

IN THE MATTER OF the *Planning Act*, R.S.O. 1990,
as amended, section 28

AND IN THE MATTER OF the City of Brampton By-law 159-2010
being a by-law to adopt the Central Area Community Improvement Plan
Amendment CIP2007-001(File P75 CE)

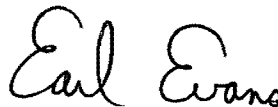
DECLARATION

I, Earl Evans, of the City of Brampton, in the Region of Peel, hereby make oath and say as follows:

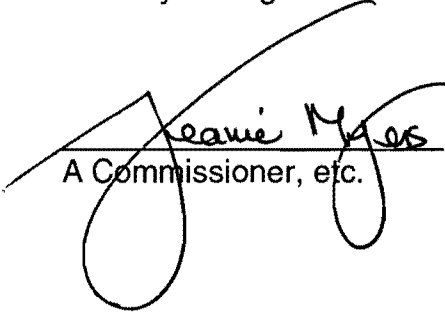
1. I am the Deputy Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared:
2. By-law 159-2010 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 12th day of May, 2010, to adopt the Central Area Community Improvement Plan Amendment CIP2007-001.
3. Written notice of By-law 159-2010 as required by section 28 of the *Planning Act* was given on the 26th day of May, 2010, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as amended.
4. No notice of appeal was filed under section 28 of the *Planning Act* on or before the final date for filing objections.
5. Central Area Community Improvement Plan Amendment CIP2007-001 is deemed to have come into force on the 16th day of June, 2010, in accordance with Section 28 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)
16th day of August 2010)



Earl Evans



A Commissioner, etc.

Jeanie Cecilla Myers, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the City of Brampton.
Expires April 8, 2012.



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

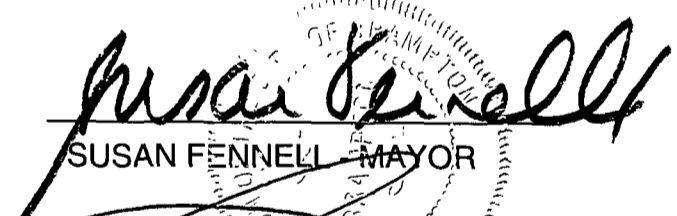
Number 159.2010


To Adopt Amendment Number CIP2007-001
to the Central Area Community Improvement 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 CIP2007- 001 to the Central Area Community Improvement 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 12th day of May 2010.



 SUSAN FENNEL - MAYOR


 PETER FAY - CLERK

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

WCC
DATE: 10/10/10

Approved as to Content:


 Karl Walsh, MCIP, RPP
 Director, Community Design, Parks Planning and Development

AMENDMENT NUMBER CIP2007 - 001
TO THE CENTRAL AREA COMMUNITY IMPROVEMENT PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The City of Brampton is establishing the Queen Street Access Management Incentive Program to support the consolidation of access points along Queen Street between Centre Street and Highway 410. In order to implement this program, an amendment to the CIP is required. The Queen Street Access Management Incentive Program would reside under the Direct Investment/Development Partnerships tool of the CIP. This amendment clarifies that the Direct Investment/Development Partnerships tool of the CIP may be utilized within the entire Central Area, whereas it currently only applies to the downtown (Downtown Brampton Secondary Plan).

2.0 Location:

The Central Area Community Improvement Plan applies to lands generally to the north and south of Queen Street from McLaughlin Road to Bramalea Road, and the historic downtown. The lands encompass the two Secondary Plans that constitute the City's Central Area (The Downtown Brampton Secondary Plan and the Queen Street Corridor Secondary Plan).

3.0 Amendments and Policies Relative Thereto:

3.1 The document known as the Central Area Community Improvement Plan of the City of Brampton Planning Area is hereby amended:

- (1) by deleting Section 6.3.8 1. Intent and replacing it with the following:

"1. Intent

The purpose of this program is for the City of Brampton to take a leadership role in the ongoing revitalization and redevelopment of the Central Area."

- (2) by deleting the first sentence of Section 6.3.8 2. Description and replacing it with the following:

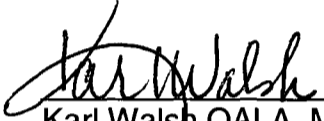
"The City of Brampton participates in the ongoing revitalization and redevelopment of the Central Area as an active partner."

