

Date: 2022-12-30

File: OZS-2021-0056

Subject: **Recommendation Report**
Application to Amend the Official Plan and Zoning By-law
(To facilitate a proposed mixed-use, high rise)
MPLAN Inc. - Ivory Group
227 and 229 Main Street
West side of Main Street and North of Charolais Boulevard
Ward: 3

Contact: Kelly Henderson, Development Planner, Development Services, 905-874-2619, Kelly.Henderson@brampton.ca; and,
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Report Number: Planning, Bld & Growth Mgt-2022-956

Recommendations:

1. **That** the report titled: **Recommendation Report**, Application to Amend the Official Plan and Zoning By-law, **MPLAN Inc. – Ivory Group**, 227 and 229 Main Street, Ward 3, dated December 30th, 2022, to the Planning and Development Committee meeting of January 23rd, 2023 be received;
2. **THAT** the Official Plan and Zoning By-law Amendment applications submitted by MPLAN Inc. on behalf of Ivory Group be approved, with modifications, on the basis that they represent good planning, including that they are consistent with the Provincial Policy Statement, conform with the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, for the reasons set out in this Recommendation Report;
3. **That** the amendment to the Official Plan generally in accordance with the attached Appendix 10 to this report be adopted;
4. **That** the amendment to the Zoning By-law generally in accordance with the attached Appendix 12 to this report be adopted; and

5. **THAT** no further notice or public meeting be required for the attached Official Plan and Zoning By-law Amendment pursuant to Section 22 and Section 34 of the Planning Act, R.S.O. c.P. 13, as amended.

Overview:

- **This application proposes the development of a mixed-use development having two towers (19 and 26 storeys) that will include 400 residential units, 470 square metres of ground floor commercial space and 234 parking spaces.**
- **The report recommends approval with revisions to the Zoning provisions, including:**
 - **A reduction in height to from 26 to 23 storeys to ensure the proposed development is more compatible with the existing residential single detached homes adjacent to the subject property.**
 - **An increase in tower separation distance that will improve privacy for the proposed apartment units, and also reduce shadow, wind and visual impacts to the low-rise dwellings on Hodgson Street terms.**
 - **Maximum area requirements per floor, and minimum setback provisions (rear, side and front yard), to ensure the massing of the towers are appropriate.**
 - **The use of a 'Holding (H)' zoning symbol that will be lifted once vehicle access issues for the site are resolved.**
- **The property is located within the Brampton Flowertown Secondary Plan - Area 6 and is designated "Neighbourhood Retail and High Density Residential". An Amendment to the Secondary Plan is required to facilitate the density of the proposal.**
- **The property is zoned 'Residential' (R1A-3063), and 'Commercial' (SC-3380) by By-law 270-2004, as amended. An Amendment to the Zoning By-law is required to facilitate the proposed land use and associated provisions.**
- **The proposed amendments, with modifications, represent good planning, are consistent with the Provincial Policy Statement and are in conformity with the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City of Brampton Official Plan.**
- **The application received a Sustainability Score of 60 overall, and achieved the Silver threshold.**

- **A Statutory Public Meeting for this application has held on March 7th, 2022. At the Public Meeting, 7 delegations were received and 11 residents provided correspondence. Details of the results of the Public Meeting are included in Appendix 10 of this report.**
- **The recommendations in this report are consistent with the “A City of Opportunities” theme. The application proposes to redevelop the site for a mixed-use, urban development that aligns with the goals for Uptown Brampton.**

Background:

This application proposes to amend the Secondary Plan and Zoning By-law to permit the redevelopment of the subject property to permit two towers at a height of 19 and 26 storeys with a shared podium and with commercial on the ground floor.

MPLAN Inc. submitted the subject applications on behalf of Ivory Group on November 24th, 2021, which has been reviewed for completeness and found to be complete in accordance with the Planning Act. A formal Notice of Complete Application dated January 6th, 2022 was provided to the applicant. The Statutory Public Meeting for the application was held at the March 7th, 2022 Planning and Development Committee Meeting.

