



Report Committee of Adjustment

Filing Date: April 15, 2024
Hearing Date: June 18, 2024

File: A-2024-0109

**Owner/
Applicant:** Main Street Developments Inc.
Parente Borean LLP

Address: 227 and 229 Main Street South

Ward: 3

Contact: David VanderBerg, Manager, Development Services

Recommendations:

That application A-2024-0109 is supportable, in part, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That a Pre-Consultation application shall be submitted within 90 days of the Committee of Adjustment's decision;
3. That a Site Plan Application shall be submitted and deemed complete within 120 days from the date of the Pre-Consultation meeting;
4. That a Site Plan Application shall be approved within 360 days from the date of deeming the Site Plan complete, or extended at the discretion of the Director of Development Services;
5. That the applicant shall submit a Functional Servicing Report, meeting the applicable Terms of Reference, to the Region of Peel as part of a Site Plan application to model proposed water and wastewater demands/flows and to determine the adequacy of the existing infrastructure for the proposed development;
6. That architectural strategies be implemented during the Site Plan Approval stage, to the satisfaction of the Director of Development Services, that ensure effective mitigation of the impacts of the reduced setbacks and increased podium height (variances 7, 8 and 11) to meet the intended goals of providing sufficient light, air, privacy, building design and streetscape quality;

7. That the applicant shall submit a Shadow Study and Wind Study, meeting the applicable Terms of Reference, as part of a Site Plan Application;
 8. That Variance 13 to permit a tower separation of 20 metres be refused;
 9. That Variance 16 be approved to permit a rate of 0.20 spaces per unit for residents and that the rate of 0.15 spaces per unit for visitor be refused;
 10. That Variance 18 be limited to only apply to the Charolais Boulevard frontage;
 11. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

The subject site is municipally known as 227 and 229 Main Street, located at the corner of Main Street and Charolais Boulevard. Applications for an Official Plan Amendment and Zoning By-law Amendment (OZS-2021-0056) were approved by Council on February 8, 2023 to allow for a High-Rise Mixed-Use Development on the subject property. The application originally proposed a mixed-use development having two towers (19 and 26 storeys) including 400 residential units, 470 square metres of ground floor commercial space and 234 parking spaces.

Council approved the application with revisions to the Zoning By-law Amendment, incorporating two Holding Provisions (H) that require the completion of a Traffic Impact Study and additional public consultation through a Community Meeting. Given the site's proximity to nearby low-rise neighbourhoods and to address neighboring residents' concerns, staff recommended revisions to the development's form, reducing heights and setbacks adjacent to other properties. The key changes were: a reduction in height to 23 storeys (76 metres) with a maximum podium height of 8 storeys (27 metres), a minimum tower separation distance of 25 metres, a northerly side yard setback of 7.5 metres, and a maximum tower floor plate of 800 square metres. Those provisions aimed to ensure compatibility with the existing neighborhood, aligning more closely with the 45-degree angular plane standard to minimize impacts on nearby low-rise areas, providing a better transition to adjacent single detached dwellings, and mitigating associated impacts, with the applicant agreeing to this height limitation. Council further added provisions to the Official Plan Amendment and Zoning By-law Amendment requiring that "All portions of a building must be located within the height limits set by a line that extends upwards at a 45 degree angle, or lower, from the rear property line to a maximum height of 76 metres".

The applicant and landowner have submitted a Minor Variance application for a revised high-density residential development proposal with the following key characteristics:

- Residential development for two towers of 25 storeys (80 metres) including 12 storeys podium and two back-to-back townhouse blocks;
- A gross floor area of 48,500 square metres;
- 652 apartment units and 28 townhouse units (680 total);
- 238 vehicle parking spaces and 102 bicycle parking spaces;
- Floor Space Index (FSI, being the ratio of building area to site area): 7.62;

- Building Coverage: 53.40%;
- Landscape Area: 24.9%;
- A tower separation of 20 metres

Conditions of approval are recommended to ensure a timely and orderly progression through the development approval process. These conditions necessitate prompt initial consultation, timely submission of detailed plans, and an efficient review. Planning staff generally support this form of intensification on the site. These conditions are essential to advance the application through the approval process and towards construction.

Existing Zoning:

The property is zoned 'Huronario Corridor Mixed Use One (Holding) - Section 3667 (HMU1 (H) - 3667)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a back-to-back townhouse dwelling, whereas the By-law does not permit the use;
2. To provide no commercial uses within the first storey of any building with a wall adjacent to Hurontario/Main Street and Charolais Blvd, whereas the By-law requires any portion of the floor area within the first storey of any building with a wall adjacent to Hurontario/Main Street and Charolais Blvd shall be used for commercial purposes. Notwithstanding the above, entrances, lobbies and uses accessory to the apartment dwelling are permitted provided that no more than 30% of the wall facing the street is occupied by entrances or lobbies;
3. To permit a rear yard depth of 6.0 metres to a proposed back-to-back townhouse dwelling, Whereas the By-law requires a minimum rear yard depth of 25 metres for any portion of the building less than or equal to a height of 7.5 metres, and 35 metres to any portion of the building taller than 7.5 metres;
4. To permit a front yard setback of 60 metres to a proposed back-to-back townhouse dwelling, Whereas the by-law does not permit a back-to-back townhouse dwelling;
5. To permit an interior side yard setback of 1.8 metres to a proposed back-to-back townhouse dwelling, whereas the by-law does not permit a back-to-back townhouse dwelling;
6. To permit an exterior side yard setback of 1.8 metres to a proposed back-to-back townhouse dwelling, whereas the by-law does not permit a back-to-back townhouse dwelling;
7. To permit a 0.0m tower stepback from the edge of the podium at front yard, whereas the by-law requires a minimum tower stepback of 3.0 metres from the edge of podium at the front yard;
8. To permit a 0.0m tower stepback from the edge of the podium at side yard, whereas the by-law requires a minimum tower stepback of 2.5 metres from the edge of podium at the side yard;

