

**Date:** June 14, 2019

**Subject:** **Recommendation Report**  
**City Initiated Amendments to the Official Plan and**  
**Zoning By-law**  
**Queen Street Corridor Land Use Study**  
Wards: 1 and 3

**Contact:** Michelle Gervais, Policy Planner, Planning and Development Services, michelle.gervais@brampton.ca, 905-874-2073; and Pam Cooper, Manager, Land Use Policy, Planning and Development Services, pam.cooper@brampton.ca, 905-874-2068

**Recommendations:**

1. That the report from Michelle Gervais, Policy Planner, Planning and Development Services, dated June 14, 2019, to the Planning and Development Committee of July 10, 2019, entitled "**Recommendation Report – City Initiated Amendments to the Official Plan and Zoning By-law - Queen Street Corridor Land Use Study, Wards: 1 and 3**", be received;
2. That staff be directed to hold a statutory public meeting to present the draft Official Plan and Zoning By-law Amendment that implements the preliminary findings and recommendations of the Queen Street Corridor Land Use Study (Zoning Conformity Analysis) prepared by WSP; and,
3. That the City Clerk be directed to forward a copy of this staff report and Council resolution to the Region of Peel for information.

**Overview:**

- **Council on November 8, 2017 directed staff to initiate a planning study for the lands located within the Queen Street Corridor, generally between Etobicoke Creek and Highway 410 based on the recognition that redevelopment in the area is subject to outdated zoning regulations that are not in sync with Provincial policies and the policy goals of the City's Official Plan and Queen Street Corridor Secondary Plan.**

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- The purpose of the Queen Street Corridor Land Use Study is to recommend appropriate policies and zoning regulations to enable development that helps the City's achieve its planning objectives for the area as well as provide a strategy on how to manage interim commercial uses as the Corridor transitions over time, recognizing that there are existing low-order commercial uses that may continue to operate.
- The scope of the Study is not intended to constitute a review of the entire Queen Street Corridor Secondary Plan.
- An Interim Control By-Law (ICBL 246-2017) was also enacted by Council on November 8, 2017 to protect lands along Queen Street East between Etobicoke Creek and Highway 410.
- The ICBL prohibits new uses, with the exception of certain uses specified in the by-law, as well as the erection, enlargement or replacement of any land, building or structure within a defined area of the Urban Growth Centre while the City conducts a study of the planning policies and zoning regulations applicable to that area.
- Five amending by-laws have been passed since the ICBL was adopted:
  1. By-law 21-2018 authorized a site specific exemption for 239 Queen Street East;
  2. By-law 173-2018 authorized a site specific exemption for 60 Eastern Avenue;
  3. By-law 183-2018 was passed on September 12, 2018, to extend ICBL 246-2017 for an additional year to November 8, 2019;
  4. By-law 233-2018 authorized a site-specific exemption for 263 Queen Street East, Unit 3; and
  5. By-law 55-2019 was passed on March 6, 2019 to delete and replace Schedule A to ICBL 246-2017, as amended.
- This report provides a summary of the analysis that has been completed to date by WSP and includes preliminary policy and zoning recommendations.
- This report also seeks direction to proceed with a statutory public meeting to present the draft Official Plan and Zoning By-law Amendment that implements the preliminary findings and recommendations of the Queen Street Corridor Land Use Study (Zoning Conformity Analysis) prepared by WSP.

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## **Background:**

The Queen Street Corridor between Etobicoke Creek and Highway 410 is planned to transform into a pedestrian-friendly, mixed-use and transit-oriented environment in accordance with its Urban Growth Centre designation in both the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) and the Official Plan. However, the zoning within this area has not been updated to conform to both the Growth Plan and Official Plan policies. The current permitted uses along the Queen Street Corridor generally reflect the historical low density and highway commercial development typical of suburban areas in the City and have the potential to hinder the City’s ability to achieve the planning objectives for the area. Continuing to allow this type of development would entrench existing land use patterns and make it more difficult for the City to achieve its long term growth forecasts.

In order to realize the full transformation of this important corridor in the City into a vibrant mixed-use centre, City Council on November 8, 2017 directed staff to initiate a planning study for the lands located within the Queen Street Corridor, generally between Etobicoke Creek and Highway 410 (see Appendix 1 – Location Map).

In response to the above Council resolution, WSP was hired by the City to complete the Queen Street Corridor Land Use Study.

On November 8, 2017, City Council passed Interim Control By-law 246-2017 to protect lands within the Queen Street Corridor study area. The Interim Control By-law (ICBL) prohibits new uses, with the exception of certain uses specified in the by-law, and the erection, enlargement or replacement of any land, building or structure within a defined area of the Urban Growth Centre for a period of one year while the City conducts a study of the planning policies and zoning regulations applicable to that area.

As the Queen Street Corridor Land Use Study is only partially completed, staff recommended to Council on September 12, 2018 that ICBL 246-2017 be extended to continue protecting lands within the study area until the study is completed and staff has drafted the appropriate amendments to the City’s planning documents. At its September 12, 2018 meeting, Council enacted ICBL 183-2018, which extended the expiry date of the Queen Street Corridor ICBL until November 8, 2019.

## **Current Situation:**

### **Study Area:**

The Study Area stretches along Queen Street East, between the Etobicoke Creek and Highway 410. Existing uses in the Study Area are typically auto-oriented commercial and service uses. There are sections with low-rise residential uses and industrial uses. There are some new mixed-use developments that have been built within the Study Area, which have been excluded from the Study.

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WSP has reviewed the building permit data for the Study Area between January 2008 and July 2018 and have concluded that the majority of the building permits that were issued during this time period were for alterations, renovations, revisions and change of use. There was only one permit issued for a building addition and that was to a residential dwelling. Based on the data that was reviewed, there are no indications that commercial and/or industrial building expansions are common occurrences in the Study Area. However, there appears to be considerable activity in the change of use and tenancy.

### **Policy Overview:**

The recommended policy and zoning amendments that are developed as an outcome of the Queen Street Corridor Land Use Study will need to be consistent with the applicable Provincial, Regional and Municipal policies. Below is a brief synopsis of the applicable policies.

#### *Provincial Policy Statement, 2014*

The Provincial Policy Statement (PPS) supports healthy, liveable and safe communities by promoting efficient development and land use patterns that sustain the long-term financial well-being of the Province and municipalities. The Queen Street Corridor is located within the defined Settlement Area, which are areas that are to provide for a mix of land uses and densities that contribute to more efficient use of land, infrastructure and can support active transportation and transit (Section 1.1.3.2).

As per Section 1.1.3.3, municipalities are to identify and promote opportunities for intensification. Both the Growth Plan for the Greater Golden Horseshoe and the City's Official Plan have identified the Queen Street Corridor as an area for intensification.

The PPS also promotes providing for an appropriate mix and range of employment and institutional uses to meet long-term needs and encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

#### *Growth Plan for the Greater Golden Horseshoe, 2019*

On May 16, 2019 the Province released a new Growth Plan - A Place to Grow: Growth Plan for the Greater Golden Horseshoe (GGH). Any matter commenced, but where a decision(s) remains to be made as of May 16, 2019 is subject to the policies of A Place to Grow.

The Growth Plan is about accommodating forecasted 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

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jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.

The Queen Street Corridor is located within a designated Urban Growth Centre (UGC) in the Growth Plan and it is recognized as a regional focal point for accommodating population and employment growth. The continued revitalization of UGC's as meeting places, locations for cultural facilities, public institutions, and major services and transit hubs with the potential to become more vibrant, mixed-use, transit - supportive communities is important. The Brampton UGC is required to achieve by 2031, or earlier, a density target of 200 residents and jobs combined per hectare.

The Growth Plan recognizes transit as a first priority for major transportation investments. The City's Queen Street Transit Master Plan is underway that will consider upgrading the current service, along with identifying and studying potential Major Transit Station Areas along the corridor. Simultaneously, the Region of Peel is undertaking a Major Transit Station Area Study that includes the Queen Street East Corridor. With the understanding that Queen Street East will evolve into a higher order transit corridor, it is important to ensure that the policies and zoning are amended to prevent development that may hinder the City's ability to achieve its planning objectives for the area.

### *Region of Peel*

The Queen Street Corridor is located within the designated Urban System of the Region's Official Plan. The Urban System policies direct the development of healthy, complete urban communities that achieve a compact form and a mix of land uses that are pedestrian friendly and transit supportive.

The Official Plan speaks to Urban Growth Centres, which includes the Study Area, as major locations for intensification, linked by public transit, provide a range and mix of compact forms and activities, support active transportation and include a range and mix of housing and employment opportunities.

### *City of Brampton's Official Plan*

The Study Area forms a component of the City's Central Area, described as the "cultural, economic and entertainment heart of the City." The Central Area comprises Brampton's historic Downtown Core and the Queen Street Corridor from McLaughlin Road to Bramalea Road. In this area, walking, cycling and transit are to be given priority and a wide range of land uses, including day/night and year-round activities are to be promoted.

It is recognized in the Official Plan that the existing character of much of the Central Area located east of Kennedy Road is dominated by space extensive retailing, highway commercial and automotive related uses, and appropriate transition policies are required at the Secondary Plan level to achieve a transition towards the intended vision of the

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Central Area. Consistent with this Official Plan policy, the purpose of the Queen Street Corridor Land Use Study is to develop a strategy to manage interim commercial uses as the Corridor transitions over time, recognizing that there are existing low-order commercial uses that may continue to operate over time and to recommend appropriate policies and zoning regulations to enable development that helps the City achieve its planning objectives for the area.

### *Queen Street Corridor Secondary Plan Area 36*

The general goals of the Queen Street Corridor Secondary Plan include promoting:

- Intensification and improvements in the Central Area;
- The character of Queen Street for pedestrian and transit use; and
- Road and transit improvements along with land assembly to encourage and facilitate redevelopment.

The Study Area is designated “Central Area Mixed Use” in the Queen Street Corridor Secondary Plan. The intent of the Central Area Mixed-Use designation is to accommodate mixed-use development with any combination of commercial, retail, office, residential, hotel, open space, recreational, institutional, entertainment and cultural uses managed as a unit. This could include both freestanding uses or a combination of office, retail, commercial, institutional or residential uses.

While no designated industrial lands are included in the Study Area, the Study Area is adjacent to industrial uses. Further, there are some existing industrial uses in the Study Area that are designated “Central Area Mixed Use”. There are also single detached residential dwellings in the Study Area that are designated “Central Area Mixed Use”. The Study will recommend the appropriate policies and zoning restrictions for those industrial and single detached residential uses that are designated “Central Area Mixed Use”, so that the uses may transition appropriately to the intended mixed use, higher density built form.

The Secondary Plan includes urban design policies that promote vertical landmark definition of built form in the Office Node, transition from highway commercial to urban store fronts, mixed uses and pedestrian and transit accessibility. Interim Design Guidelines are attached as Appendix B to the Secondary Plan. They provide guidelines with respect to spatial organization, building massing, design in the public realm, site access and other environmental considerations. These guidelines are intended to provide guidance on development in the Secondary Plan Area until Council has adopted District Design Guidelines.

Policies in the implementation section of the Secondary Plan speak to the evolution of the corridor and states that notwithstanding the Central Area Mixed Use policies, development may occur in the interim for “a range of lower order commercial uses, subject to the judicious use of landscaping, the controlled use of signs and the

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prohibition of outside storage...” It is the intent of this Study to amend this policy to provide clearer direction for the Corridor as it transitions from the current low-rise commercial to the intended mixed use, higher density built form.

### **Queen Street Corridor Land Use Study:**

The Queen Street Corridor Land Use Study will identify any inconsistencies between the in-effect zoning and planning policy and recommend a strategy for managing interim commercial uses within the study area as it transitions over time, recognizing that there are existing low-order commercial uses which may continue to operate.

In January 2018, the City selected WSP to undertake the Queen Street Corridor Land Use Study. To date, the consultants have completed the following:

- examined the relevant policy and zoning documents;
- reviewed various approaches/mechanisms in other municipalities that have Urban Growth Centres and intensification corridors in which transitional uses need to be managed as they urbanize;
- held several meetings with the steering committee;
- prepared a draft Zoning Conformity Analysis;
- prepared a draft Official Plan and Zoning By-law Amendment; and
- held two public open house meetings on June 20, 2018 and June 12, 2019.

### *Draft Policy and Zoning By-law Recommendations*

Based on the analysis completed by WSP to date, it is recommended that a transitional framework for managing change in the corridor be implemented. A transitional framework will balance the needs of existing owners that are not ready to redevelop while ensuring that the long-term vision for Queen Street Corridor will be achieved. WSP has indicated that this approach best reflects the specific context of the Study Area.

To support the recommended transitional framework, amendments to both the Queen Street Corridor Secondary Plan and Zoning By-law are required. Below are the key draft policies that are required to implement the recommended transitional approach:

1. Policies that provide a specific framework for existing low-order commercial uses to operate, expand and to be reused, while ensuring that redevelopment, reconstruction or expansion of uses does not inhibit or preclude desirable and planned future redevelopment within the Corridor.

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2. Policies that encourage infill buildings to be located and designed in a manner that best contributes positively to the evolution of the Corridor and its built form objectives. Generally, the Queen Street frontage should be utilized for multi-storey buildings that frame the streetscape.
3. Policies to promote the creation of urban streets internally, where transformative redevelopment is proposed or is possible and where the size and configuration of the site permits this opportunity.
4. Policies to establish criteria for the expansion of industrial and single detached residential uses.
5. Policies to direct a review of the transitional policies, permitted uses and heights and densities, based upon outcomes of the Queen Street Transit Master Plan / identification of Major Transit Station Areas, and/or the Official Plan Review, as appropriate.
6. Policies to address the potential need for lot consolidation, recognizing that many sites in the corridor (particularly west of Kennedy Road) may not sufficiently accommodate the type of development that is envisaged without some degree of lot consolidation.
7. Policies that discourage the fragmentation of ownership, such as through the introduction of condominium ownership of commercial uses.

Below are the key draft zoning amendments to implement the recommended transitional approach:

1. Create a new zone category (i.e. Queen Street Mixed Use Transitional (QMUT) zone) that would permit existing uses, buildings and structures.
2. Expand the list of permitted uses to align with the uses permitted by the Official Plan and Secondary Plan.
3. Specifically prohibit uses that are not contemplated by the Official Plan and Secondary Plan (i.e. automobile repair uses, drive-through's).
4. For uses listed as permitted uses, the maximum ground floor area is to be restricted to the existing ground floor area that legally existed on the date of the passing of the By-law by Council, plus 10%.
5. Establish moderate setbacks to enable a reconstructed building to be relocated on the lot in a manner that achieves the intended pedestrian-friendly and transit oriented built form along the Corridor.



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6. Create a new zone category (i.e. Future Development (FD) zone) in areas that are zoned with uses (i.e. industrial and single detached residential) that are not consistent with the long-term vision for the Corridor and include provisions that restrict the height, setbacks and maximum gross floor area to what legally exists on the property the day the by-law is passed by Council. The Future Development zone is proposed to also apply to vacant commercially zoned properties, as the Transitional zone would not be applicable, and any redevelopment should require a rezoning.

It is not the intention that the above noted policy and zoning amendments would remain in place over the long-term, they should be viewed as being temporary in nature. A review of the policies and zoning provisions will be undertaken in the near future in conjunction with the advancement of policies to implement the Major Transit Station Areas and a potential Development Permit System By-law for the Study Area.

A detailed summary of the recommended policy and zoning amendments can be found in Appendix 3.

### **Draft Urban Design Framework:**

The existing Interim Design Guidelines attached to the Secondary Plan are temporary until such time as Council approves District Design Guidelines for the area. The Interim Design Guidelines do not contain any provisions to guide the transition of built form in the Corridor. WSP has recommended that the Interim Design Guidelines be updated to address building expansions, building reconstructions and infill buildings to ensure that they are designed in a manner that does not inhibit or preclude desirable and planned future redevelopment within the Corridor.

As with the policy and zoning framework, WSP has recommended that it would be premature to finalize the Urban Design Guidelines in a comprehensive manner while crucial work that will inform the final built form and character of the Study Area is in process.

A detailed summary of the recommended urban design framework can be found in Appendix 3.

### **Next Steps:**

The next steps include presenting the draft Official Plan and Zoning By-law Amendment that implements the preliminary findings and recommendations of the Queen Street Corridor Land Use Study (Zoning Conformity Analysis) at a statutory public meeting (tentatively scheduled for September 9, 2019). Taking into consideration any feedback received from the Steering Committee and from the members of public, WSP will finalize their report and the implementing documents. A final Recommendation Report, along

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with the Official Plan and Zoning By-law Amendment will be forwarded to Council for approval in November 2019.

## **Corporate Implications:**

No corporate implications have been identified at this time.

## **Financial Implications:**

No financial implications have been identified at this time.

## Term of Council Priorities (2019-2022)

This report directly aligns with the Strategic Direction – Brampton is a City of Opportunities by proposing policies and zoning provisions that will assist in ensuring that any transitional development that occurs within the Queen Street East Corridor does not undermine the City's long-term goals while the City finalizes the work required to achieve the ultimate build-out of its vision. This report has been prepared in full consideration of the Term of Council Priorities (2019 – 2022).

## 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.' Specifically, the 2040 Vision identifies a "Queen's Boulevard" for the Queen Street Corridor between Highway 410 and the Etobicoke Creek. It is envisioned to be a '*tight corridor of higher density and scale with mixed uses and continuous commerce at grade.*'

## **Conclusion:**

The Queen Street East Corridor is intended to evolve into a key node for intensification and mixed-use, pedestrian and transit-oriented development. The current zoning accommodates auto-oriented and other low rise commercial uses that undermine the City's ultimate achievement of its vision for this key node.

Preliminary work that has been completed by the City's Consultant (WSP) recommends an approach that includes an Official Plan Amendment, a Zoning By-law Amendment and updates to the existing Interim Urban Design Guidelines to ensure that any development that takes place does not undermine the long-term goals for the Queen Street Corridor while the City continues to finalize the work required to achieve the ultimate build-out of its vision.

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It is recommended that staff proceed with a statutory public meeting to present to the public the draft Official Plan and Zoning By-law Amendment that implements the preliminary findings and recommendations of the Queen Street Corridor Land Use Study prepared by WSP.

Respectfully submitted,

Approved by:

Approved by:

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Bob Bjerke, MCIP, LPP  
Director, Policy Planning,  
Planning & Development  
Services

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Richard Forward  
Commissioner, Planning &  
Development Services

## **Appendices:**

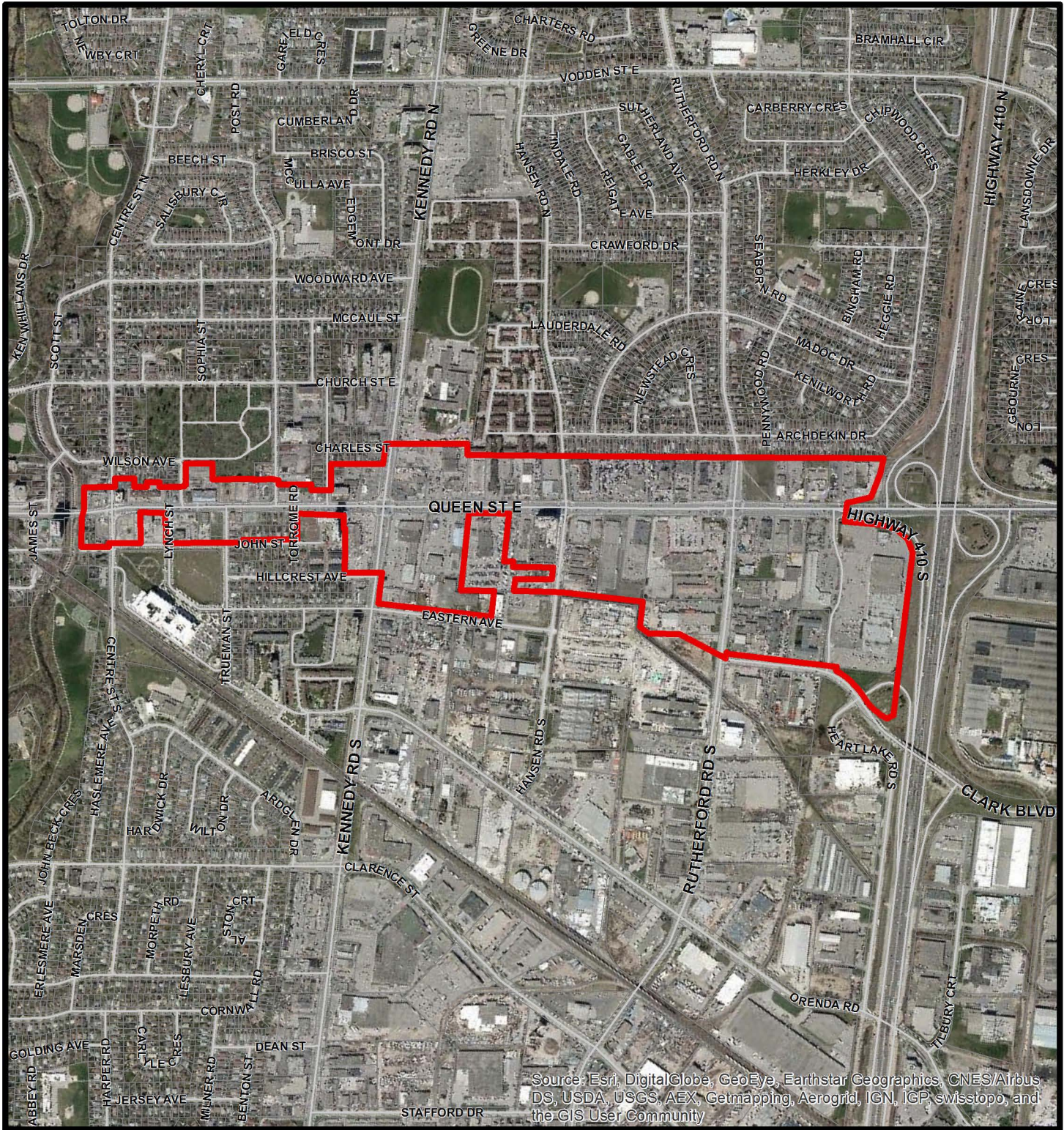
Appendix 1: Queen Street Corridor Land Use Study Area/ICBL Boundary (Air Photo)


Appendix 2: Interim Control By-law 246-2017

Appendix 3: Draft Zoning Conformity Analysis dated June 3, 2019 prepared by WSP

Report Authored by: Michelle Gervais, MCIP, RPP, Policy Planner





 SUBJECT LANDS



PLANNING AND DEVELOPMENT SERVICES

0 150 300



Metres

Author: CKovac

Date: 2018 02 27

**ICBL 246-2017 BOUNDARY**





THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 246 -2017

An Interim Control By-Law applicable to part of the area subject to  
Zoning By-law 270-2004

WHEREAS Council of The Corporation of the City of Brampton ("Council") directed staff by resolution to initiate a study of the planning policies and zoning regulations applicable to a defined area of the Urban Growth Centre (the "Study");

AND WHEREAS section 38 of the Planning Act, R.S.O. 1990 c. P13, as amended, permits the municipality to pass an interim control by-law to be in effect for a period of time, not to exceed one year, to prohibit the use of land, building or structures within a defined area;

AND WHEREAS Council deems that while the City expeditiously completes the Study, an interim control by-law should be enacted with respect to the lands subject to the Study.

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. Notwithstanding any other by-law to the contrary, no person shall, within the bolded area identified in Schedule A to this interim control by-law:
  - (a) use any land, building or structure for any purpose whatsoever except for the uses listed below provided the specified use is listed as a permitted use within the zone that applies to the property or if the use has been approved through a minor variance application for a property as of the date of enactment of this by-law:
    - i. a retail establishment having no outside storage
    - ii. a supermarket
    - iii. a service shop
    - iv. a personal service shop
    - v. an office
    - vi. a bank, trust company and finance company, but not including a drive-through facility
    - vii. a parking lot
    - viii. a dining room or take-out restaurant, but not including a drive-through facility
    - ix. a printing or copying establishment
    - x. a commercial school
    - xi. a place of commercial recreation
    - xii. a community club
    - xiii. a health or fitness centre
    - xiv. a custom workshop

# 7.1-14

By-law Number 246 - 2017

- xv. an animal hospital
- xvi. a day nursery
- xvii. an apartment dwelling
- xviii. a public or private school
- xix. a place of worship
- xx. an art gallery
- xxi. purposes accessory to a permitted use; or;
- xxii. a use that lawfully existed on the date of the passage of this interim control by-law and continues to be used for such purpose;


(b) permit the erection, enlargement, replacement, in whole or in part, of the use of any land, building or structure identified within subsection (a) to this by-law;


2. This by-law expires one year from the date of its enactment and passage by Council.

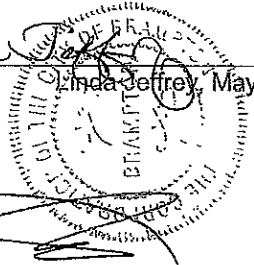
ENACTED and PASSED this 8<sup>th</sup> day of November, 2017.

