

**Notice of Passing of By-law 181-2020
Nyx Capital Corp. – Nyx Henderson Ltd.
Ward 3**

Date of Decision: September 16 2020
Date of Notice: September 30, 2020
Last Date of Appeal: October 15, 2020

On the date noted above, the Council of the Corporation of the City of Brampton passed **By-law 181-2020**, to amend Zoning By-law 270-2004, as amended, under Section 34 of the *Planning Act*, R.S.O., c.P.13, as amended, pursuant to an application by Nyx Capital Corp. – Nyx Henderson Ltd. – City File C01W05.044.

The Purpose and Effect: to amend comprehensive Zoning By-law 270-2004, as amended, pursuant to an application by Nyx Capital Corp. – Nyx Henderson Ltd., to permit a 402-unit residential development in an apartment building and back-to-back stacked townhouses.

Location of Lands Affected: 12 Henderson Avenue – West Side of Henderson Avenue, West of McMurchy Avenue South – Ward 3.

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 enquiries should be directed to Cynthia Owusu-Gyimah, Development Planner, Planning, Building and Economic Development, at (905) 874-2064 or cynthia.owusugyimah@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.

There are no other applications under the *Planning Act*, pertaining to the subject lands.

When and How to File an Appeal: An appeal of the by-law amendment to the Local Planning Appeal Tribunal (LPAT) must be filed with the Clerk of the City of Brampton **no later than October 15, 2020**. An appeal form is available from the LPAT website at www.elto.gov.on.ca/tribunals/lpat/forms.

The Notice of Appeal must:

- (1) set out the reasons for appeal; and,
- (2) be accompanied by the fee required by the Local Planning Appeal Tribunal 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 Local Planning Appeal Tribunal Fee Schedule may be found at <https://olt.gov.on.ca/tribunals/lpat/lpat-process/fee-chart/>

Only individuals, corporations and public bodies may appeal a by-law to the Local Planning Appeal Tribunal (LPAT). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

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 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 181 - 2020

To amend Zoning By-law 270-2004, as amended

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

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

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

From:	To:
INDUSTRIAL ONE (M1); and OPEN SPACE (OS)	RESIDENTIAL APARTMENT A Holding – SECTION 2997 (R4A (H)-2997); and OPEN SPACE (OS)

2. by adding thereto the following section:

“2997 The lands designated Residential Apartment A(H) – SECTION 2997 (R4A(H) – 2997) on Schedule A to this by-law:

2997.1 Shall only be used for:

- a) An apartment dwelling
- b) A multiple residential dwelling

2997.2 Shall be subject to the following requirements and restrictions:

- a) The Lot Line abutting Sheard Avenue shall be deemed to be the Front Lot Line;
- b) For the purposes of this By-law, the lands designated R4A(H) Section – 2997 shall be treated as one lot, notwithstanding any future severance, partition, dedication or division of the said lands that may occur following the date of adoption of this bylaw;
- c) Maximum Number of Dwelling Units - 402;
- d) Minimum Lot Area – No Requirement;
- e) Minimum Lot Width – No Requirement;
- f) Minimum Lot Depth – No Requirement;
- g) Minimum Front Yard Depth – 4.0 metres;
- h) Minimum Side Yard Width – 2.0 metres;

- i) Minimum Exterior Side Yard Width – 1.8 metres;
- j) Minimum Setback to a Daylight Triangle – 0.0 metres;
- k) Minimum Rear Yard Depth – No Requirement;
- l) Minimum Setback from Orangeville Railway Right-of-Way – 15.0 metres;
- m) Minimum Setback to lands zoned OS – 10.0 metres;
- n) Notwithstanding the requirements above, the minimum setbacks from lands zoned OS to a parking structure and associated structures below established grade shall be – 0.0 metres;
- o) Maximum Building Height
 - i. 13 storeys for an apartment dwelling;
 - ii. 4 storeys for a multiple residential dwelling, excluding rooftop access enclosures and amenities;
- p) Maximum Floor Space Index – 1.2;
- q) Minimum Parking Requirements:
 - i. 1.30 spaces (including visitors) for each unit in a multiple residential dwelling back-to-back stacked townhouse dwelling;
 - ii. 1.20 spaces (including visitors) for each unit in an apartment dwelling;

2997.3 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 2997.