9. To permit all portions of the building with the exception of the elevator shaft and mechanical rooftop equipment to be located within the height limits set by a line that extends upward at a 45-degree angle from the rear property line, to a maximum height of 80 metres, whereas the by-law requires all portions of a building must be located within the height limits set by a line that extends upwards at a 45 degree angle, or lower, from the rear property line to a maximum height of 76 metres;
10. To permit a maximum height of 11.8 metres for the back-to-back townhouse dwelling, Whereas the bylaw does not permit a back-to-back townhouse dwelling;
11. To permit a maximum podium Height of 41.0 metres, whereas the By-law permit a maximum podium height of 27.0 metres;
12. To permit a maximum Gross Floor Area of 48,500 square metres, whereas the By-law permits a maximum gross floor area of 39,000 square metres;
13. To permit a tower separation of 20 metres, whereas the by-law requires a tower separation of 25 metres;
14. To permit a maximum FSI of 7.62, whereas the by-law permits a maximum FSI of 3.0;
15. To permit a minimum landscaped open space of 24.9% of the lot area, including landscaped hard surfaces, whereas the by-law requires a minimum landscaped open space of 35% of the lot area, including landscaped hard surfaces;
16. To permit parking to be calculated at a rate of 0.2 spaces per unit for residents and 0.15 spaces per unit for visitors, whereas the by-law requires that parking be calculated at a rate of 0.38 spaces per unit for residents and 0.20 spaces per unit for visitors;
17. To permit the first storey of any back-to-back townhouse wall adjacent to a street, to have a minimum 10% of the gross area of the portion of the wall above grade shall have windows and/or doors, whereas the by-law requires the first storey of any wall adjacent to a street, a minimum 70% of the gross area of the portion of the wall above grade shall have windows and/or doors; and
18. To permit a continuous street wall at grade level must occupy at least 95% of the entire available frontage facing Main Street and 95% of the entire available frontage facing any other public street. For the purposes of this subsection, "available frontage" means the total frontage excluding any required side yard setbacks, approved pedestrian and vehicular access locations, privately-owned publicly accessible spaces, required rear yard setback to the back-to-back townhomes and the length of frontage occupied by the back to back townhomes along Charolais Blvd, whereas the by-law requires that a continuous street wall at grade level must occupy at least 95% of the entire available frontage facing Main Street and 95% of the entire available frontage facing any other public street. For the purposes of this subsection, "available frontage" means the total frontage excluding any required side yard setbacks, approved pedestrian and vehicular access locations, and privately-owned publicly accessible spaces.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

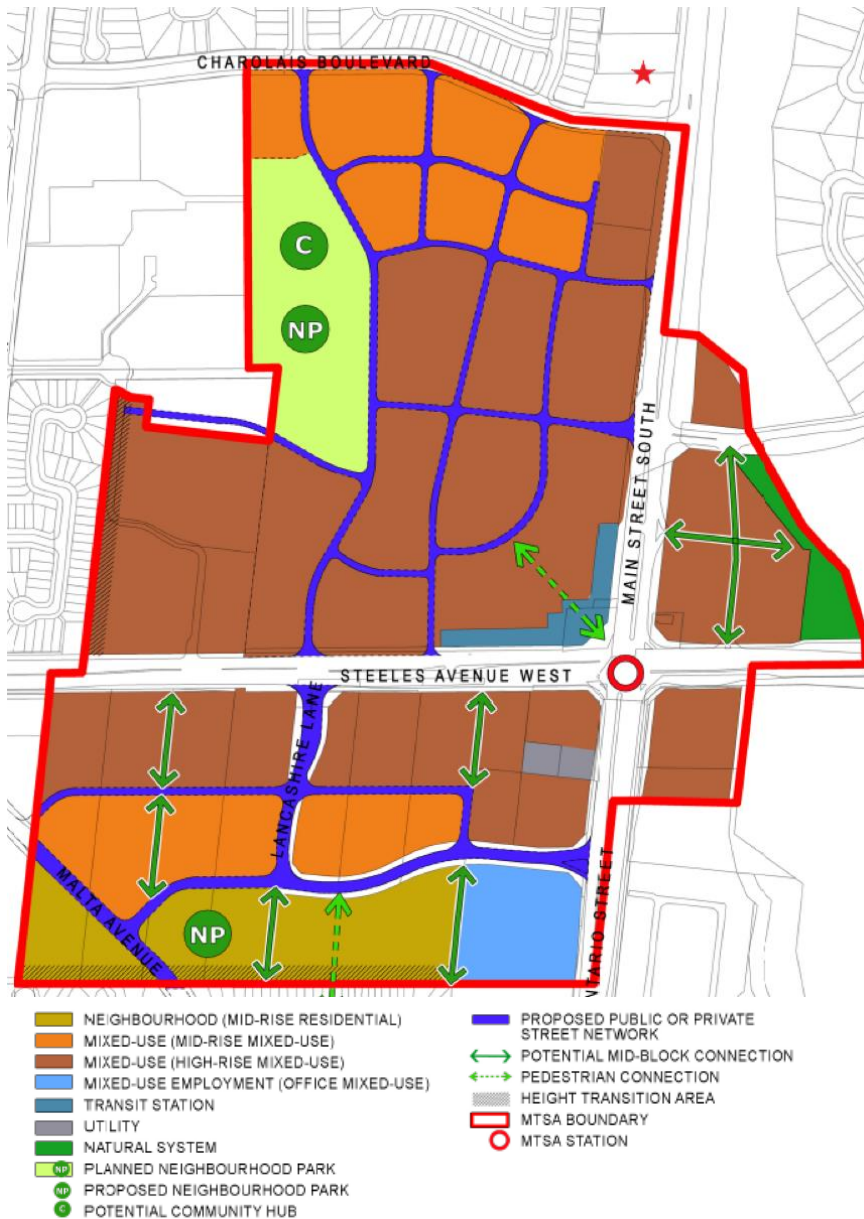
The subject lands, approximately 6,366 square metres (1.57 acres) in area, are designated as 'Residential' in the Official Plan and 'High Density Residential' within the Flowertown Secondary Plan (Area 6). Before the approval of Official Plan Amendment (OP2006-234), the lands were designated as 'Service Commercial' in the Flowertown Secondary Plan. The Official Plan Amendment added section 1.4.2 to section 1.4 – High Density Residential, which includes the following site-specific policies:

- I. Mixed-use development shall be permitted with ground floor commercial uses and residential uses above; and,
- II. All portions of a building must be located within the height limits set by a line that extends upwards at a 45 degree angle, or lower, from the rear property line to a maximum height of 76 meters.

The property is also located along a 'Primary Intensification Corridor' on Schedule 1 City Concept. The subject property is within close proximity to public transit, with the Gateway Terminal located approximately 500 metres from the subject site (northwest corner of Main and Steeles). Primary Intensification Corridors are to be planned to accommodate intense mixed-use development at higher densities supported by the City's highest level of transit service. Furthermore, with the Hurontario LRT Extension study, there is the potential for a transit station to be located at the corner of Charolais Boulevard and Main Street South.

The subject lands are located across the street from the Gateway Terminal Major Transit Station Area (MTSA) limit (Figure A). The City of Brampton's MTSA's are strategically located along Brampton's rapid transit corridors and the Kitchener GO rail line, and are areas where significant intensification is to be located. MTSA's will transition over time into vibrant high density walkable places that include open spaces, services and amenities, employment uses, an attractive public realm, and are located within walking distance or easy access to transit facilities. Staff anticipate that the Light Rail Transit (LRT) Main Street extension will include a planned transit station at Charolais Boulevard and Main Street South. It is anticipated then that a new MTSA would likely be established around this transit stop, encompassing the site. This designation would support and permit increased building heights and densities on the site. Proactively planning for and encouraging high densities in anticipation of the LRT aligns with sound planning principles, as it supports the infrastructure investment and maximizes its benefits.

Figure A:



**SCHEDULE 13m | BRAMPTON MAJOR TRANSIT STATION AREAS
HLRT-22 GATEWAY TERMINAL LAND USE PLAN**

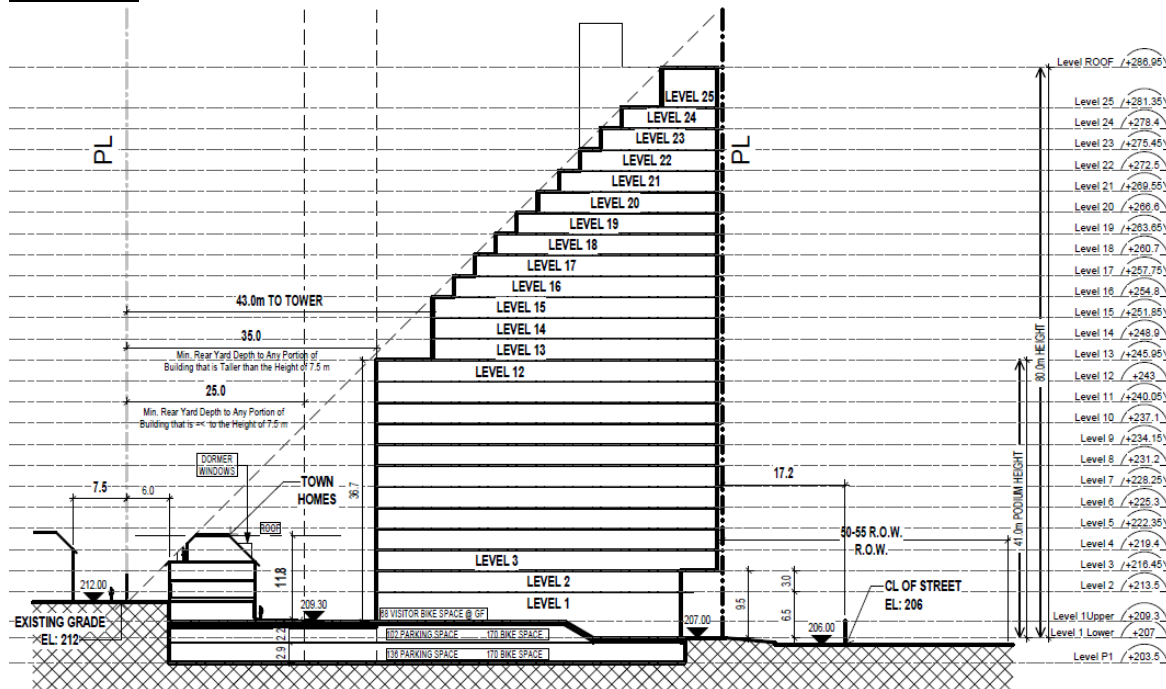
Within the context of Brampton Plan 2023, the subject lands are designated as ‘Community Areas’ and located within an Urban Centre overlay on Schedule 1A – City Structure. The subject lands are further designated as ‘Neighbourhoods’ on Schedule 2 – Designations. Section 2.1.2.1(e) designates ‘Community Areas’ in Brampton as mixed-use spaces with amenities within a 15-minute walk or bike ride, allowing flexible building types to meet the Brampton Plan’s objectives. Section 2.2.1.2(a) identifies Urban and Town Centres as key growth areas with regional amenities, supporting diverse uses and scales. Boundaries for these areas will be defined through Secondary Plan processes.

