

**Adoption of Official Plan Amendment OP2006-192 (By-law 6-2021)
and Zoning By-law 7-2021
Ward 8**

Date of Decision: January 27, 2021
Date of Notice: February 11, 2021
Last Date of Appeal: March 3, 2021

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 6-2021, to adopt **Official Plan Amendment OP2006-192, and By-law 7-2021**, to amend Comprehensive Zoning By-law 270-2004, under sections 17 and 34, respectively, of the *Planning Act* R.S.O., c.P.13, as amended, pursuant to an application by Matthews Planning & Management Ltd. – Ouray Developments Inc. – File C10E05.019.

This official plan amendment is exempt from approval by the Region of Peel and the decision of Council is final if a notice of appeal is not received on or before the last day for filing such notice.

The Purpose and Effect: to amend comprehensive Zoning By-law 270-2004, as amended, pursuant to an application by Ouray Developments Inc., to permit the use of the subject lands for townhouse residential and live-work purposes. The development will yield 69 street townhouse units and 26 live-work units.

Location of Lands Affected: North of Fogal Road, east of Nexus Avenue within the Bram East Secondary Plan (Area #41A) – Ward 8.

Obtaining Additional Information: A copy of the by-laws is provided. The complete by-laws and background materials are available for inspection in the City Clerk's Office during regular office hours, or online at www.brampton.ca. Further enquiries or questions should be directed to Nasir Mahmood, Development Planner, Planning, Building and Economic Development, at 905.874.2094 or nasir.mahmood@brampton.ca.

Any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the *Planning Act*, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter.

Under the *Planning Act*, there is a Draft Plan of Subdivision pertaining to the subject lands – File 21T-14001B.

When and How to File an Appeal: Any appeal of the official plan amendment or zoning by-law to the Local Planning and Appeal Tribunal (LPAT) must be filed with the Clerk of the City of Brampton **no later than March 3, 2021**, shown above as the last date of appeal. An appeal form is available from the LPAT website at <https://olt.gov.on.ca/tribunals/lpat/forms/>

The Notice of Appeal must:

- (1) set out the reasons for appeal; and,
- (2) be accompanied by the fee required by the Local Planning Appeal Tribunal in the amount of \$1,100.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario. A copy of the Local Planning Appeal Tribunal Fee Schedule may be found at <https://olt.gov.on.ca/tribunals/lpat/lpat-process/fee-chart/>

Only individuals, corporations and public bodies may appeal a by-law to the Local Planning Appeal Tribunal (LPAT). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

Notice of Appeal may be hand delivered to:

City of Brampton
Office of the City Clerk
2 Wellington Street West
Brampton, ON L6Y 4R2
Contact: (905) 874-2116

Note: In consideration of current public health orders requiring physical distancing, Notice of Appeals may be hand delivered by appointment only; walk-ins are not permitted.

Appointments to attend City Hall may be booked online at:

<https://www.brampton.ca/EN/Online-Services/Skip-the-line/Pages/Welcome.aspx>

<p>Note: In consideration of the ongoing COVID-19 pandemic and community-wide restrictions and closures, if you have any questions regarding this public notice, please contact the City Clerk's Office at cityclerksoffice@brampton.ca.</p>



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 6 - 2021

To adopt Amendment Number OP2006-¹⁹² 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 OP2006- 192 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this Official Plan.

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL,
this 27th day of January, 2021.

Approved as to
form.

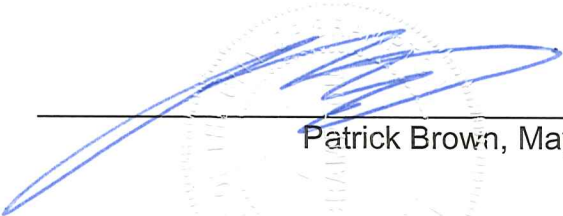
2020/12/23

AWP


Approved as to
content.

2020/12/23

AAP



Patrick Brown, Mayor



Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006- 192
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 PURPOSE:

The purpose of this Amendment is to amend the Bram-East Secondary Plan to change the land use designation of the lands shown outlined on Schedule 'A' to this amendment to permit the development of live-work townhouse dwellings and residential townhouse dwellings.

