



Principals

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September 9, 2024

GWD File: PN.20.2728.00

**The Corporation of the City of Brampton
Planning and Development Committee
2 Wellington Street West
Brampton, Ontario
L6Y 4R2**

Attention: Mayor and Members of City of Brampton Planning and Development Committee/City Council

- and -

Genevieve Scharback, City Clerk

**Subject: PUBLIC INPUT – LETTER of CONCERN
227 Vodden Street East – Centennial Mall Brampton Ltd. (Davpart)
Item 5.1: September 9, 2024 Planning and Development Committee Meeting; Information Report: Primary Major Transit Station Areas – City-Initiated Official Plan Amendments**

Gagnon Walker Domes Ltd. ("GWD") acts as Planning Consultant to Centennial Mall Brampton Ltd. ("Davpart"); the registered owner of the property municipally known as 227 Vodden Street East in the City of Brampton ("subject site"). The subject site is located at the southeast corner of Kennedy Road North and Vodden Street East and is located within the Kennedy 'Primary' Major Transit Station Area ("MTSA").

We write to express Davpart's concerns regarding City Staff's Information Report entitled "Information Report: Primary Major Transit Station Areas – City-initiated Official Plan Amendments; Queen Street Corridor Secondary Plan Area 36, Bram West Secondary Plan Area 40, The Gore Secondary Plan Area 41, Mount Pleasant Secondary Plan Area 51, and", and its various attachments; including the Draft Official Plan Amendment ("OPA"), Draft Queen Street Transit Corridor Secondary Plan Area 10 ("Queen Street Secondary Plan" or "Secondary Plan"), Draft Queen East Precinct Plan ("Precinct Plan"), and Draft Queen East Precinct Plan Guidelines ("Precinct Plan Guidelines" or the "Guidelines"). The Information Report is scheduled to be considered at the September 9, 2024 City of Brampton Planning and Development Committee Meeting.

We request that City Staff meet with Davpart and its core consulting team at its earliest opportunity to discuss the concerns as outlined herein, including but not limited to, the proposed OPA's/Queen Street Secondary Plan's/Precinct Plan's/Guidelines' disregard for and inconsistency with City Council's previous approval granted in October 2023 regarding the comprehensive redevelopment of the subject site.

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CAUTION**

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BACKGROUND

Davpart's Engagement in City of Brampton Official Plan Review Process

Davpart has been actively engaged in the City of Brampton's Official Plan Review process and associated MTSA Planning Study. This participation has included written correspondence provided to the City of Brampton and/or Region of Peel including letters dated June 3, 2022, July 17, 2023, August 28, 2023, October 22, 2023, April 7, 2024 and May 8, 2024.

Davpart also participated in the Kennedy MTSA Focus Group Session hosted by City Staff on March 23, 2023, and most recently the Public Open House for the Kennedy MTSA held by City Staff on May 14, 2024, in connection with Phase 2b of the City of Brampton MTSA Planning Study. At the May 14, 2024, Public Open House meeting, GWD expressed a series of questions and concerns to City Staff on behalf of Davpart in relation to the City's ongoing Secondary Plan, Precinct Plan, and Zoning review.

City Council Approved Davpart Applications

In 2021 Davpart submitted Applications to Amend the 2006 City of Brampton Official Plan and Zoning By-law (City File No. OZS-2022-0001) and a corresponding Draft Plan of Subdivision Application was submitted in December 2022 (City File No. OZS-2022-0046) – (collectively the "Davpart Applications"). The Davpart Applications propose the phased redevelopment of the existing suburban shopping centre into a mixed use, transit oriented Master Plan generally comprised of private open spaces, new public and private roads, townhouses, a mid-rise building, and seven (7) high-rise buildings ranging in height from 16 storeys up to a maximum of 39 storeys along Kennedy Road North. Ground floor street-oriented retail uses are proposed to be developed along Kennedy Road North, including a new grocery store.

On October 18, 2023, City of Brampton Council adopted By-laws 172-2023 and 173-2023 (enclosed) approving Davpart's site-wide Official Plan Amendment, as well as Davpart's Phase 1 Zoning By-law Amendment.

Davpart's Appeal of Brampton Plan

On June 5, 2024, Davpart appealed Region of Peel Council's approval of the new "Brampton Plan" to the Ontario Land Tribunal ("OLT") in light of Davpart's concerns with the Brampton Plan having not been sufficiently addressed (OLT-000688). Davpart's concerns with the Brampton Plan include, but are not limited to, the absence of site-specific policy being included to recognize City Council's approval of the Davpart Applications or appropriate transition provisions.

Davpart's Appeal of City of Brampton Official Plan Amendment OP2006-247

Davpart has also appealed City of Brampton Official Plan Amendment OP2006-247, being the interim MTSA policies to the 2006 Brampton Official Plan, to the OLT (OLT-23-00609).



CITY of BRAMPTON INFORMATION REPORT and STATUTORY PUBLIC MEETING

The City of Brampton is holding a Statutory Public Meeting and is tabling the Information Report to the September 9, 2024 Planning and Development Committee Meeting. The purpose of the Statutory Public Meeting is for City Staff to present proposed City-initiated OPAs to the Queen Street Corridor Secondary Plan, Hurontario-Main Corridor Secondary Plan and other Secondary Plans to include a new proposed policy framework for twelve (12) of the City's MTSA's.

Public input on the proposed OPAs is being sought by the City at the Statutory Public Meeting in advance of City Council's consideration of final adoption, which is currently targeted by City Staff for November 2024.

OVERVIEW of DAVPART'S COMMENTS and CONCERNS

The following provides an overview of Davpart's preliminary concerns with the Information Report; including the proposed OPA pertaining to the Draft Queen Street Secondary Plan, Draft Precinct Plan, and Draft Precinct Plan Guidelines.

The Strategic Transportation and Master Stormwater Study for City of Brampton Major Transit Station Area (MTSA) Policy Framework completed by Arup Canada Inc. is contained in Attachment 2 of the Information Report ("Transportation/SWM Study"). Given the technical nature of the Transportation/SWM Study, Davpart reserves the right to make additional submissions to the City on this document at a later date.

General Comments and Concerns

- *OPA is Premature* – As a result of the various appeals to the Brampton Plan, including that filed by Davpart, the Brampton Plan is not in full force and effect. We understand that the City's Planning Department anticipates tabling a final Recommendation Report to seek City Council endorsement of the proposed OPA, Draft Queen Street Secondary Plan, Draft Precinct Plan, and Draft Precinct Plan Guidelines in November 2024.

