

**Adoption of Official Plan Amendment OP 2006-216 (By-law 112-2022)
and Zoning By-law 113-2022**

Date of Decision: May 18, 2022
Date of Notice: May 31, 2022
Last Date of Appeal: June 20, 2022

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 112-2022, to adopt Official Plan Amendment OP2006-216, and By-law 113-2022, to amend Comprehensive Zoning By-law 270-2004 under sections 17 and 34, respectively of the *Planning Act* R.S.O., c.P.13, as amended, pursuant to an application by 1317675 Ontario Inc. – Glen Schnarr & Associates – Ward 7 (C04E05.032)

This official plan amendment is exempt from approval by the Region of Peel and the decision of Council is final if a notice of appeal is not received on or before the last day for filing such notice.

The Purpose and Effect of the Official Plan Amendment: to amend the City of Brampton Official Plan OP2006, to change the designation to Central Area Mixed Use and include a Special Policy Area 2, which will increase the density permitted on this site allowing for a range of residential and commercial uses.

The Purpose and Effect of the Zoning By-law: to amend comprehensive Zoning By-law 270-2004, to create two zones. The first zone (CMU1-3025) is for a 20 storey (232 units) mixed-use building with retail (1,764m²) on the first floor and a total of 189 parking spaces. The second zone (CMU1-3026) has three buildings; a 22 storey (162 units) mixed-use building with retail (1,916m²) on the first floor, and two 6 storey residential buildings (47 units each) with a total of 307 parking spaces.

Location of Lands Affected: 25 Kings Cross Road, at the southwest intersection of Kings Cross Road and Kensington Road.

Obtaining Additional Information: A copy of the by-law is provided. The complete by-law and background materials are available for inspection in the City Clerk's Office during regular office hours, or online at www.brampton.ca. Further enquiries or questions should be directed to Stephen Dykstra, Development Planner, Planning, Building and Economic Development, at 905-874-2094 or stephen.dykstra@brampton.ca

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

Any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application 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 this matter.

When and How to File an Appeal: Any appeal of the official plan amendment to the Ontario Land Tribunal (OLT) must be filed with the Clerk of the City of Brampton **no later than June 20, 2022**, shown above as the last date of appeal. 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 St. W.,
Brampton, ON L6Y 4R2
905.874.2114



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 112 - 2022

To Adopt Amendment Number OP 2006- 216 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 - 216 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 18th day of May, 2022.

Approved as to
form.

2022/04/28

SDSR

Approved as to
content.

2022/04/08

AAP

~~Patrick Brown, Mayor~~

MARTIN MEDEIROS, DEPUTY MAYOR

Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006 – 216
To Official Plan of the
City of Brampton Planning Area

AMENDMENT NUMBER OP 2006 – 216
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 PURPOSE

The purpose of this amendment along with the schedules is to implement the policies of the Official Plan and the Queen Street Corridor Secondary Plan Area 36 through the preparation and approval of a change in land use designation of the lands identified on Schedule 'A' to permit a broader range of land uses and higher density.

This amendment to Chapter 36 of the Queen Street Corridor Secondary Plan is based on the findings of several component studies completed to address servicing and community design considerations. The amendment addresses the principles of complete community, sustainability and incorporates an updated perspective to increase the uses and density for the subject site in the context of current Provincial, Regional and local planning policies.

2.0 LOCATION

The subject lands comprise an area of approximately 1.62 hectares (4 acres) in area, located on the southwest side of the intersection of Kings Cross Road and Kensington Road. The lands have a frontage of approximately 159.5 metres (523 feet) on Kings Cross Road.

The lands are legally described as Block B, Plan 962, City of Brampton, Region of Peel. The lands subject to this amendment are specifically indicated on Schedule A to the Queen Street Corridor Secondary Plan as attached.

3.0 AMENDMENTS AND POLICIES RELATIVE HERETO

3.1 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 36: Queen Street Corridor Secondary Plan as set out in Part II: Secondary Plans thereof, Amendment Number OP2006- 216.

