

Notice of Passing of By-law 239-2021**Daniels HR Corporation****Ward 6****Date of Decision: October 20, 2021****Date of Notice: October 28, 2021****Last Date of Appeal: November 17, 2021**

On the date noted above, the Council of the Corporation of the City of Brampton passed **By-law 239 -2021**, to amend Zoning By-law 270-2004, as amended, under Section 34 of the *Planning Act*, R.S.O., c.P.13, pursuant to an application by Daniels HR Corporation – File: OZS-2019-0007 and 21T-19017B.

The Purpose and Effect: to amend comprehensive Zoning By-law 270-2004, as amended, pursuant to an application by Daniels HR Corporation, to permit 890 residential dwelling units, a public park, and a public road.

Location of Lands Affected: north side of Bovaird Drive, west of Creditview Road, being part of Part of Block 1, Plan 43M-1927 – Ward 6.

Obtaining Additional Information: The complete background information is available at the City Clerk's Office during regular office hours, or online at www.brampton.ca. Further inquiries should be directed to Mark Michniak, City of Brampton, Planning, Building and Economic Development, 905-874-3882 or at Mark.Michniak@brampton.ca.

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

Under the Planning Act, there is a Draft Plan of Subdivision application pertaining to the subject lands – File 21T-19017B.

When and How to File an Appeal: An appeal of the by-law amendment to the Ontario Land Tribunal (OLT) must be filed with the Clerk of the City of Brampton **no later than November 17, 2021**. An appeal form is available from the OLT website at <https://olt.gov.on.ca/appeals-process/forms/>

The Notice of Appeal must:

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

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal (OLT). 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 Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

Notice of Appeal may be hand delivered to:

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

Note: In consideration of current public health orders requiring physical distancing, Notice of Appeals may be hand delivered by appointment only; walk-ins are not permitted. An appointment to attend City Hall may be booked by emailing the Clerk's Office at: cityclerksoffice@brampton.ca

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



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 239 - 2021

To amend Comprehensive Zoning 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 changing the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From:	To:
Residential Apartment A – Section 3522 (R4A-3522)	Residential Apartment A – Section 3661 (R4A-3661)
Residential Apartment A – Section 3523 (R4A-3523)	Residential Apartment A – Section 3662 (R4A-3662)
Residential Apartment A (Holding) – Section 3524 (R4A-3524(H))	Open Space (OS)

(2) By adding the following Section:

“3661 The lands designated R4A-3661 on Schedule A to this by-law:

3661.1 Shall only be used for the following purposes:

- (1) Townhouse Dwellings;
- (2) Rear Lane Townhouse Dwellings;
- (3) Back to back Townhouse Dwellings;
- (4) Stacked Townhouse Dwellings;
- (5) Stacked Back-to-back Townhouse Dwellings;
- (6) Live-Work Townhouse Dwellings;
- (7) Apartment Dwelling;
- (8) Purposes accessory to other permitted purposes;

3661.2 Uses permitted under Section R4A-3661.1 shall be subject to the following requirements and restrictions:

- (1) Despite any division of the lands, including a public street network, all lands zoned R4A-3661 shall be deemed to be one lot for zoning purposes;
- (2) For the purposes of this section, 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;
- (3) For the purposes of this section, 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 but does not include an Emergency Access Lane;
- (4) For the purposes of this section, Emergency Access Lane shall mean a private thoroughfare which affords only temporary means of access and is demarcated at either end by a mechanism for restricting access such as, but not limited to, a gate or bollards;
- (5) For the purposes of this section, Rear Lane Townhouse Dwelling shall mean a townhome dwelling composed of three (3) or more dwelling units, where each dwelling unit has a garage in the rear yard immediately abutting the rear wall of the unit and has access to the garage from a public street, private street, public lane or private lane, has at least one common interior side wall, and where each dwelling may have a balcony or uncovered terrace on the second or third storey;
- (6) There are no minimum lot area, minimum lot width, minimum lot depths, minimum front yard depths, minimum interior side yard depths, minimum exterior side yard depths, minimum rear yard depths, lot coverage, or maximum floor space index requirements;
- (7) Where walls for townhouse dwellings, back to back townhouse dwellings, stacked back to back townhouse dwellings, live-work townhouse dwellings and stacked townhouse dwellings are not facing a Private Lane or Private Street and are not considered a side wall (i.e. face to face separation), a central court yard shall have a minimum distance between front walls of 12 metres;
- (8) Lagerfeld Drive shall be deemed to be the front yard;
- (9) Minimum setback from the side wall of a dwelling to an emergency access lane: 1.2 metres;
- (10) No setbacks are required for any portion of a parking garage that is below grade;
- (11) Maximum dwelling length: 54.0 metres;
- (12) Minimum setback from a lot line to a hydro transformer: 2.0 metres;
- (13) For the purposes of this section, the following requirements and restrictions shall apply for Rear Lane Townhouse Dwellings:
 - a. Minimum dwelling unit width: 5.5 metres;