Davpart has a fundamental concern about the prematurity of any City Council endorsement or adoption of the OPA and the related planning documents noted above in the absence of Davpart's resolution of its OLT Appeals to the Brampton Plan and Official Plan Amendment OP2006-247.

- *Disregard of Previous Council Approval of Davpart Applications* – The Draft OPA, Secondary Plan policies, Precinct Plan, and Guidelines disregard and are inconsistent with the Davpart Applications recently approved by City Council in October 2023 (By-laws 172-2023 and 173-2023). City Council's decision to approve the Davpart Applications followed an extensive years-long planning process, which overlapped with the City's Brampton Plan/MTSA Planning Study.

The Draft Secondary Plan, Draft Precinct Plan (Schedule and Policies), and Precinct Plan Guidelines must be revised to recognize and implement the specific



land use and development policies pursuant to Davpart's approved Official Plan and Zoning By-law Amendments. In addition, appropriate transition provisions should be included that recognize the existing approvals going forward.

- *Fails to Recognize Previous Davpart Concerns* – The Draft OPA, Secondary Plan policies, Precinct Plan and Guidelines fail to adequately address Davpart's previous concerns, as identified through the Brampton Plan and MTSA/Precinct Planning Study.

Comments and Concerns with Information Report

- *Inaccurate Summary of the Extent of the OPAs* – We note that the title of the Information Report, Staff Recommendation 1, and Pages 2 and 6 are inaccurate, as they fail to properly make reference to the full range of existing Secondary Plans that are impacted by City Staff Recommendations and the associated OPAs, including a failure to mention the proposed amendments to the Brampton Flowertown Secondary Plan.
- *Status of Brampton Plan MTSA Land Use Plan/OLT Appeal* – Bullet 1 of the Overview Section on Page 1 and the Background Section of the Information Report notes that sixteen (16) OLT Appeals were filed in connection with City Council's adoption of the Brampton Plan; however, the Information Report suggests that only the Bramalea GO MTSA and Gateway Terminal MTSA land use schedules of the Brampton Plan are subject to these OLT Appeals. This statement is incorrect, as the scope of Davpart's OLT Appeal of the Brampton Plan also includes the Kennedy MTSA Land Use Plan (Schedule 13e).
- *Maximum Height and Density Permissions/Restrictions* – We acknowledge the statements on Pages 2 and 6 of the City's Information Report, which clarifies that maximum building height and density policies and schedules will not be included in the Draft Secondary Plans/OPAs, and only contain general guiding policies on built form and density. The Information Report further clarifies that the conceptual diagrams/figures and design guidelines identified within the Precinct Plan Guidelines are provided for illustrative purposes only, and are not to be considered determinative or policy during the review of formal development proposals. Specific maximum building height and density are intended to be determined through the future Zoning By-law/Zoning By-law Amendments only.

Notwithstanding, based on our review of the Draft Secondary Plan, it is our position that the OPAs and Draft Secondary Plans do not effectively or clearly make this distinction between the non-policy intent of the Precinct Plan and Guidelines. It is our opinion that if the Precinct Plan Guidelines are intended to be treated as guidelines only, and not policy, they should not form any part of Secondary Plan Policy other than through reference as a standalone guideline that is to be considered during the review of development applications.



Comments and Concerns with the Draft Queen Street Transit Corridor Secondary Plan Area 10

OPA

- ***Typographic Error*** – Sections 2.2 a) and 2.4 a) of the OPA contain typographic errors. Specifically, these Sections reference the wrong Schedules of the OPA.
 - **Requested Modification: Revise Section 2.2 a) to reference Schedule E to the OPA, and revise Section 2.4 a) to reference to Schedule C of the OPA.**
- ***Absence of Land Use Plan*** – Section 2.6 of the OPA proposes the deletion of the Queen Street Corridor Secondary Plan in its entirety and its replacement with the new proposed Queen Street Transit Corridor Secondary Plan. However, the OPA and Secondary Plan fail to include a Land Use Plan for the new proposed Secondary Plan. In the absence of a Land Use Plan, conformity between the Brampton Plan, Secondary Plan and Precinct Plan Guidelines cannot be determined.
 - **Requested Modification: Include Secondary Plan Land Use Plan Schedule to the OPA and Draft Queen Street Transit Corridor Secondary Plan.**
- ***Precinct Plan Policy and Precinct Plan Guidelines*** – It is our understanding that Section 12.0 and the policies of the ‘Queen East Precinct Plan – Area 10-1’, and Schedule 10(a): Queen East Precinct Plan are intended to form Secondary Plan policy, whereas Appendix A, being the Precinct Plan Guidelines are intended to be utilized as development guidelines that conceptually illustrate the City’s general intent of the aforementioned proposed Secondary Plan policies. However, the title of Appendix A does not include a specific reference to it being a guideline document, which is confusing.
 - **Requested Modification: Revise the title of Appendix A to read as follows: “Queen East Precinct Plan Guidelines”.**

Section 1.0 – Introduction

- Policy 1.2 iii) states that the Secondary Plan will include Precinct Plans that provide explanatory goals and illustrative graphics. As no illustrative graphics are provided on Schedule 10(a), being the actual Queen East Precinct Plan, we assume this Policy is referencing the illustrative graphics contained within the Precinct Plan Guidelines. As the Guidelines are not to be considered policy, they should form a separate document to the Secondary Plan.
 - **Requested Modification: Revise Policy 1.2 iii) to refer to the Precinct Plan Guidelines, rather than the Precinct Plans, and clarify that the Guidelines do not form part of the Secondary Plan.**



Section 5.0 – Built Form, Height and Density

- Policy 5.1 d) i) outlines certain built form and environmental impact considerations pertaining to tall buildings.
 - **Requested Modification: Revise Policy 5.1 d) i) by including the word “adverse” between the words “mitigate” and “environmental impacts”.**
- Policy 5.1 e) ii) stipulates that service and parking facilities shall be integrated into proposed buildings, which prohibits the ability for developments to provide limited surface parking where deemed appropriate through the detailed design process.
 - **Requested Modification: Revise Policy 5.1 e) ii) to permit limited off-street surface parking, as determined to be appropriate at the detailed design stage.**

Section 6.0 – Public Realm

- Policy 6.0 d) is incomplete.

