

**Notice of Passing of Zoning By-law 138-2018  
Ward 5**

**Date of Decision: June 27, 2018**  
**Date of Notice: July 6, 2018**  
**Last Date of Appeal: July 26, 2018**

On the date noted above, the Council of the Corporation of the City of Brampton passed **Zoning By-law 138-2018**, to amend Zoning By-law 270-2004, as amended, under Section 34 of the *Planning Act*, R.S.O., c.P.13 (File C04W09.007 and 21T-17005B) Ward 5.

**The Purpose and Effect:** to amend comprehensive Zoning By-law 270-2004, as amended pursuant to an application by Averica Land Development Services Inc. (c/o Stateview Homes (Oh La Towns)) Inc., to permit common element condominium tenure townhouses, street townhouses and rear lane townhouses (File C04W09.007 and 21T-17005B).

**Location of Lands:** South of James Potter Road, West of Creditview Road, and within block 366, Plan 43M-1720 and Lot 9, concession 4, West of Hurontario Street, Geographic Township of Chinguacousy – Ward 5.

**Obtaining Additional Information:** A copy of the by-law and a key map is provided. The complete background materials are available for inspection in the City Clerk's Office during regular office hours, or online at [www.brampton.ca](http://www.brampton.ca). Further enquiries or questions should be directed to Nasir Mahmood, Development Planner, Planning and Development Services, at (905) 874.2094 or [nasir.mahmood@brampton.ca](mailto: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*, which submissions addressed concerns about increased traffic and road congestion, access to trails and parks, and construction noise, 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 Subdivision Application (21T-17005B) pertaining to the subject lands.

**When and How to File an Appeal:** Any appeal of the zoning by-law amendment to the Local Planning Appeal Tribunal (LPAT) must be filed with the Clerk of the City of Brampton no later than **July 26, 2018** as shown above as the last date of appeal. An appeal form is available from the LPAT website at [www.elto.gov.on.ca/tribunals/lpat/forms](http://www.elto.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 (LPAT) in the amount of \$300.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario.

Only individuals, corporations and public bodies may appeal a zoning by-law to the Local Planning Appeal Tribunal. 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.

**Mailing Address for Filing a Notice of Appeal:**

City of Brampton  
Office of the City Clerk  
2 Wellington St. W.,  
Brampton, ON L6Y 4R2  
(905) 874.2114  
[cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca)



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

NUMBER 138, 2018

To amend Comprehensive Zoning By-law 270-2004, as amended,  
Re: 9768, 9778 and 9794 Creditview Road and Block 366, 43M-1720

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

By-law 270-2004, as amended, is hereby further amended by deleting Section 2354 in its entirety and replacing it with the following:

- 2354 The lands designated R4A - Section 2354 on Schedule A to this By-law:
- 2354.1 Shall only be used for the following purposes:
1. An Apartment Dwelling;
  2. A Street Townhouse Dwelling;
  3. A Rear Lane Townhouse Dwelling;
  4. Purposes accessory to other permitted purposes;
  5. Only in conjunction with an apartment dwelling, the following uses to a maximum combined gross floor area of 1500 square metres;
    - a) A retail establishment;
    - b) A personal service shop;
    - c) A service shop;
    - d) A bank, trust company or finance company;
    - e) An office, including a medical office;
    - f) A dry cleaning and laundry distribution station;
    - g) A restaurant other than a convenience restaurant;
    - h) A printing or copying establishment;

- i) A community club;
- j) A health centre;
- k) A commercial school;
- l) A private school; and
- m) A day nursery.