- (3) by deleting in Section 6.3.8 2. Description, the words “Including such activities as:” and replacing it with the words “This includes, but is not limited to, such activities as:”

- (4) by adding to the end of Section 6.3, before Section 6.3.1, the following:

“A number of separate incentive sub-programs with distinct Implementation Guidelines may be established under each overall program in the toolbox.”

Approved as to Content:



Karl Walsh OALA, MCIP, RPP
Director, Planning and Land Development Services

Background Material to
Amendment Number CIP2007 - *001*

Attached is a copy of a planning report dated February 17, 2010 and a report dated April 1, 2010, forwarding the notes of the Public Meeting held on March 22, 2010 after notification in the local newspaper and the mailing of notices to assessed owners of properties within the boundaries of the project area.

The following written submissions were received with respect to the proposed amendment:

Submission from Agencies:

Peel District School Board March 30, 2010

Submissions from Members of the Public:

Mr. John, Alati, Davies Howe Partners, representing 342815 Ontario Limited, dated March 22, 2010

Mr. Mark Jules, Sterling Karamar Property Management representing Brampton 400 Plaza, dated March 22, 2010

CENTRAL AREA

COMMUNITY IMPROVEMENT PLAN

**DIRECT INVESTMENT/DEVELOPMENT
PARTNERSHIPS
QUEEN STREET EAST
ACCESS MANAGEMENT INCENTIVE PROGRAM
IMPLEMENTATION GUIDELINES**

**Prepared by: Planning, Design and Development
April 12, 2010**

P75 CE QAI

**CIP: QUEEN STREET EAST
ACCESS MANAGEMENT INCENTIVE PROGRAM
IMPLEMENTATION GUIDELINES**

**CENTRAL AREA COMMUNITY IMPROVEMENT PLAN
QUEEN STREET EAST ACCESS MANAGEMENT INCENTIVE
PROGRAM
IMPLEMENTATION GUIDELINES**

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CIP: QUEEN STREET EAST ACCESS MANAGEMENT INCENTIVE PROGRAM IMPLEMENTATION GUIDELINES

1. BACKGROUND

As part of the Queen Street reconstruction between Centre Street and Highway 410, staff were directed to approach landowners in the area to seek opportunities for consolidation of access points that could then be incorporated into the planned construction work. One property owner (252 Queen Street E.) expressed interest in reducing the accesses to his property from three to two, but requested that the City complete curbing delineating the parking area on the property and install landscaping. Works and Transportation tabled a report at the January 20, 2010 Committee of Council meeting, with respect to requested additional work. The report noted that Council gave direction only to pay for work directly related to the access consolidations and that any such additional requested work would be deemed to be bonusing under the Municipal Act.

Council directed staff to prepare a program that would allow support for access consolidations along Queen Street East between Centre Street and Highway 410.

“CW003-2010 That the report from C. Duyvestyn, Manager of Infrastructure Planning, Works and Transportation, dated January 8, 2010, to the Committee of Council Meeting of January 20, 2010, re: **Queen Street Improvements and Züm (AcceleRide) Installation (Centre Street to Highway 410) – Entrance Amalgamation at 252 Queen Street – Ward 3** (File T53) be **referred** back to staff to prepare an amendment to the Community Improvement Plan (CIP) to incorporate a program for the consolidation of driveway access along Queen Street, between Centre Street and Highway 410.”

These Implementation Guidelines provide the program details with regard to providing City support for access consolidations along Queen Street East.

2. PROGRAM DESCRIPTION

2.1) Intent

The vision for Queen Street East as expressed through the Official Plan and Council-approved Central Area Vision is to facilitate its transformation into a pedestrian-friendly, transit-supportive district, based on a range and mix of high intensity land uses. Queen Street East is to be a premiere boulevard of Brampton and act as a destination for City and region-wide activity. From a transportation perspective, this vision is supported by way of implementation of a rapid transit service along the street, acting as a major spine in the City's rapid transit network, with an eventual centre lane configuration for the transit facility.