Section 7.0 – Mobility and Transportation

- Policy 7.1 b) speaks to the creation of a public street network as "generally illustrated" on Precinct Plan Schedule 10(a). Flexibility should be included in the policy language to confirm that deviations to the illustrated public street network will not require an amendment to the Precinct Plan Schedule/Secondary Plan.
 - **Requested Modification: Revise Policy 7.1 b) to include the following wording at the end of the Policy: “changes to the location or alignment of the street network will not require an amendment to this Plan provided that its general intent and purpose is maintained”.**
- Policy 7.1 e) directs that new public streets within the subject site shall be 20 metres in width and that the cross-section for these public right-of-way are contained within the Precinct Plan Guidelines.
 - **Requested Modification: Revise Policy 7.1 e) to replace the words “is found in Appendix A to this Plan” with “is conceptually illustrated in the Precinct Plan Guidelines. The ultimate cross-section shall be determined at the detailed design stage”.**
- Policy 7.1 g) stipulates that private streets shall provide a minimum pavement width of 7.0 metres plus sidewalks on both sides of the private street, plus active transportation elements, and landscaped boulevards. This requirement for private streets is excessive and goes well beyond the functional requirements of a private street/laneway, which typically ranges between 6.0 to 7.0 metres in width. Private



streets and laneways, and their functional requirements, should be determined at the detailed design stage.

➤ **Requested Modification: Delete Policy 7.1 g).**

- Policy 7.1 h) requires that Mid-Block Connections shall have a minimum width of 15.0 metres. The typical function of a Mid-Block Connection is to provide passive active transportation linkages between streets and places of destination. On this basis, the minimum 15.0 metre requirement to provide pedestrian linkages throughout the Precinct Plan is excessive and unnecessary. Further, we question why Figure 5.3.3 S3 of the Precinct Plan Guidelines pertaining to Mid-Block Connections includes automobile lanes.

➤ **Requested Modification: Delete Policy 7.1 h).**

- Policy 7.3 b) prohibits at-grade parking fronting a street. The location of parking should be flexible and determined at the detailed design stage on a case-by-case basis.

➤ **Requested Modification: Revise Policy 7.3 b) to replace the words “shall not be” with “are discouraged to be”, and the following words added to the end of the Policy: “limited at-grade parking fronting a street may be considered on a case-by-case basis, to be determined at the detailed design stage”.**

Section 10.0 – Sustainability

- Policy 10.0 a) requires Draft Plan of Subdivision and Site Plan Applications to achieve a minimum Sustainability Score Threshold of ‘Silver’. Insufficient justification has been provided to require that sites within MTSAs need to meet a higher Sustainability Score Threshold than all other areas of the City. Additionally, transition policies should be incorporated into the policy language to exempt active applications and allow upcoming planning applications to be reviewed and processed based on the current ‘Bronze’ Sustainability Score Threshold requirement.

➤ **Requested Modification: Delete Policy 10.0 a) and replace with the following: “New Draft Plan of Subdivision and Site Plan Applications submitted after January 2027 must achieve a minimum Sustainability Score that falls within the Silver Sustainability Score Threshold”.**

- Policy 10.0 b) requires that development advance the implementation and achievement of low/zero carbon energy, district energy systems, renewable and alternative, and other sustainable development measures. This requirement should be aspirational and the policy language should be revised to reflect this.

➤ **Requested Modification: Revise Policy 10.0 b) to replace the words “Development will” with “Development is encouraged to”.**



- Policy 10.0 c) requires that new development facilitate transit electrification in the design of buildings. This Policy is inappropriate as it is not the responsibility of private development proposals or development proponents to facilitate transit electrification through building development.
- **Requested Modification: Delete Policy 10.0 c) and replace with the following: “Development is encouraged to facilitate the provision of vehicle charging infrastructure”.**

Section 12.0 – Precinct Plans

In accordance with Schedule B to the OPA, the subject site is located within the ‘Queen East Precinct Plan Area 10-1’.

Schedule 10(a), being the ‘Queen East Precinct Plan’ does not include a legend to explain the various overlays provided on the Schedule. In order to be able to provide comment on the Precinct Plan, a legend must be included.

Notwithstanding the above, we have made the following assumptions:

- The subject site is located within the ‘Centennial Node’, which exclusively includes the subject site;
- ‘Retail Frontage’ is identified as being required along the full extent of the subject site’s frontage of Vodden Street East and Kennedy Road North; and
- A ‘Mid-Block Connection’ is identified at the south limits of the subject site, connecting with a future internal public road.

Davpart has serious concerns with the Queen East Precinct Plan, as it relates to the subject site, as follows:

- *Disregard of Previous Council Approval of Davpart Applications* – The Precinct Plan and related policies disregard and are inconsistent with the Davpart Applications recently approved by City Council in October 2023 (By-laws 172-2023 and 173-2023). The Draft Precinct Plan (Schedule and Policies) must be revised to recognize and implement the specific land use and development policies pursuant to Davpart’s approved Official Plan and Zoning By-law Amendments.
- **Requested Modification: Delete Section 2.4 of the Precinct Plan Chapter entitled “Centennial Node” and replace it with Policy 8.5/Special Site Area 6 of City Council approved Official Plan Amendment OP2006-256 (By-law 172-2023).**
- **Requested Modification: Delete “Retail Frontage” along Vodden Street East from the Precinct Plan.**
- **Requested Modification: Delete “Mid-Block Connection” within the subject site from the Precinct Plan.**



- Policy 12.1 references “the policies of Chapters 12-1 and 12-2 of this Plan”. Chapters 12-1 and 12-2 are not specifically labelled in the Secondary Plan. We assume Chapter 12-1 refers to the policies of the Queen East Precinct Plan – Area 10-1. This should be clarified in the Secondary Plan and labelled accordingly.
 - **Requested Modification: Revise Policy 12.1 to clearly identify Chapters 12-1 and 12-2.**

Comments and Concerns with the Draft Queen East Precinct Plan Guidelines (Appendix A)

