



THE CORPORATION OF THE CITY OF BRAMPTON  
BY-LAW

Number 129-2014

To amend By-law 270-2004, 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 adding thereto the following section:

**“20.9 Downtown Floodplain Regulations**

a) Notwithstanding the applicable zoning for lands within the Downtown Floodplain Regulation Areas, as shown on Schedule B-6 to this by-law, the following regulations shall also apply to those lands:

Downtown Floodplain Regulation Area Shown on Schedule B-6	A	B	C
Maximum Residential Units Constructed after May 7, 2014	900	185	0
Maximum Total Gross Non-residential Floor Area	41,000 square metres	45,000 square meters	88,000 square metres (of which the combined amount of hotels or motels cannot exceed 150 suites or 11,000 square metres of gross floor area).

b) The following requirements shall apply to lands within the Downtown Floodplain Regulation Area as shown on Schedule B-6 to this by-law:

- i) New residential uses constructed after May 7, 2014, shall provide an emergency pedestrian access from the building to lands situated at or above the Regulatory Storm Flood elevation as established by the Toronto and Region Conservation Authority. Such emergency pedestrian access shall be above the Regulatory Storm Flood elevation in its entirety. Non-residential uses shall not be required to provide an emergency access.
  - ii) Hotels or motels within Downtown Floodplain Regulation Areas A, B and C as shown on Schedule B-6 to this By-law constructed after May 7, 2014 shall be required to provide an emergency pedestrian access in accordance with the requirements for new residential uses set out in Section 20.9 b) i).
  - iii) All new buildings and structures shall be floodproofed to the level of the Regulatory Storm Flood elevation. (Dry passive floodproofing of new buildings or structures is preferred). Where it has been demonstrated to the satisfaction of the City in consultation with the TRCA that it is technically impractical to flood proof a building or structure to the Regulatory Flood level, floodproofing must be to the highest level technically feasible. However, the minimum floodproofing level shall be to the 1:350 storm elevation, as determined by the Toronto and Region Conservation Authority.
  - iv) All new buildings and structures constructed after May 7, 2014 must locate primary building system controls such as service units and panels, at or above the Regulatory Storm Flood elevation.
  - v) No new dwelling units, or suites for hotels or motels shall be constructed below the Regulatory Storm Flood elevation.
- c) Notwithstanding Section 20.9 b) iii), development within the Downtown Floodplain Regulation Area C (as shown on Schedule B-6 to this By-law) abutting Main Street and/or Queen Street is permitted to be floodproofed and provide entrances and ground floor finished floor elevations to the 1:350 year storm elevation. Entrances to below-grade

parking structures shall be dry passively floodproofed in accordance with Section 20.9 b) iii).

- d) No additional dwelling units (over those which legally existed as of May 7, 2014) shall be permitted within area Downtown Floodplain Regulation Area D (as shown on Schedule B-6 to this by-law) unless safe access to lands outside of the Downtown Floodplain Regulation Area can be achieved from the building. Such access shall be over lands entirely above the Regulatory Storm elevation as established by the Toronto and Region Conservation Authority.
  
- e) All newly constructed residential habitable living space within or added to an existing dwelling in Downtown Floodplain Regulation Area D as shown on Schedule B-6 to this by-law, shall be floodproofed to the Regulatory Storm Flood elevation.
  
- f) Notwithstanding any other permissions set out within the underlying zoning categories, for lands located within Downtown Floodplain Regulation Areas A, B, C and D (identified on Schedule B-6 to this By-law), the following uses shall not be permitted as a primary and accessory use:
  - i) new private or public hospital, nursing home, retirement home, senior citizen residence, day nursery, and private or public elementary school;
  - ii) essential emergency services, including fire, police (except for a neighbourhood-serving police station), ambulance stations and electrical substations; and,
  - iii) uses associated with the disposal, manufacturing, treatment or storage of hazardous substances. For the purpose of this Section, Hazardous Substances are defined as those that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

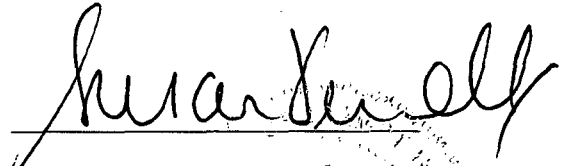
Any such use legally existing on May 7, 2014 would become legal, non-conforming.

