

**Notice of Passing of By-law 294-2019
Rose Garden Residences Inc.
Ward 1**

Date of Decision: December 11, 2019
Date of Notice: December 20, 2019
Last Date of Appeal: January 9, 2020

On the date noted above, the Council of the Corporation of the City of Brampton passed **By-law 294-2019**, 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 Weston Consulting Inc. – Rose Garden Residences (File C01E06.056).

The Purpose and Effect: To permit a mixed-use development that includes two residential towers with a maximum height of 29-storeys, a minimum commercial floor area of 2,000 square metres and up to 8 stacked townhouse units.

Location of Lands Affected: Northeast corner of Main Street North and Nelson Street East, and municipally known as 122 – 130 Main Street North, 6 – 10 Nelson Street East, and 7 & 11 Church Street East, being part of Lot 6, Concession 1 EHS in the City of Brampton – Ward 1.

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 or questions should be directed to Carmen Caruso, Central Area Planner, Planning and Development Services, at (905) 874-2349 or carmen.caruso@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 *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 January 9, 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 \$300.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario.

Only individuals, corporations and public bodies may appeal a 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 mailed/hand delivered to:

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



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 294 - 2019

To amend Comprehensive Zoning By-law 270-2004

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

From:	To:
Downtown Commercial – Section 3441 (DC-3441), and Residential Extended One – Section 3518 (R2B(1)-3518)	Downtown Commercial (H) – Section 2967 (DC(H)-2967), and Residential Apartment A (H) – Section 2968 (R4A(H)-2968)

(2) By adding the following Sections:

"2967 The lands designated DC(H)-2967 on Schedule A to this by-law:

2967.1 Shall only be used for the following purposes:

1) Residential Uses:

a. An apartment dwelling.

2) Non-Residential Uses:

a. A retail establishment with or without outdoor display and sales;

b. An office;

c. A grocery store;

d. A supermarket;

e. A service shop;

f. A personal service shop, excluding a massage or body rub parlour;

g. A bank, trust company or financial company;

h. A dry cleaning and laundry distribution station;

i. A laundromat;

j. A dining room restaurant or take-out restaurant;

k. A printing or copying establishment;

l. A temporary open air market;

m. A health or fitness centre;

- n. A custom workshop;
- o. A commercial school;
- p. A private or public secondary school; and,
- q. A university or college.

3) Purposes accessory to other permitted purposes.

2967.2 Shall be subject to the following requirements and restrictions:

- 1) For the purpose of this section, the lot line abutting Main Street North shall be the front lot line;
- 2) A drive-through facility shall be prohibited;
- 3) Maximum Number of Dwelling Units: 590
- 4) Maximum Number of Towers: 2
- 5) Minimum Lot Area: 0.70 hectares
- 6) Maximum Floor Space Index: No Requirement
- 7) Maximum Gross Floor Area: 55,000 square metres
- 8) Maximum Front Yard Setback: 3.0 metres
- 9) Minimum Front Yard Setback:
 - a. To a podium: 1.7 metres
 - b. To a tower: 10 metres
- 10) Minimum Rear Yard Setback and Interior Side Yard Setback:
 - a. Abutting a Commercial Zone:
 - i. To a podium: 0.5 metres
 - ii. To a tower: 12.5 metres
 - b. Abutting a Residential Zone:
 - i. To a podium: 3.0 metres
 - ii. To a tower: 15.0 metres
- 11) Minimum Exterior Side Yard Setback: 15.0 metres
- 12) Maximum Building Height: 29 storeys
- 13) Minimum Building Height: 15 storeys
- 14) Minimum Podium Height: 1 storey
- 15) Maximum Podium Height: 6 storeys
- 16) Maximum Floorplate Area: 800 square metres
- 17) Maximum Building Coverage: No requirement
- 18) Minimum Landscape Open Space: 4.5 metres along the exterior side yard except at approved driveway and building locations
- 19) Minimum Tower Separation Distance: 25.0 metres
- 20) Minimum Non-residential Gross Floor Area: 2,000 square metres
- 21) Commercial Uses at Grade:
 - a. The portion of the floor area within 10 metres of the front lot line within the first floor shall only be used for commercial purposes.
 - b. Notwithstanding the above, entrances and lobbies accessory to residential uses are permitted on the first floor provided that no more than 30% of the wall facing the front lot line may be occupied by entrances and lobbies.

22) 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.
- c. Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of the total required must be located within:
 - i. A building or structure;
 - ii. A secure area such as a supervised parking lot or enclosure; or
 - iii. Within bicycle lockers.
- d. Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a bicycle rack that is securely anchored to the ground/wall 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 1.8 metres and a minimum width of 0.6 metres;
 - 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: Minimum 0.50 spaces per dwelling unit;
 - ii. For Commercial uses: Minimum 1 space for each 500 m² of gross commercial floor area or portion thereof.