2.0 LOCATION:

The lands subject to this amendment are located north of Fogal Road and east of Nexus Avenue. The lands have a frontage of approximately 220 metres (721 feet) on Fogal Road and approximately 120 metres (393 feet) on Nexus Avenue. The lands are located at 0 Nexus Avenue and comprise a single parcel totaling approximately 3.06 hectares (7.56 acres). The lands are legally described as Part of Lot 5, Concession 10, N.D.

3.0 AMENDMENTS AND POLICIES RELEVANT THERETO:

The portions of the document known as Bram-East Secondary Plan, being Chapter 41, of Part II of the City of Brampton Official Plan, as amended, is hereby further amended:

- a) by changing on Schedule SP41(A) of Chapter 41 of Part II: Secondary Plans, the land use designations of the lands shown outlined on Schedule 'A' to this amendment from "Mixed Commercial / Industrial" to "Residential - Medium Density".
- b) by deleting existing policy 3.1.12B in its entirety, and replacing it with the following:

"3.1.12B The area designated Medium Density Residential at the south-east corner of Ebenezer Road and Nexus Avenue, and north-eastern corner of Fogal Road and Nexus Avenue shall be developed, maintained and used for townhouses and buildings used for both residential and commercial purposes (live-work units). The maximum density is 50 units per net residential hectare (20 units per net residential acre). Live-work units shall be provided in the development of the lands.

(i) The development shall consist of a high-quality built form that is expressed through attention to detail in the architecture; roof lines, building materials and through landscaping elements.

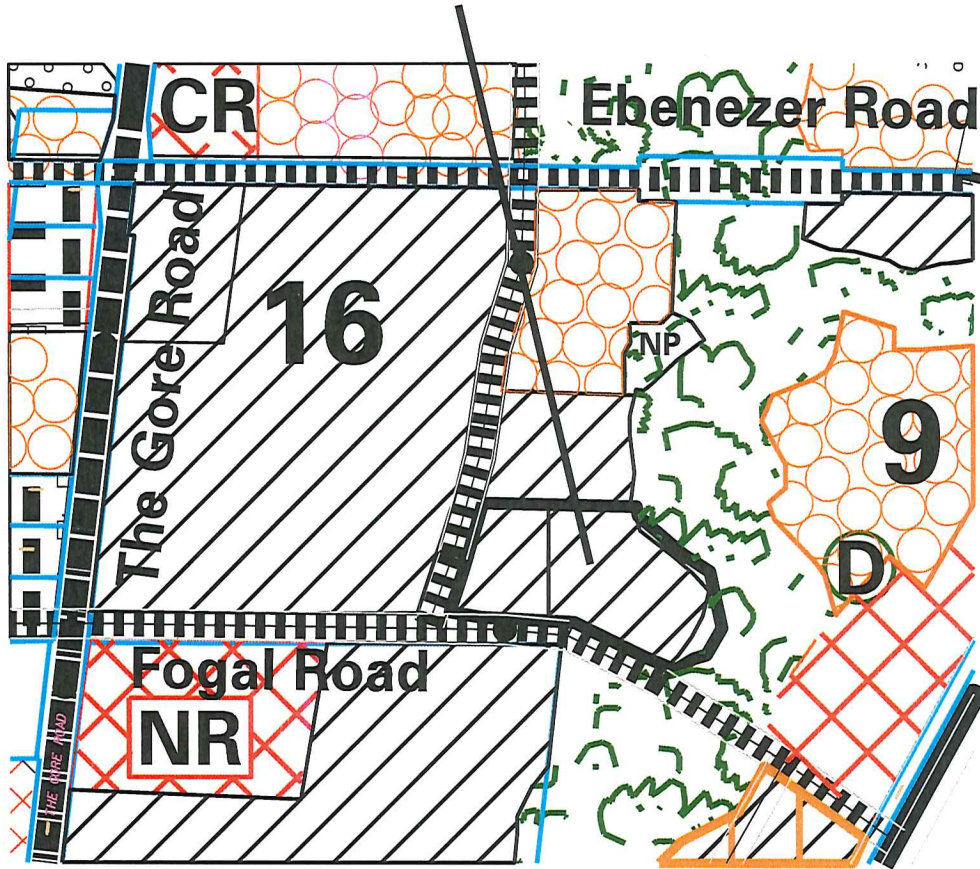
(ii) The following shall apply to live-work units:

- a) Live-work units shall have a ground floor level that is used primarily for commercial purposes, and upper floor(s) that are only used for residential purposes.
- b) Commercial uses within the live-work units shall be oriented exclusively toward the Nexus Avenue

frontage or Fogal Road frontage, respectively, including all functional aspects of the commercial use (such as access, parking, signage, patio areas).

- c) The building facade of the live-work units facing the residential development shall be compatible with and complement the townhouse development.
- d) Commercial uses within the live-work units shall be limited to retail establishments, financial institution, restaurants, personal service shops, service shops, offices, convenience store, medical and dental offices, custom workshops and similar uses not requiring extensive loading and storage facilities.
- e) Outdoor storage in association with the commercial use is not permitted,
- f) Buildings will be designed with upscale building materials, architectural features and roofline variations to promote a residential character.
- g) The massing and architectural details of the live-work building at the intersection of Ebenezer Road and Nexus Avenue, and Fogal Road and Nexus Avenue, will be designed to emphasize this location as a gateway into the community.
- h) The streetscape design along Nexus Avenue and Fogal Road shall complement and support the live-work uses. In this regard, it shall include:
 - i) a primarily hard surface treatment from the building face to the curb, that incorporates decorative paving elements; and,
 - ii) an enlarged space at the corner of Nexus Avenue and Ebenezer Road, and Fogal Road and Nexus Avenue, to accommodate seating or patio space.”

LANDS TO BE REDESIGNATED FROM
"MIXED COMMERCIAL/INDUSTRIAL"
TO "RESIDENTIAL-MEDIUM DENSITY"



EXTRACT FROM SCHEDULE SP41(A) OF THE DOCUMENT KNOWN AS THE BRAM EAST SECONDARY PLAN

RESIDENTIAL LANDS:



Medium Density Cluster / High Density



Collector Road



Local Road

EMPLOYMENT LANDS:



Mixed Commercial / Industrial



OPEN SPACE:

Valleyland



Neighbourhood Retail



Neighbourhood Park



ROAD NETWORK :

Major Arterial



Storm Water Management Facility



Special Policy Area 8 (Office Node - Mixed Commercial/Industrial)



Special Policy Area 9 (Medium Density Residential)



Special Policy Area 16





THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 7 - 2021

To amend By-law 270-2004 (known as “Zoning By-law 2004”), as amended

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. By-law 270-2004, as amended, is hereby further amended:
 - (1) by changing on Schedule A thereto, the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From:	To:
INDUSTRIAL FOUR-SPECIAL SECTION-1776 (M4-1776)	RESIDENTIAL TOWNHOUSE E-6.0 SPECIAL SECTION 3544 (R3E-6.0-3544) RESIDENTIAL TOWNHOUSE E-6.0 SPECIAL SECTION 3545 (R3E-6.0-3545) RESIDENTIAL TOWNHOUSE E-6.0 SPECIAL SECTION 3546 (R3E-6.0-3546) RESIDENTIAL TOWNHOUSE E-6.0 SPECIAL SECTION 3547 (R3E-6.0-3547) RESIDENTIAL TOWNHOUSE E-6.0 SPECIAL SECTION 3548 (R3E-6.0-3548) OPEN SPACE ZONE – (OS)

- (2) By adding thereto, the following sections:
 - “3544 The lands designated R3E–6.0–3544 on Schedule A to this by-law:
 - 3544.1 shall only be used for the purposes permitted in an R3E-x zone.
 - 3544.2 shall be subject to the following requirements and restrictions:
 - (1) Minimum lot width for a lot abutting a daylighting triangle: 6.0 metres.
 - (2) Minimum Rear Yard Depth: 6.0 metres.
 - (3) Maximum Building Height: 11.0 metres.
 - 3544.3 shall also be subject to the requirements and restrictions relating to

the R3E-x zone, R3E-7.0-2370 zone, and all the general provisions of this by-law, which are not in conflict with those set out in Section 3544.”