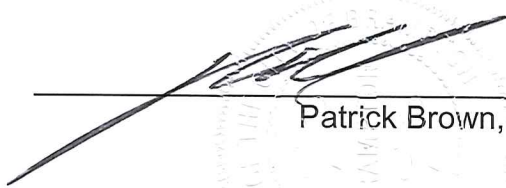
2997.4 The Holding (H)


1. Until such time as the Holding (H) symbol is lifted, the lands zoned R4A(H) Section - 2997 shall only be used for a Multiple Residential Dwelling in accordance with the requirement and restrictions of the R4A-2997 zone, and the maximum number of dwelling units shall be limited to 152.
2. The Holding (H) symbol shall not be removed until such time as a traffic impact assessment have been approved to the satisfaction of the Commissioner of Planning, Building and Economic Development”.

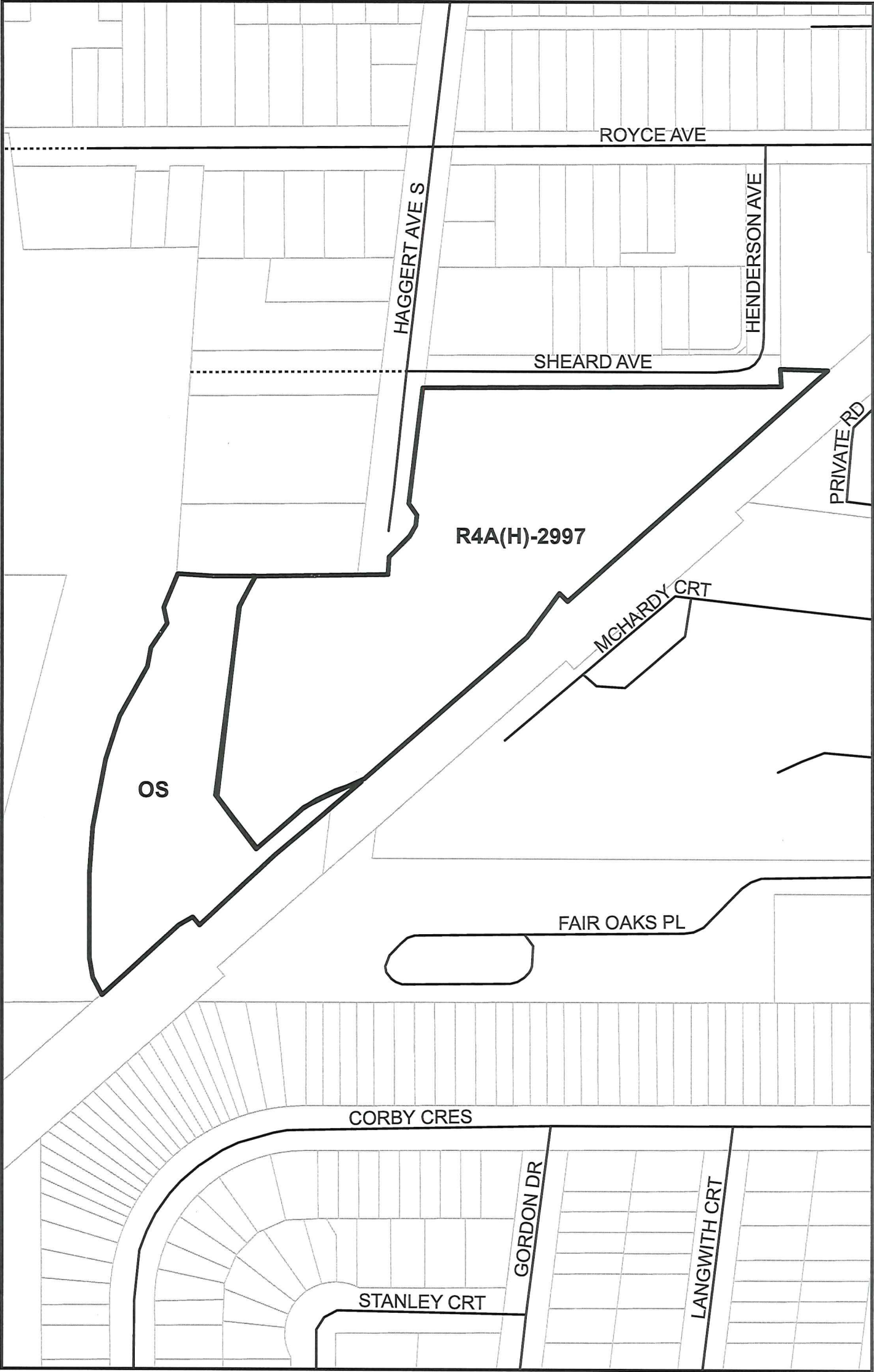
ENACTED and PASSED this ^{16TH}~~5TH~~ day of ^{September}~~August~~, 2020.