CIP: QUEEN STREET EAST ACCESS MANAGEMENT INCENTIVE PROGRAM IMPLEMENTATION GUIDELINES

The number of accesses is along Queen Street East, in particular between Centre Street and Highway 410, creates challenges in achieving these goals. Access consolidation on Queen Street East provides a number of benefits:

- It reduces vehicular conflict points by reducing the number of potential turning movements, making the street safer from a vehicular standpoint (including active modes such as bicycles)
- It makes the pedestrian realm more comfortable for those users.
- It increases the opportunity for provision of landscaping and streetscape elements
- It allows for the establishment of a continuous building presence along the street line, in conjunction with redevelopment proposals, which is essential in creating a truly urban pedestrian-oriented environment.

In the long term it is intended that only a limited number of access locations exist along this segment of Queen Street, supported by shared rear driveways, shared accesses and new local road links. The Queen Street Corridor Secondary Plan supports the consolidation of accesses. Section 6.4.1 states:

“The policies of this Chapter are intended to enhance transit service and the overall traffic carrying capacity within the Secondary Plan Area by encouraging strategies to reduce the number of driveway accesses to Queen Street. Such access reduction strategies include, but are not limited to:

- (i) alternate site access from adjacent streets and rear lot service roads;
- (ii) shared site access for several adjacent sites; and,
- (iii) reduced site access by connecting the parking lots of adjacent properties.”

Through the Community Improvement provisions of the *Planning Act*, the City can take an active part in supporting access consolidations for Queen Street East, by offering incentives to landowners for consolidating and/or removing access points.

This program is established as an interim program to be replaced by the Real Estate Incentive Program, once that is approved by Council. It is intended that the Real Estate Incentive Program will contain provisions with regard to incentives for access consolidation.

Objective:

To support the consolidation and removal of accesses along Queen Street East between Centre Street and Highway 410 to assist in the long-term transformation of Queen Street to a pedestrian-friendly, transit-supportive street that acts as one of the City’s primary boulevards, a destination of local and region-wide significance, and a primary component in the City’s rapid transit network.

CIP: QUEEN STREET EAST ACCESS MANAGEMENT INCENTIVE PROGRAM IMPLEMENTATION GUIDELINES

2.2) Details

The following are the program details and limitations:

- a) The Queen Street East Access Management Incentive Program is enabled under Tool #8: Direct Investments/Development Partnerships of the Central Area Community Improvements Plan (CIP 2007).
- b) The following support is provided under this program:
 - i) The City may, at its discretion, provide financial support or complete under its own accord the provision of on-site curb works adjacent to the City right-of-way in relation to an access consolidation or removal;
 - ii) The City may, at its discretion, provide for landscaping on private lands in the location of a proposed access closure/relocation or along the property frontage, to provide for an improvement to the landscaping and general appearance along Queen Street;
 - iii) The City may, at its discretion, provide for the restriping of parking areas adjacent to the City right-of-way where it supports a necessary revision to a site parking layout as a result of a proposed reconfigured access scenario for a property; and,
 - iv) The City may, at its discretion, provide for the establishment of easements for shared access locations, including preparation of surveys and associated legal documentation and registration of easements and agreements.
- c) A combination of the above-noted measures may be utilized for any given property, subject to the financial limits set out in Section 2.4).
- d) Support will not be provided for access consolidations proposed through a site plan process or other development application process. In those situations, access consolidation will be pursued as a condition of development for the particular application in accordance with City Official Plan policy.
- e) The closure or consolidation of accesses shall be in a location and configuration that will result in an improvement to the access situation along Queen Street, not conflict with adjacent access or accesses on the opposite side of street, not conflict with transit stop locations or create other negative impacts.
- f) The City will determine the extent and nature of support for the particular access consolidation.
- g) Any proposed works shall not create any zoning deficiencies such as required parking, driveway width standards, driveway aisle width, parking stall size standards.

**CIP: QUEEN STREET EAST
ACCESS MANAGEMENT INCENTIVE PROGRAM
IMPLEMENTATION GUIDELINES**

2.3) Eligibility Requirements

- a) Property must have access onto Queen Street East and located between Centre Street and Highway 410 (See Appendix A for Program Boundary).
- b) Any proposed relocated/amalgamated access shall be in a location and configuration satisfactory to the City of Brampton.
- c) The owner must have signed the appropriate form at the public meeting indicating intent to participate in this program. Alternately, an owner must have submitted an intent to participate in writing by March 22 or provided notice of intent to participate to the satisfaction of the City prior to any extension of the March 22, 2010 deadline.

