

Date: 2023-06-12

Subject: Information Report – Ministerial Zoning Order Request, 545 Steeles Avenue West
Ward: 4

Contact: Simran Sandhu, Advisor, Special Projects

Steve Ganesh, Commissioner, Planning, Building and Growth Management

Report Number: Planning, Bld & Growth Mgt-2023-530

Recommendations:

1. That the report titled “Information Report – Ministerial Zoning Order Request, 545 Steeles Avenue West” dated June 6th, 2023 to the Council meeting of June 14th, 2023 be received.

Overview:

- On May 26, 2023 the City received a Ministerial Zoning Order (MZO) Request for 545 Steeles Avenue West. The request is from Bousefields Inc, on behalf of Kingknoll Developments.
- The request is to facilitate the development of four mixed-use buildings, a privately-owned publicly accessible space, a public park and a new private street.
- On June 5th, 2023, the Planning and Development Committee recommendation PDC070-2023, directed staff to report back on the MZO in the context of the framework to guide Council’s decisions on MZOs as endorsed on June 20, 2022.
- The framework consists of four themes, being
 1. Consistency with the Provincial Policy Statement (PPS)
 2. Providing a direct public good
 3. Consulting with affected stakeholders

4. Maintain key elements of the City's development review process (i.e. Site Plan Approval) prior to issuance of building permits

- **This Information Report provides Council with insights on details of the proposed MZO in relation to the Council endorsed framework.**

Background:

June 5th, 2023 Council passed recommendation PDC070-2023, that the correspondence re: Ministerial Zoning Order Request, 545 Steeles Avenue West, Ward 4, to the Planning and Development Committee meeting of June 5, 2023, be referred to staff for consideration and report thereon to the June 14, 2023 meeting of Council.

Current Situation:

On May 26, 2023 the City received an (MZO) request from Bousfields Inc. on behalf of Kingknoll Development to facilitate the comprehensive redevelopment of 545 Steeles Avenue West. The subject property is has an approximate area of 1.93 hectares (4.77 acres) and is located at the southwest corner of Steeles Avenue West and McLaughlin Road South.

The subject site is currently occupied by a one-storey commercial plaza consisting of large commercial building and two stand-alone buildings with a surface parking lot.

The proposal intends to redevelop the subject site with two mid-rise residential apartment buildings and three mixed-use tall buildings with heights ranging from 8-to 35-storeys, together with a privately-owned publicly accessible space (POPS), a public park and a new private street connecting Steeles Avenue West to McLaughlin Road. A total of 1,227 residential units are proposed. The proposal contemplates non-residential uses, including a grocery store and other commercial/retail uses.

The surrounding area consists of low, medium and high density residential uses as well as institutional uses.

North: To the north of the subject site is a low-rise residential neighbourhood predominantly characterized by single detached dwellings.

East: To the east and southeast of the subject site, across McLaughlin Road South is the Sheridan College Davis Campus. Further east are existing medium density townhouse developments and several proposed and approved high-density residential and mixed use developments.

South: Directly south of the subject site is a high-density retirement community known as Faith Manor Holland Christian Homes.

West: To the west, is a low-rise residential neighbourhood characterized by single detached dwellings and Kingknoll Park.

Policy Context:

Current Official Plan

The subject site is identified within 'Community Areas' on Schedule 1 – City Concept and designated as 'Residential' on Schedule A – General Land Use Designations within the [City of Brampton Official Plan \(Official Consolidation September 2020\)](#). The subject site is further designated as 'Neighbourhood Retail' on Schedule A2 – Retail Structure, which provides a detailed breakdown of the commercial and retail sites within the 'Residential' designated areas.

Secondary Plan

Secondary Plan Area 24 – the [Fletcher's Creek south Secondary Plan](#) designates the lands Neighbourhood Commercial. This is a group of commercial establishments planned and developed as a unit, usually 2,000 to 9,000 square metres of Gross Leasable Area in size with the principal tenants being major supermarkets (greater than 1,400 square metres in size). Permitted uses include:

- Retail stores;
- Service establishments catering to personal or household needs; and
- Local offices.

Complementary uses, including automobile service stations and car washes may be permitted. Policy 7.2.1 of the Secondary Plan also identifies that all applications for the development of a Neighbourhood Commercial area requires supporting information identifying the economic, physical and transportation impact of the proposed development. The economic impact study must provide information regarding market feasibility of the proposed centre and its impact to the viability of any existing nearby centres, which will form a basis for the size and time of construction of the area.

Draft Brampton Plan

The subject site is located within the 'Community Area' and is located on the periphery of the 'Urban Centre' overlay on Schedule 1 – City Concept in the [Brampton Draft Official Plan \(OP\)](#). As per the Draft Brampton OP, Uptown Urban Centre's will be a new urban core built around Rapid Transit connections on Hurontario Street and Steeles Avenue, extending west to Sheridan College and east towards the 410 and Steeles. This area will present opportunity to plan for the evolution of the area towards a transit-oriented, live-work civic core with expansive built form and spaces.

This schedule also identifies Steeles Avenue West as 'Secondary Urban Boulevards' and a section of Steeles Avenue West, east of McLaughlin Road as 'Primary Urban

Boulevards'. The Urban Centre and Urban Boulevards are conceptual overlays that help to guide the use and form for specific areas in the city, however, the full range of permissions may not be given on all sites. As per policy 2.2.4.2b, they provide guidance to the Secondary Plan and Zoning By-law of the intention of the city structure, to be evaluated for feasibility, transition and to ensure a broad range of uses appropriate to the context.

