

## **DRAFT DEVELOPMENT PERMIT SYSTEM BY-LAW MAIN STREET NORTH**

**July 20, 2009**

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

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

From:	To:
Residential Single Detached B (RIB)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Residential Single Detached B (RIB)	Residential Single Detached B – Development Permit System (RIB-DPS)
Residential Holding (RH)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Residential Holding (RH)	Open Space Development Permit System (OS – DPS)
Commercial One (C1)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Institutional One (I1)	Institutional One Development Permit System (I1-DPS)
Residential Extended Two (R2B(1))	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Downtown Commercial (DC)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Residential Apartment A (R4A)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Commercial One – Section 3184 (C1-Section 3184)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)

From:	To:
Composite Residential Commercial – Section 3075 (CRC – Section 3075)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Residential Extended One – Section 3054 (R2B(1))	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Residential Extended One – (R2B1))	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Composite Residential Commercial Section 3390 (CRC – Section 3390)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Residential Single Detached B (RIB)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Residential Single Detached B (RIB)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Composite Residential Commercial Section 3247 (CRC-Section 3247)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Composite Residential Commercial Section 3361 (CRC-Section 3361)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Composite Residential Commercial Section 3406 (CRC-Section 3406)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Composite Residential Commercial Section 3275 (CRC-Section 3275)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Composite Residential Commercial Section 3362 (CRC-Section 3362)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Composite Residential Commercial Section 3401 (CRC-Section 3401)	Composite Residential Commercial Section 3401 (CRC-Section 3401)
Residential Apartment B - Section 3378 (R4B-Section 3378)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Service Commercial Section 3379 (SC-Section 3379)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Highway Commercial Two (HC2)	Open Space-Development Permit System

From:	To:
Commercial One Section 3202 (C1-Section 3202)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Service Commercial Section 3203 (SC-Section 3203)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Service Commercial Section 3322 (SC-Section 3322)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)
Composite Residential Commercial Section 3251 (CRC-Section 3251)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Composite Residential Commercial Section 3259 (CRC-Section 3259)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Composite Residential Commercial Section 3331 (CRC-Section 3331)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Service Commercial Section 121 (CRC-Section 121)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Service Commercial One Section 3121 (SC1-Section 3121)	Residential Single Detached B - Development Permit System (RIB-DPS)
Composite Residential Commercial Section 3231 (CRC-Section 3231)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Commercial One - Section 3247 (C1-Section 3437)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Residential Apartment B Section 3206 (R4B-Section 3206)	Central Area Mixed Use Three Development Permit System (CMU3-DPS)
Commercial One Section 3182 (CRC-Section 3182)	Central Area Mixed Use Two Development Permit System (CMU2-DPS)

2. By deleting therefrom the following:
  - (1) Schedule C Section 3184
  - (2) Schedule C Section 3075
  - (3) Schedule C Section 3247
  - (4) Schedule C Section 3361
  - (5) Schedule C Section 3275
  - (6) Schedule C Section 3219
  - (7) Schedule C Section 3202
  - (8) Schedule C Section 3322
  - (9) Schedule C Section 3251
  - (10) Schedule C Section 3259

- (11) Schedule C Section 3331
- (12) Schedule C Section 3121
- (13) Schedule C Section 3231
- (14) Schedule C Section 3182

3. Section 3.1 -2 of By-law 270-2004 as amended is hereby amended by adding a new category of zones identified as “Development Permit System Zones” and including the following zones in the list:
  - (1) Central Area Mixed Use Two – Development Permit System CMU2-DPS
  - (2) Central Area Mixed Use Three – Development Permit System CMU3-DPS
  - (3) Residential Single Detached B – Development Permit System RIB-DPS
  - (4) Institutional One-Development Permit System I1-DPS
  - (5) Open Space – Development Permit System OS-DPS
4. Schedules DPS MSN-B, DPS MSN-C, DPS MSN-D and DPS MSN-E are hereby added to By-law 270-2004 as amended as shown on Schedules DPS MSN Schedule 1, DPS MSN Schedule 2, DPS MSN Schedule 3, DPS MSN, Schedule 4, to this By-law.
5. Section 6.15 of By-law 270-2004 as amended is hereby amended by adding the following words at the end of the Section:

“The provisions of this Section shall not apply to zones that are within the Development Permit System as listed in Section 3.1-2 of this By-law.”
6. Section 20.3.2.1 of By-law 270-2004 as amended is hereby amended by adding the words “and within the CMU3-DPS, RIB-DPS, I1-DPS and OS-DPS zones” after the words “Schedules B-1, B-2, B-3, B-4 and B-5”.
7. Section 20.3.2.2 of By-law 270-2004 as amended is hereby amended by adding the words “and within the CMU3- DPS, RIB-DPS, I1-DPS and OS-DPS zones” after the words “Schedules B-1, B-2, B-3, B-4 and B-5”.
8. by adding thereto the following section:

“Section 7.0: Development Permit System Areas

**Basis/General Provisions for All Development Permit System Areas**

- 7.1 Areas within this by-law may be subject to the regulations of a Development Permit System. Such areas are identified specifically within the by-law.
- 7.2 The regulations and requirements set out in the applicable Development Permit System Area as well as the general provisions set out in this Section shall govern the permitted uses, requirements and restrictions, development criteria, general process requirements and conditions for uses or development within a specific Permit System Area.

- 7.3 These regulations shall prevail over other equivalent regulations as otherwise set out in this by-law. The general provisions of the by-law and/or a particular zone continue to apply if not replaced by a specific requirement with the general or area specific regulations for a Development Permit System Area.
- 7.4 In a Development Permit System Area, no development or use shall occur unless in accordance with the policies of the Official Plan, the provisions of this Section and the criteria set out in the regulations for the applicable Development Permit System Area. All identified types or classes of development as set out in the policies of the Official Plan and the applicable Development Permit System Area shall be subject to the approval of a Development Permit. No building or other permit shall be issued for types of development subject to a Development Permit unless such approval is issued.
- 7.5 Within a Development Permit System Area, the provisions of the Site Plan Control By-law do not apply, unless otherwise specified. Approvals of variances to the standards shall be administered through the review of a Development Permit and Committee of Adjustment approval is not required, unless otherwise stated in the provisions of the specific Development Permit System Area.

#### When a Development Permit is Required

- 7.6 The following are the regulations for when a Development Permit is required for any proposal within a Development Permit System area as set out in this by-law.
- (1) A Development Permit is required when it is proposed to:
    - a) Construct, erect or place one or more buildings or structures on a lot;
    - b) Increase the size of an existing building or structure;
    - c) Establish additional parking spaces;
    - d) Establish driveways or modify driveways for motor vehicle access;
    - e) Alter the grade of the land and/or place or dump fill on the land;
    - f) Change from one permitted land use to another if the applicable regulations for a specific Development Permit System area identify such change as requiring a permit;
    - g) Removal vegetation as further set out in the applicable regulations for a specific Development Permit System area;
    - h) Undertake a matter that is subject to criteria set out in the regulations for the applicable Development Permit System Area;
  - (2) Notwithstanding the above, the placement of a portable classroom on a school site of a district school board is exempt from the

requirement for a development permit if the school site was in existence on January 1, 2007.

- (3) The regulations of a Development Permit System Area may prohibit any development or change of use of land unless a development permit is obtained.