(3) By adding thereto the following sections:

“3545 The lands designated R3E-6.0-3545 on Schedule A to this by-law:

3545.1 shall only be used for the purposes permitted in an R3E-x zone.

3545.2 shall be subject to the following requirements and restrictions:

- (1) Minimum lot width for a lot abutting a daylighting triangle: 6.0 metres.
- (2) Minimum Rear Yard Depth: 6.0 metres.
- (3) Maximum Building Height: 11.0 metres.
- (4) Minimum Exterior Side Yard: 1.5 metres.

3545.3 shall also be subject to the requirements and restrictions relating to the R3E-x zone, R3E-7.0-2370 zone, and all the general provisions of this by-law, which are not in conflict with those set out in Section 3545.”

(4) By adding thereto the following sections:

“3546 The lands designated R3E-6.0-3546 on Schedule A to this by-law:

3546.1 shall only be used for the purposes permitted in an R3E-x zone.

3546.2 shall be subject to the following requirements and restrictions:

- (1) Minimum lot width for a lot abutting a daylighting triangle: 6.0 metres.
- (2) Minimum Rear Yard Depth: 6.0 metres.
- (3) Maximum Building Height: 11.0 metres.
- (4) Minimum Interior Side Yard: 0.5 metres.

3546.3 Shall also be subject to the requirements and restrictions relating to the R3E-x zone, R3E-7.0-2370 zone, and all the general provisions of this by-law, which are not in conflict with those set out in Section 3546.”

(5) By adding thereto, the following sections:

“3547 The lands designated R3E-6.0-3547 on Schedule A to this by-law:

3547.1 shall only be used for the purposes permitted in an R3E-x zone and the following:

- (1) a rear lane townhouse dwelling.

3547.2 shall be subject to the following requirements and restrictions:

- (1) Notwithstanding Section 10.9.1B(7), Sections 10.9.1B(1) and 10.9.1B(4) shall not apply.
- (2) Maximum Building Height: 11.0 metres.

3547.3 Shall also be subject to the requirements and restrictions relating to the R3E-x zone, R3E-6.0-2372 zone and all the general provisions of this by-law, which are not in conflict with those set out in Section 3547.”

(6) By adding thereto, the following sections:

“3548 The lands designated R3E-6.0-3548 on Schedule A to this by-law:

3548.1 Shall only be used for the following purposes:

1. Live-Work Townhouse Dwelling which shall permit the following uses restricted only to the ground floor of the live-work townhouse dwelling:
 - a. an office;
 - b. a retail establishment having no outdoor storage;
 - c. a bank, trust company, or financial institution;
 - d. a personal service shop;
 - e. a dry-cleaning and laundry distribution station;
 - f. a printing or copying establishment;
 - g. a take-out restaurant;
 - h. a personal health or fitness centre;
 - i. a custom workshop;
 - j. a service shop
 - k. a medical or dental practice or office;
 - l. a home occupation;
 - m. artist and photography studio including framing;
 - n. a visual and performing arts studio;
 - o. a convenience store;
 - p. purposes accessory to the other permitted uses;

3548.2 Shall be subject to the following requirements and restrictions:

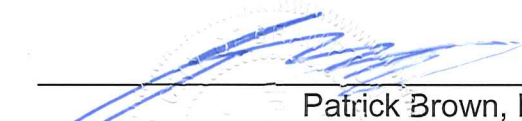
(1) Section 10.9.1B(1) of the Zoning By-Law shall not apply.


3548.3 Shall also be subject to the requirements and restrictions relating to the R3E-x zone, R3E-6.0-2374 zone, and all the general provisions of this by-law, which are not in conflict with those set out in Section 3548.”

