

**Date:** 2023-03-01

**Subject:** **OZS-2022-0028**

**Secondary Title: Recommendation Report**

Application to Amend the Zoning By-law

*(To permit a mixed-use development comprised of two towers (35 and 47 storeys) with a 6 to 8-storey podium)*

**Nahid Corp. – 2556830 Ontario Inc.**

226 Queen Street E.

Ward: 1

**Contact:** Angelo Ambrico, Manager, Development Services  
Planning, Building and Growth Management  
905-874-2953, angelo.ambrico@brampton.ca

**Report Number:** Planning, Bld & Growth Mgt-2023-002

**Recommendations:**

- 1. THAT** the report titled: Recommendation Report, Application to Amend the Zoning By-law, Nahid Corp. – 2556830 Ontario Inc., west of Kennedy Road, at the northeast corner of Queen Street East and June Avenue, Ward 1 (File: OZS-2022-0028 Planning, Bld & Growth Mgt-2023-002), to the Planning and Development Committee Meeting of March 20, 2023, be received;
- 2. THAT** the Zoning By-law Amendment application submitted by Nahid Corp. on behalf of 2556830 Ontario Inc., Ward: 1, File: (OZS-2022-0028 and Planning, Bld & Growth Mgt-2023-002), be approved, on the basis that it represent good planning, including that it is consistent with the Provincial Policy Statement, conform(s) to the Grown Plan for the Greater Golden Horseshoe, The Region of Peel Official Plan and the City's Official Plan for the reasons set out in the Planning Recommendation Report, March 1, 2023;
- 3. THAT** the amendments to the Zoning By-law, as generally attached as Appendix 9 to this report, be adopted subsequent to the approval of the following studies: Functional Servicing Report and Traffic Impact Study;
- 4. THAT** no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34(17) of the Planning Act, R.S.O. c.P. 13, as amended.

## Overview:

- This report recommends approval of amendments to the Zoning By-law to accommodate the proposed development, with minor revisions being completed to the Functional Servicing Report and Traffic Study, prior to Council's approval of the amending by-law.
- The application proposes a mixed-use residential, commercial and office development comprised of two towers (35 and 47-storeys) on a 6 to 8-storey podium. The proposal includes 940 residential units, 2,513 square metres of commercial and office space, and 398 underground parking spaces.
- The Region of Peel has confirmed that water and sanitary sewer servicing capacity for the proposed development is available.
- The property is designated '*Central Area*' on Schedule A and '*Urban Growth Centre*' on Schedule A1 of the Official Plan. The property is also designated '*Central Area Mixed-Use*' in the Queen Street Corridor Secondary Plan. No amendments are required to the Official Plan and 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 increased height and density of the proposal. The draft Zoning By-law is attached as Appendix 9 to this report.
- The proposal is consistent with the "2018-2022 Term of Council Priorities" by supporting the "A City of Opportunities" theme. The proposal is consistent with the direction of building complete communities to accommodate growth for people and jobs.
- A Statutory Public Meeting for this application was held on September 26, 2022. There were no members of the public who spoke at the meeting and no written submissions were received.
- The proposed Zoning By-law amendment represent good planning, is consistent with the Provincial Policy Statement as is in conformity with the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City of Brampton Official Plan.

## **Background:**

The property is located west of Kennedy Road, specifically on the northeast corner of Queen Street East and June Avenue. 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 subject lands.

This application has been reviewed for completeness and found to be complete in accordance with Section 22 (4), and Section 34 (10.4) of the *Planning Act*. A formal Notice of Complete Application was issued on February 3, 2022. On September 26, 2022 a public meeting was held for this application.

## **Current Situation:**

### Proposal (Refer to Appendix 1 and 1A)

Details of the proposed development is as follows:

- A mixed-use residential, commercial and office development comprised of two towers (35 and 47-storeys) on a 6 to 8-storey podium;
- 940 residential units are proposed consisting of:
  - 640 - one bedroom units
  - 222 - two bedroom units
  - 78 – three bedroom units
- 2,513 square metres of commercial and office space located within the first two levels of the podium of the building.
- A total of 398 underground parking spaces, including:
  - 210 residential parking spaces
  - 188 visitor parking spaces
- A Floor Space Index (FSI), which is the ratio of the building area to site area of 10.7

### Property Description and Surrounding Land Use:

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 which are single-detached dwellings and a mix of retail and commercial buildings.

#### Refinement of Existing Studies and Concept Plan

At the time of writing this Report, the following studies require some revision prior to a final approval, but are at a stage where they are substantially complete. These reports include:

- Traffic Impact Study (TIS)
- Functional Servicing Report (FSR)

The Functional Servicing Study has been supported in principle by Region of Peel and City of Brampton staff, but may require additional modifications based on site specific engineering requirements. The completion of these reports to the City's satisfaction will be required prior to Council enactment of the Zoning By-law.