#### Development Permit Conditions

7.7 The approval of any development requiring a Development Permit may be subject conditions.

#### Types of Conditions

- (1) As a condition of approving a Development Permit, it may be required to:
  - a) Enter into a Development Agreement, dealing with such matters as the location of buildings, parking and landscaping and any other matter that would be included as a condition pursuant to this Section;
  - (b) Post securities, which have the effect of ensuring that any required improvements are made;
  - (c) Dedicate property along the site frontage to meet the municipal and regional right-of-way requirements as set out in the policies of the City and Regional Official Plan;
  - (d) Satisfy a matter related to the removal or restoration of vegetation;
  - (e) Protect, maintain and enhance existing trees and other vegetation on the lands;
  - (f) Provide for the monitoring of the use of lands, provided the monitoring was necessary for the protection of public health and safety and/or the protection of the natural environment;
  - (g) Provide sustainable design elements, which include trees, shrubs, hedges, plantings and other ground cover, permeable paving materials, street furniture, curbed ramps, waste and recycling containers and bicycle parking facilities within the public realm at no charge to the City of Brampton;
  - (h) Carry out landscaping enhancements in accordance with an approved landscaping plan;
  - (i) Carry out drainage improvements to the satisfaction of the City and the Conservation Authority;
  - (j) Provide cash-in-lieu of parkland, if required by a By-law passed pursuant to Section 42 of the Planning Act;
  - (k) Use building materials and colours in accordance with the policies and requirements and guidelines set out for the Permit System Area

- (l) Satisfy a condition related to site alteration, including but not limited to, the alteration or restoration of the grade of land and the placing or dumping of fill on the lands;
  - (m) Provide facilities that are intended to provide access to buildings and other components of a land use for persons with disabilities;
  - (n) Provide easements for the purposes of allowing for shared parking or access to other lots in the area as may be required by the City;
  - (o) Provide specified facilities, services and matters in exchange for a specified height or density of development;
  - (p) Satisfy any specific conditions as further set out in the regulations for the applicable Development Permit System Area;
  - (q) With respect to land described in paragraph 3, 3.1 or 3.2 of subsection 34 (1) of the Planning Act, satisfy a condition that is related to matters that would otherwise be prohibited under those paragraphs;
  - (r) Improve, enhance, restore or provide items which are not explicitly identified in this sub section, but which are provided for in Sections 34, 40, 41 or 42 of the Planning Act; and,
  - (s) Provide any applicable financial contribution as required by City policies and procedures, provided the contribution is supported by statute.
- (2) With respect to conditions pertaining to Section 7.5 (1) (o), before a condition can be imposed in this regard:
- i) the general provisions for a Development Permit System or the provisions of the site-specific Development Permit shall specifically set out a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height or density of development that may be allowed; and,
  - ii) the general provisions for a Development Permit System or the provisions of the site-specific Development Permit shall identify the area in which a density bonus in exchange for the provision of specified facilities, services and matters may be considered and imposed as a condition of issuance of a Development Permit.

#### Timing of Fulfilment of Conditions

- (3) Any of the conditions identified in this section or in the applicable section within the regulations for a specific Development Permit System Area may require their

fulfilment prior to the issuance of a Development Permit. In the alternative, the condition could be satisfied after the development has been commenced. The City shall specify the timing of fulfillment of any conditions.

#### Restrictions on Conditions

- (4) Any condition shall be clear, precise and quantifiable and shall not deal with interior design, the layout of interior areas and the manner of construction and the constructions standards themselves. In addition, any condition imposed shall be of a type that is permitted by this Plan and which is reasonable for and related to the appropriate use of the land. Such a condition shall also not conflict with Federal and Provincial Statues and Regulations.

#### Variances to Regulations

- 7.8 The Development Permit System zone permissions, requirements and restrictions may be varied depending on the circumstances. Unless otherwise specified, approval of the variance is established through the approval of the applicable development permit and is recorded within the approval documents. The regulations for each particular Development Permit System Area shall establish those provisions that may be varied and the criteria against which any such variance is to be assessed.

#### Submission Requirements, Review Procedures and Delegation of Authority

- 7.9 The City shall establish review procedures for Development Permit Applications that set out levels of review and process, application fees and submission requirements that correspond to the complexity, nature and extent of a proposal. These requirements shall be set out in a Development Permit System Processing Manual and Guide approved by Council.

#### Notice of Approval of Development Permit

- 7.10.1 Within 15 days after City Council or the delegated approval authority makes a decision, written notice of the decision, including reasons and any conditions imposed, shall be given to the applicant and to each person or public body that filed a written request to be informed of the decision with the clerk of the municipality.

#### Delegation of Approval Authority

- 7.10.2 The approval of any Development Permit application which complies with the implementing Development Permit By-law and generally conforms with the policies of this Section is delegated to the Director of Community Design, Parks Planning and Development. The Director may provide Council or other body appointed by Council with the opportunity to provide comments



on the Development Permit application prior to being considered for approval by the Commissioner. Alternately, the Director may refer an application to Council for their consideration and approval.

#### Density Bonus and Transfer

7.11 The City may consider the exchange of height and/or density for the provisions of facilities, services and other matters provided:

- i) The general provisions for a Development Permit System or the provisions of the site-specific Development Permit shall specifically set out a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height or density of development that may be allowed in accordance with Official Plan policies; and,
- ii) The general provisions for a Development Permit System or the provisions of the site-specific Development Permit identify the area in which a density bonus in exchange for the provision of specified facilities, services and matters may be considered and imposed as a condition of issuance of a Development Permit.

8. by adding thereto the following section:

“Section 51.1 “Main Street North Development Permit System Area”:

#### Lands Subject to this Section

51.1 Lands within area delineated as the Main Street North Development Permit System Area and within the following zones are subject to the provisions of this Section:

- (1) Central Area Mixed Use Two – Development Permit System (CMU2-DPS)
- (2) Central Area Mixed Use Three – Development Permit System (CMU3-DPS)
- (3) Residential Single Detached B – Development Permit System (R1B-DPS)
- (4) Institutional One – Development Permit System (I1-DPS)
- (5) Open Space – Development Permit System (OS-DPS)

#### Permitted and Prohibited Uses, Zone Standards and Standard Specific Criteria and Other General Provisions

51.2 No lands shall be used, and no building or structure, grading, landscape or vegetation, shall be erected, located, used or altered, nor shall the use of any building, structure or lot or grading, landscape or vegetation of any lot be changed, in whole or in part, except in conformity with the following provisions as set out in the DPS Regulations Matrix.

## SECTION 51.2: DPS REGULATIONS MATRIX

- (1) Permitted Uses and regulations pertaining to requirements and restrictions for uses and use of land, buildings, landscaping, grading, site servicing are provided in the matrix below. These provisions are also subject to Section 51.3, 51.4 and 51.5 in addition to all other applicable provisions within By-law 270-2004 as amended.
- (2) The symbol '●' in the column for a specific zone indicates that the Uses and any other Requirements and Restrictions as set out in the rows in the matrix apply to that specific zone. A number following the symbol '●' indicates that one or more conditions apply to the use, with that condition listed under the column entitled 'Special Provisions'.
- (3) If the cell in the matrix is blank for a particular row or provision, it shall be interpreted to mean that either the particular use/requirement is not permitted or that the regulation/requirement does not apply, as the case may be, based on a reasonable reading of the related text.

### 1.0 PERMITTED USES

Uses permitted in any DPS Zone as shown on Schedule 'A' to this By-law, as amended, are denoted in the column applicable to that zone and corresponding with the row of a specific permitted use set out below.

