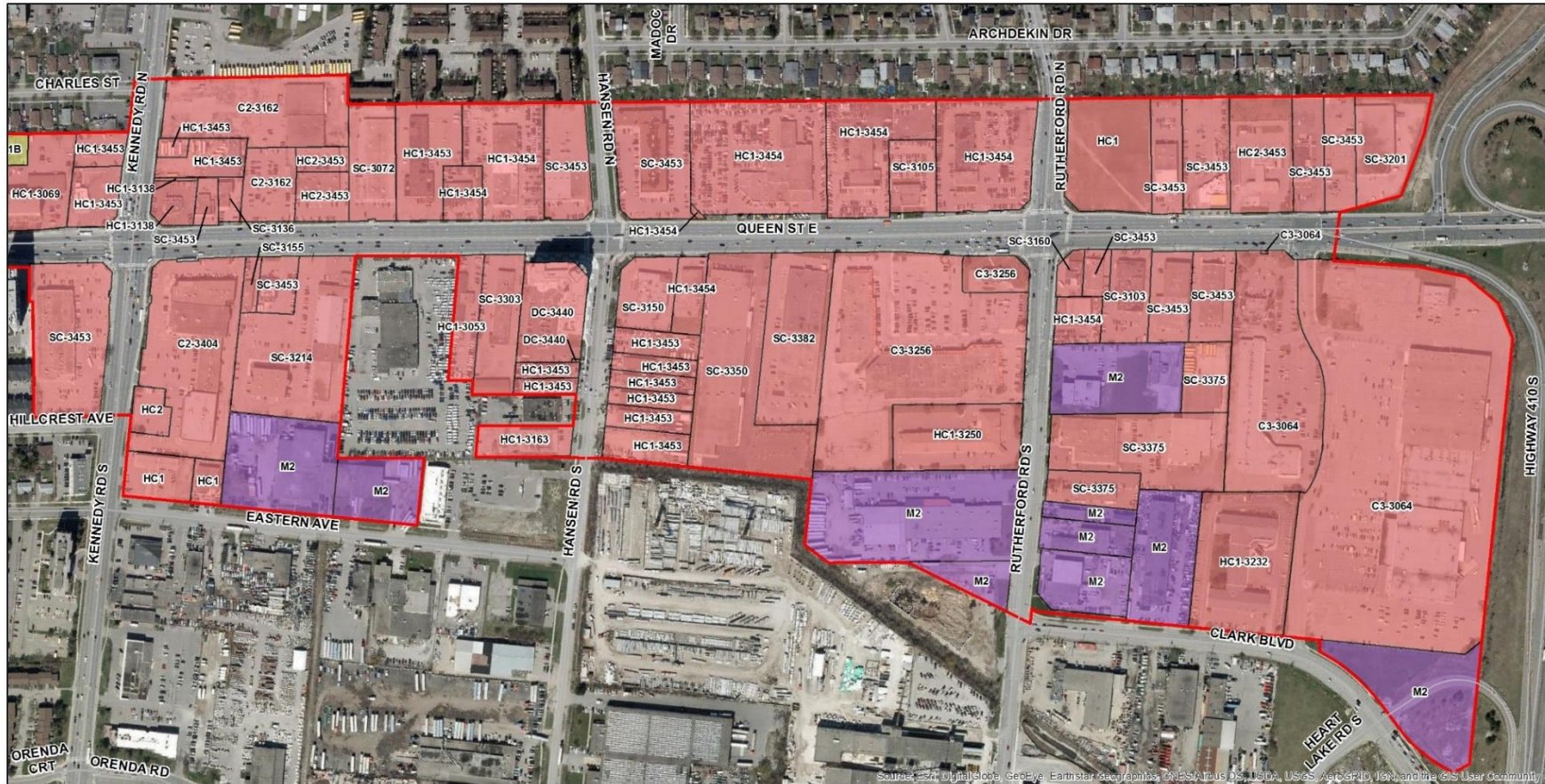




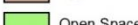


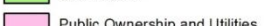




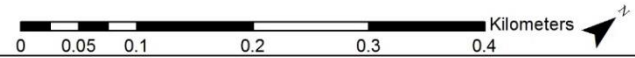
Figure 5 – Existing Zoning in the Easterly Portion of the Study Area




Legend

 Residential	 Floodplain	 Agricultural
 Commercial	 Industrial	 Open Space
 Development Permit System	 Institutional 1	 Public Ownership and Utilities
	 Institutional 2	 ICBL Zone

C2 = Commercial Two
C3 = Commercial Three
DC = Downtown Commercial
HC1 = Highway Commercial One
HC2 = Highway Commercial Two
M2 = Industrial Two
SC = Service Commercial
R1B = Residential Single Detached B



Client:	City of Brampton	
Title:	ICBL Zone - Eastern Portion	
Prepared by:		
Date: June, 2018	Scale as Shown	Review:
© Queen's Printer for Ontario		

2.6.1 BY-LAW 267-2006

In 2006, the City undertook a review of zoning in the Queen Street corridor, both through the Study Area and in Downtown Brampton, located just west of the Study Area. This resulted in the passage of two new by-laws, 266-2006 (for downtown) and 267-2006 (for a portion of the Study Area). The former by-law created new, mixed-use zones (CMU1 and DC1) that properly reflected the new policies for Downtown Brampton, while the latter by-law is germane to the current analysis since it updated the zoning by creating Special Sections on many of the properties within the Study Area.

The main purpose of the amendment in the Study Area was to remove lower order commercial uses from being permitted, while allowing existing such uses to continue. Not every property in the Study Area was included in the rezoning exercise and the exercise did not fully remove all permissions for lower order commercial uses which are no longer in line with the intent of the Urban Growth Centre and the applicable policies in the Study Area.

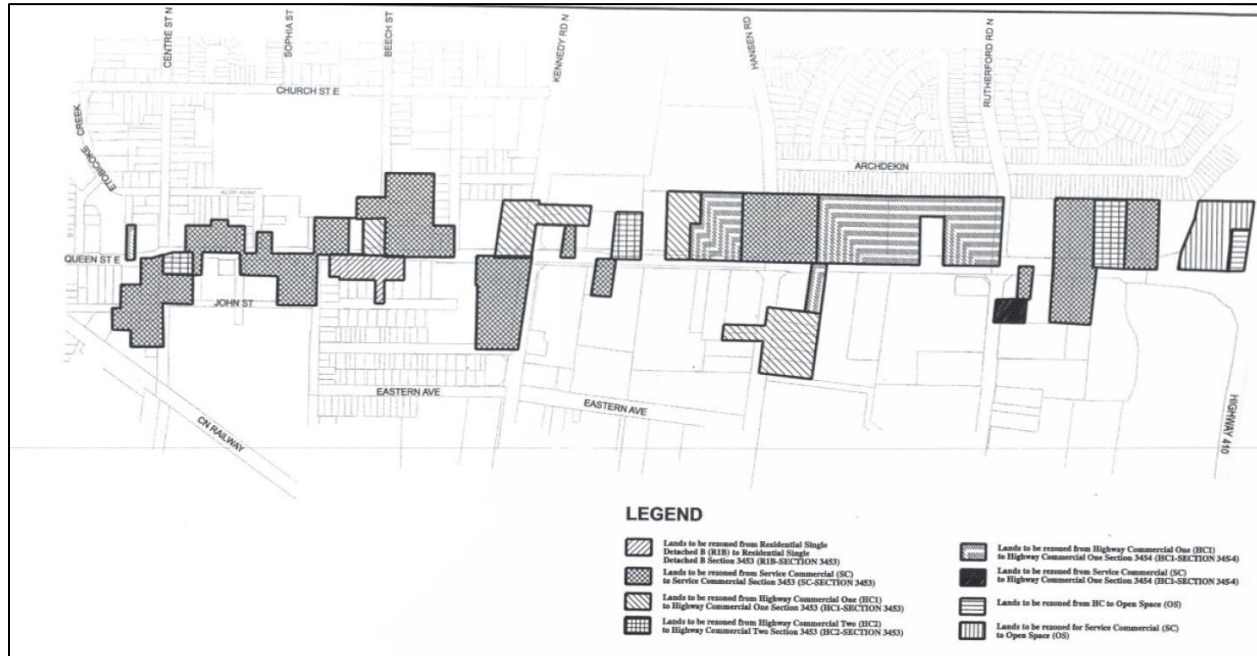
Through this amendment, many of the special sections shown in the zoning (see Figures 4 and 5) were applied or updated. This includes special sections 3453 and 3454, along with amendments to some of the exceptions that pre-dated the passing of 267-2006. Land subject to new special sections 3435 and 3454 are shown on Figure 6. However, the By-law affected other lands by modifying existing special sections, which are not shown on Figure 6. Amended special sections included 3123, 3179, 3174, 3199, 3255, 3058, 3083, 3069, 3404, 3162, 3072, 3136, 3138, 3214, 3303, 3163, 3150, 3350, 3382, 3256, 3105, 3201, and 3103. Only a few of the exceptions that currently apply in the Study Area were not amended or affected by 267-2006.

The by-law established prohibitions for the following uses amongst lands affected:

- Adult video store;
- Adult entertainment parlour;
- Amusement arcade;
- Body art/tattoo parlour;
- Drive-through facilities;
- Massage/body rub parlours;
- Auto body shops;
- Auto or boat dealerships (sales, repair, parts shops);
- Service stations and gas bars; and
- Tool and equipment rental outlets.

Notwithstanding the provisions above, the By-law allows existing motor vehicle or boat sales, rental, leasing or service establishments, motor vehicle repair shops, motor vehicle or boat parts and accessory sales to be a permitted use subject to the applicable standards of the Zoning By-law provided they existed on the date the by-law came into force and effect. Motor vehicle body shops operated in conjunction with sales/rental or leasing uses that were existing are similarly permitted.

Figure 6 – Properties Re-zoned via By-law 267-2006



2.7 INTERIM CONTROL BY-LAW 246-2017

In order to conduct this analysis and prevent development inconsistent with the City's present policy goals, Council approved the Interim Control By-law ("ICBL") (By-law 246-2017) on November 8, 2017. Under Section 38 of the *Planning Act*, this by-law may only be in effect for a period of one year, though Council is permitted to renew it for one additional year.

In passing the ICBL, Council's motion recognized that notwithstanding the Central Area's designation as a UGC and a Primary Intensification Corridor, parts of it are currently zoned for low density commercial uses which have the potential to preclude the City's intensification goals and affect the City's ability to achieve its density and intensification targets by allowing non-conforming uses as-of-right in the zoning by-law.

While the ICBL is in effect, new uses and the erection, enlargement or replacement of existing land, buildings and structures within the designated area (Figure 1) are prohibited.

Excluded from the ICBL are properties subject to recent and in-process development applications regarded by staff as being consistent with the UGC policy goals, as stated in the Staff Report dated October 25, 2017 which recommended the ICBL. Examples of excluded properties listed in the staff report are as follows:

- 247 Queen St. E. (Atlas Healthcare)
- 209 Queen St. E. (Mattamy, Rhythm Phase 2)
- 145/147 Queen St. E. (Cumberland)

3 STUDY AREA

3.1 OVERVIEW

As previously discussed, the Queen Street corridor within the Study Area is a primary transportation corridor earmarked for future Bus Rapid Transit (BRT) upgrades, building upon existing Züm service. The Study Area effectively bridges the corridor between Highway 410 in the east and Downtown in the west, with broader transit connectivity to the Vaughan Metropolitan Centre. Existing uses in the Study Area are typically auto-oriented commercial and service uses though there are also sections with low-rise residential and industrial uses. Several recent mixed use developments have also occurred.

The area south of the Study Area, along Highway 410 and the CN Rail corridor, is generally industrial. The commercial/service properties along the north side of Queen Street, however, generally transition to low density residential neighbourhoods. On the north side of Queen Street, between Hansen Road and Kennedy Road, there are denser, medium density residential zones adjacent to Central Peel Secondary School. The west end of the Study Area includes two significant adjacent institutional uses located just outside the Study Area: the Peel Memorial Centre for Integrated Health on the south side of Queen Street and the Brampton Cemetery on the north.

Lots are generally larger closer to Highway 410 and are smaller closer to the Downtown. There is a wide range of lot sizes and building typologies within the Study area, as characterized below.

3.2 EXISTING LAND USE

Following is a more detailed description of the current land use, moving east (Highway 410) to west (Etobicoke Creek) through the Study Area. A more detailed inventory is included in Appendix A.

The block bounded by Highway 410, Rutherford Road South, Clark Boulevard and Queen Street East (known as the Primary Office Node in the Secondary Plan) is characterized as follows:

- This area includes auto-oriented retail uses (e.g. strip malls and big box retail), as well as restaurants (including drive-throughs) along Queen Street East, with a mix of auto-oriented uses and automobile dealerships. There is also a hotel use located mid-block. The southerly portion of the block (fronting onto Clark Boulevard) includes other automobile oriented uses, including auto repair and auto body repair uses, inclusive of what appears to be outdoor storage of automobiles, shipping containers and auto parts. Other uses include an industrial plaza and offices on the east side of Rutherford Road South as well as a City of Brampton fire station.
- The buildings are 1-2 storeys. Buildings have moderate front yard setbacks, generally enabling only one row of parking to be provided in front of the building. For the most part, parking is located in the side yards and rear yards. The main exception to this characterization are the large commercial uses within the planned Primary Office Node,

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which have extensive parking areas and the buildings are oriented to face the interior parking areas.

The block on the north side of Queen Street East, between Highway 410 and Rutherford Road North, is characterized as follows:

- Uses include a strip mall, restaurants including a drive-through and a gas station. Low-density residential uses are located directly behind these uses. The northeast corner of Queen Street East and Rutherford Road North is currently vacant.
- These uses are all one-storey buildings. Most of the parking is located in the rear and side yards, but some of the uses have several rows of parking located in the front yard.

The block on the south side of Queen Street East, between Rutherford Road South and Hansen Road, is characterized as follows:

- The uses and built form here is very similar to the first block described above. A plaza has a large parking lot fronting onto Queen Street East and other strip-style retail plazas are located to the west. The interior of this block (further south of Queen Street East) also includes automobile-oriented uses car rental facilities, car repair facilities with significant outdoor storage in the rear yards, as well as a hotel.
- The buildings are typically one to two storeys. With the exception of the large strip mall located at the southwest corner of Queen Street East and Rutherford Rd. S., most of the buildings have only moderate front yard setbacks which would only permit one row of parking in the front yard.

The block on the north side of Queen Street East, between Rutherford Road North and Hansen Road, is characterized as follows:

- Uses fronting onto this section of Queen Street East are almost entirely automobile dealerships as well as one plaza with a mix of office and other commercial uses. Low density residential uses are located behind these uses.
- All of these buildings are one to two storeys. Most of the uses have significant setbacks including multiple rows of parking in the front yard, sometimes including outdoor display of vehicles for sale.

The south side of Queen Street East, between Hansen Road North and Kennedy Road North, is characterized as follows:

- A mixed-use tower, with retail at grade, frames the Hansen Road North and Queen Street East intersection at the southwest corner. However, to the west are strip retail uses, a commercial school, mixed in with auto repair uses. Parking configuration is similar to the blocks described above, with the exception of the mixed-use development, where the building largely dominates the street frontages.
- Unlike other blocks, some of the auto services front onto Queen Street, while other auto services are located to the rear of Queen Street. An industrial manufacturing or processing use fronts onto Eastern Ave (zoned M2 per Figure 5).
- Buildings are generally 1-2 storeys, except for the mixed-use development which is 15 storeys.

The north side of Queen Street East, between Hansen Road and Kennedy Road North, is characterized as follows:

- In terms of existing uses and built form, this block is similar to the north side of Queen Street, east of Hanson Road North. Uses include automobile dealerships, strip retail

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uses and a hotel, with parking fronting onto Queen Street East. Buildings are generally 1-2 storeys.

The south side of Queen Street East, between Kennedy Road North and Centre Street, is characterized as follows:

- While auto-oriented retail frames the corner, the two properties directly to the west – a mixed-use tower with retail at grade and a vacant lot with a pending development application – are exempt from the ICBL. Townhomes and low density residential uses are located directly to the south. Beyond this, the ICBL-designated area continues, including a series of single detached residences. Some of the residences fronting onto Queen Street East are used for commercial businesses either as an accessory or principal use, whereas single detached residences that do not front onto Queen Street East are used as residences only.
- There is a two-storey commercial building on the east side of Trueman Street, and a vacant lot on the southwest corner. The built form then changes with commercial and medical buildings oriented towards the street, with parking located behind the building. The southeast corner of Centre Street and Queen Street East is exempt from the ICBL.
- The built form varies within this block. There is no front yard parking provided except at the commercial plaza located at the southwest corner of Kennedy Road North and Queen Street East. Most buildings are 1-2 storeys, except the mixed-use development west of Kennedy Road South.
- Lot sizes in this block are generally much smaller than in the blocks previously discussed.

The north side of Queen Street East, from Kennedy Road North to Centre Street, is characterized as follows:

- Existing uses include restaurants, a 6-storey hotel, vehicle rental use, offices and retail uses.
- The built form varies. Lot sizes are generally much smaller than in the areas east of Kennedy Road North. Some buildings have minimal front yard setbacks while others have parking areas located between the building and Queen Street. Building heights also range from 1-storey to up to the 6-storey hotel.
- The 6-storey hotel is located just west of Centre Street, followed by single-storey retail outlets with shallow parking along Queen Street East. Matching the more street-oriented medical buildings along the south side of the street is a similar 3-storey building along the north side. Small-scale commercial operations with shallow parking are located west of Wilson Avenue along Queen Street. The northeast corner of Centre Street and Queen Street East is occupied by a 4-storey commercial office building.

The south side of Queen Street East, west of Centre Street, is characterized as follows:

- This block consists of 7 properties east of Etobicoke Creek. Existing uses include a standalone restaurant, two-storey commercial building, and low-rise single detached dwellings fronting onto John Street, to the south of Queen Street East.

The north side of Queen Street East, west of Centre Street, is characterized as follows:

- There are 2 properties on this block covered by the ICBL. This includes a gas station/convenience store and a used car dealership, both of which have parking areas fronting onto Queen Street East.

3.3 RECENT DEVELOPMENT ACTIVITY

There are three developments along the corridor which are excluded from the ICBL as they already have in-process / recent development applications. The City staff report supporting the ICBL notes these applications meet the policy goals for the corridor. The applications are briefly described as follows:

247 Queen St. E. (Southwest corner of Queen Street East/Hansen Road)

- A 15-storey, mixed-use tower has been developed at the corner of Hansen Road and Queen Street East. The podium level offers retail/commercial uses at grade (33,000 sq. ft.) and 205 rental supportive housing units, with common amenity areas and shared rooftop terraces on the 15th floor. Construction is complete.

209 Queen St. E. (Mid-block on the south side of Queen Street East, west of Kennedy road South)

- A new, 31-storey, 272-unit tower will be added as Phase 2 to the existing Mattamy Rhythm building. Phase 1 recently opened and includes a 22-storey, 240-unit apartment building with ground floor commercial, and 32 townhomes along Hillcrest Avenue.

145/147 Queen St. E. (Southwest corner of Queen Street/Lynch Street)

- The existing single-storey restaurant and 5-storey office building will be replaced a new, 5-storey office building and a 23-storey residential tower with 156 apartments.

A more extensive list of development applications in the study area, from 1999 to the present, is included below (Figure 7 and Table 1).

Figure 7 – Development Applications in the Study Area (Brampton Open Data, Retrieved August 2018)

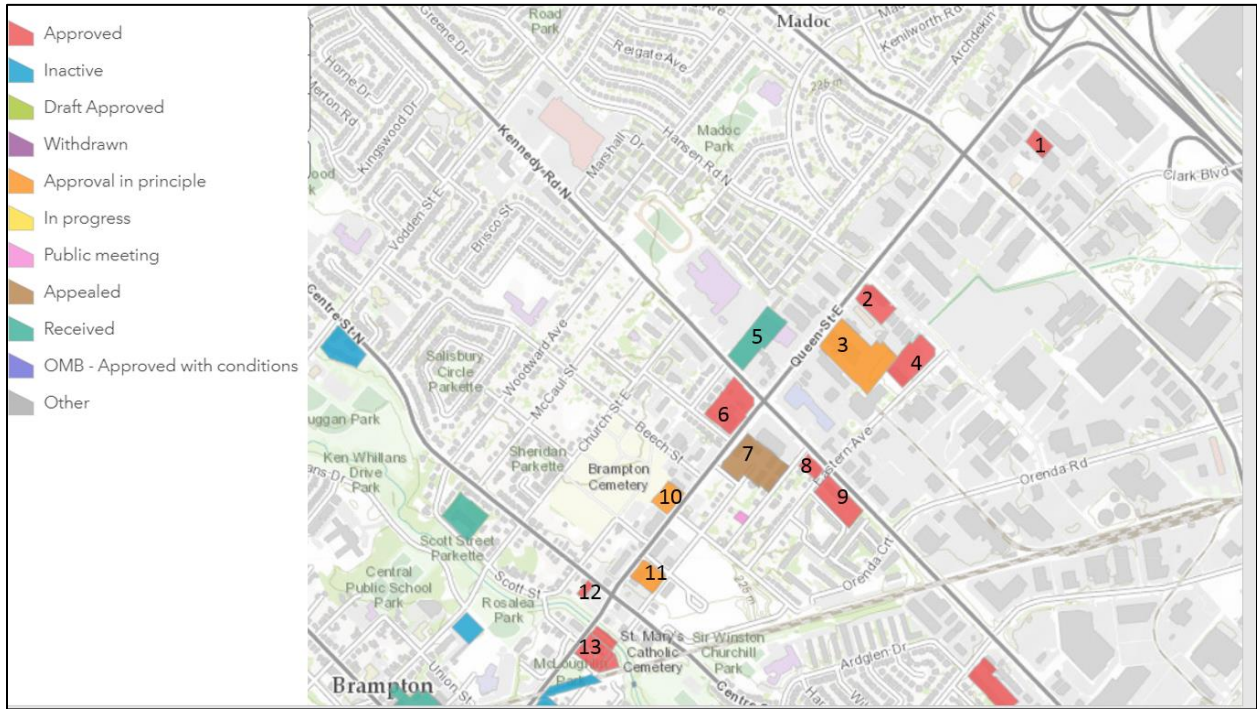


Table 1 – Development Applications in the Study Area

#	Address	Description	Date Received	Application Status
1	16 Rutherford Rd. S.	OPA/ZBL (no details noted)	2/4/99	Approved
2	247 Queen St. E.	ZBLA to permit a mixed-use, 216-unit condominium with ground floor retail; further application on March 20, 2018 for plan of condominium to develop 12 units with 71 parking spaces	8/13/04 3/20/18	Approved (2004 application) Received (2018 application)
3	241 Queen St. E.	ZBLA to permit a 7-storey medical office building and future residential / commercial	8/17/05	Approved in principle

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#	Address	Description	Date Received	Application Status
4	90 Eastern Ave. (Outside ICBL Study Area)	Draft Plan of (commercial) Condominium	9/7/11	Approved
5	15-26 Kennedy Rd. N.	ZBLA to permit mixed-use development with 270 units and commercial uses.	12/7/10	Received
6	Northwest corner of Kennedy Road North and Queen Street East	OPA and ZBLA (no detailed noted)	4/28/99	Approved
7	209-215 Queen St. E. (Outside ICBL area)	Draft Plan of Condominium for a mixed-use building with 240 apartments; and a condominium consisting of 32 units	11/27/09	Approved
	201 Queen St. E. (Outside ICBL area)	Application on January 26, 2017 to allow for development of 31 storey mixed use building with 272 units (previous application for 313 units is Inactive)	1/26/17	Appealed
8	49 Hillcrest Rd. (Outside ICBL area)	Draft Plan of Condominium to permit a mixed-use office	11/25/04	Approved
9	33 Kennedy Rd. (Outside ICBL area)	OPA and ZBLA to permit a second high-rise residential condominium with 273 units alongside the existing 118-unit building	3/26/12	Approved
10	174-184 Queen St. E.	OPA and ZBLA to permit either a 20-storey mixed-use building or a 15-storey commercial tower	9/9/10	Approved in principle
11	145-147 Queen St. E.	OPA and ZBLA to permit a mixed-use, 23-storey building	4/18/16	Approved in principle

#	Address	Description	Date Received	Application Status
12	11 Centre St. N. (Outside ICBL area)	OPA and ZBLA (no details)	3/16/98	Approved
13	111-113 Queen St. E.	Draft Plan of Condominium for a mixed-use development with 219 apartments	1/12/10	Approved
	107 Queen St. E.	OPA and ZBLA to permit the development of a 21-storey mixed-use building	11/22/05	Approved

3.4 BUILDING PERMIT DATA

A review of building permit data indicates there were 281 permits issued in the Study Area at just over 100 separate municipal addresses between January 2008 and July 2018. Of these, 138 were flagged as alterations, renovations or revisions. Mobile permits, related to a trailer or mobile sign and temporary tents comprised 40 of the permits. Only one building addition is identified and it was a 43.8 m² addition to a residence.

The data indicates 122 permits were classified as “Permanent” or “New”, most of which appear to relate to new commercial uses within existing buildings. No new buildings were identified in relation to these listed permits. Data regarding Gross Floor Area, which would be expected in relation to a new building, was not identified for these permits. It appears 7 permits were related to a change of use. There are no indications what the use changes entailed but the current uses indicate they must have been minor changes within the permitted zoning uses (e.g., from a retail store to a restaurant).