- *Precinct Plan Policy and Precinct Plan Guidelines* – As noted above, it is our understanding that Appendix A, being the Precinct Plan Guidelines, are intended to be utilized as development guidelines that conceptually illustrate the City’s general intent of the proposed Secondary Plan policies. However, the title of Appendix A does not include a specific reference to “Guidelines”.
 - **Requested Modification: Revise the title of Appendix A to read as follows: “Queen East Precinct Plan Guidelines”.**
- *Disclaimer* – We acknowledge the disclaimer within the Precinct Plan Guidelines, which confirms that “The images, illustrative renderings and the potential development scenarios contained in the Queen East Precinct Plan are meant to show examples and are one of many potential development approaches to achieve transit-oriented development. The images do not imply that development will occur or can be approved exactly as shown”.
 - **Requested Modification: Revise the last sentence of the Disclaimer to read as follows: “The images, illustrative renderings, potential development scenarios, building heights, density distribution, street network and open space network contained herein do not imply that development will occur exactly as shown. The Queen East Precinct Plan Guidelines are intended to inform, but are not formally part of, the Queen Street Transit Corridor Secondary Plan”.**
- *Precinct Plan* – Section 3.2 of the Guidelines includes the Precinct Plan. Davpart’s concerns with the Precinct Plan are outlined above.
 - **Requested Modification: Delete “Retail Frontage” along Vodden Street East from the Precinct Plan contained within Figures 3.2.1 and 3.4.2.**
 - **Requested Modification: Delete “Mid-Block Connection” within the subject site from the Precinct Plan contained within Figure 3.2.1.**
 - **Requested Modification: Revise Figure 3.2.1 to remove the townhouse development located south of the subject site from the Centennial Node Character Area.**



- *Character Areas* – Pages 30 and 31 of the Guidelines provide a brief overview of the desired objectives for each Character Area within the Precinct Plan. As it relates to the Centennial Node, this includes the statement that “Retail and service commercial uses encouraged at grade level to animate Kennedy Road and Vodden Street”. As noted above, pursuant to the City Council approved Davpart Applications, Vodden Street East will not provide retail frontage.
 - **Requested Modification: Delete the reference to “Vodden Street” in the third bullet of the Centennial Node overview on Page 30.**
- *Proposed Street Pattern* – Figure 4.1.1 of the Guidelines provides a conceptual Proposed Street Pattern, including ‘Proposed Public Streets 20.0 m’ and ‘Potential Private Streets’. While the Proposed and Potential Streets identified in Figure 4.1.1 generally reflect the road type and configuration of the Davpart Applications, the extent of the ‘Proposed Public Streets 20.0 m’ is incorrect as the Figure mislabels the portion of the proposed street network connecting to Kennedy Road North as a public street, as opposed to a private street pursuant to the Davpart Applications.
 - **Requested Modification: Replace the reference to the northerly east-west street that connects with Kennedy Road North from “Proposed Public Streets 20.0 m” to “Potential Private Streets”.**
- *Potential Redevelopment Configuration* – Section 4.2 of the Guidelines states that the development scenarios within the Guidelines “demonstrate the maximum built-out utilizing the densities and heights prescribed by the Secondary Plan”. This is inconsistent with the Information Report and Secondary Plan, which specifically have been advanced by City Staff to not include maximum heights and densities.
 - **Requested Modification: Delete the following sentence from Section 4.2: “The scenarios demonstrate the maximum built-out utilizing the densities and heights prescribed by the Secondary Plan”.**
- *Street Hierarchy and Typologies* – Section 5.3 of the Guidelines identifies a series of illustrative cross-sections of potential streets within the Precinct Plan. It is understood that these cross-sections are conceptual and that the final cross-section applicable to development applications will be confirmed at the detailed design stage.

CLOSING REMARKS

As summarized above, Davpart has concerns with the proposed OPA and associated Queen Street Transit Corridor Secondary Plan, Queen East Precinct Plan, and Queen East Precinct Plan Guidelines. We request that City Staff meet with Davpart and its core consulting team to discuss the concerns as outlined herein prior to City Staff bringing forward a final Recommendation Report for City Council approval.

We reserve the right to provide additional comments to the City of Brampton in connection with this matter prior City Council’s consideration of the final Recommendation Report.



By way of this correspondence we also respectfully request to be notified in writing of all future formal/information public meetings and open houses, as well as the tabling of any future Information and/or Recommendation Report(s) to Planning and Development Committee and/or City Council in connection with this matter; including all Notices of Decision.

Yours truly,

Richard Domes, B.A., C.P.T
Partner, Principal Planner

Nikhail Dawan, B.E.S.
Planning Associate

cc: C. Colafella, Davpart
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M. Gervais, City of Brampton
A. Ambrico, City of Brampton



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 172 - 2023

To adopt Amendment Number OP-2006-256 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-2006-256 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 18th day of October, 2023.

Approved as to
form.

2023/09/18

SDSR

Approved as to
content.

2023/09/25

AAP

Patrick Brown, Mayor

Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006- 256

To the Official Plan of the
City of Brampton Planning Area

AMENDMENT NUMBER OP 2006 – 256
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to amend the City of Brampton Official Plan and the Brampton Flowertown Secondary Plan to change the land use designation of the lands shown on Schedule 'A' to this amendment to permit the development of medium to high density residential and mixed use buildings.

2.0 Location:

The lands subject to this amendment are known municipally as 227 Vodden Street East. The lands are located approximately 770 metres (2,526 feet) north of Queen Street East, having a frontage of approximately 285 metres (935 feet) along Kennedy Road North, 190 metres (624 feet) along Vodden Street East and 275 metres (901 feet) along Hansen Road North. The lands are legally described as Part of Block H and XF, Plan 889 in the City of Brampton.

3.0 Amendments and Policies Relative Thereto:

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

- (1) by deleting the "District Retail" designation on Schedule A2 – Retail Structure, as shown on Schedule 'A' to this amendment.

3.2 The portions of the document known as Brampton Flowertown Secondary Plan, being Chapter 45, of Part II of the City of Brampton Official Plan, as amended, is hereby further amended:

- (1) by amending Schedule 6 of Chapter 45: Brampton Flowertown Secondary Plan, by deleting the "Neighbourhood Retail" designation and replacing it with a "High Density Residential" and "Special Site Area 6" designation as shown outlined on Schedule 'B' to this amendment.