Approved as to
form.
2020/07/17
AWP

Approved as to
content.
2020/07/17
AAP


Patrick Brown, Mayor


Peter Fay, City Clerk



BRAMPTON
Flower City

PLANNING AND DEVELOPMENT SERVICES



PART LOT 5, CONCESSION 1 W.H.S.

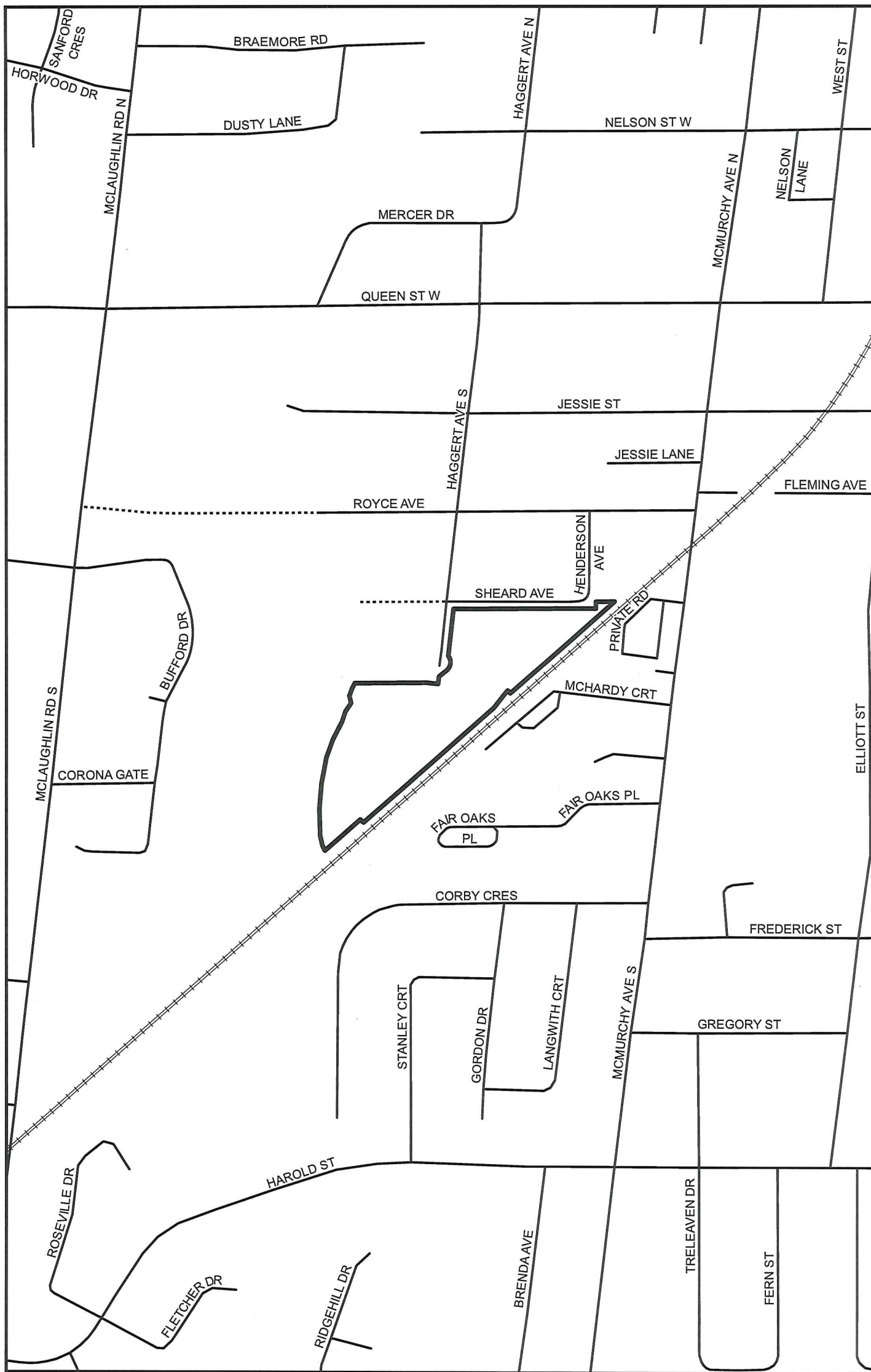
File: C01W05.044_ZBLA

Date: 2020/06/18

Drawn by: ckovac

BY-LAW 181-2020

SCHEDULE A



 SUBJECT LANDS



KEY MAP