

**Notice of Passing of Zoning By-law 188-2018
Ward 6**

Date of Decision: September 12, 2018
Date of Notice: September 21, 2018
Last Date of Appeal: October 11, 2018

On the date noted above, the Council of the Corporation of the City of Brampton passed **Zoning By-law 188-2018**, to amend Zoning By-law 270-2004, as amended, under Section 34 of the *Planning Act*, R.S.O., c.P.13 (File C04W11.013) - Ward 6.

The Purpose and Effect: to amend comprehensive Zoning By-law 270-2004, as amended pursuant to an application by Mattamy (Credit River) Limited – Korsiak & Company Limited (File C04W11.013). The effect of By-law 188-2018 is to permit apartment and townhouse purposes. The by-law also permits an office use as a home occupation within an apartment building along Lagerfeld Drive, subject to certain restrictions.

Location of Lands: located at the north-west intersection of Lagerfeld Drive and Creditview Road, within Park of Lot 11, Concession 4, W.H. S.

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. Further enquiries or questions should be directed to Neal Grady, Development Planner, Planning and Development Services, at 905. 874-2064 or neal.grady@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 sensitive land uses and separation distances, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter. The statutory public meeting for this application was held on May 15, 2017. No member of the public attended the meeting nor was any correspondence received.

There are no other applications under the *Planning Act* 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 **October 11, 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.

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



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 188 - 2018

To amend By-law 270-2004, as amended

1. By-law 270-2004, as amended, is hereby further amended:

(1) by changing Schedule A thereto, the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From:	To:
AGRICULTURAL (A)	RESIDENTIAL APARTMENT A - SECTION 2901 (R4A- SECTION - 2901)

(2) By adding thereto, the following sections:

"2901 The lands designated R4A – 2901 on Schedule A to this by-law:

2901.1 Shall only be used for the following purposes:

a) Residential, which for the purposes of this section, shall only include the following uses:

- i. A rear-lane townhouse dwelling.
- ii. A stacked back-to-back townhouse dwelling.
- iii. An apartment dwelling.
- iv. Purposes accessory to other permitted purposes.

b) Non-Residential, which for the purposes of this section, shall only include the following use:

- i. Only in conjunction with an apartment dwelling and only in ground floor units fronting onto Lagerfeld Drive, an office shall be permitted as a home occupation up to 40% of the area of the unit.

- 2901.2 Rear-lane townhouse dwellings shall be subject to the following requirements and restrictions:
- (a) A rear-lane townhouse dwelling shall not be permitted within 30.0 metres of the lot line abutting Lagerfeld Drive, including the daylight triangle at the intersection of Lagerfeld Drive and Creditview Road or within 55.0 metres of Creditview Road.
 - (b) Minimum Dwelling Unit Width: 6.0 metres.
 - (c) Minimum Setback from the Front Wall of a Dwelling to the Curb Face of a Private Street: 4.5 metres.
 - (d) Minimum Building Separation Distance: 3.0 metres.
 - (e) Minimum Setback from the End Wall of a Dwelling to the Curb Face of a Private Street or Private Lane: 1.5 metres.
 - (f) Minimum Setback from a Garage Door Opening to the Curb Face of a Private Lane: 1.0 metres.
 - (g) Maximum Building Height: 3.5 storeys.
- 2901.3 Stacked back-to-back townhouse dwellings shall be subject to the following requirements and restrictions:
- (a) A stacked back-to-back townhouse dwelling shall not be permitted within 30.0 metres of the lot line abutting Lagerfeld Drive, including the daylight triangle at the intersection of Lagerfeld Drive and Creditview Road or within 55.0 metres of the lot line abutting a Floodplain Zone.
 - (b) Minimum Dwelling Unit Width: 6.0 metres.
 - (c) Minimum Setback from the Front Wall of a Dwelling to the Curb Face of a Private Street: 4.5 metres.
 - (d) Minimum Setback from the Front Wall of a Dwelling to the lot line abutting a Public Street: 3.5 metres.
 - (e) Minimum Building Separation Distance between End Walls: 5.0 metres.
 - (f) Face-to-Face Separation: Where walls for stacked back to back townhouse dwellings are not facing a Private Lane or Private Street and are not considered an end wall (i.e. face-to-face separation), a central court yard shall have a minimum distance between front walls of 12.0 metres.
 - (g) Minimum Setback from the End Wall of a Dwelling to the Curb Face of a Private Street or Private Lane, including parking: 1.5 metres.
 - (h) Parking shall be provided in a Lay-by Lane, a Private Lane, or Private Street or a parking lot. Parking may also be provided in above or below grade parking structures. Parking shall not be permitted in an individual garage or driveway.
 - (i) Maximum Building Height: 4.5 storeys.