- b. Minimum setback from the front wall of a dwelling to the curb of a private street or lane: 4.0 metres;
 - c. Minimum setback from the front or side wall of a dwelling to a lot line abutting a public street: 3.0 metres;
 - d. Minimum setback from the side wall of a dwelling to the curb of a private street or lane: 1.5 metres;
 - e. Minimum setback from a garage door opening to a private street or private lane: 1.0 metres;
 - f. Minimum building separation distance: 3.0 metres;
 - g. Minimum building height: 2 storeys, except 3 storeys abutting Lagerfeld Drive or within 45 metres of a C3 zone;
 - h. Maximum building height: 3 storeys;
 - i. 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.
 - j. A garage shall only be accessed by a Private Lane or Private Street.
 - k. Minimum number of parking spaces: 2.0 spaces per dwelling unit;
- (14) For the purposes of this section, the following requirements and restrictions shall apply for Back to Back Townhouse Dwellings:
- a. Minimum dwelling unit width: 6.0 metres;
 - b. Minimum setback from the front wall of a dwelling to the curb of a private street or lane: 4.0 metres;
 - c. Minimum setback from the front or side wall of a dwelling to a lot line abutting a public street: 3.0 metres;
 - d. Minimum setback from the side wall of a dwelling to the curb of a private street or lane: 1.5 metres;
 - e. Minimum building separation distance: 3.0 metres;
 - f. Minimum building height: 2 storeys, except 3 storeys abutting Lagerfeld Drive or within 45 metres of a C3 zone;
 - g. Maximum building height: 3 storeys, excluding a stairwell enclosure;
 - h. 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;

- i. Parking shall be provided in a layby lane, a Private Lane, or Private Street. In addition, a maximum of 25% of the required parking may be in a surface 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;
 - j. Minimum number of parking spaces: 1.0 spaces per dwelling unit;
 - k. Minimum number of visitor parking spaces: 0.15 spaces per dwelling unit;
- (15) For the purposes of this section, the following requirements and restrictions shall apply for Townhouse Dwellings:
- a. Minimum dwelling unit width: 6.0 metres, except that 30% of the Townhouse Dwelling shall be permitted to have a minimum dwelling unit width of 5.6 metres;
 - b. Minimum setback from the front wall of a dwelling to the curb of a private street or lane: 4.0 metres provided that 6.0 metres is provided to a garage door opening;
 - c. Minimum setback from the front or side wall of a dwelling to a lot line abutting a public street: 3.0 metres;
 - d. Minimum setback from the side wall of a dwelling to the curb of a private street or lane: 1.5 metres;
 - e. Minimum setback from the rear wall of the building to an Agricultural (A) or Floodplain (F) zone: 6.0 metres;
 - f. Minimum building separation distance: 3.0 metres;
 - g. Minimum building height: 2 storeys;
 - h. Maximum building height: 3 storeys;
 - i. 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;
 - j. Maximum garage door width: 2.75 metres;
 - k. Maximum interior garage width: 3.35 metres;
 - l. The Maximum Driveway Width Shall not exceed the width of the garage;
 - m. A garage shall only be accessed by a Private Lane or Private Street;
 - n. Minimum number of parking spaces: 2.0 spaces per dwelling unit;
- (16) For the purposes of this section, the following requirements and restrictions shall apply for Stacked Back to Back Townhouse Dwellings:
- a. Minimum dwelling unit width: 6.0 metres;