Current Situation:

A proposal to amend the Official Plan and Zoning By-law Amendment has been filed with the City to develop the approximately 6,346 square metres (1.6 ac.) site. The details of the proposal are as follows (refer to Appendix 1):

- Mixed-use development with two towers of 19 and 26 storeys;
- A gross floor area of 38,940 square metres;
- 400 residential units;
- 470 square metres of commercial space;
- 234 vehicle parking spaces and 215 bicycle parking spaces;
- Floor Space Index (FSI, being the ratio of building area to site area): 6.1; and,
- Site Coverage: 42.9%

Recommended Modifications to Development Standards

Planning staff is recommending several modifications to the zoning standards proposed by the applicant, which are intended to better integrate the development proposal with, and minimize the impact on the adjacent low density neighbourhood. The key changes are:

- A reduction in height to 23 storeys with a maximum podium height of 8 storeys,

- A minimum tower separation distance of 25 metres,
- A northerly side yard setback of 7.5 metres,
- A maximum tower floor plate of 800 square metres.

Staff is recommending the aforementioned provisions to ensure a development that is more compatible with the existing neighbourhood. The rationale for limiting the height to 23 storeys is that it is more in keeping with, though not conforming to, a 45 degree angular plane as drawn from the rear property line of the site. The 45 degree angular plane is a frequently used planning standard to minimize impacts from higher density development on nearby low-rise neighborhoods. The reduction in height allows for a more appropriate transition to the adjacent single detached dwellings and will mitigate some of the impacts associated with this kind of infill development. Through discussions and correspondence, the applicant is in agreement with the height limitation of 23 storeys.

The inclusion of tower separation, setback and maximum floor plate requirements are also intended to further mitigate any negative impacts from shadow and/or wind, as well as ensuring an appropriate scale, built form and massing for the proposed development on the surrounding land uses. The floor plate provides for a more energy efficient development as well. The northerly setback provision is intended to provide adequate separation to the property to the north of the site. The recommended standards are commonly used planning standards for high-rise buildings and have been used for other developments within Uptown Brampton.

There will be changes required to the submitted Urban Design Brief, Wind Study, Shadow Study and Traffic Impact Study to reflect the recommended standards. In addition the Wind Study makes some recommendations on developing mitigation measures during the preparation of the detailed design of the building to avoid potentially uncomfortable wind situations on the site. These updates can be appropriately done at the Site Plan Approval stage. Staff will be requiring them as part of that process.

When the adjacent Amica Peel Village building to the north was approved, there were conditions of approval for it that required them to provide a shared access with the subject property. Further work is still needed with the applicant on the appropriate access to the site and whether the access should be shared but this can also be appropriately done at the Site Plan Approval stage. Staff is recommending that there be a 'Holding (H)' symbol used in the zoning by-law related to this matter. In this regard the full zoning permissions for the development will not take effect until the vehicle access for the site is determined to the satisfaction of the Commissioner of Public Works.

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

The lands have the following characteristics:

- are municipally known as 227 and 229 Main Street South
- have a total site area of approximately 6,346 square metres (1.6 ac.)
- have a frontage of approximately 92.37 metres (303 feet) along Main Street and approximately 87.8 metres (287.9 feet) along Charolais Road.

The surrounding land uses are described as follows:

North: Amica Peel Village seniors housing

South: Charolais Blvd and beyond are a Petro Canada gas station and Shoppers World mall

East: Main Street South and beyond are Kiwanis Memorial Park and single detached dwellings

West: Single detached dwellings

Summary of Recommendations:

This report recommends that Council enact the Official Plan Amendment and Zoning By-law Amendment generally in accordance with Appendices 10-11 and Appendices 12-13. The proposed recommendations of this report and implementing Official Plan and Zoning By-law Amendments represents good planning, are consistent with the Provincial Policy Statement, and conform to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan.

Planning Analysis and Summary:

The recommendations have regard for matters of provincial interest that are set out in the Planning Act. The application proposes an infill development within an area that is identified as a location where intensification is directed and desired, as it is just outside of a Major Transit Station Area and along a Primary Intensification Corridor.

The policy framework for the Brampton Flowertown Secondary Plan as well as the Uptown area of Brampton is intended for the area to redevelop as a sustainable, transit oriented complete community. The proposed development will help in achieving this goal.

The proposed Official Plan and Zoning By-law Amendment with the changes recommended by Staff represent good planning.

Planning Act:

The recommendations have regard for matters of provincial interest, as set out in the Planning Act. The application proposes a high-density, mixed-use development within an area that is identified as a location where intensification is envisioned and acceptable. High rise buildings are permitted in certain areas of the City such as major nodes and gateway locations, where adequate services, road and transit capacity exist. The proposed development is in an appropriate location (Section 2(h)) for high-density as it is located along a Primary Intensification Corridor. The development is an appropriate built form, provides for open space and pedestrian connectivity and supports public transit (Section 2(q)).