Approved as to  
form.  
2017/11/07  
[MR]

Approved as to  
content.  
2017/11/07  
AP

  
\_\_\_\_\_  
Linda Jeffrey, Mayor

  
\_\_\_\_\_  
Peter Fay, City Clerk

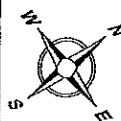




LEGEND

**——** LANDS SUBJECT TO THIS INTERIM CONTROL BY-LAW

**PART LOTS 5&6, CONCESSION 1&2 E.H.S.**



**CITY OF BRAMPTON**  
Planning and Development Services

Date: 2017 11 03      Drawn by: CJK

**By-Law** 246-2017

**Schedule A**

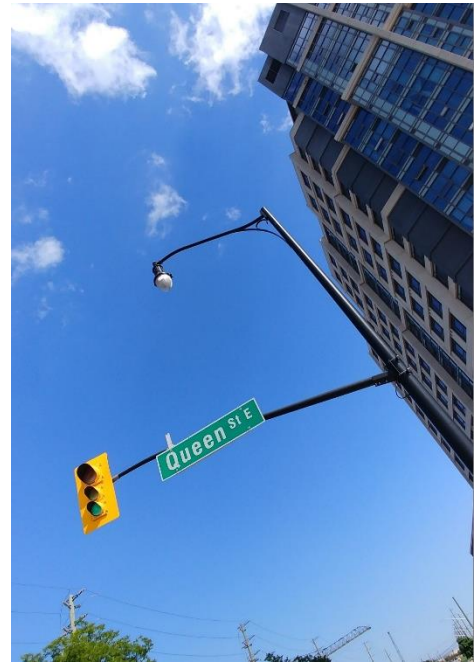
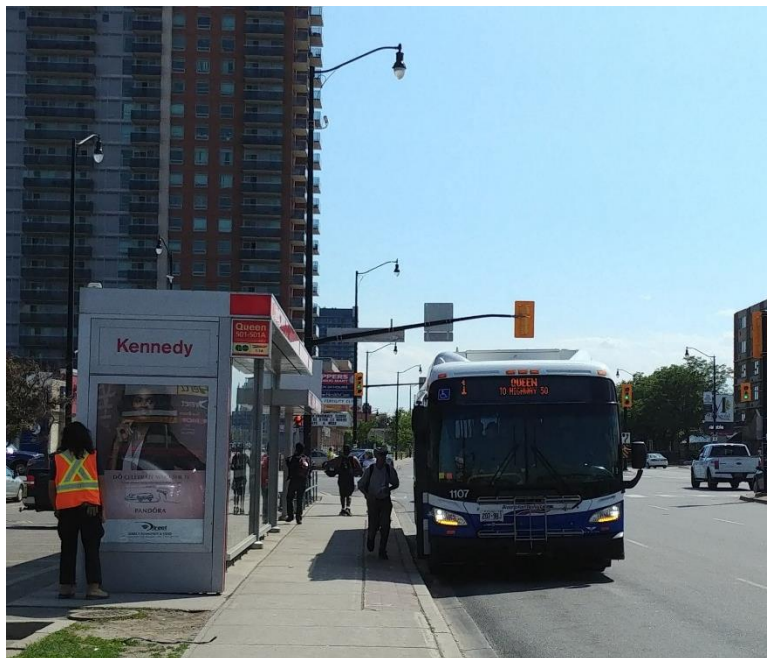
File no. QUEEN ST E INTERIM BY LAW

CITY OF BRAMPTON

QUEEN STREET CORRIDOR  
LAND USE STUDY  
ZONING CONFORMITY ANALYSIS

JUNE 03, 2019

DRAFT







QUEEN STREET  
CORRIDOR  
LAND USE STUDY  
ZONING CONFORMITY  
ANALYSIS

CITY OF BRAMPTON

DRAFT

DATE: JUNE 03, 2019

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# 1 INTRODUCTION

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## 1.1 PURPOSE

The need for the Queen Street Corridor Study (the “Study”) grew from a recognition that redevelopment in the area is potentially subject to outdated zoning regulations that are out of sync with the newer policy goals for the Study Area. In November 2017, Council approved Interim Control By-law 246-2017 (“ICBL”), freezing development in the Study Area for a period of up to one year, after which Council can renew the ICBL for another year. This period provides an opportunity for the City to study and/or review policies within the designated area without undesirable development compromising its goals.

The Study Area (Figure 1) stretches along Queen Street, between Etobicoke Creek and Highway 410, is within Brampton’s Urban Growth Centre (“UGC”), is a designated Central Area and Primary Corridor under the City’s Official Plan. The corridor is currently served by Bus Rapid Transit (Züm) and future improvements are contemplated, at least initially including dedicated transit lanes within 5-10 years (as identified in the staff report to Council, dated June 7, 2018). The City is simultaneously conducting a Queen Street Bus Rapid Transit study to consider upgrading the current service, as well as identifying and studying potential Major Transit Station Areas along the corridor. However, the current zoning in this area provides for some as-of-right permissions for commercial uses that are not in conformity with policy, and their continued development may preclude the ability for the City to achieve its policy objectives and intended minimum density within the Urban Growth Centre. The policy and zoning context is detailed further in this report.

The outcome of the Study will be the identification of inconsistencies between the in-effect zoning and planning policy. This will include recommended updates to the Zoning By-law provisions and Secondary Plan policies to ensure the achievement of the visions and targets of the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) and the Official Plan. The Study will also include a recommended strategy for managing interim commercial uses within the Study Area as it transitions over time, recognizing that there are existing low-rise commercial uses which may continue operation over time. Through this Study, there may also be required Secondary Plan policy updates, to reflect the strategy for managing transitional uses and making other related improvements to the policies.

However, the scope of this Study is not intended to constitute a review of the Queen Street Corridor Secondary Plan. Rather, this Study focuses on updating the zoning, and making necessary improvements to bring about greater clarity in the policies and to complement the recommended approach to zoning and managing land use in the corridor.

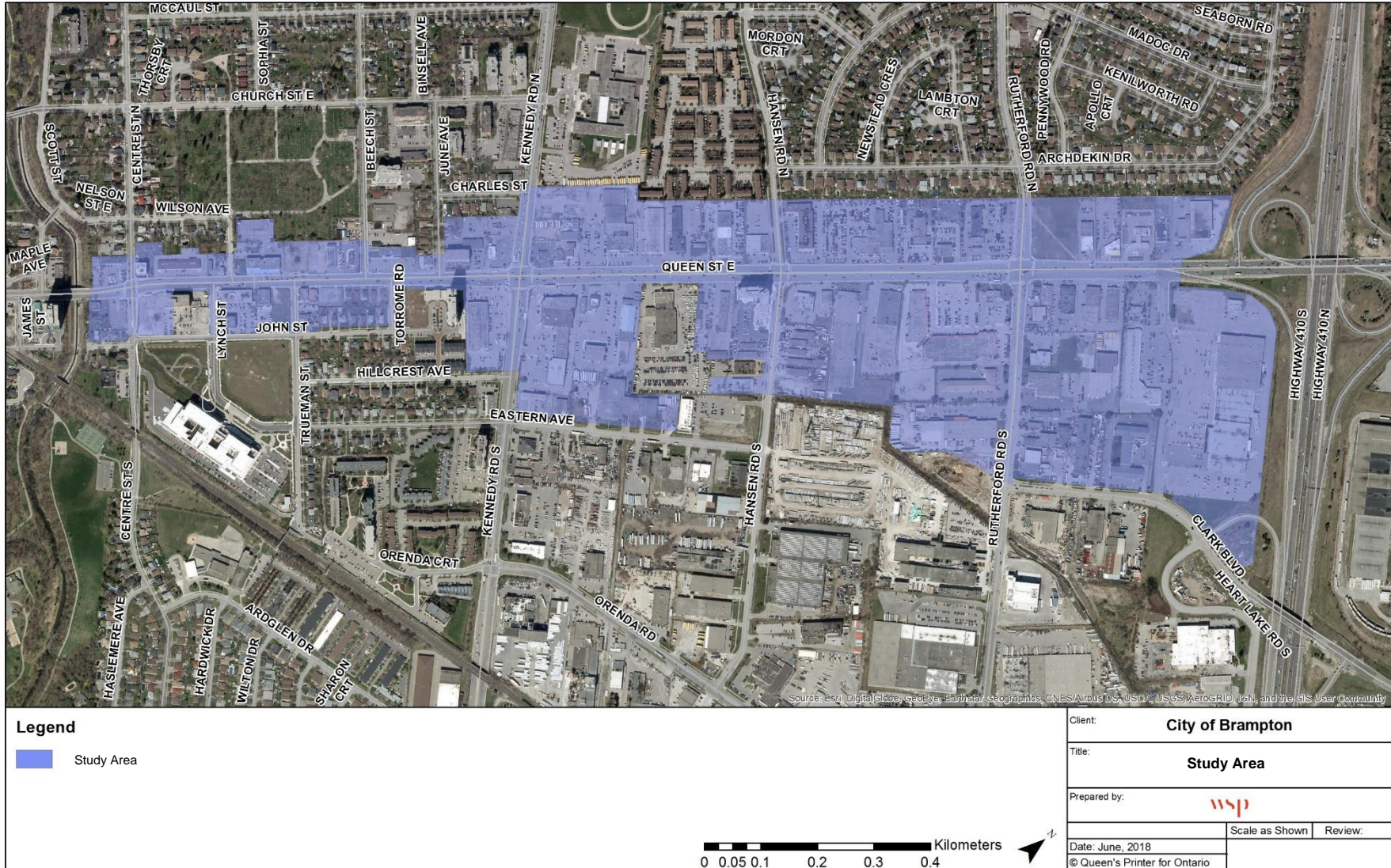
The Study Area is illustrated in Figure 1 and consists of lands located between Etobicoke Creek (westerly limit) to Highway 410 (easterly limit). The Study Area is located entirely within the UGC. The area east of Highway 410, was excluded from the Study Area as it is considered less vulnerable to undesirable redevelopment due to the existing high-rise development and Bramalea City Centre Mall. The western section of the UGC, Downtown Brampton, was also not included as its zoning was updated in 2006 to be consistent with the intensification policies. As will be discussed further, although the zoning for the Queen Street Corridor was also updated

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somewhat in 2006, the zoning continues to permit low-density, industrial and other uses not consistent with the current policies for the Study Area.



Figure 1 – Study Area





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## 1.2 REPORT OVERVIEW

The goal of this Study is to ensure conformity between the Official Plan (and Secondary Plan) and the zoning in place in the corridor. This requires a thorough understanding of current policy, current zoning, as well as existing land use and development history. The report will begin with a review of the relevant policy documents and zoning, including:

- Provincial Policy Statement, 2014;
- Growth Plan for the Greater Golden Horseshoe, 2019;
- Region of Peel Official Plan, December 2016 consolidation;
- City of Brampton Official Plan, 2006;
- Queen Street Corridor Secondary Plan, 2013 consolidation; and
- Comprehensive Zoning By-law 270-2004.

The Study will compare the existing zoning to what is prescribed in the policy documents and highlight inconsistencies. Options will be presented for bringing the zoning into conformity with the City's larger policy goals and for managing transitional uses for current commercial tenants. The identification of options is informed by a review of similar studies conducted by the City of Brampton and other municipalities. On the basis of options and the current context, as well as consultation undertaken to date, this report recommends a strategy for updating the zoning as well as Secondary Plan policy updates.

## 2 POLICY AND ZONING REVIEW

In Ontario, land use planning decisions must be taken in accordance with Provincial policy, including the 2014 PPS and the 2017 Growth Plan. Land use planning decisions must also consider the policies of the Region of Peel Official Plan, which is implemented in more detail by the City of Brampton Official Plan. The Queen Street Corridor Secondary Plan is also applicable to the Study Area. Zoning changes must conform to these applicable policies. The relationship of these policies and the City's current Comprehensive Zoning By-law, as it applies within the Queen Street Corridor, that is the focus of this study. This section reviews these applicable documents.

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### 2.1 PROVINCIAL POLICY STATEMENT, 2014

The Provincial Policy Statement, 2014 (PPS) provides policy direction on matters of Provincial interest related to land use planning and development, and is issued under the authority of Section 3 of the *Planning Act*. In accordance with Section 3(5)(a) of the *Planning Act*, municipal planning decisions must be consistent with the policies of the PPS, so any recommendations made through this process must be consistent with the policies of the PPS.

The PPS supports healthy, liveable and safe communities by promoting efficient development and land use patterns, which sustains the long-term financial well-being of the Province and municipalities. Settlement areas are defined to generally include Urban Areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Land uses in settlement areas are to provide for a mix of land uses and densities that contribute to more efficient use of land, infrastructure and can support active transportation and transit (Section 1.1.3.2). Municipalities are to identify and promote opportunities for intensification (Section 1.1.3.3), and the Queen Street Corridor is one such location identified for intensification per the Growth Plan and the Official Plan. Under Section 1.1.3.4, appropriate development standards should be promoted which facilitate intensification. Planning authorities are also to establish targets for intensification, which are set out in the Growth Plan and the Official Plan as discussed later (1.1.3.5).

The policies of Section 1.4 apply to housing, and there is an intent to provide for an appropriate range and mix of housing types (1.4.1).

The Official Plan (including Secondary Plan) is the most important vehicle for implementing the PPS. Further, Section 4.8 intend for zoning and development permit by-laws to be important for implementing the PPS, and it is intended that zoning be kept up to date with the Official Plan and the PPS.

The PPS also establishes policies that provide an appropriate mix and range of employment and institutional uses alongside residential uses and for fostering efficient land use and development patterns and support healthy, liveable and safe communities, protect the environment and public health and safety, and facilitate economic growth.

The recommended zoning and policies developed as an outcome of this Study will need to be consistent with the applicable policies of the PPS.

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## 2.2 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2017)

The Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan) updated the 2006 Growth Plan and establishes a comprehensive growth management strategy to the year 2041 for municipalities within the Greater Golden Horseshoe Area, including the City of Brampton. The Growth Plan was established to promote healthy communities, to maintain a strong economy and to protect the environment. At the time of completing this Report, the 2017 Growth Plan was replaced by the 2019 Growth Plan (refer to section 2.2.1 below).

More generally, the Growth Plan includes policies for achieving complete communities that feature a diverse mix of land uses, ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards. It also speaks to promoting economic development and competitiveness by making more efficient use of underutilized employment sites.

The Growth Plan provides policies for where and how to grow and includes growth forecasts. The Plan encourages municipalities to utilize land and resources efficiently to promote complete communities in areas which infrastructure currently exist.

Schedule 3 of the Growth Plan includes updated forecasts of population and employment growth for the Greater Golden Horseshoe to the year 2041. This schedule projects Peel Region to grow to 1,770,000 persons by 2031, 1,870,000 by 2036 and 1,970,000 by 2041. Peel Region allocated these targets to the lower tier municipalities and Brampton's population is expected to increase from a 2016 population of 614,000 to 890,000 by 2041.

While the 2006 Growth Plan established that a minimum of 40% of this growth must be directed to settlement areas within the built boundary, the 2017 Growth Plan increases this target to 50% annually for the period between the next municipal comprehensive review and 2031, and to 60% from 2031 to 2041. However, until the next municipal comprehensive review is approved and in effect, the annual minimum target contained in the applicable upper-tier and lower-tier Official Plan will be in effect. Currently, the target is 40% in Brampton's Official Plan between 2015 and 2025, and Brampton's Official Plan recognizes the Region of Peel Official Plan plans for a minimum of 50% of new residential development occur in the built-up area by 2026. In the future, there will be a growing need for the City to plan for and accommodate intensification and the role of the Queen Street Corridor to accommodate intensification will become increasingly critical.

The Growth Plan designates Urban Growth Centres (UGCs), including Downtown Brampton, which are to be focal areas for investment and employment and residential growth, including transit-supportive density and design. In accordance with Section 2.3.1.2 b), the Brampton UGC, in which the Study Area is located, is required to achieve a density target of 200 residents and jobs combined per hectare by 2031 or earlier. This target is unchanged from the 2006 Growth Plan.

Section 2.2.4 addresses transit corridors and station areas. The rail corridor south of the Study Area is considered a priority transit corridor, linking the Downtown Brampton Urban Growth Centre with other Urban Growth Centres in the GGH. While the Queen Street Corridor is being planned by the City for improvements to Bus Rapid Transit, this corridor is not identified in the

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Growth Plan. The policies of the Growth Plan regarding Major Transit Station Areas (MTSAs) and Higher Order Transit are relevant to the consideration of future improved rapid transit along the Queen Street Corridor, which may ultimately be considered higher order transit as defined by the Growth Plan:

*“Transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way.”*

Lands in proximity to future rapid transit stations along such a corridor would constitute MTSAs. Under Section 2.2.4.11, planning for lands in proximity to higher transit corridors should require identification and protection of lands needed for future enhancement of the infrastructure. Until the specific transit approach, location of transit station stops and major transit station areas are determined, the Growth Plan’s policies for higher order transit corridors and Major Transit Station Areas cannot be fully implemented through this process. This is being studied through the Queen Street Transit Master Plan process, as discussed in the staff report to Council dated June 20, 2018. Further, as noted in the staff report, it was noted that any rapid transit stop will be considered an MTSA, and all of the existing Züm stops on Queen Street East will be considered as potential rapid transit stops, so some or all of the existing Züm stops could evolve into focal points for MTSAs. Recognizing that Queen Street East is being planned to evolve into a higher order transit corridor with Major Transit Station Areas, there should be an increased urgency to modify the zoning to prevent non-conforming uses from being established or developed which is the key objective of this study.

The City is to delineate in its Official Plan, through a municipal comprehensive review, built-up areas, major growth centres, major transit station areas and other areas (5.2.5.5). As noted, the Urban Growth Centre is already delineated in Brampton’s Official Plan, but no major transit station areas are currently identified in the Study Area in Brampton’s Official Plan. This could evolve in the future as the Queen Street Transit Master Plan process advances. Minimum density targets are to be implemented through appropriate policies including secondary plans, and the Queen Street Corridor Secondary Plan is applicable. Further, the Growth Plan states that these delineated areas are to be implemented by “zoning all lands in a manner that would implement the official plan policies,” along with utilizing other tools (5.2.5.5). This process is a key opportunity to work towards achieving this policy, though future actions may be required upon implementation of the Queen Street Transit Master Plan process.

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## 2.2.1 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019

As of May 16, 2019, the 2017 Growth Plan is supplanted by A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan). The draft changes to the Growth Plan were first introduced through the release of Proposed Amendment 1 on January 15, 2019 and then formalized with the release of the new, 2019 Growth Plan in May 2019.

The broader policies and principles of the Growth Plan 2019, as well as the population projections, remain unchanged from the 2017 Growth Plan. However, the 2019 Growth Plan introduces several modifications that affect the City of Brampton and the Queen Street Corridor, in particular:

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- Section 2.2.2.1 has been modified so Peel Region municipalities must now achieve a minimum of 50 per cent of all residential development within the built boundary, down from the 60 per cent in the 2017 Growth Plan;
- A change to Section 2.2.2.3 encourages intensification throughout the built-up area rather than to “achieve the desired urban structure”;
- Under the density targets in Section 2.2.7.2, Peel Region’s municipalities must achieve a minimum of 50 persons and jobs per hectare in the greenfield areas (not applicable in this process). The targets for Urban Growth Centres, including Brampton’s Central Area, are unchanged, however;
- Policies regarding Major Transit Station Areas, introduced in the 2017 Growth Plan’s Section 2.4, have been modified so the delineated area may be expanded from 500 m to 800 m and these areas may be delineated in advance of the next municipal comprehensive review so long as it is done in accordance with Sections 16(5) and 16(6) of the *Planning Act*; and
- The 2019 Growth Plan also allows municipalities to request an alternative to the prescribed target so long as it can be demonstrated that development is severely restricted within the delineated area or that while there are a limited number of jobs and residents within the area, there is a major trip generator present (e.g. post-secondary institution, major park).

Note that as the 2019 Growth Plan was released and approved as this document was completed, further analysis of the implications of the 2019 Growth Plan will need to be conducted when this Report is finalized.

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## 2.3 REGION OF PEEL OFFICIAL PLAN, 2016 CONSOLIDATION

The Regional Official Plan (December 2016 Consolidation) aims to apply a sustainable development framework and holistic approach to planning in the face of rapid population growth. The Official Plan is currently subject to an ongoing review process (Peel 2041).

Policies related to the Urban System are contained in Section 5.3, including policies to establish healthy, complete urban communities (5.3.1.3) and to achieve a compact form and mix of land uses that are pedestrian-friendly and transit supportive (5.3.1.4, 5.3.1.5).

Section 5.3.3 speaks specifically to Urban Growth Centres, such as Brampton’s Central Area. These are to be major locations for intensification, linked by public transit and a range and mix of compact forms and activities, support active transportation and include a range and mix of housing and employment opportunities. Brampton is thereafter directed to designate and delineate the boundaries of its UGC and enact policies related to its character, extent, population objectives etc.

Schedule G of the Official Plan identifies rapid transit corridors, which is inclusive of Queen Street, identified as an “Other Rapid Transit Corridor”. Further, the GO Rail Line (Express Rail), located south of the Study Area, is identified on Schedule G. Downtown Brampton is conceptually shown as a Mobility Hub – Anchor but this appears to exclude the Study Area.

Section 5.9.5.1.4 encourages and supports transit-supportive development densities and patterns particularly along rapid transit corridors and other designated areas. Section 5.9.5.2.1 supports protection of rapid transit corridor and changes will require an amendment to the ROP.

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## 2.4 CITY OF BRAMPTON OFFICIAL PLAN, 2006

The City's Official Plan, adopted by City Council in 2006 and approved in 2008 (September 2015 Office Consolidation), establishes a vision of Brampton as a dynamic, sustainable City with managed growth that protects the environment, enhances its "Flower City" heritage, contributes to economic prosperity and improves the quality of life for all residents and workers.

The Study Area forms a component of the City's Central Area, described by Section 4.1 of the Official Plan as the "cultural, economic and entertainment heart of the City." The Central Area comprises Brampton's historic Downtown Core and the Queen Street Corridor from McLaughlin Road to Bramalea Road. In this area, walking, cycling and transit are to be given priority and a wide range of land uses, including day/night and year-round activities are to be promoted. This Section 4.2.2 also recognizes the need to revitalize the area through improved and upgraded transit and policies that ensure a "gradual but consistent" transition from existing uses to this new, human-scale, mixed-use area. The Central Area, as described by Section 3.2.3, consists of three precincts, inclusive of the Queen Street Corridor:

*The Queen Street Corridor between Centre Street and Highway 410 has the potential to transform into a mixed-use, transit-oriented, pedestrian-friendly environment.*

The Central Area is intended to achieve a minimum density of 200 persons and jobs combined per hectare by 2031 or before, measured over the gross area of the Urban Growth Centre (3.2.3.2 and 4.1.1). Development is intended to be designed to achieve at least 4 storeys (3.2.3.3). Further, bonusing is intended to apply in accordance with Section 5.12 (3.2.3.4). This area is the major location for mixed development such as offices, residential uses, entertainment uses, cultural uses, government uses, institutional uses and so on (4.1.2).

The Study Area is also located along a Primary Intensification Corridor (Schedule 1), reflective of the existing Züm service and future upgrades. As described in Section 3.2.6, intensification corridors are planned to accommodate significant growth through higher density development which supports transit. The intensification corridor policies of Section 3.2.6 are highlighted in the Official Plan's 2015 Office Consolidation, but are denoted as being subject only to site specific appeals which are not located in the Study Area. The City encourages major offices, hotels, and similar uses. The City may establish community improvement programs (4.1.7) to promote appropriate development in the Central Area.

Intensification corridors are to accommodate a mix of uses, including residential, commercial, institutional and employment. However, permitted uses are also subject to underlying land use designations. Highway commercial/auto repair, open storage and similar uses are discouraged while superior urban design is required. Although development within Primary Intensification Corridors is normally to be designed to achieve a floor space index of 1.5 over the whole corridor within buildings 2-10 storeys (3.2.6.2), Section 3.2.3.1 excludes this policy from applying to the Central Area, presumably in favour of achieving the greater densities required in the Central Area. Opportunities may exist for higher densities and height based upon detailed



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planning studies including the preparation of a comprehensive master plan completed under 3.2.6.6. Section 3.2.6.6 requires the City to prepare a comprehensive master plan, in combination with a review of Secondary Plans, to guide land use and intensify and built form. It is unclear if this has been fulfilled specifically; however, it is noted that the Queen Street Secondary Plan provides detailed guidance for built form (see Section 2.5). Opportunity may also exist to implement density bonusing/transfers under Section 5.12 of the Official Plan.