	CMU2 -DPS	CMU3 -DPS	R1B- DPS	I1- DPS	OS- DPS	<b>SPECIAL PROVISIONS</b> <small>These special provisions correspond to numbers found under the zone columns in the matrix.</small>
<b>A) Non-Residential Uses</b>						
(1) Administrative Office of any Public Authority	●	●				
(2) Animal Hospital	●					
(3) Art Gallery or Studio	●	●				
(4) Bank, Trust Company or Financial Company	●					
(5) Bed and Breakfast Establishment	●	●	●(1)			1 Maximum of 5 rooms per dwelling
(6) Children's or Senior's Activity Centre	●	●				
(7) Commercial School	●					
(8) Community Club	●	●				
(9) Custom Workshop	●	●				
(10) Day Nursery	●	●		●		
(11) Dining Room Restaurant	●	●(2)				2 No Minimum Number of Seats is

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
						required
(12) Dry Cleaning and Laundry Distribution Station	•					
(13) Grocery or Convenience Store	•					
(14) Health or Fitness Centre	•					
(15) Hotel	•	•				
(16) Laundromat	•					
(17) Medical Office	•	•				
(18) Office	•	•				
(19) Places of Commercial Recreation	•					
(20) Personal Service Shop	•	• (3)				3 Maximum Gross Floor Area is 100 square metres
(21) Printing or Copying Establishment	•					
(22) Religious Institution	•	•		•		
(23) Retail Establishment	•	• (4)				4 Maximum Gross Floor Area is 400 square metres
(24) Service Shop	•	• (3)				3 Maximum Gross Floor Area is 100 square metres
(25) Supermarket	•					
(26) Take Out Restaurant	•					
(27) Theatre	•					
(28) Public Park	•	•	•	•	•	
<b>B) Residential Uses</b>						
(1) Apartment Dwelling	• (5)	•				5 No part of a dwelling is permitted within that portion of the first storey that is within 6.0 metres of the exterior wall facing a streetline
(2) Multiple Residential Dwelling		•				
(3) Duplex Dwelling		•				
(4) Street Townhouse		• (6)				6 Only within the area bounded by Thomas Street, David Street, Main Street and Market Street, that permit a maximum building height of 15.5 metres

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
(5) Townhouse		• (7)				7 Only within the area bounded by Thomas Street, David Street, Main Street and Market Street, that permit a maximum building height of 15.5 metres
(6) Single Detached Dwelling		• (8)	•			8 Only single detached dwellings which existed on the effective date of this Section are permitted
<b>C) Other Uses</b>						
(1) Purposes accessory to other permitted uses	•	•	•	•	•	
(2) Vehicular Access to Parking areas on Adjacent Lands	•	•		•	•	
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <b>VARIANCES:</b>                      Permitted:                      Yes: <input type="checkbox"/> No: <input type="checkbox"/>                      Criteria:                      See Section 51.6                 </div>						

## 1.1 PROHIBITED USES

Uses that are prohibited in the DPS Zones as shown on Schedule 'A' to this by-law, as either a principal or accessory use are denoted by the symbol '●' in the column applicable to that zone and corresponding with the row for a specific prohibited use as set out below:

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix.
(1) Adult Entertainment Parlours	●	●	●	●	●	
(2) Amusement Arcades	●	●	●	●	●	
(3) Body Art and Tattoo Parlours	●	●	●	●	●	
(4) Grocery or Convenience Stores		●	●	●	●	
(5) Drive Through Service Facilities Associated with Any Use	●	●	●	●	●	
(6) Garden Centre Sales Establishments	●	●	●	●	●	
(7) Massage or Body Rub Parlours	●	●	●	●	●	
(8) Taverns	●	●	●	●	●	

**VARIANCES:**  
Permitted:

Yes:		No:	
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Criteria:  
n/a

## 2.0 SITE DEVELOPMENT STANDARDS

Any use of lands, buildings or structures, shall adhere to the following Site Development Standards:

	CMU2 -DPS	CMU3 -DPS	R1B- DPS	I1- DPS	OS- DPS	<b>SPECIAL PROVISIONS</b> <small>These special provisions correspond to numbers found under the zone columns in the matrix.</small>		
<b>A) Minimum Setback From Street Centreline</b>								
1. Minimum setbacks are shown on Schedule DPS MSN-B	•	•	•	•	•			
2. The minimum setback on a vacant lot or for a new development where the existing structure on the lands will not be retained, shall be the average of the setbacks on abutting lots which front on the same side of the street	•	•		•				
3. For that portion of any building that has a height of 15.5 metres or greater above grade, the minimum setback shall be increased by a minimum of 3.0 metres	•			•				
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Yes: <input type="checkbox"/></td> <td style="width: 50%; text-align: center;">No: <input type="checkbox"/></td> </tr> </table> <p>Criteria: See Section 51.6</p> </div>							Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Yes: <input type="checkbox"/>	No: <input type="checkbox"/>							
<b>B) Maximum Setback From Street Centreline</b>								
1. Maximum setbacks are shown on Schedule DPS MSIN-B	•	•	•	•	•			

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:		
<div style="border: 1px solid black; padding: 5px;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Yes: <input type="checkbox"/></td> <td style="width: 50%;">No: <input type="checkbox"/></td> </tr> </table> <p>Criteria: See Section 51.6</p> </div>							Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Yes: <input type="checkbox"/>	No: <input type="checkbox"/>							
<b>C) Minimum Building Wall Length</b>								
1. Minimum building wall lengths are shown on Schedule DPS MSN-C	•	•	•	•	•			
<div style="border: 1px solid black; padding: 5px;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Yes: <input type="checkbox"/></td> <td style="width: 50%;">No: <input type="checkbox"/></td> </tr> </table> <p>Criteria:</p> <ol style="list-style-type: none"> <li>The minimum building wall length may be reduced from 70% to no less than 50%, provided criteria under Section 51.6 are met.</li> </ol> </div>							Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Yes: <input type="checkbox"/>	No: <input type="checkbox"/>							
<b>D) Minimum Building Heights</b>								
1. Minimum heights are shown on Schedule DPS MSN-D	•	•	•	•	•			
2. Minimum building heights only apply to that portion of building that is within 12.0 metres of any property line abutting a street	•	•	•	•	•			
3. Portions of the building that are not part of the primary building mass, such as entrance porticos, bays and stoops, are not required to meet minimum height	•	•	•	•	•			

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
requirements.						
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted: Yes: <input type="checkbox"/> No: <input type="checkbox"/> Criteria: See Section 51.6</p> </div>						
<b>E) Maximum Building Heights</b>						
1. Maximum building heights are shown on Schedule DPS MSN-D	•	•	•	•	•	
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted: Yes: <input type="checkbox"/> No: <input type="checkbox"/> Criteria:</p> </div>						
<b>F) Minimum Interior Side and Rear Yards and Angular Plane</b>						
1. Minimum interior side and rear yard depths and Angular Planes are shown on Schedule DPS MSN-E	•	•	•	•	•	
2. In no case shall any portion of a building that has a height of greater than 15.5 metres above grade having windows for a dwelling unit be located no less than 6.0 metres from any interior side or rear lot line	•					



	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
<p><b>VARIANCES:</b> Permitted: Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>Criteria: 1 Minimum yards can be reduced but only in circumstances where the yard would be consistent with the existing yard on the lot, and provided the criteria established in Section 51.6 are met.</p>						
<b>G) Windows and Doors at Grade</b>						
1. On any wall adjacent to the Main Street, Vodden Street or Church Street streetline, no less than 70% of the gross area of the portion of the wall less than 4.6 metres above grade shall have windows and/or doors	•					
2. On any other streetline, no less than 25% of the gross area of the portion of the wall less than 4.6 metres above grade shall have windows and/or doors	•					
3. On any wall adjacent to the Main Street, and where a building height of 15.5 metres or greater is permitted, no less than 70% of the gross area of the portion of the wall less than 4.6 metres above grade shall have windows and/or doors		•				
<p><b>VARIANCES:</b> Permitted: Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>Criteria: See Section 51.6</p>						