- g) For the purposes of this section "Neighbourhood-serving police station" shall mean a police station not designed or intended to serve an essential function during an emergency event such as flooding and not exceeding 464 square metres in gross floor area.

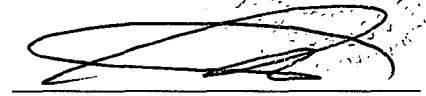
(2) by adding thereto Schedule B-6, as attached as Schedule A to this By-law.

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL,

this 7<sup>TH</sup> day of May 2014.

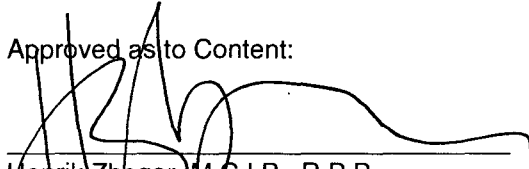


SUSAN FENNELL - MAYOR



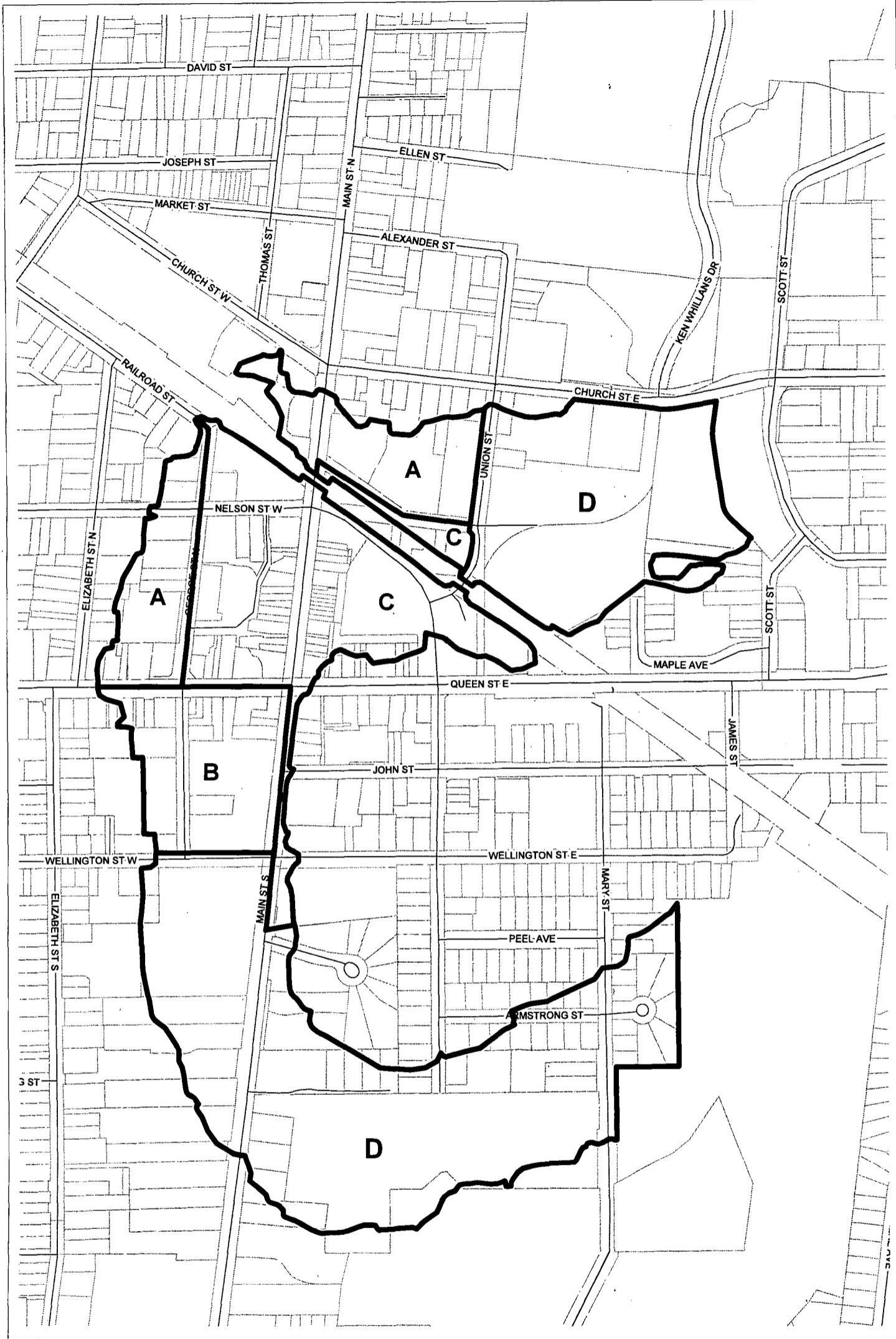
PETER FAY - CITY CLERK

Approved as to Content:



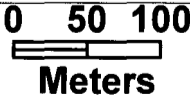
Henrik Zbogor, M.C.I.P., R.P.P.  
Acting Director,  
Planning Policy and Growth Management





Legend

 Downtown Floodplain Regulation Area



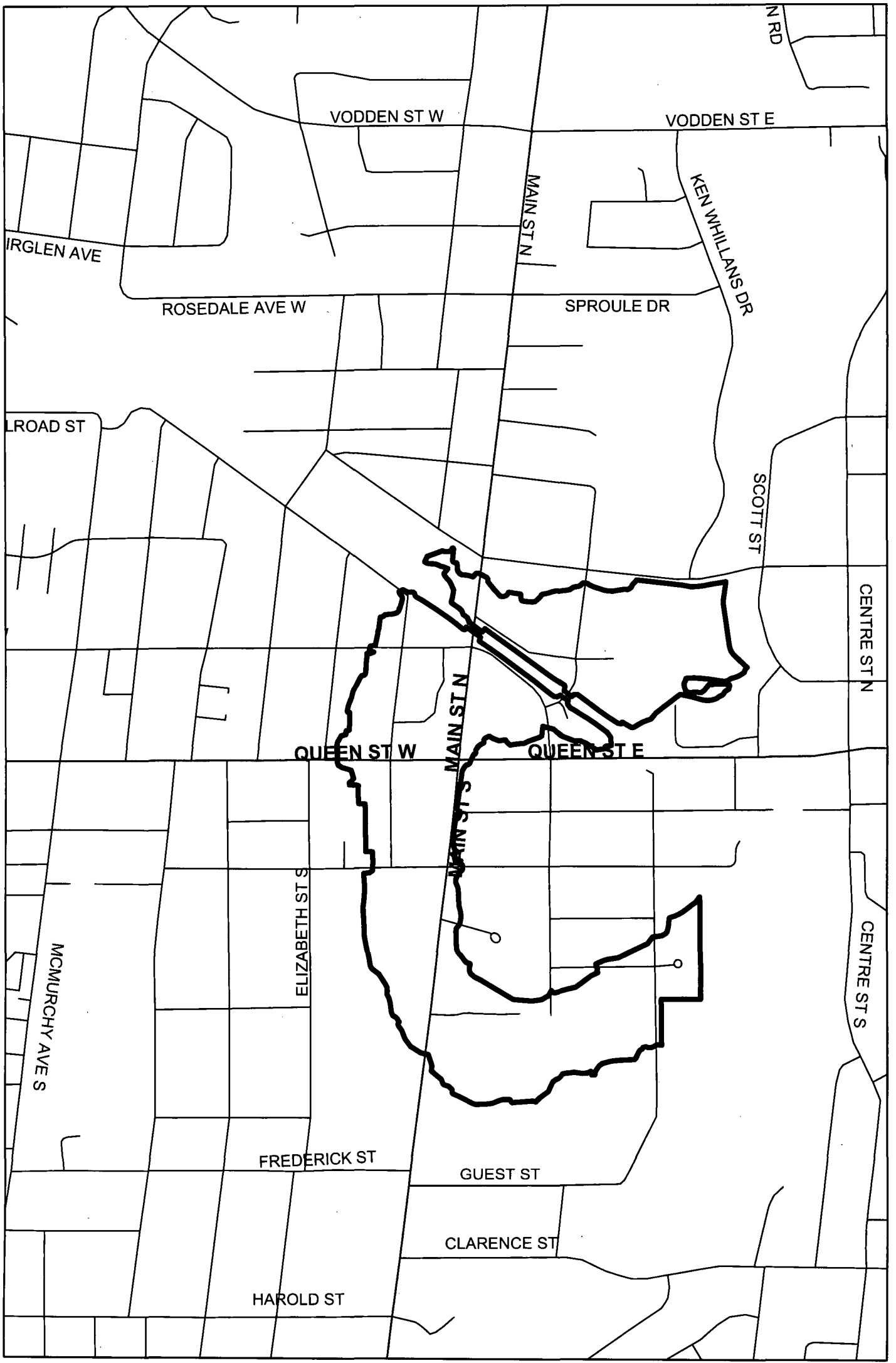
**Schedule B-6: Downtown Floodplain Regulations**