The recommendations have regard for matters of provincial interest that are set out in the Planning Act and represents orderly development in a location that is suitable for growth and development.

Provincial Policy Statement:

Section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development.

The PPS includes a number of policies encouraging intensification within appropriate areas (e.g. Sections 1.1.3.2, 1.1.3.3, 1.1.3.4, and 1.1.3.5). The application proposes the transformation of an underutilized lot to high density, mixed-use development. It will help achieve the intensification policies of the PPS.

Sections 1.3 and 1.4 of the PPS provides policies requiring planning authorities to provide an appropriate mix and range of employment uses and housing opportunities. The proposed development will provide for another form of housing in the area, as well as provide for commercial opportunities on the ground floor. The application is consistent with the policy statements in these sections.

Section 1.5 of the PPS includes policies promoting healthy, active communities by planning streets and public spaces to be safe, to facilitate active transportation and to provide for a full range and equitable distribution of publicly accessible settings for recreation. The proposed development is within close proximity to the proposed redevelopment of the Shoppers World mall, which will allow this development easy access to commercial and community services. Furthermore the subject development will be connected to transit services, provides for another form of housing in the area, and includes a significant outdoor amenity space.

Staff is satisfied that the recommendations are consistent with the applicable sections of the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe:

The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) includes policy and direction intended to accommodate and forecast growth in complete communities. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. As mentioned above the application supports the achievement of complete communities through providing a mix of housing near a public transit route (Bus Rapid Transit).

The recommendations conform to the applicable sections of the Growth Plan.

Region of Peel Official Plan

The Regional Official Plan sets the Regional context for more detailed planning by protecting the environment, managing resources, directing growth and establishing a basis for providing Regional services in an efficient and effective manner. The subject lands are located within the 'Urban System' and 'Built Up Area' designation in the Region of Peel Official Plan.

The subject application conforms to the related policies with respect to healthy communities, efficiently using resources and locating development near accessible transportation.

City of Brampton Official Plan:

The City of Brampton Official Plan provides guidance and policies for the future of the city. The City of Brampton's Official Plan provides comprehensive policies that facilitate land use decision making. The purpose of the City of Brampton's Official Plan is to give clear direction as to how physical development and land use decisions should plan to meet the current and future needs of its residents.

The property is designated as 'Residential' on Schedule A of the Official Plan. 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, for example the Gateway Terminal is located approximately 500 metres from the subject site (northwest corner of Main and Steeles).

Furthermore, within the Hurontario LRT Extension study, there is the potential for a terminal station to be located at the corner of Charolais Boulevard and Main Street, which may also be designated as a Major Transit Station Area (south of the site).

Main Street is designated as Primary Intensification Corridor on Schedule 1 – City Concept. Primary Intensification Corridors are primarily identified as higher order transit corridors linking major destinations within and beyond the limits of the City. 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.

The Official Plan also speaks to New Housing Density Categories and the High Density Category permits a maximum of 200 units per net hectare. Although the subject application will exceed the proposed maximum high density units per net hectare, the proposal is supportable given the nature of the development being located within an intensification corridor, and meeting section 4.2.1.8 of the Official Plan.

The recommendations of this report for the development are compatible with the surrounding land uses, several design concepts have been taken into consideration in order to reduce and mitigate any impacts on the adjacent existing dwellings. For example, City Staff is recommending that the height of the building be reduced to 23 storeys in order to be more in keeping with the guideline of keeping building heights within a 45 degree angular plane. The amount of open space between the proposed development and the existing single detached residential dwellings also aids in mitigating the impact of the proposed building on the adjacent community.

The proposed recommendations conform to the Official Plan as the location of the development is within an area that is slated to see intensification as it provides for access to public transit, is connected to active transportation, and is in close proximity to park uses and commercial uses. It will support a complete community.

Staff is satisfied that the objectives of the Official Plan have been met.

Brampton Flowertown Secondary Plan (SPA 6):

The subject properties are located within the Brampton Flowertown Secondary Plan – Area 6. Within this Plan the property located at 229 Main Street is designated as ‘Neighbourhood Retail’. The property located at 227 Main Street is designated as ‘High Density Residential’. The Uptown area is evolving and developing into a complete community that supports public transit. The proposed development will help in achieving the goals of the Uptown area.