2967.3 All lands zoned DC – 2967 shall be treated as one lot for zoning purposes.

2967.4 For the purpose of this section a Podium shall be defined as follows:

"any of various building elements that form the base or bottom storeys of a building distinguished from and upon which upper storeys of the building rest."

2967.5 Holding (H):

- 1) Until the Holding (H) symbol is removed, the lands shall only be used in accordance with the DC-3441 zone.
- 2) The Holding (H) symbol shall not be removed until the following has been satisfied:
 - a. The owner submits the following materials to the satisfaction of the Director of Development Services:
 - i. Concept Plan and Elevations;
 - ii. Heritage Impact Assessment;
 - iii. Functional Servicing Report;
 - iv. Building Safety Plan;
 - v. Phase I Environmental Site Assessment (Phase 2 if required);
 - vi. Record of Site Condition;
 - vii. Shadow Study;
 - viii. Traffic Impact Study;

- ix. Parking Study;
 - x. Urban Design Brief;
 - xi. Tree Inventory and Preservation Plan/Vegetation Study;
 - xii. Noise and Vibration Study;
 - xiii. Phasing Plan;
 - xiv. Engineering and Design Report;
 - xv. A Description of Ownership Interests;
 - xvi. A Sustainability Scoring Metric and Sustainability Summary; and,
 - xvii. Other studies as deemed appropriate by the Director of Development Services.
- b. A complete site plan application has been submitted and the Director of Development Services is satisfied in his/her sole discretion that the plans and drawings, as well as the associated studies and other documentation, are sufficient to support the approval of the site plan application.

"2968.1 The lands designated R4A - 2968 on Schedule A to this by-law:

2968.2 Shall only be used for the following purposes:

- 1) Residential Uses:
 - a. A stacked townhouse dwelling; and,
 - b. A single detached dwelling.
- 2) Non-Residential Uses, only within a building existing on the lands as of December 11, 2019.
 - a. A retail establishment with or without outdoor display and sales;
 - b. An office;
 - c. A service shop;
 - d. A personal service shop, excluding a massage or body rub parlour;
 - e. A bank, trust company or financial company;
 - f. A dry cleaning and laundry distribution station;
 - g. A laundromat;
 - h. A dining room restaurant or take-out restaurant;
 - i. A printing or copying establishment;
 - j. A health or fitness centre;
 - k. A custom workshop;
 - l. A day care;
 - m. A commercial school; and,
 - n. A private or public school or other educational institution.

2968.2 Shall be subject to the following requirements and restrictions:

- | | |
|--|-------------------|
| 1) Minimum Lot Area: | 200 square metres |
| 2) Minimum Lot Width: | 11.0 metres |
| 3) Minimum Front Yard Setback: | 3.5 metres |
| 4) Minimum Interior Side Yard Setback: | 1.2 metres |
| 5) Maximum Building Height: | 12 metres |
| 6) Maximum Number of Units: | 8 |
| 7) Maximum Floor Space Index: | No requirement |

- | | |
|----------------------------------|--|
| 8) Minimum Landscape Open Space: | 3.5 metres abutting the front lot line except at approved driveway locations |
| 9) Maximum Lot Coverage: | No requirement |
| 10) Non-residential Parking: | No requirement |

2968.3 All lands zoned R4A - 2968 shall be treated as one lot for zoning purposes.

2968.4 Holding (H):

- 1) Until the Holding (H) symbol is removed, the lands shall only be used in accordance with the R2B(1)-3518 zone.
- 2) The Holding (H) symbol shall not be removed until the following has been satisfied:
 - a. The owner submits the following materials to the satisfaction of the Director of Development Services:
 - i. Concept Plan and Elevations;
 - ii. Heritage Impact Assessment;
 - iii. Functional Servicing Report;
 - iv. Building Safety Plan;
 - v. Phase I Environmental Site Assessment (Phase 2 if required);
 - vi. Record of Site Condition;
 - vii. Shadow Study;
 - viii. Traffic Impact Study;
 - ix. Parking Study;
 - x. Urban Design Brief;
 - xi. Tree Inventory and Preservation Plan/Vegetation Study;
 - xii. Noise and Vibration Study;
 - xiii. Phasing Plan;
 - xiv. Engineering and Design Report;
 - xv. A Description of Ownership Interests;
 - xvi. A Sustainability Scoring Metric and Sustainability Summary; and,
 - xvii. Other studies as deemed appropriate by the Director of Development Services.
 - b. A complete site plan application has been submitted and the Director of Development Services is satisfied in his/her sole discretion that the plans and drawings, as well as the associated studies and other documentation, are sufficient to support the approval of the site plan application."