- b. Minimum setback from the front wall of a dwelling to the curb of a private street or lane: 4.0 metres;
 - c. Minimum setback from the front or side wall of a dwelling to a lot line abutting a public street: 3.0 metres;
 - d. Minimum setback from the side wall of a dwelling to the curb of a private street or lane: 1.5 metres;
 - e. Minimum building separation distance: 3.0 metres;
 - f. Minimum building height: 3 storeys;
 - g. Maximum building height: 4.5 storeys, excluding a stairwell enclosure;
 - h. 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;
 - i. Parking shall be provided in a layby lane, a Private Lane, or Private Street. In addition, in a surface parking lot up to 25% of the required parking may be provided. Parking may also be provided in above or below grade parking structures. Parking shall not be permitted in an individual garage or driveway;
 - j. Minimum number of parking spaces: 1.0 spaces per dwelling unit;
 - k. Minimum number of visitor parking spaces: 0.15 spaces per dwelling unit;
- (17) For the purposes of this section, the following requirements and restrictions shall apply for Live-Work Townhouse Dwellings:
- a. The following additional uses are permitted within a Live-Work Townhouse Dwelling on the ground floor:
 - i. A residential unit;
 - ii. Bank, trust company and finance company;
 - iii. Service shop;
 - iv. Retail establishment with no outdoor storage or display;
 - v. Home occupation;
 - vi. Commercial, technical or recreational school;
 - vii. Art gallery;
 - viii. Artist and photography studio including framing;
 - ix. Personal service shop;
 - x. Health or fitness centre;
 - xi. A dining room restaurant, take-out restaurant;
 - xii. A laundromat;

- xiii. A dry cleaning and laundry distribution station;
 - xiv. A printing or copying establishment;
 - xv. A custom workshop;
 - xvi. An animal hospital;
 - xvii. A convenience store;
 - xviii. An office, including the office of a health care practitioner;
 - xix. A day nursery;
 - xx. Purposes accessory to the other permitted purposes;
 - xxi. A billiard hall or pool hall;
- b. The following uses shall be prohibited:
- i. Amusement arcade;
 - ii. Massage or body rub parlour;
 - iii. The repair and servicing of motor vehicles or internal combustion engines;
 - iv. Adult video store or adult book store;
 - v. Outside storage of goods and materials;
- c. Shall only be permitted fronting onto a Public Street;
- d. Minimum dwelling unit width: 6.0 metres;
- e. Minimum setback from the front wall of a dwelling to the curb of a private street or lane: 4.0 metres;
- f. Minimum setback from the front or side wall of a dwelling to a lot line abutting a public street: 1.0 metres;
- g. Minimum setback from the side wall of a dwelling to the curb of a private street or lane: 1.5 metres;
- h. Minimum separation distance between the side walls of a dwelling: 3.0 metres;
- i. Minimum building height: 3 storeys;
- j. Maximum building height: 4.5 storeys;
- k. 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;
- l. Minimum number of parking spaces: 1.0 spaces per dwelling unit;
- m. Minimum number of visitor parking spaces: 0.15 spaces per dwelling unit;

