

**Adoption of Official Plan Amendment OP2006-226 (By-law 191-2022)
and By-law 192-2022 to amend the Development Permit System By-law 230-2012**

Date of Decision: August 26, 2022
Date of Notice: September 8, 2022
Last Date of Appeal: September 28, 2022

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 191-2022, to adopt Official Plan Amendment OP2006-226, and By-law 192-2022, to amend the Development Permit System By-law 230-2012, under sections 17 and 70.2, respectively, of the *Planning Act* R.S.O., c.P.13, as amended, pursuant to an application by Solmar Development Corp – Ward 1 (File: OZS-2022-0011).

Location of Lands Affected: the lands are bounded by Main Street North, Market Street, Thomas Street, and David Street excepting lands municipally known as 195, 223 and 227 Main Street North; 48 and 54 Thomas Street; and 5 and 7 David Street, within the Downtown Brampton Secondary Plan Area 7.

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 permit the use of the subject lands for two 48 storey mixed use buildings. The development will yield 1149 residential units, and commercial space at grade.

The Purpose and Effect of the Development Permit System by-law Amendment: to permit the use of the subject lands for two 48 storey mixed use buildings. The development will yield 1149 residential units, and commercial space at grade.

Obtaining Additional Information: A key map is provided. The complete by-laws 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 David Vanderberg, Manager, Development Services, Planning, Building and Economic Development, at 905-874-2325 or david.vanderberg@brampton.ca.

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.

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

When and How to File an Appeal: An appeal of the official plan amendment or zoning by-law to the Ontario Land Tribunal (OLT) must be filed with the Clerk of the City of Brampton **no later than September 28, 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 191 - 2022

To Adopt Amendment Number OP2006- 225 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 OP2006- 225 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 26th day of August, 2022.

Approved as to
form.

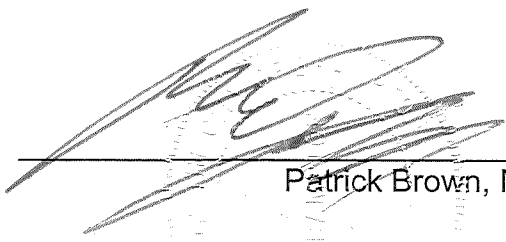

2022/09/05

SDSR

Approved as to
content.

2022/08/05

SG


Patrick Brown, Mayor
Peter Fay, City Clerk

(City File: OZS-2022-0011)

AMENDMENT NUMBER OP 2006- 225

TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this Amendment is to amend the Development Permit System Area: Main Street North section of the Downtown Brampton Secondary Plan Area 7 to add polices that will guide the development of the lands for high density mixed uses.

2.0 Location:

The lands subject to this amendment are located on the northeast corner of Thomas Street and Market Street and are municipally known as 199, 203, 205, 207, 209, 215, 217, 219 and 221 Main Street North, 34, 38, 42 and 44 Thomas Street, and 4 Market Street. The lands subject to this amendment have a total site area of 0.7 hectares (1.72 acres).

3.0 Amendments and Policies Relevant Thereto:

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

- a) by adding to the list of amendments pertaining to Secondary Plan Area Number 7: Downtown Brampton Secondary Plan as set out in Part II: Secondary Plans thereof, Amendment Number OP 2006- 225 .

3.2 The document known as the Downtown Brampton Secondary Plan, being Chapter 7, of Part II: Secondary Plans, of the City of Brampton Official Plan, as amended, is hereby further amended:

- a) by adding the following as Policy 5.7.9 to Section 5.7 DEVELOPMENT PERMIT SYSTEM AREA: MAIN STREET NORTH:

“5.7.9 Policies in Section 5.7.9 shall apply to lands bounded by Main Street North, Market Street, Thomas Street, and David Street excepting lands municipally known as 195, 223 and 227 Main Street North; 48 and 54 Thomas Street; and 5 and 7 David Street.

5.7.9.1 The lands may be developed for high density mixed-use development that incorporates a combination of commercial, retail, office, institutional, daycare, and residential uses with a maximum building height of 48-

storeys, a maximum podium height of 6 storeys, and a maximum floor space index of 12.