3.2 The document known as the 2006 Official Plan of the City of Brampton Planning Area which remain in force, as they relate to the Queen Street Corridor Secondary Plan 36 is hereby further amended:

- (1) by adding the following as 5.8.2 Special Policy Area 2:

"5.8.2 Special Policy Area 2

Land Use

5.8.2.1 Notwithstanding Section 5.1.2.2 "Central Area Mixed-Use" designation, lands within Special Policy Area 2 are permitted to have a maximum of up to 3.0 FSI.

Built Form Principles

5.8.2.2 The built form shall address the street and create an urban, pedestrian-friendly street edge, with the majority of the property frontage along Kings Cross Road and Kensington Road.

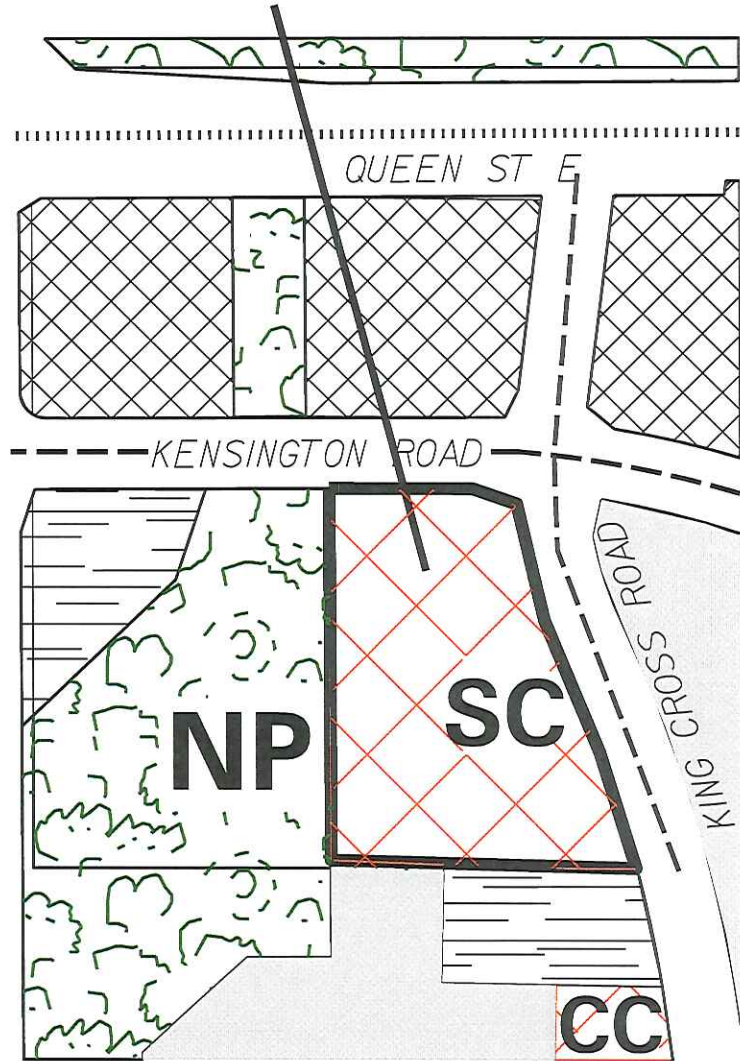
5.8.2.3 Building design shall be to a high standard and use high quality building materials.

5.8.2.4 Ample open space shall be provided between the buildings and Knightsbridge Park. In addition, the building height shall decrease from along Kings Cross Road to Knightsbridge Park.

5.8.2.5 The first floor for the buildings along Kings Cross Road and Kensington Road should be constructed to permit commercial / retail uses.

- (2) by changing on Schedule SP36 Schedule A of Chapter 36 of Part Two :
Secondary Plans, the lands shown on Schedule A to this amendment from
“Service Commercial” to “Central Area Mixed Use” and “Special Policy Area 2”,
and adding the “Special Policy Area 2” designation to the legend.