ENACTED and PASSED this 11th day of December, 2019.

Approved as to
form.

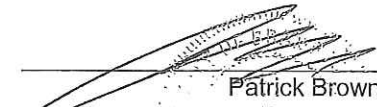
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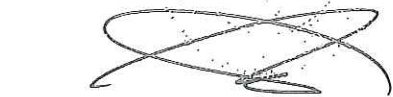
Approved as to
content.

2019/11/26

AAP



Patrick Brown, Mayor

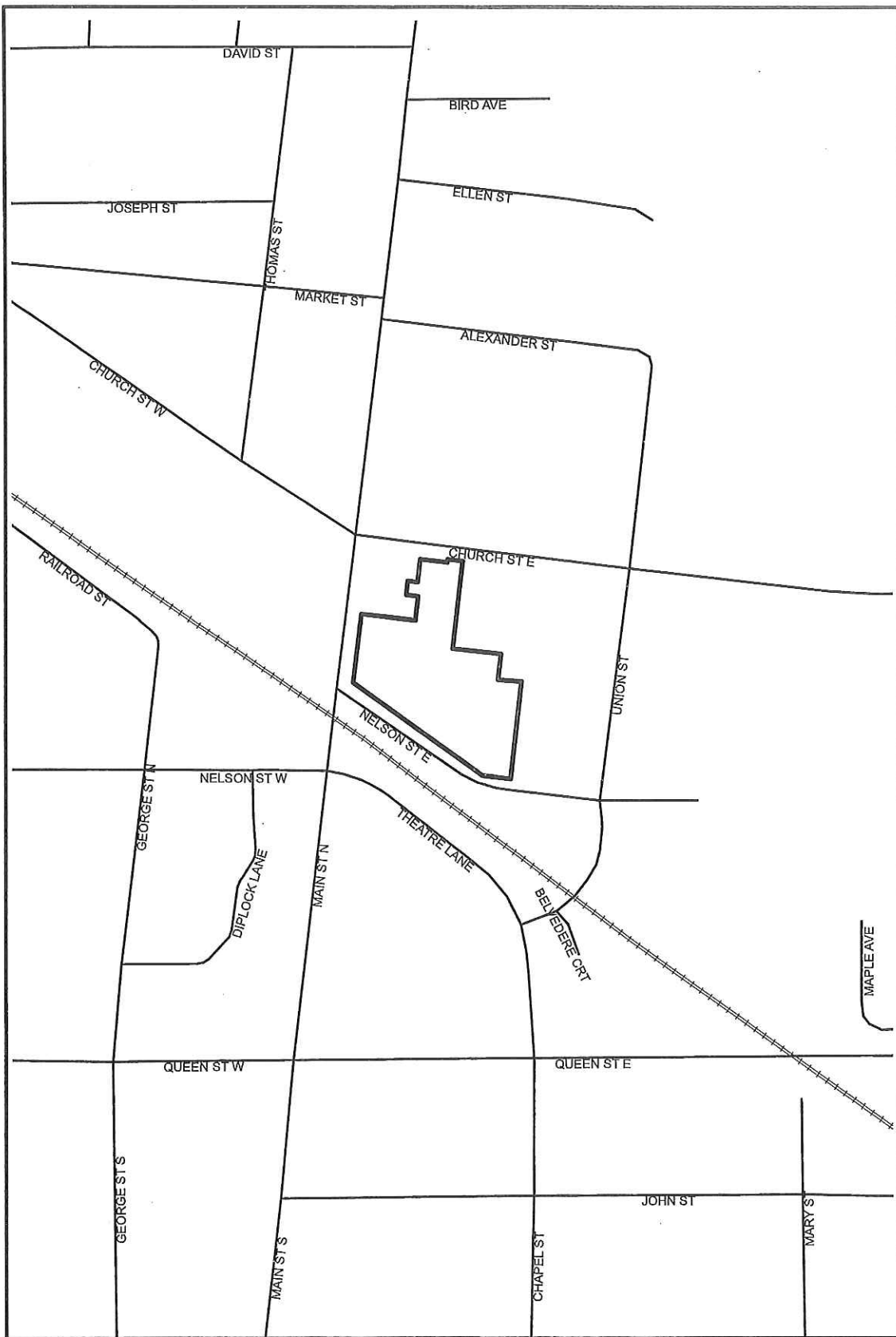


Peter Fay, City Clerk



 ZONE BOUNDARY





 SUBJECT LANDS



KEY MAP

BY-LAW 294-2019