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
<b>H) Commercial Uses at Grade</b>						
1. The ground floor area of that portion of the building within 6.0 metres of the main wall facing a street shall only be used for the commercial uses permitted in Section 51.3.1-A1.0. Notwithstanding the above, floor area used for vehicular and pedestrian access (including an office, hotel or apartment dwelling lobby) provided that no more than 30% of the wall facing the street shall be used for such other purposes.	•					
2. No commercial uses are permitted at grade along Isabella Street, beyond a distance of 65 metres south of the intersection of Isabella Street and Vodden Street,.	•					
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p><b>VARIANCES:</b> Permitted:</p> <p>Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/></p> <p>Criteria: See Section 51.6</p> </div>						
<b>I) Setback for an Underground Parking Garage</b>						
1. The minimum setback for underground parking garage shall be 0.0 metres	•					

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:				
<div data-bbox="142 293 548 483" style="border: 1px solid black; padding: 5px;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" data-bbox="163 363 531 394"> <tr> <td data-bbox="163 363 254 394">Yes: <input type="checkbox"/></td> <td data-bbox="254 363 344 394"></td> <td data-bbox="344 363 434 394">No: <input type="checkbox"/></td> <td data-bbox="434 363 531 394"></td> </tr> </table> <p>Criteria: See Section 51.6</p> </div>	Yes: <input type="checkbox"/>		No: <input type="checkbox"/>							
Yes: <input type="checkbox"/>		No: <input type="checkbox"/>								
<p><b>J) Screening of Mechanical Equipment</b></p> <p>1. Mechanical equipment and utilities including gas meters, gas pipes, and transformers shall be screened from view from public streets and residential dwellings</p>	•	•	•	•	•					
<div data-bbox="142 824 548 1015" style="border: 1px solid black; padding: 5px;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" data-bbox="163 894 531 925"> <tr> <td data-bbox="163 894 254 925">Yes: <input type="checkbox"/></td> <td data-bbox="254 894 344 925"></td> <td data-bbox="344 894 434 925">No: <input type="checkbox"/></td> <td data-bbox="434 894 531 925"></td> </tr> </table> <p>Criteria: See Section 51.6</p> </div>	Yes: <input type="checkbox"/>		No: <input type="checkbox"/>							
Yes: <input type="checkbox"/>		No: <input type="checkbox"/>								
<p><b>K) Open Porches</b></p> <p>1. Open Porches may be permitted on the wall facing the streetline, provided the porch is designed in a manner that complements the architectural design and heritage of the existing building and complements the character of the existing building in accordance with the Main Street North Urban Design Guidelines</p> <p>2. A maximum encroachment into a required front or exterior side yard of 2.4</p>	•	•	•	•	•					

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:		
metres is permitted, provided a minimum 1.5 metre wide landscaped strip between the streetline and the porch is maintained								
<p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Yes: <input type="checkbox"/></td> <td style="width: 50%;">No: <input type="checkbox"/></td> </tr> </table> <p>Criteria: See Section 51.6</p> <ol style="list-style-type: none"> <li>The encroachment may be increased provided the porch does not affect the establishment and/or maintenance of the appropriate level of landscaping in the yard facing the street (as set out in the Main Street North Urban Design Guidelines.).</li> <li>The minimum setback to the property line of 1.5 metres is maintained</li> </ol>							Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Yes: <input type="checkbox"/>	No: <input type="checkbox"/>							
<b>L) Outdoor Display and Sales</b>								
1. The outdoor display and sale of goods is permitted as an accessory use is not permitted	•	•	•	•	•			
<p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Yes: <input type="checkbox"/></td> <td style="width: 50%;">No: <input type="checkbox"/></td> </tr> </table> <p>Criteria:</p> <ol style="list-style-type: none"> <li>Variations are permitted only in the CMU2 and CMU3 zone.</li> <li>Is only permitted in a yard facing a public street, provided that the display area is accessible to the public.</li> <li>The area shall enhance and/or complement the character of the existing building.</li> <li>An appropriate landscaping/non-landscaping ratio shall be maintained.</li> <li>Pedestrian movements shall not be impeded.</li> <li>Approval shall only be for a temporary period of time.</li> <li>The maximum size per commercial establishment shall be 5.6 m2.</li> </ol>							Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Yes: <input type="checkbox"/>	No: <input type="checkbox"/>							

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
<b>M) Outside Storage</b> 1. Outside Storage is not permitted	•	•	•	•	•	
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>VARIANCES: Permitted: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> Criteria: N/A.</p> </div>						
<b>N) On-site Motor Vehicle Parking</b>						
<b>(1) On-site parking shall be provided in accordance with the following:</b>						
1. A minimum of 50% of the non-residential parking requirement set out in Section 20.3.1 of By-law 270-2004 shall be provided	•					
2. One parking space per residential dwelling unit is required	•					
3. No more than 1 parking space per dwelling unit is permitted	•					
4. No more than 70% of the minimum parking requirements for all other uses set out in Section 20.3.1 of By-law 270-2004 are permitted	•					
5. All motor vehicle parking shall be located within a parking garage. Notwithstanding the above, an appropriate percentage of the required parking for any use may be located in a surface parking lot, provided the parking spaces are to be used for temporary motor	•					

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:				
vehicle parking only										
6. For non-residential uses, no minimum on-site parking is required		•								
7. Notwithstanding the above, for dining room restaurants, hotels, bed and breakfast establishments, religious institutions and medical offices, a minimum of 50% of the parking requirement set out in Section 20.3.1 of By-law 270-2004 shall be provided		•								
8. All motor vehicle parking shall be located within a rear and/or interior side yard		•								
9. All such parking shall be set back a minimum 1.5 metres from an interior or rear lot line, except where driveway access and/or parking is shared across a lot line		•								
10. Vehicle parking in accordance with Section 10.9 of By-law 270-2004 shall provided			•							
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes:</td> <td style="width: 20px; height: 15px; background-color: black;"></td> <td style="padding: 2px;">No:</td> <td style="width: 20px; height: 15px;"></td> </tr> </table> <p>Criteria: See Section 51.6</p> </div>							Yes:		No:	
Yes:		No:								
<b>O) Residential Garage and Driveway Control</b>										
<b>(1) General:</b>										
1) The following provisions apply to driveway widths, garage widths setbacks and garage sizes. Notwithstanding	•	•	•	•	•					

		<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
	Section 10.9.1 B -7) these provisions shall prevail where they are the more restrictive						
2)	No attached or detached garages facing the streetline are permitted within 20 metres of the centreline of the street. In no case shall the garage be set back less than 6.0 metres from the main face of the dwelling along the street line	•	•	•	•	•	
3)	For street townhouse or townhouse dwellings no garages shall face the street		•				
<b>(2)</b>	<b>For Detached Garages:</b>						
1)	The driveway leading to a detached garage in the rear yard shall have a minimum width of 2.2 metres		•	•			
2)	A minimum 0.6 metre vegetated landscaped strip such as trees, grass, shrubs, flowers or other plants, shall be provided between the driveway and the adjacent lot line		•	•			
3)	A minimum 0.6 metre setback shall be provided from a detached garage to any rear or interior side lot line		•	•			
4)	No encroachments into the minimum 2.8 cumulative driveway and landscape width set out in 1) and 2) above shall be permitted		•	•			
5)	No driveway to a rear yard garage shall be permitted in an exterior side yard		•	•			
6)	No garage shall face the flankage lot line		•	•			
7)	The maximum size of a detached garage shall be 44.6 square metres		•	•			