LANDS TO BE REDESIGNATED
FROM "SERVICE COMMERCIAL"
TO "CENTRAL AREA MIXED USE"
AND "SPECIAL POLICY AREA 2"



EXTRACT FROM SCHEDULE SP36(A) OF THE DOCUMENT KNOWN AS THE QUEEN STREET CORRIDOR SECONDARY PLAN

<u>RESIDENTIAL</u>	 Service Commercial	 Major Arterial Road
 High Density	 Convenience Commercial	 Special Policy Area 2
<u>INSTITUTIONAL</u>	<u>PUBLIC OPEN SPACE</u>	
 Institutional	 Neighbourhood Park	
<u>COMMERCIAL</u>	<u>TRANSPORTATION</u>	
 Central Area Mixed Use	 Collector Road	





THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 113 - 2022

To amend Comprehensive Zoning By-law 270-2004

The Council of the Corporation of the City of Brampton ENACTS as follows

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:
Recreation Commercial – Special Exception (RC-399)	Central Area Mixed Use One – Special Exception (CMU1 - 3025); Central Area Mixed Use One – Special Exception (CMU1 - 3026)

By adding the following Sections:

“3025 The lands designated CMU1-3025 on Schedule A to this By-law:

3025.1 Shall only be used for the following purposes:

- 1) Permitted Uses:

Residential:

- a. an apartment dwelling

Commercial uses, only on the first and/or second storey of an apartment dwelling:

- a. an office
- b. a private school
- c. a park, playground, recreational facility
- d. a bank, trust company or financial institution
- e. a retail establishment, having no outside storage, excluding those listed below as not permitted
- f. a convenience store or grocery store, with a gross floor area of up to 400m²
- g. a pharmacy, with a gross floor area of up to 400m²

- h. a personal service shop
- i. a printing or copying establishment
- j. a commercial, technical or recreation school
- k. a community club
- l. a health & fitness centre
- m. a day nursery
- n. an amusement arcade
- o. a place of commercial recreation
- p. a medical office

The following uses shall not be permitted:

- a. an adult video store
- b. an adult entertainment parlour
- c. a massage or body rub parlour
- e. a drive-through facility
- f. a convenience store or grocery store having a gross floor area of more than 400m²
- g. a supermarket
- h. a pharmacy having a gross floor area of more than 400m²

3025.2 Shall be subject to the following requirements and restrictions:

- 1) For the purpose of this By-law, Kings Cross Road shall be the front lot line.
- 2) For the purpose of this by-law, Schedules B-1, B-2 and B-3 and associated requirements and restrictions set in Section 29.1 shall not apply.
- 3) Minimum Rear Yard setback: 19 metres, except 5 meters to an air intake shaft serving an underground parking garage
- 4) Maximum Lot Coverage: 45%
- 5) Maximum Building Height: 22 Storeys
- 6) Minimum Building Height: 6 storeys
- 7) Minimum Exterior side yard setback (to Kensington Road): 5.0 metres
- 8) Minimum Interior Side Yard setback: 8.1 metres
- 9) Minimum Front Yard setback: 3.0 metres
- 10) Maximum FSI: 3.9
- 11) Minimum Private Amenity Area: 2.0 m² per dwelling unit
- 12) Minimum Ground Floor Height: 4.5 metres
- 13) Access to an underground parking garage shall be provided from a private internal driveway.
- 14) Building Height shall be exclusive of mechanical or architectural appurtenances such as mechanical equipment, mechanical penthouse,

elevator machine rooms or enclosures, telecommunication equipment and enclosures, parapets, turrets, cupolas, stairs and stair enclosures, located on the roof of an apartment dwelling.

- 15) Residential apartment dwelling units shall be permitted on all storeys.
- 16) Section 29.1.3(k) shall not apply.
- 17) For the purpose of this Section, a Pharmacy shall mean a retail outlet engaged in the sale and dispensation of prescription medication.

3025.3 CMU1-3025 Shall be subject to the requirements and restrictions relating to the CMU1 zone and all general provisions of this by-law which are not in conflict with those set out in Section 3025 of this Amendment.”

