



The Corporation of the City of Brampton

By-law

Number 85 - 2026

To adopt Amendment Number OP2023-030
To the Official Plan of the City of Brampton Planning Area

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

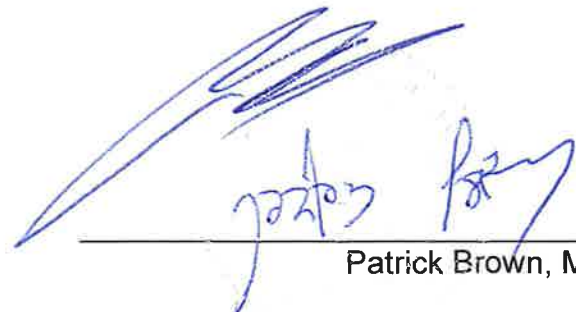
1. Amendment Number OP2023-030 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this By-law.

Enacted and passed this 27th day of May 2026.

Approved as to
form.

2026/05/20

AJC


Patrick Brown, Mayor

Approved as to
content.

2026/05/20

AO


Genevieve Scharback, City Clerk

AMENDMENT NUMBER OP2023 – 030

TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 PURPOSE:

This amendment establishes new Sub Area 3E, referred to herein as Special Policy Area 3E (SPA 3E), within Special Policy Area 3, and provides a policy framework to guide future development for the 'Centre for Innovation' and the 'Heritage Theatre Block & Southern Block' and adjoining lands within the Downtown Brampton Secondary Plan (collectively the "Development Lands"). These two sites are envisioned for transformative landmark projects which will contain a mix of institutional, recreation, office and/or residential land uses.

The application of these new policies to the Development Lands reflects their City ownership, their location within the Downtown Brampton Secondary Plan, and their direct integration with the Riverwalk Flood Protection Project, which together support a controlled, risk-managed transition out of the Regulatory Flood Plain.

Under current conditions, the Development Lands are subject to flood hazards from Etobicoke Creek and are within Special Policy Area 3C of the Downtown Brampton Secondary Plan. The area is subject to development limitations and is located within the Regulatory Flood Plain associated with the Etobicoke Creek. Existing channel conveyance and interim flood management measures reduce flood risk for events up to and including the 1:350 year storm event; however, the lands remain subject to flood hazard constraints until permanent flood protection infrastructure is completed.

The City is a proponent of the Downtown Brampton Flood Protection Project Environmental Assessment, that supports the Riverwalk flood protection infrastructure works. When complete, the flood protection infrastructure being implemented by the City will reduce flood risks along a portion of Etobicoke Creek and remove the existing Regulatory Flood Plain and associated flooding hazard from certain lands in Downtown Brampton. This will enable the removal of the current development restrictions on certain lands in downtown Brampton, including the Development Lands.

The new Sub-Area 3E policy framework permits development approvals and construction to proceed in advance of the Riverwalk flood protection infrastructure works being completed, subject to the policies of this Plan and applicable regulatory requirements. A City request to amend the Building Code is intended to govern the occupancy of permanent buildings and/or structures constructed prior to the Riverwalk flood protection infrastructure works being complete and functional. During the interim period and prior to the construction of any permanent buildings or structures, temporary removable structures such as shipping container units could potentially be located on the sites for non-residential uses.

The new Sub Area 3E will apply to properties that are currently within the Regulatory Flood Plain area but that will be removed from this area following the completion of the Riverwalk flood protection infrastructure works. At that time, Sub Area 3E will not be subject to the general floodproofing and flood mitigation requirements that apply in Special Policy Areas in the Downtown Brampton Secondary Plan. During the interim period before the flood risks are removed, public health and safety considerations will be addressed by the City, including through the new policy framework for Sub Area 3E in 5.6.3.9 and the Planning Act approval framework. Flood hazard considerations in the interim period will be managed through the Riverwalk project, Toronto and Region Conservation Authority permitting, and applicable requirements and limitations in the Building Code.

2.0 LOCATION:

The lands subject to this amendment are known as the 'Centre for Innovation' municipally addressed as 1, 11, 12, 17 and 21 Nelson St W, 20 and 24 George St. N, and 2 Diplock Lane, as well as the 'Heritage Theatre Block' & 'Southern Block' municipally addressed as 4, 12, 16, 18, 30, 36, 38, 40, 42, 46, 48, 52, 54, 60, 70, 72, 74, 76, 80, 82, and 86 Main Street North, together with adjoining parcels within Sub-Area 3E as delineated on Schedule A to this Amendment.

3.0 AMENDMENTS AND POLICIES THERETO:

3.1 The document known as the Downtown Secondary Plan Area Number 7 is hereby amended:

- i. By removing on Schedule SP7(C2) the subject lands from Special Policy Area Sub Area 3C and adding them to a new Special Policy Area Sub Area 3E, as shown in Schedule A of this amendment.
- ii. By adding the following as 5.6.3.9 Special Policy Area 3E.