- 5.7.9.2 A minimum of approximately 1,400 square metres of gross floor area shall be dedicated to non-residential uses on the ground floor, and the non-residential uses facing Main Street North shall have direct access to street.
- 5.7.9.3 The development is located within the Downtown GO Major Transportation Station Area and is strongly encouraged to achieve compact transit-oriented development with a diverse mix of housing unit sizes and tenure, and contribute towards affordable housing and housing choice that aligns with the principles and action items of *Housing Brampton 2021*.
- 5.7.9.4 Bicycle parking shall be provided to serve the users of the development to encourage alternative modes of transportation in lieu of vehicular parking spaces.
- 5.7.9.5 The following urban design principles shall apply to the design of high density mixed-use buildings and additions:
- a. The design of the high density mixed-use buildings shall have complementary design relationship to existing buildings and the planned emerging context, while accommodating a diversity of architectural styles, building materials and colours, energy conservation techniques and innovative built forms.
 - b. The design of all buildings shall have regard to pedestrian safety, and direct street access where possible. Buildings should be massed and be architecturally articulated to reinforce the pedestrian scale, provide an appropriate street wall height at the street line to provide visual variety and interest.
 - c. Buildings shall be encouraged to present their principal building facades with an appropriate building design and fenestration to the public street. Facades shall be given special treatment through the use of massing and building articulation strategies, such as added height, special roof treatments, and use of

special cladding materials to address such locational conditions.

- d. Building entrances shall be located and be visible from the adjoining street(s) and, where possible, directly linked to the sidewalks through appropriately articulated walkways.
- e. The prominence of garages or garage doors shall be reduced by providing appropriate treatment. All parking shall be located below grade.
- f. New development and redevelopment shall consider the following factors:
 - i. The nature of the existing and proposed exterior
 - ii. Building materials and architectural elements.
 - iii. Potential impacts on adjacent built heritage resources.
 - iv. The location of driveways and private garages.
 - v. Provision of landscaping to buffer residential uses, enhance streetscape and achieve a high quality of site design.
 - vi. Roofscapes shall be an integral part of the design of a building. In this regard, it is expected that the design of the upper portions of buildings provide interesting architectural features, elements and articulation.
 - vii. Site design shall promote an appropriate design relationship between the public realm, adjacent land uses, on-site operations and visual aesthetics, in order to realize an environment that is pleasant and attractive to the community.
 - viii. Site design shall address compatibility between differing adjacent land uses and planned uses in the context of density, height and massing through appropriate site layout, building locations, massing, and landscape treatments.
 - ix. Continuous, highly visible, well-articulated and landscaped connections between building(s) and the

street shall be provided to enhance the streetscape, establish appropriate pedestrian linkages between the sidewalk and building entrances;

- x. Any lighting shall be designed to minimize impacts on adjacent residential areas and properties.”



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 192 - 2022

To Amend the Main Street North Development Permit System By-law, 230-2012, as amended

1. By-law 230-2012, as amended, is hereby further amended:
- (1) By adding the following Section 4.2.1 to Part 4.0 Development Regulations:

“4.2.1 In this by-law and its Schedules, a district may be particularized with a suffix, consisting of the word “Section”, followed by a four digit whole number (that is, a number without a decimal point); and such whole number may be preceded by a dash or be enclosed by brackets. The suffix is a reference to a Special Section in Part 4.0 of this by-law. In addition to regulations and restrictions contained in the Special Section, all regulations and restrictions of the Parent District (listed in Section of this by-law) before the Special Section and all other provisions shall also apply to the particular district provided that they are not in conflict with the regulations and restrictions set out in the applicable Special Section, unless clearly indicated otherwise. There is no functional difference between any way of denoting the suffix, for example, districts described as CMU2-DPS Section 0001, CMU3-DPS Section 0001, R1B-DPS Section 0001 would all be subject to the regulations and restrictions in Section 0001 to this by-law.”