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:				
<b>(3) For Attached Garages</b>										
1) For lots with a width of 15 metres or less, the maximum cumulative garage door width shall be 3.7 metres		•	•							
2) For lots with a width greater than 15 metres, the maximum cumulative garage door width shall be 5.5 metres		•	•							
3) The maximum interior garage width shall be 0.6 metres wider than the cumulative garage door width		•	•							
4) No garage shall face the flankage lot line		•	•							
<b>(4) Maximum Driveway Width for Single-Detached, Semi Detached, or Townhouse Residential Use:</b>										
1) A driveway shall not exceed the width of the garage		•	•							
2) Where a driveway does not lead to an attached or detached garage, the maximum driveway width (including that portion within the road right of way) shall be 4.9 metres		•	•							
<p><b>VARIANCES:</b> Permitted:</p> <table border="1"> <tr> <td>Yes:</td> <td><input checked="" type="checkbox"/></td> <td>No:</td> <td><input type="checkbox"/></td> </tr> </table> <p>Criteria: See Section 51.6</p> <ol style="list-style-type: none"> <li>1) No variance to the maximum size for a detached garage shall be permitted</li> <li>2.) No variance to the minimum driveway width to a detached garage shall be permitted.</li> <li>3) No variance to the minimum rear and side yard setback for a detached garage shall be permitted.</li> </ol>							Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>							



	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:				
<b>P) Loading Spaces and Waste Disposal</b>										
1) A minimum of 1 loading space per lot where a non-residential use is located is required	•									
2) Loading, unloading and waste disposal facilities shall not be located on the wall facing a street and shall be located only within the interior side or rear yard	•									
3) No loading spaces are required		•								
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes:</td> <td style="width: 20px; height: 15px;"></td> <td style="padding: 2px;">No:</td> <td style="width: 20px; height: 15px; background-color: black;"></td> </tr> </table> <p>Criteria: N/A</p> </div>							Yes:		No:	
Yes:		No:								
<b>Q) Driveway Aisles</b>										
(1) For multi-residential and all non-residential uses, aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway shall be established on the basis of the standard by-law requirements with exceptions as identified below	•	•	•	•	•					
1) For parking spaces with a parking angle of 70 degrees up to and including 90 degrees: 6.0 metres		•								
2) The minimum width of a driveway leading to a parking area shall be 2.8 metres		•								
3) Notwithstanding the above, this requirement may be reduced, if a mutual		•								

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:		
driveway access along the mutual property line with the abutting lot is provided. The minimum total width of the mutual access driveway shall be 2.8 metres.								
<div style="border: 1px solid black; padding: 5px;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Yes: <input type="checkbox"/></td> <td style="width: 50%;">No: <input type="checkbox"/></td> </tr> </table> <p>Criteria: See Section 51.6 1) Sections N-(1) 2) and 3) may not be varied.</p> </div>							Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Yes: <input type="checkbox"/>	No: <input type="checkbox"/>							
<b>R) Minimum Lot Width</b>								
(1) The minimum lot width shall be 15 metres		•	•	•				
(2) The minimum lot width shall be 30 metres	•							
<div style="border: 1px solid black; padding: 5px;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Yes: <input type="checkbox"/></td> <td style="width: 50%;">No: <input type="checkbox"/></td> </tr> </table> <p>Criteria: See Section 51.6</p> </div>							Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Yes: <input type="checkbox"/>	No: <input type="checkbox"/>							

### 3.0 LANDSCAPING AND STREETScape STANDARDS

Fulfilment of the following Landscaping and Streetscape standards shall be required:

	CMU2 -DPS	CMU3 -DPS	R1B- DPS	I1- DPS	OS- DPS	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix.
<b>A) Minimum Landscaped Open Space</b>						
1) 30% of the lot area shall be landscaped open space	•					
2) The entire yard areas shall be landscaped open space other than for a driveway, parking area, an encroachment, or accessory building permitted by this by-law		•	•	•	•	
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted: Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> Criteria: See Section 51.6</p> </div>						
<b>B) Outdoor Play Area</b>						
(1) An outdoor children's play area having a minimum size of 100 square metres shall be provided in conjunction with development containing more than 20 residential dwelling units	•					
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted: Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> Criteria: See Section 51.6</p> </div>						

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
<b>C) Streetscape Standards</b>						
(1) That portion of the yard adjacent to Main Street or on a corner lot along Main Street shall incorporate a landscape treatment at the edge of the property abutting the street in accordance with the Main Street North Urban Design Guidelines	•(1)	•(1)		•(1)	•	1 Dependent on Application Type. (refer to Main Street North Urban Design Guidelines)
(2) To reinstate the tree canopy, provision of street trees within the front yard shall be provided in accordance with the Main Street North Urban Design Guidelines	•(1)	•(1)	•(1)	•(1)	•	1 Dependent on Application Type. (refer to Main Street North Urban Design Guidelines)
<b>D) Signage</b>						
(1) The size, location and placement, styles, design, associated lighting for any permitted signage shall be in accordance with the Main Street North Urban Design Guidelines and City Sign By-law	•	•	•	•	•	
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p><b>VARIANCES:</b> Permitted: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> Criteria: See Section 51.6 (2)</p> </div>						

### 4.0 BUILT FORM DESIGN STANDARDS

Fulfilment of the following Built Form Design standards shall be required:

	CMU2 -DPS	CMU3 -DPS	R1B- DPS	I1- DPS	OS- DPS	SPECIAL PROVISIONS <small>These special provisions correspond to numbers found under the zone columns in the matrix.</small>
<b>A) Building Design, Massing, Materials and Colours</b>						
(1) Any additions or alterations to a building or new construction works requiring approval of a development permit shall be undertaken in accordance with the Main Street North Urban Design Guidelines and any other provisions set out in the Development Permit System. By-law related to building design, massing materials and colours	•	•	•	•	•	
(2) Additions shall match or be reflective of the style of the main building in accordance with the with the Main Street North Urban Design Guidelines	•	•	•	•	•	
30 Notwithstanding any minimum building setback to a streetline requirement, a greater building setback may be required to achieve building façade articulation and massing objectives as set out in the Main Street North Urban Design Guidelines	•	•	•	•		
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p><b>VARIANCES:</b> Permitted:</p> <p>Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p> <p>Criteria: See Section 51.6 (2)</p> </div>						

## 5.0 SUSTAINABLE DEVELOPMENT REQUIREMENTS

Fulfillment of the following Sustainable Development Criteria shall be a required