Note: This does not guarantee that support will be provided, as all other terms within these Guidelines have to be met.

2.4) Financial

- a) The program shall be limited to an equivalent financial outlay of \$25,000.00 per property (taxes included).
- b) The program shall have a maximum total outlay of \$100,000.00.
- c) If the total requests for support for access consolidation/removal exceed the overall budget limits for the program, the City will prioritize and select those consolidations/removals that best support the overall goals of the program and the policies of the Official Plan and Secondary Plan.

2.5) Time Limits

- a) This program is intended to coincide with the construction phase of the Queen Street East improvements.
- b) This program is deemed to be in force the day the associated amendment to the Central Area Community Improvement Plan comes into force.

**CIP: QUEEN STREET EAST
ACCESS MANAGEMENT INCENTIVE PROGRAM
IMPLEMENTATION GUIDELINES**

2.6) Changes

A change to the QAIP Implementation Guidelines will be made by way of a Council decision. See also general CIP provisions under Section 1.4.

3) ADMINISTRATION

3.1) Process

- a) Subsequent to the public meeting, the landowners who expressed an interest in the program will be contacted and requested to confirm their participation and submit an application form for evaluation.
- b) The landowner should have a preliminary discussion with the City, prior to making an application as to which works they wish to have supported through the access consolidation in accordance within the allowable rules of this program. Staff will provide an indication of what level of support the City will provide and the location and configuration of the access consolidation/closure.
- c) A proponent will submit an application form and proposed plan, indicating the proposed access closure or consolidation. The applicant will also indicate which works they desire to have supported by the City through this program and an estimated cost. If the applicant is proposing to contract the work on private lands on their own for later reimbursement by the City, two detailed cost estimates are to be provided (see Section 3.2).
- d) The City will review the proposal, identify any changes, make recommendations regarding any proposed landscape design and identify the extent of support for the specific site.
- e) The applicant will then confirm in writing whether they wish to proceed on the basis of the staff recommended access arrangement.