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

From:	To:
Central Area Mixed Use Three – Development Permit System (CMU3-DPS)	Central Area Mixed Use Three – Development Permit System - Section 0001 (CMU3-DPS-0001).

- (3) By adding thereto, the following Sections:
- “0001 The lands designated CMU3-DPS-0001 on Schedule A to this by-law:
- 0001.1 Shall only be used for the following purposes:
- i. Purposes permitted in the CMU2-DPS District;
 - ii. Purposes permitted in the CMU3-DPS District;
 - iii. A Retirement Home;
 - iv. Purposes accessory to the permitted uses.

0001.2 Shall be subject to the following requirements and restrictions:

- (a) Maximum Floor Space Index: 12;
- (b) Maximum Number of Dwelling Units: 1150;
- (c) Minimum Lot Area: None;
- (d) Minimum Lot Width: None;
- (e) Maximum Height: 48-storeys;
- (f) Maximum Building Floor Plate Above 6th Storey: 785 square metres;
- (g) Minimum Non-Residential Gross Floor Area at Ground Level: 1400 square metres
- (h) Minimum Distance Between Buildings Above the 6th Storey: 25 metres;
- (i) Minimum Setback From the Lot Line Abutting Main Street North to:
 - (i) The first 6 storeys: 0.0 metres;
 - (ii) Any portion of the building above the 6th storey: 3.0 metres;
- (j) Minimum Setback From the North Lot Line to any portion of the building: 6.0 metres;
- (k) Minimum Setback From the Lot Line Abutting Thomas Street to:
 - (i) The first 4-storeys: 1.5 metres;
 - (ii) Any Portion of a Building above 4-storeys: 4.0 metres;
- (l) The Minimum Setback From the Interior Side Lot Line of the Property Addressed as 195 Main Street North:
 - (i) to the first 6-storeys: 5.0 metres;
 - (ii) Above 6 storeys: 7.0 metres
- (m) Maximum Permitted Encroachment of a Balcony or Patio Into Any Required Yard Shall be 1.5 metres.
- (n) Minimum Number of Parking Spaces:
 - (i) Residential and Commercial: 0.0 per unit
 - (ii) Visitor Parking Spaces: 0.2 per unit.
- (o) Minimum Number of Bicycle Parking Spaces:
 - (i) Residential Units: 0.50 per unit
 - (ii) Non-residential Space: 1 per 500 sq. m.
- (p) Schedule 3, 4, 5, 6, 6-1A and 6-1B shall not apply.
- (q) All lands within the CMU3-DPS-0001 Designation shall be considered one lot for the purposes of this special section, and the front lot line shall be deemed to be Main Street North.

0002 A Development Permit shall not be approved until the following conditions have been fulfilled to the satisfaction of

the Commissioner of Planning, Building, and Economic Development Department:

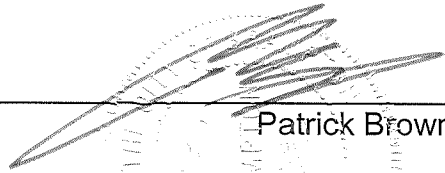
- (a) Approval of the following technical studies:
 - i. Wind Study
 - ii. Shadow Impact Study
 - iii. Traffic Impact Study
 - iv. Urban Design Brief
 - v. Archaeological Report
 - vi. Arborist Report
 - vii. Phase 1 Environmental Site Assessment (and Phase 2 Environmental Site Assessment if required)
 - viii. Geotechnical Investigation

- (b) Execution of a development agreement to provide Community Benefits in exchange for the increased height and density in accordance with Section 9.4.6 of the Downtown Brampton Secondary Plan Area 7 and Section 37 of the *Planning Act*.”