2354.2 An Apartment Dwelling shall be subject to the following requirements and restrictions:

- 1. Minimum Lot Area: 1.2 hectares
- 2. Minimum Lot Width: 85 metres
- 3. Minimum Lot Depth: 132 metres
- 4. Minimum Front Yard Depth: 2.5 metres
- 5. Minimum Interior Side Yard Width: 6.0 metres
- 6. Minimum Exterior Side Yard Width: 1.5 metres
- 7. Maximum Building Height: 5 storeys
- 8. Maximum Lot Coverage: 31%
- 9. Minimum Landscaped Open Area: 22% of the lot area
- 10. Maximum Density: 119 residential units per net hectare
- 11. Maximum Floor Space Index: 1.27

2354.3 Shall also be subject to the requirements and restrictions of the R4A Zone which are not in conflict with those in 2354.2

2354.4 A Street Townhouse Dwelling and a Rear Lane Townhouse Dwelling, shall be subject to the following requirements and restrictions:

- 1. Minimum Lot Area: 114 square metres per dwelling unit.
- 2. Minimum Yard Setback for a Principal Building:
  - a) The front wall of a dwelling unit: 3.0 metres to a private road; 2.3 metres to a public road; 1.2 metres to a common amenity area; and 4.5 metres in all other situations provided that a minimum setback of 6.0 metres is maintained to a garage door.
  - b) The rear wall of a dwelling unit: 6.0 metres to a Rear lot line; 1.2 metres to a common amenity area; and 7.5 metres in all other situations.
  - c) The side wall of a dwelling unit: 3.0 metres to a

public road; 1.5 metres to a private road; 1.2 metres to a side lot line; 1.2 metres to a common amenity area; 0.0 metres when the abutting side lot line coincides with a common wall between two dwellings.

- d) The main wall of a dwelling may encroach to within 2.0 metres of a daylight rounding/triangle.
  - e) A porch with or without foundation or cold cellar including eaves and cornices may encroach into the required front yard to within 1.0 metre of the front lot line abutting a public road.
  - f) A porch and/or balcony with or without foundation or cold cellar including eaves and cornices may encroach to within 1.0 metre of a daylight rounding/triangle.
  - g) A bay window, box window or box window with or without foundation or cold cellar may encroach 1.0 metre into the minimum required front yard.
  - h) Maximum Rear Yard encroachment for a rear Lane townhouse dwelling with a walkout balcony or uncovered terrace on the third storey or wood deck off the second floor: 3.0 metres.
  - i) A wall containing utilities and having a maximum length of 3m may project into the rear yard of a rear lane townhouse dwelling.
3. Maximum Building Height: 11.2 metres
4. Minimum Landscaped Open Space:
- a) Each dwelling unit shall have a minimum of 29 square metres of landscaped open space in its rear yard, except dwelling units fronting a public street with rear access from a private road which shall have a minimum of 11.0 square metres of uncovered terrace amenity space.
5. Garage Control:
- a) The maximum cumulative garage door width for a lot having a width equal to 6.0 metres but less than 9.8 metres shall be 4.9 metres.
  - b) The interior garage width as calculated 3.0 metres from the garage door opening shall be a maximum of 0.9 metres greater than the maximum cumulative garage door width permitted on the lot.
  - c) These requirements do not apply to the garage door facing a flankage lot line.
  - d) The driveway width shall not exceed the

interior width of the garage for a street townhouse dwelling fronting on a public road with rear access from a private road.

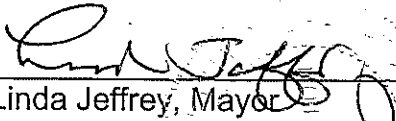
6. Notwithstanding Section 10.13.2, front to rear yard access shall be permitted via non-habitable rooms or habitable rooms or any combination of the two and with more than a two step grade difference.
7. Utilities including a hydro transformer shall be exempt from the setback requirements of this zone.
8. Notwithstanding 10.9.1.B(7) and 10.9.1.B(4)(b) requirement for a 0.6m permeable landscape strip abutting one side lot line shall not apply for a rear lane townhouse dwelling.
9. For a rear lane townhouse dwelling the public street shall be deemed the front lot line.

2354.5 Shall also be subject to the requirements and restrictions of the R3C Zone which are not in conflict with those in 2354.4.