	CMU2 -DPS	CMU3 -DPS	R1B- DPS	I1- DPS	OS- DPS	<b>SPECIAL PROVISIONS</b> <small>These special provisions correspond to numbers found under the zone columns in the matrix:</small>				
<b>A) Parking Areas and Driveways</b>										
(1) Surface parking areas are to be designed to be permeable, to encourage the infiltration of stormwater into the ground		•								
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted:</p> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 40px;">Yes:</td> <td style="width: 40px;"></td> <td style="width: 40px;">No:</td> <td style="width: 40px; background-color: black;"></td> </tr> </table> <p>Criteria: See Section 51.6 (2)</p> </div>							Yes:		No:	
Yes:		No:								
<b>B) Tree Preservation</b>										
(1) All existing and healthy mature trees shall be protected. Design of new development, additions, driveway and parking areas, shall consider the retention of mature trees to maintain the character of the area and provide appropriate buffers between land uses	•	•	•	•	•					
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted:</p> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 40px;">Yes:</td> <td style="width: 40px; background-color: black;"></td> <td style="width: 40px;">No:</td> <td style="width: 40px;"></td> </tr> </table> <p>Criteria: See Section 51.6</p> <ol style="list-style-type: none"> <li>1. All reasonable alternatives for development, building expansion, parking layout, driveways are to be exhausted.</li> <li>2. Mature tree canopy is retained on property.</li> <li>3. Replacement tree(s) to be provided on site and other conditions set out in Main Street North Urban Design guidelines are met.</li> </ol> </div>							Yes:		No:	
Yes:		No:								

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> These special provisions correspond to numbers found under the zone columns in the matrix:
<b>C) Active Transportation</b>						
(1) Two of the required parking spaces shall be utilized for bicycle parking and parking for other two-wheeled motorized vehicles	•					
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> Criteria: See Section 51.6 (2)</p> </div>						
<b>D) Stormwater Management</b>						
(1) Permeable on-site controls for paved areas shall be required	•	•	•	•	•	
(2) Stormwater management controls shall be provided in conformity with City requirements and the Main Street North Urban Design Guidelines	•	•	•	•	•	
<div style="border: 1px solid black; padding: 5px;"> <p>VARIANCES: Permitted: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> Criteria: See Section 51.6 (2)</p> </div>						

## 6.0 ACCESS MANAGEMENT

Fulfilment of the following Access Management standards shall be required:

	<b>CMU2 -DPS</b>	<b>CMU3 -DPS</b>	<b>R1B- DPS</b>	<b>I1- DPS</b>	<b>OS- DPS</b>	<b>SPECIAL PROVISIONS</b> <small>These special provisions correspond to numbers found under the zone columns in the matrix</small>				
(1) In order to improve the pedestrian realm and general streetscape, reduction in number of access points will be sought. Reduction of access points onto Main Street North through such measures as elimination of multiple accesses from one lot, sharing of accesses, provision of access from side streets, in accordance with the Access Management Plan shall be sought in conjunction with the review of a Development Permit	•	•		•	•					
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p><b>VARIANCES:</b> Permitted:</p> <table border="1" style="margin-left: 20px;"> <tr> <td style="padding: 2px;">Yes:</td> <td style="width: 20px; height: 15px;"></td> <td style="padding: 2px;">No:</td> <td style="width: 20px; height: 15px; background-color: black;"></td> </tr> </table> <p>Criteria: See Section 51.6 (2)</p> </div>	Yes:		No:							
Yes:		No:								
	•	•		•	•					



### When A Development Permit is Required

51.3 A Development Permit is required when it is proposed to:

- a) Undertake a use or development subject to the provisions of Section 7.5;
- b) Remove one or more trees that have a caliper of 0.15 metres at a height of 1.37 metres from the base of the tree;
- c) Change the building materials used on any wall facing a street;
- d) Modify the architectural style of an existing building;
- e) Change the pitch and/or architectural style and/or materials used on the portion of any roof of a main building that is visible from a street;
- f) Install a deck, porch or patio between a main wall and the street;
- g) Change the use of the land to a restaurant, religious institution or other institutional use, day nursery, private recreational use such as a banquet hall, private club and children's or senior's activity centre
- h) Change the use of the land from office to retail;
- i) Change the use of all or part of a non-residential building to residential; and,
- j) Convert all or a portion of a residential use into a non-residential use(s).

### Development Permit Approval Criteria

51.4 The approval of any development requiring a Development Permit pursuant to Section 51.3 of this By-law may be considered provided:

- (1) The proposed development supports the further intensification and use of the lands within the DPS area and its transformation into a mixed use area;
- (2) The character and stability of existing and well-established residential neighbourhoods in the vicinity of the DPS area is maintained and enhanced;
- (3) The proposed development is compatible, in terms of built form, use of materials and colour, with the historic character of adjacent buildings and neighbourhoods;
- (4) The proposed development assists in defining Main Street by buildings and/or public spaces, where the proposal is located on Main Street;

- (5) Any existing built heritage resources are retained wherever possible to provide continuity between the past and the present;
- (6) If an addition to a heritage building is proposed, that it is undertaken in a manner that is consistent and compatible with the character and scale of the existing building in terms of built form and building design, use of materials and colour;
- (7) The proposed development facilitates a more efficient use of urban land and the establishment of a human scale pedestrian environment;
- (8) The proposed development will have a built form and facade relationship to the street that is consistent with other buildings on the same side of the street;
- (9) As many of the existing mature and healthy trees on site are retained as possible and appropriate landscaping added to enhance the aesthetics of the site;
- (10) Appropriate measures are undertaken to maximize the infiltration of stormwater into the ground;
- (11) That the policies set out Section 5.6.2 of the Downtown Brampton Secondary Plan Area 7 are met;
- (12) That the criteria which are specific to a use or a development standard are contained within Section 51.2 of this By-law are met; and,
- (13) That the site development standards and guidelines including the Main Street North Urban Design Guidelines and the City-wide Development Design Guidelines, as established by the City and as applicable to the subject lands are met.

#### Development Permit Submission Requirements

51.5 An application for Development Permit shall be in accordance with the submission and approval requirements set out in the Main Street North Manual, as approved by Council

#### Variances to Regulations

51.6 The Development Permit System zone permissions, requirements and restrictions may be varied depending on the

circumstances. Approval of the variance is established through the approval of the applicable development permit and is recorded within the approval documents. This section establishes those provisions that may be varied and the criteria against which any such variance is to be assessed.

- (1) Within the Regulation Matrix set out in Section 51.2, Subsections 1.0, 2.0, 3.0, 4.0 and 5.0 B), those provisions that may be varied are indicated under each section.
- (2) Section 51.2 Landscaping and Streetscape Standards (Subsections A, C, D), Section 51.2 –4.0 Built Form Design Standards, Section 51.2 –5.0 Sustainable Development Standards, Section 51.2 –6.0 Access Management set out general development principles and are not subject to variance.
- (3) The other applicable general provisions of the by-law, not specifically set out in Section 51, may be varied subject to the criteria set out under Section 51.6. (5).
- (4) The following provisions may not be varied. The existing requirements have built-in flexibility or are site-specific provisions, when compared to the parent by-law requirements, or are not suitable to be varied given the goals and objectives for the Main Street North DPS:
  - a) Maximum Building Height:
  - b) Prohibited Uses
  - c) Driveway and Aisle Widths
  - d) Garage Control
  - e) Outside Storage
  - f) Screening of Mechanical Equipment
  - g) Loading Spaces and Waste Disposal
- (5) Where variances are permitted, they shall be assessed against the following criteria:
  - a) That the criteria under Section 51.4, as applicable are achieved;
  - b) That it maintains the general purpose and intent of the Official Plan;
  - c) That it maintains the general purpose and intent of the DPS provisions set out under 51.2;
  - d) That the variance is desirable for the appropriate development of the land;
  - e) That the variance is minor in nature; and,

- (6) Variances shall be permitted only in the ranges provided if so indicated under Section 51.2.