Policies regarding Mixed-Use Development are included in Section 4.11.3.4 of the Official Plan. Mixed-use development refers to integrated development which supports richer community life. Mixed-use development is contemplated in the Central Area, amongst other areas of the City. Policies include:

- Permitting mixed-use buildings as-of-right within the City, whereas larger scale mixed-use developments are encouraged in the Central Area and designated Mobility Hubs and intensification corridors (4.11.3.4.1);
- Encouraging site consolidation to achieve better configuration and efficiency (4.11.3.4.2);
- Giving priority to transit and walking, with consideration given to amenities for cyclists, shared parking and other transit-oriented design as well as an attractive pedestrian realm (4.11.3.4.4, 4.10.3.4.5, 4.11.3.4.6); and
- Ensuring compatibility among various land uses through layout, orientation and location and use of open spaces and other buffers (4.11.3.4.7).

Section 4.11.3.6 speaks specifically to auto-oriented development and notes, “As a general policy, auto-oriented development is not permitted at main gateways in the Central Area” (4.11.3.6.1).

Within the Central Area, the key relevant policies are contained in Section 4.1 of the Official Plan. The policies of Section 4 address a wide range of land uses as well as other general development policies which may have some applicability to this study. The policies of Section 4.11 addresses urban design, including policies regarding intensification, mixed use development and many urban design concepts that have relevance to the Study Area. Some of the land use policies under Section 4.2 (Residential), 4.3 (Commercial), 4.9 (Institutional & Public Uses) have some relevant policies that may apply to specific existing and permitted uses. Section 5 of the Official Plan identifies a wide range of policies for implementing the Plan, including Secondary Plans (5.4) and Zoning By-laws (5.8).

Some other policies that are particularly relevant to the Study Area are noted as follows:

- Section 5.17.15 discourages consent to sever applications within the Central Area Mixed-Use area, except to facilitate land assembly.
- Section 5.20 encourages Central Area revitalization, noting that “the general objective for the Central Area is to allow for the intensification and redevelopment of the area for residential, office, restaurant, community, entertainment and institutional activities.”

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## 2.5 QUEEN STREET CORRIDOR SECONDARY PLAN, 2013

The City of Brampton is further divided into numerous Secondary Plan areas. An exercise aimed at consolidating and harmonizing them is currently underway. The Study Area is located

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in the Queen Street Corridor Secondary Plan Area (SPA 36). This Secondary Plan will not be consolidated as part of the housekeeping exercise.

The general goals of SPA 36 are described in Section 4.0 and include promoting:

- Intensification and improvements in the Central Area;
- The character of Queen Street for pedestrian and transit use; and
- Road and transit improvements along with land assembly to encourage and facilitate redevelopment.

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## 2.5.1 CENTRAL AREA MIXED USE

The entirety of the Study Area falls within the Central Area Mixed Use designation of the Queen Street Corridor Secondary Plan. Figure 2 illustrates land use designations in the Central Area, based on the City's Geographic Information Systems (GIS) data. It is noted that there are some lands shown as Medium Density Residential on the south side of Queen Street, east of Centre Street. However, in Schedule A, these lands are designated as Central Area Mixed Use.

The intent of the Central Area Mixed-Use designation is to accommodate mixed-use development with any combination of commercial, retail, office, residential, hotel, open space, recreational, institutional, entertainment and cultural uses managed as a unit. This could include both freestanding uses or a combination of office, retail, commercial, institutional or residential uses (5.1.2.1).

The Secondary Plan generally sets out a maximum floor space index (FSI) of 3.5 with a maximum FSI of 2.0 for residential uses. However, Table 1 sets out more specific maximum FSI requirements in certain portions of the corridor:

- West of Beech Street and Trueman Street (the westernmost portion of the Study Area), the maximum FSI is 2.0 and the maximum residential FSI is 1.0.
- For lands east of Beech Street and Trueman Street, up to Rutherford Road (the central portion of the Study Area), the maximum FSI is 3.5 and the maximum residential FSI is 2.0.
- The Primary Office Node, bounded by Queen Street East to the north, Rutherford Road North to the west, Clark Boulevard to the south, and Highway 410 to the east, has a maximum FSI of 5.0 overall and 2.0 for residential uses.

These density requirements are also illustrated on a map attached Appendix A to the Secondary Plan. There are no prescribed minimum FSI requirements, nor any detailed policies for building height.

Section 5.1.2.3 further notes lands within the Study Area are suitable for mixed-use redevelopment and requires all new development to “accommodate the potential for residential accommodation, while street-related retail and commercial uses shall comprise the majority of the at-grade building frontages.” This section further restates the maximum FSI policies which were previously noted in Section 5.1.2.2 and Table 1.

Section 5.1.2.4 contains site-specific policies for 145 Queen Street East, located just west of Lynch Street, on the south side of Queen Street East, which is intended for retail, service, commercial, office and residential uses subject to a maximum FSI of 2.79, a maximum of 96 dwelling units and the maintenance of the ground floor for retail, service, commercial and apartment and office service purposes only. The site is currently occupied by a five-storey office



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tower but has been amalgamated with the adjacent lot, 147 Queen Street East, which housed a diner and parking lot but is now being redeveloped as a mixed-use project.

Section 5.1.2.5 addresses lands on the north side of Queen Street East between Hansen Road and Highway 410. In this area, residential uses are not permitted and mixed-use commercial buildings are to be up to a maximum height of 27 m, which requirements for rear yard setbacks based on the height of the building. A sound barrier is also required and there are requirements regarding surface parking. However, requests to add residential uses and requests to increase height to up to 47 m will be considered without amending the Plan, provided it is demonstrated through a development application that uses or heights will not detrimentally impact existing Archdekin Drive residential properties. These policies generally appear to be intended to ensure that development in this portion of the corridor is compatible with adjacent low-rise residential uses.

The policies of Section 5.1.3.1 address the Primary Office Node, which is located southwest of Highway 410 and Queen Street. Principally permitted uses include offices, hotels and motels and uses consistent with the Regional Commercial and District commercial designations of the “General Plan” (presumed to be the predecessor to the current Official Plan) (Section 5.1.3.3). These lands consist of about 52 acres and higher densities are contemplated, up to 5.0 FSI (2.0 for residential uses). A comprehensive land use and transportation study is required for this area as set out in Section 5.7.1 (Special Study Area Number 1 policies). It is intended the City will undertake this study (Section 5.7.1.1).

Section 5.1.6.2 acknowledges the continued operation of the district scale retail plazas in the area but until they are redeveloped in accordance with the long term (i.e. mixed-use) designations, require a detailed tertiary plan for any development application submission. However, as this policy is contained in Section 5.1.6 (policies addressing Former District Commercial Use Areas that are now designated Central Area Mixed-Use) it is interpreted that this policy relates to the southeast corner of Highway 7 and Highway 410 as indicated in Section 5.1.6.1.

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## 2.5.2 POLICIES FOR INDUSTRIAL AREAS

The policies of Section 5.2 address Industrial Uses in the Secondary Plan area. While no designated industrial lands are included in the Study Area, the Study Area is adjacent to industrial uses. Further, there are some existing industrial uses in the Study Area which are designated mixed use. The general intent of the industrial area designation is to provide for continued operation and expansion of industrial uses including some minor low density office and business support uses (5.2.1). Section 5.2.3 notes that industrial lands adjacent to residential uses intend for compatibility measures to be undertaken including setbacks, noise walls and landscaping.

Section 5.8.1 provides policies for “Special Policy Area One” which addresses a transitional area between Central Area Mixed Uses and industrial lands to the south of Clark Boulevard / Eastern Drive (see Figure 3). Within this area, residential uses, hotels/motels, hospitals, schools (except technical/business schools), places of worship, group homes and other sensitive uses are not permitted (5.8.1.2). There are also policies regarding streetscape design (5.8.1.3) and built form (5.8.1.4), generally intending buildings to address the streetscape and providing for a high quality streetscape design with a pedestrian-friendly design.

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## 2.5.3 TRANSPORTATION AND SERVICING POLICIES

Section 6.1 provides general policies for the transportation network, with an emphasis on promoting the use of public transit while making other efficiency improvements. Section 6.2 addresses the road network, which is identified on Schedule B. This includes development of new collector and local roads along with necessary road widenings. A list of potentially needed improvements is identified in Section 6.2.4, including extension of Clark Boulevard, new roads within the Primary Office Node, highway interchange improvements, additional lanes of capacity to better connect the Secondary Plan area to Downtown Brampton, and widening of Queen Street from Kennedy Road easterly to six lanes. These improvements may be subject to Environmental Assessment processes (6.2.5). Further to this, Section 6.5 addresses transportation monitoring and staging of improvements.

Section 6.3 provides policies for transit, and it is intended that the ultimate redevelopment of the Secondary Plan Area is formulated on the basis of certain improvements to the public transit system, namely the development of transit service on Queen Street for a significant transit route, connecting Downtown Brampton to Pearson International Airport via priority transit lanes on Highway 410, establishment of a Transit Node within the Primary Office Node, which accommodates parking and transit facilities that connects with the rail line, frequent bus service on Queen Street, and other measures.

Section 6.4 addresses traffic and assessment management to generally reduce accesses to Queen Street through appropriate measures, including zoning controls (6.4.2).

Section 6.6 addresses parking, encouraging more flexible and less stringent parking standards (6.6.1) and exempting certain developments from on-site parking requirements (6.6.2). Shared parking or “swing parking” may be a basis for reducing parking standards (6.6.3).

From a compatibility perspective it is noted that Section 6.8.1 requires development within 300 m of a railway right-of-way may require noise studies and development within 75 m may be required to undertake vibration studies. Although the railway corridor is not located in the Study Area, portions of the Study Area likely fall within 300 m of the railway.

With respect to water and wastewater servicing, development is subject to servicing supply and capacity reinforcements as may be required (Section 7).

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## 2.5.4 URBAN DESIGN

The policies of Section 8.0 address urban design. Within the Study Area, development which promotes vertical landmark definition of built form in the Office Node, transition from highway commercial to urban store fronts, mixed uses, pedestrian and transit accessibility are the key principles (8.2.3). The Primary Office Node, located southwest of Highway 410 and Queen Street East, is intended to have opportunities for enhanced amenities and landmarks.

It is intended that the City will prepare District Design Guidelines, in accordance with Section 8.3.2. Until that time, development is intended to be consistent with Interim Design Guidelines attached as Appendix B to the Secondary Plan. The guidelines are briefly summarized as follows:

- Massing, angular plane and setback regulations are in Section 1.3, including an emphasis on human-scale development and adequate sunlight penetration;

# 7.1-35

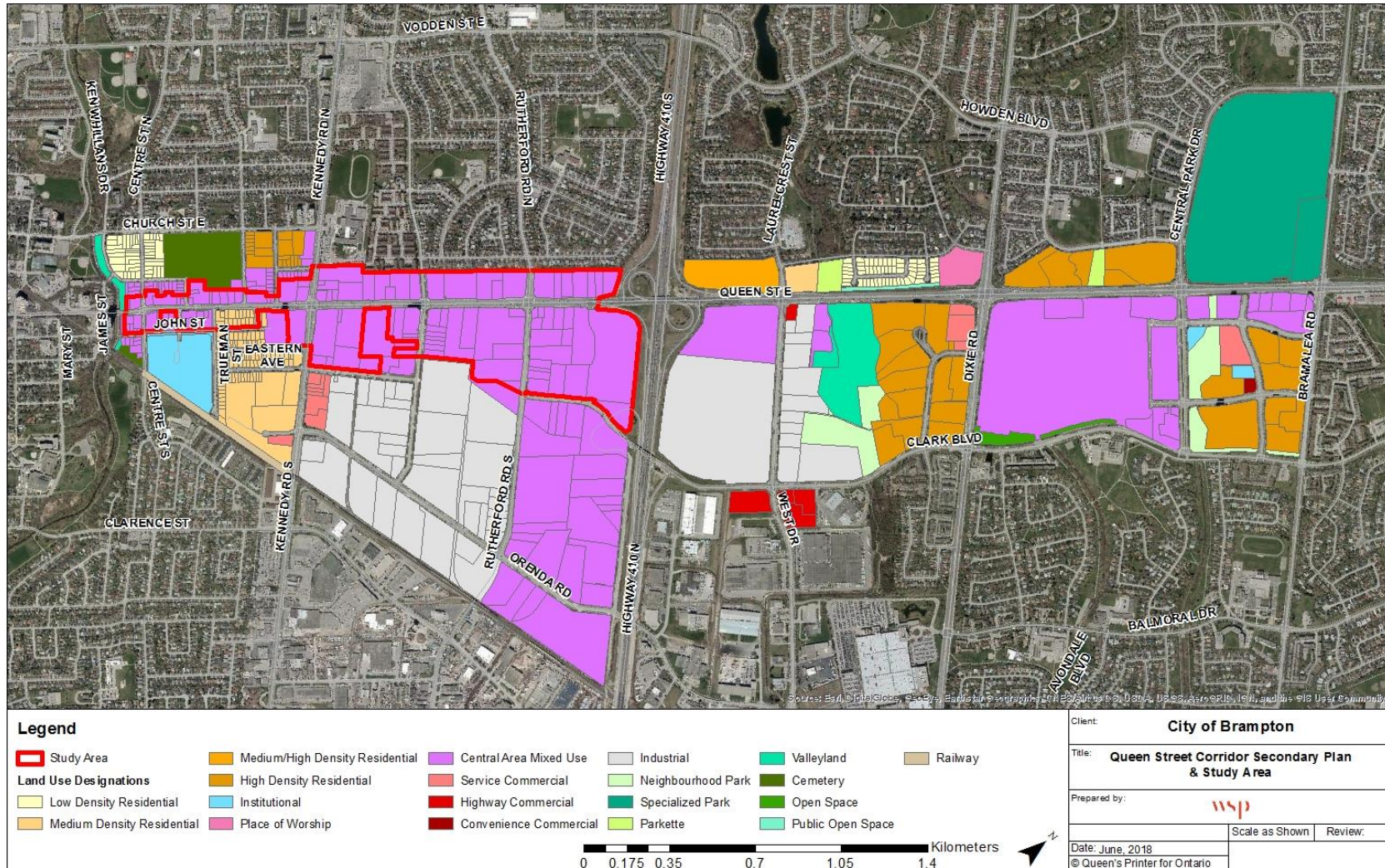
- Public realm guidelines in Section 1.4 include that the City should encourage creative detailing of building facades and the provision of attractive and safe pedestrian environments. Commercial frontages should include space for sidewalk merchandising, displays, seating, planting, snow storage and bicycle racks. Developments should include the principles of Crime Prevention Through Environmental Design and incorporate lighting to encourage night-time pedestrian activity. Street furniture, floral displays and other features can be used to improve the streetscape;
  - Section 1.5 contains policies related to site access, including designing for efficient provision of transit facilities and movement of emergency service vehicles. Structured parking should be encouraged in denser residential/mixed-use designations and planting screens should be used in surface parking areas; and
  - Section 1.6 requires development to meet the noise attenuation, drainage, air quality, energy conservation and environmental management policies of the Brampton Official Plan; and
  - Section 2 establishes that streetscape improvements should be formulated and timed in cooperation between the City and property owners.
- 

## *2.5.5 IMPLEMENTATION (TRANSITION POLICY)*

Section 9.3, contained in the implementation section, states that notwithstanding the Central Area Mixed Use policies, development may occur in the interim for “a range of lower order commercial uses, subject to the judicious use of landscaping, the controlled use of signs and the prohibition of outside storage...” This appears to be the key policy that has relevance to the evolution of the corridor from the current highway commercial format to the intended mixed use, higher density form.

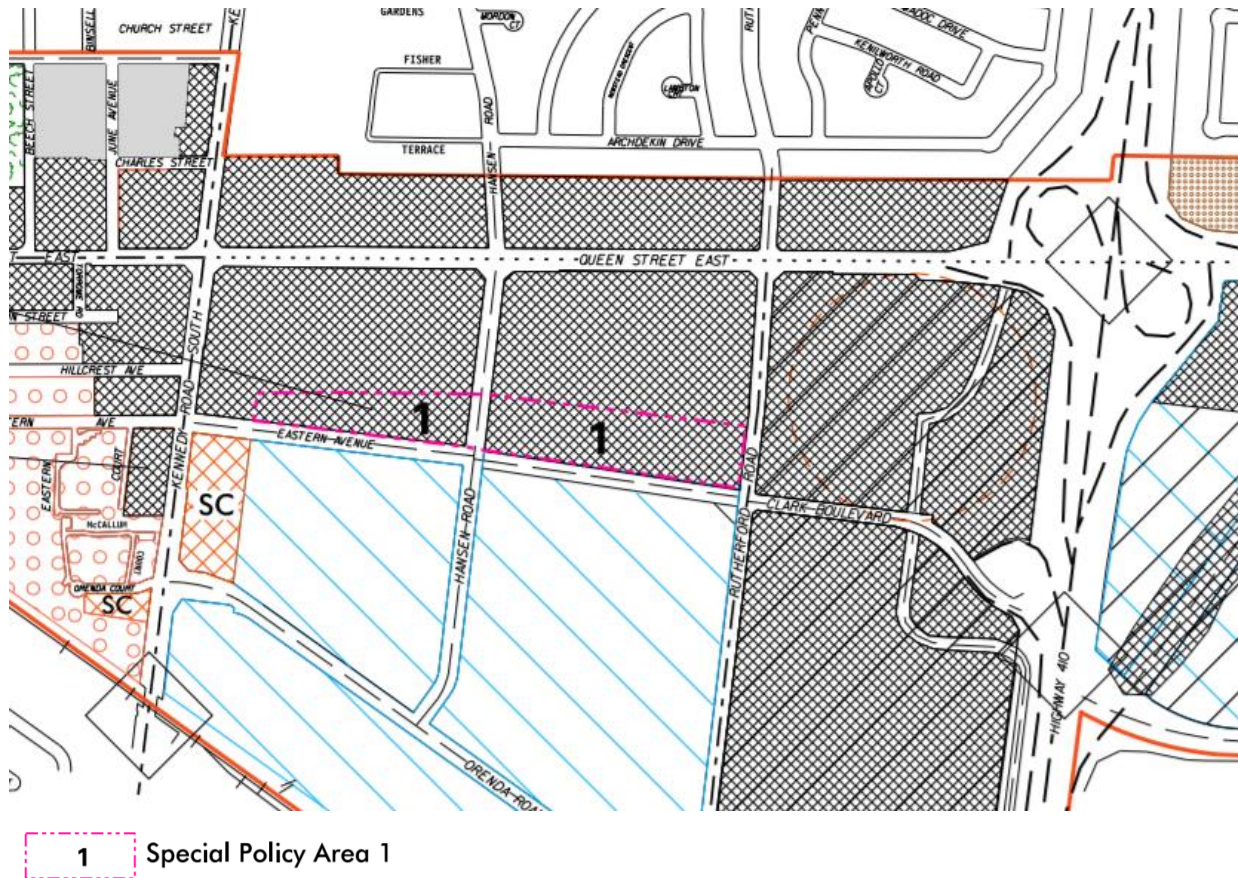


Figure 2 – Queen Street Corridor Secondary Plan Land Use Designations (Source: City of Brampton GIS Data, obtained March 2018)





**Figure 3 – Location of Special Policy Area 1 (Schedule A, Queen Street Corridor Secondary Plan, dated April 2013)**



## 2.6 CONSOLIDATED ZONING BY-LAW 270-2004

The City of Brampton's in-effect comprehensive zoning by-law is Zoning By-law 270-2004. As will be discussed in the next section, the Study Area is subject to many special sections (i.e., site-specific exceptions) as the result of a rezoning exercise conducted by the City. Existing zoning is shown in **Figure 4** (the westerly portion of the Study Area) and **Figure 5** (the easterly portion of the Study Area). Generally speaking, the zoning in the area may be described as follows:

- Lands fronting onto Queen Street are subject to a variety of Commercial zones, principally Service Commercial (SC) or Highway Commercial One (HC1). The Highway Commercial One zone permits a limited range of motorist-oriented uses (e.g. motor vehicle sales and repair, banquet facilities, hotels, restaurants). Lot and building requirements in the HC1 zone set out automobile-oriented standards such as a minimum front yard depth of 15 m and

# 7.1-38

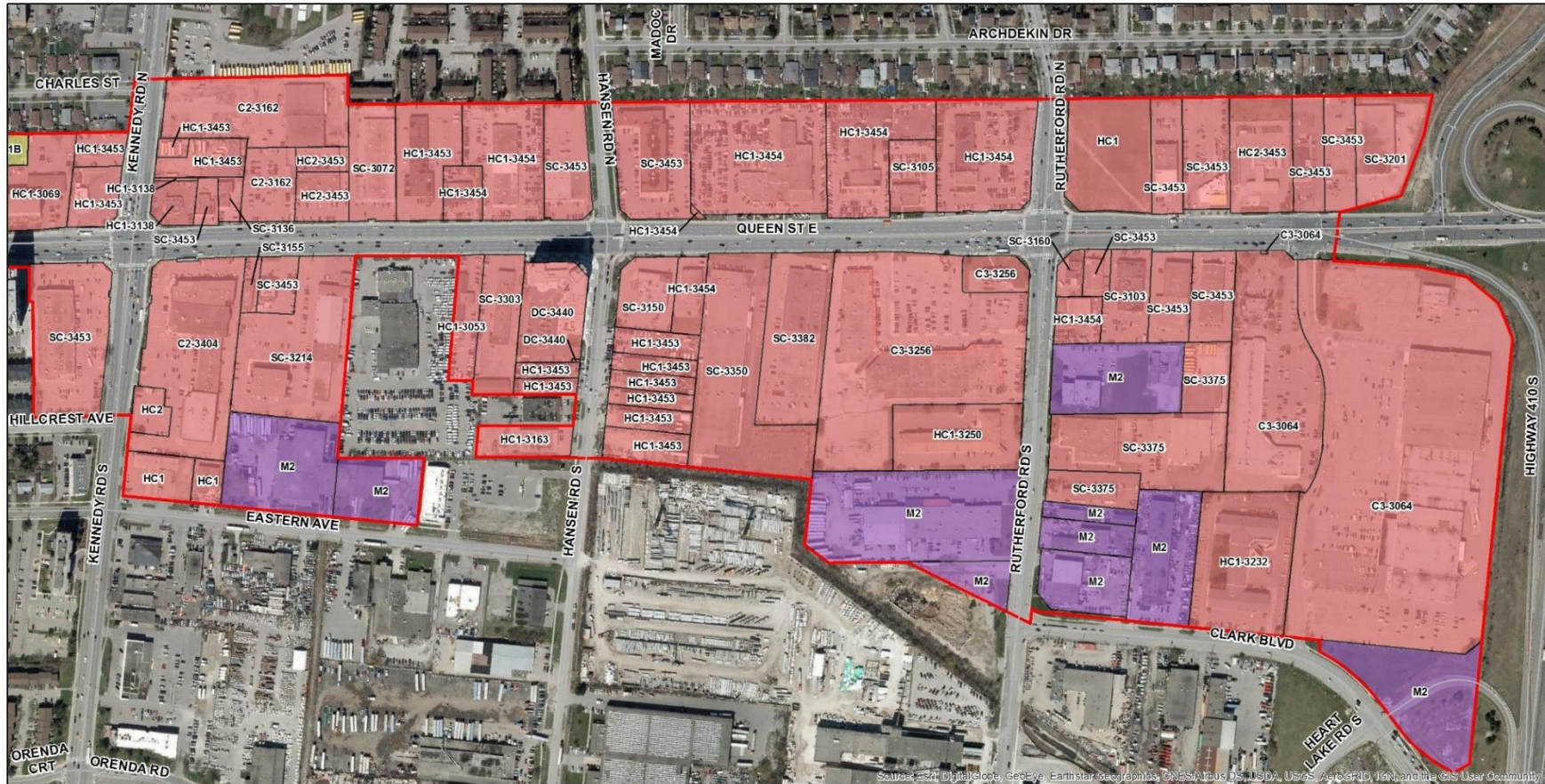
- minimum exterior side yard of 6 m. At least 20% of the front yard and 50% of the exterior side yard is required to be landscaped. The maximum permitted building height is 3 storeys.
- Service Commercial (SC) zones permit a wide range of retail and service functions (e.g., retail uses, personal services, banks, offices, laundromats, fitness centres, restaurants, places of worship), but excluding some of the automobile oriented uses above. The yard requirements are relatively permissive, with minimum front and exterior yards of 5.0 m. The maximum building height is 3 storeys and a minimum of 60% of the front yard and the exterior side yard must be landscaped open space.
  - Other commercial zoning includes Commercial Two (C2) and Commercial Three (C3). The C2 zone permits a wide range of commercial uses, including retail, supermarkets, banks, offices, restaurants, service stations, commercial schools, garden centre sales, recreational uses, custom workshops, places of worship and other uses. The lot and building requirements of the C2 zone address a very automobile-oriented built form, including a minimum front yard depth of 21 m and minimum exterior yard of 18 m. Minimum landscaped area is 8% of the lot. Maximum building height is up to 6 storeys. C3 zones are applied within the planned Primary Office Node and other locations. The C3 zone permits a wider range of uses, including uses in the C2 zone, plus motor vehicle sales and services. The lot and building requirements are similar to the C2 zone except there is no restriction on maximum building height.
  - Two properties are also zoned Downtown Commercial (DC). This zone permits a wide range of commercial uses, including retail, restaurants, offices, theatres, motor vehicle/boat sales/rental, as well as apartments in which a maximum of 30% of the gross floor area is used for commercial purposes. It is unclear why there is a maximum permitted commercial area associated with residential uses. It appears that standalone commercial uses would be permitted. The lot and building requirements are very permissive, with front/exterior yard setbacks of only 2 m. The maximum building height is 11 storeys. Further, the requirements of the R4B zone applies to residential uses permitted in the DC zone.
  - One property is zoned Highway Commercial Two (HC2). This zone permits a very limited range of uses, such as service stations, vehicle washing as well as restaurants/convenience retail which must be in conjunction with a service station. This zone requires restrictive lot and building requirements, such as a minimum 15 m front yard and minimum lot width and depth of 45 m, and maximum building height of 2 storeys.
  - There are a few industrial-zoned (M2) properties south of Queen Street, east of Kennedy Road (Figure 5). The M2 zone permits manufacturing uses and “less-obnoxious” industrial uses, including printing establishments, warehouses and freight classification yards but excluding junk yards and wrecking yards.
  - Lot sizes are generally smaller west of Kennedy Road (Figure 4). There is a block consisting almost entirely of Residential Single Detached (R1B) zones, bound by Queen Street East to the north, John Street to the south, Trueman Street to the west and Torrorme Road to the east.
  - Most properties in the Study Area are subject to special sections of the Zoning By-law, which includes some prohibitions on the permitted uses described above. This will be reviewed and discussed later in this report.


