- (18) For the purposes of this section, the following requirements and restrictions shall apply for Stacked Townhouse Dwellings:
- a. Minimum dwelling unit width: 5.5 metres;
 - b. Minimum setback from the front wall of a dwelling to the curb of a private street or lane: 4.0 metres;
 - c. Minimum setback from the front or side wall of a dwelling to a lot line abutting a public street: 3.0 metres;
 - d. Minimum setback from the side wall of a dwelling to the curb of a private street or lane: 1.5 metres;
 - e. Minimum building separation distance: 3.0 metres;
 - f. Minimum building height: 3 storeys;
 - g. Maximum building height: 4 storeys;
 - h. 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;
 - i. A garage shall only be accessed by a private lane or private street;
 - j. Minimum setback from a garage door opening to a Private Street or Private Lane: 1.0 metres;
 - k. A ramp to an underground parking garage may be located between the rear walls of two or more Stacked Townhouse Dwellings. In this instance, the Minimum Building Separation Distance between the rear walls shall be a minimum of 6.0 metres;
 - l. Minimum number of parking spaces: 1.0 spaces per dwelling unit;
 - m. Minimum number of visitor parking spaces: 0.15 spaces per dwelling unit;
- (19) For the purposes of this section, the requirements and restrictions set out in the R4A-3662 zone shall apply for Apartment Dwellings, with the exception of the following:
- a. Minimum building height: 4 storeys;
 - b. Maximum building height: 6 storeys;
 - c. Minimum building setback to a lot line abutting a public street, to the curb of a private lane or private street, to the R4A-3661 zone and to an adjacent building: 4.5 metres;
 - d. Minimum building setback to a daylight triangle: 1.0 metres;
 - e. Minimum number of parking spaces: 1.0 spaces per dwelling unit;
 - f. Minimum number of visitor parking spaces: 0.15 spaces per dwelling unit;

- 3661.3 Shall also be subject to the requirements and restrictions relating to the R4A zone and all the general provisions of this By-law which are not in conflict with those set out in Section 3661.2;
- 3662 The lands designated R4A-3662 on Schedule A to this by-law:
- 3662.1 Shall only be used for the following purposes:
- (1) Residential Uses:
 - a. An apartment dwelling;
 - b. A multiple residential dwelling;
 - c. Purposes accessory to the other permitted purposes;
 - (2) Non-residential uses on the ground floor of an apartment dwelling:
 - a. A retail establishment having no outside storage;
 - b. A supermarket;
 - c. A service shop;
 - d. A personal service shop;
 - e. A bank, trust company, or finance company;
 - f. An office;
 - g. A dry cleaning and laundry distribution station;
 - h. A laundromat;
 - i. A dining room restaurant, a take-out restaurant;
 - j. A printing or copying establishment;
 - k. A commercial, technical or recreational school;
 - l. A place of commercial recreation;
 - m. A health or fitness centre;
 - n. A tavern;
 - o. An animal hospital;
 - p. A day nursery;
 - q. An amusement arcade;
 - r. A Ground Floor Townhouse Dwelling Unit;
 - s. Purposes accessory to the other permitted uses
 - (3) Institutional Uses:
 - a. Retirement Home;
 - b. Nursing Home;

3662.2

Uses permitted under Section R4A-3662.1 shall be subject to the following requirements and restrictions:

- (1) Despite any division of the lands, including a public street network, all lands zoned R4A-3662 shall be deemed to be one lot for zoning purposes;
- (2) For the purposes of this section, 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;
- (3) For the purposes of this section, 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;
- (4) There are no minimum lot area, minimum lot width, minimum lot depths, minimum front yard depths, minimum interior side yard depths, minimum exterior side yard depths, minimum rear yard depths, lot coverage, or maximum floor space index requirements;
- (5) Bovaird Drive West shall be deemed to be the front yard;
- (6) Minimum building setback to a lot line abutting a public street, to the curb of a private lane or private street, to a R4A-3661 zone, an Agricultural zone, a Floodplain zone, and a C3 zone: 3.0 metres;
- (7) Minimum building setback to a daylight triangle: 0.0 metres;
- (8) Minimum setback from a lot line to a hydro transformer: 2.0 metres;
- (9) Minimum building setback to a lot line abutting Bovaird Drive West: 4.5 metres, except a building or buildings may be setback a minimum of 3.0 metres for a maximum non-continuous length of 90.0 metres;
- (10) Maximum building setback: 14 metres to a lot line abutting Bovaird Drive West;
- (11) Minimum ground floor height: 3.0 metres, except 4.5 metres for non-residential uses;
- (12) Minimum building height: 3 storeys, except:
 - i. 6 storeys for a building within 12 metres of Bovaird Drive West;
 - ii. for a 1 storey lobby having a maximum length of 25.0 metres connecting two residential towers;
- (13) Maximum Building Height: 15 storeys;
- (14) Minimum landscape buffer: 2.6 metre wide strip shall be provided between any surface parking lot or driveway and a Private Street, Private Lane, or a lot line abutting a public street, except at an approved access location, at a daylight triangle, or at a ramp to an underground parking garage;
- (15) Continuous Street Wall: building walls located between the 3.0 metre minimum setback and the 14 metre