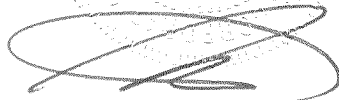
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Approved as to form.
2022/08/05
SDSR

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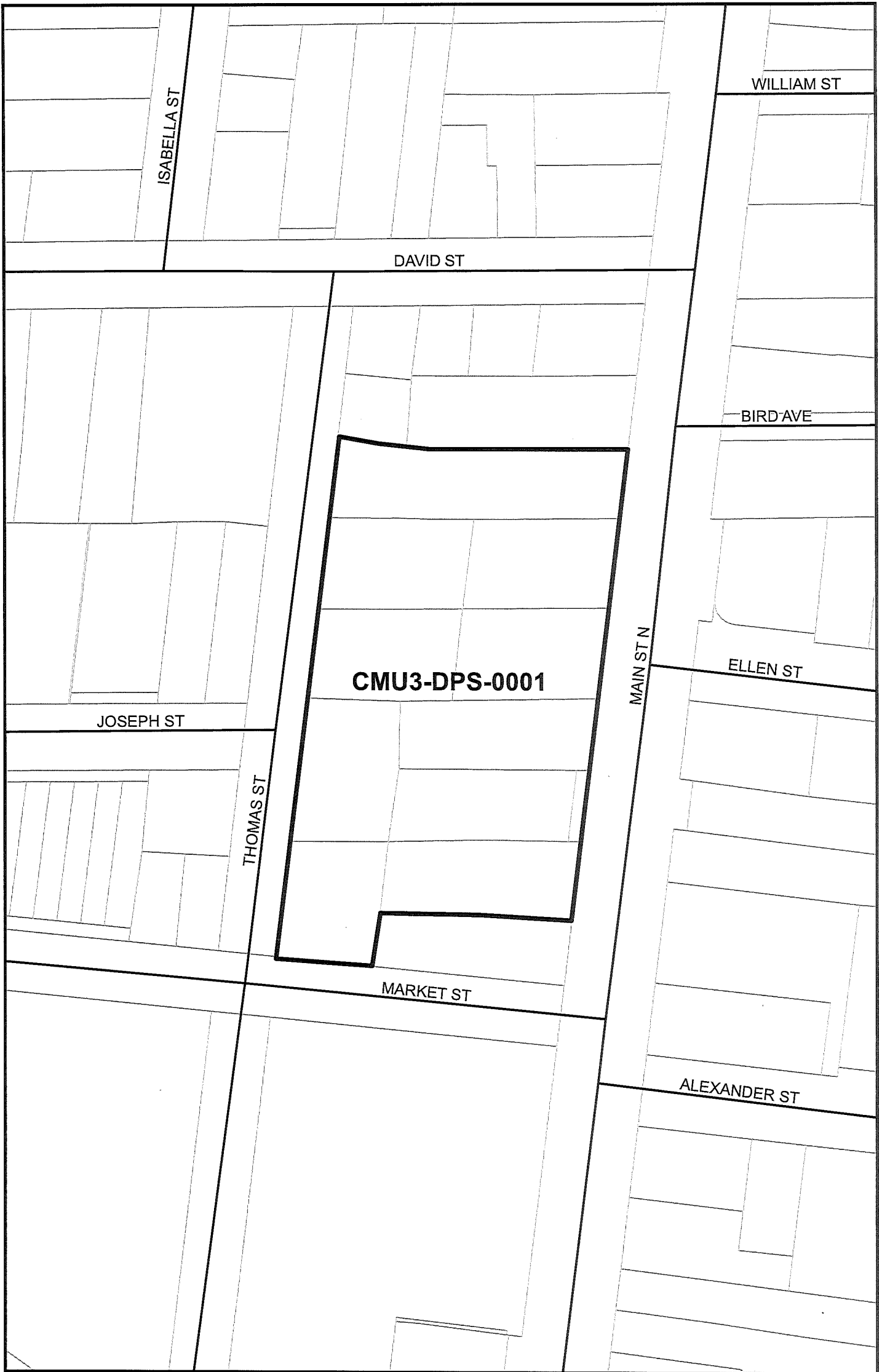