Based on the data, there are no indications that commercial and/or industrial building expansions are prevalent occurrences in the corridor. However, there appears to be significant activity with respect to changes in use and tenancy as well as general investment in the existing building stock.

3.5 AIR PHOTO COMPARISON (2006-2017)

To complement the review of building permit data and other information, a comparison of historical air photos with 2017 air photos was conducted to identify any other significant changes in building footprints since the Official Plan was adopted by Council in 2006. This comparison is shown in Figure 8 and is summarized as follows:

- Between Rutherford Road North and Highway 410, one building was redeveloped on the north side of Queen Street. The use (restaurant with drive-through) remained the same and

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only the building was reconstructed, and brought closer to the sidewalk with extensive landscaping. All other building footprints appear to be the same.

- Between Hansen Drive and Rutherford Road North, all building footprints appear to be unchanged during this timeframe.
- Between Kennedy Road and Hansen Drive, two distinctions were noted. First is the major mixed-use development at the southwest corner of Queen Street East and Hansen Drive. Secondly, the building at 243 Queen Street East appears to have been slightly reduced towards the rear. However, in reviewing other air photos, it appears the larger footprint visible in 2006 may just be temporary structures located close to the main building.
- Between Hansen Drive and Centre Street, a couple of buildings were demolished (still vacant) on the north side of Queen Street, across from Trueman Street. Similarly, a couple of residences were also demolished east of Trueman Street, south of Queen Street and are still vacant.
- No significant changes in building footprints were noted west of Centre Street.

Note that this comparison was completed as a visual inspection of air photos, and specific details may have been missed due to the limited resolution of air photos.

Figure 8 – Comparison of Air Photos (2006 – 2018)

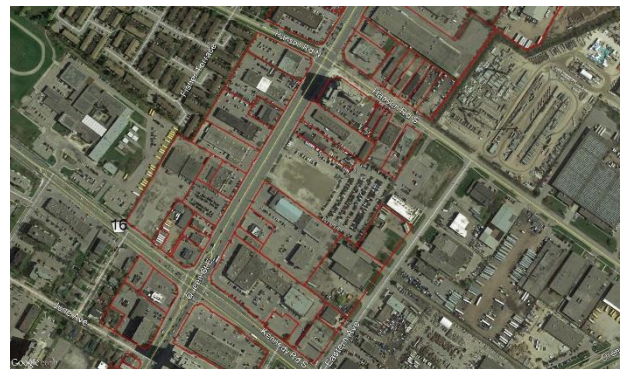
2006

2018

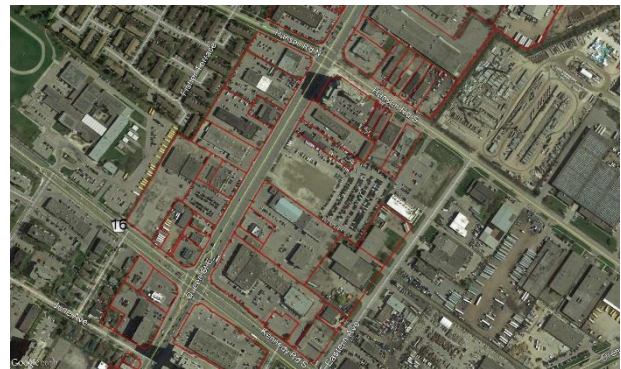
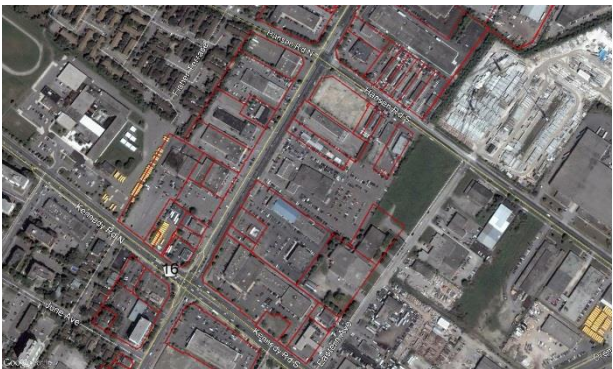
Between Rutherford Road North and Highway 410:



Between Hansen Drive and Rutherford Road North:



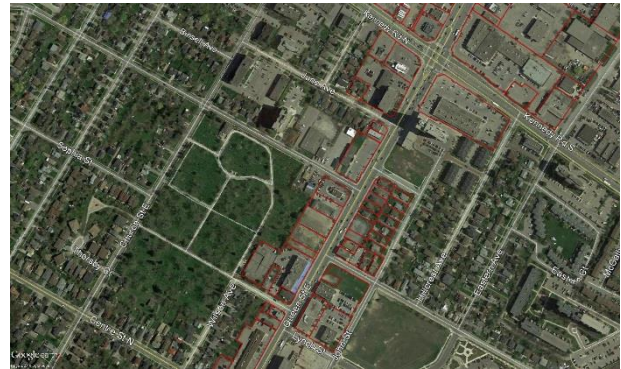
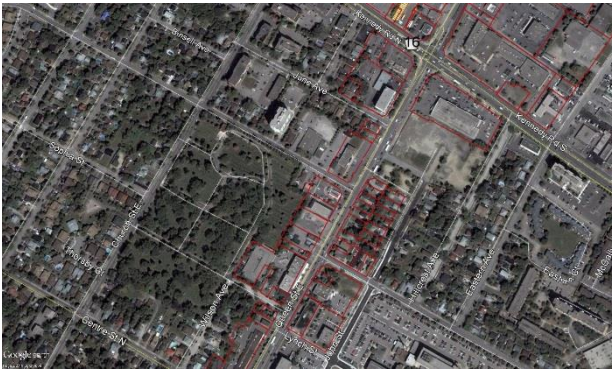
Between Kennedy Road and Hansen Drive:



2006

2018

Between Centre Street and Kennedy Road:



West of Centre Street:



4 CONFORMITY ANALYSIS

The key purpose of this study is to determine the relationship of current zoning permissions and planning policy and to rectify conformity issues. Having reviewed current policy and zoning previously in this report, this section identifies the specific conformity issues.

4.1 EXISTING ZONING OVERVIEW

As shown in Table 2, the most commonly applied zone categories in the Study Area are:

- SC-3453 (25 parcels)
- R1B-3453 (16 parcels)
- HC1-3453 (15 parcels)
- M2 (8 parcels)
- HC1-3454 (8 parcels)

The “3453” special section zones all simply append the prohibition list described in Section 2.6.1 to the existing parent designation and, as can be seen above, these account for 56 of the 116 parcels in the Study Area (including 3 of the 5 split zones as described below).

Twenty-six of the existing zones apply only to a single property. There are 5 split-zoned parcels, primarily clustered around the Queen Street East & Kennedy Road intersection. They are:

- 237/239 Queen St. E. (SC-3214) / (SC-3453)
- 252 Queen St. E. (C2-3162) / (HC2 3453)
- 10-12 June St. / 226 Queen St. E. (HC1-3069) / (R1B)
- 225-233 Queen St. E. / 2-16 Kennedy Rd. S. (C2-3404) / (HC2)
- 244/242 Queen St. E. (SC-3453) / (HC1-3138)

Table 2 – Frequency of Zones in the Study Area

#	ZONE	NUMBER OF PARCELS	DESCRIPTION
1	Service Commercial (SC-3453)*	25	Includes a wide range of commercial uses but prohibits the auto oriented commercial uses as listed in By-law 267-2006
2	Residential (R1B-3453)	16	Only permits single detached dwellings, group homes, and places of worship
3	Hwy. Commercial (HC1-3453)	15	Includes a wide range of commercial uses but prohibits the auto oriented commercial uses as listed in By-law 267-2006
4	Industrial (M2)	8	Permits manufacturing, auto body shops and “non-obnoxious” industrial uses
5	Hwy. Commercial (HC1-3454)	8	By-law 267-2006 prohibitions apply but auto and boat sales and service uses existing prior to Aug. 27, 2007 are permitted to continue

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#	ZONE	NUMBER OF PARCELS	DESCRIPTION
6	Hwy. Commercial (HC1)	3	A wide range of uses, including all the uses in HC2, a max. height of 3 storeys and a min. front yard depth of 15m
7	Service Commercial (SC-3375)	3	Permitted uses are either SC uses or M2 uses, including an office. M2 requirements apply to the site
8	Commercial (C2-3162)*	2	Adds movie theatre to the permitted C2 uses and removes amusement arcade, and applies the By-law 267-2006 prohibitions
9	Commercial (C3-3064)	2	Adds movie theatres to uses permitted in C3 zone, which permits a wide range of commercial uses
10	Commercial (C3-3256)	2	A wide range of uses are permitted subject to a max. height of 1 storey. This exception was also subject to 267-2006.
11	Service Commercial (SC-3103)	2	Only permitted uses are a restaurant or plumbing retailer, with explicit restrictions for each use in regards to GFA, parking etc. This exception was also subject to 267-2006.
12	Service Commercial (SC-3174)	2	Only an optical establishment is permitted, with a max. height of 1.5 storeys. This exception was also subject to 267-2006.
13	Hwy. Commercial (HC1-3153)	2	A radio or TV station transmission facility is added to the list of HC1 uses and the By-law 267-2006 list applies.
14	Hwy. Commercial (HC1-3138)*	2	Only a restaurant is permitted and the By-law 267-2006 list applies.
15	Hwy. Commercial (HC2)*	1	This zone permits only a gas station, car wash and associated convenience store/retail use. A place of worship is also permitted and a minimum front yard depth of 15m applies.
16	Downtown Commercial (DC-3440)	1	This zone permits only an apartment, office or hotel and retail services provided in conjunction. The min. front yard depth is 3m and there are min. and max. heights of 15m and 52m, respectively.
17	Hwy. Commercial (HC1-3053)	1	An auto service station is added to list of permitted HC1 uses, min. front yard depth is 22m and By-law 267-2006 list of prohibitions applies
18	Hwy. Commercial (HC1-3069)*	1	A max. height of 6 storeys is applied to HC1 uses and By-law 267-2006 list applies.
19	Residential (R1B)*	1	Only permits single detached dwellings, group homes, and places of worship.
20	Commercial (C2-3404)*	1	Adds movie theatres to the list of C2 permissions. C2 requires a min. front yard depth of 21m and a max. height of 6 storeys. This exception was also subject to 267-2006.

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#	ZONE	NUMBER OF PARCELS	DESCRIPTION
21	Hwy. Commercial (HC2-3179)	1	HC2 uses are permitted but must have a lot depth of at least 41m and the By-law 267-2006 list applies.
22	Hwy. Commercial (HC1-3232)	1	Only a motel and associated restaurant are permitted with a max. height of 2 storeys. This exception was also subject to 267-2006.
23	Hwy. Commercial (HC1-3250)	1	Only permitted use is a motel with a max. height of 2 storeys. The By-law 267-2006 list applies.
24	Hwy. Commercial (HC2-3453)*	1	Exception 3453 relates only to By-law 267-2006.
25	Service Commercial (SC-3199)	1	A wide range of uses are permitted only on the ground floor and the max. building height is 2 storeys.
26	Service Commercial (SC-3058)	1	Only a medical office is permitted, along with a drug store, florist shop or smoke confection shop that occupies no more than 60% of the GFA. The By-law 267-2006 list applies.
27	Service Commercial (SC-3072)	1	Various commercial uses are permitted with a max. FSI of 1.0 and the building area designated.
28	Service Commercial (SC-3083)	1	A range of uses are permitted on the ground floor but only offices (excluding medical) are permitted on the second floor. The By-law 267-2006 list applies.
29	Service Commercial (SC-3105)	1	Only permitted uses are a bank or financial institution, with a max. height of 2 storeys and min. front yard depth of 11.4m.
30	Service Commercial (SC-3123)	1	A max. height of 4 storeys is applied and the By-law 267-2006 list applies.
31	Service Commercial (SC-3136)	1	Only a bank is permitted and the By-law 267-2006 list applies.
32	Service Commercial (SC-3150)	1	A range of commercial uses are permitted subject to a max. height of 10.6m and other restrictions related to parking and location.
33	Service Commercial (SC-3155)	1	Only a bank, trust or finance company or an office is permitted.
34	Service Commercial (SC-3160)	1	An animal hospital is appended to the permitted SC uses.
35	Service Commercial (SC-3201)	1	Fewer permitted uses than parent SC zone and includes GFA and height restrictions.
36	Service Commercial (SC-3214)*	1	A billiard hall is added to the list of SC uses and the By-law 267-2006 list applies.
37	Service Commercial (SC-3255)	1	Only permits medical and real estate offices as well as service shops, banks and other limited services with a max. height of 3 storeys.

#	ZONE	NUMBER OF PARCELS	DESCRIPTION
38	Service Commercial (SC-3303)	1	The full range of SC uses is permitted but only after a site plan has been approved by the City. A max. GFA for non-office uses of 33% of the total GFA is established and no parking is permitted in the front yard. The By-law 267-2006 list applies.
39	Service Commercial (SC-3350)	1	Two sets of uses are permitted with different restrictions. For one group, there is a max. height of 1 storey and for the other a min. height of 3 storeys for buildings not within 6m of Queen St. E.
40	Service Commercial (SC-3382)	1	Similar to SC-3350, permitted uses include a wide range of service and retail uses. Depending on the use, there is a max. height of 1 storey and a max. FSI of 3.5, or 2.0 for residential purposes.

* Denotes occurrence in split zone(s)

4.2 ZONING CONFORMITY COMPARISON

4.2.1 PERMITTED USES

The wording of Section 5.1.2.1 of SPA 36 establishes a very broad range of permitted uses within the Study Area, noting that the Study Area is suitable for residential uses mixed with commercial uses. The Official Plan contains policies in Section 4.2.2 that similarly envision a wide range of uses, within the context of a transit- and pedestrian-oriented environment achieved through intensification. Two more specific policies mentioned earlier are the exclusion of “lower-order” uses such as highway commercial and auto repair in intensification corridors and of auto-oriented development in Central Area gateways.

Accordingly, there are significant issues regarding conformity of currently permitted uses in the zoning compared with the intended permitted uses as outlined in the applicable policy.

- With regard to the 37 HC-zoned properties in the Study Area, and the two HC2 zoned properties, the principal function of these zones is to permit uses that are auto oriented, and this zoning is out of alignment with policy.
- Most of the uses permitted within the SC zone are permitted by policy, but there are no provisions that require these uses to be mixed as envisaged by the planning policy.
- The site zoned DC appropriately permits a mix of uses, but it does not require a particular mix of uses.
- The industrial zones, while only applicable to a handful of sites in the Study Area, are similarly not in conformity with any of the policy goals, as they permit a range of industrial activities not contemplated within the Mixed Use Designation of the Secondary Plan or the policies for the Central Area as outlined in the Official Plan.

- Further, the R1B zoning permits only single detached dwellings and some other related uses, which reflects existing uses and does not facilitate the intended transformation of this corridor.

In large part, the existing zoning reflects current uses and historically permitted uses, rather than facilitating the type of development intended by the policy framework. While the zoning has been updated to remove many lower order commercial uses, there are some sites that were not addressed by these changes, and there are still commercial and industrial uses that are not permitted by policy. Additionally, there is an absence of any requirement to mix uses as intended by the policies. Further, residential uses are not permitted by most of the zoning in the corridor.

Additionally, there are so many site-specific variations now applied within the Study Area, a more consistent approach to zoning would be desirable given that the Study Area is subject to the same policy framework. Overtime, the addition of Special Sections and further amendment of Special Sections has created a lot of complexity and could increase the potential for errors when interpreting the zoning.

4.2.2 HEIGHT AND DENSITY

With some exceptions, height and density requirements in the existing zoning applied in the Study Area are not reflective of the current policy framework which intends for intensification in the form of mixed-use development.

The standard zones in the Study Area do not include any maximum density (Floor Space Index FSI) requirements which are detailed in the Secondary Plan.

Generally, the Official Plan intends for a minimum height of development to be 4 storeys, per Section 3.2.3.3. However, the current zoning does not set out any minimum height requirements. There are no height requirements in the Secondary Plan; rather, maximum height would be indirectly affected by the maximum FSI requirements in the Secondary Plan.

The maximum height in the standard SC, HC1 and HC2 zones is 3 storeys. But, as can be seen in Table 2, the Special Sections often set out lower maximum heights and permissions above 3 storeys in the Study Area are uncommon. In the M2 zone, there is no height restriction unless the property abuts a residential zone, in which maximum height is 2 storeys.

4.2.3 SETBACKS AND OTHER LOT REQUIREMENTS

Setbacks in the Study Area's zones are generally not consistent with the notion of creating a pedestrian-friendly, transit-supportive built form. In most zones, minimum front yard setbacks are at least 5 m, and some are higher. No zones include maximum setback requirements, or any other form-based requirements, such as build-to-lines, podium/tower requirements, building step-backs, angular plane requirements, or restrictions on the location of parking areas. The parent HC1 and HC2 zones require front yard setbacks of at least 15 m. In M2 zones, the minimum front yard setback is 9 m and in the SC zone, which is most common zone applied in the Study Area, the minimum front yard setback is 5 m.

The policies do not detail built form requirements, nor do they necessarily direct the zoning by-law to establish certain parameters around how zoning can achieve the built form and urban

design objectives. However, the Interim Design Guidelines contained in Appendix B to the Secondary Plan include some requirements that can be implemented in zoning. Achieving zoning conformity will require a review and consideration of setback and other built form requirements to support achieving the intended built form.

4.3 REVIEW OF OTHER RELEVANT ZONE CATEGORIES

It is worthwhile to consider whether the City has established any zone categories that have relevance and could be applied to future development (but which may not be applied in the Study Area currently).

As noted, the DC zone has some relevance as it permits mixed uses, but it does not require a mix and there are no detailed built form requirements except for very small minimum setbacks.

The DC1 zone, added through 266-2006, permits mixed uses, including residential, except that residential uses are not permitted in the first storey within the first 6.0 m of the streetline. Minimum setbacks are 0 m in some cases. The lot and building requirements are form-based, with supportive schedules to indicate maximum setbacks, minimum building heights, restrictions on parking configuration, special setbacks for residential uses (for privacy, etc.), and other requirements.

The CMU1 zone, also added through 266-2006, similarly sets out a mix of uses, but it does not permit residential uses in the zone. It also limits retail uses to 1,500 m². A maximum FSI requirement of 2.0 applies along with various form-based standards which are somewhat similar to the DC1 zone.

The HMU1 zone, applicable to implementing the Hurontario Corridor Secondary Plan, permits a wide range of uses, including apartments, live work townhouses, which must form part of a mixed-use development. The maximum FSI requirement is 3.0, and various other form-based standards apply, including minimum as well as maximum building heights, street line setbacks, continuous streetwall requirements, special setbacks for residential uses, restrictions on the location of vehicle parking, as well as bicycle parking standards.

In short, there are a few zone categories that implement some of the intended requirements of the policies applicable to the Study Area, but none of the zones fully address the intended requirements of the Queen Street Corridor Secondary Plan. Any development that meets the policies of the Queen Street Corridor Secondary Plan would therefore likely require a separate category or an exception zone. Recent mixed-use developments in the corridor were zoned this way. One development (southwest of Queen Street East and Kennedy Road North) was subject to the Downtown Commercial (DC) zone with a special section (3403) that sets out specific maximum GFA, maximum dwelling units, maximum height, detailed setbacks and other requirements. Another site (southwest of Queen Street East and Hansen Road North), is zoned DC-3440. This zone permits apartments (stand-alone included) and a wide range of commercial uses but only in conjunction with an apartment or office.

4.4 SUMMARY OF KEY CONFORMITY ISSUES

Areas of non-conformity between the existing zoning and the City's policy documents can be seen in relation to the following:

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- There are no zones that suitably implement intended permitted uses in the Study Area. While the existing Commercial zones allow for a range of uses which are permitted by the policy, they do not have requirements for mix of uses, which precipitates free-standing commercial uses. Over time, this could result in infilling of new free-standing commercial uses within the large parking areas and/or redevelopment for other lower order commercial uses.
- A lack of FSI requirements in the zoning and generally low minimum height requirements, rarely higher than three storeys, do not implement the policies of the Secondary Plan and the Official Plan.
- Setbacks throughout the area are generally auto oriented, frequently in the 12-15 m range and do not conform to the City's intent for pedestrian-friendly, transit-oriented development near the streetline.
- There are no existing mechanisms in the current zoning that implement the intended built form and massing of the corridor. While the policy only speaks to this at a high level, the Design Guidelines contained in Appendix B to the Secondary Plan have relevant requirements that could be translated to zoning standards.
- Though By-law 266-2006 prevented the development of new, auto-oriented uses, these uses continue to be prevalent in the corridor.
- Though there are some zone categories that have applicability to some of the policy requirements, there is no single zone category that suitably implements the policies of the Queen Street Corridor Secondary Plan.

5 MUNICIPAL APPROACHES TO MANAGING TRANSITION

A key concern for the City is managing the transition of the Central Area from its current, largely non-conforming status to a build-out of the envisioned mixed-use, pedestrian- and transit-oriented Urban Growth Centre. As previously mentioned, Section 9.3 of SPA 36 establishes a brief policy regarding transitional uses, allowing for the development of lower-order commercial uses subject to proper use of landscaping, signs and storage. Clearly stronger requirements are now desirable and how to manage transition is a concern addressed specifically by 5.1.1.3 of SPA 36:

Council may use any of the following land use planning mechanisms such as pre-zoning, dual zoning, holding zones, temporary use by-laws to implement the policies of the Secondary Plan.

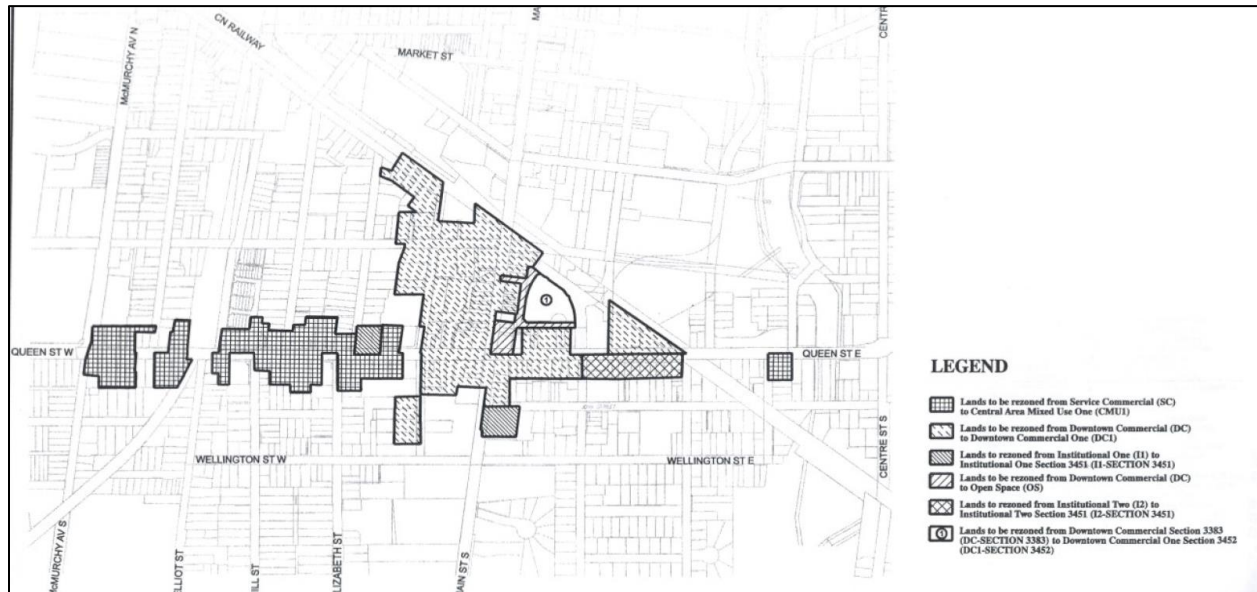
In this context, this section will review various approaches/mechanisms to implementing the policy goals and ensuring an orderly transition as the urban fabric of the Central Area evolves. In particular, this section will look at recent initiatives in Brampton as well as the municipalities of Mississauga, Markham, Kitchener, Vaughan, Oakville, Newmarket, Ottawa and Hamilton. Each of these municipalities bears similarity to the City of Brampton as they have Urban Growth Centres and other intensification corridors in which transitional uses need to be managed as they urbanize and otherwise meet the intensification goals that have been directed by the PPS and Growth Plan.

5.1 CITY OF BRAMPTON – DOWNTOWN

As mentioned in Section 2.6.1, the City undertook an exercise to update the zoning for Downtown in 2006, simultaneous with the removal of certain uses within the Study Area.

With historically denser and more street-oriented development located Downtown, the City implemented By-law 266-2006 to rezone numerous sites and, in particular, to pre-zone certain areas using the newly created Downtown Commercial (DC1) and the Central Area Mixed Use One (CMU1) zones. Lands affected are illustrated in Figure 9.