“3026 The lands designated CMU1-3026 on Schedule A to this By-law:

3026.1 Shall only be used for the following purposes:

1) Permitted Uses:

Residential:

- a. an apartment dwelling
- b. a townhouse dwelling
- c. a stacked townhouse dwelling
- d. a stacked back-to-back townhouse dwelling
- e. a multiple residential dwelling

Commercial uses, only on the first and/or second storey of a building:

- a. an office
- b. a private school
- c. a park, playground, recreational facility
- d. a bank, trust company or financial institution
- e. a retail establishment, having no outside storage excluding those listed below as not permitted
- f. a convenience store or grocery store, with a gross floor area of up to 400m²
- g. a pharmacy, with a gross floor area of up to 400m²
- h. a personal service shop
- i. a printing or copying establishment
- j. a commercial, technical or recreation school
- k. a community club
- l. a health & fitness centre
- m. a day nursery
- n. an amusement arcade
- o. a place of commercial recreation
- p. a medical office
- q. purposes accessory to the other permitted uses

The following uses shall not be permitted:

- a. an adult video store
- b. an adult entertainment parlour
- c. a massage or body rub parlour
- e. a drive-through facility
- f. a convenience store or grocery store having a gross floor area of more than 400m²
- g. a supermarket
- h. a pharmacy having a gross floor area of more than 400m²

3026.2 For the purpose of this by-law:

- 1) For the purpose of this By-law, Kings Cross Road shall be the front lot line.

2) For the purpose of this by-law, Schedules B-1, B-2 and B-3 and associated requirements and restrictions set in Section 29.1 shall not apply.

3026.3 The following requirements and restrictions shall also apply to any building or use of lands existing on the date of the passing of this by-law.

- | | | |
|----|---|-------------|
| 1) | Minimum Rear Yard setback: | 6.0 metres |
| 2) | Minimum Interior (North) Side Yard setback: | 0.7 metres |
| 3) | Minimum Interior (South) Side Yard setback: | 3.3 metres |
| 4) | Minimum Front Yard setback: | 16.0 metres |

3026.4 The following requirements and restrictions shall apply to any building constructed after the date of enactment of the passing of this by-law:

- | | | |
|-----|--|---|
| 1) | Minimum Rear Yard setback: | 19.0 metres |
| 2) | Maximum Lot Coverage: | 45% |
| 3) | Maximum Building Height within 40 metres of Kings Cross Road: | 22 Storeys |
| 4) | Maximum Building Height beyond 40 metres of Kings Cross Road: | 6 Storeys |
| 5) | Minimum Building Height: | 6 Storeys |
| 6) | Minimum separation distance between the wall of a building located within 40 metres of King Cross Road and a building located more than 40 metres from Kings Cross Road, shall be 17 metres, excluding stairs to an underground parking garage. | |
| 7) | Minimum Interior (North) Side Yard setback: | 11.0 metres, excluding structures to house stairwells |
| 8) | Minimum Interior (South) Side Yard setback: | 5 metres |
| 9) | Minimum Front Yard setback: | 3.0 metres |
| 10) | Maximum FSI: | 2.7 |
| 11) | Minimum Private Amenity Area: | 2.0 m ² per dwelling unit |
| 12) | Minimum Ground Floor Height: | 4.5 metres |
| 18) | Access to any underground parking garage shall be provided from a private internal driveway. | |
| 13) | Building Height of any building shall be exclusive of mechanical or architectural appurtenances such as mechanical equipment, mechanical penthouse, elevator machine rooms and enclosures, telecommunication equipment and enclosures, parapets, turrets, cupolas, stairs and stair enclosures, located on the roof of a dwelling. | |
| 14) | Residential apartment dwelling units shall be permitted on all storeys. | |
| 15) | Section 29.1.3(k) shall not apply. | |


- 16) Minimum Bicycle parking for Commercial Uses: 1 parking space for each 500m2 of gross commercial floor area or portion thereof
- 17) For the purpose of this Section, a Pharmacy shall mean a retail outlet engaged in the sale and dispensation of prescription medication.

3026.5 Shall be subject to the requirements and restrictions relating to the CMU1 zone and all general provisions of this by-law which are not in conflict with those set out in Section 3026 of this Amendment.”

ENACTED and PASSED this 18th day of May, 2022.