Variations 1, 3, 4, 5, 6, 10, 15, and 17 are requested to establish development standards specifically for the introduction of back-to-back townhouses. The planning policy context designates the area as 'Residential' in the Official Plan and 'High Density Residential' in the Secondary Plan, aligning the variations with policy objectives. Although townhouses are of a lower density than stipulated in the Secondary Plan, the development maintains the intent by continuing to incorporate a high-density residential complex.

Variations 2, 7, 8, 9, 11, 13, and 18 are requested to address aspects of the development that relates to the built form and function of the towers. Variations 2, 7, 9, 11, and 18 are not considered to have any impact within the context of the Official Plan.

Variance 8 is requested to permit the elevator shaft and mechanical rooftop equipment to be located within the height limits set by a line that extends upward at a 45-degree angle from the rear property line, to a maximum height of 80 metres. The Official Plan Amendment includes a policy requiring that "all portions of a building must be located within the height limits set by a line that extends upwards at a 45 degree angle, or lower, from the rear property line to a maximum height of 76 meters." The intent of the policy is to ensure light, air, and privacy for neighboring properties while maintaining urban form. Although a breach is proposed, it will occur beyond the 22nd level, away from the residential neighbourhood, and will be limited to the elevator shaft and mechanical room (Figure B). The residential portions of the development are anticipated to maintain the requirement. Therefore, the intent of the Official Plan policy is considered to be maintained.

Figure B:



In regard to Variance 13, a minimum tower separation of 20 metres is requested. Section 3.1.1.53-56 of the Brampton Plan provides policies pertaining to high-rise developments. Notably, it states that planning and development applications proposing these building typologies will be required to

demonstrate a minimum of 25 metres separation will be provided between towers to allow for privacy, light and sky views. The variance does not maintain the general intent and purpose of the Official Plan.

Variances 12, 14, and 16 relate to various site wide zoning provisions such as maximum gross floor area, floor space index, and parking rates for residents and visitors. The requested variances and overall proposed development conforms to the Official Plan as it is located in an area designated for significant intensification. This location offers access to public transit, connections to active transportation, and proximity to parks, commercial uses, and other services. The site supports a complete community and efficiently utilizes existing and planned infrastructure.

2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Hurontario Corridor Mixed Use One (Holding) - Section 3667 (HMU1 (H) - 3667)', according to By-law 270-2004, as amended.

For the purpose of this report, the analysis of the variances in this section have been grouped by theme.

Variances for townhouses (Variances 1, 3, 4, 5, 6, 10, 15, & 17):

The HMU1 (H) – 3667 zone was originally written for a prior development proposal that did not include back-to-back townhouse dwellings as a permitted use. The applicant has since revised their proposal to include 28 back-to-back townhouse units across two townhouse blocks along the western portion of the site. As the existing by-law provisions do not cover back-to-back townhouses, the following variances are required to establish development standards such as setbacks, building height, and site-specific technical requirements.

Variance 1 is requested to permit a back-to-back townhouse dwelling, whereas the by-law does not permit the use. The by-law restricts certain uses within a particular zone to ensure that all developments align with the intended character and purpose of the area. In this case, back-to-back townhouses are proposed as an additional use to be incorporated into the development proposal. While open space was previously used as a transitional element, the townhouses can also effectively serve as a transition between the high-rise towers along Main Street and the detached homes to the west, providing a more compatible form of housing between these different types of residences.