Figure 9 – Location of Rezoning in Downtown Brampton by By-law 266-2006



The Central Area Mixed Use One (CMU1) zone permits a range of commercial uses, including:

- Retail establishments with a Gross Floor Area (GFA) less than 1,500 m², a personal service shop, massage parlour or body rub parlour, a bank, trust company or financial company, a laundromat or a restaurant or takeout restaurant, so long as there is no drive-through facility.
- An office, parking lot, printing or copying establishment, community club, art gallery or studio or animal hospital.
- Religious institutions and a day nursery are also permitted, along with accessory uses. Five uses are prohibited:
 - Adult video store;
 - Adult entertainment parlour;
 - Amusement arcade;
 - Body art/tattoo parlour; and
 - Massage or body rub parlour.

The DC1 designation permits an even wider range of commercial uses as well as residential uses, so long as the first storey, along the streetline, is used for commercial purposes. It also prohibits adult video stores and entertainment parlours, amusement arcades and massage, body rub, tattoo and body art parlours.

Accessory uses are permitted in both new zones and the CMU1 establishes a maximum FSI of 2.0, but neither zone has a minimum FSI.

Although by-law 266-2006 effectively pre-zoned portions of the Downtown for the intended mix of uses and built form, it is important to note that the context in this area is quite different from the Study Area. The existing make-up of uses and densities is more similar to the intended built form and mix of uses as identified in the applicable policy for the area. In the Queen Street

Corridor, the existing character is dominated by low-rise built form and automobile oriented commercial uses.

5.2 CITY OF BRAMPTON – KENNEDY ROAD SOUTH

In 2006, the City passed a Zoning By-law Amendment and Official Plan Amendment to formulate an urban design and land use strategy for Kennedy Road South from the CN Rail line to Steeles Avenue – an area south of the Study Area.

This was a broader study than the current exercise, involving extensive public consultation and resulting in substantial policy changes (i.e., a more comprehensive review of the policies), currently enshrined in the Kennedy Road South Revitalization Area Secondary Plan (consolidated to April 2017). Despite the differences between that study and this one, it is worth mentioning for its efforts to balance evolving uses and maintain industrial uses along the east side of Kennedy Road while promoting redevelopment and improvement.

In this instance, pre-zoning was put in place simultaneous with the implementation of the Secondary Plan. Generally speaking, a range of existing zones were amalgamated with each other and then lands were rezoned to five new exception zones.

5.3 CITY OF BRAMPTON – HURONTARIO-MAIN STREET CORRIDOR

In 2014, the City developed but ultimately did not pre-zone a new zoning regime for the Hurontario-Main Street corridor, which is targeted for major intensification alongside the introduction of future rapid transit.

The proposed zoning by-law introduced new definitions (“street wall,” and “convertible use”) and added three new mixed-use zones as well as a residential apartment zone. The draft by-law would have pre-zoned the corridor by replacing the existing Service Commercial and Highway Commercial zones with the new zones, subject to Holding provisions. Removal of the Holding (H) symbol was to be contingent on approval of a Functional Servicing Report and the commitment of funding to the LRT (or a Traffic Impact Study). However, even with the new zone and Holding symbol in place, uses were restricted to those permitted under the new zoning and heights subject to specified minimum and maximum standards.

Though a public meeting was held regarding the draft by-law in 2014, alongside the new Secondary Plan for the area, the by-law was never forwarded to Council for approval.

It is noted that the Hurontario Corridor Mixed-Use One (HMU1) zone was implemented on a single property, at the corner of Steeles Avenue East and Hurontario Street, through By-law 82-2012, which would predate the 2014 zoning study.

5.4 TOWN OF OAKVILLE ZONING BY-LAW, 2014-014

The Town of Oakville’s Zoning By-law was completed in 2014 and is now in effect, subject to some sections remaining under appeal before the Ontario Municipal Board (now the Local

7.2-92

Planning Appeal Tribunal [LPAT]). Considerations for managing transitional zoning in intensification areas were discussed in a technical paper on “Use Permissions and Zone Standards for All Other Zones” during the review.

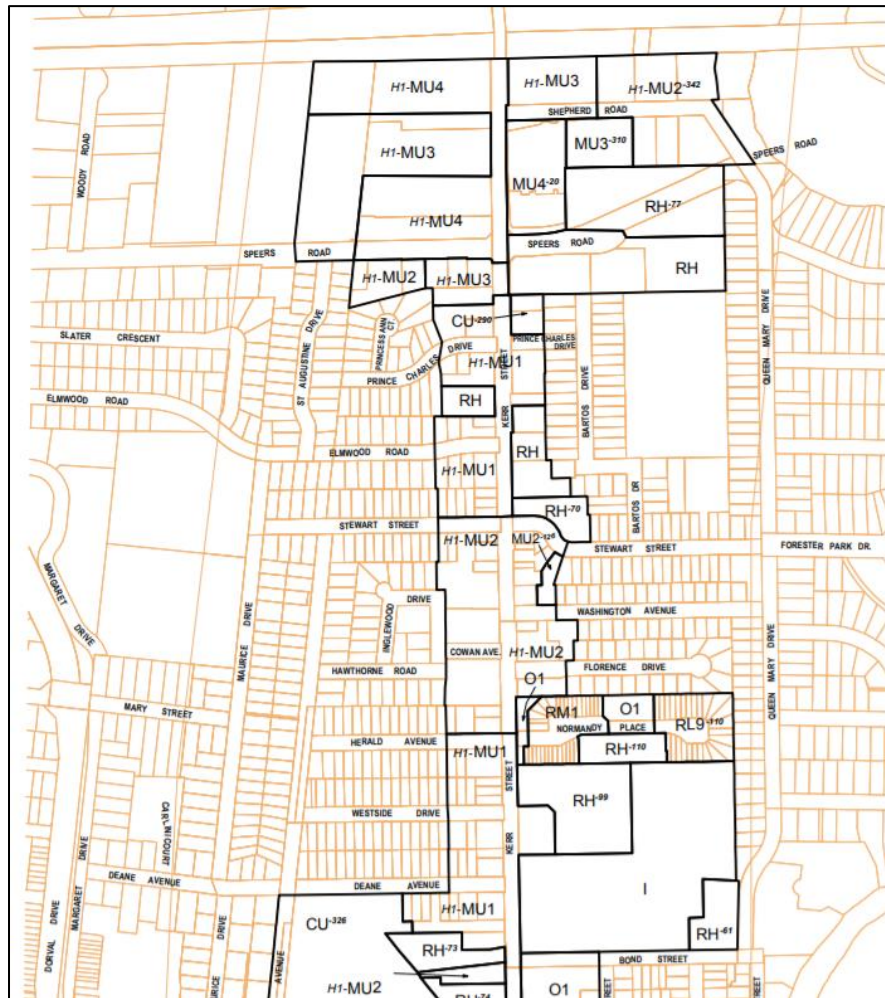
The Town previously employed an Existing Development (ED) zone across much of its newer North Oakville area. This established a blanket provision that no new buildings or structures could be developed without obtaining approval via a Zoning By-law Amendment. By effectively removing as-of-right permissions for development and redevelopment, this gives the municipality a great deal of control over development but it was found to be of greatest use in greenfield areas where change is expected and where zoning by-law amendments would likely need to occur anyway, to implement a plan of subdivision or secondary plan. This is less relevant to the context of an intensification corridor.

However, in a Technical Paper that was part of the by-law review, it was pointed out such a provision could be applied “purposely and sparingly” in transitional areas. In particular, the ED zoning could be used to preclude any development that would compromise the long-term vision for an area, by triggering a *Planning Act* response to any redevelopment. While this approach had utility for greenfield development, the downsides noted in the technical paper include the number of landowners affected in an urban context, potential negative impacts on property values (due to restrictive permissions) and an increase of work for planning staff as any change would require a response from the municipality.

In conclusion, the approach of applying an “existing use” zone category is an option for addressing non-conformity with zoning and the Official Plan. This approach, however, represents a strong approach to managing change in an area, because it would require a Zoning By-law Amendment (or variance) to permit any type of development. This could inhibit the operation and expansion of current businesses. This is likely most suitable in a greenfield context which would be poised for near-future development and where new zoning would need to be applied.

Ultimately, Oakville made use of pre-zoning for the majority of its planned intensification areas. This was done by applying a Holding (H) provision, so Council permission was required to confirm servicing allocation, stormwater management and other technical considerations prior to development proceeding in accordance with the underlying zone. The four newly created zones – Main Street 1 and Main Street 2, Urban Centre and Urban Core – were reflective of the existing Official Plan land use designations.

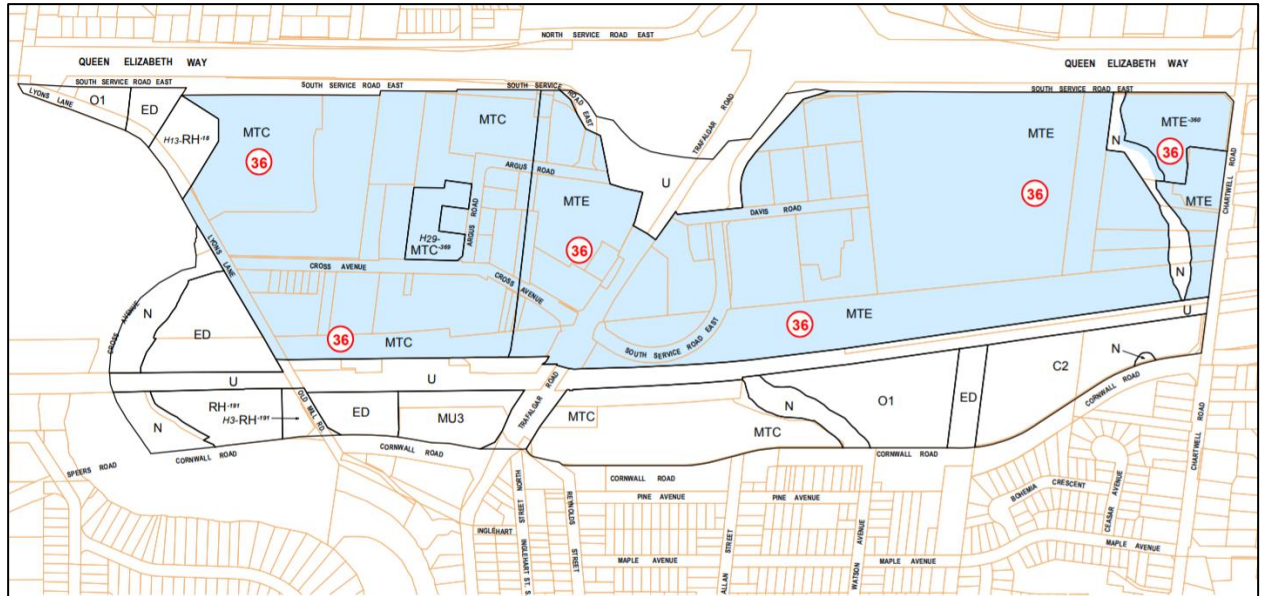
Figure 10 – Pre-zoning Applied in the Town of Oakville’s Kerr Village



Of particular note is Oakville’s transitional approach in Midtown Oakville (the town’s UGC), an area centred around the existing GO Rail station. As in Brampton’s UGC, the district has historically been dominated by low density and auto-oriented uses but seen as a prime location for intensification and regeneration. In this area, the Town created two zones – Midtown Transitional Commercial (MTC) and Midtown Transitional Employment (MTE) – to freeze existing building envelopes, requiring Council approval and a planning application for any redevelopment. Only changes of use within existing buildings are permitted in these zones.

However, Part 7 of the By-law, which contains these provisions, remains under appeal before the LPAT. Staff recommended these zones as an interim solution while a broader Midtown Strategy, including an Official Plan Amendment, was developed. The OPA was adopted by Council in 2017 and is also under appeal to the LPAT. The Town is in the midst of an Official Plan review with Growth Area Reviews, including one for Midtown, expected in 2019.

Figure 11 – Pre-zoning (blue areas under appeal to the LPAT) for Midtown Oakville



5.5 CITY OF MISSISSAUGA ZONING BY-LAW, 0225-2007

Mississauga has addressed transitional issues as it seeks to create a mixed-use core in its own UGC, the Mississauga City Centre. The 205-acre City Centre includes existing local and GO transit connections and the city's Civic Centre but also a regional mall with extensive parking surrounded by office towers segregated by wide roads and highways. A more urban vision is being achieved through infill and high-rise development.

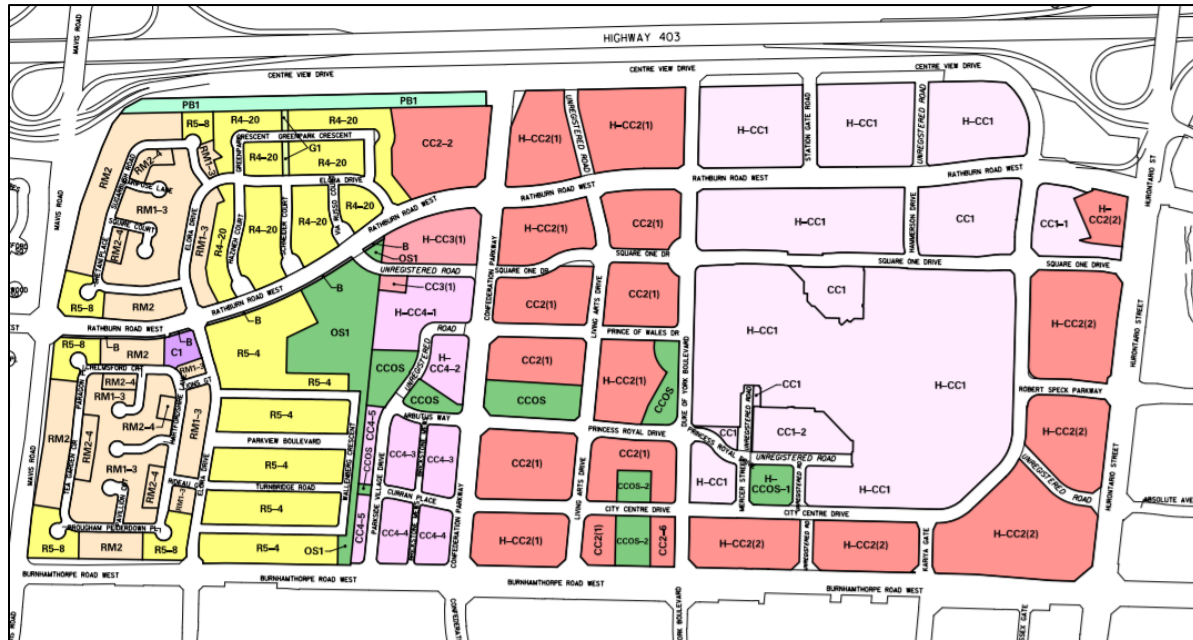
The City's approach was to create City Centre-specific zones: City Centre – Retail Core Commercial (CC1), City Centre – Mixed Use (CC2), City Centre-Mixed Use Transition Area (CC3), City Centre- Mixed Use (CC4) and City Centre – Open Space (CCOS). A Holding (H) provision was applied to all these zones with the removal subject to the delivery of a Servicing Agreement and/or Development Agreement. Zoning for the City Centre is contained in Part 7 of the by-law. The following text, regarding the requirements for removal of the Holding provision is included:

“Delivery of an executed Servicing Agreement and/or Development Agreement in a form satisfactory to The Corporation of the City of Mississauga, addressing and agreeing to the installation or placement of all required municipal works, including municipal walkways, the provision of land dedication for future public road widenings, and transit rights-of-way and easements, including the provision of parkland, the provisions of required securities, and related provisions provided that the Servicing and Development Agreements will not require the gratuitous dedication of land for new public roads, including realignments of roads, where not otherwise permitted under the Planning Act or impose an obligation upon a landowner to construct or pay for the construction of a new road.”

The same section outlines a policy for existing uses:

“The holding symbol H shall not prevent the use of buildings and structures legally existing on the date of passing of this By-law for those uses which are permitted by the zone in which they are located, or the expansion of parking facilities to support the uses within these existing buildings and structures.”

Figure 12 – Pre-zoning Applied in Mississauga City Centre



The City has been using varied approaches to other intensification areas, the most common of which is the use of a [future] Development (D) zone. This zone simply establishes that existing legal uses of buildings or structures are permitted to continue but the erection, enlargement or replacement of any building or structure is not permitted.

5.6 CITY OF MARKHAM ZONING BY-LAW REVIEW, ONGOING

The City of Markham is considering its own intensification transition regime through its current Comprehensive Zoning By-law review. As with Brampton, Markham is a fast-growing city with a policy framework that seeks to urbanize transit and intensification corridors. The City also has two designated Urban Growth Centres: Markham Centre and Langstaff Gateway. The former UGC is a greenfield site but the latter is home to longstanding industrial uses that will be phased out over time. As with portions of Queen Street in Brampton, auto-oriented uses dominate Markham's section of Highway 7 which, with the implementation of the Viva BRT system, is already seeing redevelopment and intensification.

The review work is currently in its final stages but the pros and cons of differing approaches to this issue were considered at a workshop in September 2017. Three options were presented for consideration, each with advantages and drawbacks:

- **Pre-zoning** involves putting Official Plan designations in effect for any properties not currently zoned in accordance. The advantages to this approach are:
 - Minimizing planning approvals required as only a Site Plan Application would thereafter be required to permit development;
 - Clearly establishing the City's expectations for the future development;
 - A quicker approval process due to fewer steps (i.e. the removal of the ZBLA process);
 - Increasingly the value of land by enshrining its use for intensification; and
 - No third-party OMB/LPAT appeals would be permitted as there is no further *Planning Act* process required for a conforming development.

However, the disadvantages are:

- Public involvement in the planning process is removed due to the lack of requirement for rezoning from the current use;
 - The full range of uses permitted through a Mixed Use zoning may not be appropriate for each site given the unique situations of individual sites; and
 - City-wide standards may similarly not be appropriate.
- **Pre-zoning for use only** involves establishing a Mixed-Use designation but with either no standards (e.g. setbacks, height, density) provided or a requirement that re-zoning is required to establish standards on a case-by-case basis. The advantages to this approach are:
 - Partial implementation of the Official Plan policies and establishment of the principal land use for designated properties;
 - Providing a degree of certainty to spur economic development;
 - Recognizing the uniqueness of each mixed-use site requiring context-specific standards; and
 - Allowing for public involvement in the planning process.

On the other hand, disadvantages are:

- Extension of the planning process and maintaining a degree of uncertainty;
 - Opening the door to third-party appeals through re-zoning; and
 - Potential compromising of the City's vision through negotiated settlements.
- **Establishing Future Development zones** that allow existing uses to continue but prohibit expansion and/or redevelopment without a Zoning By-law amendment is a third option.

This approach shares the advantages and disadvantages listed above for pre-zoning but comes with an increased lack of certainty about what uses will be permitted on a case by case basis and still necessitates a Zoning By-law Amendment for any development proposals.

5.7 CITY OF VAUGHAN ZONING BY-LAW REVIEW, ONGOING

The City of Vaughan is currently undertaking a Comprehensive Zoning By-law review, intended to implement the City's new Official Plan. The City is located directly between Brampton and Markham with Highway 7 (aka Queen Street) providing the common intensification/rapid transit corridor for all three municipalities. Vaughan is also planning for the intensification of an Urban Growth Centre, the Vaughan Metropolitan Centre (VMC), along the Viva BRT corridor and

adjacent to the newly opened extension of the TTC Spadina subway. Though parts of the VMC are undeveloped infill opportunities, other sections are occupied by longstanding industrial and large-format commercial uses expected to transition substantially between now and 2031.

These transition issues were discussed in the first Zoning Strategy Report. The options presented for consideration were:

- Pre-zoning represents the most permissible approach to implementing policy but removes checks or criteria.
- Pre-zoning with a Holding symbol (H), which is an approach already used by the City of Vaughan in the Carrville district, restricts any redevelopment subject to whatever criteria the municipality wishes to attach to the removal of the Holding provision. This hybrid approach provides a degree of certainty about the zoned area’s future use but maintains municipal control to a degree.
- Partial implementation can be achieved with a “Future Development” zone or a template/model zone. The former approach would establish that the site is designated for mixed-use development but hold back permissions or standards. Depending on how this is crafted, employing a Future Development zone has much of the same effect as a partial zone that withholds standards. The template/model zone would consist of pre-written text but would not be implemented. Therefore, a Zoning By-law Amendment is still required to apply the template/model zoning to a site.
- Simply maintaining the current zoning is a final approach discussed in the paper, requiring the reviewing of cases on a site by site basis.

Though Vaughan’s Zoning By-law Review is still in its early stages, the Vaughan Metropolitan Centre Secondary Plan (2017, partially approved by the Ontario Municipal Board) does provide some transitional policies, recognizing that some existing land uses, including industrial uses, will persist “for the foreseeable future,” even as the City develops its new downtown. It allows for the expansion of previously approved uses that are inconsistent with the new plan as long as:

- Increases in GFA are within the existing footprint and/or do not increase a building’s footprint more than 10%;
- The planned street network is not compromised or precluded;
- The expansion or enlargement will not “unduly aggravate the situation created by the existence of the use,” particularly in regards to Zoning By-law requirements;
- Any noise, vibration, fumes, smoke, dust, odour, lighting, parking and traffic generation from the proposal are addressed; and
- Neighbouring uses will be protected and compatibility is considered.

5.8 TOWN OF NEWMARKET URBAN CENTRES ZONING BY-LAW

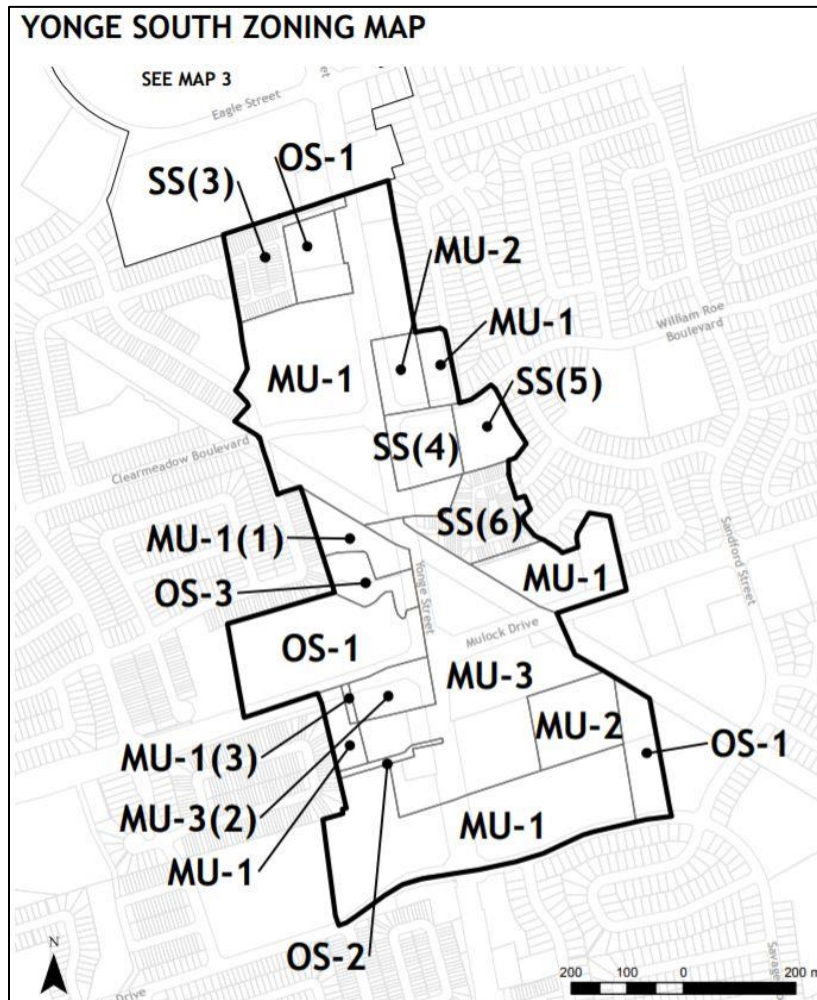
The Town of Newmarket recently approved a new zoning by-law that applies to its Urban Centres, including both a node centred around the Southlake Regional Health Centre and the Urban Growth Centre (at Yonge Street and Davis Drive) as well as the surrounding corridors. The new Zoning By-law was approved by Council on September 24, 2018.

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As in Brampton, these corridors are currently dominated by auto-oriented uses and built form but are expected to transition over time. This by-law is designed to implement policies established through a new Secondary Plan that was approved in 2014. The approved by-law includes a full suite of approaches including the introduction of 3 Mixed Use Zones, 2 Institutional Zones and 3 Open Space Zones and accompanying/revised definitions, the use of Holding provisions, Temporary Use Zones, Interim Control Zones and transition considerations. It also includes Overlay zones for parking reduction areas and for natural hazard areas.

Sections 4.6 and 4.7 address legal non-complying buildings and lots, respectively. Legal non-complying buildings or structures are permitted to be enlarged, repaired, expanded or reconstructed so long as they do not encroach further into any yard, increase their extent of non-compliance with maximum yard setbacks and comply with other provisions of the by-law. Section 6.2.1.2 allows legal non-complying buildings in Mixed Use zones a gross floor area expansion of up to 10 per cent without having to comply with the newly implemented density and height requirements. Interim development, including new commercial buildings, is also permitted subject to several site-specific exceptions.