maximum setback to a lot line abutting Bovaird Drive West must occupy at least 50% of the available frontage along Bovaird Drive West for the development area;

- (16) Angular plane: notwithstanding the minimum and maximum building height requirements, no portion of a building that is 9 storeys or less may extend beyond a 45-degree angular plane measured from a height of 10.5 metres from the closest building face of a building in the R4A-3661 zone;
- (17) Minimum building separation: 15.0 metres;
- (18) Garbage, refuse and waste: 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;
- (19) Notwithstanding Section 6.20.2, any loading spaces provided above the minimum specified in this section may be a rectangular area measuring not less than 3.5 metres and 5.75 metres in length;
- (20) Bicycle parking:
 - a. Bicycle parking must be located on the same lot as the use or building for which it is required;
 - b. A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces;
 - c. Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within:
 - i. A building or structure;
 - ii. A secure area such as a supervised parking lot or enclosure;
 - iii. Bicycle lockers;
 - d. Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete;
 - e. Dimensions:
 - i. If located in a horizontal position (on the ground): a minimum length of 1.8m and minimum width of 0.6m;
 - ii. If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m;
 - f. Rates:
 - i. For Residential uses: 0.50 spaces per dwelling unit;

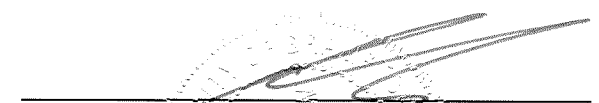
- ii. For commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof;
 - iii. No requirement for a Retirement Home and Nursing Home;
- (21) No setback is required for any portion of a parking garage that is below grade;
- (22) Parking:
- a. Resident parking spaces: 0.9 spaces per dwelling unit, except this total may be reduced at a rate of 8 parking spaces per 1 car share parking space provided up to a maximum reduction of 48 residential parking space;
 - b. Visitor parking spaces: 0.15 spaces per dwelling unit;
 - c. For a Retirement Home, resident and visitor parking space: 0.4 spaces per unit;
 - d. For a Nursing Home, resident and visitor parking space: 0.35 spaces per unit;
 - e. A maximum of 2% of the total required resident parking spaces may have the minimum dimensions of 5.0 metres long and 2.6 metres wide;
- (23) For the purposes of this section, Car Share Space shall mean a parking space exclusively reserved and assigned for a car used only for members of a Car Share Program;
- (24) For the purposes of this section, a Car Share Program shall mean the practice where a number of users share the use of one or more cars that are owned by a profit or non-profit car sharing organization. To use a car, a user must meet the membership requirements of the car-sharing organization, including the payment of a membership fee. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven and do include use of cars on an hourly basis."

ENACTED and PASSED this 20th day of October, 2021.