It is also generally noted that the attached Conceptual Site Plan (Appendix 1) will also require some modification, but which will be accommodated via a future site plan application, which is typical. In this regard, the site plan would include

- a 15 metre daylighting triangle at the northeast corner of Queen Street East and June Ave,
- an additional 3 metres of right-of-way on the east side of June Avenue.

#### Summary of Recommendations

This report recommends that Council approve a Zoning By-law amendment that is generally in accordance with the attached Appendix 9, subsequent to the final approval of the Functional Servicing Report and Traffic Impact Study.

The proposal and implementing documents represent 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 of Brampton Official Plan.

#### Planning Analysis Summary

This proposal has regard for matters of provincial interest that are set out in the Planning Act. The proposed development is located in the City's '*Central Area*' and '*Urban Growth*

*Centre*, which is intended for intensification in the City of Brampton Official Plan. The property is also located on the future *'Bus Rapid Transit (BRT)'* corridor and is accessible to public transit, making this site appropriate for high-density development. The proposed Zoning By-law Amendment will result in the redevelopment of an underutilized site creating new housing stock as encouraged by the policies of the Official Plan. It is also located within an *'Urban Growth Centre'* as defined through the Region of Peel Official Plan, and will adequately and efficiently use existing sanitary sewer, water and transit infrastructure. The proposed development will be transit-supportive and offer a pedestrian-friendly design with high quality architectural treatment.

For more information with respect to the planning analysis for this proposal, please refer to Appendix 7 - Detailed Planning Analysis.

### Planning Act

This development proposal has regard for matters of Provincial interest as set out in Section 2 of the *Planning Act*. The proposed development adequately provides and efficiently uses existing infrastructure for communication, transportation, sewage and water resources, as well as waste management. It ensures the orderly development of safe and healthy communities by providing an appropriately scaled mixed-use development on an underutilized site.

The applicant intends to develop one bedroom, two bedroom and three bedroom residential units that will offer a range of housing types for differing income and age groups. This site provides an ideal location for the proposed development as it is well served by existing and planned transit services. The architectural and landscape design will also offer a built-form that is well-designed and offers a sense of place, contributing to the revitalization of the Queen Street Corridor within Brampton's *'Central Area'*.

### Provincial Policy Statement (PPS)

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 application is consistent with Section 1.1.1 (b) of the PPS, which speaks to accommodating an appropriate affordable and market-based range and mix of residential types. In addition, Section 1.1.3.1 of the PPS states that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted. According to the Provincial Policy Statement, land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources, and efficiently use infrastructure and public service facilities which are planned or available. The PPS also includes a number of policies encouraging intensification within appropriate areas (e.g. Section 1.1.3.2, 1.1.3.3, 1.1.3.4). Staff is satisfied that the proposed development is consistent with the applicable sections of the PPS.

## A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe 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 by providing convenient access to local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. The subject property is located within the built-up area and the proposal will add a mix of land uses through intensification. The development will add a mix of dwelling sizes and types, will utilize existing infrastructure, and offer a compact built-form. Staff is satisfied that the proposed development is consistent with the applicable sections of the Growth Plan.

## Region of Peel Official Plan

The Region of Peel 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 Systems*' and '*Urban Growth Centre*' designation in the Regional Official Plan. The proposed Zoning By-law Amendment conforms to regional policies with respect to healthy communities, achieving an intensified and a mix of land uses in appropriate areas that efficiently use resources. The proposal will also contribute to adding housing supply in Peel and will assist in contributing to regional population and employment forecasts. Staff is satisfied that the proposed development conforms to the Region of Peel Official Plan.

## City of Brampton Official Plan

The City of Brampton Official Plan provides guidance and policies for the future of the City. The proposal is consistent with the Official Plan as it meets the intent of the plan regarding the type of development and that the environmental policies are met, that the design of the development is consistent with the policies, and that all of the technical matters have been resolved.

The lands are designated '*Central Area*' on Schedule A and '*Urban Growth Centre*' on Schedule A1 of the Official Plan. The '*Central Area*' designation permits a range of dwelling typologies, including high density residential, office and mixed used development, amongst other uses. The '*Urban Growth Centre*' designation encourages intensification and the redevelopment of underutilized sites into mixed-use, transit-oriented and pedestrian friendly environments. The subject property is also located along a 'Bus Rapid Transit' Corridor, where higher densities and higher order transit is planned to be located.

The application has demonstrated that the proposal meets the requirements of the '*Central Area*' designation and the City's broader intensification policies. Staff is satisfied that the proposed development conforms to the City of Brampton Official Plan.