Variance 3 is requested to permit a rear yard depth of 6.0 metres to a proposed back-to-back townhouse dwelling, whereas the By-law requires a minimum rear yard depth of 25 metres for any portion of the building less than or equal to a height of 7.5 metres, and 35 metres to any portion of the building taller than 7.5 metres. Variance 4 is requested to permit a front yard setback of 60 metres to a proposed back-to-back townhouse dwelling, Whereas the by-law does not permit a back-to-back townhouse dwelling. Variance 5 is requested to permit an interior side yard setback of 1.8 metres to a proposed back-to-back townhouse dwelling, whereas the by-law does not permit a back-to-back townhouse dwelling. Variance 6 is requested to permit an exterior side yard setback of 1.8 metres to a proposed back-to-back townhouse dwelling, whereas the by-law does not permit a back-to-back townhouse dwelling. Variance 10 is requested to permit a maximum height of 11.8 metres for the back-to-back townhouse dwelling, Whereas the bylaw does not permit a back-to-back townhouse dwelling.

The intent of Variances 3, 4, 5, 6, and 10 are to provide development standards regulating the applicable townhouse setbacks and height to ensure sufficient separation between structures and compatibility with the surrounding area.

Variance 15 is requested to permit a minimum landscaped open space of 24.9% of the lot area, including landscaped hard surfaces, whereas the by-law requires a minimum landscaped open space of 35% of the lot area, including landscaped hard surfaces. The intent of the by-law in regulating the amount of landscaped open space on a lot is to ensure that there is an appropriate balance between the built environment and open space to accommodate landscaping. In this case, the 35% figure originated from the previous proposal that incorporated a large landscaped area where the townhomes are now proposed. The open space was implemented as a means of a transition buffer between the towers and the adjacent residential neighbourhood to the west. The townhomes are now proposed to occupy the space and serve as the transition between different built forms. As a result, the percentage of landscaped open space is reduced. Through the Site Plan approval process, the applicant shall implement adequate amount of landscaping across the site in a manner deemed satisfactory to the City.

Variances 3, 4, 5, 6, 10, and 15 are required due to the lack of site-specific development standards for the proposed back-to-back townhouse blocks, as illustrated in Figures C and D. Should the variances be approved, the location and form of the townhomes will be regulated by rear yard depth, front yard, side yard, exterior side yard setbacks, and maximum height requirements as well as the amount of open space landscaping. The proposal specifies a rear yard depth of 6 meters between the rear wall of the back-to-back townhouses and the property line. In contrast, the existing dwellings to the west of the proposed townhouses have a rear yard setback of approximately 7.5 meters. Given the significant grade differences shown in Figure C, the massing and height of the townhouses are not expected to impact the adjacent residential properties adversely with the proposed setbacks. The variances maintain the general intent and purpose of the Zoning By-law.

Figure C:

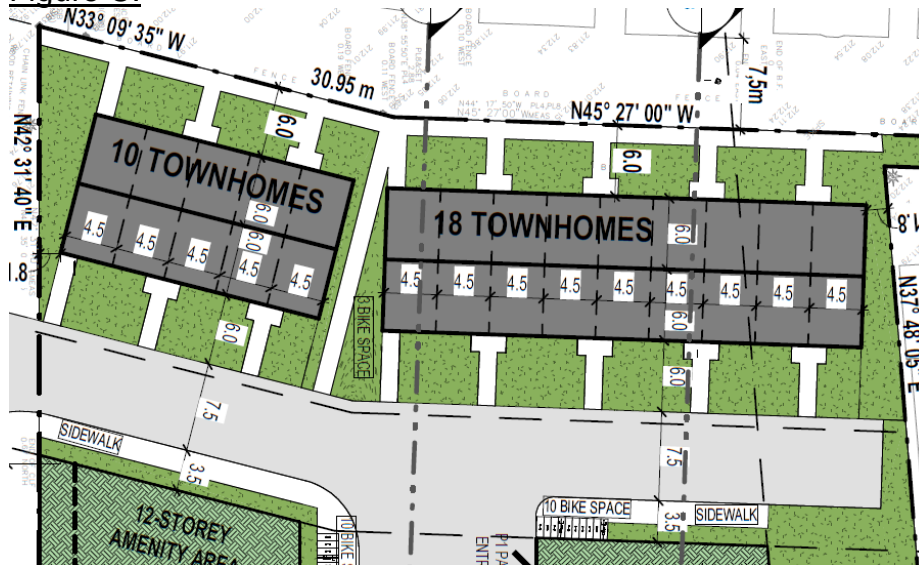
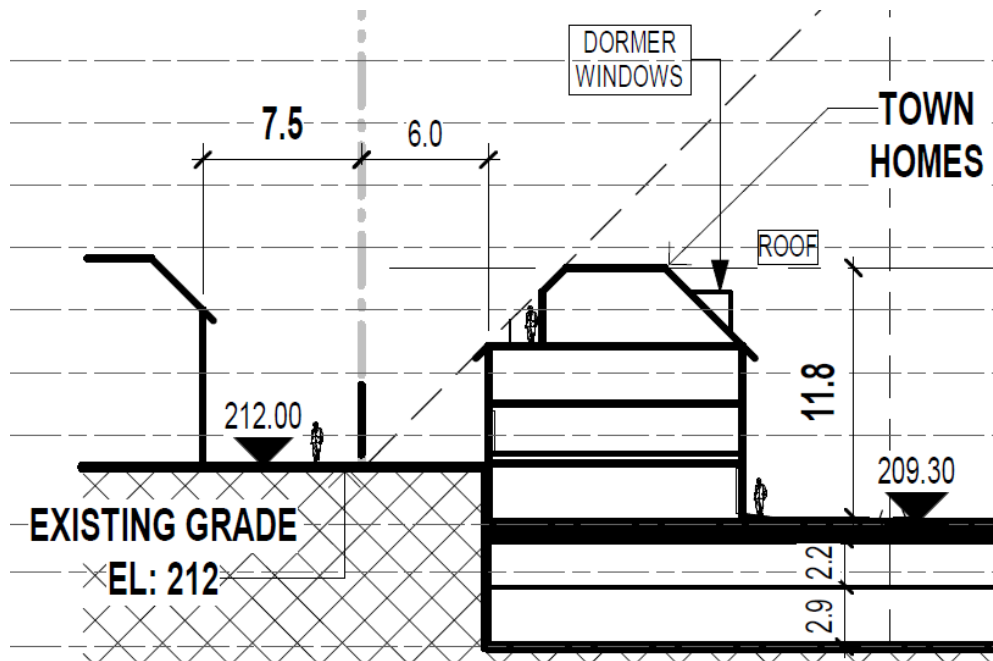