- (2) by adding the following clauses under Section 8.0,
Special Site Areas:

"8.5 Lands shown on Schedule 6 as **Special Site Area 6** known municipally in 2023 as 227 Vodden Street East, shall be redeveloped (to be permitted incrementally) to provide a more broadly based mix of residential housing types complemented by locally serving non-residential uses within mixed-use buildings and shall be subject to the following:

- i.) Notwithstanding Section 4.2.1.2 of the Official Plan, low-rise, mid-rise and high-rise apartment buildings and mixed-use buildings, stacked townhouses, back-to-back townhouses and street townhouses shall be permitted. Non-residential uses in accordance with Section 4.3.5 of the Official Plan are also permitted within the first storey above grade within new apartment buildings and mixed-use buildings. Stand-alone commercial buildings existing at the time of the passing of this amendment are also permitted in the interim as development phasing is advanced pursuant to Section 4.3.4 of the Official Plan.
- ii.) Notwithstanding the provisions of the "High Density" designation of this Plan or any other Official Plan policy to the contrary, the lands shall be developed in accordance with the following principles:
 - a. A maximum gross residential density of 465 units per hectare is permitted.
 - b. A maximum gross Floor Space Index of 3.75 is permitted.
 - c. Individual buildings, blocks and phases may exceed the maximum permitted overall gross site density and Floor Space Index.
 - d. The predominant built form shall be high-rise, except that mid-rise and low-rise built forms shall only be permitted abutting Hansen Road North.
 - e. Development will provide a mix of building types, variation of building heights and

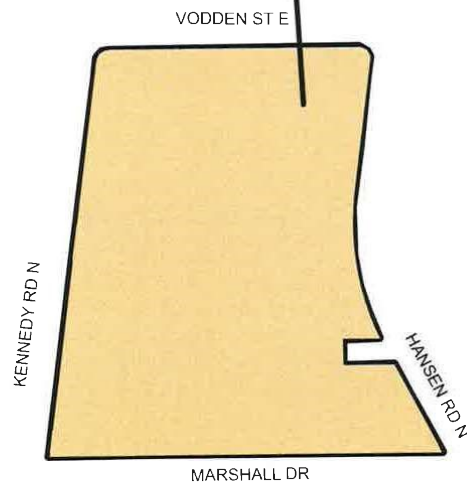
transition and scale.

- f. The tallest building heights shall be directed towards Kennedy Road North to provide appropriate transitions in height to existing adjacent uses. High-rise buildings located along Kennedy Road North shall provide a minimum building height of 26 storeys and may be developed up to a maximum building height of 39 storeys.
- g. High-rise buildings without direct frontage along Kennedy Road North shall be limited to a maximum building height of 18 storeys.
- h. A maximum of 7 high-rise buildings are permitted.
- i. The portion of all buildings fronting Kennedy Road North shall include street oriented retail uses on the ground level. Common residential areas of the building shall also be permitted fronting Kennedy Road North, however, retail frontage shall constitute the majority of the Kennedy Road North streetscape façade along the ground floor.
- j. For that portion of the lands abutting Hansen Road North, a maximum building height of 6 storeys is permitted.
- k. New development shall demonstrate a high level of design, high-quality building materials, well articulated façades, and the incorporation of building and site elements that contribute to a strong pedestrian streetscape.
- l. Outdoor amenity spaces are encouraged at the ground level and shall be functional, interesting and engaging spaces that are encouraged to be connected to public and/or private streets or other communal areas, and encourage social interaction for people of all ages and abilities through the inclusion of elements such as recreational features, seating, landscaping. The delineation and

location of private outdoor amenity spaces will be confirmed at the detailed design stage.

- m. Off-street surface parking shall be limited for new mid-rise and high-rise development. Surface parking areas shall continue to serve the existing commercial buildings in the interim as development is phased.
 - n. A new replacement supermarket/grocery store shall be located within the development prior to, or concurrent with, the completion of the final phase of development.
 - o. An orderly, coordinated and phased approach to development shall be provided with respect to the provision of transportation, servicing and other infrastructure requirements that support the development of complete communities.
- iii) Shall be designed with the general intent of achieving financial sustainability through the provision of municipal infrastructure and services in an efficient and financially prudent manner;
- iv) Subsequent phases of development may proceed subject to the receipt of a Functional Servicing Report and studies that consider municipal infrastructure requirements such as stormwater management, water and wastewater and transportation and site access that address capacity, configuration, and staging in the context of individual sites and the totality of the lands subject to these special site policies to the satisfaction of the City and Region.
- v) In the event of a conflict between this amendment and the Brampton Official Plan and/or Brampton Flowertown Secondary Plan, this amendment shall prevail."