# 7.1-40



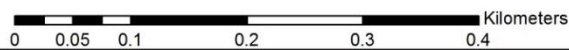
## Legend


### Zone Category

- |   |   |  |
|---|---|--|
|  Residential               |  Floodplain      |  Agricultural                   |
|  Commercial                |  Industrial      |  Open Space                     |
|  Development Permit System |  Institutional 1 |  Public Ownership and Utilities |
|   |  Institutional 2 |  ICBL Zone                      |

- C2 = Commercial Two**  
**C3 = Commercial Three**  
**DC = Downtown Commercial**  
**HC1 = Highway Commercial One**

- HC2 = Highway Commercial Two**  
**M2 = Industrial Two**  
**SC = Service Commercial**  
**R1B = Residential Single Detached B**



Client:	City of Brampton	
Title:	ICBL Zone - Eastern Portion	
Prepared by:		
Date: June, 2018	Scale as Shown	Review:
© Queen's Printer for Ontario		



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## 2.6.1 BY-LAW 267-2006

In 2006, the City undertook a review of zoning in the Queen Street corridor, both through the Study Area and in Downtown Brampton, located just west of the Study Area. This resulted in the passage of two new by-laws, 266-2006 (for downtown) and 267-2006 (for a portion of the Study Area). The former by-law created new, mixed-use zones (CMU1 and DC1) that properly reflected the new policies for Downtown Brampton, while the latter by-law is germane to the current analysis since it updated the zoning by creating Special Sections on many of the properties within the Study Area.

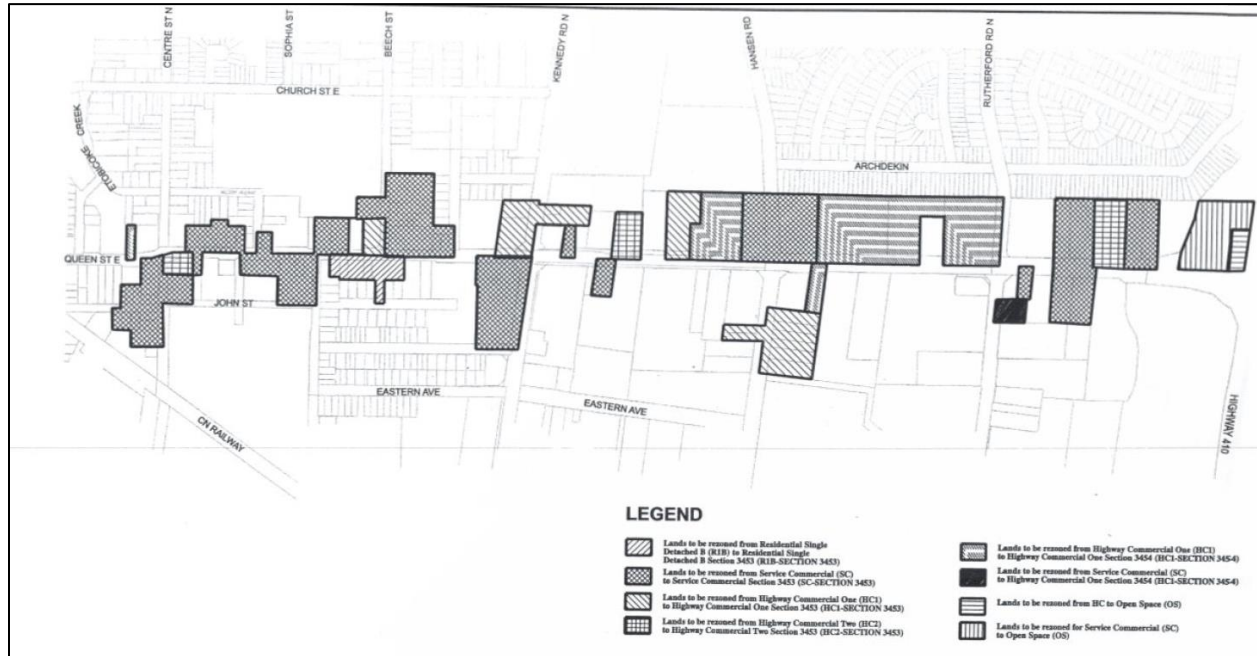
The main purpose of the amendment in the Study Area was to remove lower order commercial uses from being permitted, while allowing existing such uses to continue. Not every property in the Study Area was included in the rezoning exercise and the exercise did not fully remove all permissions for lower order commercial uses which are no longer in line with the intent of the Urban Growth Centre and the applicable policies in the Study Area.

Through this amendment, many of the special sections shown in the zoning (see Figures 4 and 5) were applied or updated. This includes special sections 3453 and 3454, along with amendments to some of the exceptions that pre-dated the passing of 267-2006. Land subject to new special sections 3435 and 3454 are shown on Figure 6. However, the By-law affected other lands by modifying existing special sections, which are not shown on Figure 6. Amended special sections included 3123, 3179, 3174, 3199, 3255, 3058, 3083, 3069, 3404, 3162, 3072, 3136, 3138, 3214, 3303, 3163, 3150, 3350, 3382, 3256, 3105, 3201, and 3103. Only a few of the exceptions that currently apply in the Study Area were not amended or affected by 267-2006.

The by-law established prohibitions for the following uses amongst lands affected:

- Adult video store;
- Adult entertainment parlour;
- Amusement arcade;
- Body art/tattoo parlour;
- Drive-through facilities;
- Massage/body rub parlours;
- Auto body shops;
- Auto or boat dealerships (sales, repair, parts shops);
- Service stations and gas bars; and
- Tool and equipment rental outlets.

Notwithstanding the provisions above, the By-law allows existing motor vehicle or boat sales, rental, leasing or service establishments, motor vehicle repair shops, motor vehicle or boat parts and accessory sales to be a permitted use subject to the applicable standards of the Zoning By-law provided they existed on the date the by-law came into force and effect. Motor vehicle body shops operated in conjunction with sales/rental or leasing uses that were existing are similarly permitted.

**Figure 6 – Properties Re-zoned via By-law 267-2006**

## 2.7 INTERIM CONTROL BY-LAW 246-2017

In order to conduct this analysis and prevent development inconsistent with the City's present policy goals, Council approved the Interim Control By-law ("ICBL") (By-law 246-2017) on November 8, 2017. Under Section 38 of the *Planning Act*, this by-law may only be in effect for a period of one year, though Council is permitted to renew it for one additional year.

In passing the ICBL, Council's motion recognized that notwithstanding the Central Area's designation as a UGC and a Primary Intensification Corridor, parts of it are currently zoned for low density commercial uses which have the potential to preclude the City's intensification goals and affect the City's ability to achieve its density and intensification targets by allowing non-conforming uses as-of-right in the zoning by-law.

While the ICBL is in effect, new uses and the erection, enlargement or replacement of existing land, buildings and structures within the designated area (Figure 1) are prohibited.

Excluded from the ICBL are properties subject to recent and in-process development applications regarded by staff as being consistent with the UGC policy goals, as stated in the Staff Report dated October 25, 2017 which recommended the ICBL. Examples of excluded properties listed in the staff report are as follows:

- 247 Queen St. E. (Atlas Healthcare)
- 209 Queen St. E. (Mattamy, Rhythm Phase 2)
- 145/147 Queen St. E. (Cumberland)

## 3 STUDY AREA

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### 3.1 OVERVIEW

As previously discussed, the Queen Street corridor within the Study Area is a primary transportation corridor earmarked for future Bus Rapid Transit (BRT) upgrades, building upon existing Züm service. The Study Area effectively bridges the corridor between Highway 410 in the east and Downtown in the west, with broader transit connectivity to the Vaughan Metropolitan Centre. Existing uses in the Study Area are typically auto-oriented commercial and service uses though there are also sections with low-rise residential and industrial uses. Several recent mixed use developments have also occurred.

The area south of the Study Area, along Highway 410 and the CN Rail corridor, is generally industrial. The commercial/service properties along the north side of Queen Street, however, generally transition to low density residential neighbourhoods. On the north side of Queen Street, between Hansen Road and Kennedy Road, there are denser, medium density residential zones adjacent to Central Peel Secondary School. The west end of the Study Area includes two significant adjacent institutional uses located just outside the Study Area: the Peel Memorial Centre for Integrated Health on the south side of Queen Street and the Brampton Cemetery on the north.

Lots are generally larger closer to Highway 410 and are smaller closer to the Downtown. There is a wide range of lot sizes and building typologies within the Study area, as characterized below.

### 3.2 EXISTING LAND USE

Following is a more detailed description of the current land use, moving east (Highway 410) to west (Etobicoke Creek) through the Study Area. A more detailed inventory is included in Appendix A.

The block bounded by Highway 410, Rutherford Road South, Clark Boulevard and Queen Street East (known as the Primary Office Node in the Secondary Plan) is characterized as follows:

- This area includes auto-oriented retail uses (e.g. strip malls and big box retail), as well as restaurants (including drive-throughs) along Queen Street East, with a mix of auto-oriented uses and automobile dealerships. There is also a hotel use located mid-block. The southerly portion of the block (fronting onto Clark Boulevard) includes other automobile oriented uses, including auto repair and auto body repair uses, inclusive of what appears to be outdoor storage of automobiles, shipping containers and auto parts. Other uses include an industrial plaza and offices on the east side of Rutherford Road South as well as a City of Brampton fire station.
- The buildings are 1-2 storeys. Buildings have moderate front yard setbacks, generally enabling only one row of parking to be provided in front of the building. For the most part, parking is located in the side yards and rear yards. The main exception to this characterization are the large commercial uses within the planned Primary Office Node,

# 7.1-44

which have extensive parking areas and the buildings are oriented to face the interior parking areas.

The block on the north side of Queen Street East, between Highway 410 and Rutherford Road North, is characterized as follows:

- Uses include a strip mall, restaurants including a drive-through and a gas station. Low-density residential uses are located directly behind these uses. The northeast corner of Queen Street East and Rutherford Road North is currently vacant.
- These uses are all one-storey buildings. Most of the parking is located in the rear and side yards, but some of the uses have several rows of parking located in the front yard.

The block on the south side of Queen Street East, between Rutherford Road South and Hansen Road, is characterized as follows:

- The uses and built form here is very similar to the first block described above. A plaza has a large parking lot fronting onto Queen Street East and other strip-style retail plazas are located to the west. The interior of this block (further south of Queen Street East) also includes automobile-oriented uses car rental facilities, car repair facilities with significant outdoor storage in the rear yards, as well as a hotel.
- The buildings are typically one to two storeys. With the exception of the large strip mall located at the southwest corner of Queen Street East and Rutherford Rd. S., most of the buildings have only moderate front yard setbacks which would only permit one row of parking in the front yard.

The block on the north side of Queen Street East, between Rutherford Road North and Hansen Road, is characterized as follows:

- Uses fronting onto this section of Queen Street East are almost entirely automobile dealerships as well as one plaza with a mix of office and other commercial uses. Low density residential uses are located behind these uses.
- All of these buildings are one to two storeys. Most of the uses have significant setbacks including multiple rows of parking in the front yard, sometimes including outdoor display of vehicles for sale.

The south side of Queen Street East, between Hansen Road North and Kennedy Road North, is characterized as follows:

- A mixed-use tower, with retail at grade, frames the Hansen Road North and Queen Street East intersection at the southwest corner. However, to the west are strip retail uses, a commercial school, mixed in with auto repair uses. Parking configuration is similar to the blocks described above, with the exception of the mixed-use development, where the building largely dominates the street frontages.
- Unlike other blocks, some of the auto services front onto Queen Street, while other auto services are located to the rear of Queen Street. An industrial manufacturing or processing use fronts onto Eastern Ave (zoned M2 per Figure 5).
- Buildings are generally 1-2 storeys, except for the mixed-use development which is 15 storeys.

The north side of Queen Street East, between Hansen Road and Kennedy Road North, is characterized as follows:

- In terms of existing uses and built form, this block is similar to the north side of Queen Street, east of Hanson Road North. Uses include automobile dealerships, strip retail

## 7.1-45

uses and a hotel, with parking fronting onto Queen Street East. Buildings are generally 1-2 storeys.

The south side of Queen Street East, between Kennedy Road North and Centre Street, is characterized as follows:

- While auto-oriented retail frames the corner, the two properties directly to the west – a mixed-use tower with retail at grade and a vacant lot with a pending development application – are exempt from the ICBL. Townhomes and low density residential uses are located directly to the south. Beyond this, the ICBL-designated area continues, including a series of single detached residences. Some of the residences fronting onto Queen Street East are used for commercial businesses either as an accessory or principal use, whereas single detached residences that do not front onto Queen Street East are used as residences only.
- There is a two-storey commercial building on the east side of Trueman Street, and a vacant lot on the southwest corner. The built form then changes with commercial and medical buildings oriented towards the street, with parking located behind the building. The southeast corner of Centre Street and Queen Street East is exempt from the ICBL.
- The built form varies within this block. There is no front yard parking provided except at the commercial plaza located at the southwest corner of Kennedy Road North and Queen Street East. Most buildings are 1-2 storeys, except the mixed-use development west of Kennedy Road South.
- Lot sizes in this block are generally much smaller than in the blocks previously discussed.

The north side of Queen Street East, from Kennedy Road North to Centre Street, is characterized as follows:

- Existing uses include restaurants, a 6-storey hotel, vehicle rental use, offices and retail uses.
- The built form varies. Lot sizes are generally much smaller than in the areas east of Kennedy Road North. Some buildings have minimal front yard setbacks while others have parking areas located between the building and Queen Street. Building heights also range from 1-storey to up to the 6-storey hotel.
- The 6-storey hotel is located just west of Centre Street, followed by single-storey retail outlets with shallow parking along Queen Street East. Matching the more street-oriented medical buildings along the south side of the street is a similar 3-storey building along the north side. Small-scale commercial operations with shallow parking are located west of Wilson Avenue along Queen Street. The northeast corner of Centre Street and Queen Street East is occupied by a 4-storey commercial office building.

The south side of Queen Street East, west of Centre Street, is characterized as follows:

- This block consists of 7 properties east of Etobicoke Creek. Existing uses include a standalone restaurant, two-storey commercial building, and low-rise single detached dwellings fronting onto John Street, to the south of Queen Street East.

The north side of Queen Street East, west of Centre Street, is characterized as follows:

- There are 2 properties on this block covered by the ICBL. This includes a gas station/convenience store and a used car dealership, both of which have parking areas fronting onto Queen Street East.

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### 3.3 RECENT DEVELOPMENT ACTIVITY

There are three developments along the corridor which are excluded from the ICBL as they already have in-process / recent development applications. The City staff report supporting the ICBL notes these applications meet the policy goals for the corridor. The applications are briefly described as follows:

**247 Queen St. E. (Southwest corner of Queen Street East/Hansen Road)**

- A 15-storey, mixed-use tower has been developed at the corner of Hansen Road and Queen Street East. The podium level offers retail/commercial uses at grade (33,000 sq. ft.) and 205 rental supportive housing units, with common amenity areas and shared rooftop terraces on the 15<sup>th</sup> floor. Construction is complete.

**209 Queen St. E. (Mid-block on the south side of Queen Street East, west of Kennedy road South)**

- A new, 31-storey, 272-unit tower will be added as Phase 2 to the existing Mattamy Rhythm building. Phase 1 recently opened and includes a 22-storey, 240-unit apartment building with ground floor commercial, and 32 townhomes along Hillcrest Avenue.

**145/147 Queen St. E. (Southwest corner of Queen Street/Lynch Street)**

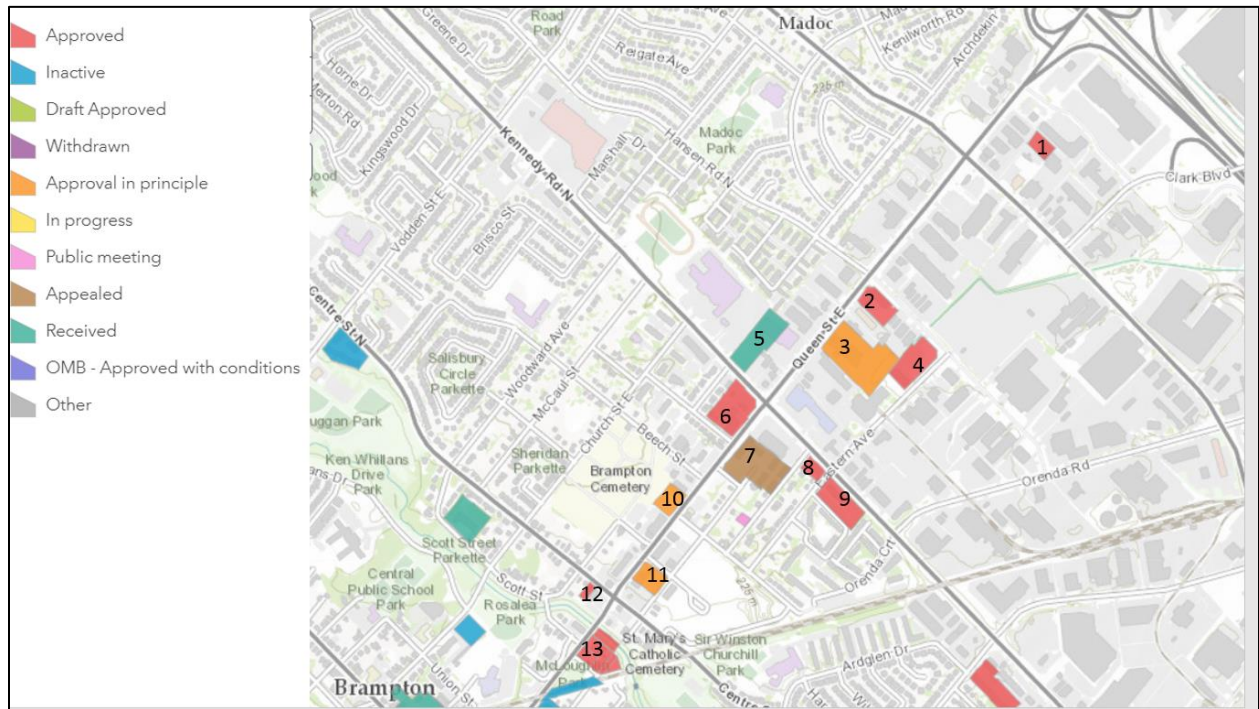
- The existing single-storey restaurant and 5-storey office building will be replaced a new, 5-storey office building and a 23-storey residential tower with 156 apartments.

A more extensive list of development applications in the study area, from 1999 to the present, is included below (Figure 7 and Table 1).



# 7.1-47

**Figure 7 – Development Applications in the Study Area (Brampton Open Data, Retrieved August 2018)**



**Table 1 – Development Applications in the Study Area**

#	Address	Description	Date Received	Application Status
1	16 Rutherford Rd. S.	OPA/ZBL (no details noted)	2/4/99	Approved
2	247 Queen St. E.	ZBLA to permit a mixed-use, 216-unit condominium with ground floor retail; further application on March 20, 2018 for plan of condominium to develop 12 units with 71 parking spaces	8/13/04 3/20/18	Approved (2004 application) Received (2018 application)
3	241 Queen St. E.	ZBLA to permit a 7-storey medical office building and future residential / commercial	8/17/05	Approved in principle



# 7.1-48

#	Address	Description	Date Received	Application Status
4	90 Eastern Ave. (Outside ICBL Study Area)	Draft Plan of (commercial) Condominium	9/7/11	Approved
5	15-26 Kennedy Rd. N.	ZBLA to permit mixed-use development with 270 units and commercial uses.	12/7/10	Received
6	Northwest corner of Kennedy Road North and Queen Street East	OPA and ZBLA (no detailed noted)	4/28/99	Approved
7	209-215 Queen St. E. (Outside ICBL area)	Draft Plan of Condominium for a mixed-use building with 240 apartments; and a condominium consisting of 32 units	11/27/09	Approved
	201 Queen St. E. (Outside ICBL area)	Application on January 26, 2017 to allow for development of 31 storey mixed use building with 272 units (previous application for 313 units is Inactive)	1/26/17	Appealed
8	49 Hillcrest Rd. (Outside ICBL area)	Draft Plan of Condominium to permit a mixed-use office	11/25/04	Approved
9	33 Kennedy Rd. (Outside ICBL area)	OPA and ZBLA to permit a second high-rise residential condominium with 273 units alongside the existing 118-unit building	3/26/12	Approved
10	174-184 Queen St. E.	OPA and ZBLA to permit either a 20-storey mixed-use building or a 15-storey commercial tower	9/9/10	Approved in principle
11	145-147 Queen St. E.	OPA and ZBLA to permit a mixed-use, 23-storey building	4/18/16	Approved in principle

# 7.1-49

#	Address	Description	Date Received	Application Status
12	11 Centre St. N. (Outside ICBL area)	OPA and ZBLA (no details)	3/16/98	Approved
13	111-113 Queen St. E.	Draft Plan of Condominium for a mixed-use development with 219 apartments	1/12/10	Approved
	107 Queen St. E.	OPA and ZBLA to permit the development of a 21-storey mixed-use building	11/22/05	Approved

---

## 3.4 BUILDING PERMIT DATA

A review of building permit data indicates there were 281 permits issued in the Study Area at just over 100 separate municipal addresses between January 2008 and July 2018. Of these, 138 were flagged as alterations, renovations or revisions. Mobile permits, related to a trailer or mobile sign and temporary tents comprised 40 of the permits. Only one building addition is identified and it was a 43.8 m<sup>2</sup> addition to a residence.

The data indicates 122 permits were classified as “Permanent” or “New”, most of which appear to relate to new commercial uses within existing buildings. No new buildings were identified in relation to these listed permits. Data regarding Gross Floor Area, which would be expected in relation to a new building, was not identified for these permits. It appears 7 permits were related to a change of use. There are no indications what the use changes entailed but the current uses indicate they must have been minor changes within the permitted zoning uses (e.g., from a retail store to a restaurant).

Based on the data, there are no indications that commercial and/or industrial building expansions are prevalent occurrences in the corridor. However, there appears to be significant activity with respect to changes in use and tenancy as well as general investment in the existing building stock.

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## 3.5 AIR PHOTO COMPARISON (2006-2017)

To complement the review of building permit data and other information, a comparison of historical air photos with 2017 air photos was conducted to identify any other significant changes in building footprints since the Official Plan was adopted by Council in 2006. This comparison is shown in Figure 8 and is summarized as follows:

- Between Rutherford Road North and Highway 410, one building was redeveloped on the north side of Queen Street. The use (restaurant with drive-through) remained the same and

## 7.1-50

only the building was reconstructed, and brought closer to the sidewalk with extensive landscaping. All other building footprints appear to be the same.

- Between Hansen Drive and Rutherford Road North, all building footprints appear to be unchanged during this timeframe.
- Between Kennedy Road and Hansen Drive, two distinctions were noted. First is the major mixed-use development at the southwest corner of Queen Street East and Hansen Drive. Secondly, the building at 243 Queen Street East appears to have been slightly reduced towards the rear. However, in reviewing other air photos, it appears the larger footprint visible in 2006 may just be temporary structures located close to the main building.
- Between Hansen Drive and Centre Street, a couple of buildings were demolished (still vacant) on the north side of Queen Street, across from Trueman Street. Similarly, a couple of residences were also demolished east of Trueman Street, south of Queen Street and are still vacant.
- No significant changes in building footprints were noted west of Centre Street.