Figure 13 – Town of Newmarket Urban Centres Zoning, Map 4 (Source: Town of Newmarket)



The Town's overall approach was to pre-zone the corridor and then apply site specific provisions, Holding provisions, or Temporary Use Zones on a site-specific basis, as deemed necessary. On several properties, an Interim Control (IC) provision is attached to the new zone, meaning no change in use and no construction of any building or structure is permitted until the expiry of the site-specific by-law.

As in other examples discussed previously, the Holding provision, which is widely used here, establishes the new zone but with specified provisions before development may proceed. Temporary Use Zones allow one or more uses to continue on the lands noted until the permission granted through the site-specific permission expires (i.e., a sunset clause).

5.9 CITY OF KITCHENER COMPREHENSIVE ZONING BY-LAW REVIEW, ONGOING

The City of Kitchener is similarly in the final stages of completing a new Zoning By-law, having approved Stage 1 (i.e., the major components) on April 29, 2019.

In regards to the City's Urban Growth Centre, four new zones (UGC-1, UGC-2, UGC-3, UGC-4) were created and described within Section 6 of the By-law, each reflective of a different district within the UGC (City Centre, Civic District, Innovation District, Market District). The entire UGC will be pre-zoned with the new designations but several transitional strategies are established elsewhere in the By-law. (The sections of the new by-law pertaining to the Urban Growth Centre are among those not yet finalized, along with Sections 19 and 20, described below.)

Section 18 establishes general Transition Provisions for complete applications, along with a three-year sunset clause. Section 19 contains several site-specific provisions, generally in reference to height and density, but also bonusing provisions, setbacks and other criteria, for UGC-zoned properties. Holding provisions are established in Section 20 but are only applied to a select few UGC properties.

5.10 EXAMPLES OF TRANSITIONAL ZONING

There were few examples of transitional zoning identified, in which existing uses are permitted, but there are provisions to enable existing uses to expand by some degree, providing business owners with some flexibility to expand their business.

As mentioned in Section 5.8, the Town of Newmarket's draft Urban Centres Zoning By-law contains some transition provisions, allowing legal non-conforming uses to expand within prescribed setbacks.

In January of 2018, the City of Hamilton undertook a housekeeping amendment to its zoning by-law, aiming to expand and add zones along its Transit Oriented Corridor. As part of this effort, the City included regulations aimed at allowing a degree of short-term, incremental change while preserving the overall intensification goals for the corridor. Under these regulations, commercial buildings are permitted to expand by up to 10%, are exempt from some built form requirements, infill development below 650 m² (e.g. pad stores) is permitted and the uses do not have to conform to the new minimum height and maximum street setbacks.

City of Hamilton staff advised these new provisions were related to the extension of the existing corridor zoning into an area dominated by large format, auto-oriented commercial uses first developed in the 1960s and 70s, much like the Queen Street Corridor Study Area. In regards to the specific provisions for expansion, the 10% expansion permission is to allow for minor additions to one-storey buildings with large setbacks. The specific number was considered a "minor" adjustment that would not alter the intent of the zoning.

The 650 m² figure was targeted towards larger plaza properties that may seek to add new pad buildings, with 650 m² seen as a threshold within which typical pad buildings fall.

The City of Ottawa has a similar provision in its own zoning by-law, for the Arterial Mainstreet 10 (AM10) zone. Specifically, the zone establishes new minimum building heights but buildings

existing as of the implementation of the by-law are permitted to expand up to 600 m² or 20% of the existing GFA, and following the issuance of a building permit, no other expansion is permitted for 12 months.

5.11 CONCLUSIONS

There are numerous approaches, across various municipalities, to managing the transition of uses in evolving cores. This reflects the need for municipalities to identify an appropriate zoning solution with fits the specific context of the area and the specific intent of the policy framework.

It is noted that the approach implemented is always an approach that specifically fits the context and policy framework of the municipality. There is no one standard approach used by all municipalities, but variations amongst several different options.

6 ZONING UPDATE OPTIONS

There is a wide range of options to modify and update the zoning within the Queen Street Corridor to ensure it works towards achieving the vision intended in the City's policy documents. These options range in use from prescriptive to permissive, and come with various advantages of disadvantages. They are:

- Maintaining the existing zoning;
- Pre-zoning the requirements of the Official Plan/Secondary Plan;
- Applying a future development zoning, in which a rezoning is required to permit any development;
- Transitional zoning, in which existing uses are permitted with some degree to expand or change, but a rezoning is required to facilitate comprehensive redevelopment in line with the Official Plan/Secondary Plan; and
- Setting out template zones to set out the requirements of the Official Plan/Secondary Plan, without actually applying the zone to any lands.

The options above are not all mutually exclusive. Some of the options may be combined, as discussed in the following subsections.

Further, it is important to note that the *Planning Act* contains provisions regarding legal non-conforming uses, and these provisions will apply regardless of the option selected. Under Section 34 (9) of the Act, zoning by-laws cannot be used to prevent the use of land, building or structure which were lawfully used before the by-law was passed, as long as it continues to be used for the purpose now prohibited by the zoning by-law. This means that a use that was legally established before the zoning by-law came into effect will continue to be permitted, as long as the use has continued over time. These uses are referred to as legal non-conforming uses.

In order to expand a legal non-conforming use (e.g., a building addition), Committee of Adjustment approval is typically required (granted under Section 45(2)(a)(i) of the *Planning Act*). Further, Committee of Adjustment can grant variances to permit a legal non-conforming use to convert to another legal non-conforming use as long as the new use is similar to the existing non-conforming use or it is more compatible with the permitted uses (Section 45(2)(a)(ii) of the *Planning Act*).

The City of Brampton's Comprehensive Zoning By-law enables enlargement of non-conforming uses and non-complying buildings provided the provisions of the by-law which are not complied with are not contravened to a greater extent (Sections 6.1 and 6.2). These provisions would allow extensions and enlargements of non-conforming uses and non-complying buildings to occur without Committee of Adjustment approval as long as the other requirements of the By-law are complied with.

6.1 OPTION 1 - MAINTAINING EXISTING ZONING

One option is to maintain the status quo by leaving the existing zoning in place. This option is not recommended as there are many conflicts between the zoning and the goals and policies described in the Official Plan and Secondary Plan, as well as the broader goals of the Growth

Plan and PPS. The main reason the study was initiated was to address these conformity issues. The City took the first step towards addressing these issues in 2006, with the enactment of Zoning By-law 267-2006, which removed some permissions for automobile-oriented uses in some locations in the corridor.

Maintaining the existing zoning could precipitate a degree of development that is not aligned with the intended mix of uses and a denser, pedestrian-oriented built form. While no redevelopments or major building expansions were identified between 2006 and 2017 (based on air photos and building permit data discussed previously), the risk would still exist. There is an intent by the Province to ensure that there is alignment between zoning and the Official Plan. Further, with the City planning to upgrade rapid transit service along the Queen Street Corridor, the risk of leaving the zoning as-is could compromise the City's long-term vision for the corridor.

Amongst case studies reviewed, no other municipality left zoning as status quo in similar situations, but rather implemented updates to bring zoning into alignment with intensification policy.

6.2 OPTION 2 - PRE-ZONING

Another option, which the City has employed in the past in other circumstances, is to pre-zone the Study Area. This would entail implementing the Secondary Plan "Central Mixed Use" designation through newly created zones and applying these zones within the Study Area. The zoning would permit the land uses as well as set out lot and building requirements and densities which directly implement the applicable policies. It is worth noting the City took this approach with both the Kennedy Road South Revitalization Study, as well as via By-law 266-2016, in the adjacent Downtown part of the UGC. When zoning was updated for the Study Area at the same time, the City chose to use a different approach, recognizing the different context and conditions of the auto-oriented corridor and its development potential in relation to the historic core.

Pre-zoning has numerous advantages and disadvantages that have been noted in the case studies reviewed in Section 5 of this Report. Advantages of pre-zoning include, for example:

- Development would not be required to obtain a zoning by-law amendment to permit what is intended by the Official Plan, reducing potential appeals and speeding up the rate of redevelopment.
- Uses and building typologies that do not fit within the policies of the Official Plan would no longer be permitted as-of-right.
- Development that does not fit within the policies of the Official Plan would trigger a planning process (zoning amendment or minor variance) to evaluate the merits of the deviation against the current policy.

Some of the risks or disadvantages of pre-zoning includes, for example:

- Pre-zoning may be associated with increased land value which can increase the cost of land acquisition for redevelopment and affect the rate of development.
- Most of the existing corridor would not comply with the pre-zoned standards, as the majority of development represents automobile-oriented, low rise commercial uses which does not align with the vision for the corridor. As such, many of the existing uses would become legal

non-conforming uses and the buildings would similarly be legal non-complying buildings as they would not achieve the pre-zoned built form requirements, such as building height.

- Pre-zoning would reduce opportunities for public involvement in development approval processes, as development would largely only be subject to site plan control (provided development is proposed to be consistent with the pre-zoned requirements).
- Pre-zoning would eliminate the ability to consider site-specific issues through a zoning by-law amendment process. Accordingly, there is a need to have a very strong framework for managing compatibility of development, such as detailed urban design guidelines, so that these issues could be addressed primarily through site plan control.

Pre-zoning is often combined with Holding symbols to manage technical issues, such as confirmation of servicing or mitigation of traffic impacts. Holding symbols are passed as by-laws in accordance with Section 36 of the *Planning Act* to restrict development until the holding symbol is removed by by-law. The requirements for removing the holding symbol are set out in the holding by-law.

While pre-zoning has been applied by the City of Brampton and has been used by other municipalities, the specific context of this Study Area must be thoughtfully considered. An example of the use of pre-zoning is in the City of Mississauga's City Centre (Section 5.5).

The following contextual considerations are noted:

- The Study Area has a wide range of lot sizes, from plazas that spread across several hectares to single-detached dwellings. This will present challenges in terms of developing a zone that will be suitable for the range of contexts currently in place as well as in providing consideration for adjacent uses. Accordingly, pre-zoning is less desirable unless specific sub-zones were developed to apply to various parts of the individual corridor and/or holding provisions were provided to ensure facilitation of lot consolidation and ensuring that development opportunity of adjacent sites is considered and not precluded.
- The evolution of this large corridor is likely to occur over the very long-term, regardless of pre-zoning. A few significant developments have come forward and been constructed successfully in the corridor without the application of pre-zoning. Many of the existing businesses in the corridor are likely to continue over the long term and one recent example of a site being redeveloped (without changing the tenant) has been noted. Generally, there is a low vacancy rate amongst commercial space in the corridor.
- The existing policy framework has some gaps in terms of setting out clear built form requirements. While the Secondary Plan identifies maximum densities, it is silent on building typologies (height) and does not prescribe any minimum densities. Given the varied nature of the corridor and different compatibility needs, effective pre-zoning would require a careful understanding of appropriate heights and densities throughout the corridor. Design guidelines would also be beneficial.
- Planning policy within the corridor is expected to evolve in the future, particularly as a framework for implementing Major Transit Station Areas is implemented. This could result in more specific identification of desired heights and densities in relation to proximity to Major Transit Stations.

In consideration of all of these matters, comprehensive pre-zoning of the Official Plan and Secondary Plan policies across the corridor is not preferred. Recognizing the current gaps in policy for built form, and the evolving direction that could come about as the City identifies Major

Transit Station Areas in this corridor, pre-zoning would be premature. It would be difficult to pre-zone certain standards and for the City to have to modify those standards in the future (potentially including reducing permissions depending on the outcome of the Major Transit Station Areas review).

It is noted there are opportunities to pre-zone only a portion of the requirements, such as pre-zoning only for permitted use, or pre-zoning some minimum standards which help to advance the intent of the Official Plan and Secondary Plan.

6.3 OPTION 3 - FUTURE DEVELOPMENT ZONING

Future development zoning is an approach in which the current zoning is changed so that a new zone applies which only permits existing uses, buildings and structures. Accordingly, any type of development, change in use or building expansion would require a *Planning Act* process such as a rezoning. This is a very restrictive approach but ensures that development will be in conformity with policy, since development will trigger a planning application which will be evaluated against the applicable policy.

Future development zoning is frequently employed within the greenfield context and occasionally employed in an intensification context. One example of a Future Development Zoning approach is the Midtown Oakville MTC and MTE zones (discussed in Section 5.4). However, that approach was intended as a temporary solution until the policies and zoning could be thoroughly updated in this area.

The advantage to this approach is that it assures that all changes of use and development will require a thorough review process, including opportunity for public input. However, the approach is highly restrictive over existing landowners. A significant risk of Future Development Zoning is that it will likely lead to opposition from existing landowners and businesses, as their current operations will be restricted. To expand floor area of an existing business under this scenario, the owner would need to obtain a zoning approval, such as a minor variance. There could be an opportunity to accompany a Future Development Zoning approach with minor variance approval criteria, as permitted under Section 45(1.0.3) of the *Planning Act*. This would enable the City to set out parameters under which minor variances for the expansion of existing uses would be permitted. However, it would still mean that any such expansions would require a planning approval and that current entitlement would be reduced.

Generally, this approach is not preferred as an overall solution to non-conformity between existing zoning and Official Plan policies. Recognizing the long-term evolution of the corridor, this approach would be highly restrictive. While there were few changes to buildings observed over the past 10 years in the corridor, there certainly has been investment made in existing buildings and changes in tenancy and the future development zoning approach would be highly restrictive.

Though Future Development zoning would not be practical as an overall approach, it may still have utility on a more limited basis. In particular, whereas commercial uses are expected to evolve as the corridor moves towards the buildout of the Secondary Plan vision, industrial and single-detached residential uses are not part of that vision. Accordingly, allowing expansions of those uses could potentially undermine the future buildout of the corridor. A Future Development zone on these sites would give Council the ability to determine, on a case-by-case basis, whether any proposed changes/expansions should be permitted.

6.4 OPTION 4 - TRANSITIONAL ZONING

Transitional zoning is an approach in which some or all legally existing uses are permitted and there are specific provisions that enable some or all existing uses to expand by a specified amount, or for changes in use to occur, without the need for a zoning approval process (rezoning or minor variance). There are many possible variations to this approach. This approach could also be combined with pre-zoning (Section 6.2), or it could be combined with future development zoning (Section 6.3), to give greater flexibility to these approaches.

Under this approach, permissions for any future development of non-conforming uses would be removed, but the present and future needs of existing businesses would be more thoughtfully considered and provided for. Transitional zoning could include providing for expansion of existing uses by some degree (or a percentage of gross floor area) or permitting some other transitional development that begins to work towards implementing the policies of the Official Plan and Secondary Plan.

Considering the long-term nature of redevelopment amongst some sites in the corridor, transitional zoning provisions have applicability for guiding appropriate transition of the corridor over time.

A transitional zoning framework could address many different matters, and there are many possible variations, as discussed in the following subsections.

6.4.1 EXPANSIONS OF EXISTING BUILDINGS

Transitional zoning could allow for some degree of expansion of existing buildings to occur. Available building permit data and the review of air photos suggests requests for expansions have been extremely limited within the last 10 years. Development activity in the corridor has principally occurred in the form of changes of use which appears to have precipitated investment largely within the existing buildings. This is indicative of the continued viability of existing buildings and likelihood that for many sites, major redevelopment is likely going to take place over the very long term. The major development that has occurred in the corridor has principally been for mixed uses which are considered in line with the policies of the Official Plan and Secondary Plan. One example of a redeveloped restaurant use was noted in the past 10 years.

Two key examples of other transitional zoning approaches which addressed building expansions were noted in Section 5 of this Report. As noted, the Vaughan Metropolitan Centre Secondary Plan establishes permissions to enable expansions of up to 10% of existing gross floor area, along with meeting other criteria. In Hamilton, there were zoning provisions enabling expansions of up to 10% of gross floor area.

The types of building expansions that could be proposed through the Study Area would vary considerably, as built form varies. It could take the form of the addition of one or more storeys to an existing building or expansions to the building footprint. The location and nature of the expansion would vary depending on the nature of the use and the existing building footprint.

Further, consideration could be made to consider permitting building expansions for only certain uses. Some existing uses in the Study Area are permitted by the Secondary Plan (albeit in the

desired form of a mixed-use building) (e.g., restaurants), whereas others are not permitted or envisaged in the corridor (e.g., automobile repair uses, automobile dealerships, etc.).

6.4.2 STAND-ALONE INFILL PROPOSALS

Opportunity exists, on larger sites, for infill to occur within large parking areas and underutilized portions of the site. Provided the owner would meet the parking requirements with the new proposed building, under the current zoning, this type of infill would be permitted to occur in the form of stand-alone commercial uses.

Ideally, any proposed infill on large sites would take the form of mixed uses and buildings that would meet the policies of the Secondary Plan and Official Plan. However, on very large sites, it may not be realistic to expect full redevelopment of the site to mixed uses given the pace of redevelopment that has occurred in the corridor, given the extensive size of the some of the commercial properties.

Transformation of any site is difficult to predict and is driven by the property owner. On very large sites, achievement of the policies is more likely to be phased in over time, rather than a wholesale redevelopment, as redevelopment of a very large site in accordance with the Official Plan would result in a great number of new units and floor space being created which may not be suitably correlated with market demand. As such, a gradual transition of larger commercial sites should be expected and planned for.

A transitional framework can address infill development on very large sites, with a degree of permission for allowing new stand-alone commercial and similar buildings to be constructed on the site which do not achieve the policies of the Official Plan (e.g., regarding mixed use or minimum 4 storey development). There would be a need to set out criteria to guide these types of proposals. In particular, this type of proposal should be supported by a long-term phasing plan submitted by the developer to describe how the proposal will not compromise achievement of the policies of the Official Plan and Secondary Plan over the long term.

The zoning by-law can also set out limitations to implement the criteria of the Official Plan and Secondary Plan, such as the location and size of permitted infill buildings. In the case study reviewed in Hamilton, a maximum gross floor area of 650 m² was established. Similar stand-alone commercial uses in the Queen Street Corridor vary considerably, from under 300 m² to up to about 650 m². Alternatively, rather than setting out as-of-right permissions, it may be desirable to require a zoning by-law amendment to permit the construction of new buildings which are not in line with the vision of the Official Plan, to ensure that the criteria set out in the policy framework will be achieved.

6.4.3 BUILDING RECONSTRUCTION AND CHANGES OF USE

Consideration should be made to address reconstruction of existing buildings and the uses that are permitted within the redeveloped/reconstructed building. Under the *Planning Act*, as previously noted, a property owner is entitled to reconstruct their building where the use was legally established, and this should not be hindered by the zoning by-law. However, restrictions can be made regarding any proposed increase in the gross floor area of a reconstructed use. Under Brampton's comprehensive zoning by-law, legal non-conforming uses are permitted to expand in an unlimited manner provided the various zone requirements are still achieved (e.g.,

setbacks and maximum building height). A transitional zoning framework should apply restrictions on how non-conforming uses and buildings should be able to expand where they are reconstructed.

Under the current zoning, potential exists for a property owner to reconstruct a building and to utilize that building for a different permitted commercial use. This would be impactful to the corridor. As noted, reconstruction for a legally existing use cannot be hindered by the Zoning By-law, but there is opportunity to manage the change of use to ensure the vision for the corridor is not being precluded.

Further, under current zoning, uses are permitted to change unhindered as long as the use is permitted in the zone. For example, an existing retail use could transition to a restaurant. A transitional zoning framework would need to consider change of use. However, a transitional zoning framework should not be too restrictive with respect to limiting changes of use, as this may lead to vacancies if the owner is unable to find a new tenant. As noted previously, there have been building permits that appears to relate to changes of use.

6.4.4 TEMPORARY USE PROVISIONS

As part of a transitional zoning framework, consideration could be made to implement some or all of the permissions discussed on a temporary basis, via a temporary use by-law, under Section 39 of the *Planning Act*. A temporary use by-law enables temporary use of land, buildings or structures for any uses that would normally be prohibited for a period of up to three years. After three years, Council may grant further extensions of up to three years each. The number of extensions that can be granted by Council is not limited by the *Planning Act*.

6.5 TEMPLATE ZONES

Template zones may be used in conjunction with the proposed approaches described above. In this instance, one or more new zone(s) categories would be created, but the zone would not be applied to any properties in the corridor. The zone(s) would be used as a model with policy-conforming regulations and requirements against which proposed developments can be evaluated on a case-by-case basis.

One advantage to using template zones is that the City already has models that can be considered in the Study Area. The zones developed for the pre-zoning of Downtown in 2006 and for the Hurontario corridor, for example, provide starting points for establishing zoning standards for the Queen Street Corridor, as the policy guidance is similar and some of the design and form-based concepts implemented in those zones are relevant. Further, some of the recent desirable mixed-use developments in the Study Area could represent good precedents in terms of appropriate heights, densities, setbacks, etc.

Though not actually in effect or providing undue restrictions on existing businesses, the template zone would make clear the City's expectations in respect to new developments properly addressing the policy regime for the corridor. This would provide a degree of certainty for developers and thereby improve the development process both for developers and for the City.

6.6 CONSULTATION

A Public Open House was held on June 20, 2018 at the Century Gardens Community Centre to inform residents and landowners about the Study and solicit input on the preliminary recommendations. There were approximately 40 attendees, including some landowners and many residents who lived just outside the Study Area and who were concerned about potential impacts from rezoning and inquiring as to how the study related to the rapid transit and other ongoing plans for the corridor.

Four comment sheets were submitted. These comments are summarized as follows:

- Because Queen Street East is a crucial corridor with relatively limited access for residents, intensification must be well planned, incorporate a mix of uses and include adequate parking. The corridor should not be just for commuters.
- Pre-zoning for high density uses should be the preferred option, to encourage change, make the city more liveable and discourage uses that serve people coming from far away by car. Transitional Zoning is a “watered-down” response the Growth Plan and Official Plan vision that won’t encourage change in the near future.
- Will there be new transportation infrastructure, such as a new service road, north of Queen Street East, in between Hansen Road and Highway 410?

A second Public Open House took place at Brampton City Hall on June 12, 2019, in order to present and to consult on the preferred approach presented in this Report. Approximately 30 people attended this event, primarily local residents and landowners. In addition to some site-specific questions from residents, comments generally focused on how the new would work in conjunction with other ongoing studies and how the long-term evolution of the Corridor was expected to take place.

6.7 PRINCIPLES

Based upon the preceding analysis of options, the following principles are proposed to guide the development of a Secondary Plan Amendment and Zoning By-law Amendment:

- Firstly, the status quo of the zoning, which is considerably out of line with the policies of the Official Plan and Secondary Plan, creates a significant degree of risk that existing uses will redevelop in a manner that compromises the intended vision for the corridor. The zoning in the corridor must be modified.
- Comprehensive pre-zoning of the corridor is considered premature at this time, particularly in recognition of ongoing assessments of potential future Major Transit Station Areas, where requirements for height, density and permitted uses may be further refined in the future. However, upon completion of the studies related to Major Transit Station Areas in the corridor, pre-zoning may represent a suitable approach which the City should explore at that time.
- Template zones are valuable for setting out appropriate development standards, which can be applied on a case-by-case basis as development proceeds.
- The evolution of the corridor is likely to take place over the very long term, as evidenced by the rate of recent mixed-use development compared with the size of the corridor, and by the

fairly low vacancy rates and degree of investment that has taken place with respect to existing buildings. As such, a future development zone approach, which fully freezes development, should only be considered for those uses which are not envisioned to continue in the corridor (e.g., single detached dwellings and industrial uses).

- A transitional zoning framework is the most suitable approach for ensuring that the vision for the corridor is not compromised but that a reasonable degree of opportunity is afforded to existing businesses that are not ready to redevelop. This approach best reflects the specific context of the Study Area.
- Transitional provisions should not preclude the implementation of the overall long-term vision for the corridor. Redevelopment of commercial uses and can be desirable where it assists in transitioning the corridor towards a more pedestrian-friendly format.
- A transitional policy/zoning framework should carefully manage various matters to best balance flexibility and support viability of businesses while ensuring the long-term vision for the corridor will not be affected. Elements of a transitional policy and zoning framework should consideration for the following:
 - **Expansions of existing buildings:** The framework should consider the potential for future building expansions to existing buildings. There have been no observed instances of buildings being expanded within the corridor in the past 10 years, so this matter is not considered a major issue. However, permitting a moderate expansion (no more than 10%) would give a reasonable degree of flexibility to existing businesses. The potential location of the permitted expansion will depend upon the configuration of the existing building. Generally speaking, a permitted expansion, which would be minor in nature, is intended to facilitate a degree of permissiveness for existing property owners and business. The permission is not intended as a design tool to assist in crafting a desirable built form. Rather, it is intended to give some flexibility to businesses. The minor nature of the permission would not precipitate major improvements which create any significant opportunity for positive contribution to the public realm or to improve the building's relationship to the streetscape. Accordingly, there should not be any specific requirements regarding the location of the building expansion from an urban design perspective. Other criteria, however, could be considered to guide the expansion of the building, such as ensuring that the building expansion will not represent an increased nuisance from a noise, compatibility perspective which could limit opportunity to adjacent properties to be developed for residential uses. It is difficult to fully implement this type of criteria in zoning, however, so consideration could be made to integrate criteria in the policies and/or design guidelines.
 - **Changes of use (existing buildings):** The framework should consider proposed changes of use. Allowing a change of use to a use permitted by the Secondary Plan, within an existing building, should be supported, to give property owners flexibility with respect to securing tenancy. As has been noted, there appears to have been significant investment in the existing building stock, including changes of use and this is likely to continue.
 - **Building reconstruction (use):** As noted, there is no opportunity to restrict reconstruction of a use that was legally established per legal non-conforming rights under the *Planning Act*.
 - **Building reconstruction (location):** The reconstruction of an existing use should, as much as possible, work towards achieving the policies of the Official Plan and

Secondary Plan. The use should be constructed in a manner that better addresses the streetscape. This will be very site-specific. In some cases, it may be desirable to encourage the owner to relocate the building close to the streetscape and start to contribute to the pedestrian-oriented format. In other cases, depending on the configuration of the site and the owner's intentions, it may be best to reconstruct the use in a manner that enables the front portion of the site to be infilled in the future with a mixed-use building that will achieve the policies of the Official Plan and Secondary Plan.