Approved as to form. 2022/05/17 SDSR
Approved as to content. 2022/05/13 AAP

(C04E05.032)

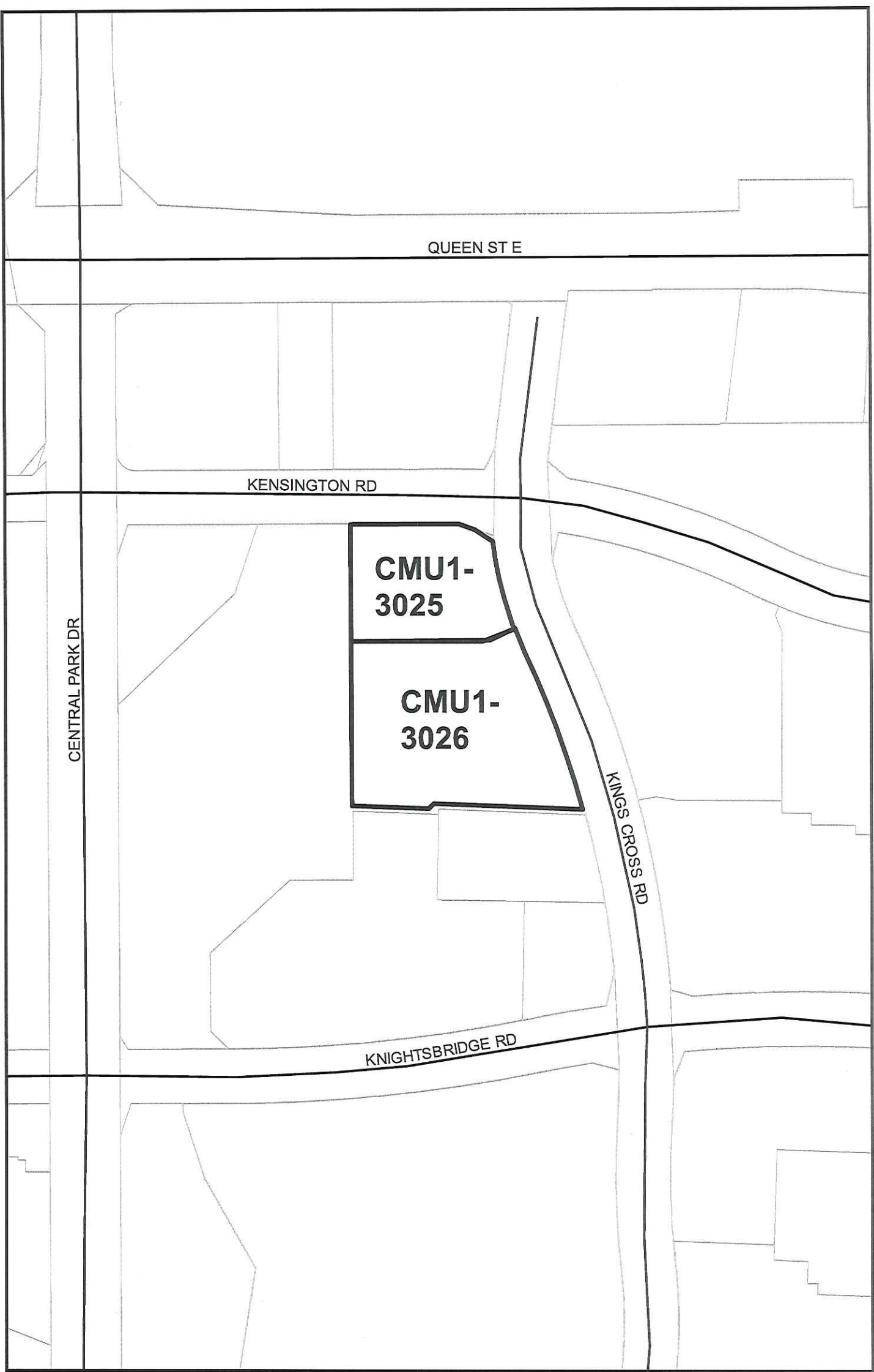