Date: 2013 02 27 Drawn By: CJK  
 File: P26\_SP007\_HACE\_AND\_SPECIAL POLICY

**BY-LAW 129-2014**

**SCHEDULE A**



 SUBJECT LANDS BOUNDARY

FLOWER CITY  
  
 PLANNING,  
 DESIGN &  
 DEVELOPMENT  
  
 BRAMPTON.CA

Date: 2013/02/27 Drawn By: CJK  
 File: P26\_SP007\_KEY\_MAP

**Key Map By-Law 129-2014**

IN THE MATTER OF the *Planning Act, R.S.O. 1990*, as amended, sections 17 and 34:

AND IN THE MATTER OF the City of Brampton By-law 128-2014 being a by-law to adopt Official Plan Amendment OP2006-099 and By-law 129-2014 to amend Zoning By-law 270-2004 as amended, Revitalizing Downtown Brampton: Downtown Brampton Special Policy Area Comprehensive Flood Risk and Management Analysis (File P26 SP007)

DECLARATION

I, Earl Evans, of the City of Brampton, in the Region of Peel, hereby make oath and say as follows:

1. I am the Deputy Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 128-2014 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 7<sup>th</sup> day of May, 2014, to adopt Amendment Number OP2006-099 to the 2006 Official Plan.
3. By-law 129-2014 was passed by the Council of the Corporation of the City of Brampton at its meeting held on the 7<sup>th</sup> day of May, 2014, to amend Zoning By-law 270-2004, as amended.
4. Written notice of By-law 128-2014 as required by section 17(23) of the *Planning Act* was given on the 22<sup>nd</sup> day of May, 2014, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act, R.S.O. 1990* as amended.
5. Written notice of By-law 129-2014 as required by section 34(18) of the *Planning Act* was given on the 22<sup>nd</sup> day of May, 2014, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act, R.S.O. 1990* as amended.
6. No notice of appeal was filed under section 17(24) and section 34(19) of the *Planning Act* on or before the final date for filing objections.
7. In all other respect the Official Plan Amendment and Zoning By-law have been processed in accordance with all of the *Planning Act* requirements including regulations for notice.
8. OP2006-099 is deemed to have come into effect on the 12<sup>th</sup> day of June, 2014, in accordance with Section 17(27) of the *Planning Act, R.S.O. 1990*, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the  
City of Brampton in the  
Region of Peel this  
19<sup>th</sup> day of June, 2014

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Earl Evans



A Commissioner, etc.

Jeanie Cecilia Myers,  
a Commissioner, etc.,  
Province of Ontario, for the  
Corporation of the City of Brampton.  
Expires April 8, 2015.