

Notice of Passing of Zoning By-law 152-2023

253 Queen Street East

Date of Passing: September 29, 2023
Effective Date of Decision: October 2, 2023
Date of Notice: October 10, 2023
Last Date of Appeal: October 30, 2023

On September 29, 2023, the Council of the Corporation of the City of Brampton passed By-law 152-2023. In accordance with subsection 284.11 (4) of the *Municipal Act, 2001*, this by-law is deemed to be passed by Council as of October 2, 2023.

By-law 152-2023 was passed to amend Zoning By-law 270-2004, as amended, under Section 34 of the *Planning Act*, R.S.O., c.P.13, pursuant to an application by Weston Consulting – 253 Queen Street Inc., Ward 3 (File: C02E05.036).

The Purpose and Effect of the Zoning By-law: To amend the Zoning By-law to permit a mixed-use development consisting of two phases with 3 towers of heights of 33, 38 and 32 stories.

Location of Lands Affected: west of Hansen Road South and south of Queen Street East, municipally known as 253 Queen Street East.

Obtaining Additional Information: A copy of the by-law is provided. The complete background information is available at the City Clerk's Office during regular office hours, or online at www.brampton.ca. Further enquiries should be directed to Arjun Singh, Planner, Planning, Building and Growth Management Services Department at 905-874-2254 or Arjun.Singh@brampton.ca

Any and all written submissions relating to this amendment that were made to Council, and the Planning and Development Committee, before its decision and any and all oral submissions related to these applications that were made at a public meeting, held under the *Planning Act*, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on these matters.

There are no applications under the *Planning Act*, pertaining to the subject lands.

When and How to File an Appeal: An appeal of the by-law amendment to the Ontario Land Tribunal (OLT) must be filed with the Clerk of the City of Brampton **no later than October 30, 2023**. An appeal form is available from the OLT website at <https://olt.gov.on.ca/appeals-process/forms/>

The Notice of Appeal must:

- (1) set out the reasons for appeal; and,
- (2) be accompanied by the fee required by the Ontario Land Tribunal in the amount of \$1,100.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario. A copy of the Ontario Land Tribunal Fee Schedule may be found at <https://olt.gov.on.ca/appeals-process/fee-chart/>

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal (OLT). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

Notice of Appeal may be hand delivered to:

City of Brampton
Office of the City Clerk
2 Wellington Street West
Brampton, ON L6Y 4R2
Contact: (905) 874-2116



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 152 - 2023

To amend Comprehensive Zoning By-law 270-2004, as amended

THAT the Council of the Corporation of the City of Brampton ENACTS as follows:

1. By-law 270-2004, as amended, is hereby further amended:

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

From:	To:
Service Commercial — Section 3350 (SC-Section 3350)	Downtown Commercial - Section 3726 (DC - 3726) & Downtown Commercial (Holding) — Section 3726 (DC (H) - 3726)

(2) By adding thereto, the following section:

3726 for the lands designated Downtown Commercial Section — 3726 (DC — 3726) and Downtown Commercial (Holding) — Section 3726 (DC (H) - 3726) on Schedule A to this By-law.

3726.1 Shall only be used for the following purposes:

- (1) Uses permitted by the Downtown Commercial (DC) Zone;
- (2) Apartment Dwelling;
- (3) Townhouse Dwelling;
- (4) Live-Work Townhouse Dwelling; and,
- (5) A recreational facility as an accessory use to an apartment dwelling.

3726.2 Notwithstanding section 3726.1 of this By-law, the erection or use of buildings or structures on the lands outlined on Schedule A to this By-law shall not be permitted unless it has been confirmed that sufficient wastewater infrastructure and capacity is available to service the lands, to the satisfaction of the Regional Municipality of Peel or the City of Brampton, as the case may be.

3726.3 The lands zoned as DC-3726 and DC(H) — 3726 on Schedule A to this By-law shall be subject to the following requirements and restrictions

1. Notwithstanding Section 281.2 (f) of this By-Law, the requirements and restrictions of the R4B Zone shall not apply to an apartment building
2. Maximum Gross Floor Area: 93,000 square metres
3. Minimum Gross Floor Area for all non-residential uses: 5,500 square metres
4. Maximum Building Height for a building within 19 meters of Queen Street East: 110 metres
5. Maximum Building Height for a building beyond 19 meters of Queen Street East: 132 meters.
6. Minimum Front Yard Depth along Queen Street East: 6 Meters
7. Minimum Front Yard Depth along a Public Road, other than Queen Street East: 6 metres
8. Minimum Interior Side Yard Width (West Side): 9 Metres
9. Minimum Interior Side Yard Width (East Side): 12 Metres
10. Minimum Rear Yard Depth: 8.0 Metres
- 11: Minimum Landscape Open Space: 6,000 Square Metres
12. Minimum total Interior and Exterior amenity space: 4,000 Square Meters
13. Minimum tower separation distance: 25 meters
14. Minimum podium separation distance: 20 meters
15. Minimum Vehicle Parking Spaces shall be provided in accordance with the following:
 - a) Visitor parking for an apartment dwelling, a multiple residential dwelling and a townhouse dwelling having no private garage or driveway, shall be provided at a rate of 0.20 visitor parking spaces per dwelling unit.
 - b) Notwithstanding any minimum parking requirements prescribed in Sections 10.9.2(a), 10.9.3, 20.3.1, 30.5, no minimum parking rates shall apply.
16. Bicycle Parking shall be provided in accordance with the following:
 - a) Minimum 0.5 spaces per apartment dwelling unit
 - b) Minimum 0.10 visitor spaces per apartment dwelling unit.
17. Notwithstanding Section 20.6 of this By-law, loading spaces may be shared between retail commercial uses and office uses.