"DISTRICT RETAIL" TO BE DELETED

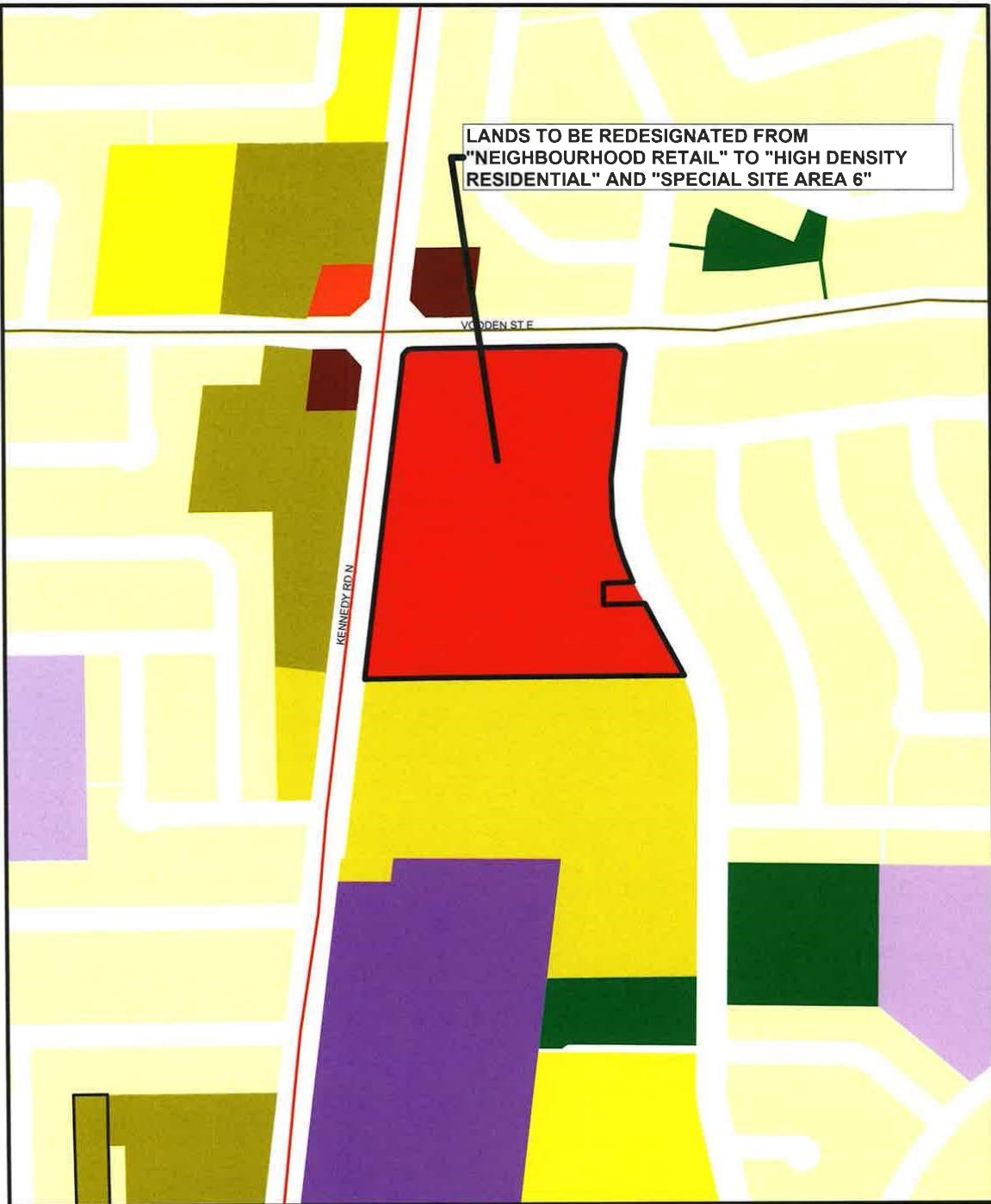


EXTRACT FROM SCHEDULE A2 (RETAIL STRUCTURE) OF THE DOCUMENT KNOWN AS THE CITY OF BRAMPTON OFFICIAL PLAN

Legend

 DISTRICT RETAIL





EXTRACT FROM SCHEDULE SP6 OF THE DOCUMENT KNOWN AS THE BRAMPTON FLOWERTOWN SECONDARY PLAN

COMMERCIAL

- NEIGHBOURHOOD RETAIL
- DISTRICT RETAIL
- CONVENIENCE RETAIL
- HIGHWAY COMMERCIAL
- SERVICE COMMERCIAL
- HIGHWAY AND SERVICE COMMERCIAL

RESIDENTIAL

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM-HIGH DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL

UTILITY

- UTILITY

INSTITUTIONAL

- ELEMENTARY SCHOOL
- MIDDLE SCHOOL
- SECONDARY SCHOOL
- GENERAL EMPLOYMENT 1
- PLACE OF WORSHIP
- INSTITUTIONAL

EMPLOYMENT

- GENERAL EMPLOYMENT 1

OPEN SPACE

- NATURAL HERITAGE SYSTEM
- RECREATION OPEN SPACE
- CEMETERY

RAILWAY

- SPECIAL SITE AREA
- SPECIAL POLICY AREA
- SECONDARY PLAN BOUNDARY

ROADS

- COLLECTOR ROAD
- MINOR ARTERIAL ROAD
- MAJOR ARTERIAL ROAD
- PROVINCIAL HIGHWAY



BRAMPTON
Flower City

0 0.04 0.07 0.15 0.22
Kilometres



SCHEDULE B TO OFFICIAL PLAN AMENDMENT OP2006# 256

BY-LAW 172-2023



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 173 - 2023

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

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. 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:
"COMMERCIAL THREE – 3065 (C3 – 3065)"	"RESIDENTIAL APARTMENT B – 3728 (R4B – 3728)"

(2) By adding the following Sections:

"3728 The lands designated R4B – 3728 on Schedule A to this by-law:

3728.1 Shall only be used for the following purposes:

- 1) Purposes permitted in the R4B Zone
- 2) Only in conjunction with a building containing an apartment dwelling, the uses permitted in the C2 Zone, except that a service station or gas bar shall not be permitted

3728.2 Shall be subject to the following requirements and restrictions:

- 1) Minimum Lot Area: No Requirement
- 2) Minimum Lot Width: No Requirement
- 3) Minimum Lot Depth: No Requirement
- 4) Minimum Yard Depth to a Municipal Street or Private Laneway:

- a. Kennedy Road North: 0.0 metres
- b. Vodden Street East: 1.5 metres
- c. Hansen Road North: 3.0 metres
- d. Other Municipal Street: 3.0 metres
- e. Private Laneway: 3.0 metres

- 5) Minimum Setback to a Daylight Triangle or Rounding: 0.0 metres
- 6) Minimum Setback for Parking Structure Below Established Grade: 0.0 metres
- 7) Minimum Tower Setback to a Municipal Street or Private Laneway:
 - a. Kennedy Road North: 3.0 metres
 - b. Vodden Street East: 4.5 metres
 - c. Private Laneway: 6.0 metres
- 8) For the purposes of this by-law a building Tower shall mean: that portion of the building located above a height of 8 storeys
- 9) Tower Stepbacks: A minimum cumulative tower stepback of 3.0 metres shall be provided for that portion of a building tower along Kennedy Road North or Vodden Street East, except that no tower stepback shall be required for up to 15% of the horizontal distance of the main exterior building face of any such tower along Kennedy Road North
- 10) Minimum Separation Distances Between Buildings:
 - a. Building Towers: 25.0 metres
 - b. Building Portions Between 4 to 8 Storeys: 15.0 metres
 - c. Building Portions Between 1 to 3 Storeys: 11.5 metres
- 11) Notwithstanding 3728.2(4), (7), (9) and (10) the following may project into the minimum yards, setbacks, stepbacks and tower/building separation distances for the distances specified:
 - a. Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets, lighting fixtures: 0.5 metres
 - b. Canopies, balconies, decks, open-roofed porches, uncovered terraces, hydro transformer: 1.8 metres
- 12) For the purposes of this by-law, Established Grade shall mean: a geodetic elevation of 229.0 metres
- 13) Maximum Building Height: 122.0 metres, except that:
 - a. For a building located within 30.0 metres of Vodden Street East and within 110.0 metres of Kennedy Road North, a maximum building height of 58.5 metres is permitted
 - b. For a building located between a distance of 30.0 metres to 90.0 metres of Vodden Street East and within 110.0 metres of Kennedy Road North, a maximum building height of 83.0 metres is permitted
 - c. For a building located within 75.0 metres of Vodden Street East and 83.0 metres of Hansen Road North, a maximum building height of 22.0 metres is permitted