Note that this comparison was completed as a visual inspection of air photos, and specific details may have been missed due to the limited resolution of air photos.



**Figure 8 – Comparison of Air Photos (2006 – 2018)**

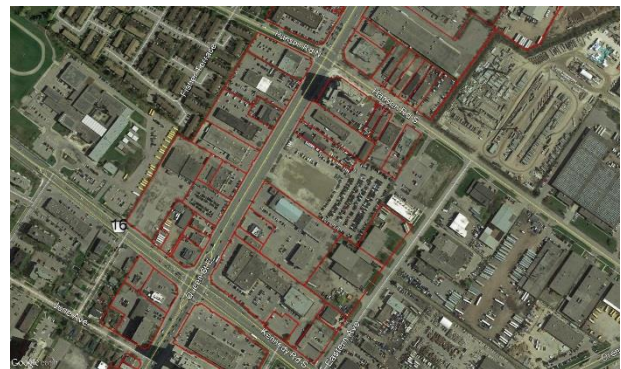
**2006**

**2018**

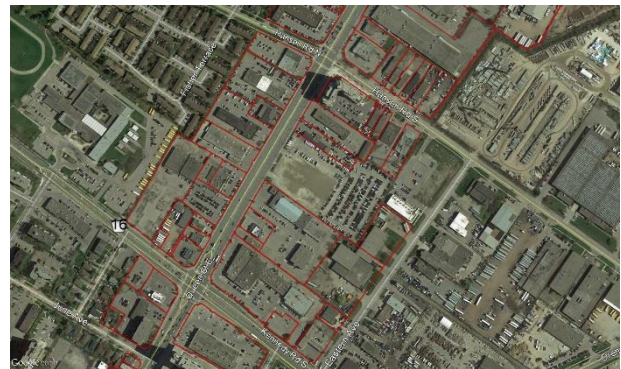
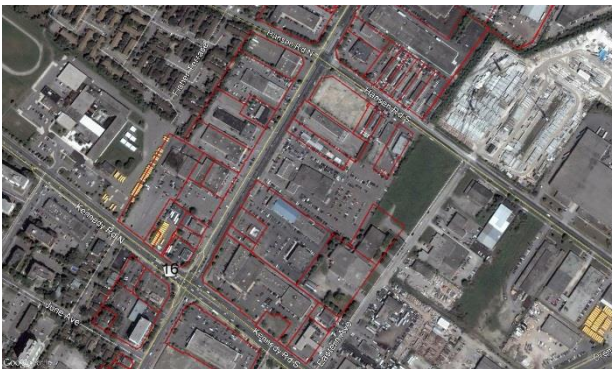
Between Rutherford Road North and Highway 410:



Between Hansen Drive and Rutherford Road North:



Between Kennedy Road and Hansen Drive:



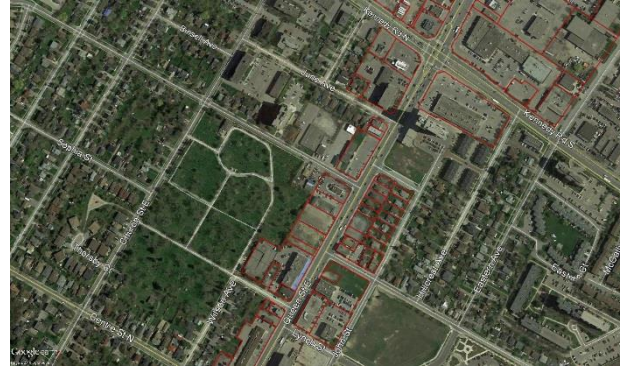
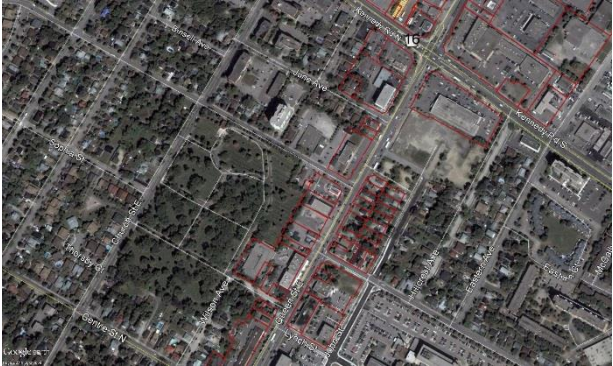


# 7.1-52

2006

2018

Between Centre Street and Kennedy Road:



West of Centre Street:



## 4 CONFORMITY ANALYSIS

The key purpose of this study is to determine the relationship of current zoning permissions and planning policy and to rectify conformity issues. Having reviewed current policy and zoning previously in this report, this section identifies the specific conformity issues.

### 4.1 EXISTING ZONING OVERVIEW

As shown in Table 2, the most commonly applied zone categories in the Study Area are:

- SC-3453 (25 parcels)
- R1B-3453 (16 parcels)
- HC1-3453 (15 parcels)
- M2 (8 parcels)
- HC1-3454 (8 parcels)

The “3453” special section zones all simply append the prohibition list described in Section 2.6.1 to the existing parent designation and, as can be seen above, these account for 56 of the 116 parcels in the Study Area (including 3 of the 5 split zones as described below).

Twenty-six of the existing zones apply only to a single property. There are 5 split-zoned parcels, primarily clustered around the Queen Street East & Kennedy Road intersection. They are:

- 237/239 Queen St. E. (SC-3214) / (SC-3453)
- 252 Queen St. E. (C2-3162) / (HC2 3453)
- 10-12 June St. / 226 Queen St. E. (HC1-3069) / (R1B)
- 225-233 Queen St. E. / 2-16 Kennedy Rd. S. (C2-3404) / (HC2)
- 244/242 Queen St. E. (SC-3453) / (HC1-3138)

**Table 2 – Frequency of Zones in the Study Area**

#	ZONE	NUMBER OF PARCELS	DESCRIPTION
1	Service Commercial (SC-3453)*	25	Includes a wide range of commercial uses but prohibits the auto oriented commercial uses as listed in By-law 267-2006
2	Residential (R1B-3453)	16	Only permits single detached dwellings, group homes, and places of worship
3	Hwy. Commercial (HC1-3453)	15	Includes a wide range of commercial uses but prohibits the auto oriented commercial uses as listed in By-law 267-2006
4	Industrial (M2)	8	Permits manufacturing, auto body shops and “non-obnoxious” industrial uses
5	Hwy. Commercial (HC1-3454)	8	By-law 267-2006 prohibitions apply but auto and boat sales and service uses existing prior to Aug. 27, 2007 are permitted to continue

# 7.1-54

#	ZONE	NUMBER OF PARCELS	DESCRIPTION
6	Hwy. Commercial (HC1)	3	A wide range of uses, including all the uses in HC2, a max. height of 3 storeys and a min. front yard depth of 15m
7	Service Commercial (SC-3375)	3	Permitted uses are either SC uses or M2 uses, including an office. M2 requirements apply to the site
8	Commercial (C2-3162)*	2	Adds movie theatre to the permitted C2 uses and removes amusement arcade, and applies the By-law 267-2006 prohibitions
9	Commercial (C3-3064)	2	Adds movie theatres to uses permitted in C3 zone, which permits a wide range of commercial uses
10	Commercial (C3-3256)	2	A wide range of uses are permitted subject to a max. height of 1 storey. This exception was also subject to 267-2006.
11	Service Commercial (SC-3103)	2	Only permitted uses are a restaurant or plumbing retailer, with explicit restrictions for each use in regards to GFA, parking etc. This exception was also subject to 267-2006.
12	Service Commercial (SC-3174)	2	Only an optical establishment is permitted, with a max. height of 1.5 storeys. This exception was also subject to 267-2006.
13	Hwy. Commercial (HC1-3153)	2	A radio or TV station transmission facility is added to the list of HC1 uses and the By-law 267-2006 list applies.
14	Hwy. Commercial (HC1-3138)*	2	Only a restaurant is permitted and the By-law 267-2006 list applies.
15	Hwy. Commercial (HC2)*	1	This zone permits only a gas station, car wash and associated convenience store/retail use. A place of worship is also permitted and a minimum front yard depth of 15m applies.
16	Downtown Commercial (DC-3440)	1	This zone permits only an apartment, office or hotel and retail services provided in conjunction. The min. front yard depth is 3m and there are min. and max. heights of 15m and 52m, respectively.
17	Hwy. Commercial (HC1-3053)	1	An auto service station is added to list of permitted HC1 uses, min. front yard depth is 22m and By-law 267-2006 list of prohibitions applies
18	Hwy. Commercial (HC1-3069)*	1	A max. height of 6 storeys is applied to HC1 uses and By-law 267-2006 list applies.
19	Residential (R1B)*	1	Only permits single detached dwellings, group homes, and places of worship.
20	Commercial (C2-3404)*	1	Adds movie theatres to the list of C2 permissions. C2 requires a min. front yard depth of 21m and a max. height of 6 storeys. This exception was also subject to 267-2006.



# 7.1-55

#	ZONE	NUMBER OF PARCELS	DESCRIPTION
21	Hwy. Commercial (HC2-3179)	1	HC2 uses are permitted but must have a lot depth of at least 41m and the By-law 267-2006 list applies.
22	Hwy. Commercial (HC1-3232)	1	Only a motel and associated restaurant are permitted with a max. height of 2 storeys. This exception was also subject to 267-2006.
23	Hwy. Commercial (HC1-3250)	1	Only permitted use is a motel with a max. height of 2 storeys. The By-law 267-2006 list applies.
24	Hwy. Commercial (HC2-3453)*	1	Exception 3453 relates only to By-law 267-2006.
25	Service Commercial (SC-3199)	1	A wide range of uses are permitted only on the ground floor and the max. building height is 2 storeys.
26	Service Commercial (SC-3058)	1	Only a medical office is permitted, along with a drug store, florist shop or smoke confection shop that occupies no more than 60% of the GFA. The By-law 267-2006 list applies.
27	Service Commercial (SC-3072)	1	Various commercial uses are permitted with a max. FSI of 1.0 and the building area designated.
28	Service Commercial (SC-3083)	1	A range of uses are permitted on the ground floor but only offices (excluding medical) are permitted on the second floor. The By-law 267-2006 list applies.
29	Service Commercial (SC-3105)	1	Only permitted uses are a bank or financial institution, with a max. height of 2 storeys and min. front yard depth of 11.4m.
30	Service Commercial (SC-3123)	1	A max. height of 4 storeys is applied and the By-law 267-2006 list applies.
31	Service Commercial (SC-3136)	1	Only a bank is permitted and the By-law 267-2006 list applies.
32	Service Commercial (SC-3150)	1	A range of commercial uses are permitted subject to a max. height of 10.6m and other restrictions related to parking and location.
33	Service Commercial (SC-3155)	1	Only a bank, trust or finance company or an office is permitted.
34	Service Commercial (SC-3160)	1	An animal hospital is appended to the permitted SC uses.
35	Service Commercial (SC-3201)	1	Fewer permitted uses than parent SC zone and includes GFA and height restrictions.
36	Service Commercial (SC-3214)*	1	A billiard hall is added to the list of SC uses and the By-law 267-2006 list applies.
37	Service Commercial (SC-3255)	1	Only permits medical and real estate offices as well as service shops, banks and other limited services with a max. height of 3 storeys.

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#	ZONE	NUMBER OF PARCELS	DESCRIPTION
38	Service Commercial (SC-3303)	1	The full range of SC uses is permitted but only after a site plan has been approved by the City. A max. GFA for non-office uses of 33% of the total GFA is established and no parking is permitted in the front yard. The By-law 267-2006 list applies.
39	Service Commercial (SC-3350)	1	Two sets of uses are permitted with different restrictions. For one group, there is a max. height of 1 storey and for the other a min. height of 3 storeys for buildings not within 6m of Queen St. E.
40	Service Commercial (SC-3382)	1	Similar to SC-3350, permitted uses include a wide range of service and retail uses. Depending on the use, there is a max. height of 1 storey and a max. FSI of 3.5, or 2.0 for residential purposes.

\* Denotes occurrence in split zone(s)

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## 4.2 ZONING CONFORMITY COMPARISON

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### 4.2.1 PERMITTED USES

The wording of Section 5.1.2.1 of SPA 36 establishes a very broad range of permitted uses within the Study Area, noting that the Study Area is suitable for residential uses mixed with commercial uses. The Official Plan contains policies in Section 4.2.2 that similarly envision a wide range of uses, within the context of a transit- and pedestrian-oriented environment achieved through intensification. Two more specific policies mentioned earlier are the exclusion of “lower-order” uses such as highway commercial and auto repair in intensification corridors and of auto-oriented development in Central Area gateways.

Accordingly, there are significant issues regarding conformity of currently permitted uses in the zoning compared with the intended permitted uses as outlined in the applicable policy.

- With regard to the 37 HC-zoned properties in the Study Area, and the two HC2 zoned properties, the principal function of these zones is to permit uses that are auto oriented, and this zoning is out of alignment with policy.
- Most of the uses permitted within the SC zone are permitted by policy, but there are no provisions that require these uses to be mixed as envisaged by the planning policy.
- The site zoned DC appropriately permits a mix of uses, but it does not require a particular mix of uses.
- The industrial zones, while only applicable to a handful of sites in the Study Area, are similarly not in conformity with any of the policy goals, as they permit a range of industrial activities not contemplated within the Mixed Use Designation of the Secondary Plan or the policies for the Central Area as outlined in the Official Plan.

- Further, the R1B zoning permits only single detached dwellings and some other related uses, which reflects existing uses and does not facilitate the intended transformation of this corridor.

In large part, the existing zoning reflects current uses and historically permitted uses, rather than facilitating the type of development intended by the policy framework. While the zoning has been updated to remove many lower order commercial uses, there are some sites that were not addressed by these changes, and there are still commercial and industrial uses that are not permitted by policy. Additionally, there is an absence of any requirement to mix uses as intended by the policies. Further, residential uses are not permitted by most of the zoning in the corridor.

Additionally, there are so many site-specific variations now applied within the Study Area, a more consistent approach to zoning would be desirable given that the Study Area is subject to the same policy framework. Overtime, the addition of Special Sections and further amendment of Special Sections has created a lot of complexity and could increase the potential for errors when interpreting the zoning.

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## 4.2.2 HEIGHT AND DENSITY

With some exceptions, height and density requirements in the existing zoning applied in the Study Area are not reflective of the current policy framework which intends for intensification in the form of mixed-use development.

The standard zones in the Study Area do not include any maximum density (Floor Space Index FSI) requirements which are detailed in the Secondary Plan.

Generally, the Official Plan intends for a minimum height of development to be 4 storeys, per Section 3.2.3.3. However, the current zoning does not set out any minimum height requirements. There are no height requirements in the Secondary Plan; rather, maximum height would be indirectly affected by the maximum FSI requirements in the Secondary Plan.

The maximum height in the standard SC, HC1 and HC2 zones is 3 storeys. But, as can be seen in Table 2, the Special Sections often set out lower maximum heights and permissions above 3 storeys in the Study Area are uncommon. In the M2 zone, there is no height restriction unless the property abuts a residential zone, in which maximum height is 2 storeys.

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## 4.2.3 SETBACKS AND OTHER LOT REQUIREMENTS

Setbacks in the Study Area's zones are generally not consistent with the notion of creating a pedestrian-friendly, transit-supportive built form. In most zones, minimum front yard setbacks are at least 5 m, and some are higher. No zones include maximum setback requirements, or any other form-based requirements, such as build-to-lines, podium/tower requirements, building step-backs, angular plane requirements, or restrictions on the location of parking areas. The parent HC1 and HC2 zones require front yard setbacks of at least 15 m. In M2 zones, the minimum front yard setback is 9 m and in the SC zone, which is most common zone applied in the Study Area, the minimum front yard setback is 5 m.

The policies do not detail built form requirements, nor do they necessarily direct the zoning by-law to establish certain parameters around how zoning can achieve the built form and urban

design objectives. However, the Interim Design Guidelines contained in Appendix B to the Secondary Plan include some requirements that can be implemented in zoning. Achieving zoning conformity will require a review and consideration of setback and other built form requirements to support achieving the intended built form.

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## 4.3 REVIEW OF OTHER RELEVANT ZONE CATEGORIES

It is worthwhile to consider whether the City has established any zone categories that have relevance and could be applied to future development (but which may not be applied in the Study Area currently).

As noted, the DC zone has some relevance as it permits mixed uses, but it does not require a mix and there are no detailed built form requirements except for very small minimum setbacks.

The DC1 zone, added through 266-2006, permits mixed uses, including residential, except that residential uses are not permitted in the first storey within the first 6.0 m of the streetline. Minimum setbacks are 0 m in some cases. The lot and building requirements are form-based, with supportive schedules to indicate maximum setbacks, minimum building heights, restrictions on parking configuration, special setbacks for residential uses (for privacy, etc.), and other requirements.

The CMU1 zone, also added through 266-2006, similarly sets out a mix of uses, but it does not permit residential uses in the zone. It also limits retail uses to 1,500 m<sup>2</sup>. A maximum FSI requirement of 2.0 applies along with various form-based standards which are somewhat similar to the DC1 zone.

The HMU1 zone, applicable to implementing the Hurontario Corridor Secondary Plan, permits a wide range of uses, including apartments, live work townhouses, which must form part of a mixed-use development. The maximum FSI requirement is 3.0, and various other form-based standards apply, including minimum as well as maximum building heights, street line setbacks, continuous streetwall requirements, special setbacks for residential uses, restrictions on the location of vehicle parking, as well as bicycle parking standards.

In short, there are a few zone categories that implement some of the intended requirements of the policies applicable to the Study Area, but none of the zones fully address the intended requirements of the Queen Street Corridor Secondary Plan. Any development that meets the policies of the Queen Street Corridor Secondary Plan would therefore likely require a separate category or an exception zone. Recent mixed-use developments in the corridor were zoned this way. One development (southwest of Queen Street East and Kennedy Road North) was subject to the Downtown Commercial (DC) zone with a special section (3403) that sets out specific maximum GFA, maximum dwelling units, maximum height, detailed setbacks and other requirements. Another site (southwest of Queen Street East and Hansen Road North), is zoned DC-3440. This zone permits apartments (stand-alone included) and a wide range of commercial uses but only in conjunction with an apartment or office.

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## 4.4 SUMMARY OF KEY CONFORMITY ISSUES

Areas of non-conformity between the existing zoning and the City's policy documents can be seen in relation to the following:

## 7.1-59

- There are no zones that suitably implement intended permitted uses in the Study Area. While the existing Commercial zones allow for a range of uses which are permitted by the policy, they do not have requirements for mix of uses, which precipitates free-standing commercial uses. Over time, this could result in infilling of new free-standing commercial uses within the large parking areas and/or redevelopment for other lower order commercial uses.
- A lack of FSI requirements in the zoning and generally low minimum height requirements, rarely higher than three storeys, do not implement the policies of the Secondary Plan and the Official Plan.
- Setbacks throughout the area are generally auto oriented, frequently in the 12-15 m range and do not conform to the City's intent for pedestrian-friendly, transit-oriented development near the streetline.
- There are no existing mechanisms in the current zoning that implement the intended built form and massing of the corridor. While the policy only speaks to this at a high level, the Design Guidelines contained in Appendix B to the Secondary Plan have relevant requirements that could be translated to zoning standards.
- Though By-law 266-2006 prevented the development of new, auto-oriented uses, these uses continue to be prevalent in the corridor.
- Though there are some zone categories that have applicability to some of the policy requirements, there is no single zone category that suitably implements the policies of the Queen Street Corridor Secondary Plan.

## 5 MUNICIPAL APPROACHES TO MANAGING TRANSITION

A key concern for the City is managing the transition of the Central Area from its current, largely non-conforming status to a build-out of the envisioned mixed-use, pedestrian- and transit-oriented Urban Growth Centre. As previously mentioned, Section 9.3 of SPA 36 establishes a brief policy regarding transitional uses, allowing for the development of lower-order commercial uses subject to proper use of landscaping, signs and storage. Clearly stronger requirements are now desirable and how to manage transition is a concern addressed specifically by 5.1.1.3 of SPA 36:

*Council may use any of the following land use planning mechanisms such as pre-zoning, dual zoning, holding zones, temporary use by-laws to implement the policies of the Secondary Plan.*

In this context, this section will review various approaches/mechanisms to implementing the policy goals and ensuring an orderly transition as the urban fabric of the Central Area evolves. In particular, this section will look at recent initiatives in Brampton as well as the municipalities of Mississauga, Markham, Kitchener, Vaughan, Oakville, Newmarket, Ottawa and Hamilton. Each of these municipalities bears similarity to the City of Brampton as they have Urban Growth Centres and other intensification corridors in which transitional uses need to be managed as they urbanize and otherwise meet the intensification goals that have been directed by the PPS and Growth Plan.

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### 5.1 CITY OF BRAMPTON – DOWNTOWN

As mentioned in Section 2.6.1, the City undertook an exercise to update the zoning for Downtown in 2006, simultaneous with the removal of certain uses within the Study Area.

With historically denser and more street-oriented development located Downtown, the City implemented By-law 266-2006 to rezone numerous sites and, in particular, to pre-zone certain areas using the newly created Downtown Commercial (DC1) and the Central Area Mixed Use One (CMU1) zones. Lands affected are illustrated in Figure 9.



**Figure 9 – Location of Rezoning in Downtown Brampton by By-law 266-2006**



The Central Area Mixed Use One (CMU1) zone permits a range of commercial uses, including:

- Retail establishments with a Gross Floor Area (GFA) less than 1,500 m<sup>2</sup>, a personal service shop, massage parlour or body rub parlour, a bank, trust company or financial company, a laundromat or a restaurant or takeout restaurant, so long as there is no drive-through facility.
- An office, parking lot, printing or copying establishment, community club, art gallery or studio or animal hospital.
- Religious institutions and a day nursery are also permitted, along with accessory uses. Five uses are prohibited:
  - Adult video store;
  - Adult entertainment parlour;
  - Amusement arcade;
  - Body art/tattoo parlour; and
  - Massage or body rub parlour.

The DC1 designation permits an even wider range of commercial uses as well as residential uses, so long as the first storey, along the streetline, is used for commercial purposes. It also prohibits adult video stores and entertainment parlours, amusement arcades and massage, body rub, tattoo and body art parlours.

Accessory uses are permitted in both new zones and the CMU1 establishes a maximum FSI of 2.0, but neither zone has a minimum FSI.

Although by-law 266-2006 effectively pre-zoned portions of the Downtown for the intended mix of uses and built form, it is important to note that the context in this area is quite different from the Study Area. The existing make-up of uses and densities is more similar to the intended built form and mix of uses as identified in the applicable policy for the area. In the Queen Street

Corridor, the existing character is dominated by low-rise built form and automobile oriented commercial uses.

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## 5.2 CITY OF BRAMPTON – KENNEDY ROAD SOUTH

In 2006, the City passed a Zoning By-law Amendment and Official Plan Amendment to formulate an urban design and land use strategy for Kennedy Road South from the CN Rail line to Steeles Avenue – an area south of the Study Area.

This was a broader study than the current exercise, involving extensive public consultation and resulting in substantial policy changes (i.e., a more comprehensive review of the policies), currently enshrined in the Kennedy Road South Revitalization Area Secondary Plan (consolidated to April 2017). Despite the differences between that study and this one, it is worth mentioning for its efforts to balance evolving uses and maintain industrial uses along the east side of Kennedy Road while promoting redevelopment and improvement.

In this instance, pre-zoning was put in place simultaneous with the implementation of the Secondary Plan. Generally speaking, a range of existing zones were amalgamated with each other and then lands were rezoned to five new exception zones.

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## 5.3 CITY OF BRAMPTON – HURONTARIO-MAIN STREET CORRIDOR

In 2014, the City developed but ultimately did not pre-zone a new zoning regime for the Hurontario-Main Street corridor, which is targeted for major intensification alongside the introduction of future rapid transit.

The proposed zoning by-law introduced new definitions (“street wall,” and “convertible use”) and added three new mixed-use zones as well as a residential apartment zone. The draft by-law would have pre-zoned the corridor by replacing the existing Service Commercial and Highway Commercial zones with the new zones, subject to Holding provisions. Removal of the Holding (H) symbol was to be contingent on approval of a Functional Servicing Report and the commitment of funding to the LRT (or a Traffic Impact Study). However, even with the new zone and Holding symbol in place, uses were restricted to those permitted under the new zoning and heights subject to specified minimum and maximum standards.

Though a public meeting was held regarding the draft by-law in 2014, alongside the new Secondary Plan for the area, the by-law was never forwarded to Council for approval.

It is noted that the Hurontario Corridor Mixed-Use One (HMU1) zone was implemented on a single property, at the corner of Steeles Avenue East and Hurontario Street, through By-law 82-2012, which would predate the 2014 zoning study.

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## 5.4 TOWN OF OAKVILLE ZONING BY-LAW, 2014-014

The Town of Oakville’s Zoning By-law was completed in 2014 and is now in effect, subject to some sections remaining under appeal before the Ontario Municipal Board (now the Local

## 7.1-63

Planning Appeal Tribunal [LPAT]). Considerations for managing transitional zoning in intensification areas were discussed in a technical paper on “Use Permissions and Zone Standards for All Other Zones” during the review.