The Brampton Draft OP states that Primary Urban Boulevards are streets that connect Urban Centre's and serve as the most vibrant and prominent streets in the city and are supported by LRT or BRT. Secondary Urban Boulevards will contain a mix of uses that provide a transition in scale and intensity of use between the Primary Urban Boulevards and other areas of the city. Policy 2.1.2.26 of the Brampton Draft OP requires the optimize the use of land in Brampton by directing a significant portion of growth will be directed to Centres and Boulevards.

The subject site is designated as 'Neighborhoods' in Schedule 2 – Designations of the Brampton Draft OP, which is defined as places where most residents live and are comprised of a mix of neighbourhood uses and low-scale built form.

Zoning Bylaw

The subject site is zoned 'Commercial One (C1-2593)' in the [Zoning By-law 270-2004, as amended](#).

Alignment to the Framework for Considering MZO Requests:

On June 20, 2022, a recommendation report titled "Ministerial Zoning Orders – An Overview" was presented to the Planning and Development Committee, which recommended a framework ~~which will~~ be used to inform Council's decision in future MZO requests. In this report, staff recommended that MZO requests be limited to situations where the MZO supports Provincial policies and legislation such as:

- Consistency with Provincial Policies
- Providing a direct public good;
- Consulting with affected stakeholders; and,
- Maintaining key elements of the City's development review process (i.e. Draft Plan of Subdivision, Site Plan Approval) prior to issuance of building permits.

To date, Council's decision to entertain MZO requests have generally aligned with the framework proposed through the report "Ministerial Zoning Orders – An Overview". The current MZO request for 545 Steeles Avenue is evaluated against the four themes below.

Table 1 – Framework for MZO request

Theme	Rationale	Alignment with current MZO request
Is consistent with and/or in conformity with Provincial policies and legislation, including the Provincial Policy Statement (PPS).	The PPS plays a key role in Ontario's planning system by providing the policy foundation necessary to regulate the development and use of land. Moreover, the PPS provides a policy framework to assess environmental and servicing implications of developments.	Yes – The proposal contemplates mixed use redevelopment, efficient use of land and intensity of land use along key corridors and providing a mix of housing.
Provides a direct public good.	To support City-building initiatives around job creation, development of affordable housing, transit-oriented communities, long-term care homes and institutional uses	Yes – Opportunities for synergies with Sheridan College, includes retail and a privately-owned publicly accessible space
Engagement and consultation of the affected municipality and key stakeholders.	Provincial staff have advised City staff that a key criteria of the Minister's review is the extent of which a municipality has undertaken public consultation with key stakeholders. Collaboration and consultation with municipalities and key stakeholders can encourage better quality development proposals and allow for early feedback and information sharing.	Yes – The proposal contemplates enhanced engagement prior to and throughout the Site Plan Approval Process, including stakeholder engagements with Indigenous Communities and First Nations, the surrounding community and Sheridan College.
Ensuring Development review	Should Council consider support for an MZO request, staff have and will continue to recommend that pending the outcome of the ministerial decision, elements of the planning review process still occur (i.e. Site Plans, Plans of Subdivision etc.). This ensures key technical reviews are completed prior to building permit issuance.	Yes – As part of the framework for MZO consideration, key elements of the development approval process must remain in tact prior to issuance of a building permit.

Key Issues:

Should Council choose to entertain the MZO request, key issues such as site servicing, traffic and other development impacts will be further examined upon receipt of the official Ministerial Zoning Order. As noted in the June 20, 2022 staff report, it is critical for the City to maintain key elements of the development review process when dealing with MZOs. In this case, the site plan approval and subsequent processes will facilitate the necessary technical analysis prior to issuance of any building permit for the proposal. Shortly after June 5, staff contacted the Region of Peel for high level input on servicing and traffic issues.

The Region of Peel determined that the proposal for redevelopment would bring in a projected population significantly higher than the Region's current forecasted growth. To accommodate the increased density, sections of the existing pipe would have to be upsized and relocation and/or upgrading of the sewers may be required. The existing water system has sufficient capacity to accept the flows from the proposed development.

The Region of Peel's preliminary comments for transportation planning and traffic state that Regional staff have concerns regarding the operation and safety of the proposed access arrangement and a Traffic Impact Study (TIS) will be required. Please note that these comments are considered preliminary until a formal submission is provided and are subject to change should the proposal change.

Staff also circulated the MZO request to the City's traffic staff and will review comments in subsequent stages of the development review process.

It is noted that on June 8, 2023 a written submission from Sylvia Roberts was submitted to the clerk's office (Attachment 2).

Conclusion:

The MZO request to facilitate the comprehensive redevelopment of 545 Steeles Avenue West has been received by Council for endorsement. This report highlights the proposal details, applicable policy framework and identified key issues to be further examined at latter stages of the development review process should the MZO request receive ministerial approval.

Based on content of the MZO request for 545 Steeles Avenue West, there is general alignment with the evaluation framework for MZO's as previously endorsed by Council. It is noted that as the MZO request is not a formal development application, this report should not be considered as staff's endorsement of MZOs as a planning tool, but rather a presentation of facts based upon the submission by Bousefields, on behalf of Kingknoll Developments.

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Attachments:

- Attachment 1: Regional Comments
- Attachment 2: Written Submission from Sylvia Roberts