- **Infill buildings:** Owners may also propose to build new buildings to start to fill in portions of the site over time. If located and sized appropriately, this can represent an appropriate gradual transition towards the vision outlined in the Official Plan and Secondary Plan. However, this will vary considerably on a case by case basis. Accordingly, it is recommended that such a proposal require a zoning by-law amendment and the policies and guidelines should establish criteria to ensure the proposal is appropriate and does not compromise the ultimate vision for the corridor.
- The transitional provisions should not remain within the policy framework over the long-term, but should be viewed as temporary in nature. A review of the provisions should be undertaken in conjunction with the advancement of policies to implement the Major Transit Station Areas, as it may be appropriate to implement pre-zoning or other approaches at that time.
- Further to the above, it may be suitable, depending on the timeframe for the Major Transit Station Areas review, to apply some or all of the transitional provisions as temporary measures via a temporary use by-law (i.e., up to 3 years, with the opportunity for property owners to seek extensions of these provisions).
- Future Development zoning can be implemented on a limited basis in areas zoned with uses that are not part of the Secondary Plan vision (i.e., Industrial and Single-detached residential), ensuring no expansions can take place without Council approval. Additionally, it is desirable to place the zoning on any vacant commercially zoned sites, as the transitional policy framework would not be applicable, and redevelopment should require a rezoning.

7 POLICY, ZONING AND URBAN DESIGN FRAMEWORK

Based on the assessment of Section 6, a transitional framework for managing change in the corridor is the recommended approach, balancing the needs of existing business owners while ensuring that the long-term vision for the Queen Street corridor will be achieved. As noted previously in this report, this Study does not constitute a review of the Secondary Plan, but is principally geared towards ensuring alignment between the Official Plan, Secondary Plan and zoning. To support the recommended transitional framework, both complementary policies and zoning is required. Further, there is a need to update the interim Urban Design Guidelines to address the recommended framework in more detail where such guidelines are not suitable for implementation in policy or zoning.

7.1 POLICY FRAMEWORK

Based on the analysis and principles established in Section 6, a new policy framework to implement the recommended transitional approach is required. An Official Plan Amendment has been prepared to reflect the recommendations summarized below and is attached as Appendix B:

1. The policy framework should introduce the intent of the transitional policy framework, which is to balance the needs of existing businesses while ensuring that the overall vision for the corridor is not being negatively impacted or precluded.
2. The policies should set out the transitional framework including directing certain matters to be addressed by the zoning by-law:
 - a. Existing uses should be permitted within existing buildings and recognized as permitted uses in the zoning by-law. However, expansions of existing buildings that are not in conformity with the Official Plan and Secondary Plan will be limited to expand by 10%, as set out in the Zoning By-law.
 - b. Uses and buildings will not be permitted to change use to an alternative lower order commercial use or other use which would be impactful to the intended mix of uses in the corridor.
 - c. Reconstruction of existing buildings should work towards an improved built form which advances the vision for the corridor. This will vary considerably based on the specific nature of the site and the proposal. In some cases, it may be suitable to encourage the owner to reconstruct the building in a manner that better addresses the Queen Street streetscape. The Secondary Plan needs to be updated to establish suitable policies to guide reconstruction.
 - d. Infill development should only be contemplated through a zoning by-law amendment which will need to demonstrate a long-term plan for phasing in a mixed-use development on the site and other locational and size criteria. The emphasis is for the City to work with the owner to locate any proposed infill

buildings in a manner that best contributes positively to the evolution of the Corridor and its built form objectives. Generally, the Queen Street frontage should be utilized for multi-storey buildings that frame the streetscape. Additionally, the City should be contemplating the long-term provision of new roadways as intended by the Secondary Plan.

- e. Changes in use within an existing building should be permitted, but only if the proposed use is permitted by the Secondary Plan.
3. There should be policies to address the potential need for lot consolidation, recognizing that many sites in the corridor (particularly west of Kennedy Road) may not sufficiently accommodate the type of development that is envisaged without some degree of lot consolidation. If surrounding parcels are not thoughtfully considered, redevelopment might be precluded on remaining lots. This could involve requiring submission of a tertiary plan in some cases or addressing the matter otherwise in the development application.
4. Similarly, the fragmentation of ownership, such as through the introduction of condominium ownership of commercial uses, should be discouraged. Condominium ownership would decrease the likelihood that development could reoccur.

Further, based on the review of the Secondary Plan and zoning, the following minor updates to the policy framework will also be considered:

1. Permitted uses in the Central Area Mixed Use designation should be clarified. In particular, Section 5.1.2.1 (permitted uses for the Central Area Mixed-Use designation) would benefit from clarity regarding mixed-use development. As written, the policy articulates an overly broad definition of mixed-use development.
2. There are some gaps in terms of built form requirements, particularly minimum and maximum building heights and other built form requirements. While the Plan includes policies regarding maximum FSI, it does not address minimum FSI. Further, FSI is a tool used to manage intensity. A wide variety of built forms can achieve a particular maximum FSI. Accordingly, there is a need for a clearer expectation about desired built form, to guide development review and zoning.
3. At this time, these built form policy gaps can be filled in, in consideration of the Interim Design Guidelines, and the policies of the Official Plan. However, it should be recognized that these requirements may evolve through determination of Major Transit Station Areas and more detailed guidance which will likely emerge as an outcome of that process.
4. Section 5.1.3.3 references the prior Official Plan and there may be an opportunity to update this reference to align with the current Official Plan.
5. There is some repetition amongst the maximum FSI requirements between Section 5.1.2.2 and Table 1. This is more of a housekeeping update, as the policies are currently consistent.
6. It is noted that Section 6.3, describing the land use and density mix of the Secondary Plan, is premised on anticipated transit service. Thus, there may be a need to revisit overall density and land use requirements based upon the outcome of the Queen Street

Transit Master Plan. The implementation of rapid transit in dedicated corridors may represent a rationale for greater densities in certain portions of the corridor.

7. Section 9.3 will be modified to reflect the transitional policies as it applies to the Study Area. Deletion of this policy is not suggested as the policy has applicability to lands outside of the Study Area, which have not been examined.

7.2 ZONING FRAMEWORK

A zoning by-law amendment will be required to implement the recommended transitional framework, providing additional detail and regulation to support the framework recommended in the Secondary Plan. The zoning by-law drafted to reflect the recommendations is attached as Appendix C.

7.2.1 ZONING MODIFICATIONS

The current zoning is recommended to be modified to implement the transitional policy framework as recommended. This would require modification of the existing zoning (as noted, which is principally Highway Commercial One and Service Commercial) to a new zone category such as a Queen Street Mixed Use Transitional (QMUT) zone or it could be applied as new Special Section zones. As has been noted, consideration should be made to simplify current zoning resulting from amendments over the years, and the application of one standard zone category can help to achieve this. Further, there is no reason to carry forward numerous base zones in the corridor (e.g., Highway commercial, Service Commercial, etc.) since all lands are now subject to one land use designation (Central Area Mixed Use).

The proposed new zone would permit existing uses, buildings and structures. To facilitate the recommended transitional framework, including allowing for uses to be converted within existing buildings, there is also a need to establish a list of permitted uses beyond the existing uses. The list of permitted uses would be drawn from the current zoning, but would need to exclude any uses not contemplated by the Official Plan and Secondary Plan such as automobile repair uses. Most of these uses were removed as part of Zoning By-law Amendment 267-2006, but there is a need to examine all permitted uses to ensure conformity with the Official Plan and Secondary Plan.

The lot and building requirements of the zone would need to recognize legally existing conditions to restrict floor area expansions, except as contemplated in the transitional strategy, in which a maximum expansion of 10% would be permitted. To facilitate the recommendations discussed previously, it would also be desirable to establish reduced setbacks to enable a reconstructed building to be relocated on the lot as recommended in the transitional framework. In particular, lower minimum front yard and minimum exterior side yard setbacks would be desirable (e.g., 0 - 3.5 m).

7.2.2 TEMPLATE ZONE

It is further recommended that a template zone be considered to illustrate implementation of the policies of the Official Plan and Secondary Plan for the corridor. The template zone will not be

applied within the corridor, but can be applied on a case-by-case basis through future rezoning processes.

While the template zone is not proposed to be applied in the corridor, it may be desirable to modify existing zoning for recent mixed-use development to reflect the new template zone category and ensure that zoning within the corridor will transition to an appropriate, consistently applied zone. However, existing permissions and requirements on those sites should be fully retained without modification.

Upon completion of the Queen Street Transit Master Plan and any related Major Transit Station Area stud(ies) for the Corridor, the template zone would need to be reviewed and updated as appropriate to reflect any refinements to the built form requirements and densities.

7.3 URBAN DESIGN FRAMEWORK

The existing Urban Design Guidelines are interim in nature and do not contain any provisions to guide the transition of built form in the Corridor. It is appropriate to update these interim guidelines as part of this study in order to provide additional guidance on the matters that are not fully addressed in the policies and zoning that are also being updated. Updating the guidelines further provides supplementary context about the intent of the zoning provisions and the policies. A revised set of guidelines is attached accordingly as Appendix D.

It is expected that, despite these updates, the Urban Design Guidelines will remain interim in nature and be finalized when the Queen Street Master Plan and MTSA studies are completed. At the time of completing this Report, the City was examining the timing for updating the Urban Design Guidelines to best align with ongoing studies and initiatives. As with the policy and zoning framework, it would be premature to finalize the Urban Design Guidelines in a comprehensive manner while crucial work that will inform the final built form and character of the Study Area is in process. Instead, these updates relate to the transitional framework being recommended in order to provide updated guidance regarding any new development during this interim period.

In particular, updates to the guidelines are needed to address the following elements of the transitional framework to provide more guidance about how low-rise commercial uses may be reconstructed or developed:

- **Reconstruction of Low-Rise Commercial Uses:** Guidance is required to address situations where a commercial landowner is proposing to reconstruct low-rise commercial uses. In some cases, it may be desirable for the use to be reconstructed closer to the Queen Street East frontage. In other cases, there may be more significant transformational opportunities on the site, so a reconstruction may be best directed to the rear of the site and/or forming new interior streets, so that the frontage may be reserved for future multi-storey mixed-use development. Guidance about the location and form of reconstructing uses and building additions will be very site-specific and require case-by-case evaluation to determine the most appropriate plan that best balances transition with long-term development opportunity.
- **Site access/future roads:** The guidelines should help ensure that opportunities to consolidate access from Queen Street is considered and that development is oriented to facilitate the future long-term road network.

- **Parking areas:** Guidelines should help direct the location of parking areas in conjunction with transitioning sites.
- **Compatibility:** The guidelines should recognize the need to ensure compatibility with adjacent more sensitive uses through setbacks and the provision of landscaping and buffers.

7.4 PLANNING ANALYSIS OF PREFERRED APPROACHES

The primary goal of the approaches described in this report are to ensure that development which takes place within the Queen Street East Corridor, which is located within Brampton's Urban Growth Centre, allows for the ultimate realization of the mixed-use vision established through Provincial and municipal policy.

Section 3(5) of the *Planning Act* requires all municipal council decisions to be consistent with policy statements issued under Section 3(1) (i.e., the PPS) and to conform to or not conflict with in-effect provincial plans (i.e., the Growth Plan).

The recommendations provided are consistent with the Provincial Policy Statement, 2014 and conform with/do not conflict with the Growth Plan for the Greater Golden Horseshoe. They are designed to conform to and further the goals of the Region of Peel Official Plan and the City of Brampton Official Plan.

7.4.1 CONSISTENCY WITH THE PROVINCIAL POLICY STATEMENT, 2014

The PPS promotes efficient forms of development, particularly in settlement areas, which are to provide for a mix of land uses and densities that contribute to a more efficient use of land and infrastructure, supporting active transportation and transit (Section 1.1.3.2). Municipalities are further required to identify areas for intensification (Section 1.1.3.3), establish targets for intensification (Section 1.1.3.5) and promote complete communities with a mix and range of employment and institutional uses alongside residential uses.

The purpose of these interim policies, regulations and guidelines is to ensure no short-term development compromises Brampton's ability to achieve these goals and they are consistent with the PPS.

7.4.2 CONFORMITY WITH THE GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019

The earlier, 2006 Growth Plan included policies for achieving complete communities with a mix and more efficient use of land uses, compact built form and intensification within the existing built boundary. It also designated 25 Urban Growth Centres across the Greater Golden Horseshoe, including Downtown Brampton, an area which includes the Study Area.

Section 2.2.2 of the Growth Plan requires municipalities to direct residential growth to within the delineated built-up area, increasing from the current 40-per-cent intensification target to at least 50 per cent by the next municipal comprehensive review. These recommendations are aimed at

helping Brampton achieve these long-term goals and nothing in the recommended policies and zoning conflicts with the Growth Plan.

Section 2.2.3 establishes that Urban Growth Centres will be planned as focal areas for investment, mixed-use development, places of transit connectivity and that they must achieve, by 2031 or earlier, a minimum density target of 200 residents and jobs combined per hectare. The Queen Street Corridor is located within the UGC and as an interim solution, nothing in these recommendations precludes the broader achievement of goals and growth targets for the UGC.

Section 2.2.4 designates Queen Street East as a priority transit corridor and requires municipalities to plan for minimum density targets of 160 residents and jobs combined per hectare along around major transit station areas (MTSAs) served by light rail transit or bus rapid transit. Brampton is currently undertaking studies to identify and delineate its MTSAs and proposed changes to the *Planning Act* would allow this work to be formalized outside of the municipal comprehensive review process. The recommended policies and zoning are designed to be interim in nature and do not preclude the completion of that work or achievement of those goals.

Section 2.2.5 directs major office uses to UGCs and MTSAs and promotes economic development through the connection of high employment densities with transit. The recommended policies and zoning are aimed at ensuring incompatible uses are not developed on potential major office or employment sites.

In conclusion, the over-arching purpose of these interim policies is to eliminate some of the issues that could otherwise compromise the achievement of the Growth Plan policies and goals during the long-term buildout of the UGC, in particular by eliminating non-conforming, lower-order, single-use zones with no density requirements in an area earmarked for mixed-use intensification.

7.4.3 CONFORMITY WITH THE REGION OF PEEL OFFICIAL PLAN, 2016 CONSOLIDATION

The Region of Peel Official Plan, Section 5.3.3 designates Urban Growth Centres as major locations for intensification, linked by public transit and a range and mix of compact forms and activities, support active transportation and include a range and mix of housing and employment opportunities. Schedule G further identifies rapid transit corridors, including Queen Street East, and Section 5.9.5.2.1 supports the protection of the corridor.

The recommended policies and zoning conform to the Region of Peel Official Plan and support its goals of protecting the rapid transit corridor for future mixed-use development and promoting intensification within the Urban Growth Centre.

7.4.4 CONFORMITY WITH THE CITY OF BRAMPTON OFFICIAL PLAN, 2006

The City of Brampton's Urban Growth Centre is within the designated Central Area, described by Section 4.1 of the Official Plan as the "cultural, economic and entertainment heart of the City." The Queen Street Corridor, in particular, is described as having the potential to "transform into a mixed-use, transit-oriented, pedestrian-friendly, environment."

The recommendations conform to the goals and policies for the Central Area and Queen Street East as a Primary Intensification Corridor as their purpose is to ensure no non-conforming development can undermine the achievement of those goals.

7.4.5 CONCLUSIONS

The recommended approach consists of interim policies and zoning that are to be updated by the City upon completion of other planning studies.

These interim policies and zoning are consistent with the PPS, conform to/do not conflict with the Growth Plan and conform to the Region of Peel Official Plan and City of Brampton Official Plan.

8 CONCLUSIONS

The Queen Street East Corridor is located within the Urban Growth Centre and Central Area of the City of Brampton, which is intended to evolve into the City's key node for intensification and mixed-use, pedestrian-, cycling- and transit-oriented development. While recognizing that the area governed by Secondary Plan 36 is expected to see that transition take place over a relatively long period, the current zoning accommodates numerous auto-oriented and other uses that could allow for development that would undermine the City's ultimate realization of its vision.

Though the City is currently undertaking a series of studies related to the future implementation of rapid transit through the Corridor, it is important to provide policies, zoning provisions and Urban Design Guidelines, to ensure no uses and development that do not conform with the established provincial and municipal policy goals are able to proceed in the interim. Accordingly, this Zoning Analysis Report provides a recommended approach that includes an Official Plan Amendment, a Zoning By-law Amendment and updates to the existing Interim Urban Design Guidelines with the shared goal of ensuring no non-conforming development takes place that could undermine long-term goals while the City finalizes the work required to achieve the ultimate build-out of its established vision.

Nothing in these recommendations precludes any in-process or future studies the City might undertake and they are consistent with the PPS and conform to/do not conflict with the Growth Plan, the Peel Region Official Plan or the City of Brampton Official Plan.

APPENDIX

A PROPERTY ZONING INVENTORY

7.2-121

APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
1	0 Heart Lake Rd S		Industrial (M2)	Vacant (highway interchange)
2	285/ 289/295 Queen St E	Y	Commercial (C3-3064)	Retail power centre
3	279 Queen St E	Y	Commercial (C3-3064)	Single storey commercial
4	275 Queen St E	Y	Service Commercial (SC-3453)	Single storey commercial
5	269 Queen St E	Y	Service Commercial (SC-3103)	Single storey commercial
6	267 Queen St E	Y	Service Commercial (SC-3103)	Single storey commercial
7	265 Queen St E		Service Commercial (SC-3160)	Single storey commercial
8	6 Rutherford St S	Y	Hwy. Commercial (HC1-3454)	Auto service
B	8 Rutherford St S	Y	Industrial (M2)	Brampton Fire HQ
10	12 Rutherford St S	Y	Service Commercial (SC-3375)	Single storey commercial
11	16 Rutherford St S	Y	Service Commercial (SC-3375)	Single storey commercial
12	24 Rutherford St S		Service Commercial (SC-3375)	Single storey commercial
13	26 Rutherford St S		Industrial (M2)	Auto service
14	28 Rutherford St S		Industrial (M2)	Auto service
15	32 Rutherford St S		Industrial (M2)	Auto service
16	12 Clark Blvd		Industrial (M2)	Auto service
17	30 Clark Blvd.		Hwy. Commercial (HC1-3232)	Two storey hotel
18	380/382 Queen St E	Y	Service Commercial (SC-3201)	Single storey commercial
19	378/374/372 Queen St E	Y	Service Commercial (SC-3453)	Single storey commercial
20	368 Queen St E		Service Commercial (SC-3453)	Single storey restaurant
21	354 Queen St E		Service Commercial (SC-3453)	Gas station
22	344 Queen St E		Service Commercial (SC-3453)	Single storey restaurant w/ drive through
23	338 Queen St E	Y	Service Commercial (SC-3453)	Two storey commercial
24	324 Queen St E		Hwy. Commercial (HC1)	Vacant
25	261 Queen St E		Commercial (C3-3256)	Single storey restaurant outlet w/ drive through

APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
26	263 Queen St E	Y	Commercial (C3-3256)	Strip plaza
27	255 Queen St E	Y	Service Commercial (SC-3382)	Strip plaza
28	253 Queen St E	Y	Service Commercial (SC-3350)	Strip plaza
29	251 Queen St E		Hwy. Commercial (HC1-3454)	Auto service
30	249 Queen St E	Y	Service Commercial (SC-3150)	Single storey commercial
31	6 Hansen Rd S		Hwy. Commercial (HC1-3453)	Auto sales
32	8 Hansen Rd S		Hwy. Commercial (HC1-3453)	Auto sales
33	10 Hansen Rd S		Hwy. Commercial (HC1-3453)	Auto sales
34	12 Hansen Rd S		Hwy. Commercial (HC1-3453)	Auto sales
35	14 Hansen Rd S		Hwy. Commercial (HC1-3453)	Single storey commercial
36	16 Hansen Rd S		Hwy. Commercial (HC1-3453)	Single storey commercial
37	5 Rutherford Rd S		Hwy. Commercial (HC1-3250)	Hotel
38	19 Rutherford Rd S	Y	Industrial (M2)	Auto parts sales
39	320 Queen St E		Hwy. Commercial (HC1-3454)	Auto sales
40	312 Queen St E		Service Commercial (SC-3105)	Single storey commercial
41	310 Queen St E		Hwy. Commercial (HC1-3454)	Auto sales
42	300 Queen St E		Hwy. Commercial (HC1-3454)	Auto sales / service
43	284 Queen St E	Y	Hwy. Commercial (HC1-3453)	Two-storey commercial
44	247 Queen St E	Y	Downtown Commercial (DC-3440)	Mixed-use tower with retail at grade
45	245 Queen St E	Y	Service Commercial (SC-3303)	Single storey commercial
46	243 Queen St. E.		Hwy. Commercial (HC1-3053)	Auto service / sales
47	239/237 Queen St E	Y	Service Commercial (SC-3214 / SC-3453)*	Strip plaza
48	235 Queen St E		Service Commercial (SC-3155)	Bank

APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
49	225-233 Queen St E / 2-16 Kennedy Rd S	Y	Commercial (C2-3404) / Hwy. Commercial (HC2)*	Strip plaza
50	20 Kennedy Rd S		Hwy. Commercial (HC1)	Auto commercial
51	60 Eastern Ave		Hwy. Commercial (HC1)	Auto sales
52	68 Eastern Ave		Industrial (M2)	Industrial manufacturing facility
53	13 Hansen Rd S		Hwy. Commercial (HC1-3153)	Rogers cable facility
54	7 Hansen Rd		Hwy. Commercial (HC1-3453)	Auto sales
55	5 Hansen Rd		Hwy. Commercial (HC1-3153)	Auto sales
56	272/274/280 Queen St E	Y	Service Commercial (SC-3453)	Strip plaza
57	268 Queen St E		Hwy. Commercial (HC1-3454)	Auto dealership
58	264 Queen St E		Hwy. Commercial (HC1-3454)	Auto service
59	260 Queen St E		Hwy. Commercial (HC1-3453)	Hotel
60	258 Queen St E	Y	Service Commercial (SC-3072)	Strip plaza
61	252 Queen St E	Y	Commercial (C2-3162) / Hwy. Commercial (HC2-3453)*	Parking lot / strip plaza
62	248 Queen St E		Service Commercial (SC-3136)	Bank
63	244/242 Queen St E	Y	Service Commercial (SC-3453) / Hwy. Commercial (HC1-3138)*	Single story commercial
64	238 Queen St E		Hwy. Commercial (HC1-3138)	Single story restaurant
65	10 Kennedy Rd N		Hwy. Commercial (HC1-3453)	Charter bus commercial
66	16 -26 Kennedy Rd N	Y	Commercial (C2-3162)	Strip plaza
67	1 Kennedy Rd S	Y	Service Commercial (SC-3453)	Strip plaza
68	199 Queen St E		Residential (R1B-3453)	Single detached dwelling
69	197 Queen St E		Residential (R1B-3453)	Single detached dwelling
70	195 Queen St E		Residential (R1B-3453)	Single detached dwelling
71	193 Queen St E		Residential (R1B-3453)	Single detached dwelling

APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
72	191 Queen St E		Residential (R1B-3453)	Single detached dwelling
73	189 /187 Queen St E	Y	Residential (R1B-3453)	Single detached dwelling
74	185 Queen St E		Residential (R1B-3453)	Single detached dwelling
75	183 Queen St E		Service Commercial (SC-3453)	Place of worship
76	181 Queen St E		Service Commercial (SC-3083)	Two storey commercial
77	6 Trueman St		Residential (R1B-3453)	Single detached dwelling
78	10 Trueman St		Residential (R1B-3453)	Single detached dwelling
79	204 John St		Residential (R1B-3453)	Single detached dwelling
80	206 John St		Residential (R1B-3453)	Single detached dwelling
81	208 John St		Residential (R1B-3453)	Single detached dwelling
82	210 John St		Residential (R1B-3453)	Single detached dwelling
83	212 John St		Residential (R1B-3453)	Single detached dwelling
84	214 John St		Residential (R1B-3453)	Single detached dwelling
85	216 John St		Residential (R1B-3453)	Single detached dwelling
86	230 Queen St E		Hwy. Commercial (HC1-3453)	Single storey restaurant
87	10-12 June / 226 Queen St E	Y	Hwy. Commercial (HC1-3069) / Residential (R1B)*	Six storey hotel w/ retail at grade / single detached dwellings
88	21 Kennedy Rd N		Hwy. Commercial (HC1-3453)	Single storey restaurant
89	212 Queen St E		Hwy. Commercial (HC1-3453)	Two storey commercial
90	210 Queen St E		Service Commercial (SC-3453)	Single storey commercial
91	198 Queen St E		Hwy. Commercial (HC1-3453)	Single storey commercial
92	190 Queen St E		Hwy. Commercial (HC1-3453)	Single storey restaurant with drive through
93	188 Queen St E	Y	Hwy. Commercial (HC1)	One storey commercial / auto service
94	184 Queen St E		Hwy. Commercial (HC1-3453)	Vacant
95	178/180 Queen St E	Y	Service Commercial (SC-3453)	Vacant

APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
96	164 Queen St E	Y	Service Commercial (SC-3255)	Three storey medical centre
97	160 Queen St E		Service Commercial (SC-3453)	Single detached dwelling
98	4 Wilson Ave		Service Commercial (SC-3455)	Single detached dwelling
99	169 Queen St E	Y	Service Commercial (SC-3453)	Two storey medical centre
100	173 Queen St E		Service Commercial (SC-3453)	Vacant
101	157 Queen St E	Y	Service Commercial (SC-3453)	Two storey medical centre
102	178 John St	Y	Service Commercial (SC-3058)	Three storey medical centre
103	3 Wilson Ave		Service Commercial (SC-3174)	Single detached dwelling
104	158 Queen St E		Service Commercial (SC-3174)	Two storey commercial
105	152 Queen St E		Service Commercial (SC-3453)	Two storey commercial
106	148 Queen St E	Y	Service Commercial (SC-3453)	Strip plaza
107	134 Queen St E	Y	Service Commercial (SC-3123)	Four storey commercial
108	130 Queen St E	Y	Hwy. Commercial (HC2-3179)	Gas station/conveniences
109	126 Queen St E		Hwy. Commercial (HC1-3454)	Car dealership
110	133 Queen St E		Service Commercial (SC-3453)	Single storey restaurant
111	125 Queen St E		Service Commercial (SC-3199)	Two storey commercial
112	134 John St		Service Commercial (SC-3453)	Single detached dwelling
113	136 John St		Service Commercial (SC-3453)	Single detached dwelling
114	138 John St		Service Commercial (SC-3453)	Single detached dwelling
115	142 John St		Service Commercial (SC-3453)	Single detached dwelling
116	15 Centre St S		Service Commercial (SC-3453)	Single detached dwelling

APPENDIX

B

Official Plan
Amendment



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

To Adopt Amendment Number OP 2006-
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 OP 2006 - _____ 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 23rd day of October, 2019.