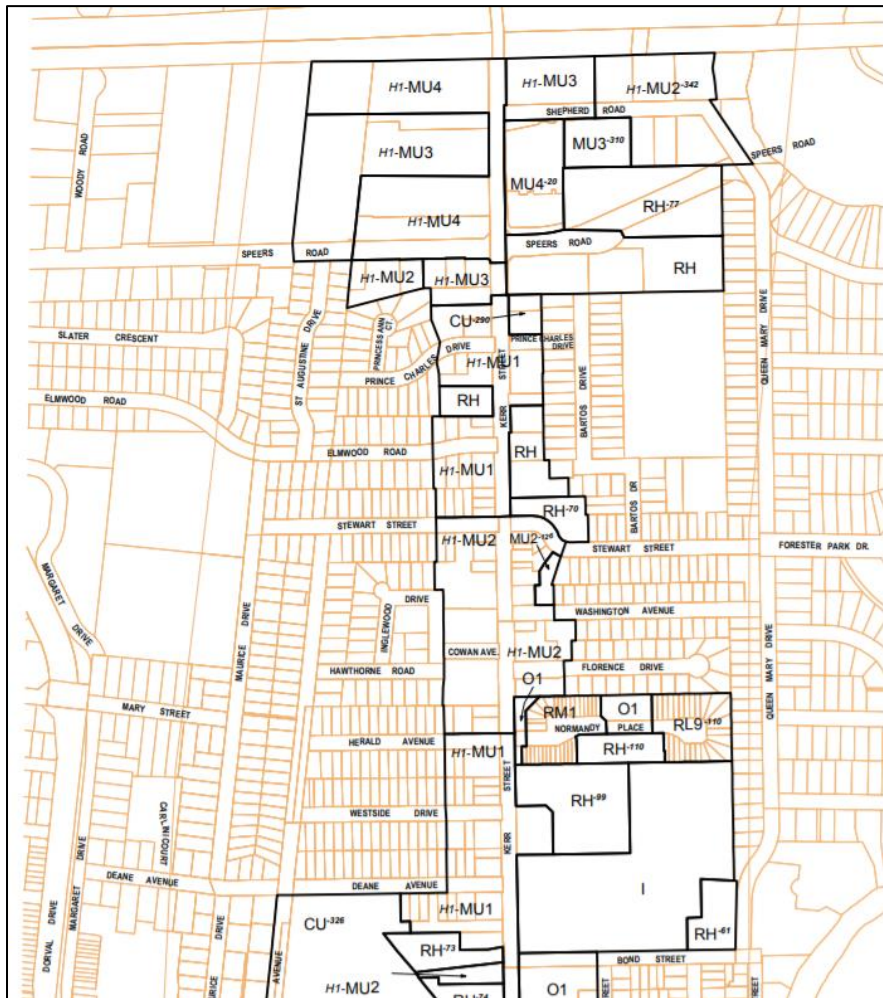
The Town previously employed an Existing Development (ED) zone across much of its newer North Oakville area. This established a blanket provision that no new buildings or structures could be developed without obtaining approval via a Zoning By-law Amendment. By effectively removing as-of-right permissions for development and redevelopment, this gives the municipality a great deal of control over development but it was found to be of greatest use in greenfield areas where change is expected and where zoning by-law amendments would likely need to occur anyway, to implement a plan of subdivision or secondary plan. This is less relevant to the context of an intensification corridor.

However, in a Technical Paper that was part of the by-law review, it was pointed out such a provision could be applied “purposely and sparingly” in transitional areas. In particular, the ED zoning could be used to preclude any development that would compromise the long-term vision for an area, by triggering a *Planning Act* response to any redevelopment. While this approach had utility for greenfield development, the downsides noted in the technical paper include the number of landowners affected in an urban context, potential negative impacts on property values (due to restrictive permissions) and an increase of work for planning staff as any change would require a response from the municipality.

In conclusion, the approach of applying an “existing use” zone category is an option for addressing non-conformity with zoning and the Official Plan. This approach, however, represents a strong approach to managing change in an area, because it would require a Zoning By-law Amendment (or variance) to permit any type of development. This could inhibit the operation and expansion of current businesses. This is likely most suitable in a greenfield context which would be poised for near-future development and where new zoning would need to be applied.

Ultimately, Oakville made use of pre-zoning for the majority of its planned intensification areas. This was done by applying a Holding (H) provision, so Council permission was required to confirm servicing allocation, stormwater management and other technical considerations prior to development proceeding in accordance with the underlying zone. The four newly created zones – Main Street 1 and Main Street 2, Urban Centre and Urban Core – were reflective of the existing Official Plan land use designations.

**Figure 10 – Pre-zoning Applied in the Town of Oakville’s Kerr Village**

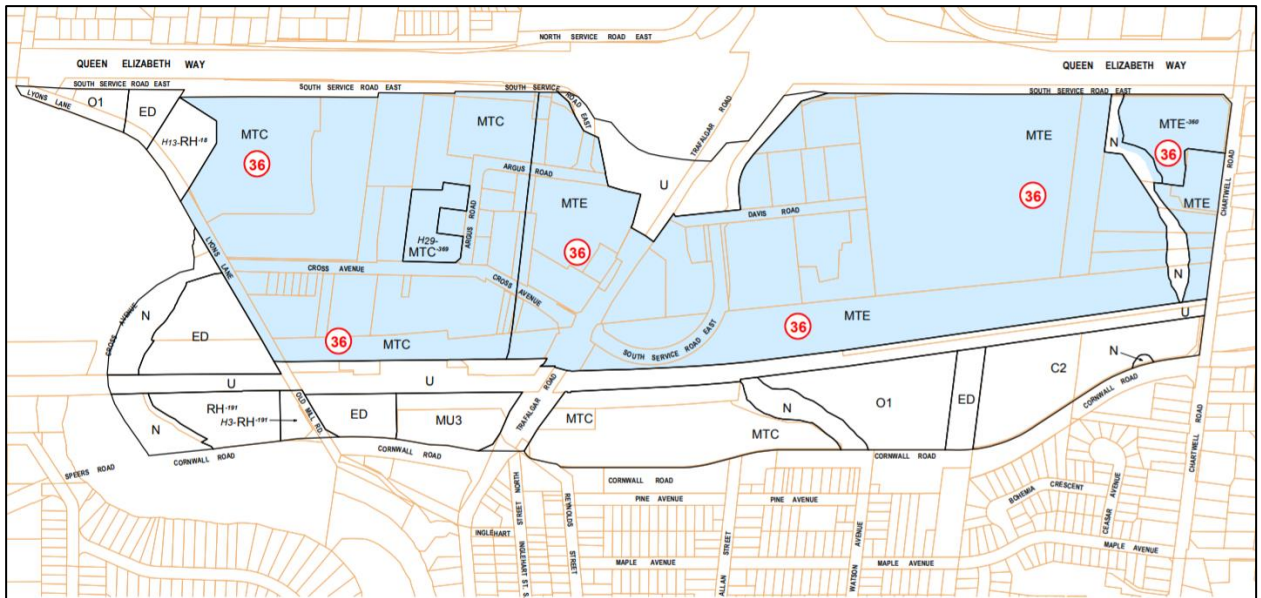


Of particular note is Oakville’s transitional approach in Midtown Oakville (the town’s UGC), an area centred around the existing GO Rail station. As in Brampton’s UGC, the district has historically been dominated by low density and auto-oriented uses but seen as a prime location for intensification and regeneration. In this area, the Town created two zones – Midtown Transitional Commercial (MTC) and Midtown Transitional Employment (MTE) – to freeze existing building envelopes, requiring Council approval and a planning application for any redevelopment. Only changes of use within existing buildings are permitted in these zones.

However, Part 7 of the By-law, which contains these provisions, remains under appeal before the LPAT. Staff recommended these zones as an interim solution while a broader Midtown Strategy, including an Official Plan Amendment, was developed. The OPA was adopted by Council in 2017 and is also under appeal to the LPAT. The Town is in the midst of an Official Plan review with Growth Area Reviews, including one for Midtown, expected in 2019.



**Figure 11 – Pre-zoning (blue areas under appeal to the LPAT) for Midtown Oakville**



## 5.5 CITY OF MISSISSAUGA ZONING BY-LAW, 0225-2007

Mississauga has addressed transitional issues as it seeks to create a mixed-use core in its own UGC, the Mississauga City Centre. The 205-acre City Centre includes existing local and GO transit connections and the city's Civic Centre but also a regional mall with extensive parking surrounded by office towers segregated by wide roads and highways. A more urban vision is being achieved through infill and high-rise development.

The City's approach was to create City Centre-specific zones: City Centre – Retail Core Commercial (CC1), City Centre – Mixed Use (CC2), City Centre-Mixed Use Transition Area (CC3), City Centre- Mixed Use (CC4) and City Centre – Open Space (CCOS). A Holding (H) provision was applied to all these zones with the removal subject to the delivery of a Servicing Agreement and/or Development Agreement. Zoning for the City Centre is contained in Part 7 of the by-law. The following text, regarding the requirements for removal of the Holding provision is included:

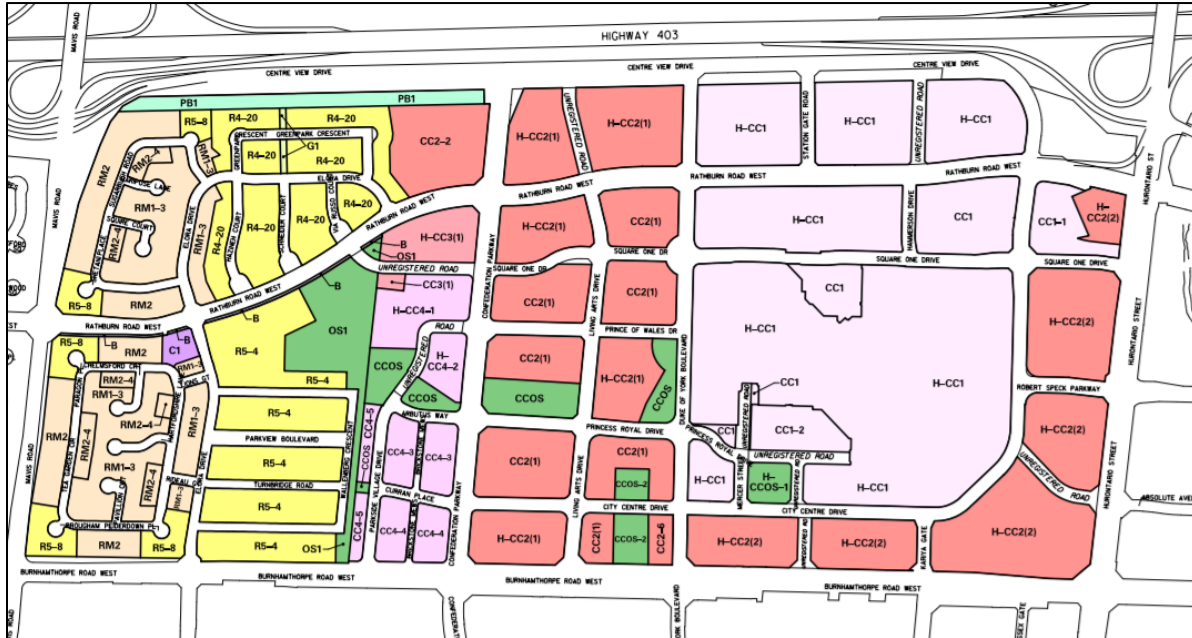
*“Delivery of an executed Servicing Agreement and/or Development Agreement in a form satisfactory to The Corporation of the City of Mississauga, addressing and agreeing to the installation or placement of all required municipal works, including municipal walkways, the provision of land dedication for future public road widenings, and transit rights-of-way and easements, including the provision of parkland, the provisions of required securities, and related provisions provided that the Servicing and Development Agreements will not require the gratuitous dedication of land for new public roads, including realignments of roads, where not otherwise permitted under the Planning Act or impose an obligation upon a landowner to construct or pay for the construction of a new road.”*

The same section outlines a policy for existing uses:



“The holding symbol H shall not prevent the use of buildings and structures legally existing on the date of passing of this By-law for those uses which are permitted by the zone in which they are located, or the expansion of parking facilities to support the uses within these existing buildings and structures.”

**Figure 12 – Pre-zoning Applied in Mississauga City Centre**



The City has been using varied approaches to other intensification areas, the most common of which is the use of a [future] Development (D) zone. This zone simply establishes that existing legal uses of buildings or structures are permitted to continue but the erection, enlargement or replacement of any building or structure is not permitted.

## 5.6 CITY OF MARKHAM ZONING BY-LAW REVIEW, ONGOING

The City of Markham is considering its own intensification transition regime through its current Comprehensive Zoning By-law review. As with Brampton, Markham is a fast-growing city with a policy framework that seeks to urbanize transit and intensification corridors. The City also has two designated Urban Growth Centres: Markham Centre and Langstaff Gateway. The former UGC is a greenfield site but the latter is home to longstanding industrial uses that will be phased out over time. As with portions of Queen Street in Brampton, auto-oriented uses dominate Markham’s section of Highway 7 which, with the implementation of the Viva BRT system, is already seeing redevelopment and intensification.

The review work is currently in its final stages but the pros and cons of differing approaches to this issue were considered at a workshop in September 2017. Three options were presented for consideration, each with advantages and drawbacks:

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- **Pre-zoning** involves putting Official Plan designations in effect for any properties not currently zoned in accordance. The advantages to this approach are:
  - Minimizing planning approvals required as only a Site Plan Application would thereafter be required to permit development;
  - Clearly establishing the City's expectations for the future development;
  - A quicker approval process due to fewer steps (i.e. the removal of the ZBLA process);
  - Increasingly the value of land by enshrining its use for intensification; and
  - No third-party OMB/LPAT appeals would be permitted as there is no further *Planning Act* process required for a conforming development.

However, the disadvantages are:

- Public involvement in the planning process is removed due to the lack of requirement for rezoning from the current use;
  - The full range of uses permitted through a Mixed Use zoning may not be appropriate for each site given the unique situations of individual sites; and
  - City-wide standards may similarly not be appropriate.
- **Pre-zoning for use only** involves establishing a Mixed-Use designation but with either no standards (e.g. setbacks, height, density) provided or a requirement that re-zoning is required to establish standards on a case-by-case basis. The advantages to this approach are:
    - Partial implementation of the Official Plan policies and establishment of the principal land use for designated properties;
    - Providing a degree of certainty to spur economic development;
    - Recognizing the uniqueness of each mixed-use site requiring context-specific standards; and
    - Allowing for public involvement in the planning process.

On the other hand, disadvantages are:

- Extension of the planning process and maintaining a degree of uncertainty;
  - Opening the door to third-party appeals through re-zoning; and
  - Potential compromising of the City's vision through negotiated settlements.
- **Establishing Future Development zones** that allow existing uses to continue but prohibit expansion and/or redevelopment without a Zoning By-law amendment is a third option.

This approach shares the advantages and disadvantages listed above for pre-zoning but comes with an increased lack of certainty about what uses will be permitted on a case by case basis and still necessitates a Zoning By-law Amendment for any development proposals.

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## 5.7 CITY OF VAUGHAN ZONING BY-LAW REVIEW, ONGOING

The City of Vaughan is currently undertaking a Comprehensive Zoning By-law review, intended to implement the City's new Official Plan. The City is located directly between Brampton and Markham with Highway 7 (aka Queen Street) providing the common intensification/rapid transit corridor for all three municipalities. Vaughan is also planning for the intensification of an Urban Growth Centre, the Vaughan Metropolitan Centre (VMC), along the Viva BRT corridor and

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adjacent to the newly opened extension of the TTC Spadina subway. Though parts of the VMC are undeveloped infill opportunities, other sections are occupied by longstanding industrial and large-format commercial uses expected to transition substantially between now and 2031.

These transition issues were discussed in the first Zoning Strategy Report. The options presented for consideration were:

- Pre-zoning represents the most permissible approach to implementing policy but removes checks or criteria.
- Pre-zoning with a Holding symbol (H), which is an approach already used by the City of Vaughan in the Carrville district, restricts any redevelopment subject to whatever criteria the municipality wishes to attach to the removal of the Holding provision. This hybrid approach provides a degree of certainty about the zoned area’s future use but maintains municipal control to a degree.
- Partial implementation can be achieved with a “Future Development” zone or a template/model zone. The former approach would establish that the site is designated for mixed-use development but hold back permissions or standards. Depending on how this is crafted, employing a Future Development zone has much of the same effect as a partial zone that withholds standards. The template/model zone would consist of pre-written text but would not be implemented. Therefore, a Zoning By-law Amendment is still required to apply the template/model zoning to a site.
- Simply maintaining the current zoning is a final approach discussed in the paper, requiring the reviewing of cases on a site by site basis.

Though Vaughan’s Zoning By-law Review is still in its early stages, the Vaughan Metropolitan Centre Secondary Plan (2017, partially approved by the Ontario Municipal Board) does provide some transitional policies, recognizing that some existing land uses, including industrial uses, will persist “for the foreseeable future,” even as the City develops its new downtown. It allows for the expansion of previously approved uses that are inconsistent with the new plan as long as:

- Increases in GFA are within the existing footprint and/or do not increase a building’s footprint more than 10%;
- The planned street network is not compromised or precluded;
- The expansion or enlargement will not “unduly aggravate the situation created by the existence of the use,” particularly in regards to Zoning By-law requirements;
- Any noise, vibration, fumes, smoke, dust, odour, lighting, parking and traffic generation from the proposal are addressed; and
- Neighbouring uses will be protected and compatibility is considered.

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## 5.8 TOWN OF NEWMARKET URBAN CENTRES ZONING BY-LAW

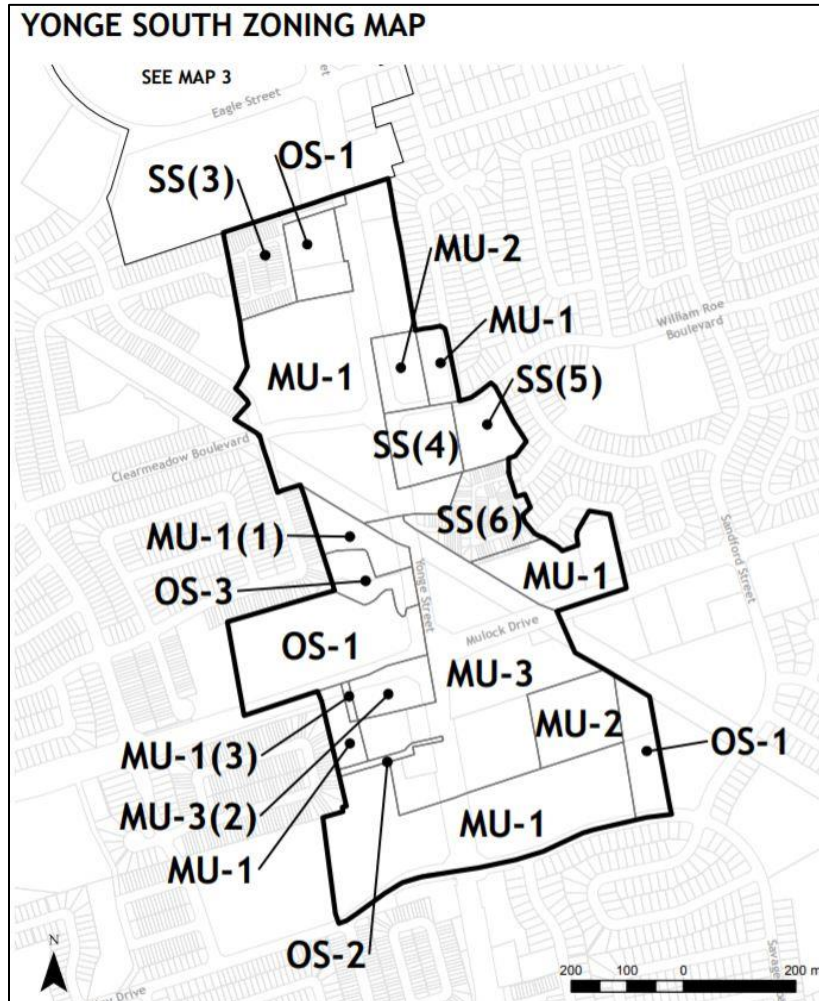
The Town of Newmarket recently approved a new zoning by-law that applies to its Urban Centres, including both a node centred around the Southlake Regional Health Centre and the Urban Growth Centre (at Yonge Street and Davis Drive) as well as the surrounding corridors. The new Zoning By-law was approved by Council on September 24, 2018.

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As in Brampton, these corridors are currently dominated by auto-oriented uses and built form but are expected to transition over time. This by-law is designed to implement policies established through a new Secondary Plan that was approved in 2014. The approved by-law includes a full suite of approaches including the introduction of 3 Mixed Use Zones, 2 Institutional Zones and 3 Open Space Zones and accompanying/revised definitions, the use of Holding provisions, Temporary Use Zones, Interim Control Zones and transition considerations. It also includes Overlay zones for parking reduction areas and for natural hazard areas.

Sections 4.6 and 4.7 address legal non-complying buildings and lots, respectively. Legal non-complying buildings or structures are permitted to be enlarged, repaired, expanded or reconstructed so long as they do not encroach further into any yard, increase their extent of non-compliance with maximum yard setbacks and comply with other provisions of the by-law. Section 6.2.1.2 allows legal non-complying buildings in Mixed Use zones a gross floor area expansion of up to 10 per cent without having to comply with the newly implemented density and height requirements. Interim development, including new commercial buildings, is also permitted subject to several site-specific exceptions.

**Figure 13 – Town of Newmarket Urban Centres Zoning, Map 4 (Source: Town of Newmarket)**



The Town's overall approach was to pre-zone the corridor and then apply site specific provisions, Holding provisions, or Temporary Use Zones on a site-specific basis, as deemed necessary. On several properties, an Interim Control (IC) provision is attached to the new zone, meaning no change in use and no construction of any building or structure is permitted until the expiry of the site-specific by-law.

As in other examples discussed previously, the Holding provision, which is widely used here, establishes the new zone but with specified provisions before development may proceed. Temporary Use Zones allow one or more uses to continue on the lands noted until the permission granted through the site-specific permission expires (i.e., a sunset clause).



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## 5.9 CITY OF KITCHENER COMPREHENSIVE ZONING BY-LAW REVIEW, ONGOING

The City of Kitchener is similarly in the final stages of completing a new Zoning By-law, having approved Stage 1 (i.e., the major components) on April 29, 2019.

In regards to the City's Urban Growth Centre, four new zones (UGC-1, UGC-2, UGC-3, UGC-4) were created and described within Section 6 of the By-law, each reflective of a different district within the UGC (City Centre, Civic District, Innovation District, Market District). The entire UGC will be pre-zoned with the new designations but several transitional strategies are established elsewhere in the By-law. (The sections of the new by-law pertaining to the Urban Growth Centre are among those not yet finalized, along with Sections 19 and 20, described below.)

Section 18 establishes general Transition Provisions for complete applications, along with a three-year sunset clause. Section 19 contains several site-specific provisions, generally in reference to height and density, but also bonusing provisions, setbacks and other criteria, for UGC-zoned properties. Holding provisions are established in Section 20 but are only applied to a select few UGC properties.

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## 5.10 EXAMPLES OF TRANSITIONAL ZONING

There were few examples of transitional zoning identified, in which existing uses are permitted, but there are provisions to enable existing uses to expand by some degree, providing business owners with some flexibility to expand their business.

As mentioned in Section 5.8, the Town of Newmarket's draft Urban Centres Zoning By-law contains some transition provisions, allowing legal non-conforming uses to expand within prescribed setbacks.

In January of 2018, the City of Hamilton undertook a housekeeping amendment to its zoning by-law, aiming to expand and add zones along its Transit Oriented Corridor. As part of this effort, the City included regulations aimed at allowing a degree of short-term, incremental change while preserving the overall intensification goals for the corridor. Under these regulations, commercial buildings are permitted to expand by up to 10%, are exempt from some built form requirements, infill development below 650 m<sup>2</sup> (e.g. pad stores) is permitted and the uses do not have to conform to the new minimum height and maximum street setbacks.

City of Hamilton staff advised these new provisions were related to the extension of the existing corridor zoning into an area dominated by large format, auto-oriented commercial uses first developed in the 1960s and 70s, much like the Queen Street Corridor Study Area. In regards to the specific provisions for expansion, the 10% expansion permission is to allow for minor additions to one-storey buildings with large setbacks. The specific number was considered a "minor" adjustment that would not alter the intent of the zoning.

The 650 m<sup>2</sup> figure was targeted towards larger plaza properties that may seek to add new pad buildings, with 650 m<sup>2</sup> seen as a threshold within which typical pad buildings fall.