3.2) Application Approval

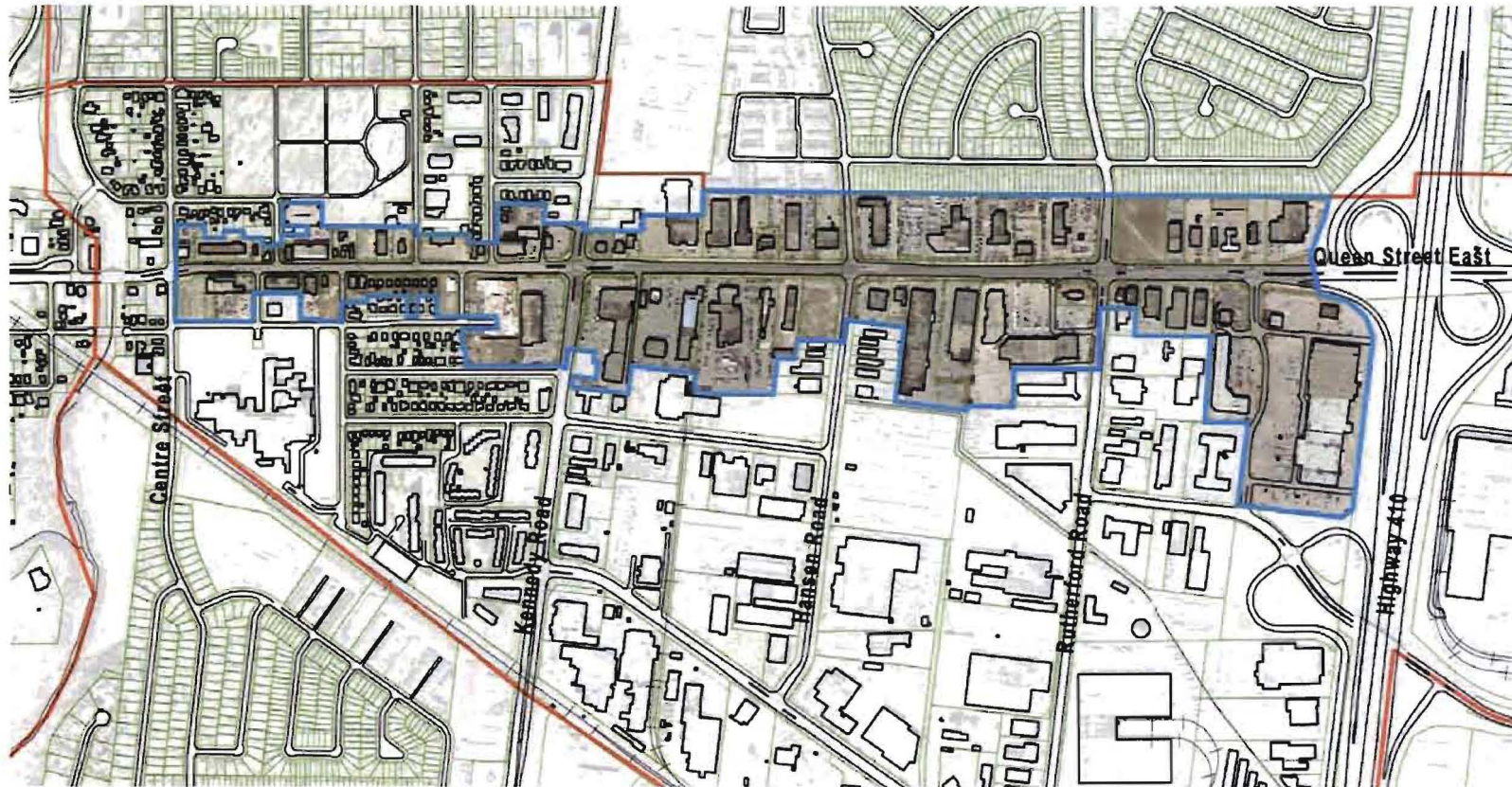
- a) Where a proponent wishes to proceed with work within private lands through their own contractor, the property owner must submit a detailed proposal and at least 2 estimates for the consideration of City staff.
- b) Staff will review the detailed estimates and along with the approved design, establish which components the City will support and be eligible for reimbursement once work is complete.

**CIP: QUEEN STREET EAST
ACCESS MANAGEMENT INCENTIVE PROGRAM
IMPLEMENTATION GUIDELINES**

- c) Once confirmation that the owner wishes to proceed with the agreed-to works is received, the City will provide approval of works in writing, sign an approved plan and set out any conditions. The cost of the works shall be clearly identified in the approval. Authority to approve funding shall be delegated to the Commissioner of Transportation and Works and the Commissioner of Planning, Design and Development.
- d) The owner must sign an agreement with regard to the access consolidation, **prior to the initiation of any works**. This agreement shall also indemnify the City of any reasonable damages that may result from the City or its contractors constructing the agreed-to works on private land, prior to the initiation of any works. The owner will also be required to release the City from all claims they may have under the Expropriations Act arising from the closure of the driveway.
- e) The commitment will lapse if a notice of completion of the improvement works has not been received within 8 months of the date of commitment. An extension of up to 4 months may be granted by the Commissioner of Planning, Design and Development and the Commissioner of Works and Transportation following receipt of a written request by the property owner prior to the expiration of the 8 months, explaining the reasons for the extension and providing a new date of completion
- f) Prior to the City issuing a reimbursement, the City shall inspect the constructed works and confirm that the works are satisfactorily completed in accordance with the signed agreement and approved drawings.

3.3) Payment

- a) In general, works supported under this program will be managed, funded and constructed by the City.
- b) The procedure undertaking work and subsequent reimbursement a private landowner is set out in Section 3.2.