14) Notwithstanding 3728.3(13), the following shall be exempt from the calculation of building height:

- a. Lighting fixtures, trellises, stair enclosures, landscape features, elevator enclosures/overruns, lightning rods, parapets, eaves, balcony or terrace guardrails, railings, vents and ventilating equipment, window washing equipment, mechanical equipment, landscape and green roof elements, outdoor recreation and amenity area elements (including accessory structures /buildings), partitions dividing outdoor recreation and amenity areas, rooftop lobbies to access rooftop amenity areas, wind mitigation elements, noise mitigation elements, chimney stack, exhaust flues, and garbage chute overruns, to a maximum projection beyond the permitted building height by no more than 3.0 metres
- b. A roof structure which is used only as an ornament or to house the mechanical equipment of any building to a maximum of 6.0 metres above the maximum permitted building height

15) Minimum Ground Floor Height 4.5 metres

16) Maximum Tower Floorplate: 800 square metres

17) Maximum Floor Space Index (FSI): 4.75

18) Maximum Number of Dwelling Units: 1,185

19) Minimum Non-Residential Gross Floor Area: 1,500 square metres

20) Maximum Lot Coverage: No Requirement

21) Minimum Landscaped Open Space: 10% of the lot area

22) Location of Motor Vehicle Parking: A maximum of 10 off-street surface motor vehicle parking spaces shall be permitted, however no off-street surface motor vehicle parking spaces shall be permitted within 25.0 metres of Kennedy Road North or 50.0 metres of Vodden Street East.

23) Motor Vehicle Parking:

- a. Minimum parking requirement for an apartment dwelling use is 0.5 parking spaces per dwelling unit for residents and 0.20 parking spaces per dwelling unit for visitors.
- b. Up to 1,501 square metres of Gross Floor Area for any commercial uses permitted in Section 3728.1 of this by-law that are located in an apartment dwelling building or mixed-use building, shall be exempt from minimum parking requirements.

24) Bicycle parking:

- a. A minimum of 0.50 bicycle parking spaces shall be provided per apartment dwelling unit
- b. A minimum of 0.10 visitor bicycle parking spaces shall be provided per apartment dwelling unit
- c. A maximum of 50% of the required bicycle parking shall be vertical spaces
- d. Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within:
 - (1) A building or structure
 - (2) A secure area such as a supervised parking lot or enclosure; or
 - (3) Within bicycle lockers
- e. The dimensions for required bicycle parking spaces shall be:
 - (1) A horizontal bicycle parking space shall have a minimum

- length of 1.8 metres and a minimum width of 0.6 metres
- (2) A vertical bicycle parking space shall have a minimum length of 1.6 metres and a minimum width of 0.5 metres
- f. Bicycle parking must be located on the same lot as the use or building for which it is required

- 25) Minimum Number of Loading Spaces per Building: 1 space
- 26) Loading, Unloading and Waste Disposal: Loading, unloading and waste disposal facilities, excepting access thereto, shall be screened from a public street
- 27) Garbage, Refuse and Waste: All garbage, refuse and waste containers for any use shall be located within a building or within a containment system or enclosure that is screened from view from a public street or thoroughfare
- 28) For the purposes of this by-law Gross Floor Area shall mean: the aggregate of the area of all floors in a building, whether at, above or below established grade, measured between the exterior walls of the building, but excluding any porch, verandah, unfinished attic, basement or any floor area used for building maintenance or service equipment, loading area, elevators, stairwells, common laundry facilities, common washrooms, common children's play area, common recreation amenity area, all areas associated with the parking of motor vehicles, utility areas or storage areas
- 3728.4 All lands zoned R4B – 3728 shall be treated as a single lot for zoning purposes.
- 3728.5 Notwithstanding any section of the By-law, the erection or use of building or structures on the lands outlined on Schedule A to this By-law shall not be permitted unless written confirmation is received by the Region of Peel (or successor), confirming sufficient wastewater infrastructure and capacity is available to service the lands.

ENACTED and PASSED this 18th day of October, 2023.

Approved as to
form.


2023/09/18


SDSR

Approved as to
content.

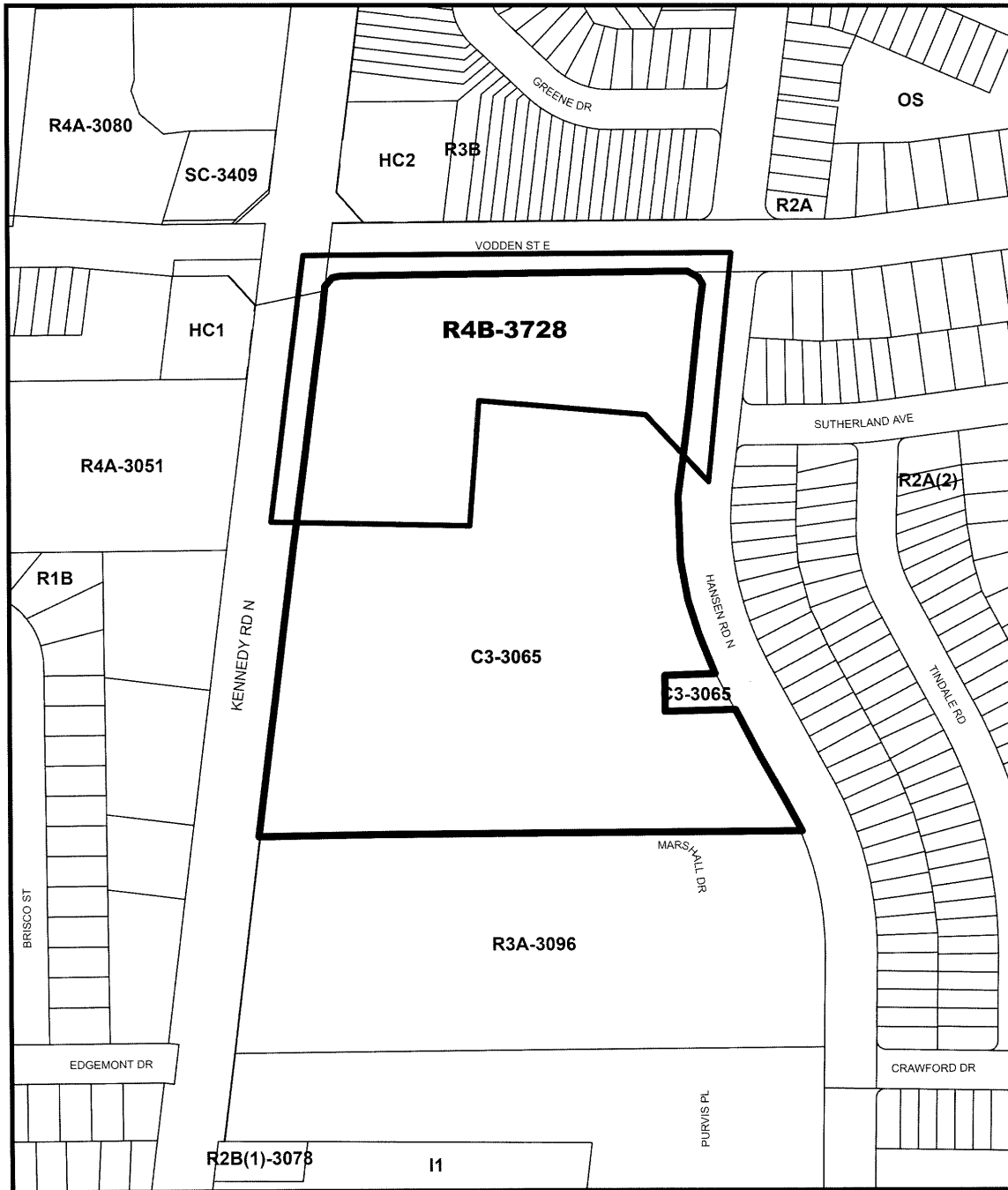
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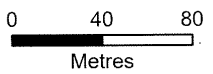
Patrick Brown, Mayor