The City of Ottawa has a similar provision in its own zoning by-law, for the Arterial Mainstreet 10 (AM10) zone. Specifically, the zone establishes new minimum building heights but buildings

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existing as of the implementation of the by-law are permitted to expand up to 600 m<sup>2</sup> or 20% of the existing GFA, and following the issuance of a building permit, no other expansion is permitted for 12 months.

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## 5.11 CONCLUSIONS

There are numerous approaches, across various municipalities, to managing the transition of uses in evolving cores. This reflects the need for municipalities to identify an appropriate zoning solution with fits the specific context of the area and the specific intent of the policy framework.

It is noted that the approach implemented is always an approach that specifically fits the context and policy framework of the municipality. There is no one standard approach used by all municipalities, but variations amongst several different options.

## 6 ZONING UPDATE OPTIONS

There is a wide range of options to modify and update the zoning within the Queen Street Corridor to ensure it works towards achieving the vision intended in the City's policy documents. These options range in use from prescriptive to permissive, and come with various advantages of disadvantages. They are:

- Maintaining the existing zoning;
- Pre-zoning the requirements of the Official Plan/Secondary Plan;
- Applying a future development zoning, in which a rezoning is required to permit any development;
- Transitional zoning, in which existing uses are permitted with some degree to expand or change, but a rezoning is required to facilitate comprehensive redevelopment in line with the Official Plan/Secondary Plan; and
- Setting out template zones to set out the requirements of the Official Plan/Secondary Plan, without actually applying the zone to any lands.

The options above are not all mutually exclusive. Some of the options may be combined, as discussed in the following subsections.

Further, it is important to note that the *Planning Act* contains provisions regarding legal non-conforming uses, and these provisions will apply regardless of the option selected. Under Section 34 (9) of the Act, zoning by-laws cannot be used to prevent the use of land, building or structure which were lawfully used before the by-law was passed, as long as it continues to be used for the purpose now prohibited by the zoning by-law. This means that a use that was legally established before the zoning by-law came into effect will continue to be permitted, as long as the use has continued over time. These uses are referred to as legal non-conforming uses.

In order to expand a legal non-conforming use (e.g., a building addition), Committee of Adjustment approval is typically required (granted under Section 45(2)(a)(i) of the *Planning Act*). Further, Committee of Adjustment can grant variances to permit a legal non-conforming use to convert to another legal non-conforming use as long as the new use is similar to the existing non-conforming use or it is more compatible with the permitted uses (Section 45(2)(a)(ii) of the *Planning Act*).

The City of Brampton's Comprehensive Zoning By-law enables enlargement of non-conforming uses and non-complying buildings provided the provisions of the by-law which are not complied with are not contravened to a greater extent (Sections 6.1 and 6.2). These provisions would allow extensions and enlargements of non-conforming uses and non-complying buildings to occur without Committee of Adjustment approval as long as the other requirements of the By-law are complied with.

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### 6.1 OPTION 1 - MAINTAINING EXISTING ZONING

One option is to maintain the status quo by leaving the existing zoning in place. This option is not recommended as there are many conflicts between the zoning and the goals and policies described in the Official Plan and Secondary Plan, as well as the broader goals of the Growth

Plan and PPS. The main reason the study was initiated was to address these conformity issues. The City took the first step towards addressing these issues in 2006, with the enactment of Zoning By-law 267-2006, which removed some permissions for automobile-oriented uses in some locations in the corridor.

Maintaining the existing zoning could precipitate a degree of development that is not aligned with the intended mix of uses and a denser, pedestrian-oriented built form. While no redevelopments or major building expansions were identified between 2006 and 2017 (based on air photos and building permit data discussed previously), the risk would still exist. There is an intent by the Province to ensure that there is alignment between zoning and the Official Plan. Further, with the City planning to upgrade rapid transit service along the Queen Street Corridor, the risk of leaving the zoning as-is could compromise the City's long-term vision for the corridor.

Amongst case studies reviewed, no other municipality left zoning as status quo in similar situations, but rather implemented updates to bring zoning into alignment with intensification policy.

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## 6.2 OPTION 2 - PRE-ZONING

Another option, which the City has employed in the past in other circumstances, is to pre-zone the Study Area. This would entail implementing the Secondary Plan "Central Mixed Use" designation through newly created zones and applying these zones within the Study Area. The zoning would permit the land uses as well as set out lot and building requirements and densities which directly implement the applicable policies. It is worth noting the City took this approach with both the Kennedy Road South Revitalization Study, as well as via By-law 266-2016, in the adjacent Downtown part of the UGC. When zoning was updated for the Study Area at the same time, the City chose to use a different approach, recognizing the different context and conditions of the auto-oriented corridor and its development potential in relation to the historic core.

Pre-zoning has numerous advantages and disadvantages that have been noted in the case studies reviewed in Section 5 of this Report. Advantages of pre-zoning include, for example:

- Development would not be required to obtain a zoning by-law amendment to permit what is intended by the Official Plan, reducing potential appeals and speeding up the rate of redevelopment.
- Uses and building typologies that do not fit within the policies of the Official Plan would no longer be permitted as-of-right.
- Development that does not fit within the policies of the Official Plan would trigger a planning process (zoning amendment or minor variance) to evaluate the merits of the deviation against the current policy.

Some of the risks or disadvantages of pre-zoning includes, for example:

- Pre-zoning may be associated with increased land value which can increase the cost of land acquisition for redevelopment and affect the rate of development.
- Most of the existing corridor would not comply with the pre-zoned standards, as the majority of development represents automobile-oriented, low rise commercial uses which does not align with the vision for the corridor. As such, many of the existing uses would become legal

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non-conforming uses and the buildings would similarly be legal non-complying buildings as they would not achieve the pre-zoned built form requirements, such as building height.

- Pre-zoning would reduce opportunities for public involvement in development approval processes, as development would largely only be subject to site plan control (provided development is proposed to be consistent with the pre-zoned requirements).
- Pre-zoning would eliminate the ability to consider site-specific issues through a zoning by-law amendment process. Accordingly, there is a need to have a very strong framework for managing compatibility of development, such as detailed urban design guidelines, so that these issues could be addressed primarily through site plan control.

Pre-zoning is often combined with Holding symbols to manage technical issues, such as confirmation of servicing or mitigation of traffic impacts. Holding symbols are passed as by-laws in accordance with Section 36 of the *Planning Act* to restrict development until the holding symbol is removed by by-law. The requirements for removing the holding symbol are set out in the holding by-law.

While pre-zoning has been applied by the City of Brampton and has been used by other municipalities, the specific context of this Study Area must be thoughtfully considered. An example of the use of pre-zoning is in the City of Mississauga's City Centre (Section 5.5).

The following contextual considerations are noted:

- The Study Area has a wide range of lot sizes, from plazas that spread across several hectares to single-detached dwellings. This will present challenges in terms of developing a zone that will be suitable for the range of contexts currently in place as well as in providing consideration for adjacent uses. Accordingly, pre-zoning is less desirable unless specific sub-zones were developed to apply to various parts of the individual corridor and/or holding provisions were provided to ensure facilitation of lot consolidation and ensuring that development opportunity of adjacent sites is considered and not precluded.
- The evolution of this large corridor is likely to occur over the very long-term, regardless of pre-zoning. A few significant developments have come forward and been constructed successfully in the corridor without the application of pre-zoning. Many of the existing businesses in the corridor are likely to continue over the long term and one recent example of a site being redeveloped (without changing the tenant) has been noted. Generally, there is a low vacancy rate amongst commercial space in the corridor.
- The existing policy framework has some gaps in terms of setting out clear built form requirements. While the Secondary Plan identifies maximum densities, it is silent on building typologies (height) and does not prescribe any minimum densities. Given the varied nature of the corridor and different compatibility needs, effective pre-zoning would require a careful understanding of appropriate heights and densities throughout the corridor. Design guidelines would also be beneficial.
- Planning policy within the corridor is expected to evolve in the future, particularly as a framework for implementing Major Transit Station Areas is implemented. This could result in more specific identification of desired heights and densities in relation to proximity to Major Transit Stations.

In consideration of all of these matters, comprehensive pre-zoning of the Official Plan and Secondary Plan policies across the corridor is not preferred. Recognizing the current gaps in policy for built form, and the evolving direction that could come about as the City identifies Major



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Transit Station Areas in this corridor, pre-zoning would be premature. It would be difficult to pre-zone certain standards and for the City to have to modify those standards in the future (potentially including reducing permissions depending on the outcome of the Major Transit Station Areas review).

It is noted there are opportunities to pre-zone only a portion of the requirements, such as pre-zoning only for permitted use, or pre-zoning some minimum standards which help to advance the intent of the Official Plan and Secondary Plan.

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## 6.3 OPTION 3 - FUTURE DEVELOPMENT ZONING

Future development zoning is an approach in which the current zoning is changed so that a new zone applies which only permits existing uses, buildings and structures. Accordingly, any type of development, change in use or building expansion would require a *Planning Act* process such as a rezoning. This is a very restrictive approach but ensures that development will be in conformity with policy, since development will trigger a planning application which will be evaluated against the applicable policy.

Future development zoning is frequently employed within the greenfield context and occasionally employed in an intensification context. One example of a Future Development Zoning approach is the Midtown Oakville MTC and MTE zones (discussed in Section 5.4). However, that approach was intended as a temporary solution until the policies and zoning could be thoroughly updated in this area.

The advantage to this approach is that it assures that all changes of use and development will require a thorough review process, including opportunity for public input. However, the approach is highly restrictive over existing landowners. A significant risk of Future Development Zoning is that it will likely lead to opposition from existing landowners and businesses, as their current operations will be restricted. To expand floor area of an existing business under this scenario, the owner would need to obtain a zoning approval, such as a minor variance. There could be an opportunity to accompany a Future Development Zoning approach with minor variance approval criteria, as permitted under Section 45(1.0.3) of the *Planning Act*. This would enable the City to set out parameters under which minor variances for the expansion of existing uses would be permitted. However, it would still mean that any such expansions would require a planning approval and that current entitlement would be reduced.

Generally, this approach is not preferred as an overall solution to non-conformity between existing zoning and Official Plan policies. Recognizing the long-term evolution of the corridor, this approach would be highly restrictive. While there were few changes to buildings observed over the past 10 years in the corridor, there certainly has been investment made in existing buildings and changes in tenancy and the future development zoning approach would be highly restrictive.

Though Future Development zoning would not be practical as an overall approach, it may still have utility on a more limited basis. In particular, whereas commercial uses are expected to evolve as the corridor moves towards the buildout of the Secondary Plan vision, industrial and single-detached residential uses are not part of that vision. Accordingly, allowing expansions of those uses could potentially undermine the future buildout of the corridor. A Future Development zone on these sites would give Council the ability to determine, on a case-by-case basis, whether any proposed changes/expansions should be permitted.

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## 6.4 OPTION 4 - TRANSITIONAL ZONING

Transitional zoning is an approach in which some or all legally existing uses are permitted and there are specific provisions that enable some or all existing uses to expand by a specified amount, or for changes in use to occur, without the need for a zoning approval process (rezoning or minor variance). There are many possible variations to this approach. This approach could also be combined with pre-zoning (Section 6.2), or it could be combined with future development zoning (Section 6.3), to give greater flexibility to these approaches.

Under this approach, permissions for any future development of non-conforming uses would be removed, but the present and future needs of existing businesses would be more thoughtfully considered and provided for. Transitional zoning could include providing for expansion of existing uses by some degree (or a percentage of gross floor area) or permitting some other transitional development that begins to work towards implementing the policies of the Official Plan and Secondary Plan.

Considering the long-term nature of redevelopment amongst some sites in the corridor, transitional zoning provisions have applicability for guiding appropriate transition of the corridor over time.

A transitional zoning framework could address many different matters, and there are many possible variations, as discussed in the following subsections.

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### 6.4.1 EXPANSIONS OF EXISTING BUILDINGS

Transitional zoning could allow for some degree of expansion of existing buildings to occur. Available building permit data and the review of air photos suggests requests for expansions have been extremely limited within the last 10 years. Development activity in the corridor has principally occurred in the form of changes of use which appears to have precipitated investment largely within the existing buildings. This is indicative of the continued viability of existing buildings and likelihood that for many sites, major redevelopment is likely going to take place over the very long term. The major development that has occurred in the corridor has principally been for mixed uses which are considered in line with the policies of the Official Plan and Secondary Plan. One example of a redeveloped restaurant use was noted in the past 10 years.

Two key examples of other transitional zoning approaches which addressed building expansions were noted in Section 5 of this Report. As noted, the Vaughan Metropolitan Centre Secondary Plan establishes permissions to enable expansions of up to 10% of existing gross floor area, along with meeting other criteria. In Hamilton, there were zoning provisions enabling expansions of up to 10% of gross floor area.

The types of building expansions that could be proposed through the Study Area would vary considerably, as built form varies. It could take the form of the addition of one or more storeys to an existing building or expansions to the building footprint. The location and nature of the expansion would vary depending on the nature of the use and the existing building footprint.

Further, consideration could be made to consider permitting building expansions for only certain uses. Some existing uses in the Study Area are permitted by the Secondary Plan (albeit in the

desired form of a mixed-use building) (e.g., restaurants), whereas others are not permitted or envisaged in the corridor (e.g., automobile repair uses, automobile dealerships, etc.).

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## 6.4.2 STAND-ALONE INFILL PROPOSALS

Opportunity exists, on larger sites, for infill to occur within large parking areas and underutilized portions of the site. Provided the owner would meet the parking requirements with the new proposed building, under the current zoning, this type of infill would be permitted to occur in the form of stand-alone commercial uses.

Ideally, any proposed infill on large sites would take the form of mixed uses and buildings that would meet the policies of the Secondary Plan and Official Plan. However, on very large sites, it may not be realistic to expect full redevelopment of the site to mixed uses given the pace of redevelopment that has occurred in the corridor, given the extensive size of some of the commercial properties.

Transformation of any site is difficult to predict and is driven by the property owner. On very large sites, achievement of the policies is more likely to be phased in over time, rather than a wholesale redevelopment, as redevelopment of a very large site in accordance with the Official Plan would result in a great number of new units and floor space being created which may not be suitably correlated with market demand. As such, a gradual transition of larger commercial sites should be expected and planned for.

A transitional framework can address infill development on very large sites, with a degree of permission for allowing new stand-alone commercial and similar buildings to be constructed on the site which do not achieve the policies of the Official Plan (e.g., regarding mixed use or minimum 4 storey development). There would be a need to set out criteria to guide these types of proposals. In particular, this type of proposal should be supported by a long-term phasing plan submitted by the developer to describe how the proposal will not compromise achievement of the policies of the Official Plan and Secondary Plan over the long term.

The zoning by-law can also set out limitations to implement the criteria of the Official Plan and Secondary Plan, such as the location and size of permitted infill buildings. In the case study reviewed in Hamilton, a maximum gross floor area of 650 m<sup>2</sup> was established. Similar stand-alone commercial uses in the Queen Street Corridor vary considerably, from under 300 m<sup>2</sup> to up to about 650 m<sup>2</sup>. Alternatively, rather than setting out as-of-right permissions, it may be desirable to require a zoning by-law amendment to permit the construction of new buildings which are not in line with the vision of the Official Plan, to ensure that the criteria set out in the policy framework will be achieved.

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## 6.4.3 BUILDING RECONSTRUCTION AND CHANGES OF USE

Consideration should be made to address reconstruction of existing buildings and the uses that are permitted within the redeveloped/reconstructed building. Under the *Planning Act*, as previously noted, a property owner is entitled to reconstruct their building where the use was legally established, and this should not be hindered by the zoning by-law. However, restrictions can be made regarding any proposed increase in the gross floor area of a reconstructed use. Under Brampton's comprehensive zoning by-law, legal non-conforming uses are permitted to expand in an unlimited manner provided the various zone requirements are still achieved (e.g.,

setbacks and maximum building height). A transitional zoning framework should apply restrictions on how non-conforming uses and buildings should be able to expand where they are reconstructed.

Under the current zoning, potential exists for a property owner to reconstruct a building and to utilize that building for a different permitted commercial use. This would be impactful to the corridor. As noted, reconstruction for a legally existing use cannot be hindered by the Zoning By-law, but there is opportunity to manage the change of use to ensure the vision for the corridor is not being precluded.

Further, under current zoning, uses are permitted to change unhindered as long as the use is permitted in the zone. For example, an existing retail use could transition to a restaurant. A transitional zoning framework would need to consider change of use. However, a transitional zoning framework should not be too restrictive with respect to limiting changes of use, as this may lead to vacancies if the owner is unable to find a new tenant. As noted previously, there have been building permits that appears to relate to changes of use.

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#### 6.4.4 TEMPORARY USE PROVISIONS

As part of a transitional zoning framework, consideration could be made to implement some or all of the permissions discussed on a temporary basis, via a temporary use by-law, under Section 39 of the *Planning Act*. A temporary use by-law enables temporary use of land, buildings or structures for any uses that would normally be prohibited for a period of up to three years. After three years, Council may grant further extensions of up to three years each. The number of extensions that can be granted by Council is not limited by the *Planning Act*.

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## 6.5 TEMPLATE ZONES

Template zones may be used in conjunction with the proposed approaches described above. In this instance, one or more new zone(s) categories would be created, but the zone would not be applied to any properties in the corridor. The zone(s) would be used as a model with policy-conforming regulations and requirements against which proposed developments can be evaluated on a case-by-case basis.

One advantage to using template zones is that the City already has models that can be considered in the Study Area. The zones developed for the pre-zoning of Downtown in 2006 and for the Hurontario corridor, for example, provide starting points for establishing zoning standards for the Queen Street Corridor, as the policy guidance is similar and some of the design and form-based concepts implemented in those zones are relevant. Further, some of the recent desirable mixed-use developments in the Study Area could represent good precedents in terms of appropriate heights, densities, setbacks, etc.

Though not actually in effect or providing undue restrictions on existing businesses, the template zone would make clear the City's expectations in respect to new developments properly addressing the policy regime for the corridor. This would provide a degree of certainty for developers and thereby improve the development process both for developers and for the City.

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## 6.6 CONSULTATION

A Public Open House was held on June 20, 2018 at the Century Gardens Community Centre to inform residents and landowners about the Study and solicit input on the preliminary recommendations. There were approximately 40 attendees, including some landowners and many residents who lived just outside the Study Area and who were concerned about potential impacts from rezoning and inquiring as to how the study related to the rapid transit and other ongoing plans for the corridor.

Four comment sheets were submitted. These comments are summarized as follows:

- Because Queen Street East is a crucial corridor with relatively limited access for residents, intensification must be well planned, incorporate a mix of uses and include adequate parking. The corridor should not be just for commuters.
- Pre-zoning for high density uses should be the preferred option, to encourage change, make the city more liveable and discourage uses that serve people coming from far away by car. Transitional Zoning is a “watered-down” response the Growth Plan and Official Plan vision that won’t encourage change in the near future.
- Will there be new transportation infrastructure, such as a new service road, north of Queen Street East, in between Hansen Road and Highway 410?

A second Public Open House is planned for June 12, 2019, to consult on the preferred approach presented in this Report. This Report will be updated to incorporate input received from participants.

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## 6.7 PRINCIPLES

Based upon the preceding analysis of options, the following principles are proposed to guide the development of a Secondary Plan Amendment and Zoning By-law Amendment:

- Firstly, the status quo of the zoning, which is considerably out of line with the policies of the Official Plan and Secondary Plan, creates a significant degree of risk that existing uses will redevelop in a manner that compromises the intended vision for the corridor. The zoning in the corridor must be modified.
- Comprehensive pre-zoning of the corridor is considered premature at this time, particularly in recognition of ongoing assessments of potential future Major Transit Station Areas, where requirements for height, density and permitted uses may be further refined in the future. However, upon completion of the studies related to Major Transit Station Areas in the corridor, pre-zoning may represent a suitable approach which the City should explore at that time.
- Template zones are valuable for setting out appropriate development standards, which can be applied on a case-by-case basis as development proceeds.
- The evolution of the corridor is likely to take place over the very long term, as evidenced by the rate of recent mixed-use development compared with the size of the corridor, and by the fairly low vacancy rates and degree of investment that has taken place with respect to existing buildings. As such, a future development zone approach, which fully freezes



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development, should only be considered for those uses which are not envisioned to continue in the corridor (e.g., single detached dwellings and industrial uses).

- A transitional zoning framework is the most suitable approach for ensuring that the vision for the corridor is not compromised but that a reasonable degree of opportunity is afforded to existing businesses that are not ready to redevelop. This approach best reflects the specific context of the Study Area.
- Transitional provisions should not preclude the implementation of the overall long-term vision for the corridor. Redevelopment of commercial uses and can be desirable where it assists in transitioning the corridor towards a more pedestrian-friendly format.
- A transitional policy/zoning framework should carefully manage various matters to best balance flexibility and support viability of businesses while ensuring the long-term vision for the corridor will not be affected. Elements of a transitional policy and zoning framework should consideration for the following:
  - **Expansions of existing buildings:** The framework should consider the potential for future building expansions to existing buildings. There have been no observed instances of buildings being expanded within the corridor in the past 10 years, so this matter is not considered a major issue. However, permitting a moderate expansion (no more than 10%) would give a reasonable degree of flexibility to existing businesses. The potential location of the permitted expansion will depend upon the configuration of the existing building. Generally speaking, a permitted expansion, which would be minor in nature, is intended to facilitate a degree of permissiveness for existing property owners and business. The permission is not intended as a design tool to assist in crafting a desirable built form. Rather, it is intended to give some flexibility to businesses. The minor nature of the permission would not precipitate major improvements which create any significant opportunity for positive contribution to the public realm or to improve the building's relationship to the streetscape. Accordingly, there should not be any specific requirements regarding the location of the building expansion from an urban design perspective. Other criteria, however, could be considered to guide the expansion of the building, such as ensuring that the building expansion will not represent an increased nuisance from a noise, compatibility perspective which could limit opportunity to adjacent properties to be developed for residential uses. It is difficult to fully implement this type of criteria in zoning, however, so consideration could be made to integrate criteria in the policies and/or design guidelines.
  - **Changes of use (existing buildings):** The framework should consider proposed changes of use. Allowing a change of use to a use permitted by the Secondary Plan, within an existing building, should be supported, to give property owners flexibility with respect to securing tenancy. As has been noted, there appears to have been significant investment in the existing building stock, including changes of use and this is likely to continue.
  - **Building reconstruction (use):** As noted, there is no opportunity to restrict reconstruction of a use that was legally established per legal non-conforming rights under the *Planning Act*.
  - **Building reconstruction (location):** The reconstruction of an existing use should, as much as possible, work towards achieving the policies of the Official Plan and Secondary Plan. The use should be constructed in a manner that better addresses the streetscape. This will be very site-specific. In some cases, it may be desirable to

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encourage the owner to relocate the building close to the streetscape and start to contribute to the pedestrian-oriented format. In other cases, depending on the configuration of the site and the owner's intentions, it may be best to reconstruct the use in a manner that enables the front portion of the site to be infilled in the future with a mixed-use building that will achieve the policies of the Official Plan and Secondary Plan.

- **Infill buildings:** Owners may also propose to build new buildings to start to fill in portions of the site over time. If located and sized appropriately, this can represent an appropriate gradual transition towards the vision outlined in the Official Plan and Secondary Plan. However, this will vary considerably on a case by case basis. Accordingly, it is recommended that such a proposal require a zoning by-law amendment and the policies and guidelines should establish criteria to ensure the proposal is appropriate and does not compromise the ultimate vision for the corridor.
- The transitional provisions should not remain within the policy framework over the long-term, but should be viewed as temporary in nature. A review of the provisions should be undertaken in conjunction with the advancement of policies to implement the Major Transit Station Areas, as it may be appropriate to implement pre-zoning or other approaches at that time.
- Further to the above, it may be suitable, depending on the timeframe for the Major Transit Station Areas review, to apply some or all of the transitional provisions as temporary measures via a temporary use by-law (i.e., up to 3 years, with the opportunity for property owners to seek extensions of these provisions).
- Future Development zoning can be implemented on a limited basis in areas zoned with uses that are not part of the Secondary Plan vision (i.e., Industrial and Single-detached residential), ensuring no expansions can take place without Council approval. Additionally, it is desirable to place the zoning on any vacant commercially zoned sites, as the transitional policy framework would not be applicable, and redevelopment should require a rezoning.

## 7 POLICY, ZONING AND URBAN DESIGN FRAMEWORK

Based on the assessment of Section 6, a transitional framework for managing change in the corridor is the recommended approach, balancing the needs of existing business owners while ensuring that the long-term vision for the Queen Street corridor will be achieved. As noted previously in this report, this Study does not constitute a review of the Secondary Plan, but is principally geared towards ensuring alignment between the Official Plan, Secondary Plan and zoning. To support the recommended transitional framework, both complementary policies and zoning is required. Further, there is a need to update the interim Urban Design Guidelines to address the recommended framework in more detail where such guidelines are not suitable for implementation in policy or zoning.