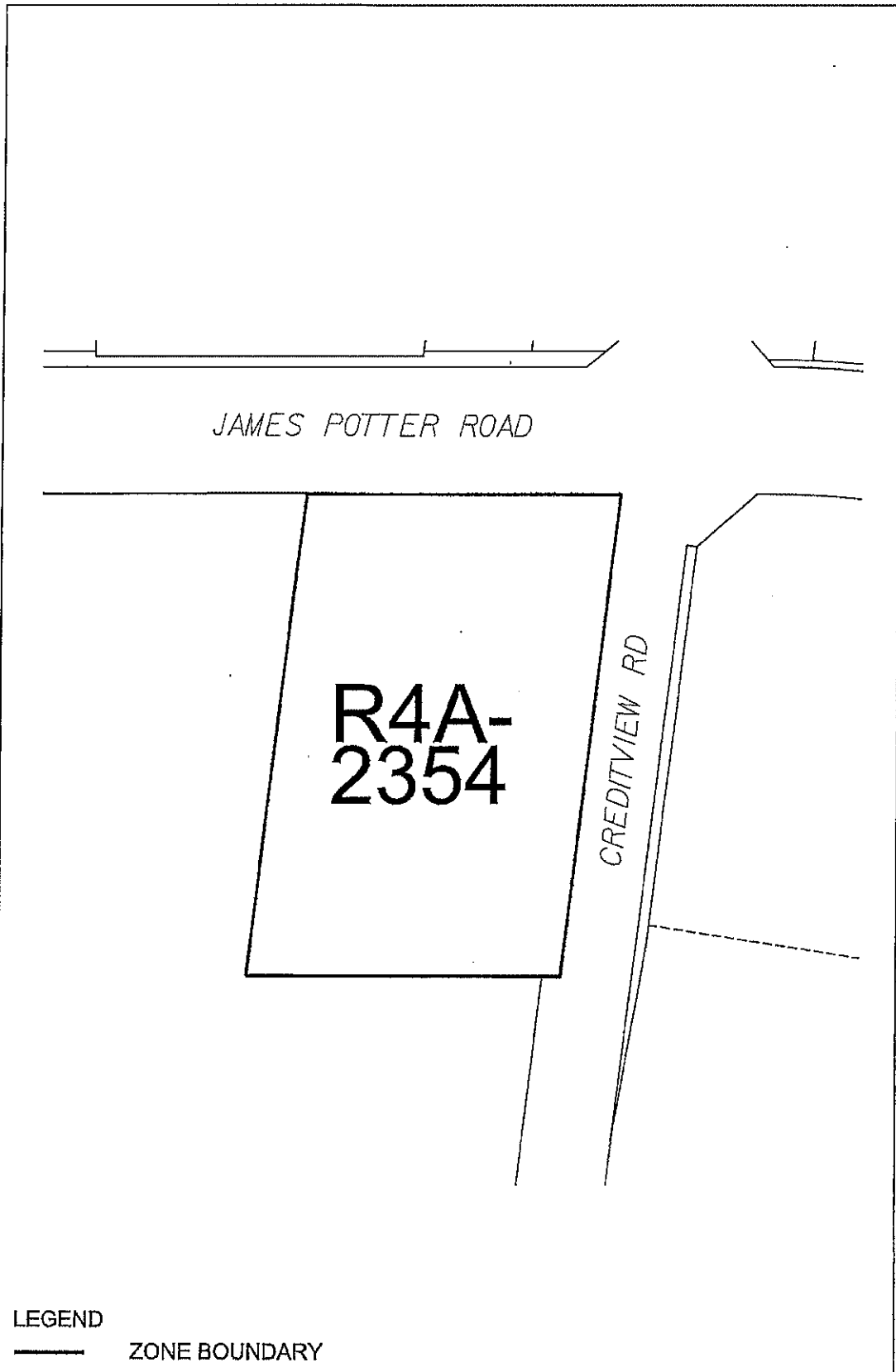
READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 27<sup>th</sup> DAY OF JUNE, 2018.