#### Development Permit Conditions

51.7 The approval of any development requiring a Development Permit pursuant to Section 51.3 of this By-law may be subject to one or more of the following conditions:

#### Types of Conditions

- (1) As a condition of approving a Development Permit, it may be required to:
  - (a) fulfill any general conditions as set out in Section 7.0.
  - (b) dedicate lands to the City of Brampton to provide a continuous 26 metre right-of-way along Main Street in the DPS area;
  - (c) enhance the façade of any existing buildings in a manner that complements and is compatible with the character of adjacent development;
  - (d) use building materials and colours that are compatible with the character of existing buildings fronting on Main Street; and,
  - (e) provide services and matters in exchange for a specified height or density of development as set out in Section 5.6.2.10 of the Downtown Brampton Secondary Plan Area 7.

#### Density Bonus and Transfers

51.8 The City may consider the exchange of height and/or density for the provisions of facilities, services and other matters in accordance with Section 7.11.

#### Special Exceptions

51.9 The following are site specific special exceptions that are not otherwise set out in the permitted/prohibited uses and requirements and restrictions for the Main Street North DPS.

#### Definitions

51.10 The following are definitions for terms utilized in Section 51 and shall supersede any definition for such term set out in Section 5.0:

- (1) **Open Porch**  
Shall mean a platform structure, with or without a foundation and/or basement that is attached to a building and covered by a roof, which has access to the ground and to a building entrance and is used for outdoor living space. An open porch shall have unenclosed sides each having a minimum of 75% of the overall surface area as openings.



## **EXPLANATORY NOTE**

### ***THE PURPOSE OF BY-LAW - 09***

The purpose of By-law -09 (The Development Permit System By-law) is to amend Comprehensive Zoning By-law 270-2004, as amended to set in place a Development Permit System for Main Street North.

### ***EFFECT OF THE BY-LAW***

The effect of By-law -09 (The Development Permit System By-law) is to amend the Comprehensive Zoning By-law 270-2004 to implement a Development Permit System Area for Main Street North.

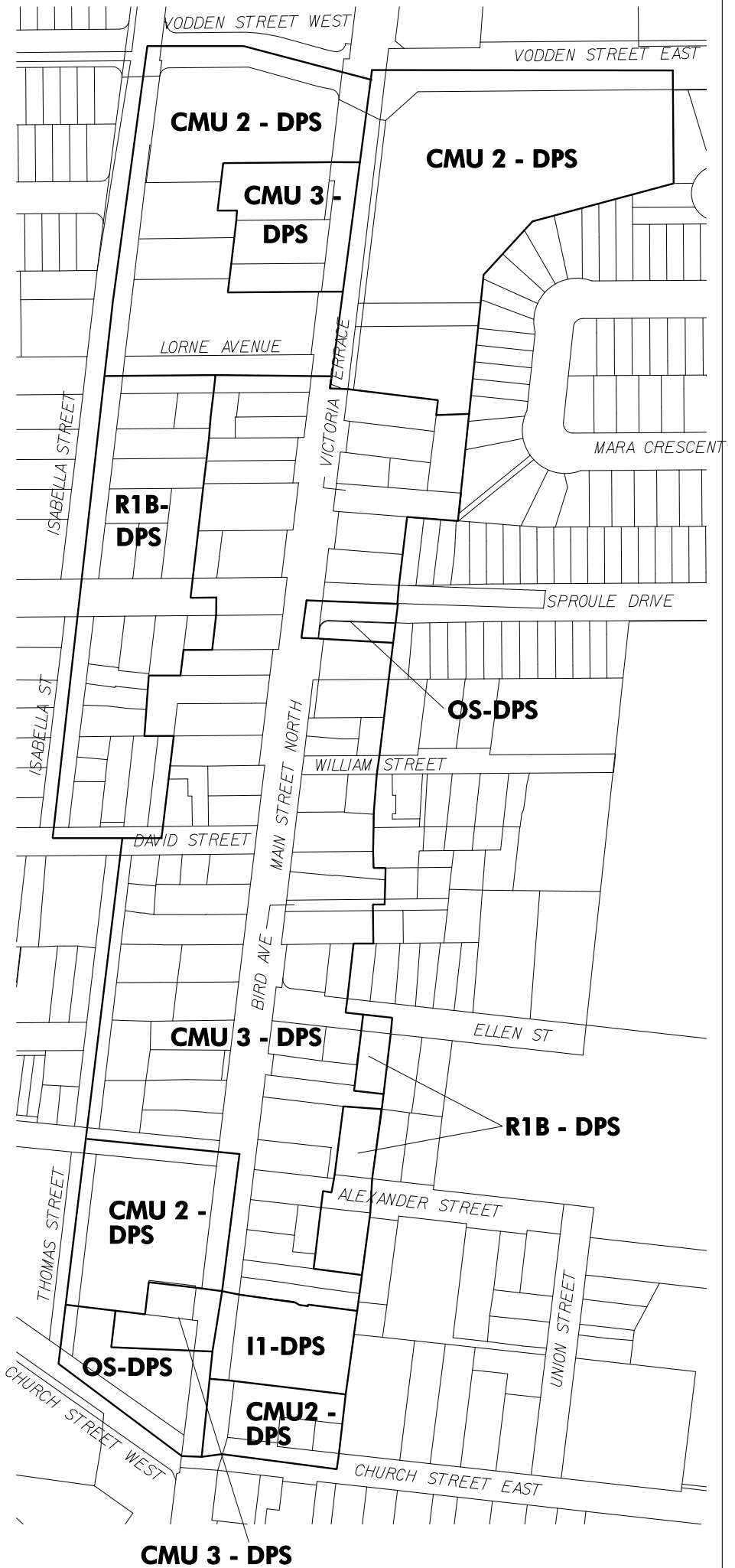
The Development Permit System By-law sets in place the general rules and regulations with respect to land use, site development requirements and restrictions, review criteria processing and approvals of development permits for the Main Street North area.

### ***LOCATION OF LANDS AFFECTED***

The by-law generally includes the lands straddling Main Street North between Church Street and Vodden Street. It also includes lands on the east side of Isabella Street and Thomas Street as well as some lots on Victoria Terrace, William Street, Bird Avenue, Ellen Street, and Alexander Street.

Any further inquiries or questions should be directed to Bernie Steiger, City of Brampton Planning, Design and Development Department, (905) 874-2097.

**ILLUSTRATIVE DIAGRAMS**

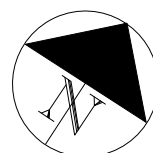


**NOTE:** These Diagrams are for Illustrative Purposes Only and DO NOT Constitute an Operative Part of this By-Law. They May be Revised without Amendment to this By-Law.

**LEGEND**

———— ZONE BOUNDARY

**PART LOTS 6-7, CONCESSIONS 1 W.H.S. AND CONCESSION 1 E.H.S.**



**CITY OF BRAMPTON**  
Planning, Design and Development

Date: 2009 08 12

Drawn by: CJK

**By-Law \_\_\_\_\_ DPS MSN - Schedule A**

File no. mainstreetnzbla

Map no. 1

**ILLUSTRATIVE DIAGRAMS**



**LEGEND: MAXIMUM SETBACKS**

●—● **3.0 Metres Greater than the Minimum Setback is the Maximum Setback**

**LEGEND: MINIMUM SETBACKS**

- **19.0m Setback from Road Centreline**
- **16.0m Setback from Road Centreline**
- **14.5m Setback from Road Centreline**
- **13.0m Setback from Road Centreline**
- **Existing Setback from Road Centreline plus 1.0m**
- **SCHEDULE BOUNDARY**

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File: mainstreetnorthDPS

**DPS MSN - SCHEDULE B to Zoning By-Law 270-2004, as amended**

**Minimum and Maximum Setbacks**

By-Law \_\_\_\_\_

**DPS MSN - Schedule 3**



**ILLUSTRATIVE DIAGRAMS**



- A Building Wall Shall have a Length of No Less than 70% of the Street Line it Faces
- - - - - 60% of any Building Wall Shall be Set Back 1.5 Meters From the Remaining Wall Closest to a Street Line
- SCHEDULE BOUNDARY

NOTE: These Diagrams are for Illustrative Purposes Only and DO NOT Constitute an Operative Part of this By-Law. They May be Revised without Amendment to this By-Law.