Approved as to form.
20__ /month/day
[insert name]

Patrick Brown, Mayor

Approved as to content.
20__ /month/day
[insert name]

Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006 - _____
to the Official Plan of the
City of Brampton Planning Area

Constitutional Statement

Part A, The Preamble does not constitute part of this Amendment.

Part B, The Amendment, consisting of amendments to the Text constitutes Amendment Number ___ to the City of Brampton Official Plan.

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

PART A - PREAMBLE

1.0 Purpose:

The purpose of this amendment to the Queen Street Corridor Secondary Plan (Secondary Plan Area 36), affecting the lands shown in Schedule 'SP36(A)', is to facilitate the evolution of the corridor from its current state to the ultimate buildout envisioned in the Secondary Plan, recognizing that transition will likely take place over a long period of time. The Queen Street Corridor forms part of Brampton's Urban Growth Centre and the Central Area, along with Downtown Brampton. The Central Area is intended to be the cultural, economic and entertainment heart of the City, accommodating a significant share of the City's population and employment growth through the introduction of major transit infrastructure, intensification and increased mixed-use development.

Accordingly, the intent of this Amendment is to balance the needs of existing businesses with the goals set out in Section 4.0 of SPA 36, including: promoting intensification and improvements in Brampton's Central Area as a major focus of commercial and community activity, promoting the character of Queen Street as a strong pedestrian, bicycle-friendly and transit environment; and promoting enhanced public transit and land assembly, while discouraging land fragmentation in order to encourage comprehensive redevelopment.

These policies are intended to prevent development that could compromise the Secondary Plan vision as a higher-density, mixed-use corridor and help to bring about development that is consistent with the long-term vision for the Corridor. While the corridor has been historically used for low-density commercial and other uses, the corridor now forms part of the City of Brampton's Urban Growth Centre, and is intended to accommodate higher density development and a mix of uses, transforming Queen Street into a vibrant, pedestrian-oriented and bicycle-friendly corridor. The Amendment introduces policies to guide existing uses and development in a manner that will ensure the long-term vision will be achieved.

This Amendment further recognizes that built form and density requirements may evolve through other initiatives ongoing at the time of completing this Amendment, including the Queen Street - Highway 7 Bus Rapid Transit Study and the applicable requirements of the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe for Major Transit Station Areas. It is intended that the policies will be reviewed and updated again in the future to reflect any refinements or requirements to built form, density or other policies.

2.0 Basis:

Managing the transition of the Urban Growth Centre has been an ongoing effort by the City of Brampton. In 2006, the City passed two Zoning By-laws (266-2006 and 267-2006), to restrict uses that do not conform to the Official Plan vision in Downtown and the Queen Street Corridor, respectively. In November 2017, recognizing that much of the zoning in the corridor was for principally low-rise commercial uses, Council approved Interim Control By-law 246-2017, as amended, pursuant to Section 38 of the *Planning Act* to prohibit new uses and the erection, enlargement or replacement of existing land, buildings and structures within the designated area for one year so that a study would be undertaken. A Zoning Analysis Report was prepared, and it included a review of existing zoning regulations and Secondary Plan policies and recommendations for updated regulations and policies to ensure compatibility with the Official Plan policies. The Zoning Analysis Report contains the detailed background, review of options and analysis, resulting in a recommended framework including recommended changes to the policies of the Queen Street Corridor Secondary Plan.

3.0 Location:

The lands subject to this amendment are generally located along Queen Street East, between Highway 410 and Etobicoke Creek, within the City's Urban Growth Centre, as shown on Schedule 'A' of the Official Plan. More specifically, this amendment affects the properties subject to Interim Control By-law 246-2017, as amended.

PART B – THE AMENDMENT

4.0 Amendments and Policies Relative Thereto:

The document known as the Queen Street Corridor Secondary Plan - Secondary Plan Area 36 is amended as follows:

- (1) **Section 4.0 – General Objectives and Criteria is amended by inserting the following bullet point between the fifth and sixth bullet points:**

“facilitates the evolution of the corridor from an automobile-oriented commercial corridor to a higher-density, pedestrian- and transit-oriented, bicycle-friendly, mixed-use corridor by balancing the needs of existing businesses with the need to ensure that redevelopment and intensification opportunities are not precluded;”

- (2) **Section 5.0 – Land Use Principles is amended by inserting the following new paragraph between the existing third paragraph and existing fourth paragraph (i.e., after “...granting of development approval.”):**

“The majority of properties along Queen Street East between Highway 410 and Downtown are designated for Central Area Mixed-Use. The existing service and highway commercial uses are expected to transition over time to a new mix of residential, employment and commercial uses that, along with the implementation of rapid transit, create a new streetscape more oriented to people than to cars. While studies are being undertaken to foster and guide this transformation and as development proceeds over time, policies should ensure that any interim development contributes to the vision for the corridor and that no development takes place that could prevent the realization of the corridor’s vision.”

- (3) **Subsection 5.1.1.4 is amended by replacing the word “coverage,” between the words “maximum” and “specified,” with the word “density.”**
- (4) **Subsection 5.1.2.1 is amended by deleting the sentence that begins “Mixed-Use development shall mean...” and replacing it with:**

“The City shall encourage a mix of uses within each proposed development, including active commercial uses at grade, with office, institutional or residential uses located in the upper storeys. However, stand-alone uses shall also be permitted, such as office buildings and residential buildings, provided the development achieves the policies of this Plan with respect to built form, and subject to any further detailed land use policies as outlined in this Plan. Where a stand-alone residential or office building is proposed, the City will encourage, where appropriate, the ground floor to be developed with convertible frontages and a suitable ground floor building height to preserve future opportunity for conversion to commercial uses. A combination of stand-alone uses, as well as mixed-use buildings, will both contribute to achieving an overall vibrant, mixed-use corridor over the long term.”

- (5) **Subsection 5.1.1.4 is amended by replacing the text “5.1.2.4” with “5.1.2.7.”**
- (6) **Section 5.1.2 – Central Area Mixed-Use is amended by adding the following new sections to immediately follow Subsection 5.1.2.3 and renumbering all subsequent subsections accordingly (i.e., existing Subsections 5.1.2.4 – 5.1.2.6 are renumbered to 5.1.2.7 – 5.1.2.9 respectively):**

7.2-133

5.1.2.4 There are historical low-density and highway commercial developments located along the Queen Street East corridor that are designated Central Area Mixed-Use that have the potential to hinder the City's ability to achieve the planning objectives for the area. The intent of this Plan is for the corridor to transform into a higher-density, mixed-use, transit-oriented, bicycle and pedestrian-friendly corridor. The policies contained in Section 9 of this Plan are intended to manage the transition within this portion of the Corridor and ensure existing uses may continue without compromising the full transformation of this important corridor into a vibrant, mixed-use centre.

5.1.2.5 Lot consolidation, particularly for smaller lots, shall be encouraged while ensuring that long-term redevelopment is not precluded. The submission of a Tertiary Plan and/or planning justification addressing lot consolidation may be required by the City in association with a development application to ensure that a redevelopment proposal does not negatively affect redevelopment opportunity for nearby and adjacent lots.

5.1.2.6 Recognizing that there are low-rise commercial plazas in the Central Area Mixed-Use designation, fragmentation of ownership through condominium conversion for an existing low-rise commercial development will not be permitted to ensure that redevelopment opportunity is not inhibited.

(7) Subsection 5.1.2.5 (formerly 5.1.2.2) is amended by replacing the word “coverage,” between the words “maximum” and “specified” in the final sentence of the paragraph, with the word “density.”

(8) Subsection 5.1.2.6 (formerly 5.1.2.3) is amended by:

a) Deleting the entirety of the second sentence, beginning with “All new development shall accommodate...” and replacing the sentence with “In these areas, residential uses will be encouraged, and sufficient street-related retail and commercial uses shall be provided to contribute to a vibrant commercial corridor along Queen Street.”

b) Deleting the entirety of the text following “Central Area Mixed-Use redevelopment areas are” in the final sentence of the first paragraph and replacing it with “set out in Table 1.”

(9) Section 5.7 – Special Study Areas is amended by:

7.2-134

a) Adding the words “and Transitional Policies” following “Central Area Mixed – Use designation” in Subsection 5.7.1.2.

(10) **Section 6 – Road Network** is amended by inserting the new Subsection 6.2.7, following the existing Subsection 6.2.6:

6.2.7 Development, redevelopment or intensification shall not preclude any future potential additions, improvements and extensions to the road network described in Section 6.2.4.

(11) **Section 8.2 – Character Principles** is amended by inserting the following new subsection after Section 8.2.3, and renumbering all subsequent Sections accordingly (i.e., 8.2.4 – 8.2.7 are renumbered to 8.2.8 – 8.2.11, respectively):

8.2.4 It is the first principle of this Plan to promote Queen Street East as a pedestrian-oriented corridor, framed by multi-storey buildings that provide for a majority of street-related commercial uses at grade. The City shall prefer that lands with direct frontage onto Queen Street East be developed for a mix of uses, and a minimum height of 4 storeys.

8.2.5 To the west of Highway 410, the City shall promote the appropriate transition of built form from the current low-rise commercial format to the higher-density, pedestrian- and transit-oriented, bicycle-friendly mixed-use corridor intended by this Plan. The policies in Section 9 of this Plan and the Interim Design Guidelines in Appendix ‘B’ provide additional guidance and policies with respect to this transition.

8.2.6 The City will also explore and promote the creation of complete, pedestrian-oriented private streets internally within sites, where comprehensive, transformative redevelopment is proposed or is possible, and where the size and configuration of the site permits this opportunity. In these cases, the City will encourage multi-storey commercial or mixed-use buildings with street-related uses located at-grade to frame the internal streets.

8.2.7 The City will promote the clustering of public amenity spaces, urban squares and parks with mixed-use, higher density developments on the Queen Street East frontage and as part of internal streets.

(12) **Section 9.0 – Transitional Policies** is inserted immediately following Section 8.6.4, and the existing subsequent sections are renumbered

accordingly (i.e., Section 9.0 – Implementation becomes 10.0 – Implementation):

9.1 Transition of Low-Rise Commercial Uses to Mixed Uses (Central Area Mixed-Use Lands Located Between Etobicoke Creek and Highway 410)

This Section addresses the long-term transition of the corridor from a principally low-rise, highway commercial corridor, to a higher-density, pedestrian- and transit-oriented, bicycle-friendly, mixed-use corridor, recognizing that many existing low-rise commercial uses will continue to operate during this transitional period.

The policies of Section 9.1 apply specifically to lands between the Etobicoke Creek and Highway 410 which are designated Central Area Mixed-Use. These policies are not applicable to other lands in this Corridor, such as the lands designated Industrial. Other Central Area Mixed-Use lands outside of this corridor are also not subject to this Section, but are subject to Section 9.2.

The purpose of these policies is to provide a specific framework for existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor. The policies address the following types of development and uses:

- Proposals to convert commercial uses within existing low-rise buildings to other commercial uses;
- Proposals involving a minor expansion of an existing low-rise commercial building;
- Proposals to reconstruct an existing commercial building;
- Proposals involving new buildings or major expansions;
- Existing industrial uses; and
- Existing single detached dwellings.

Additional design guidance is included in the Interim Design Guidelines, contained in Appendix 'B' and the Official Plan.

Proposals to Convert Commercial Uses in Existing Low-Rise Buildings

9.1.1 Commercial uses within low-rise buildings that existed on the date of approval of this Amendment shall be permitted to convert to other commercial uses that are permitted in accordance with the Central Area Mixed-Use policies in Section 5.1.2.

Proposals for the Minor Expansion of Existing Low-Rise Commercial Buildings

7.2-136

9.1.2 For all sites, expansions of existing low-rise commercial uses and buildings may be permitted, provided:

- a) The use is permitted in the Central Area Mixed-Use designation;
- b) The maximum gross floor area is the total gross floor area existing on the date of approval of this Amendment, plus 10%;
- c) Where possible, the building expansion should be located away from the Queen Street East Frontage in order to maximize opportunities for the future infill of mixed-use, higher-density development that addresses Queen Street East;
- d) New or expanding drive-through uses shall not be permitted; and,
- e) Consideration shall be made to locate the building expansion in a manner that facilitates the long-term road network (Section 6.2) and to consider opportunities for consolidated or shared access between sites.

Proposals to Reconstruct Existing Low-Rise Commercial Buildings

9.1.3 Reconstruction of low-rise commercial buildings existing on the date of approval of this Amendment may be permitted, provided that the policies in Section 9.1.2 are met.

9.1.4 Where appropriate due to the scale/configuration of the site, the nature of the use and in consideration of the specific long-term development potential of the site, the City may encourage a reconstructed building to be located close to the Queen Street East frontage. A more pedestrian-oriented built form, including encouraging a minimum height of at least two functional storeys, in accordance with the Interim Design Guidelines (Appendix B) is promoted.

Proposals for New Buildings, Major Expansions, etc.

9.1.5 Where new low-rise commercial buildings exceeding the maximum gross floor area permitted in the Zoning By-law are proposed, including a significant expansion of an existing building, major reconstruction with additional floor area and/or any new infill pad building, the development may be permitted, provided:

7.2-137

- a) A proposed low-rise commercial development shall not be located within the Queen Street East frontage, generally defined as any lands within approximately 50 metres of the Queen Street East street line;
- b) The proposed development implements the urban form character principles in Section 8.2 and the applicable Interim Design Guidelines in Appendix B;
- c) A long-term phasing or development concept including site-specific design guidelines is submitted to the City's satisfaction, to illustrate how the proposed development will be able to transition and intensify over the long term to achieve the land use and density requirements of the Central Area Mixed-Use designation under Section 5.1.2;
- d) The development is planned to support implementation of the long-term road network and considers consolidated access; and,
- e) Any proposed retail warehouse use shall only be permitted if it is integrated into a multi-storey mixed-use building.

Policies Related to the Existing Industrial Uses

- 9.1.6 It is recognized that there are several existing industrial uses located in the Central Area Mixed-Use designation between Etobicoke Creek and Highway 410, and north of Eastern Avenue/Clark Boulevard. In these areas, which are exclusive of any lands designated Industrial on Schedule SP36(A), existing industrial uses shall be recognized as permitted uses but shall not be permitted to expand except where it is demonstrated that:
- a) The proposed expansion will not adversely affect other adjacent uses due to noise, vibration, odour, parking needs, lighting, dust, smoke or other impacts, and appropriate buffers, setbacks and location of the expansion will be used to mitigate impacts;
 - b) The proposed expansion will not adversely impact the ability of adjacent lands to be developed or redeveloped for the permitted uses, including sensitive uses (residential), due to increased noise or other impacts which would normally necessitate greater separation; and,

7.2-138

- c) The proposed expansion is minor in scale and size, generally not exceeding an increase of 10% of gross floor area.

Policies Related to the Existing Single Detached Dwellings

9.1.7 It is recognized that there are existing single detached residences in the Central Area Mixed-Use designation between Etobicoke Creek and Highway 410, and these uses are not consistent with the long-term vision for the corridor. For these uses, the following policies shall apply:

- a) With respect to single detached dwellings fronting directly onto Queen Street East, the existing single detached dwellings shall be recognized as legal non-conforming uses, and this shall be implemented in the Zoning By-law; and,
- b) The City will encourage the consolidation and redevelopment of these dwellings for higher-density, mixed uses, in accordance with this Plan.

9.2 Transition of Other Central Area Mixed-Use Lands (east of Highway 410)

9.2.1 Notwithstanding the policies of section 5.1.2, properties designated Central Area Mixed-Use on Schedule SP36(A), excluding all lands located between Etobicoke Creek and Highway 410, may be developed in the interim for a range of lower-order commercial uses, subject to the judicious use of landscaping, the controlled use of signs, and the prohibition of outside storage of equipment or materials associated with the proposed use.

(13) Section 10.0 – Implementation is hereby amended by deleting newly renumbered policy 10.3.

Approved as to
content.

20__/month/day

[insert name]

APPENDIX

C Zoning By-law Amendment



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

To amend By-law 270-2004, as amended

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 adding to Section 3.1.2 the following zone:

“Queen Street Mixed Use Transition - QMUT”

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

From:	To:
Service Commercial (SC-3453, SC-3103, SC-3375, SC-3174, SC-3199, SC-3058, SC-3072, SC-3083, SC-3105, SC-3123, SC-3136, SC-3150, SC-3155, SC-3160, SC-3201, SC-3214, SC-3255, SC-3303, SC-3350, SC-3382); Highway Commercial One (HC1-3453, HC1-3454, HC1, HC1-3153, HC1-3138, HC2, HC1-3053, HC1-3069, HC2-3179, HC1-3232, HC1-3250), Highway Commercial Two (HC2-3453); Commercial Two (C2-3404, C2-3162); Commercial Three (C3-3064, C3-3256).	Queen Street Mixed Use Transition (QMUT)

(3) By adding thereto the following section:

“ 29.3 QUEEN STREET MIXED USE TRANSITION – QMUT

29.3.1 The lands zoned QMUT on Schedule 'A' to this by-law shall only be used for the following purposes:

- a. Commercial
 - i. a retail establishment having no outside storage
 - ii. a service shop
 - iii. a personal service shop
 - iv. a bank, trust company, or finance company
 - v. a dry cleaning and laundry distribution station
 - vi. a laundromat
 - vii. a dining room restaurant, a convenience restaurant or a take-out restaurant
 - viii. a tavern
 - ix. a printing or copying establishment
 - x. a commercial, technical or recreational school
 - xi. a community club
 - xii. a health centre or fitness centre
 - xiii. a recreational facility
 - xiv. an art gallery, museum or art/photo studio
 - xv. a convenience store or grocery store
 - xvi. a travel agency
 - xvii. an office
 - xviii. a hotel
 - xix. a shopping centre
 - xx. a banquet hall
 - xxi. a place of commercial recreation
 - xxii. a supermarket
 - xxiii. an animal hospital
 - xxiv. a theatre
 - xxv. a body art and/or tattoo parlour
 - xxvi. an amusement arcade
 - xxvii. a motor vehicle rental or car sharing establishment (small-scale)
- b. Institutional
 - i. a place of worship
 - ii. a day nursery
 - iii. a private or public school
 - iv. a library
 - v. a community centre
 - vi. a private or public hospital
 - vii. a public park
- c. Other
 - i. purposes accessory to the other permitted uses

29.3.2 Shall not be used for the following purposes:

- a. Prohibited Uses
 - i. an adult video store
 - ii. an adult entertainment parlour
 - iii. a massage or body rub parlour
 - iv. a drive-through facility associated with any use

29.3.3 Shall be subject to the following requirements and restrictions:

- a. Maximum Building Height: 4 storeys

7.2-142

By-law Number _____ - 2019

- b. Minimum Lot Width: The existing lot width
- c. Minimum Lot Depth: The existing lot depth
- c. Minimum Front Yard Depth: 0.0 m
- d. Maximum Front Yard Depth: The greater of the existing front yard setback or 4.5 m
- e. Minimum Exterior Side Yard Width: 0.0 m
- f. Maximum Exterior Side Yard Width: The greater of the existing exterior side yard setback or 4.5 m
- g. Minimum Interior Side Yard Width: 0.0 m
- h. Minimum Rear Yard Depth: 7.5 m
- i. Maximum Gross Floor Area
 - i. For uses listed as permitted uses, the maximum gross floor area shall be the existing gross floor area that existed on the date of passing of this By-law amendment, plus 10%.
 - ii. For any other use, including any legal non-conforming use, the maximum gross floor area shall be the existing gross floor area as it existed on the date of passing of this By-law amendment.
- j. Minimum Landscaped Buffer Area: A landscaped buffer area having a width not less than 1.5 m shall be provided between any portion of a parking area and a street. The landscaped buffer area may be crossed only by walkways and driveways to provide pedestrian or vehicular access into or out of the site from the street or sidewalk.
- k. Drive-Through Facilities: An existing legal non-conforming drive-through facility shall not be permitted to expand in terms of the number of stacking lanes or stacking spaces as they existed on the date of the passing of this By-law amendment.
- l. For the purposes of the QMUT zone, the following term is defined:

MOTOR VEHICLE RENTAL OR CAR SHARING

ESTABLISHMENT (SMALL-SCALE) shall mean premises used principally for the temporary storage of up to five (5) motor vehicles, excluding oversized motor vehicles, for the purposes of rental or temporary usage by members or patrons of a car sharing business.

(4) By adding to Section 3.1.2 the following zone:

“Future Development - FD”

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By-law Number _____ - 2019

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

From:	To:
Industrial Two (M2); Residential Single Detached B (R1B), Residential Single Detached B – 3453 (R1B- 3453)	Future Development (FD)

- (6) By adding thereto the following sections:

“29.4 Future Development – FD

29.4.1 The lands zoned FD on Schedule ‘A’ to this by-law shall only be used for the following purposes:

- a. A building, structure or use that was existing on the date of the passing of this By-law amendment.

29.4.2 Shall be subject to the following requirements and restrictions:

- a. Maximum Building Height: The existing building height
- b. Minimum Lot Width: The existing lot width
- c. Minimum Lot Depth: The existing lot depth
- d. Minimum Front Yard Depth: The existing front yard depth
- e. Minimum Side Yard Width: The existing side yard width
- f. Minimum Rear Yard Depth: The existing rear yard depth
- g. Maximum Gross Floor Area: The existing gross floor area

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

From:	To:
Commercial Three – 3064 (C3 – 3064)	Queen Street Mixed Use Transition – 2946 (QMUT – 2946)

2946.1 The lands zoned QMUT - 2946 on Schedule ‘A’ to this by-law shall only be used for the following purposes:

- a. The uses permitted in the QMUT zone to this by-law.

2946.2 Shall be subject to the following requirements and restrictions:

- a. For the purposes of this section, the front lot line shall be the lot line abutting Queen Street East.
- b. Minimum building height for any portion of any building within 65 metres of Queen Street East shall be 2 storeys.
- c. Minimum building height for any portion of any building located within 50 metres of the westerly boundary of the lands zoned

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By-law Number _____ - 2019

QMUT – 2946 and set back between 65 metres and 165 metres from Queen Street East shall be 6 metres.

- d. Maximum front yard depth shall only apply to a 2 storey building located within 65 metres of Queen Street East.
- e. Minimum Rear Yard Depth: 1.5 metres
- f. Notwithstanding Section 2946.2 (d), the minimum building setback from Highway 410 and the on-ramp rounding shall be 14 metres.
- g. The maximum gross floor area requirement under Section 29.3.3 (i). shall not apply.
- h. All lands zoned QMUT – 2946 shall be treated as one lot for zoning purposes.”

ENACTED and PASSED this 23rd day of October, 2019.