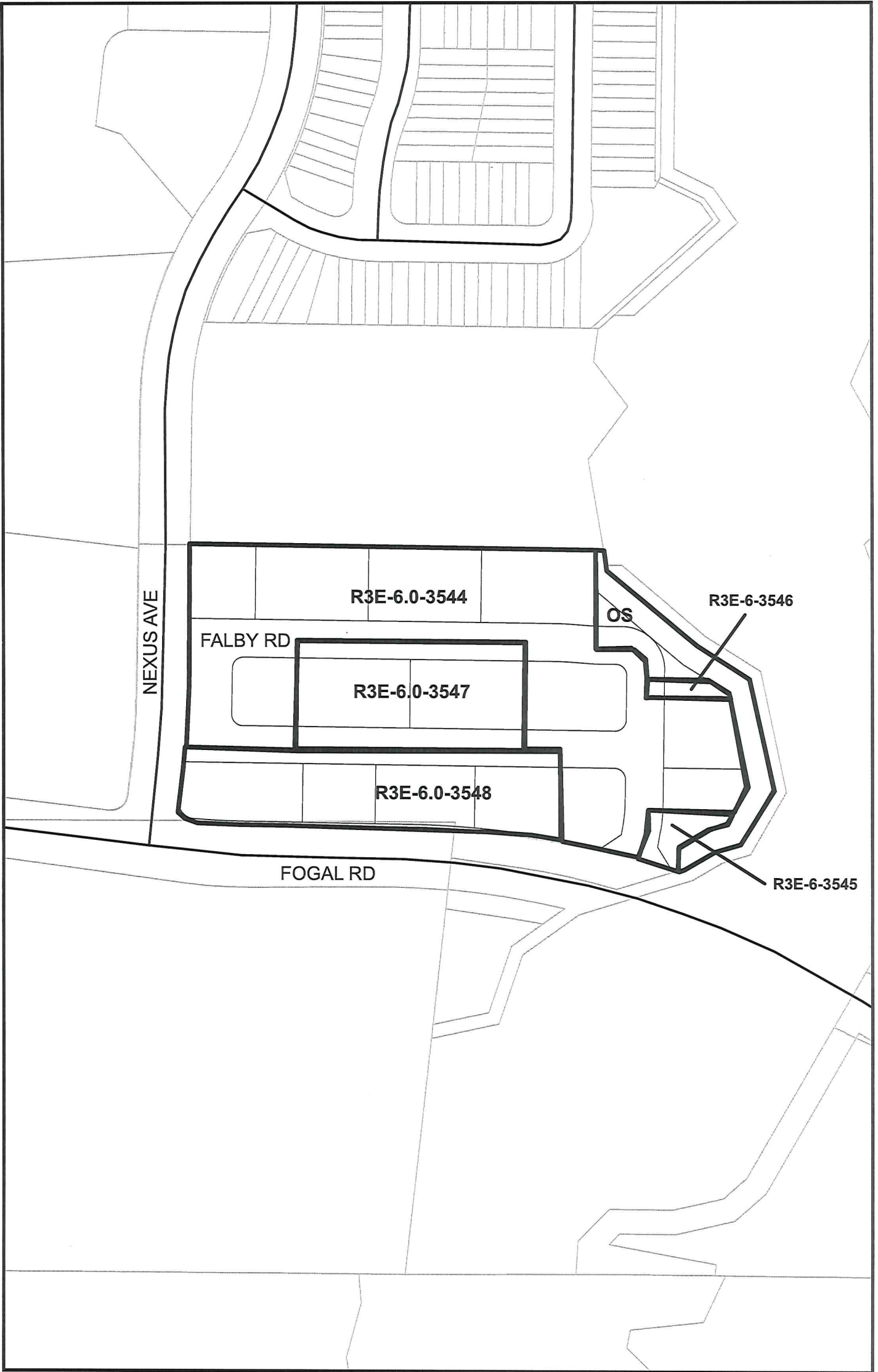
READ a FIRST, SECOND and THIRD TIME and PASSED, in OPEN COUNCIL, this 27th day of January, 2021.