- 2901.4 Apartment dwellings shall be subject to the following requirements and restrictions:
- (a) Minimum Setback to the lot line abutting Lagerfeld Drive:
 - i. 1.0 metres from the lot line abutting Lagerfeld Drive for a distance of 20.0 metres west from the daylight triangle.
 - ii. 2.2 metres for the remaining portion of the lot line abutting Lagerfeld Drive.
 - (b) Minimum Setback to the lot line abutting Creditview Road: 3.0 metres.
 - (c) Minimum Setback to a daylight triangle: 0.0 metres.
 - (d) Minimum Setback from an Apartment Dwelling to the Curb Face of a Private Street or Private Lane: 2.0 metres.
 - (e) Minimum Building Height: 4 storeys.
 - (f) Maximum Building Height : 6 storeys.
 - (g) Minimum Ground Floor Height: 3.5 metres.
 - (h) All garbage, refuse and waste containers for any use shall be located within the same building containing the use. The waste collection loading area shall be located a minimum of 9.0 metres from the main entrance.
 - (i) Air conditioning units shall not be permitted on a balcony.
- 2901.5 Parking for all uses shall be provided in accordance with the following:
- i) One-bedroom dwelling units: 0.90 spaces per unit.
 - ii) Two-bedroom dwelling units: 1.00 spaces per unit.
 - iii) Three-bedroom dwelling unit: 1.20 spaces per unit.
 - iv) Visitor parking: 0.15 spaces per unit.
- 2901.6 For the purposes of this by-law, the following shall apply:
- (a) Private Street shall mean a private thoroughfare providing primary access to abutting uses, but shall not include a public street or private or public lane.
 - (b) Private Lane shall mean a private thoroughfare which affords only a secondary means of access to abutting uses and which is not intended for general circulation of traffic, and shall not include a private or public street or public lane.
 - (c) Maximum Floor Space Index: No requirement.
 - (d) Maximum number of units per hectare: 110.
 - (e) Minimum distance between any portion of a building containing habitable space and the lot line abutting the Canadian National Railway shall be a minimum of 30.0 metres.
 - (f) All lands zoned R4A – Section 2901 shall be treated as one lot for zoning purposes.

(g) Minimum Landscaped Open Space

Those portions of all yards not occupied by permitted accessory structures, permitted encroachments per 6.13 of this By-law and the permitted driveway and sidewalk shall consist of landscape open space.

(h) There are no minimum lot depths, minimum front yard depths, minimum interior side yard depths, minimum exterior side yard depths, minimum rear yard depths, minimum lot widths, minimum lot areas, or lot coverage requirements for rear lane townhouse dwellings, stacked back-to-back townhouse dwellings, and apartment dwellings.

(i) Notwithstanding the setback requirements of the R4A-Section 2901 zone above, utility meters, sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies, window bays, balconies or decks, and open, roofed porches not exceeding one storey in height, may be located in any yard not less than 1.65 metres to the curb face of a private street or lane.

(j) Notwithstanding Section 10.11, a retaining wall around a waste collection area shall be permitted to be located 0.6 metres to a non-residential zone.

(k) Notwithstanding Section 6.10, utility installations shall not be subject to the setbacks and yard requirements of the zone in which they are located.

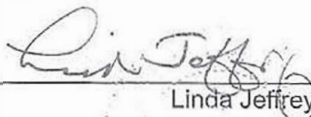
(l) Section 10.3 shall not apply to accessory structures, gazebos, and play structures owned by a condominium corporation.”

ENACTED and PASSED this 12th day of September, 2018.