5.6.3.9 Special Policy Area 3E

Special Policy Area 3E (SPA 3E) shown on Schedule SP7(C2) is located on the lands known as the 'Centre for Innovation' and 'Heritage Theatre Block' & 'Southern Block' and adjoining lands (hereinafter referred to as the "Development Lands"). These lands have an important role and function in the revitalization of the downtown area. It is envisioned that these lands will be used to develop landmark buildings in Downtown Brampton. These projects will support the future Downtown Transit Hub located at the Brampton Innovation District GO Station and serve as a hub for education, entrepreneurship and economic growth.

The SPA 3E policies establish a risk-based framework to guide phased development while ensuring public safety and hazard management prior to the lands in Special Policy Area 3E being removed from the Regulatory Flood Plain. Development approvals may proceed within SPA 3E in advance of the Riverwalk flood protection infrastructure works being completed, in accordance with the policies herein. Building permits for the construction of new buildings or structures will be obtained through the processes and subject to the requirements of the Building Code. To enable construction to proceed prior to the completion of the flood protection infrastructure works, the City requested that the Building Code be amended to restrict the occupancy of any permanent buildings and/or structures to be constructed, until the flood protection infrastructure is confirmed as complete and functional by the Toronto and Region Conservation Authority (TRCA). Upon written confirmation by TRCA that the Riverwalk flood protection infrastructure works has been completed and is functional, the Riverwalk flood protection infrastructure shall provide long-term flood risk protection along Etobicoke Creek, thereby allowing for the removal of current flooding hazard-based development restrictions on certain lands in Downtown Brampton.

Long-term permanent flood protection will be achieved through the completion of the Riverwalk flood protection infrastructure works being undertaken by the City of Brampton. Any development within SPA 3E, prior to the completion of the flood protection infrastructure, is subject to any applicable provisions in the Building Code relating to construction within the Regulatory Flood Plain.

The general floodproofing policy and technical requirements for managing flood risk in Special Policy Area 3 will be addressed through site-specific mitigation measures including technical studies that have been completed, the policies and conditions applicable to SPA 3E, and any applicable provisions in the Building Code. Subsequent site-specific zoning by-law amendments for the Development Lands will not require approval from the Ministry of Municipal Affairs and Housing or the Ministry of Natural Resources. Development and redevelopment in SPA 3E shall be subject to the following policies:

5.6.3.9.1 Planning Vision:

- i. Development within SPA 3E shall contribute to the City's vision for a vibrant, mixed-use, transit-supportive downtown core, consistent with the Brampton Plan and the Downtown Brampton Secondary Plan.
- ii. Notwithstanding the maximum Floor Space Index (FSI) permissions established in policies 5.1.2.2 and 5.1.2.3 of this plan, such FSI provisions shall not apply to Lands within SPA 3E.
- iii. Lands within SPA 3E shall be developed for a mix of uses in accordance with the Central Area Mixed Use designation set out in this Plan.

- iv. Development within SPA 3E is intended to support the continued revitalization of Downtown Brampton and accommodate a mix of uses permitted under the Central Area Mixed Use designation, including institutional, cultural, commercial, office, recreational and residential uses.
- v. Development shall support transit-oriented intensification and reinforce the Downtown Transit Hub as a major civic and mobility anchor, providing high-density built form and active public realm interfaces that encourage walking, cycling, and transit use.
- vi. Development is encouraged to support multimodal access to the Downtown Transit Hub, including pedestrian, cycling, micromobility, and transit connections, while allowing flexibility in the design and location of access points.
- vii. Public realm enhancements, including those identified in the Downtown Brampton Secondary Plan and emerging streetscape guidance, should be considered to improve connectivity, accessibility, and the overall pedestrian experience along Main Street, George Street, Nelson Street and in proximity to Diplock Lane.
- viii. Diplock Lane is recognized as an important local connection. Opportunities to enhance safety, accessibility, and public realm character may be explored through redevelopment.
- ix. Redevelopment of the Heritage Theatre Blocks and Southern Blocks is encouraged to animate the public realm interface with Garden Square, including improved pedestrian connections, active edges, and opportunities for complementary outdoor gathering or cultural uses.
- x. The vision for SPA 3E will be implemented through subsequent zoning by-law amendments, site plan applications, and agreements, which will provide the detailed built form, public realm, servicing, and any phasing requirements.

5.6.3.9.2 Flood Plain Development Policies in Special Policy Area 3E

As a condition of development approval, for any development application within SPA 3E on the Development Lands:

- i. The applicant shall acknowledge in writing the risks that the applicant is assuming associated with the construction of buildings and/or structures in advance of the Riverwalk flood protection infrastructure works being complete and functional.
- ii. The applicant shall prepare an Emergency Management Plan to the satisfaction of the City and the Toronto and Region Conservation Authority, addressing the protection of human health and safety and the protection of property (site, buildings, equipment) during site alteration, excavation, construction and post-construction phases of any permanent buildings and structures built prior to Toronto and Region Conservation Authority confirming in writing that the Riverwalk flood protection infrastructure works are complete and functional.
- iii. The applicant (other than the City) shall enter into an agreement(s) with the City, to the satisfaction of the City in consultation with the Toronto and Region Conservation Authority that includes, but is not limited to:
 - a) addressing the protection of public health and safety, the protection of property, the acceptance of all risk by the applicant and the removal of any liability for public authorities;
 - b) a complete indemnification of any public authorities from the applicant and from any additional development proponent (other than any lender/mortgagee) with respect to their legal or beneficial interest in the Development Lands, to the satisfaction of the City in consultation with the Toronto and Region Conservation Authority or from any liability and costs, including those due to
 - i. property damage, injury or loss of life due to flooding during and after construction until Toronto and Region Conservation Authority

confirms in writing that the Riverwalk flood protection infrastructure works are complete and functional; and,