18. Notwithstanding any other sections of this By-law, required parking spaces for visitor parking, retail commercial and office uses may be shared during off peak hours.

19. For the purposes of this by-law the lands zoned DC – Section 3726 and DC (H)- Section 3726 should be viewed as one lot.

3726.4 The lands designated Downtown Commercial (Holding) — Section 3726 (DC (H) - 3726) on Schedule A to this By-law:

3726.5 Uses Permitted Prior to Removal of the H — Holding Symbol:

- (1) Uses legally existing on the effective date of the amending by-law; and
- (2) Temporary driveway loop road to be permitted until the construction and assumption of the future east-west public road by the City of Brampton.

3726.6 Conditions for Removing the H - Holding Symbol:

Removal of the H - Holding Symbol on land zoned (DC (H) — 3726) shall be subject to the following conditions:

1. The City's Commissioner of Public Works shall be satisfied that a new public road providing access to the lands has been constructed to either Rutherford Road S and/or Hansen Road S and conveyed to the City, or other alternative access arrangements to the satisfaction of the Commissioner of Public Works;
2. A Hydraulic Analysis shall be finalized to the satisfaction of the Toronto Region Conservation Authority; and,
3. The following shall be finalized to the satisfaction of the City's Director of Development and Environmental Engineering and the Toronto Region Conservation Authority:
 - a. An Environmental Impact Study that identifies existing Natural Heritage Features, natural hazards, and applicable buffers;
 - b. An assessment for compensation in respect of any development proposed to remove or encroach within the identified Natural Heritage Features, natural hazards, and applicable buffers, in accordance with the Toronto Region Conservation Authority's Guideline for Determining Ecosystem Compensation (or successor policy); and,
 - c. Lands comprising Natural Heritage Features that are not subject to removal or encroachment by proposed development being conveyed to either the City of Brampton or the Toronto Region Conservation Authority, if required

3726.7 For the purposes of DC-3726 and DC(H)-3726:

Podium shall mean any of various building elements that form the base or bottom storeys of a building, and does not include the Tower.

Tower shall mean the portion of the building located above a height of 30.0 metres for buildings located along Queen Street East and above a height of 23.0 metres all other buildings.

Dwelling, Townhouse shall mean a building that is divided vertically above the established grade into three (3) or more dwelling units where each dwelling unit is attached with another dwelling unit by a common wall, which may be a garage wall, not less than (10) square metres in area from the ground level to the roofline of the wall; and where each

dwelling unit has an independent entrance from a yard immediately abutting the front and rear wall of the unit.

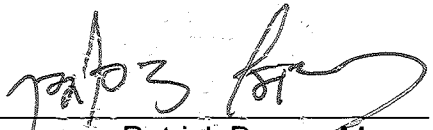
Dwelling, Live-Work Townhouse shall mean a townhouse dwelling composed of three (3) or more dwelling units, where each dwelling unit is located on its own lot or has frontage on a public street, with the garage in the rear yard and has access to the garage from a public street, public lane or private lane, where units have at least one common interior side wall; and where commercial and or residential uses are permitted on the ground floor/first floor, portions of the second or third floor; and where a home occupation is permitted on all floors; and where each dwelling unit may have a balcony or uncovered terrace on the second or third storey.

ENACTED and PASSED this 29th day of September, 2023.

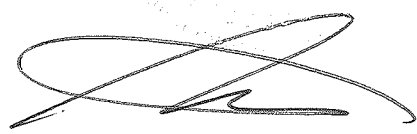
Approved as to
form.
2023/09/27
SDSR

Approved as to
content.
2023/09/27
AAP

(C02E05 036)



Patrick Brown, Mayor
HARJOT SINGH, Deputy Mayor



Peter Fay, City Clerk

HANSEN RD N

QUEEN ST E

HANSEN RD S

DC-3726

DC(H)-3726



BRAMPTON
Flower City

PLANNING, BUILDING AND GROWTH MANAGEMENT



PART LOT 5, CONCESSION 2 E.H.S.


File: C02E05.036_ZBLA
Date: 2023/08/22

Drawn by: ckovac

BY-LAW 152-2023

SCHEDULE A



 SUBJECT LANDS



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File: C02E05.036_ZKM
Date: 2023/08/22



KEY MAP

Drawn by: ckovac

BY-LAW 152-2023