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### 7.1 POLICY FRAMEWORK

Based on the analysis and principles established in Section 6, a policy framework to implement the recommended transitional approach is as follows:

1. The policy framework should introduce the intent of the transitional policy framework, which is to balance the needs of existing businesses while ensuring that the overall vision for the corridor is not being negatively impacted or precluded.
2. The policies should set out the transitional framework including directing certain matters to be addressed by the zoning by-law:
  - a. Existing uses should be permitted within existing buildings and recognized as permitted uses in the zoning by-law. However, expansions of existing buildings that are not in conformity with the Official Plan and Secondary Plan will be limited to expand by 10%, as set out in the Zoning By-law.
  - b. Uses and buildings will not be permitted to change use to an alternative lower order commercial use or other use which would be impactful to the intended mix of uses in the corridor.
  - c. Reconstruction of existing buildings should work towards an improved built form which advances the vision for the corridor. This will vary considerably based on the specific nature of the site and the proposal. In some cases, it may be suitable to encourage the owner to reconstruct the building in a manner that better addresses the Queen Street streetscape. The Secondary Plan needs to be updated to establish suitable policies to guide reconstruction.
  - d. Infill development should only be contemplated through a zoning by-law amendment which will need to demonstrate a long-term plan for phasing in a mixed-use development on the site and other locational and size criteria. The emphasis is for the City to work with the owner to locate any proposed infill buildings in a manner that best contributes positively to the evolution of the Corridor and its built form objectives. Generally, the Queen Street frontage

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should be utilized for multi-storey buildings that frame the streetscape. Additionally, the City should be contemplating the long-term provision of new roadways as intended by the Secondary Plan.

- e. Changes in use within an existing building should be permitted, but only if the proposed use is permitted by the Secondary Plan.
3. The policies should direct a review of the transitional policies, permitted uses and heights and densities, based upon outcomes of the Queen Street Transit Master Plan / identification of Major Transit Station Areas, and/or the Official Plan Review, as appropriate. This should include consideration for pre-zoning any detailed recommended standards as an outcome of that exercise.
4. There should be policies to address the potential need for lot consolidation, recognizing that many sites in the corridor (particularly west of Kennedy Road) may not sufficiently accommodate the type of development that is envisaged without some degree of lot consolidation. If surrounding parcels are not thoughtfully considered, redevelopment might be precluded on remaining lots. This could involve requiring submission of a tertiary plan in some cases or addressing the matter otherwise in the development application.
5. Similarly, the fragmentation of ownership, such as through the introduction of condominium ownership of commercial uses, should be discouraged. Condominium ownership would decrease the likelihood that development could reoccur.

Further, based on the review of the Secondary Plan and zoning, the following minor updates to the policy framework will also be considered:

1. Permitted uses in the Central Area Mixed Use designation should be clarified. In particular, Section 5.1.2.1 (permitted uses for the Central Area Mixed-Use designation) would benefit from clarity regarding mixed-use development. As written, the policy articulates an overly broad definition of mixed-use development.
2. There are some gaps in terms of built form requirements, particularly minimum and maximum building heights and other built form requirements. While the Plan includes policies regarding maximum FSI, it does not address minimum FSI. Further, FSI is a tool used to manage intensity. A wide variety of built forms can achieve a particular maximum FSI. Accordingly, there is a need for a clearer expectation about desired built form, to guide development review and zoning.
3. At this time, these built form policy gaps can be filled in, in consideration of the Interim Design Guidelines, and the policies of the Official Plan. However, it should be recognized that these requirements may evolve through determination of Major Transit Station Areas and more detailed guidance which will likely emerge as an outcome of that process.
4. Section 5.1.3.3 references the prior Official Plan and there may be an opportunity to update this reference to align with the current Official Plan.
5. There is some repetition amongst the maximum FSI requirements between Section 5.1.2.2 and Table 1. This is more of a housekeeping update, as the policies are currently consistent.

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6. It is noted that Section 6.3, describing the land use and density mix of the Secondary Plan, is premised on anticipated transit service. Thus, there may be a need to revisit overall density and land use requirements based upon the outcome of the Queen Street Transit Master Plan. The implementation of rapid transit in dedicated corridors may represent a rationale for greater densities in certain portions of the corridor.
7. Section 9.3 will be modified to reflect the transitional policies as it applies to the Study Area. Deletion of this policy is not suggested as the policy has applicability to lands outside of the Study Area, which have not been examined.

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## 7.2 ZONING FRAMEWORK

A zoning by-law amendment will be required to implement the recommended transitional framework, providing additional detail and regulation to support the framework recommended in the Secondary Plan.

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### 7.2.1 ZONING MODIFICATIONS

The current zoning is recommended to be modified to implement the transitional policy framework as recommended. This would require modification of the existing zoning (as noted, which is principally Highway Commercial One and Service Commercial) to a new zone category such as a Queen Street Mixed Use Transitional (QMUT) zone or it could be applied as new Special Section zones. As has been noted, consideration should be made to simplify current zoning resulting from amendments over the years, and the application of one standard zone category can help to achieve this. Further, there is no reason to carry forward numerous base zones in the corridor (e.g., Highway commercial, Service Commercial, etc.) since all lands are now subject to one land use designation (Central Area Mixed Use).

The proposed new zone would permit existing uses, buildings and structures. To facilitate the recommended transitional framework, including allowing for uses to be converted within existing buildings, there is also a need to establish a list of permitted uses beyond the existing uses. The list of permitted uses would be drawn from the current zoning, but would need to exclude any uses not contemplated by the Official Plan and Secondary Plan such as automobile repair uses. Most of these uses were removed as part of Zoning By-law Amendment 267-2006, but there is a need to examine all permitted uses to ensure conformity with the Official Plan and Secondary Plan.

The lot and building requirements of the zone would need to recognize legally existing conditions to restrict floor area expansions, except as contemplated in the transitional strategy, in which a maximum expansion of 10% would be permitted. To facilitate the recommendations discussed previously, it would also be desirable to establish reduced setbacks to enable a reconstructed building to be relocated on the lot as recommended in the transitional framework. In particular, lower minimum front yard and minimum exterior side yard setbacks would be desirable (e.g., 0 - 3.5 m).



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## 7.2.2 TEMPLATE ZONE

It is further recommended that a template zone be considered to illustrate implementation of the policies of the Official Plan and Secondary Plan for the corridor. The template zone will not be applied within the corridor, but can be applied on a case-by-case basis through future rezoning processes.

While the template zone is not proposed to be applied in the corridor, it may be desirable to modify existing zoning for recent mixed-use development to reflect the new template zone category and ensure that zoning within the corridor will transition to an appropriate, consistently applied zone. However, existing permissions and requirements on those sites should be fully retained without modification.

Upon completion of the Queen Street Transit Master Plan and any related Major Transit Station Area stud(ies) for the Corridor, the template zone would need to be reviewed and updated as appropriate to reflect any refinements to the built form requirements and densities.

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## 7.3 URBAN DESIGN FRAMEWORK

The existing Urban Design Guidelines are interim in nature and do not contain any provisions to guide the transition of built form in the Corridor. It is appropriate to update these interim guidelines as part of this study in order to provide additional guidance on the matters that are not fully addressed in the policies and zoning that are also being updated. Updating the guidelines further provides supplementary context about the intent of the zoning provisions and the policies.

It is expected that, despite these updates, the Urban Design Guidelines will remain interim in nature and be finalized when the Queen Street Master Plan and MTSA studies are completed. At the time of completing this Report, the City was examining the timing for updating the Urban Design Guidelines to best align with ongoing studies and initiatives. As with the policy and zoning framework, it would be premature to finalize the Urban Design Guidelines in a comprehensive manner while crucial work that will inform the final built form and character of the Study Area is in process. Instead, these updates relate to the transitional framework being recommended in order to provide updated guidance regarding any new development during this interim period.

In particular, updates to the guidelines are needed to address the following elements of the transitional framework to provide more guidance about how low-rise commercial uses may be reconstructed or developed:

- **Reconstruction of Low-Rise Commercial Uses:** Guidance is required to address situations where a commercial landowner is proposing to reconstruct low-rise commercial uses. In some cases, it may be desirable for the use to be reconstructed closer to the Queen Street East frontage. In other cases, there may be more significant transformational opportunities on the site, so a reconstruction may be best directed to the rear of the site and/or forming new interior streets, so that the frontage may be reserved for future multi-storey mixed-use development. Guidance about the location and form of reconstructing uses and building additions will be very site-specific and require case-by-case evaluation to

determine the most appropriate plan that best balances transition with long-term development opportunity.

- **Site access/future roads:** The guidelines should help ensure that opportunities to consolidate access from Queen Street is considered and that development is oriented to facilitate the future long-term road network.
- **Parking areas:** Guidelines should help direct the location of parking areas in conjunction with transitioning sites.
- **Compatibility:** The guidelines should recognize the need to ensure compatibility with adjacent more sensitive uses through setbacks and the provision of landscaping and buffers.

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## 7.4 PLANNING ANALYSIS OF PREFERRED APPROACHES

The primary goal of the approaches described in this report are to ensure that development which takes place within the Queen Street East Corridor, which is located within Brampton's Urban Growth Centre, allows for the ultimate realization of the mixed-use vision established through Provincial and municipal policy.

Section 3(5) of the *Planning Act* requires all municipal council decisions to be consistent with policy statements issued under Section 3(1) (i.e., the PPS) and to conform to or not conflict with in-effect provincial plans (i.e., the Growth Plan).

The recommendations provided are consistent with the Provincial Policy Statement, 2014 and conform with/do not conflict with the Growth Plan for the Greater Golden Horseshoe. They are designed to conform to and further the goals of the Region of Peel Official Plan and the City of Brampton Official Plan.

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### 7.4.1 CONSISTENCY WITH THE PROVINCIAL POLICY STATEMENT, 2014

The PPS promotes efficient forms of development, particularly in settlement areas, which are to provide for a mix of land uses and densities that contribute to a more efficient use of land and infrastructure, supporting active transportation and transit (Section 1.1.3.2). Municipalities are further required to identify areas for intensification (Section 1.1.3.3), establish targets for intensification (Section 1.1.3.5) and promote complete communities with a mix and range of employment and institutional uses alongside residential uses.

The purpose of these interim policies, regulations and guidelines is to ensure no short-term development compromises Brampton's ability to achieve these goals and they are consistent with the PPS.

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### 7.4.2 CONFORMITY WITH THE GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019

The earlier, 2006 Growth Plan included policies for achieving complete communities with a mix and more efficient use of land uses, compact built form and intensification within the existing

built boundary. It also designated 25 Urban Growth Centres across the Greater Golden Horseshoe, including Downtown Brampton, an area which includes the Study Area.

Section 2.2.2 of the Growth Plan requires municipalities to direct residential growth to within the delineated built-up area, increasing from the current 40-per-cent intensification target to at least 50 per cent by the next municipal comprehensive review. These recommendations are aimed at helping Brampton achieve these long-term goals and nothing in the recommended policies and zoning conflicts with the Growth Plan.

Section 2.2.3 establishes that Urban Growth Centres will be planned as focal areas for investment, mixed-use development, places of transit connectivity and that they must achieve, by 2031 or earlier, a minimum density target of 200 residents and jobs combined per hectare. The Queen Street Corridor is located within the UGC and as an interim solution, nothing in these recommendations precludes the broader achievement of goals and growth targets for the UGC.

Section 2.2.4 designates Queen Street East as a priority transit corridor and requires municipalities to plan for minimum density targets of 160 residents and jobs combined per hectare along around major transit station areas (MTSAs) served by light rail transit or bus rapid transit. Brampton is currently undertaking studies to identify and delineate its MTSAs and proposed changes to the *Planning Act* would allow this work to be formalized outside of the municipal comprehensive review process. The recommended policies and zoning are designed to be interim in nature and do not preclude the completion of that work or achievement of those goals.

Section 2.2.5 directs major office uses to UGCs and MTSAs and promotes economic development through the connection of high employment densities with transit. The recommended policies and zoning are aimed at ensuring incompatible uses are not developed on potential major office or employment sites.

In conclusion, the over-arching purpose of these interim policies is to eliminate some of the issues that could otherwise compromise the achievement of the Growth Plan policies and goals during the long-term buildout of the UGC, in particular by eliminating non-conforming, lower-order, single-use zones with no density requirements in an area earmarked for mixed-use intensification.

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### 7.4.3 CONFORMITY WITH THE REGION OF PEEL OFFICIAL PLAN, 2016 CONSOLIDATION

The Region of Peel Official Plan, Section 5.3.3 designates Urban Growth Centres as major locations for intensification, linked by public transit and a range and mix of compact forms and activities, support active transportation and include a range and mix of housing and employment opportunities. Schedule G further identifies rapid transit corridors, including Queen Street East, and Section 5.9.5.2.1 supports the protection of the corridor.

The recommended policies and zoning conform to the Region of Peel Official Plan and support its goals of protecting the rapid transit corridor for future mixed-use development and promoting intensification within the Urban Growth Centre.

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## *7.4.4 CONFORMITY WITH THE CITY OF BRAMPTON OFFICIAL PLAN, 2006*

The City of Brampton's Urban Growth Centre is within the designated Central Area, described by Section 4.1 of the Official Plan as the "cultural, economic and entertainment heart of the City." The Queen Street Corridor, in particular, is described as having the potential to "transform into a mixed-use, transit-oriented, pedestrian-friendly, environment."

The recommendations conform to the goals and policies for the Central Area and Queen Street East as a Primary Intensification Corridor as their purpose is to ensure no non-conforming development can undermine the achievement of those goals.

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## *7.4.5 CONCLUSIONS*

The recommended approach consists of interim policies and zoning that are to be updated by the City upon completion of other planning studies.

These interim policies and zoning are consistent with the PPS, conform to/do not conflict with the Growth Plan and conform to the Region of Peel Official Plan and City of Brampton Official Plan.

## 8 CONCLUSIONS

The Queen Street East Corridor is located within the Urban Growth Centre and Central Area of the City of Brampton, which is intended to evolve into the City's key node for intensification and mixed-use, pedestrian- and transit-oriented development. While recognizing that the area governed by Secondary Plan 36 is expected to see that transition take place over a relatively long period, the current zoning accommodates numerous auto-oriented and other uses that could allow for development that would undermine the City's ultimate realization of its vision.

Though the City is currently undertaking a series of studies related to the future implementation of rapid transit through the Corridor, it is important to provide policies, zoning provisions and Urban Design Guidelines, to ensure no uses and development that do not conform with the established provincial and municipal policy goals are able to proceed in the interim. Accordingly, this Zoning Analysis Report provides a recommended approach that includes an Official Plan Amendment, a Zoning By-law Amendment and updates to the existing Interim Urban Design Guidelines with the shared goal of ensuring no non-conforming development takes place that could undermine long-term goals while the City finalizes the work required to achieve the ultimate build-out of its established vision.

Nothing in these recommendations precludes any in-process or future studies the City might undertake and they are consistent with the PPS and conform to/do not conflict with the Growth Plan, the Peel Region Official Plan or the City of Brampton Official Plan.



# APPENDIX

# A PROPERTY ZONING INVENTORY

## 7.1-92

## APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
1	0 Heart Lake Rd S		Industrial (M2)	Vacant (highway interchange)
2	285/ 289/295 Queen St E	Y	Commercial (C3-3064)	Retail power centre
3	279 Queen St E	Y	Commercial (C3-3064)	Single storey commercial
4	275 Queen St E	Y	Service Commercial (SC-3453)	Single storey commercial
5	269 Queen St E	Y	Service Commercial (SC-3103)	Single storey commercial
6	267 Queen St E	Y	Service Commercial (SC-3103)	Single storey commercial
7	265 Queen St E		Service Commercial (SC-3160)	Single storey commercial
8	6 Rutherford St S	Y	Hwy. Commercial (HC1-3454)	Auto service
B	8 Rutherford St S	Y	Industrial (M2)	Brampton Fire HQ
10	12 Rutherford St S	Y	Service Commercial (SC-3375)	Single storey commercial
11	16 Rutherford St S	Y	Service Commercial (SC-3375)	Single storey commercial
12	24 Rutherford St S		Service Commercial (SC-3375)	Single storey commercial
13	26 Rutherford St S		Industrial (M2)	Auto service
14	28 Rutherford St S		Industrial (M2)	Auto service
15	32 Rutherford St S		Industrial (M2)	Auto service
16	12 Clark Blvd		Industrial (M2)	Auto service
17	30 Clark Blvd.		Hwy. Commercial (HC1-3232)	Two storey hotel
18	380/382 Queen St E	Y	Service Commercial (SC-3201)	Single storey commercial
19	378/374/372 Queen St E	Y	Service Commercial (SC-3453)	Single storey commercial
20	368 Queen St E		Service Commercial (SC-3453)	Single storey restaurant
21	354 Queen St E		Service Commercial (SC-3453)	Gas station
22	344 Queen St E		Service Commercial (SC-3453)	Single storey restaurant w/ drive through
23	338 Queen St E	Y	Service Commercial (SC-3453)	Two storey commercial
24	324 Queen St E		Hwy. Commercial (HC1)	Vacant
25	261 Queen St E		Commercial (C3-3256)	Single storey restaurant outlet w/ drive through

## 7.1-93

## APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
26	263 Queen St E	Y	Commercial (C3-3256)	Strip plaza
27	255 Queen St E	Y	Service Commercial (SC-3382)	Strip plaza
28	253 Queen St E	Y	Service Commercial (SC-3350)	Strip plaza
29	251 Queen St E		Hwy. Commercial (HC1-3454)	Auto service
30	249 Queen St E	Y	Service Commercial (SC-3150)	Single storey commercial
31	6 Hansen Rd S		Hwy. Commercial (HC1-3453)	Auto sales
32	8 Hansen Rd S		Hwy. Commercial (HC1-3453)	Auto sales
33	10 Hansen Rd S		Hwy. Commercial (HC1-3453)	Auto sales
34	12 Hansen Rd S		Hwy. Commercial (HC1-3453)	Auto sales
35	14 Hansen Rd S		Hwy. Commercial (HC1-3453)	Single storey commercial
36	16 Hansen Rd S		Hwy. Commercial (HC1-3453)	Single storey commercial
37	5 Rutherford Rd S		Hwy. Commercial (HC1-3250)	Hotel
38	19 Rutherford Rd S	Y	Industrial (M2)	Auto parts sales
39	320 Queen St E		Hwy. Commercial (HC1-3454)	Auto sales
40	312 Queen St E		Service Commercial (SC-3105)	Single storey commercial
41	310 Queen St E		Hwy. Commercial (HC1-3454)	Auto sales
42	300 Queen St E		Hwy. Commercial (HC1-3454)	Auto sales / service
43	284 Queen St E	Y	Hwy. Commercial (HC1-3453)	Two-storey commercial
44	247 Queen St E	Y	Downtown Commercial (DC-3440)	Mixed-use tower with retail at grade
45	245 Queen St E	Y	Service Commercial (SC-3303)	Single storey commercial
46	243 Queen St. E.		Hwy. Commercial (HC1-3053)	Auto service / sales
47	239/237 Queen St E	Y	Service Commercial (SC-3214 / SC-3453)*	Strip plaza
48	235 Queen St E		Service Commercial (SC-3155)	Bank

## 7.1-94

## APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
49	225-233 Queen St E / 2-16 Kennedy Rd S	Y	Commercial (C2-3404) / Hwy. Commercial (HC2)*	Strip plaza
50	20 Kennedy Rd S		Hwy. Commercial (HC1)	Auto commercial
51	60 Eastern Ave		Hwy. Commercial (HC1)	Auto sales
52	68 Eastern Ave		Industrial (M2)	Industrial manufacturing facility
53	13 Hansen Rd S		Hwy. Commercial (HC1-3153)	Rogers cable facility
54	7 Hansen Rd		Hwy. Commercial (HC1-3453)	Auto sales
55	5 Hansen Rd		Hwy. Commercial (HC1-3153)	Auto sales
56	272/274/280 Queen St E	Y	Service Commercial (SC-3453)	Strip plaza
57	268 Queen St E		Hwy. Commercial (HC1-3454)	Auto dealership
58	264 Queen St E		Hwy. Commercial (HC1-3454)	Auto service
59	260 Queen St E		Hwy. Commercial (HC1-3453)	Hotel
60	258 Queen St E	Y	Service Commercial (SC-3072)	Strip plaza
61	252 Queen St E	Y	Commercial (C2-3162) / Hwy. Commercial (HC2-3453)*	Parking lot / strip plaza
62	248 Queen St E		Service Commercial (SC-3136)	Bank
63	244/242 Queen St E	Y	Service Commercial (SC-3453) / Hwy. Commercial (HC1-3138)*	Single story commercial
64	238 Queen St E		Hwy. Commercial (HC1-3138)	Single story restaurant
65	10 Kennedy Rd N		Hwy. Commercial (HC1-3453)	Charter bus commercial
66	16 -26 Kennedy Rd N	Y	Commercial (C2-3162)	Strip plaza
67	1 Kennedy Rd S	Y	Service Commercial (SC-3453)	Strip plaza
68	199 Queen St E		Residential (R1B-3453)	Single detached dwelling
69	197 Queen St E		Residential (R1B-3453)	Single detached dwelling
70	195 Queen St E		Residential (R1B-3453)	Single detached dwelling
71	193 Queen St E		Residential (R1B-3453)	Single detached dwelling

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## APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
72	191 Queen St E		Residential (R1B-3453)	Single detached dwelling
73	189 /187 Queen St E	Y	Residential (R1B-3453)	Single detached dwelling
74	185 Queen St E		Residential (R1B-3453)	Single detached dwelling
75	183 Queen St E		Service Commercial (SC-3453)	Place of worship
76	181 Queen St E		Service Commercial (SC-3083)	Two storey commercial
77	6 Trueman St		Residential (R1B-3453)	Single detached dwelling
78	10 Trueman St		Residential (R1B-3453)	Single detached dwelling
79	204 John St		Residential (R1B-3453)	Single detached dwelling
80	206 John St		Residential (R1B-3453)	Single detached dwelling
81	208 John St		Residential (R1B-3453)	Single detached dwelling
82	210 John St		Residential (R1B-3453)	Single detached dwelling
83	212 John St		Residential (R1B-3453)	Single detached dwelling
84	214 John St		Residential (R1B-3453)	Single detached dwelling
85	216 John St		Residential (R1B-3453)	Single detached dwelling
86	230 Queen St E		Hwy. Commercial (HC1-3453)	Single storey restaurant
87	10-12 June / 226 Queen St E	Y	Hwy. Commercial (HC1-3069) / Residential (R1B)*	Six storey hotel w/ retail at grade / single detached dwellings
88	21 Kennedy Rd N		Hwy. Commercial (HC1-3453)	Single storey restaurant
89	212 Queen St E		Hwy. Commercial (HC1-3453)	Two storey commercial
90	210 Queen St E		Service Commercial (SC-3453)	Single storey commercial
91	198 Queen St E		Hwy. Commercial (HC1-3453)	Single storey commercial
92	190 Queen St E		Hwy. Commercial (HC1-3453)	Single storey restaurant with drive through
93	188 Queen St E	Y	Hwy. Commercial (HC1)	One storey commercial / auto service
94	184 Queen St E		Hwy. Commercial (HC1-3453)	Vacant
95	178/180 Queen St E	Y	Service Commercial (SC-3453)	Vacant



## APPENDIX A

#	ADDRESS (BY PARCEL)	MULTI-UNIT	ZONING	EXISTING USE
96	164 Queen St E	Y	Service Commercial (SC-3255)	Three storey medical centre
97	160 Queen St E		Service Commercial (SC-3453)	Single detached dwelling
98	4 Wilson Ave		Service Commercial (SC-3455)	Single detached dwelling
99	169 Queen St E	Y	Service Commercial (SC-3453)	Two storey medical centre
100	173 Queen St E		Service Commercial (SC-3453)	Vacant
101	157 Queen St E	Y	Service Commercial (SC-3453)	Two storey medical centre
102	178 John St	Y	Service Commercial (SC-3058)	Three storey medical centre
103	3 Wilson Ave		Service Commercial (SC-3174)	Single detached dwelling
104	158 Queen St E		Service Commercial (SC-3174)	Two storey commercial
105	152 Queen St E		Service Commercial (SC-3453)	Two storey commercial
106	148 Queen St E	Y	Service Commercial (SC-3453)	Strip plaza
107	134 Queen St E	Y	Service Commercial (SC-3123)	Four storey commercial
108	130 Queen St E	Y	Hwy. Commercial (HC2-3179)	Gas station/conveniences
109	126 Queen St E		Hwy. Commercial (HC1-3454)	Car dealership
110	133 Queen St E		Service Commercial (SC-3453)	Single storey restaurant
111	125 Queen St E		Service Commercial (SC-3199)	Two storey commercial
112	134 John St		Service Commercial (SC-3453)	Single detached dwelling
113	136 John St		Service Commercial (SC-3453)	Single detached dwelling
114	138 John St		Service Commercial (SC-3453)	Single detached dwelling
115	142 John St		Service Commercial (SC-3453)	Single detached dwelling
116	15 Centre St S		Service Commercial (SC-3453)	Single detached dwelling