Approved as to
form.
2021/10/13
Alyssa Clutterbuck

Approved as to
content.
2021/10/13
AAP

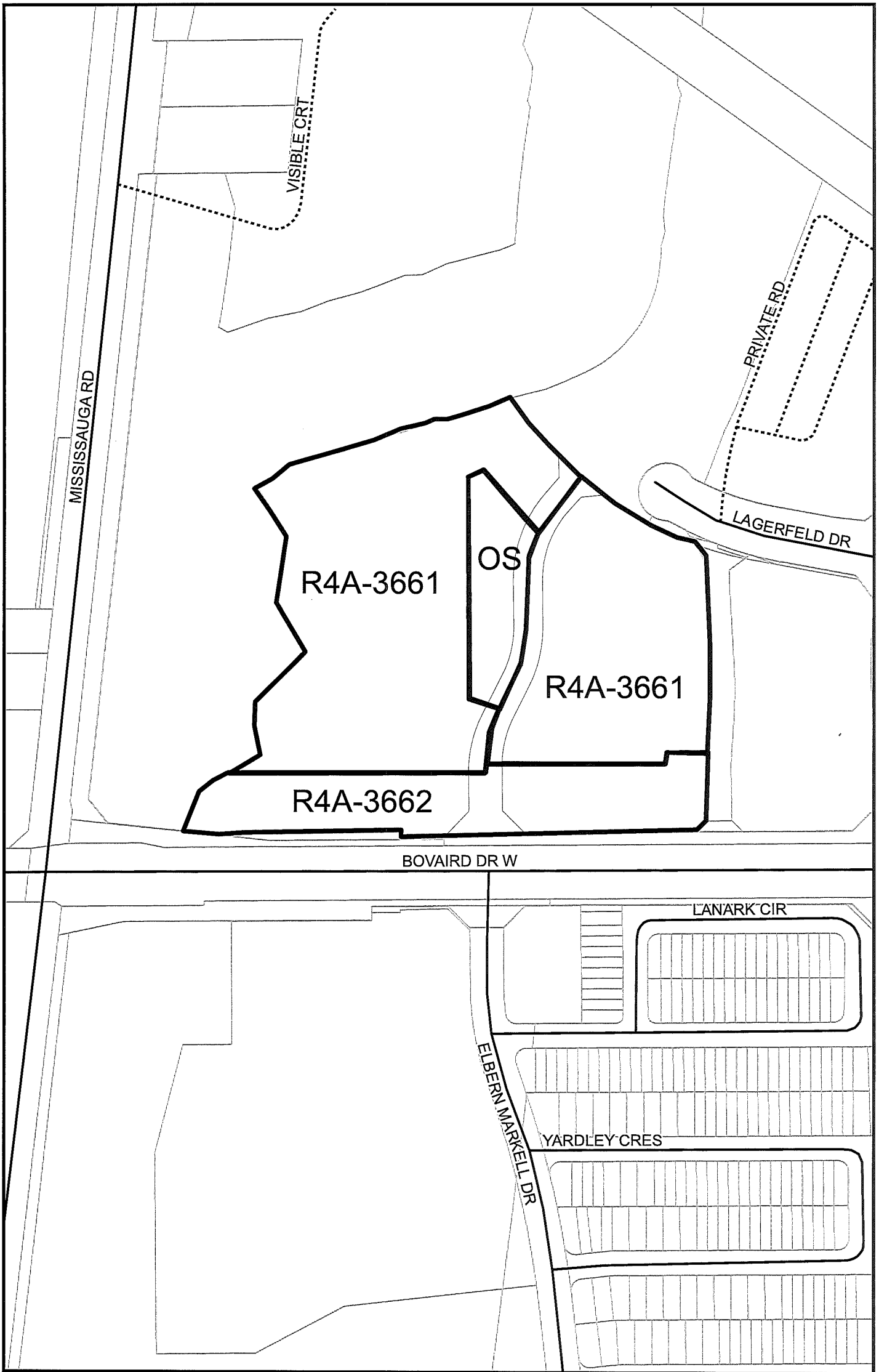
(OZS-2019-0007)