Approved as to form. 20 __/month/day [insert name]

Patrick Brown, Mayor

Approved as to content. 20 __/month/day [insert name]
--

Peter Fay, City Clerk

APPENDIX

D

Interim Urban
Design
Guidelines

1.0 INTERIM DESIGN GUIDELINES

1.1 Preamble

The following interim guidelines are intended to provide guidance on physical form to all future development in the Secondary Plan Area until Council has adopted the District Design Guidelines referred in Section 8.2 of this Plan. The completion of the District Design Guidelines is subject to the completion of ongoing studies, such as the Queen Street - Highway 7 Bus Rapid Transit Study, implementation of Major Transit Station Areas under the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, as well as the Official Plan Review. The City is also examining the potential to utilize a Community Planning Permit System. It is anticipated that, through these studies, permitted uses, heights and densities will be further defined in the Corridor. Once final determination of permitted uses, densities and other considerations has been made, it is the intent of the City to update and finalize the District Design Guidelines to align with the long-term policy direction.

Until that time, the goal of these interim guidelines is to start delivering urban built form elements that will create an environment where people want to live, play, shop and work as the Queen Street Corridor evolves. This includes a framework for guiding the transition of low-rise commercial areas in the Central Area Mixed Use Designation in a manner that contributes positively towards the long-term intended built form of the corridor.

These interim guidelines are organized in six topic areas as follows:

- i) spatial organization;
- ii) building height and massing;
- iii) design in the public realm;
- iv) site access;
- v) other environmental considerations; and
- vi) transition of low-rise commercial areas (between Highway 410 and Etobicoke Creek).

1.2 Spatial Organization

- 1.2.1 Every development shall be considered for its spatial relationship to the immediate neighbourhood. Building forms and the spaces between them shall be considered as visual compositions as viewed sequentially along the street rather than as individual developments.

1.3 Building Height and Massing

- 1.3.1 The primary elements of building massing are height and setbacks. Subject to the formulation of the District Design Guidelines, these characteristics will be determined on a site-specific basis through the application of land use densities, parking standards and setback specifications.
- 1.3.2 To promote human-scale development, a general setback angle will apply to buildings which face public streets where no building may rise above a plane inclined 45 degrees from the horizontal which intersects the opposite line of the designated public street right-of-way forming the frontage of the property. On narrow streets where the right-of-way is 26 metres (85 feet) or less, the height of the building wall facing the street will be limited to three storeys and the higher floors will be stepped back 6 metres (20 feet). Setback provisions that ensure human-scale development and adequate sunlight penetration shall also be established where the rear property line abuts residential development.

1.4 Design in the Public Realm

- 1.4.1 The City shall encourage creative detailing of building façades, taking into account the visual context of the neighbourhood. Special consideration shall be given to the arrangement of entrances and windows for optimum exposure to the street and other surrounding public open spaces. Special effects through the use of colour, texture, mouldings, murals and faux painting are also encouraged where appropriate.
- 1.4.2 The City shall encourage the provision of safe, attractive pedestrian environments which promote walking as a primary means of access within the district. On commercial frontages such pedestrian amenities shall include ample space for sidewalk merchandising, displays, seating, planters, snow storage, bicycle racks.
- 1.4.3 The roofs of buildings 5 storeys or less shall be considered as surfaces requiring design effort and attention, as they form a prominent part of the landscape as seen from higher buildings. Roof equipment and appurtenances shall be organized and neatly laid out. Rooftops may not be used for storage. On roofs of structured parking lots, rooftop recreation or garden provision is encouraged.
- 1.4.4 The use of overhead shelter through such means as canopies, skylights or awnings shall be encouraged for the protection of pedestrian areas against adverse weather conditions. Where the sidewalk space is also used for commercial display purposes, the method of weather protection shall be deep enough to allow pedestrians to pass these displays and still remain under cover.
- 1.4.5 All new developments shall incorporate the principles of C.P.T.E.D. (Crime Prevention through Environmental Design) for the purpose of reducing the fear and incidences of crime within the Secondary Plan by increasing opportunities for surveillance of accessible spaces.

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- 1.4.6 The City shall encourage signage which adds to the diversity and colour of the street while presenting an unobtrusive, positive image and identification for the tenants. The City shall also encourage attention to the placement of signs in relation to other streetscape components, such as trees, to ensure that signage remains reasonably visible from the street over the long term. Consistent identification of individual addresses, clearly visible from the street shall also be encouraged. The City may prescribe uniform signage for this purpose.
- 1.4.7 Subject to the adoption of a decorative street light design and appropriate new lighting grid for the district, each new development shall incorporate special lighting to encourage night-time pedestrian activities.
- 1.4.8 The City shall encourage the appropriate use of a variety of surface treatments such as brick pavers, concrete, grass and other vegetative ground covers.
- 1.4.9 The City shall encourage the retention of large trees along streets and the provision of additional trees to promote the objective of continuous urban forest where practicable. If it is necessary to remove an existing large tree from within the street right-of-way, it shall be replaced by other specimen quality trees of an appropriate size and in a suitable location elsewhere within the right-of-way, as determined by the City.
- 1.4.10 The City shall encourage the provision of street furniture in the district including benches, planters, lighting, trash containers and bicycle stands.
- 1.4.11 The City shall encourage the use of floral displays as a seasonal streetscape improvement element in the Secondary Plan Area.
- 1.4.12 The City shall encourage the use of special streetscape improvement features in the Secondary Plan Area including, but not limited to: centre medians, flags, banners and water features.

1.5 Site Access

- 1.5.1 Site design shall take into account efficient vehicular circulation, including internal site movement, interconnectivity between sites, access and the relationship to the overall transportation network for the Secondary Plan Area.
- 1.5.2 Site design shall take into account the efficient provision of transit facilities including bus bays, transit stops, shelters and other weather protection features, efficient pedestrian connections to transit facilities, and the relationship to the overall transportation network for the Secondary Plan Area.
- 1.5.3 Site design shall take into account the efficient movement of emergency and service vehicles.
- 1.5.4 The City shall encourage the use of planting screens whenever possible in surface parking areas. Surface parking lots shall be bordered by a strip 3 metres in width

along the street. Surface parking lots containing over 50 spaces shall be subdivided into small parking courts through the provision of a 1.5-metre-wide landscaped area.

- 1.5.5 The City shall encourage the provision of structured parking either below or above grade in the Residential designations which permit densities above 20 units per acre, and in the Central Area Mixed-Use and Primary Office Node designations.
- 1.5.6 On sites where loading areas are visible from main streets or residential areas, screening shall be provided to block public view.
- 1.5.7 The City shall discourage the proliferation of private roads in new development within the Secondary Plan Area. If private roads are built as part of a large development, they shall not have entry gates. Public sidewalks and vehicular access shall continue along the road as if it were a public street.

1.6 Other Environmental Considerations

- 1.6.1 All development in the Secondary Plan Area shall be consistent with the noise attenuation, drainage, air quality, energy conservation and environmental management policies of the Brampton Official Plan.

1.7 Transition of Low-Rise Commercial Areas (Central Area Mixed Use Designation between Highway 410 and Etobicoke Creek)

- 1.7.1 Lands designated Central Area Mixed Use in the area generally located between Highway 410 and Etobicoke Creek are expected to transition to mixed-use development over time. Any interim expansions, reconstruction or infill development of low-rise commercial uses should be designed in such a manner that contributes to, and does not preclude, the future positive transformation of Queen Street East into a pedestrian-oriented corridor.

While the City will strongly encourage lands to redevelop to the higher density, mixed-use format that is intended by the Secondary Plan as a priority, it is recognized that interim uses and development may be proposed and can be designed in a manner that contributes positively to the long-term vision for the corridor. However, this will require thoughtful site design and consideration, and each development proposal is likely to be unique.

The purpose of the Guidelines of Section 1.7 is to provide guidance for the suitable long-term transition of low-rise commercial areas. The application of these guidelines will vary considerably based on the individual context of the site and the proposed development, and the City will exercise judgement and discretion in its application of these guidelines.

Proposals for the Minor Expansion of Existing Low-Rise Commercial Buildings

- 1.7.2 There may be circumstances where an existing low-rise commercial building is proposed to be expanded in terms of floor area, to accommodate the changing needs of the business. Where an expansion to a low-rise commercial building is proposed and is permitted in accordance with the Secondary Plan, the following guidelines will apply:
- a) The location or extent of the expansion should not compromise any planned roadways or opportunities to consolidate site access with adjacent sites.
 - b) A proposed expansion into the front or exterior side yard should consider integrating a more pedestrian-oriented design, including incorporating functional doors directly front onto public realm, pedestrian-oriented access from the street, as well as suitable landscaping. Further, consideration should be made to relocating any front yard parking/aisles in favour of the expansion and landscaping, where feasible, while ensuring adequate site circulation is maintained.
 - c) The expansion should not negatively impact any adjacent sensitive uses, and consideration should be made to integrate increased landscaping/buffers, fencing and setbacks.

Proposals for the Reconstruction of Existing Low-Rise Commercial Uses

- 1.7.3 The following guidelines will apply for the reconstruction of existing low-rise commercial buildings:
- a) The City envisions Queen Street East frontage to be utilized for a mix of uses with a minimum height of four storeys.
 - b) Reconstructed low-rise buildings should be located internally in the site to minimize negative impact to the Queen Street East frontage.
 - c) There may be opportunity to incorporate internal urban streets within the site, to create improved connectivity throughout the Corridor. Where internal urban streets are possible, they should be framed in large part by multi-storey mixed-use buildings and incorporate streetscape improvements with pedestrian amenities (pedestrian-scaled lighting, benches and landscaping).
 - d) The City will promote landscaping, streetscaping of Queen Street East, where applicable to buffer any parking areas and buildings.
 - e) The reconstructed building should be compatible with adjacent sensitive uses through the use of a suitable landscaped buffer strip and separation of parking and loading areas.

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- 1.7.4 In certain cases, it may be desirable for the reconstruction of a low-rise commercial building to be reconstructed closer to the Queen Street East frontage to promote the gradual transition towards a pedestrian-oriented built form. In these cases, the following guidelines apply:
- a) The City will encourage the reconstruction to achieve at least two functional storeys for buildings that directly front onto Queen Street East.
 - b) The building and active-outdoor uses (such as outdoor patios) should be designed to achieve a street wall of at least 70% of the lot frontage.
 - c) Parking areas should be located in the rear of the lot preferably, or in an interior side yard where the rear yard does not provide sufficient space to achieve the applicable minimum parking requirement in the Zoning By-law. In no case should a parking area be located in a front yard or exterior side yard, with the exception of lay-by parking configured to a way that is satisfactory to the City.
 - d) The City will encourage the provision of outdoor restaurant patios close to Queen Street East in conjunction with a reconstructed restaurant.

General Guidelines

- 1.7.5 Where feasible, as part of any development project involving low-rise commercial uses, opportunities for consolidating site access should be explored to minimize and reduce direct access to Queen Street East.
- 1.7.6 Parking areas should incorporate appropriate landscaping areas and low impact development features to contribute positively to infiltration and promote aesthetics, shade and greening.
- 1.7.7 Development will be required to facilitate the planned road network as shown on Schedule B of the Secondary Plan. Further, future access to the planned road network or any planned laneway should be provided for in the site planning process. More specifically, Schedule B and Section 6.2 of the Secondary Plan identify an extension of Clark Boulevard eastward from Hansen Road to Rutherford Road, a new east-west collector road between Queen Street East and Clark Boulevard and several new north-south collectors between Kennedy Road and Highway 401, on the south side of Queen Street East.
- 1.7.8 The City may request a demonstration plan covering the subject development block and the abutting areas to the satisfaction of the City, to demonstrate the implementation of these guidelines, and to illustrate a long-term plan for phasing in desired long-term mixed uses and built form.

2.0 SPECIAL STREETScape IMPROVEMENTS

- 2.1 The locations, treatments and implementation strategies for the Special Streetscape Improvements identified in Section 8.4 of this Plan are to be formulated by the City in cooperation with the affected property owners. The timing of these improvements will be determined by Council depending upon the current level of interest from property owners in the particular area and the availability of funding and staff resources to coordinate the work. Specific improvement projects, when approved by Council will be attached to Appendix B of this Plan.

Appendix 7 - Public Meeting Minutes – September 9, 2019

Members Present:

Regional Councillor M. Medeiros – Wards 3 and 4 (Chair)
Regional Councillor P. Fortini – Wards 7 and 8 (Vice-Chair)
Regional Councillor P. Vicente – Wards 1 and 5
Regional Councillor R. Santos – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor G. Dhillon – Wards 9 and 10
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4
City Councillor C. Williams – Wards 7 and 8
City Councillor H. Singh – Wards 9 and 10

Staff Present:

Planning and Development Services:

R. Forward, Commissioner
R. Conard, Director of Building and Chief Building Official
A. Parsons, Director, Development Services
B. Bjerke, Director, Policy Planning
D. VanderBerg, Central Area Planner
S. Eshesh, Assistant Policy Planner

Corporate Services:

J. Zingaro, Deputy City Solicitor
A. D'Andrea, Legal Counsel

City Clerk's Office:

P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
S. Danton, Legislative Coordinator

Members of the Public Present:

None

Appendix 8 - Summary and Response to Public Comments

Below is a summary of the comments/questions that have been received at the two open house meetings and at the statutory public meeting. A response is provided below to each comment/question.

Comment:

Because Queen Street East is a crucial corridor with relatively limited access for residents, intensification must be well planned, incorporate a mix of uses and include adequate parking. The corridor should not be just for commuters.

Response:

It is recognized in Provincial, Regional and City plans that the Queen Street corridor is a strategic location in Brampton for growth and intensification. With the understanding that Queen Street East will evolve into a higher order transit corridor, it is important to ensure that the policies and zoning are amended to prevent development that may hinder the City's ability to achieve its planning objectives for the area.

The ultimate built form and uses along the Queen Street East corridor will evolve through other ongoing studies (i.e. Queen Street Bus Rapid Transit Study, Region of Peel Major Transit Station Area Study) and it is intended that the Secondary Plan policies and zoning along the Queen Street corridor will be reviewed and updated again in the future to reflect any refinements or requirements to built form, density or other policies.

In addition, Council is interested in implementing a CPPS By-law for Queen Street East (between Downtown and Highway 410), as a way to facilitate and streamline development, improve certainty, make further improvements to development outcomes that will all help to attract investment and employment in the City.

Comment:

Pre-zoning for high density uses should be the preferred option, to encourage change, make the city more liveable and discourage uses that serve people coming from far away by car. Transitional Zoning is a "watered-down" response the Growth Plan and Official Plan vision that won't encourage change in the near future.

Response:

The Queen Street Corridor Land Use Study recommends that it is premature to pre-zone all of the lands within the Study Area in recognition of ongoing assessments of potential future Major Transit Station Areas, where requirements for height, density and permitted uses may be further refined in the future.

It has been recommended through the Queen Street Corridor Land Use Study that a transitional zoning framework is the most suitable approach for ensuring that the vision

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for the corridor is not compromised but that a reasonable degree of opportunity is afforded to existing businesses that are not ready to redevelop. Transitional provisions should not preclude the implementation of the overall long-term vision for the corridor. Redevelopment of low-rise commercial uses can be desirable where it assists in transitioning the corridor towards a more pedestrian-friendly format.

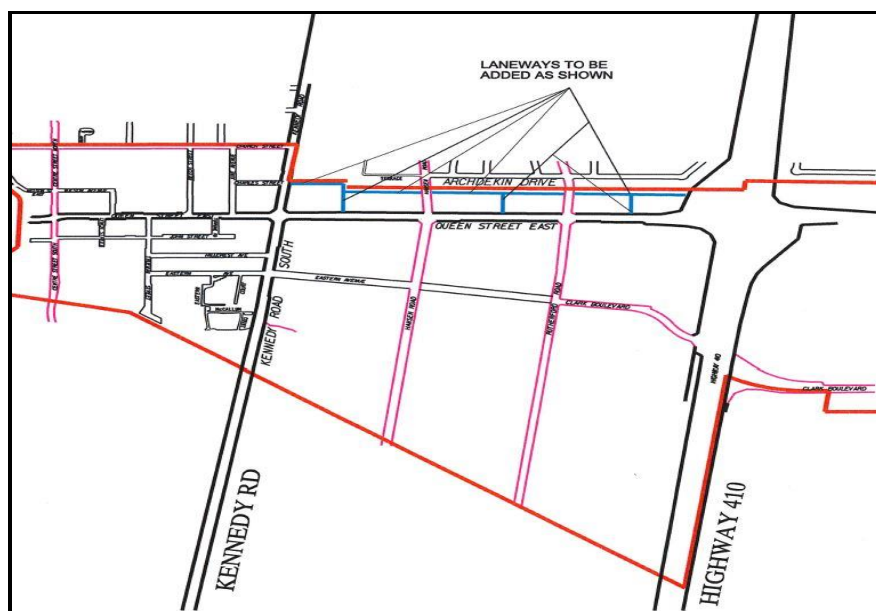
Question:

Will there be new transportation infrastructure, such as a new service road, north of Queen Street East, in between Hansen Road and Highway 410?

Response:

A recent Official Plan Amendment was adopted by Council that designated a finer grain road network within the Queen Street Corridor Secondary Plan Area 36 for the large blocks located between Queen Street East and Eastern Avenue/Clark Boulevard from Kennedy Road to Highway 410. This finer grain road network within the quadrant will create more reasonably scaled development blocks with local street frontages and additional traffic routes around development nodes, in addition to facilitating the transformation of existing blocks into a more accessible, walkable and efficient street pattern, consistent with the vision for the Queen Street Corridor Secondary Plan.

The amendment added policies regarding the need to plan for a laneway network at the rear of the properties located on the north side of Queen Street East between Kennedy Road North and Highway 410 as part of redeveloping these properties. As a condition of development approval for lands on the north side of Queen Street East, applicants shall convey, as appropriate, the necessary property and construct a public laneway at the rear of their property and to connect to Queen Street as shown on the excerpt below (Schedule D – Laneway Network).



Question:

Will this study be of any benefit to the property holder (i.e. will this increase property value in any way)?

Response:

The proposed amendments will permit existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor.

A change in property value is not a planning consideration that can be evaluated pursuant to the requirements of the *Planning Act*.

Comment:

I would like to see the construction of a condominium apartment building at the corner of Queen Street and Rutherford Road.

Response:

There is a vacant parcel of land at the north-east corner of Queen Street and Rutherford Road North that is owned by a private landowner. Since this property is privately owned, the City does not have any control on the timing of the redevelopment of this property. This property is currently zoned "Highway Commercial One (HC1)", which does not permit residential uses. The Queen Street Corridor Land Use Study recommends a "Future Development" zone on any vacant commercially zoned sites, as the transitional policy framework would not be applicable, and any redevelopment on a vacant parcel will require the submission of an Application to Amend the Zoning By-law.

Comment:

Intensification without well planned arterial road construction will make the traffic conditions in the area worse.

Response:

As discussed above, a recent Official Plan Amendment was adopted by Council that designated a finer grain road network within the Queen Street Corridor Secondary Plan Area 36 for the large blocks located between Queen Street East and Eastern Avenue/Clark Boulevard from Kennedy Road to Highway 410. This finer grain road network within the quadrant will create more reasonably scaled development blocks with local street frontages and additional traffic routes around development nodes, in addition to facilitating the transformation of existing blocks into a more accessible, walkable and efficient street pattern, consistent with the vision for the Queen Street Corridor Secondary Plan.

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In addition, as part of the CPPS By-law that the City will be implementing in the future for a portion of the Queen Street Corridor (between Etobicoke Creek and Highway 410), a Master Transportation Plan will be required to be prepared to evaluate the existing transportation conditions and to develop a holistic strategy to manage future transportation demands.

Comment:

Mixed use of commercial shopping is required.

Response:

The Study Area is designated “Central Area” in the Official Plan and it is the intent that the Central Area will serve as a major location for mixed-use developments. With an improved pedestrian environment and upgraded transit, the Central Area is expected to realize significant residential, commercial and tourism activities.

The Study Area is designated “Central Area Mixed-Use” in the Queen Street Corridor Secondary Plan. It is the intent of the Central Area Mixed-Use designation to accommodate mixed-use development with any combination of commercial, retail, office, residential, hotel, open space, recreational, institutional, entertainment and cultural uses managed as a unit. This could include both freestanding uses and a combination of office, retail, commercial, institutional or residential uses.

Comment:

Adequate parking shall be provided for all uses.

Response:

The Queen Street Corridor Land Use Study is not proposing to amend any of the parking requirements in the Zoning By-law.

Comments:

- Pre-Zoning the Queen Street Corridor for high density residential uses with mixed retail and service uses is preferred. Proximity to the Peel Memorial Hospital and future University begs for future high residential with fully walkable livable streetscape rather than car oriented businesses.
- The Transitional Zoning approach is a “watered down lip service” to the Province’s demand and vision. It is a rather “let’s wait and see” approach, not really a change for the near future.

Response:

The Queen Street Corridor Land Use Study does not recommend pre-zoning the corridor in accordance with the Official Plan and Secondary Plan policies. The ultimate built form and density requirements along the Queen Street Corridor will evolve through other ongoing studies (i.e. Queen Street Bus Rapid Transit Study, Region of Peel Major Transit

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Station Area Study) and it is intended that the Secondary Plan policies and zoning along the Queen Street Corridor will be reviewed and updated again in the future to reflect any refinements or requirements to built form, density or other policies.

As stated previously City Council is interested in implementing a CPPS By-law for a portion of the Queen Street East Corridor (between Downtown Brampton and Highway 410). The proposed CPPS By-law will essentially “pre-zone” the lands for the built form and uses that are required to achieve the Urban Growth Centre density target of 200 residents and jobs combined per hectare.

Comment:

Please make our City more livable, not more drivable.

Response:

A key concern for the City is managing the transition of the Central Area from its current, space extensive retailing, highway commercial and automotive related uses to a build-out of the envisioned mixed-use, pedestrian- and transit-oriented Urban Growth Centre. The transitional policies and zoning provisions that are being recommended as part of the Queen Street Corridor Land Use Study are intended to ensure that transitional development does not inhibit or preclude desirable and planned future redevelopment within the Corridor.

Correspondence from Bousefields Inc. dated September 4, 2019 on behalf of Investors Real property Fund (Bramrose Square)

Summary of Comments:

1. Request to add a retirement residence and an apartment dwelling to the list of permitted uses within the QMUT – 2946 zone.
2. That the Bramrose Square property be exempt from the maximum building height restriction of 4 storeys in the QMUT zone.
3. That the lands zoned QMUT-2946 be treated as one lot for zoning purposes to allow for the shared use of required parking throughout the entire property.

Response:

1. Additional Permitted Uses/Exemption from Building Height

A retirement residence and an apartment dwelling are not proposed to be included as permitted uses within the QMUT zone. The Queen Street Corridor Land Use Study concluded that pre-zoning the corridor was premature pending further assessment of long-term built form and use, which will occur through other studies and planning processes. The QMUT zone was mainly designed to facilitate transition of low rise commercial buildings and to ensure that transitional

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commercial development does not inhibit or preclude desirable and planned future redevelopment within the Corridor.

Council is interested in implementing a Community Planning Permit System (CPPS) By-law for Queen Street East (between Downtown and Highway 410). Staff are currently preparing a Queen Street East Precinct Plan that is intended to outline development principles and guidelines for a portion of the City's Urban Growth Centre at a level of detail that is not included in the Queen Street Corridor Secondary Plan. The Precinct Plan will provide design concepts and development guidelines for the implementation of public infrastructure, as well as the built form of new commercial, office and residential development and will provide the foundation for the preparation of the CPPS By-law.

It is recommended that a Zoning By-law Amendment Application be submitted to seek permissions for a retirement residence and an apartment dwelling and to request the appropriate zoning standards, including maximum height, and possibly maximum dwellings, unit types, etc.

2. Provision for Future Subdivision of the Property

A provision has been included in the site-specific zone (QMUT – 2946) for the Bramrose property that requires that all of the land zoned as QMUT-2946 shall be treated as one lot for zoning purposes.

Correspondence from Miller Thomson Avocats/Lawyers dated September 9, 2019 on behalf of 960906 and 1049657 Ontario Limited – 261-263 Queen Street East

Summary of Comments:

1. The proposed amendments in their current form require further review and public consultation.
2. The amendments are lacking direction for allowing new mixed-use development to proceed.
3. The proposed transition framework does not address the long-term vision of Queen Street.
4. The City should explore alternative mechanisms that would allow for new mixed-use development proposals to proceed.

Comments on the specific policies and zoning provisions can be found in the correspondence from Miller Thomson attached in Appendix 9.

Response:

In staff's opinion there has been adequate opportunities for the public to be involved in the Queen Street Corridor Land Use Study and to provide comments on the draft implementing documents. There have been two public open houses that were held in

June 2018 and June 2019 and a statutory public meeting that was held in September 2019. There will be numerous public engagement opportunities through the CPPS By-law planning process for members of the public to participate in.

As stated in the Recommendation Report, it is not the intent of the implementing documents to pre-zone the lands within the Study Area for the ultimate uses and built form. It is the intent of the proposed policies and zoning provisions to permit existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses (transitional development) does not inhibit or preclude desirable and planned future redevelopment within the Corridor.

If the owner of 261 – 263 Queen Street East would like to pursue a mixed-use development, prior to the CPPS By-law being enacted, they can submit an Application to Amend the Zoning By-law.