Figure D:



Variance 17 is requested to permit the first storey of any back-to-back townhouse wall adjacent to a street, to have a minimum 10% of the gross area of the portion of the wall above grade shall have windows and/or doors, whereas the by-law requires the first storey of any wall adjacent to a street, a minimum 70% of the gross area of the portion of the wall above grade shall have windows and/or doors. The by-law's intent is to promote high-quality and safe pedestrian environments through visual permeability and animated podium elevations along streets and public places. In this case, the by-law provision was meant to apply to the ground floor of the tower to create transparency and contribute to an attractive urban form at a pedestrian level. Since townhouses are also proposed on the site, the provision applies to them as well. The variance will not eliminate the requirement for the podium and towers, but will reduce the amount to 10% only for the townhouse portion of the site. The variance maintains the general intent and purpose of the Zoning By-law.

Variations for residential towers and podium development standards (Variations 2, 7, 8, 9, 11, 13, 18):

The following variations are requested to address aspects of the development that relates to the built form and function of the towers due to the changes proposed by the applicant.

Variance 2 is requested to provide no commercial uses within the first storey of any building with a wall adjacent to Hurontario/Main Street and Charolais Blvd, whereas the By-law requires any portion of the floor area within the first storey of any building with a wall adjacent to Hurontario/Main Street and Charolais Blvd shall be used for commercial purposes. Notwithstanding the above, entrances, lobbies and uses accessory to the apartment dwelling are permitted provided that no more than 30% of the wall facing the street is occupied by entrances or lobbies. The intent of the By-law is to ensure that the first storey facing the street is used for commercial purposes to promote active street frontages and vibrant urban environments. However, the variance seeks to eliminate the requirement for commercial uses at ground level. Should market conditions or aspects of the proposal change at a later stage, the zoning provisions will continue to allow commercial space at ground level. The subject property

neighbours the Shoppers World Mall which will be subject to redevelopment consisting of a range of retail, commercial, office, residential and institutional/community uses. The property will continue to have access to commercial uses in the surrounding area. The variance maintains the general intent and purpose of the Zoning By-law.

Variance 7 is requested to permit a 0.0m tower setback from the edge of the podium at front yard, whereas the by-law requires a minimum tower setback of 3.0 metres from the edge of podium at the front yard. Variance 8 is requested to permit a 0.0m tower setback from the edge of the podium at side yard, whereas the by-law requires a minimum tower setback of 2.5 metres from the edge of podium at the side yard. The by-law's requirement for a setback is typically aimed at ensuring sufficient light, air, and privacy for adjacent properties, as well as to create a more human-scaled and visually appealing streetscape by reducing the perceived mass of the tower. The provisions are also aimed at ensuring that the development is proportionate to the width of the street. Similar outcomes can be achieved through architectural strategies involving changes in materials, fenestration as well as other types of architectural details. These strategies can break up the massing of the building and provide visual interest, maintaining a human scale without requiring the physical setback. A condition of approval is recommended to ensure that comprehensive architectural strategies are implemented and thoroughly addressed during the Site Plan application stage. These strategies must be designed to the satisfaction of the Director of Development Services, ensuring they effectively mitigate the impacts of reduced setbacks and meet the intended goals of light, air, privacy, and streetscape quality. Subject to the recommended condition of approval the variance maintains the general intent and purpose of the Zoning By-law.

Variance 9 is requested to permit all portions of the building with the exception of the elevator shaft and mechanical rooftop equipment to be located within the height limits set by a line that extends upward at a 45-degree angle from the rear property line, to a maximum height of 80 metres, whereas the by-law requires all portions of a building must be located within the height limits set by a line that extends upwards at a 45 degree angle, or lower, from the rear property line to a maximum height of 76 metres. The by-law aims to manage building heights to ensure adequate light, air, and privacy for neighboring properties while maintaining a consistent and appropriate urban form. This variance seeks to permit a 4.0-meter increase in building height and an exception to the 45-degree angle requirement for the elevator shaft and mechanical rooftop equipment.