The proposed increase in density and height, which Staff is recommending be modified, is supported by Provincial Policy given that the proposed development is located along a Primary Intensification Corridor where public transportation is readily available. Furthermore, the proposed development efficiently uses resources (existing infrastructure), as well as contributing to the development of a complete community.

Staff is satisfied with the proposed Official Plan Amendment.

City of Brampton Zoning By-law

The subject properties are zoned ‘Residential’ (R1A-3063), ‘Commercial’ (SC-3380) by By-law 270-2004, as amended. This report recommends rezoning the subject lands to ‘Hurontario Mixed Use One Special Section 3667 (HMU1-3667)’ with a Holding (H) Symbol in order to permit the proposed development. The H Symbol is intended to

provide more time for the applicant to submit a revised Traffic Impact Study to address site access.

Staff is satisfied with the recommended Zoning provisions for the development of the lands.

Community Engagement:

The application was circulated to City Departments, external commenting agencies and property owners within 240 metres of the subject property, exceeding the Planning Act requirement of 120 metres for such applications. The correspondence received from residents are summarized in Appendix 8 – Results of the Public Meeting, and commenting agency comments are included in Appendix 9 – Results of Application Circulation. Notice signs were placed on the subject lands to advise members of the public that the application to amend the Official Plan and Zoning By-law was filed with the City.

A Statutory Public Meeting for this application was held on March 7th, 2022. There were seven residents that spoke at the public meeting and eleven pieces of written correspondence were received. Details of the Statutory Public Meeting, including a summary of the issues raised and a response to those issues, are included in Appendix 8 of this report – a summary chart is included below:

Concern Raised At Public Meeting	Staff Response
Intensification/Density	<p>The density is appropriate along this major arterial road, and will make efficient use of the existing infrastructure/services (i.e. Transit, sewers).</p> <p>Staff propose a reduction in maximum height from 26 to 23 storeys to be more in keeping with the 45 degree angular plane guideline.</p>
Built Form Compatibility	<p>All technical issues (servicing / infrastructure / traffic) matters are sufficiently resolved.</p> <p>The proposed apartment building form is appropriate along this designated “Intensification Corridor” and make use of the existing higher order transit service.</p> <p>Staff have recommended revisions to the form of the development to reduce heights and setbacks to adjacent properties.</p>
Traffic congestion	<p>The Traffic Study has confirmed that the level of service for the roads in proximity to this site will be acceptable with this development.</p>

	A Holding (H) symbol is recommended until a shared access issue with the abutting property to the north is resolved.
Natural Heritage	<p>Significant open space/amenity space will remain between this site and adjacent properties.</p> <p>An Arborist Report and a Tree Preservation Plan were submitted in support of the application. Its recommendations will be implemented during Site Plan Approval.</p>

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.

Other Implications:

There are no other corporate implications associated with the applications that have not been noted elsewhere.

Term of Council Priorities:

The application is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs. The proposal also develops otherwise underutilized lands with a use consistent with the surrounding context. The redevelopment of the lands makes efficient use of land and resources and takes advantage of existing infrastructure and will provide a transit supportive, pedestrian friendly development.

Living the Mosaic – 2040 Vision

This report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’. This report aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres.

Conclusion:

The proposal provides an opportunity to redevelop an underutilized parcel of land with new housing integrated into the surrounding neighbourhood. The proposal represents an appropriate use of land by providing a compact form of housing that is compatible

with the context and supports the City's vision of directing intensification towards growth areas.

The proposed development, with the modifications that Staff is recommending, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, Region of Peel Official Plan and the City's Official Plan. Staff is satisfied that the application, as revised by City Staff, represents good planning and recommends approval Official Plan and Zoning By-law Amendment.

This report recommends that Council enact the Official Plan Amendment attached hereto, as Appendix 10 and Zoning By-law Amendment attached hereto as Appendix 12.

In summary, the applications are appropriate for the orderly development of the lands and represent good planning.

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Attachments:

Appendix 1: Concept Plan
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: Detailed Planning Analysis
Appendix 8: Results of the Public Meeting
Appendix 9: Results of the Application Circulation
Appendix 10: Draft Official Plan Amendment
Appendix 11; Draft Official Plan Amendment Schedule
Appendix 12: Draft Zoning By-law Amendment

Appendix 13: Draft Zoning By-law Amendment Schedule
Appendix 14: Sustainability Snapshot