Patrick Brown, Mayor



Peter Fay, City Clerk



BRAMPTON
Flower City



PLANNING, BUILDING AND ECONOMIC DEVELOPMENT

File: OZS-2019-0007_ZBLA

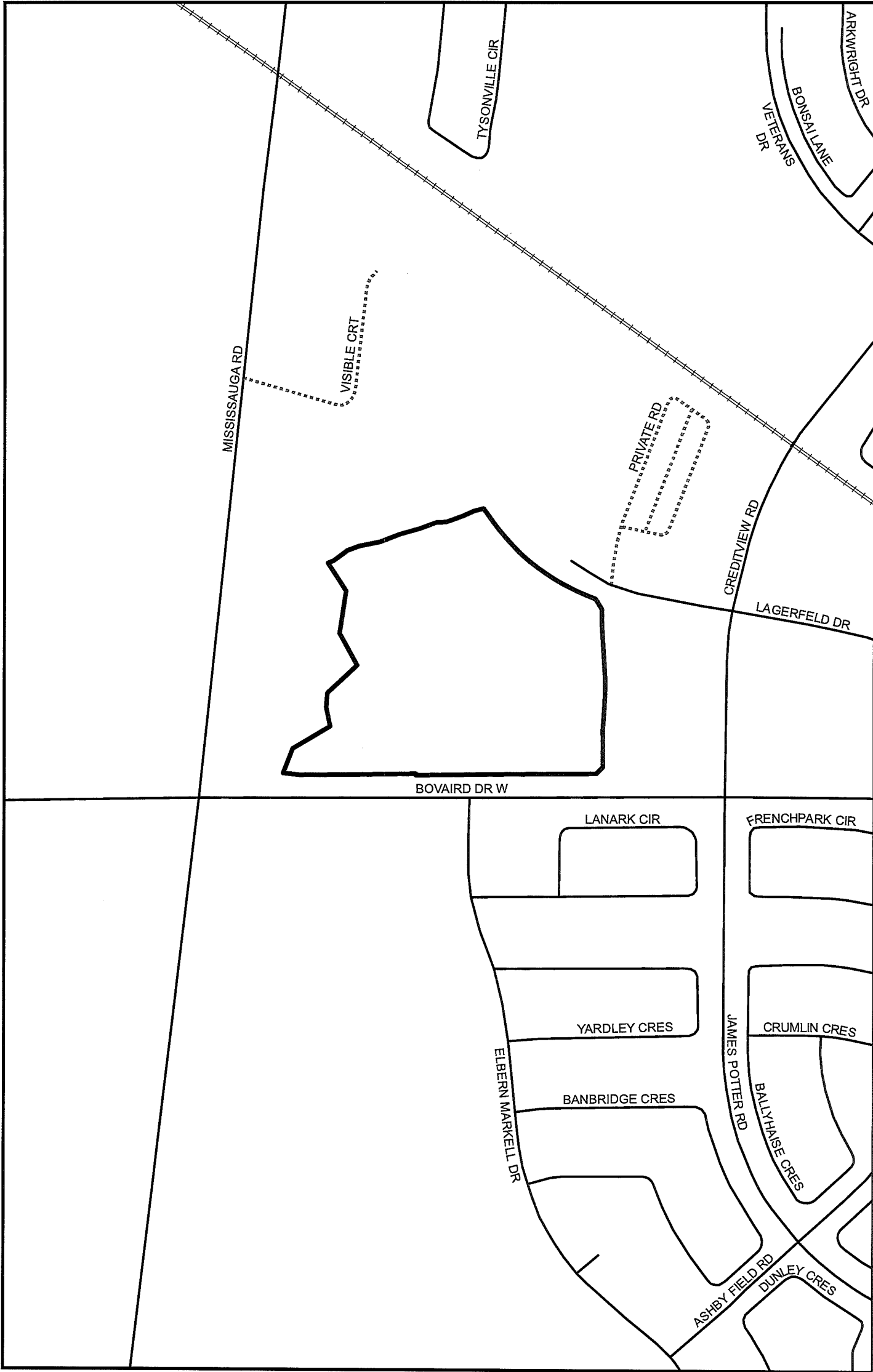
Date: 2021/09/03

Drawn by: ckovac

PART LOT 11, CONCESSION 4 W.H.S.

BY-LAW 239-2021

SCHEDULE A



SUBJECT LANDS



RAILWAYS



BRAMPTON
Flower City



KEY MAP

brampton.ca
PLANNING, BUILDING AND ECONOMIC DEVELOPMENT

File: OZS-2019-0007_ZKM
Date: 2021/06/09 Drawn by: ckovac

BY-LAW 239-2021