Section 6.16 of the Zoning By-law, which pertains to the general provisions for all zones, states that height regulations do not apply to elevator shafts and mechanical rooftop equipment. However, the variance is necessary in this case due to specific wording in the amendment that refers to "all portions of a building". There are no anticipated additional or adverse shadowing on the existing residential properties to the west. In addition, the shadow impacts on the adjacent properties, which include two streets and a retirement home, are considered to be acceptable as depicted in the Shadow Study (Appendix A). Given the scale of the requested increase and the specific portions of the building that would exceed the angular plane, no significant negative impacts are anticipated from this variance. The variance maintains the general intent and purpose of the Zoning By-law.

Variance 11 is requested to permit a maximum podium height of 41.0 metres, whereas the By-law permit a maximum podium height of 27.0 metres. The zone was originally written for a prior development proposal which incorporated a podium measuring 27 meters in height while the revised

proposal now requests a podium height of 41 metres. The intent of the by-law in requiring a maximum podium height is to achieve pedestrian oriented environments by providing building heights that are proportionate to the width of the street.

As stated in section 4.2.2 of the City's draft Urban Design Guidelines, it is recommended that the maximum base (podium height) be no greater than 80% of the width of the adjacent right-of-way. The total right-of-way for Main Street South is planned to be between 50 and 55 meters after land conveyances. A podium measuring 41 meters in height will be approximately 82% of the street width if the right-of-way is at least 50 meters. Although the podium height is 2% above the urban design guidelines, the surrounding site context minimizes the risk of creating an overly confined streetscape along Main Street South. This is because the area opposite Main Street South consists of green space and the Etobicoke Creek, which will not be developed. Consequently, there is no risk of future developments occurring on the opposite side of the street creating buildings that are disproportionate relative to the street width when combined with the proposed development on subject property. The variance maintains the general intent and purpose of the Zoning By-law.

Variance 13 is requested to permit a tower separation of 20 metres, whereas the by-law requires a tower separation of 25 metres. The intent of the by-law in requiring minimum 25 metres tower separation is to maximize sky views and natural daylight, provide proper privacy, achieve dynamic skylines, and minimize wind/shade impacts on surrounding areas. The requirements originate from the City's Urban Design Guidelines which requires a minimum separation distance of 25m between middle parts of buildings. A quantitative wind analysis is typically required to evaluate the wind conditions around a proposed development to understand how the building design and its surroundings will influence wind patterns. The applicant has not submitted a wind study and there is therefore insufficient information to support the requested variance and its potential impacts. Furthermore, there are general concerns associated with privacy and skyline with a reduced tower separation. The variance does not maintain the general intent and purpose of the Zoning By-law.

Variance 18 is related to the zoning provision that a continuous street wall at grade level must occupy at least 95% of the entire available frontage facing Main Street and 95% of the entire available frontage facing any other public street. The intent of the by-law is to ensure that the proposed tower maintain a continuous and active street frontage, enhancing the pedestrian experience and promoting a lively streetscape. It is not a typical requirement for townhouses. Given that the requirement was meant to apply to the towers rather than the townhouses, a condition of approval is recommended that the variance be limited to only apply to the Charolais Boulevard frontage in order to preserve the primary objectives of the zoning by-law for Main Street, ensuring a continuous and active street wall, while providing necessary flexibility for practical design on Charolais Boulevard. Subject to the conditions of approval the variance maintains the general intent and purpose of the Zoning By-law.

Variances for site wide development standards and parking (Variances 12, 14, and 16):

Variance 12 is requested to permit a maximum Gross Floor Area of 48,500 square metres, whereas the By-law permits a maximum gross floor area of 39,000 square metres. This regulation was based on the site-specific development plans that were evaluated at the time. The intent of the by-law in regulating the maximum allowable GFA is to manage the scale and intensity of the development within a specific area while understanding the capacity and use of space within buildings. By setting a

maximum GFA, the by-law aims to achieve several key objectives including controlling the density and ensure consistency with broader goals and objectives outlined in an area's planning framework. In this case, the applicant is requesting an increase of 9,500 square metres, which is approximately 24% more than what the by-law permits. The variance is intended to facilitate a more efficient use of land located next to an MTSA and potentially within a future LRT station at Charolais Boulevard.

Variance 14 is requested to permit a maximum FSI of 7.62, whereas the by-law permits a maximum FSI of 3.0. The by-law aims to prevent excessive density that could affect adjacent properties by controlling development intensity through FSI, which is the ratio of a building's gross residential floor area to the lot area. The staff notes that the previous proposal suggested an FSI of 6.1, but the site-specific Zoning By-law mistakenly did not address the 3.0 FSI limit, defaulting to the Hurontario Corridor Mixed Use One zoning provisions. The proposed increase to 7.62 still aligns with the planning policies for the area, facilitating a development that appropriately manages density, height, and massing according to the Zoning By-law's intent.

Variances 12 and 14 are both key metrics used to control the density and intensity as well as the total built up space within a building. These metrics can impact the sanitary capacity requirements of a building, as it influences the number of occupants and the intensity of use, which in turn determines the volume of wastewater and sewage that needs to be managed. The Region of Peel requires that a Functional Servicing Report be submitted for the Region to model proposed water and wastewater demands/flows and to determine the adequacy of the existing infrastructure for the proposed development. A condition of approval is recommended that the applicant submit a Functional Servicing Report, meeting the applicable Terms of Reference, to the Region of Peel and as part of a Pre-Consultation application to model proposed water and wastewater demands/flows and to determine the adequacy of the existing infrastructure for the proposed development within 90 days of the Committee of Adjustment's decision. Subject to the conditions of approval, Variances 12 and 14 maintain the general intent and purpose of the Zoning By-law.