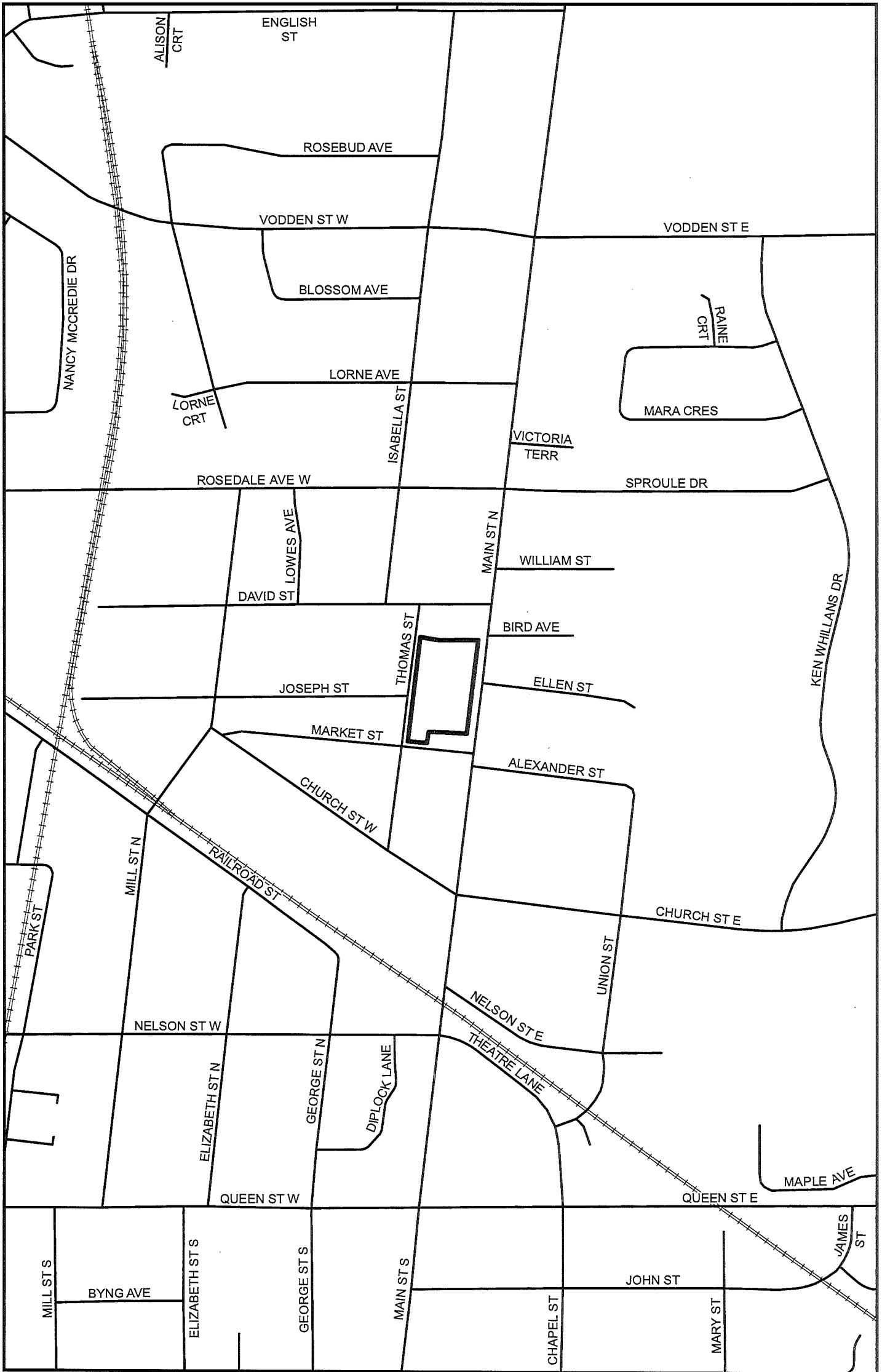
Patrick Brown, Mayor



Peter Fay, City Clerk

File: OZS-2022-0011).





 SUBJECT LANDS



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 PLANNING, DEVELOPMENT AND ECONOMIC DEVELOPMENT
 File: OZS-2022-0011_ZKM_DPS
 Date: 2022/07/15



KEY MAP

BY-LAW 192-2022

Drawn by: ckovac