## Queen Street Corridor Secondary Plan (Area 36)

The subject property is designated 'Central Area Mixed Use' within the Queen Street Corridor Secondary Plan. Lands designated 'Central Area Mixed Use' are intended to accommodate intensification and compact built-form and may incorporate any combination of mixed uses, including retail, office, and residential. The proposal includes two residential condominiums with a total of 940 residential units within the 47 and 35-storey tower, and 2,513 square metres of commercial space within portions of the building's podium, with a Floor Space Index of 10.7. The applicant has provided appropriate justification through the supporting studies for increased density on the site. This includes the promotion of an appropriate built form and public realm that is compatible within the existing neighbourhood. This is demonstrated through the creation of ground floor retail uses along Queen Street, a parkette / amenity area along June Ave, a landscaped *woonerf* (*well designed shared vehicular and pedestrian space*) internal to the site, and mid-block breezeway connection. Staff believe that the proposed development will contribute to a well designed urban character that will help facilitate the future transformation of the Queen Street Corridor into a compact, mixed-use, transit-oriented and pedestrian friendly community. Staff is satisfied that the proposed development conforms to the Queen Street Corridor Secondary Plan.

### Community Engagement

The application was circulated to City Departments, commenting agencies and property owners within 240 metres (787 feet) of the subject lands, exceeding the Planning Act requirement of 120 metres (394 feet) for such applications. An analysis of all department/agency comments are included as part of Appendix 7 to this report. Notice signs were placed on the subject lands on August 30, 2022 to advise members of the public that an application to amend the Zoning By-law had been filed with the City.

A statutory Public Meeting for this application was held on September 26, 2022. No members of the public attended the Statutory Public Meeting to speak to the application and no written submissions were received by the Planning Department.

In addition, a developer-led engagement was held by the applicant on August 24, 2022. Approximately 5 members of the public were in attendance. Local Area Councillor Santos and Vicente were also present. The primary questions from the meeting was to inquire about the timeline as to when the project would be completed, what the unit mix would be and about the availability of amenity space.

Below are the three questions that were asked of the public and the responses that were provided.

Question	Response
What is the projected timeline until occupancy?	The consultant generally stated that they were hoping for Zoning By-law approval and Site Plan approval within a year, with construction to follow shortly after.

What are the sizes and mix of the dwelling units?	The consultant generally stated that there is a mix of 1, 2 and 3 bedroom units, which will be confirmed prior to the approval of the Site Plan.
Is the amenity space publicly accessible?	The consultant generally stated that it was their intention to make the amenity space available to the public along June avenue.

**Corporate Implications:**

Financial Implications:

There are no financial implications associated with these amendments to the Zoning By-law. All financial requirements (i.e. securities, Development Charges and Cash in Lieu of Parkland Requirements) will be addressed as part of the Site Plan application.

Other Implications:

There are no other corporate implications associated with this application.

**Term of Council Priorities (2019-2022):**

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 satisfies this by:

- efficiently using land and resources;
- directing development to an existing settlement area that is within proximity of existing commercial areas and institutional uses; and,
- providing opportunity for efficient growth within an existing community.

Living the Mosaic – 2040 Vision

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

**Conclusion:**

The Development Services Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed.

Staff is satisfied that the proposed Zoning by-law Amendment application represent good planning, including that it is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (2020), the Peel Region Official Plan and the City of Brampton Official Plan. Further,



This report recommends that Council enact the Zoning By-law Amendment attached hereto as Appendix 9, following the completion of technical studies including the Functional Servicing Report and Traffic Impact Study. In summary, the application is appropriate for the orderly development of the lands and represents good planning.

Initial Review by:

Reviewed and Recommended by:

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Angelo Ambrico, MCIP, RPP  
Manager, Development Services  
Planning & Development Services

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Allan Parsons, MCIP, RPP  
Director, Development Services  
Planning and Development Services

Approved by:

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Steve Ganesh, MCIP, RPP  
Commissioner,  
Planning, Building and Growth Management

**Appendices:**

- Appendix 1 – Concept Site Plan
- Appendix 1a – Concept Plan Rendering
- Appendix 2 - Location Map
- Appendix 3 - Official Plan Designation
- Appendix 4 - Secondary Plan Designation
- Appendix 5 – Zoning Designation
- Appendix 6 - Existing Land Use Map
- Appendix 7 - Detailed Planning Analysis
- Appendix 8 - Public Meeting Summary and Analysis
- Appendix 8a – Results of Application Circulation
- Appendix 9 – Draft Zoning By-law Amendment
- Appendix 10 – Sustainability Snapshot