Variance 16 is requested to permit parking to be calculated at a rate of 0.2 spaces per unit for residents and 0.15 spaces per unit for visitors, whereas the by-law requires that parking be calculated at a rate of 0.38 spaces per unit for residents and 0.20 spaces per unit for visitors. The applicant retained NexTrans Consulting Engineers to undertake a parking justification study in support of the proposed development. The development is within 400 meters of the Main/Steeles MTSA, a 5-minute walk from the Terminal Gateway at Main Street South and Steeles Avenue, and 2 kilometers from the Brampton GO Station, which will have future 15-minute all-day service. The site will also be served by the future Main Street LRT, connecting residents to GO Stations, the Hurontario Corridor, and Mississauga. The property is just north of the MTSA boundary, where there are no minimum parking requirements except for visitors.

The parking justification study is based on the premise that the same parking rates as in the MTSA should apply to the proposed development, considering the eventual service by the Main Street LRT and the site's proximity to the MTSA. The proposed rate of 0.20 spaces per unit for residents aligns with the adjacent MTSA and is considered to maintain the general intent and purpose of the zoning by-law. The requested rate of 0.15 spaces per unit for visitors is not supportable given that adequate justification for the variance has not been provided. A condition of approval is recommended that the variance be approved to only allow a rate of 0.20 spaces per unit for residents and that the 0.15 spaces

per unit for visitor be refused. Subject to the recommend conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The proposed development builds on a previously approved plan, now revised to allow for increased density and a modest height increase. Government directives encourage high-density development near infrastructure, and these revisions may enable a more efficient use of land near the planned Charolais Blvd Station transit hub by directing intensification towards growth areas.

Variances 1, 3, 4, 5, 6, 10, 15, and 17 are requested to establish development standards specifically for the introduction of back-to-back townhouses. The variances will allow a back-to-back townhouse use on the property while establishing site specific setback and height restrictions as they do not currently exist in the by-law. The townhouses are not anticipated to negatively impact adjacent properties or generate issues surrounding the functionality of the site and the variances are therefore considered to be desirable.

Variances 2, 7, 8, 9, 11, 13, and 18 are requested to address aspects of the development that relates to the built form and function of the towers. The variances address multiple architectural and functional aspects of the development, including tower and podium height, tower stepbacks and separation, ground floor uses, and the creation of a continuous street wall. With the exception of Variance 13 relating to tower separation, the balance of the variances are considered to be desirable for the appropriate development of the land. Variance 13 proposes to reduce the minimum tower separation to a level that is considered undesirable and that can lead to negative impacts on the public realm.

Variances 12, 14, and 16 address site-wide zoning provisions, including maximum gross floor area, floor space index, and parking rates for residents and visitors. A condition of approval requires a Functional Servicing Report to ensure Regional matters are addressed and confirm the site's sanitary capacity. The requested reduction in parking rates aims to encourage more car-free households, aligning with similar initiatives near transit stations in Brampton and supporting the long-term vision for Main Street and Brampton's future transportation network. However, the visitor parking rate is not supported in the absence of appropriate justification. Subject to the recommended conditions of approval, the variances are deemed to be desirable for the appropriate development of the land.

4. Minor in Nature

Variances for Townhouses (Variances 1, 3, 4, 5, 6, 10, 15, & 17):

The zoning did not originally include permissions for the back-to-back townhouses, so variances are required to establish standards for setbacks, height, and site-specific requirements. The variances will allow these townhouses while maintaining an appropriate transitions between the high-rise towers and adjacent detached homes. They will also regulate yard setbacks, building height, and landscaped open space, ensuring the development does not adversely impact adjacent properties, the functionality of the site, and is consistent with the policy and zoning intent. For these reasons, the variances are considered to be minor in nature.

Variances for Residential Towers and Podium Development (Variances 2, 7, 8, 9, 11, 13, 18):

These variances address the built form and function of the towers. Key points include eliminating the requirement for commercial uses at ground level, modifying tower setbacks, adjusting height limits, increasing podium height, and altering tower separation. The conditions of approval ensure these variances maintain light, air, privacy, and an appealing streetscape. However, the reduced tower separation may have negative impacts on the public realm and is therefore not minor in nature. With the exception noted, the variances are considered to be minor in nature.

Site-Wide Development Standards and Parking (Variances 12, 14, 16):

These variances involve maximum gross floor area, floor space index, and parking rates. A Functional Servicing Report is required to address regional sanitary capacity issues tied to the increase in units. Subject to the submission of the Functional Servicing Report, the variances are considered to be minor in nature as they help further support the intensification objectives for the area and reasonable deviations from the existing standards. The parking rate reduction supports more car-free households, aligning with transit-oriented development goals. However, the visitor parking rate lacks sufficient justification and is not supported or minor in nature.

With the exceptions noted, the variances are considered to be minor in nature.

Respectfully Submitted,

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