- ii. any losses attributable to delays in the completion of the Riverwalk flood protection infrastructure works or caused by a failure of the flood protection infrastructure works to be completed or to be completed within the anticipated time frame.
 - c) the posting of security by the applicant satisfactory to the City for the completion or removal of permanent buildings, if necessary; and
 - d) the timing and requirements included as part of a Site Plan Agreement and any other development agreement determined to be necessary to implement these policies.
- iv. Where the City of Brampton is the applicant, co-applicant, development proponent or holds a legal or beneficial interest in the Development Lands within Special Policy Area 3E, and where the policies of this section would otherwise require the applicant to enter into an agreement with the City, the indemnity requirements will be satisfied through Council resolutions, conditions of approval, or other lawful mechanisms. The City and Toronto and Region Conservation Authority shall monitor and maintain the flood protection infrastructure to confirm its continued function, in accordance with the approved design and applicable approvals.

5.6.3.9.3 Phasing and Implementation Policies:

For any development application within SPA 3E, the usual development application process will apply, including: zoning amendments, site plan approvals and building permit applications, as applicable. Development approvals may proceed prior to completion of the Riverwalk flood protection infrastructure works, subject to the following policies:

- i. To support and reinforce compliance with Building Code occupancy restrictions applicable to permanent buildings or structures to be constructed prior to the Riverwalk flood protection infrastructure works being confirmed as complete and functional by the Toronto and Region Conservation Authority, the City may require the applicant to enter into Planning Act agreements and/or register restrictive covenants on title that acknowledge and reflect such occupancy restrictions and related risk assumptions and require the applicant not to permit or seek occupancy of any such permanent building or structure, or any part thereof, including initiating, pursuing or supporting any application, appeal or proceeding to challenge such occupancy restrictions, prior to the completion of the Riverwalk flood protection infrastructure works and confirmed complete and functional by the Toronto and Regional Conservation Authority.
- ii. As a condition of development approval, the City may also include conditions related to phasing, and timing of development in relation to the completion of the Riverwalk flood protection infrastructure works.
- iii. Development conditions may include, but are not limited to:
 - a) Satisfactory Emergency Management Plan(s) to the satisfaction of the City and the Toronto and Region Conservation Authority;
 - b) Satisfactory Engineering Studies, to the satisfaction of the City and/or the Toronto and Region Conservation Authority which may detail matters such as flood frequency, the velocity and depth of storm flows, proposed flood protection measures and storm water management; and
 - c) The execution of an Agreement(s), including a Site Plan Agreement as determined by the City and the Toronto and Region Conservation Authority.

5.6.3.9.3 Temporary Uses and Interim Activation Policies:

- i. To support placemaking, cultural programming, and interim activation within Special Policy Area 3E, temporary uses and temporary structures, including serviced and modular units or shipping-container installations capable of

temporary non-residential occupancy, may be permitted on lands above the 1:350 year flood elevation on the Development Lands, prior to completion of the Riverwalk flood protection infrastructure works, subject to regulation in the implementing Zoning By-law and compliance with applicable law.

- ii. For the purposes of Section 5.6.3.9, references to permanent buildings or structures are intended to distinguish long-term, fixed development from temporary and removable installations contemplated under this section, with the classification and permitting of such structures to be determined through the implementing Zoning By-law and applicable Building Code requirements.
- iii. Temporary structures such as modular or shipping-container units, may be occupied on an interim basis prior to the completion of the Riverwalk flood protection infrastructure for non-residential purposes only, provided they are not considered permanent buildings for the purposes of this policy and comply with applicable Building Code requirements for temporary structures.
- iv. Any such temporary use or structure shall be demonstrated to:
 - a) not increase flood risk or obstruct flood conveyance;
 - b) remain fully removable;
 - c) comply with applicable Toronto and Region Conservation Authority permitting requirements; and
 - d) implement any risk-mitigation measures required by the City, including emergency preparedness and servicing requirements.
- v. These permissions apply solely to temporary and removable installations intended to support cultural, commercial, or community activation within SPA 3E and do not modify restrictions on permanent development or residential occupancy within the Regulatory Flood Plain.
- vi. All temporary uses and temporary structures permitted under this section shall remain subject to applicable approvals under the Building Code Act, 1992 including the requirement to obtain a building permit and, where applicable, an occupancy permit to the satisfaction of the Chief Building Official.

5.6.3.9.5 Interpretation and Policy Precedence

- i. Where a conflict arises between the policies of SPA 3E and any other policies of this Secondary Plan, the policies of SPA 3E shall prevail.

Schedule A to Official Plan Amendment SPA 3E

