

Date: 2022-09-07

File: **OZS-2022-0028**

Secondary Title: Information Report

Application to Amend the Zoning By-law
(To permit two residential towers of 45 and 35 storeys with up to 940 dwelling units, ground floor retail and second storey office uses, with 672 underground parking spaces)
Nahid Corp. – 2556830 Ontario Inc. (Harbans Sidhu)
226 Queen Street East.
Ward: 1

Contact: Stephen Dykstra, Development Planner III,
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Report Number: Planning, Bld & Ec Dev-2022-813

Recommendations:

1. **That** the report titled: **Information Report - Application to Amend the Zoning By-law, Nahid Corp. – 2556830 Ontario Inc. (Harbans Sidhu), 226 Queen Street E., Ward 1 (File: OZS-2022-0028)**, to the Planning and Development Committee Meeting of September 26, 2022, be received; and,
2. **That** Development Services staff be directed to report back to the Planning and Development Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal

Overview:

- **The applicant has made an application to amend the Zoning By-law to facilitate the redevelopment of 226 Queen Street East for high density mixed-use/residential uses.**
- **The applicant is proposing to develop the lands to permit a residential development consisting of 2 residential towers having 45 and 35 storeys.**

- The towers are proposing retail on the ground floor and office on the second floor. Parking for 672 stalls are proposed underground and a parcel of amenity space is proposed along June Avenue.
- The property is designated “Central Area” in the Official Plan. It is designated “Central Area Mixed-Use” in the Queen Street Corridor Secondary Plan.
- The property is zoned “Queen Street Mixed Use Transition (QMUT)” and “Future Development (FD)” by By-Law 270-2004, as amended. An amendment to the Zoning By-law is required to permit the proposed development.
- The Information Report and the associated public meeting facilitate compliance with the Strategic Plan’s “Good Governance” priority, with respect to educating and engaging citizens in an open and accountable way.

Background:

The property is located on Queen Street East, just west of Kennedy Road. The purpose of this application is to amend the Zoning By-law to permit the proposed development.

This application has been reviewed for completeness and found to be complete in accordance with Section 22 (4), and Section 34 (10.1) of the *Planning Act*. A formal Notice of Complete Application was issued on February 3, 2022.

Current Situation:

Proposal (Refer to Appendix 1):

An application to amend the Zoning By-law has been filed in support of the proposed development.

Details of the proposal are as follows:

Building A

- 45 storeys;
- approximately 700m² of retail use on ground floor;
- approximately 1800m² of office use on second floor;
- approximately 545 dwelling units; and,
- 352 parking spaces.

Building B

- 35 storeys;
- Approximately 395 dwelling units; and,
- 320 parking spaces.

Property Description and Surrounding Land Use (Refer to Appendix 2):

The lands have the following characteristics:

- A total site area of approximately 0.7 hectares (1.73 acres);
- A total frontage of approximately 94 metres (308 feet) along June Avenue and 69 metres (227 feet) along Queen Street East;
- The site is currently developed with a 6-storey hotel (the “Marigold Hotel”) along with a motor vehicle rental establishment. Along June Avenue are two single detached dwellings that are also part of the proposal.
- The land is generally flat. There is some existing vegetation that is associated with the dwellings and landscape along Queen Street E.

The surrounding land uses are described as follows:

North: Single detached dwellings along Charles Street;

South: Queen Street East, beyond is a commercial plaza and high density residential buildings;

East: Retail buildings, beyond is Kennedy Road; and,

West: June Avenue, beyond are single detached dwellings and a mix of retail and commercial buildings.

Technical Considerations

Comments from staff and external commenting agencies are required in order to complete a comprehensive analysis for this application. A complete review of technical planning and development implications will be undertaken and discussed within the Recommendation Report.

At this time, staff have noted the following specific considerations that will need to be addressed:

- The proposed building heights in proximity to the existing single detached dwellings that are adjacent to the property.

- The development potential for the surrounding lands.

Further details on this proposal can be found in the Information Summary contained in Appendix 7. The future Recommendation Report will contain an evaluation of the various technical aspects, including matters addressed in the site specific studies submitted by the applicant. Staff will continue to work with the applicant to look for opportunities to increase the sustainability score (currently at Silver) where appropriate.

Public Meeting Notification Area:

This application has been circulated to all relevant City departments and external agencies for comment and a sign informing the public of the submission of a proposal for the property is erected on the site.

Notice of the statutory public meeting has been provided by mail to all property owners within 240 metres of the subject lands, and also through the Brampton Guardian, which exceeds the requirements of the Planning Act. The notices were provided at least 20 days in advance of the public meeting as per Planning Act requirements.

The applicant held an open house meeting on August 24, 2022 to present the proposal to the public. It was held at the Grand Empire Centre at 100 Nexus Ave., Brampton. There were approximately 5 members of the public in attendance as well as Councillors Santos and Vicente. Questions regarding project timeline, unit sizes/mix and public availability of amenity space were asked.

This report, along with the application requirements including studies, have been posted to the City's website.

Corporate Implications:

Financial Implications:

There are no financial implications identified at this time. Revenue collected through development application fees are accounted for in the approved operating budget. Any implications that arise through the continued processing of this application will be discussed within the future Recommendation Report.

Other Implications:

Other technical planning and development implications associated with this application will be undertaken and discussed within the Recommendation Report.

Section 37 Bonusing:

In accordance with Section 37 of the Planning Act and policies contained in the City's Official Plan (Section 5.12), the City can secure community benefits such as affordable housing units, public art, daycares, etc. when increases in permitted height and/or density are requested through a rezoning development application. This proposal in its

current format qualifies for density bonusing. As per Brampton's Council endorsed Implementation Plan, since these lands are proposed to be rezoned to high density uses, the application will be subject to density bonusing.

Brampton will require a benefit contribution between 20-60% of the uplift value after rezoning. An Appraisal Report will be submitted by the applicant as per the Terms and Conditions on the City's website and this report will be reviewed and approved by the City's Realty team in order to determine the uplift value. Cash-in-lieu contributions instead of the preferred in-kind contribution benefits are also permissible.

A pre-requisite to Brampton's density bonusing approach is that an application must be deemed to be good planning through the development review process. Should this proposal be deemed to represent good planning, staff will include any negotiated community benefit provisions within the Recommendation Report and the draft Zoning By-law.

It is anticipated that a Community Benefits Charge (CBC) will replace the density bonusing program currently in place in the Fall of 2022.

Term of Council Priorities:

This Information Report and the associated public meeting facilitate compliance with the Term of Council Priorities 2019-2022 "A Well-run City (Good Government)" priority, with respect to encouraging public participation by actively engaging the community. This application will be reviewed to ensure it meets the direction and goals of the Term of Council Priorities 2019-2022, and will be discussed in the future Recommendation Report.

Living the Mosaic – 2040 Vision:

This report has been prepared in full consideration of the overall vision that people of Brampton will "Live the Mosaic".

Conclusion:

Appropriate information and background studies have been received by Planning, Building and Economic Development to proceed with a Public Meeting at this time.

A future Report will detail a complete technical analysis and assess the planning merits of this application to amend the Zoning By-law.

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Attachments:

Appendix 1: Concept Plan
Appendix 1A: Concept Elevation
Appendix 2: Location Map
Appendix 3: Official Plan Designations
Appendix 4: Secondary Plan Designations
Appendix 5: Zoning Designations
Appendix 6: Aerial & Existing Land Use
Appendix 7: Information Summary
Appendix 8: Sustainability Snapshot