



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 9-2008

To Adopt Amendment Number OP93-**291**

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 OP93-**291** to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL, this **16** day of **January**, 2008.

Susan Fennell - Mayor

Kathryn Zarnit - Clerk

Peter Fay, Deputy City Clerk

Approved as to Content

Adrian Smith, M.C.I.P., R.P.P.

Director of Planning and Land Development Services

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| APPROVED AS TO FORM LAW DEPT. BRAMPTON |
| C.C.C. |
| DATE 01 11 08 |

AMENDMENT NUMBER OP93-**291**
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to:

- Facilitate the development of a twenty-seven storey residential building, including ground floor commercial uses.
- Modify the urban design policies of "Special Policy Area 6". The amended policies, in part, require a building podium along George Street North to create a more conducive pedestrian environment.

2.0 Location:

The lands subject to this amendment are located in the City's downtown, north of Queen Street, on the west side of George Street. The property is municipally known as 9 George Street North (formerly municipally known as 11 George Street North). The lands are approximately 0.4 hectares (1 acre) in size. The lands are described as Part of Lot 6, Concession 1 W.H.S. in the City of Brampton, Regional Municipality of Peel.

3.0 Amendments and Policies Relative Thereto:

The document known as the Official Plan of the City of Brampton Planning Area is hereby amended:

- (1) by adding to the list of amendments pertaining to Secondary Plan Area Number 7: The Downtown Brampton Secondary Plan, as set out in Part II: Secondary Plans, Amendment Number OP93-**291**.

- (2) By deleting Section 5.1.2.10 and replacing it with the following:

"5.1.2.10 Notwithstanding the maximum density set out in subsection 5.1.2.3 and Table 1 of this chapter, the lands on the west side of George Street North, municipally known as 9 George Street North (formerly 11 George Street North), may be developed for high-density residential purposes at a maximum height of 27 storeys (excluding that portion of the building height used for mechanical penthouse purposes), subject to Special Policy Area Number 6 in Section 5.6.6. Of the 27 storeys, 24 will be used for residential purposes, with the remainder consisting of ground floor commercial, parking, lobby, and amenity areas. The maximum number of residential units shall be 301 dwelling units.

- (3) By deleting Section 5.6.6 of Chapter 7 of Part II: Secondary Plans and substituting the following:

"5.6.6 Special Policy Area Number 6

The lands identified as Special Policy Area Number 6 on Schedule SP7(C) may be developed for high-density residential purposes subject to density provisions of policy 5.1.2.10 and the following policies:

In accordance with Section 5.6.3.1 of this Plan, the implementing zoning by-law for this site shall include provisions that require flood proofing measures to protect against risks associated with the Regional Storm

flood level. Only where it is technically impractical to floodproof to the Regional Storm flood level, will floodproofing to the minimum 1:350 year flood level be considered, to the satisfaction of the TRCA, including passive floodproofing measures. Notwithstanding this, at no time shall emergency access/egress to and from the building or the location of habitable living space be permitted below the Regional Storm flood level. Prior to approval of implementing zoning, confirmation must be provided to the satisfaction of the TRCA that the building will not be a hazard to life or susceptible to major structural damage due to the velocity and/or depth of a flood less than the Regulatory Flood.

The development of the site shall promote attractive built form, high quality design, pedestrian scale activity, and shall be in accordance with design principles, including the following:

- (1) A pedestrian scale and street enclosure created by a maximum 16.5 metre high podium (including parapet) along the length of George Street North, articulated in locations demarcating the entrance of retail units and patios, and the tower portion of the building set back from the common podium and street edge.
- (2) The majority of the ground floor level of the building facing George Street used for commercial purposes, each with public access to the street.
- (3) Hard and soft landscaping at grade and on aboveground terraces between the building and the street to enhance the appearance of the site and building from the street.
- (4) An articulated roof design to screen all mechanical rooftop equipment.
- (5) *Balconies designed in a manner to effectively screen contents on the balconies from exterior views.*
- (6) The use of high quality building cladding materials (such as stone and brick) to accentuate the architectural features and substantial components of the building podium.”

IN THE MATTER OF the *Planning Act*, R.S.O. 1990,
as amended, sections 17 and 34:

AND IN THE MATTER OF the City of Brampton By-law 9-2008
being a by-law to adopt Official Plan Amendment OP93-291
and By-law 10-2008 to amend Zoning-By-law 270-2004 as amended,
Cornacchia Planning Services Inc. - Alterra Finer (Brampton) Inc. - File C01W06.069

DECLARATION

I, Peter Fay, of the City of Mississauga, in the Region of Peel, hereby make oath and say as follows:

1. I am the Deputy Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared:
2. By-law 9-2008 was passed by the Council of the Corporation of the City of Brampton at its meeting on January 16, 2008, to adopt Amendment Number OP93-291 to the 1993 Official Plan;
3. By-law 10-2008 was passed by the Council of the Corporation of the City of Brampton at its meeting held on January 16, 2008, to amend Zoning By-law 270-2004, as amended.
4. Written notice of By-law 9-2008 as required by section 17(23) and By-law 10-2008 as required by section 34(18) of the *Planning Act* was given on the January 23, 2008, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as amended.
5. No notice of appeal was filed under section 17(24) and section 34(19) of the *Planning Act* on or before the final date for filing objections.
6. In all other respect the Official Plan Amendment and Zoning By-law have been processed in accordance with all of the *Planning Act* requirements including regulations for notice.
7. OP93-291 is deemed to have come into effect on the February 13, 2008, in accordance with Section 17(27) of the *Planning Act*, R.S.O. 1990, as amended.
8. Zoning By-law 10-2008 is deemed to have come into effect on January 16, 2008, in accordance with Section 34(19) of the *Planning Act*, R.S.O. 1990, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the)
City of Brampton in the)
Region of Peel this)
13th day of February, 2008)



Peter Fay



A Commissioner; **EILEEN MARGARET COLLIE**, A Commissioner
etc., Regional Municipality of Peel for
The Corporation of The City of Brampton
Expires February 2, 2011.