Approved as to form.
2018/09/05
[AWP]

Approved as to content.
2018/08/31
AAP

(City File: C04W11.013)


Linda Jeffrey, Mayor


Peter Fay, City Clerk

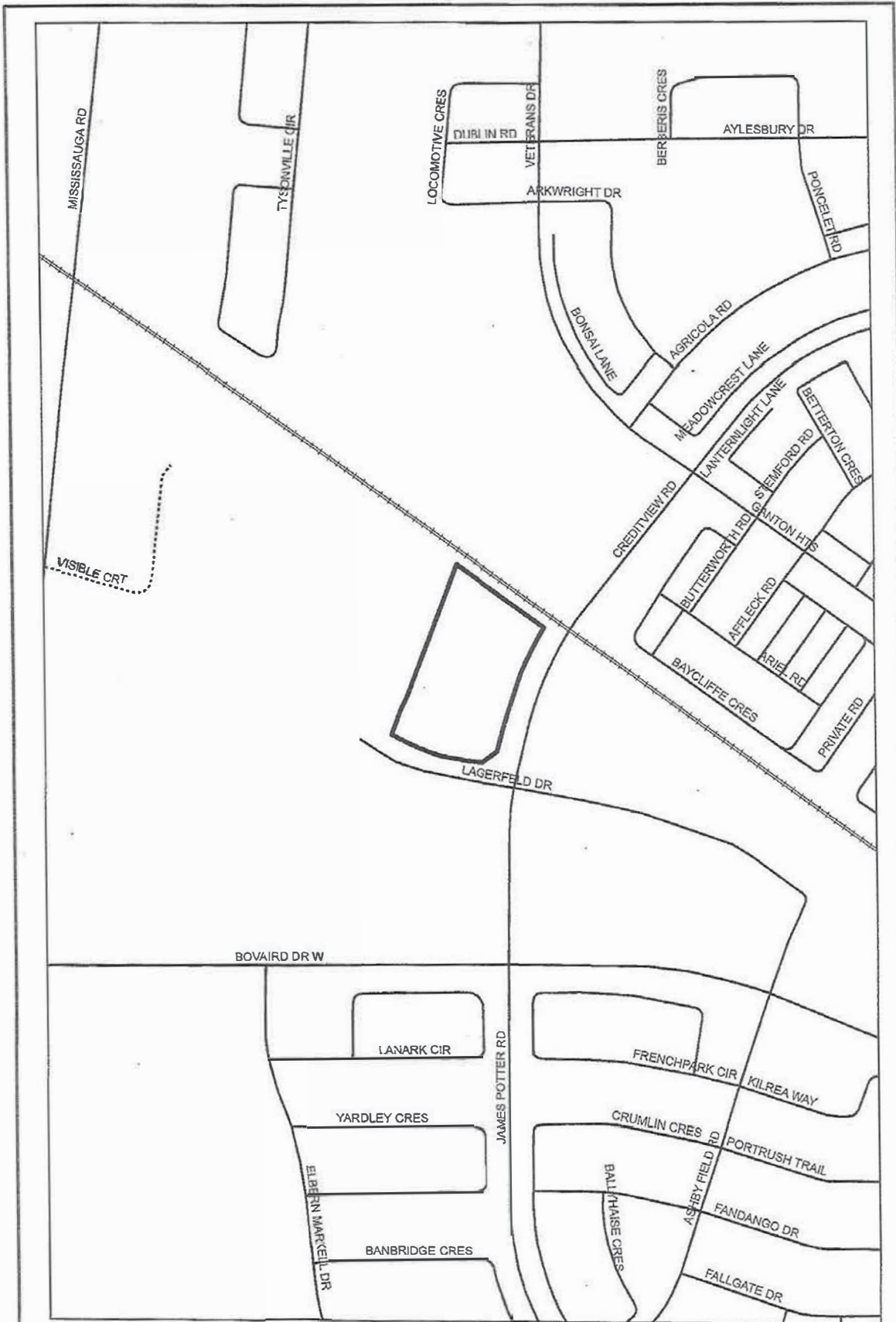


LEGEND
 _____ ZONE BOUNDARY

PART LOT 11, CONCESSION 4 W.H.S.
 By-Law 188-2018 Schedule A



CITY OF BRAMPTON
 Planning and Development Services
 Date: 2018 08 24 Drawn by: CJK
 File no. C04W11.013_ZBLA



 SUBJECT LANDS