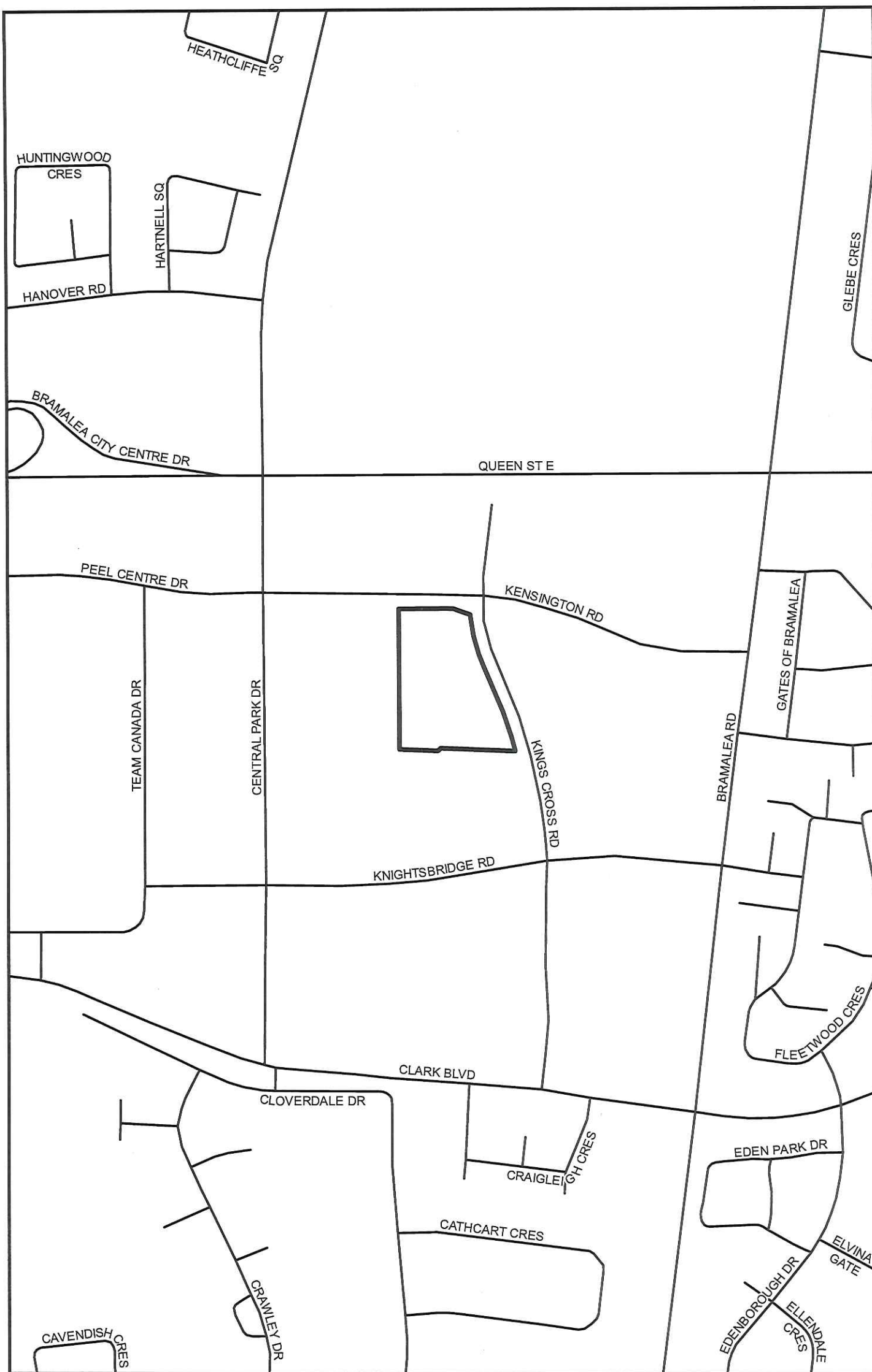
Patrick Brown, Mayor

MARTIN MEDEIROS, DEPUTY MAYOR



Peter Fay, City Clerk





 SUBJECT LANDS



KEY MAP