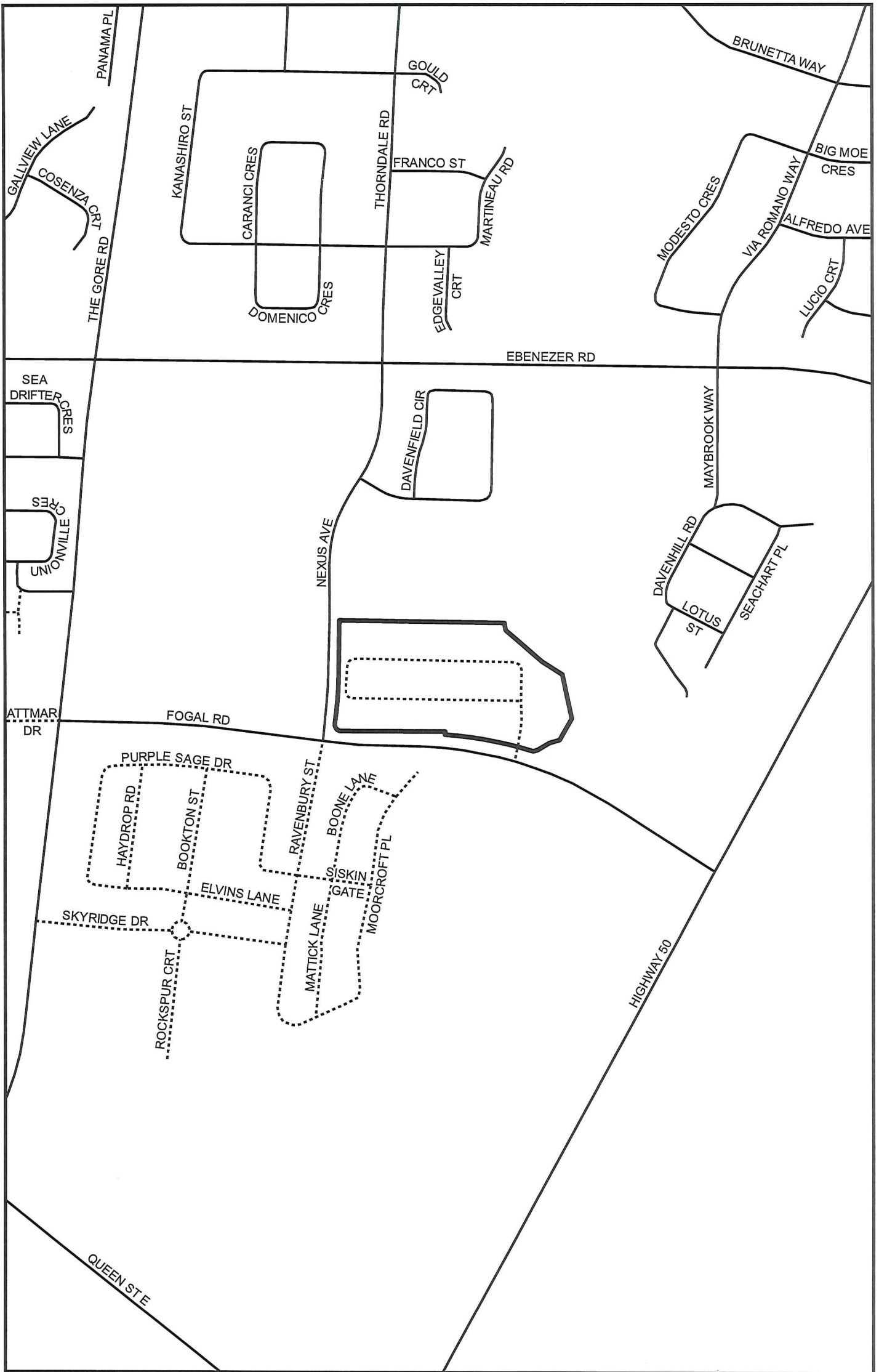
Approved as to form. 2020/12/23 AWP

Approved as to content. 2020/12/23 AAP
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Patrick Brown, Mayor


Peter Fay, City Clerk





 SUBJECT LANDS