Peter Fay, City Clerk



BRAMPTON
Flower City

PLANNING, BUILDING AND GROWTH MANAGEMENT



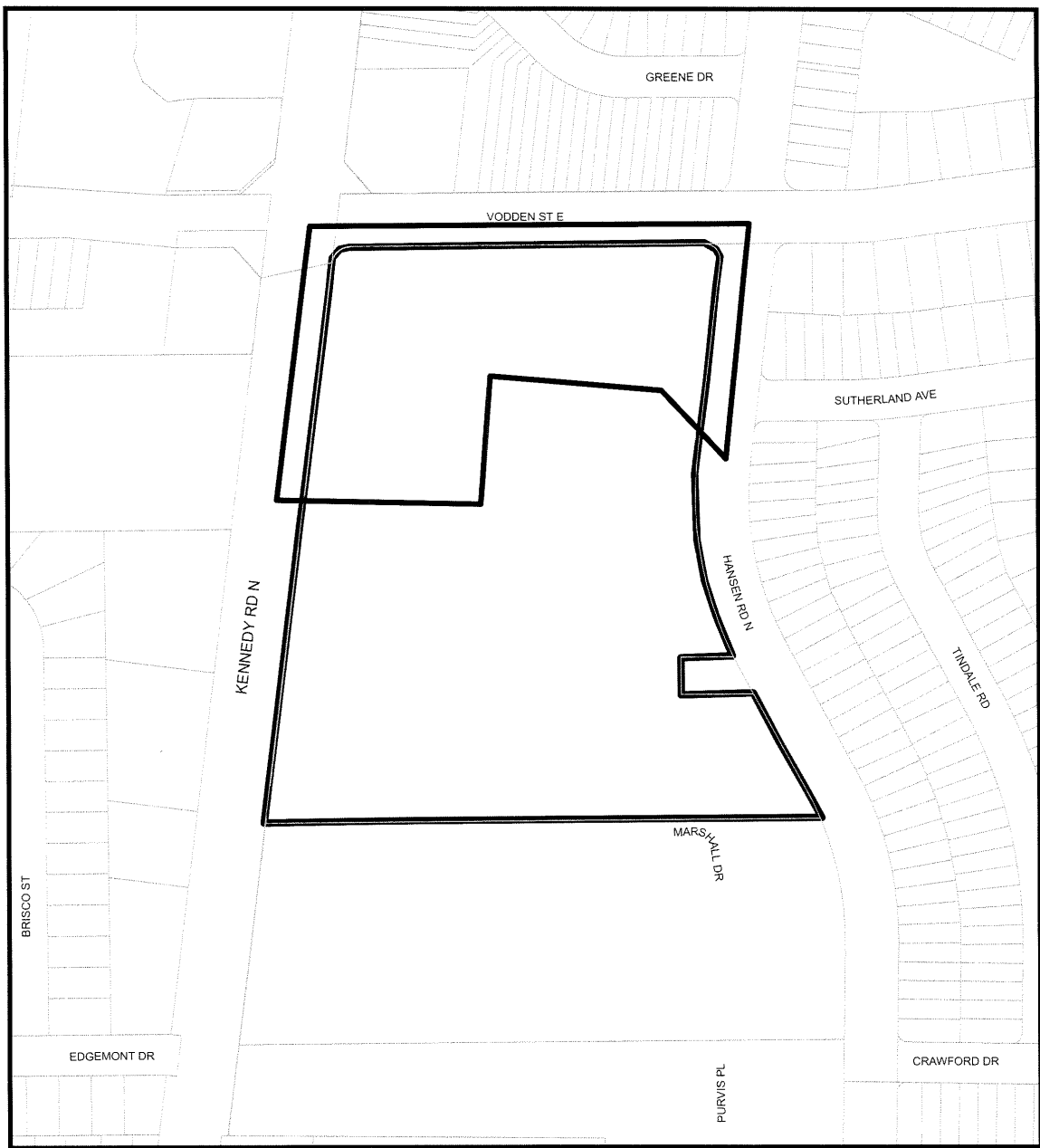
Author: CAntoine
Date: 2023/09/06




227 VODDEN ST E

BY-LAW 173-2023

SCHEDULE A




 SUBJECT LAND



BRAMPTON
Flower City

PLANNING, BUILDING AND GROWTH MANAGEMENT

0 35 70


Metres
OZS-2022-0029

Author: CAntoine

Date: 2023/09/07



KEY MAP

BY-LAW 173-2023