Approved as  
to form.  
06/18/2018  
AWP

Approved as  
to content.  
2018/06/20  
AP

  
Linda Jeffrey, Mayor

  
Peter Fay, City Clerk



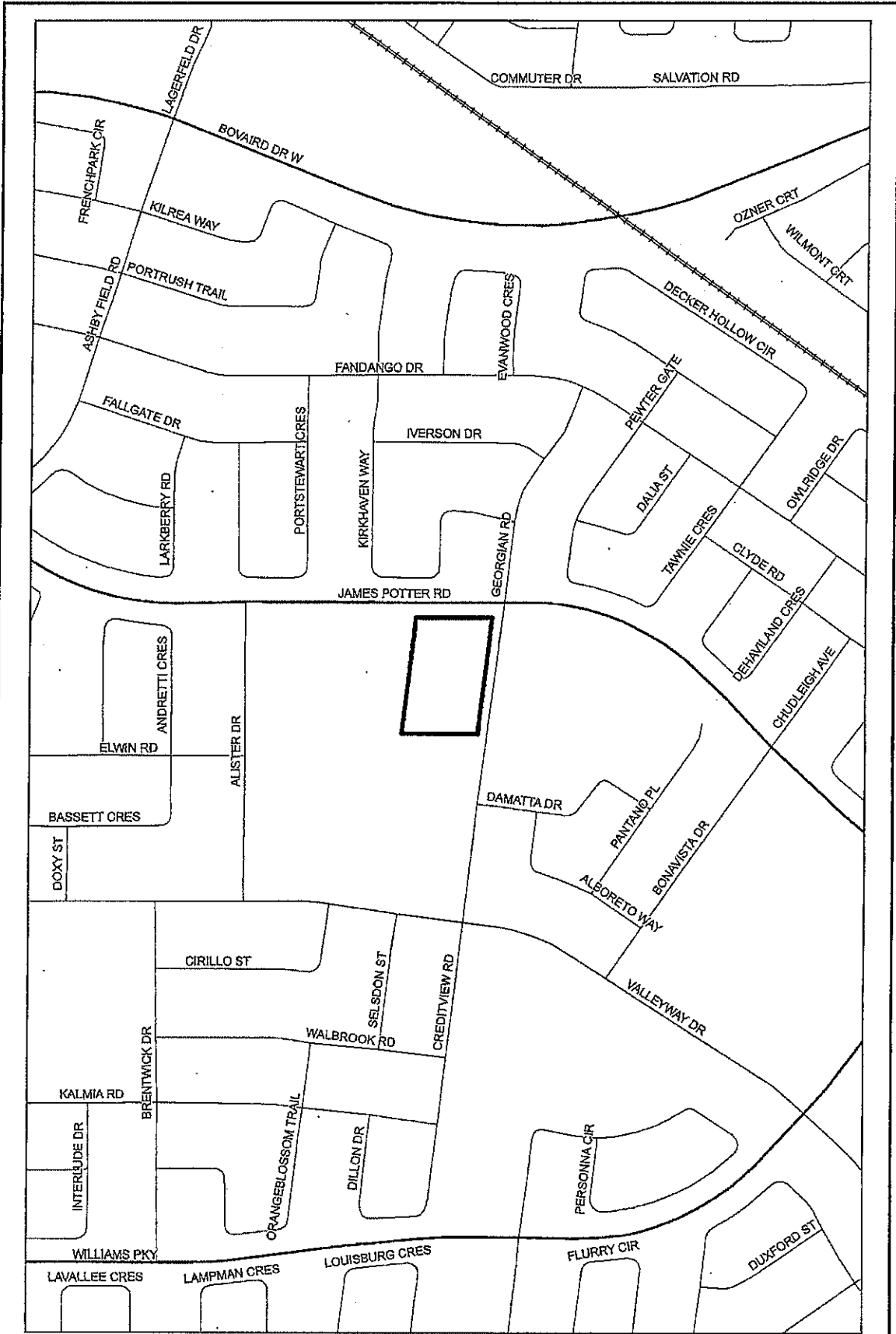
LEGEND  
 ——— ZONE BOUNDARY


**PART LOT 9, CONCESSION 4 W.H.S.**

By-Law 138-2018 Schedule A

**CITY OF BRAMPTON**  
 Planning and Development Services

Date: 2018 04 24 Drawn by: CJK  
 File no. C04W09.007\_ZBLA



 SUBJECT LANDS



File: C04W09.007\_ZKM  
Date: 2018 04 24  
Drawn By: CJK

**KEY MAP**

BY-LAW 138-2018