FLOWER CITY  
  
 PLANNING,  
 DESIGN &  
 DEVELOPMENT  
 BRAMPTON, CA

Date: 2008/03/11      Drawn By: CJK  
 File: mainstreetnorthDPS

DPS MSN - SCHEDULE C to Zoning By-Law 270-2004, as amended

Minimum Building Wall Length and Building Wall Articulation

By-Law \_\_\_\_\_

**DPS MSN - Schedule 2**

**ILLUSTRATIVE DIAGRAMS**



Minimum Building Height (Metres)	Maximum Building Height (Metres)	Symbol
7.60m	11.0m	
7.60m	15.5m	
15.5m	41.0m	
EXISTING		
		SCHEDULE BOUNDARY

NOTE: These Diagrams are for Illustrative Purposes Only and DO NOT Constitute an Operative Part of this By-Law. They May be Revised without Amendment to this By-Law.

FLOWER CITY  
  
 PLANNING, DESIGN & DEVELOPMENT  
 BRAMPTON, CA



Date: 2008/03/11 Drawn By: CJK  
 File: mainstreetnorthDPS

DPS MSN - SCHEDULE D to Zoning By-Law 270-2004, as amended




Building Heights

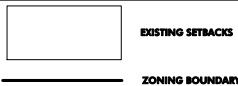
By-Law \_\_\_\_\_

DPS MSN - Schedule 1

# ILLUSTRATIVE DIAGRAMS



	INTERIOR SIDE YARD	REAR YARD	ANGULAR PLANE
	3.0 Metres	6.0 Metres for that Portion of a building less than 4.5 metres above grade.	 The arrow symbol on the Schedule indicates the direction in which the Angular Plane provisions Apply
	1. 1.5 metres on one side of a lot, and 3.0 metres on the other. 2. The 3.0 metre setback may be reduced to 1.5 metres for the purpose of a shared driveway aisle, provided a minimum of 1.5 metres is provided on the adjacent property for the purpose of a driveway	7.5 Metres	1. For that portion of the building 4.6 Metres above grade or greater, the setback shall be determined by a line that extends upwards at 45 degrees from the lot line. 2. The setback shall not be less than the minimum setback for that portion of the building less than 4.6 metres above grade

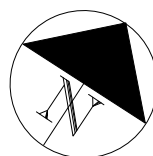


**NOTE:** These Diagrams are for Illustrative Purposes Only and DO NOT Constitute an Operative Part of this By-Law. They May be Revised without Amendment to this By-Law.

**DPS MSN - SCHEDULE E to Zoning By-Law 270-2004, as amended**

**Side and Rear Yard Setbacks**

**By-Law \_\_\_\_\_ DPS MSN - Schedule 4**



**CITY OF BRAMPTON**  
 Planning, Design and Development

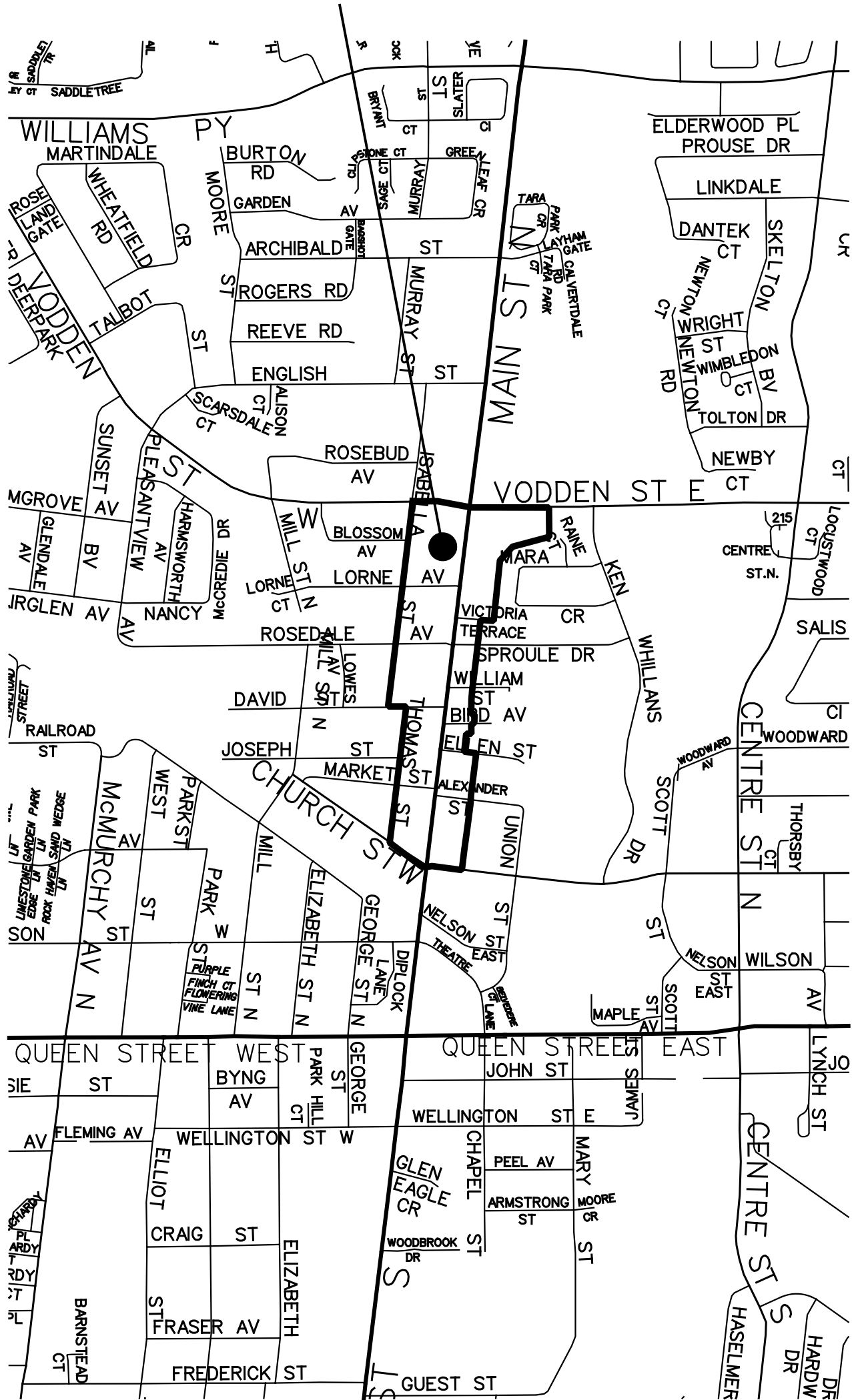
Date: 2009 03 16

Drawn by: CJK

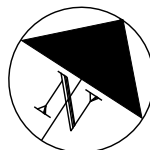
File no. scheduleE

Map no. 52-27

# SUBJECT LANDS



**Key Map By-Law**



**CITY OF BRAMPTON**  
 Planning, Design and Development

Date: 2009 03 11

Drawn by: CJK

File no. mainstreetnzkm

Map no. map2