Response to Draft Official Plan Amendment Comments

Mixed-Use Areas

1. Policy 5.1.2.2 - Staff does not agree with the suggested deletions “developed with convertible frontages” and “to preserve future opportunity...” The policy simply “encourages” these items “where appropriate” and is already discretionary.
2. As stated previously, staff are currently preparing a Queen Street East Precinct Plan that is intended to outline development principles and guidelines for a portion of the City’s Urban Growth Centre at a level of detail that is not included in the Queen Street Corridor Secondary Plan. The Precinct Plan will provide design concepts and development guidelines for the implementation of public infrastructure (streets, parks and trails, and community facilities) as well as the built form of new development and will provide the foundation for the preparation of the CPPS By-law. Given Council’s direction to implement a CPPS By-law, a template zone is not being recommended as part of the Queen Street Corridor Land Use Study.

Lot Consolidation

1. Policy 5.2.2.3 - Staff have difficulty understanding the difference between “encouraged” lot consolidation and the requested “preferred” lot consolidation and are therefore leaving the word as “encouraged.”
2. Policy 5.2.2.3 - Staff does not agree with the requested deletion of “Tertiary Plan.” The proposed wording is that a tertiary plan “may be required”. A Tertiary Plan is not always going to be requested, it is discretionary.

Transitional Policies (Policies 9.1)

As discussed previously in this report, it is not the intent of the implementing documents to pre-zone the lands within the Study Area for the ultimate uses and built form. It is the intent of the transitional policies to permit existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses (transitional development) does not inhibit or preclude desirable and planned future redevelopment within the Corridor. Staff is not recommending any changes to the transitional policies.

Implementation Policies

There is no need in the policies to state that a mixed-use development may proceed by way of an Application to Amend the Zoning By-law.

Draft Zoning By-law Amendment Comments

Staff does not support adding residential uses, as this would represent pre-zoning. Further, the lot and building requirements for the QMUT zone may not be appropriate for residential uses. The QMUT zone was designed to facilitate transition of the low rise commercial uses. Simply adding residential uses is not appropriate as part of this Study.

Staff does not agree that adequate justification has not been provided. The justification in WSP's Zoning Conformity Analysis is clear on why it is premature to pre-zone the lands along the Queen Street Corridor.

The very last comment on the letter about including explicit language in the Official Plan Amendment to 'permit new development that meets the objectives of the Queen Street Corridor', is not an appropriate statement to be included in a Zoning By-law and could not otherwise be implemented without pre-zoning.

Correspondence from Designed Precision Castings Inc. dated August 23, 2019

Summary of Comments

1. The City should create a "cool zone", which is a mixed-use retail, commercial, residential that would allow for the building of restaurants with outdoor zones, high end retail boutiques, commercial offices and residential space to create a much needed density and joy.
2. The boundaries of the Queen Street Corridor Land Use Study and/or future Community Planning Permit System By-law should be revised to be Orenda Road on the south, Kennedy Road on the west, Hansen Road on the east and Eastern Avenue to the north.

Response

7.2-162

It is not recommended that the boundaries of the Queen Street Corridor Land Use Study be amended as the Study has been underway for almost two years and the City's consultant has provided their recommendations based on the boundaries that were approved by Council. The Study boundaries were determined based on the limits of the Urban Growth Centre, as defined by the Province in the 2017 Growth Plan for the Greater Golden Horseshoe and based on the "Central Area Mixed Use" designation in the Queen Street Corridor Secondary Plan. Some lands within the Urban Growth Centre boundaries and "Central Area Mixed Use" designation were excluded from the Queen Street Corridor Land Use Study area as they have been recently developed or have received approval from Council for uses that align with the "Central Area Mixed Use" designation or have existing residential and institutional uses.

The area that has been requested to be a "cool zone" is currently designated "Service Commercial" and "Industrial" in the Queen Street Corridor Secondary Plan. The Industrial designation is intended to provide for the continuing operation and appropriate expansion of viable industrial uses in the area. Minor concentrations of low density, corporate offices in association with manufacturing, industrial research and development or logistical distribution/warehousing functions and local serving business services are permitted within the Industrial designation. To protect existing industrial operations within the secondary plan or on adjacent lands, the secondary plan restricts the introduction of uses that would be incompatible with such existing industrial operations.

Council is interested in implementing a CPPS By-law for Queen Street East (generally between Downtown and Highway 410). The formal boundaries of the CPPS By-law have not been approved by Council. The request that the CPPS By-law shall include the area bounded by Orenda Road, Kennedy Road, Eastern Avenue and Hansen Road can be requested through the public consultation process for the CPPS By-law, which has not commenced yet.

7.2-163

Gervais, Michelle

From: debbie
Sent: 2018/05/29 10:28 PM
To: Gervais, Michelle
Subject: Queen Street Corridor Meetings....upcoming

Hello Michelle

I would like to be added to the updates you plan to send out. I have a vested interest in this area not only because I am a Realtor but I live on Hillcrest Ave. and have already seen an impact on this area with the demolition of the Brampton Civic and the new build of the Brampton Medical Centre, the change in the 215 Queen St. high rise that has INCREASED the number of floors of that condo to be built, the redevelopment of the commercial building at Queen and Lynch covering to condo's and the change in traffic flow, one way street and the increase of the bus service into the Hospital and the poorly designed road access at Centre St. S and John St. (near the Dairy Queen).

I have contacted the traffic department regarding problems on Queen St. and on the west side of Highway 410 when it was under construction and I did not back down when they responded to me...I sent a colour coded map of the poor planning and potential accidents from their revamping the road and light signals.

Being a practical person and one who does not mind change for the better I am always a bit reluctant when the planners look at MAPS to make decisions and don't actually LIVE and DRIVE in the area they revamp AND I HATE the waste of money that is done by all the different departments because someone moves forward with changes BUT it is not thought out enough and has to be RE-DONE or TORN UP and the RE-DONE. I also hate when sod is put down after work is completed and NO ONE waters the sod so it dies and weeds grow. JUST do not put the sod down then....put in wild flowers at least they don't need water like sod.

Anyway I want to attend the meetings and GET the updates and emails from you and your department. Thank you for the letter that was delivered to my house and the other homes in the area.

Debbie Wilding,

Gervais, Michelle

From: Gervais, Michelle
Sent: 2019/08/20 1:48 PM
To: Mike Zuccato
Cc: Cooper, Pam
Subject: RE: Queen Street Corridor COncerns
Attachments: By-law 209-2017.pdf

Hi Mike,

Thank you for your email. I also left you a voice message. Please feel free to call me if you require additional information.

The majority of your questions/comments relate to policies that exist in the Queen Street Corridor Secondary Plan and will not be amended as part of the Queen Street Corridor Land Use Study (Official Plan and Zoning By-law Amendments) that is currently scheduled for a public meeting on September 9.

Yes, there are existing policies in the Secondary Plan that require as a condition of development approval, that an owner convey, as appropriate, the necessary property to implement the road and laneway network designated in the Secondary Plan. Please refer to the attached Official Plan Amendment that was approved by Council in 2017 for the specific policies and designated road network.

If a public laneway is constructed on the north side of Queen Street, it will be maintained by the City. If a public laneway is not feasible as determined by the City, then the laneway may be constructed as a private laneway, and the owners shall be responsible for providing the necessary easements and making other arrangements (i.e. maintenance) as may be necessary, to the satisfaction of the City. The final alignment and ownership of the laneway will be determined at the development approval stage. Through the development approval stage, the lighting of the laneway will be reviewed.

Regardless if it is a public or private laneway, if there are any safety concerns the Peel Regional Police should be contacted. Through the site plan approval process for any new development, the Peel Police are circulated the site plan drawings and they review the drawings from a Crime Prevention Through Environmental Design (CPTED) perspective. CPTED strategies aim to reduce victimization, deter offender decisions that precede criminal acts, and build a sense of community among inhabitants so they can gain territorial control of areas and reduce opportunities for crime and fear of crime.

It is recognized in the Official Plan that the existing character of much of the Central Area located east of Kennedy Road is dominated by space extensive retailing, highway commercial and automotive related uses, and appropriate transition policies are required at the Secondary Plan level to achieve a transition towards the intended vision of the Central Area. Consistent with this Official Plan policy, the purpose of the Queen Street Corridor Land Use Study (Public Meeting on September 9) is to develop a strategy to manage interim commercial uses as the Corridor transitions over time, recognizing that there are existing low-order commercial uses that may continue to operate over time and to recommend appropriate policies and zoning regulations to enable development that helps the City achieve its planning objectives for the area.

7.2-165

As part of the Queen Street Corridor Land Use Study, it is recommended that the Queen Street Corridor Secondary Plan be amended to include a policy that will address the potential need for lot consolidation, recognizing that many properties in the corridor (particularly west of Kennedy Road) may not sufficiently accommodate the type of development that is envisaged without some degree of lot consolidation. We are recommending policies that are in the best interest of achieving the ultimate desired built form along the Queen Street Corridor.

As part of the Queen Street Corridor Land Use Study, it is recommended that the Queen Street Corridor Secondary Plan be amended to include new policies that will permit existing low-rise commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of existing uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor. The proposed policies and zoning will permit moderate building expansions (no more than 10% of the total gross floor area that existed on the day the by-law is passed by Council). The potential location of the permitted expansion will depend upon the configuration of the existing building. If the reconstruction of a building is contemplated it should, as much as possible, work towards achieving the policies of the Official Plan and Secondary Plan. The building should be constructed in a manner that better addresses the streetscape. This will be very site-specific. In some cases, it may be desirable to encourage an owner to relocate the building close to the streetscape and start to contribute to the pedestrian-oriented format. In other cases, depending on the configuration of the site and the owner's intentions, it may be best to reconstruct the building in a manner that enables the front portion of the site to be infilled in the future with a mixed-use building that will achieve the policies of the Official Plan and Secondary Plan.

If you have a specific development proposal in mind for your property, we would be happy to discuss this further with you.

Thank you.

Michelle

From: Mike Zuccato
Sent: 2019/08/19 12:56 PM
To: Gervais, Michelle <Michelle.Gervais@brampton.ca>
Subject: Queen Street Corridor COncerns

Good afternoon Michelle;

I am an owner of a building along Queen Street and have concerns about the proposed idea of moving the buildings to the fronts of the properties and creating a back laneway to access the businesses that will operate out of those buildings.

- I will be losing some of my property – will the city be compensating me for the land that will be expropriated at a value set by myself ?
- Who will own the laneway and then service and repair and monitor it for vagrancy and other issues that occur in a back laneway ?
- Who will police it for vagrancy and loitering ?

7.2-166

- Will street lights run along the laneways and then irritate the home owners behind the properties with twenty four hour lighting beaming into their homes ?
- You have also mentioned you would like the properties that have multiple ownership to be owned by one company ideally. Who will facilitate if someone wants to sell or buy and what happens if no one is interested in giving up their ownership and then will not cooperate with the City or other building owners ?

I purchased the property and plan to develop it at some point, but I do not like that you are planning a new roadway and moving all the buildings to the front of the properties which will require demolition and brand new buildings being erected vs growing and/or improving an existing building which is a lot more cost effective in most cases.

I look forward to hearing from you and or meeting with you. I can be reached by email or by my mobile phone at (

Thank you,

Mike Zuccato

**BOUSFIELDS INC.**

Project No. 15117

September 4, 2019

Ms. Michelle Gervais
Policy Planner,
Planning and Development Services Department
City of Brampton
2 Wellington Street West
Brampton, Ontario, L6Y 4R2

Dear Ms. Gervais:

Re: Queen Street Corridor Land Use Study
Official Plan and Zoning By-law Amendment

On behalf of our client, Investors Real Property Fund ("Investors Group"), the owners of Bramrose Square ("the Property"), we have reviewed your report dated August 16, 2019 to the Planning and Development Committee meeting of September 9th, 2019, entitled "Information Reports" City Initiated Amendments to the Official Plan and Zoning By-law, Queen Street Corridor Land Use Study" and the draft Official Plan Amendment and draft Zoning By-law Amendment which were attached to the Report.

As you are aware, Investors Group appealed the refusal of a Minor Variance application and the City of Brampton Interim Control By-law extension as they applied to the Property. Subsequently, Investors Group and the City entered into agreed Minutes of Settlement for the purpose of settling the Appeals, allowing the modernization of the Property to proceed, and agreeing upon a vision for the long-term development of the Property. Based on the Minutes of Settlement the appeals were withdrawn.

The City is now proposing to adopt a zoning by-law amendment implementing the findings of the Queen Street Study. This By-law, appropriately, includes a special section which sets out site-specific provisions for the Property. Investors Group appreciates the work which City staff have put into developing these provisions which respect the Minutes of Settlement, however, there remain a few provisions which, in our opinion, require further clarification. We would ask that Planning and Development Committee amend the provisions for the lands zoned QMUT - 2946 on Schedule 'A' as follows:

2946.1 Additional Permitted Uses

In keeping with the stated direction for the Queen Street Corridor which is to facilitate the long-term evolution of the corridor from an automobile oriented commercial corridor to a higher-density, pedestrian- and transit-oriented,

mixed-use corridor, that will balance the needs of existing businesses with the need to ensure that redevelopment and intensification opportunities are not precluded, we request that the following additional uses be included for the Property:

- Retirement Residence
- Dwelling, Apartment

Exemption from Maximum Building Height

There is no maximum building height for the Property in the existing by-law. Therefore, we would ask that it be exempted from the proposed restriction on a maximum building height of 4 storeys in Section 29.3.3 (a). Given the absence of any low density residential areas in proximity to the Property we see no need to unnecessarily restrict building heights (and thus opportunities for a mixed use intensification).

Provision for Future Subdivision of the Property

In the medium to long term, a new public street will be provided extending from Queen Street to Clark Boulevard creating opportunities for the development of smaller parcels with frontages on the new public streets. Accordingly, we ask that a new site-specific provision be added to the By-law (2946.2 (h)) stating that within the QMUT-2946 Zone the applicable provisions of Section 29.3, and the provisions of Subsection 2946.1 and 2946.2 apply to the entire Property, notwithstanding any subsequent subdivision thereof. We would also ask that this provision allow for the shared use of required parking throughout the entire Property.

If you have any questions about these proposed revisions, please contact the undersigned.

Yours truly,

Bousfields Inc.



Lindsay Dale-Harris M.SC.(Pl) FCIP, RPP

cc: Steve Bishop
Patrick Duffy
Pam Cooper
Ronald Richards

LDH/rml:jobs



MILLER THOMSON
AVOCATS | LAWYERS

MILLER THOMSON LLP
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TORONTO, ON M5H 3S1
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MILLERTHOMSON.COM

September 9, 2019

HAND DELIVERED & VIA EMAIL
(cityclerksoffice@brampton.ca)

Mayor and Members of Council
c/o Planning & Development Committee
City Clerk's Office
Corporation of the City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Tara Piurko
Direct Line: 416.595.2647
Direct Fax: 416.595.8695
tpiurko@millerthomson.com

File #: 0018468.0042

Dear Mayor and Members of Council:

**RE: Written Submission re City Initiated Amendments to the Official Plan and Zoning By-law, Queen Street Corridor Land Use Study (Item 4.1)
261 - 263 Queen Street East, Brampton
960906 Ontario Limited and 1049657 Ontario Limited**

We are the solicitors for 960906 Ontario Limited and 1049657 Ontario Limited, the owners of the lands located at 261 - 263 Queen Street East, Brampton (collectively, the "**Property**"), which are subject to the Queen Street Corridor Land Use Study (the "**Study**"). We are writing to provide comments on the proposed amendments to the City of Brampton's Official Plan and Zoning By-law that implement the recommendations of the Study as set out in the Information Report prepared by the City planning staff dated August 16, 2019.

General Comments

Although we are supportive of the City's efforts to advance the development of the Queen Street Corridor, we believe that the proposed draft Official Plan Amendment (the "**OPA**") and draft Zoning By-law Amendment (the "**ZBA**") in their current form require further review and consultation.

While we understand that there are existing Official Plan conformity issues with respect to height and density, we are greatly concerned with the proposed transition framework as it is currently written. The primary focus of the proposed framework appears to be premised on restricting low density commercial built form within the Corridor, without any meaningful commentary or direction for allowing for new mixed-use development to proceed. While we do not object the limitation of land uses and built form that are contrary to the long-term vision for the area, we are not supportive of restrictions that limit new mixed-use development, without any apparent rationale for doing so.

In our opinion, the proposed transition framework does not address the long-term vision of Queen Street in any meaningful way, especially considering the recent and ongoing development activity in the area, including those lands located immediately adjacent to our client's site at 253 Queen Street East. Both the neighbouring 253 Queen Street East site

and our client's Property are located within a Major Transit Station Area associated with the future ZUM Bus Rapid Transit, with future investments being planned for the Brampton GO, and a potential expansion to the Hurontario Light Rail Transit from Mississauga to Downtown Brampton. This results in significant intensification opportunities along Queen Street. Providing unnecessary constraints to new development on such lands is a failure to optimize land use and built form along this Corridor.

We urge the City to consider alternative mechanisms, as discussed in the various background reports for the Study, that would allow for new mixed-use development proposals to proceed, and be evaluated on the merits of good planning and urban design. This would either involve reconsidering the use of a "transition" framework all together, or at a minimum, include explicit language in the OPA and the implementing ZBA that would permit certain development proposals to proceed by way of amendment to the Zoning By-law. We do not believe that the proposed OPA and ZBA should be approved by Planning and Growth Management Committee and Council in their current form.

Comments on Specific Policies and Provisions

In addition to our overarching concerns on the transition framework, we have the following additional preliminary comments on the proposed Official Plan policies or zoning provisions.

1. Draft Official Plan Amendment

i) Mixed Use Areas

- Policy 5.1.2.1 - We do not support policies that promote "convertible frontages" and request that this policy be amended as follows: "...Where a stand-alone residential or office building is proposed, the City will encourage, where appropriate, the ground floor to be developed with convertible frontages and a suitable ground floor building height to preserve future opportunity for conversion to commercial uses." We feel this policy is restrictive and not always realistic in terms of internal building design and layout. It also does not recognize that active frontages can still be promoted with good built form and urban design.
- General - The background papers recommend the use of "template" zoning, which would set out permissions and requirements in the Official Plan/Secondary Plan, without actually applying the zone to any lands. We would like to understand the rationale for excluding this from the draft OPA/ZBA.

ii) Lot Consolidation

- Policy 5.2.2.3 - We request that this policy be amended as follows: "Lot consolidation, particularly for smaller lots, shall be encouraged-preferred while ensuring that long-term redevelopment is not precluded."
- Policy 5.2.2.3 - While we appreciate that new development should not preclude nearby or adjacent development, we do not support a requirement for a tertiary plan, and request that this policy be amended as follows: "The submission of a Tertiary Plan and/or planning justification addressing lot consolidation may be required by the City in association with a development application to ensure that a redevelopment



proposal does not negatively affect redevelopment opportunity for nearby and adjacent lots.” We also request clarification as to the lot sizes/ scale of development to which this would apply.

iii) Transitional Policies

- Policy 9.1 - We request that the first sentence of Policy 9.1 be amended to read as follows: “This Section addresses the ~~long-term~~ transition of the corridor from a principally low-rise...”
- Policy 9.1 - We request that the types of development listed at the end of paragraph 3 be amended as follows “Proposals involving new buildings or major expansions, **including mixed use development;**”
- Policy 9.1.5.a) - Consistent with the above, we request that language be included to clarify that new mixed-use development would be permitted under the new framework. “Where new ~~low-rise-commercial-uses~~ **development** exceeding the maximum gross floor area permitted in the Zoning By-law are proposed, including a significant expansion of an existing building, major reconstruction, **and new mixed development**, with additional floor area and/or any new infill pad building, the development may be permitted.”
- Policy 9.1.5.c) - We request that this policy be amended as follows: “A ~~long-term~~ phasing or development concept including site specific design guidelines is submitted to the City’s satisfaction, to illustrate how the proposed development will be able to transition and intensify ~~over the long term~~ to achieve the land use and density requirements of ~~the Central Area Mixed-Use designation under Section 5.1.2 of the Downtown Brampton Urban Growth Centre.~~”
- Policy 9.1.5.d) - We believe that policies regarding implementation are pre-mature at this stage given the conceptual nature of the envisioned road network. We do not believe that amendments to new proposed ROWs should be introduced until there has been more discussion on the proposed amendments of the ROWs themselves, including size and alignment.

iv) Implementation

- Section 10.0 - New language should be added to allow for new mixed-use development to proceed by way of rezoning.

2. Draft Zoning By-law Amendment

- Section 29.3.1.a - c - We support an expanded list of permitted uses in accordance with the Secondary Plan. However, we request that residential uses, including apartments, be included in the QMUT zone. Based on our review of the draft ZBA and related background materials, adequate justification has not been provided for excluding this use.



- Consistent with our comments on the draft OPA in the above section, explicit language should be included under Section 29.3.1 to permit new development that supports the objectives for the Queen Street Corridor to proceed.

Please accept this letter as the official written submission of our client on the proposed OPA and ZBA with respect to the Queen Street Corridor Land Use Study. In addition, we hereby request notice of any future public consultation meetings and Council or Committees of Council meetings and actions in respect of the subject OPA and ZBA, and that notice be provided to Miller Thomson LLP and our client. Full contact details are below:

Ms. Tara Piurko
Miller Thomson LLP
Scotia Plaza, 40 King Street West, Suite 5800
P.O. Box 1011
Toronto, Ontario M5H 3S1
Phone: 416-595-2647
Email: tpiurko@millerthomson.com

Mr. Keng Fai Fong
960906 Ontario Limited & 1049657 Ontario Limited
One Benvenuto Place, Suite 220
Toronto, Ontario M4V 2L1
Phone: 416-487-3339
Email: kfaifong@gmail.com

Should you have any questions or require any other or further information with respect to our comments, please do not hesitate to contact the undersigned.

Yours truly,

MILLER THOMSON LLP

Per:



Tara Piurko
Partner

C: Michelle Gervais, Planner, City of Brampton
David VanderBerg, Planner, City of Brampton
Keng Fai Fong, 960906 Ontario Limited & 1049657 Ontario Limited
Savvas Kotsopoulos, Miller Thomson LLP
Wai Ying DiGiorgio, The Planning Partnership





**DESIGNED
PRECISION
CASTINGS INC.™**
PARTS OPTIMIZATION

75 Eastern Avenue, Brampton, Ontario, L6W 1X9 Canada
PHONE: 905.453.0421 FAX: 905.453.3694
dpcast.com info@dpcast.com

August 23, 2019

Michelle Gervais
Policy Planner
City of Brampton
Planning and Development Services Dept.
2 Wellington Street West,
3rd Floor
Brampton, Ontario
L6Y 4R2

Via E-Mail

Dear Michelle,

As promised, I am writing this letter as a follow up to the Notice from the City – Initiated Amendments To The Official Plan And Zoning By-Law: Queen Street Corridor Land Use Study and our phone conversation. I am very supportive of the Queen Street Corridor initiative of the City of Brampton. I believe that Brampton will realize a substantial benefit from intensification.

Background:

Since 1968, my family and I own the property and the business, Designed Precision Castings, Inc. located at 75 Eastern Avenue in Brampton.

I frequently walk around the streets of Brampton observing the real estate and contemplating how they may be deployed in a better use. I also take various different routes to work and observe the sprawl of Brampton.

On May 23, 2019, I attended a Brampton Board of Trade Prosperity Round Table where we discussed a wide range of topics surrounding Brampton Business Focus over the next 5 to 10 years and beyond.

During the Prosperity Round Table discussions, it was stated that the young people of Brampton are leaving Brampton because it does not have a “Cool Zone”.

As I now understand from our discussion the Queen Street Corridor boundaries were dictated by the Province to determine the Urban Growth Centre.



N° CA002633-2



Canada

CONTROLLED GOODS PROGRAM (CGP)
CERTIFICATE No. 22201

Proposal/Suggestion:

I think the City of Brampton could create a "Cool Zone" by building the equivalent of a "Yorkville". A mixed-use retail, commercial, residential or future residential would allow for the building of restaurants with outdoor zones, high end retail boutiques, commercial offices and residential space to create much needed density and joy.

I think the City of Brampton could create a "Cool Zone" by extending the boundaries of the Queen Street Corridor to include the area defined by the following boundaries:

Orenda Rd on the south
Kennedy Rd on the West
Hansen Rd on the East
Eastern Avenue on the North

If the boundaries for the Queen Street Corridor are non-malleable perhaps the Community Planning Permit System will include the area defined by the following:

Orenda Rd on the south
Kennedy Rd on the West
Hansen Rd on the East
Eastern Avenue on the North

The redevelopment of this block is consistent with:

1. The May 2018 City of Brampton's Living The Mosaic, Brampton 2040 Vision, "sustainability, livability, diversity and health" ; 'integrated living"; and "hip sidewalk culture",
2. The proposal to make Eastern Avenue one direction and connect to Clark Blvd and Highway 410,
3. Mayor Brown's objective to make Brampton sustainable and successful,
4. Providing density to sustain the future Go Train Corridor from Pearson Airport to Kitchener with daily services running every 15 minutes.

The City of Brampton has an outstanding opportunity to be a great City to live, work and play. There are many people who will be much happier avoiding the awful, troublesome commute into the City of Toronto if they can live, work and play in Brampton. I look forward to seeing the City of Brampton realize its full potential.

I appreciate our conversation and your consideration of this proposal. Please let me know if I can be of any assistance.

Thank You and Regards,



Jan Holland, CA, CPA, ICD.D
Chairman & CEO