**QUEEN STREET EAST ACCESS MANAGEMENT
INCENTIVE PROGRAM (Centre Street to Highway 410)**

Schedule 1: QAIP Area

Date: February, 2010

LEGEND

- CIP Boundary
- QAIP Boundary



NTS

**CIP: QUEEN STREET EAST
ACCESS MANAGEMENT INCENTIVE PROGRAM
IMPLEMENTATION GUIDELINES**

APPENDIX A: APPLICATION FORM

FLOWER CITY



BRAMPTON.CA

Planning, Design & Development

CENTRAL AREA COMMUNITY IMPROVEMENT PLAN

**DIRECT INVESTMENT/DEVELOPMENT
PARTNERSHIPS
QUEEN STREET EAST ACCESS
MANAGEMENT INCENTIVE PROGRAM
PROGRAM APPLICATION FORM**

A. General Information and Instructions

1. If an agent is acting for the property owner, please ensure that the required authorization is completed and signed by the owner as provided in **Section E** below.
2. Please attach to the application, all requested supporting documentation.
3. Please ensure that the application form is complete and that all required signatures have been supplied.
4. Please print (black or blue ink) or type the information requested on the application form.
5. You may deliver your application in person or send it by mail to:

City Of Brampton
Planning, Design and Development Department
2 Wellington Street West
Brampton, ON
L6Y 4R2

Attention: Karl Walsh, Director, Community Design Parks Planning and Development

For further information on this program, please contact Bernie Steiger, Central Area Planner at (905) 874-2097 or via e-mail at bernie.steiger@brampton.ca

**Central Area Community Improvement Plan 2007
Queen Street East Access Management Incentive Program
Program Application Form**

(Office Use Only)	CITY APPLICATION NO.:
	DATE RECEIVED: _____
	OTHER ASSOCIATED CITY FILES:

B. Applicant Information

	Name and Address	Phone/Fax/Email
Registered Owner		P:
		F:
		E:
Agent		P:
		F:
		E:
Solicitor:		P:
		F:
		E:

C. Property Information

C.1 Municipal Address(es) of Property for Which This Application is Being Submitted

C.2 Roll Number(s) _____

C.3 Legal Description of Property (Lot and Plan Numbers)

C.4 Size of Property: _____ hectares

C.5 Describe Existing Property Use including height of building(s) and types of uses:

D. Project Description

D.1 Please describe the proposed access management works, and which items are being requested to be supported by the City under the program. Attach drawings as necessary.

General Description:

Requested Items to be Supported by the City under Program

SCHEDULE A

APPOINTMENT AND AUTHORIZATION OF AGENT

To: The Commissioner of Planning, Design and Development
City of Brampton
2 Wellington Street West
Brampton, ON
L6Y 4R2

LOCATION OF THE SUBJECT LAND: _____

I/We, _____
Please print/type the full name of the Owner(s)

the undersigned, being the registered owner(s) of the subject lands, hereby authorize

Please print/type the full name of the agent(s)

to make application to the City of Brampton Planning, Design and Development Department in the matter of an application under the Central Area Community Improvement Plan Queen Street East Access Management Incentive Program with respect to the subject land.

Dated this _____ day of _____, 20

Signature of the owner(s), or where the owner is a corporation, the signature of an officer of the owner

where the owner is a firm or corporation, please print or type the full name of the person signing

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

SCHEDULE B

PERMISSION TO ENTER

To: The Commissioner of Planning, Design and Development
City of Brampton
2 Wellington Street West
Brampton, ON
L6Y 4R2

LOCATION OF THE SUBJECT LAND: _____

I/We, _____
Please print/type the full name of the Owner(s)

The undersigned, being the registered owner(s) of the subject land, hereby authorize City of Brampton staff members, to enter upon the above noted property for the purpose of conducting any required site inspections with respect to the attached application under the Central Area Community Plan, Queen Street Access Management Incentive Program.

Dated this _____ day of _____, 20

Signature of the owner(s), or where the owner is a corporation, the signature of an officer of the owner

where the owner is a firm or corporation, please print or type the full name of the person signing

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

APPENDIX '3'
Amendment to Central Area Community Improvement Plan
Queen Street East Access Management Incentive Program
Special Public Meeting Attendance Record
March 22, 2010

Members of Council Present:

Regional Councillor G. Gibson
Regional Councillor P. Palleschi
Regional Councillor E. Moore
Regional Councillor J. Sanderson
Regional Councillor G. Miles
Regional Councillor J. Sprovieri
City Councillor V. Dhillon

Members of Staff Present:

Planning, Design and Development Department

J. Corbett, Commissioner
K. Walsh, Director of Community Design
A. Taranu, Manager of Urban Design and Public Buildings
B. Steiger, Central Area Planner

Works and Transportation Department

B. Conklin, Manager of Construction

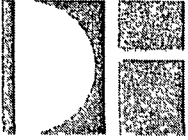
Corporate Services Department

P. Fay, City Clerk
M. Rea, Legal Counsel
E. Evans, Deputy Clerk
S. Pacheco, Legislative Coordinator
C. Urquhart, Legislative Coordinator

Members of the Public Present:

Ms. D. Kennedy Lee, on behalf of the Royal Bank, Queen Street, 33 Dear Park
Crescent, Brampton L6X 2T6
Mr. B. Kanellopoulos, Kanellopoulos Investments Inc., 71 West St., Brampton, L6T 5E2
Ms. A. Chisholm, Lai Sing Company Ltd., 109 Kennedy Rd., S., Brampton, L6W 3G3

APPENDIX '4'
Amendment to Central Area Community Improvement Plan
Queen Street East Access Management Incentive Program
Correspondence from Landowners



Davies
Howe
Partners

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416 977 7088
F 416 977 8931
davieshowe.com

Please refer to **John M. Alati**
e-mail: johna@davieshowe.com

March 22, 2010

By E-Mail Only

Mr. Peter Fay
City Clerk

- and -

Mr. Karl Walsh, Director
Community Design, Parks Planning and Development
City of Brampton
2 Wellington Street West
Br Hampton, Ontario
L6Y 4R2

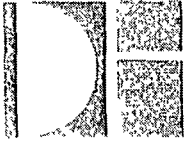
Dear Sirs:

**Re: Proposed City Initiated Amendment to the Central Area
Community Improvement Plan (CIP) and Queen Street East
Access Management Incentive Program (Queen Street East
between Centre Street and Highway 410)**

Our firm is counsel to 342815 Ontario Limited, the owner of 258 Queen Street East in Brampton. Our client's land is identified as property No. 52 in the City's study documents and is legally described as Part of Lot 6, Concession 2. Our client's land is located west of Highway 410 and just east of Kennedy Road and the site is presently occupied by a commercial facility which is tenanted by two retail stores, namely Arow Furniture and Factory Direct.

Our client is writing this letter to advise of its concerns regarding the proposed consolidation of accesses along Queen Street. The viable operation of our client's property requires the maintenance of its two present accesses and unimpeded parking for its retail tenants. It is also the concern of our client that excessive or unwarranted consolidation of driveways to achieve other objectives along this stretch of Queen Street could result in adverse impacts to its site such as overspill parking, impeded traffic circulation for its customers, etc.

For the foregoing reasons our client is seeking to participate in the proposed City initiated OP to the Central Area CIP and to be kept apprised of any and all



Davies
Howe
Partners

developments and proposals for access consolidation along this portion of the Queen Street study area pursuant to the Access Management Incentive Program.

A representative from our firm will be in attendance at the meeting tonight at the Holiday Inn to further articulate our client's concerns if such elaboration is necessary.

Yours truly,
DAVIES HOWE PARTNERS

A handwritten signature in black ink, appearing to read 'J. M. Alati'.

John M. Alati

copy: S. Lew, Conservatory Group



March 22, 2010

The Corporation of The City of Brampton
2 Wellington Street West
Brampton, ON
L6Y 4R2

Attention: Mr. Karl Walsh, OALA, MCIP, RPP

**RE: Proposed Queen Street East Access Management Incentive Program
284 Queen Street East, Brampton**

Dear Mr. Walsh;

Please be advised that we are in receipt of your letter dated March 2, 2010. We would like to inform you that we are currently satisfied with the layout of our lot at 284 Queen Street East and are not interested in changing the existing configuration of our access points.

If you have any questions or concerns, please do not hesitate to contact the undersigned at 416-847-4680.

Sincerely,
STERLING KARAMAR PROPERTY MANAGEMENT
As Agents for & on Behalf of
BRAMPTON 400 PLAZA

Per: *as per*

A handwritten signature in cursive script, appearing to read "Mark A. Jules".

Mark A. Jules, B. Comm., RCM
Manager, Commercial and Condominium Operations

MJ/jh