

**Adoption of Official Plan Amendment OP2006-154  
and Zoning By-law 187-2018  
57 McMurchy Avenue South – Ward 3**

**Date of Decision: September 12, 2018**  
**Date of Notice: September 21, 2018**  
**Last Date of Appeal: October 11, 2018**

On the date noted above, the Council of the Corporation of the City of Brampton passed By-law 186-2018, to adopt **Official Plan Amendment OP2006-154**, and **By-law 187-2018**, to amend **Comprehensive Zoning By-law 270-2004**, under sections 17 and 34, respectively of the *Planning Act* R.S.O., c.P.13, as amended (File C01W05.041).

This official plan amendment is exempt from approval by the Region of Peel and the decision of Council is final if a notice of appeal is not received on or before the last day for filing such notice.

**The Purpose and Effect:** The purpose of Official Plan Amendment OP2006-154 is to revise the existing Secondary Plan Designation of 57 McMurchy Avenue South, to permit the development of 15 townhouses on a private road and to add site-specific density and design policies. The purpose of By-law 187-2018 is to amend comprehensive Zoning By-law 270-2004, as amended pursuant to an application by CANDEVCON Limited – Hans Holding (File C01W05.041). The Effect of By-law 187-2018 is to permit the development of 15 townhouses on a private road.

**Location of Lands:** The lands affected by Official Plan Amendment OP2006-154 and By-law 187-2018 are located at on the southwest corner of McMurchy Avenue South and Fair Oaks Place, and Municipally Known as 57 McMurchy Ave South, being part of Lot 5, Concession 1, WHS in the City of Brampton.

**Obtaining Additional Information:** A copy of the by-laws is provided. The complete by-laws and background materials, including a key map showing the lands to which the by-law applies, are available for inspection in the City Clerk's Office during regular office hours, or online at [www.brampton.ca](http://www.brampton.ca). Further enquiries or questions should be directed to Yin Xiao, Development Planner, Planning and Development Services, at (905) 874-2867 or [yin.xiao@brampton.ca](mailto:yin.xiao@brampton.ca).

Any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the Planning Act, which submissions addressed concerns about traffic, urban design, servicing and tree preservation, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter.

Under the *Planning Act* there is a Draft Plan of Condominium Application (C01W05.042) pertaining to the subject lands.

**When and How to File an Appeal:** Any appeal of the official plan amendment or zoning by-law to the Local Planning and Appeal Tribunal (LPAT) to be filed with the Clerk of the City of Brampton no later than 20 days from the date of this notice as shown above as the last date of appeal. An appeal form is available from the LPAT website at [www.elto.gov.on.ca/tribunals/lpat/forms](http://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 an Official Plan Amendment and/or zoning by-law to the Local Planning Appeal Tribunal. 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 LPAT, there are reasonable grounds to add the person or public body as a party.

**Mailing Address for Filing a Notice of Appeal:**

City of Brampton  
Office of the City Clerk  
2 Wellington St. W.,  
Brampton, ON L6Y 4R2  
(905) 874-2114  
[CityClerksOffice@brampton.ca](mailto:CityClerksOffice@brampton.ca)



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 186 - 2018

To adopt Amendment Number OP2006-154  
to the Official Plan of the  
City of Brampton Planning Area

That 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. Amendment Number OP2006- 154 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this Official Plan.

ENACTED and PASSED this 12<sup>th</sup> day of September, 2018.

Approved as to  
form.


2018/08/27


AWP

Approved as to  
content.

2018/08/27

AP

  
Linda Jeffrey, Mayor

  
Peter Fay, City Clerk

AMENDMENT NUMBER OP2006 - 154  
TO THE OFFICIAL PLAN  
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose

The purpose of this amendment is to revise the land use designation of the lands shown on Schedule A to this amendment to permit residential uses in the form of condominium townhouse.

2.0 Location

The lands subject to this amendment are located on the southwest corner of McMurchy Avenue South and Fair Oaks Place, municipally known as 57 McMurchy Avenue South.

3.0 Amendments

The portions of the document known as the Consolidated Official Plan of the City of Brampton Planning Area that remains in force, as they relate to the Brampton South Secondary Plan (Area 16) (being Part Two Secondary Plans, as amended) are hereby further amended:

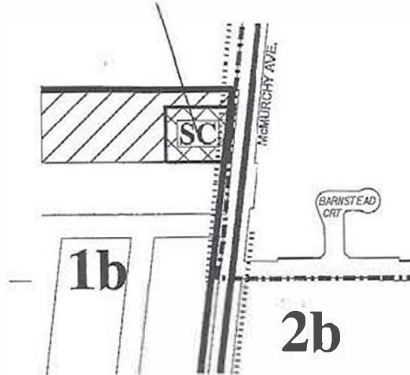
- (1) By adding to the list of amendments pertaining to Secondary Plan Area Number 16: Brampton South as set out in Part II: Secondary Plans, Amendment Number OP2006- 154 .
- (2) by changing on Plate 7 thereto, the land use designation of the lands shown outlined on Schedule A to this amendment from "Service Commercial" to "Medium Density Residential"; and,
- (3) by amending Section 3.0 Residential Development Principles by adding the following as Section 3.10:

"3.10 The lands designated Residential Medium Density and located on the southwest corner of McMurchy Avenue South and Fair Oaks Place, municipally known as 57 McMurchy Avenue South, shall only be used for townhouse dwellings with a maximum density of 65 units per net hectare.

The development of the site is to be in accordance with the City of Brampton's Development Design Guidelines and subject to the following principles:

- (a) New development is to be compatible with the surrounding area by providing a transition in building height to the adjacent residential neighbourhood;
- (b) Buildings are to face McMurchy Avenue and be positioned close to the street line to create an active built form edge and comfortable pedestrian experience; and,
- (c) New development is to provide enhanced landscaping including boulevard trees and ornamental plantings."

LANDS TO BE REDESIGNATED FROM "SERVICE COMMERCIAL" TO "RESIDENTIAL MEDIUM DENSITY"



EXTRACT FROM SCHEDULE 16(a) OF THE DOCUMENT KNOWN AS THE BRAMPTON SOUTH SECONDARY PLAN

 Residential Low Density	 Service Commercial
 Residential Medium Density	 Collector Road
 Residential High Density	 Planning District Boundary
	 Neighbourhood Boundary & Number

 **BRAMPTON**  
Flower City  
PLANNING AND DEVELOPMENT SERVICES

Date: 2018 08 03 Drawn By: CJK  
File: C01W05.041\_OPA\_A



SCHEDULE A TO OFFICIAL PLAN  
AMENDMENT OP2006# 154





THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 187 - 2018

To amend By-law 270-2004, as amended

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

From	To
SERVICE COMMERCIAL (SC)	RESIDENTIAL TOWNHOUSE C Section 2899 – (R3C – 2899)

2) By adding thereto the following sections:

"2899. The lands zoned Residential Townhouse C – SECTION 2899 on Schedule A to this by-law:

2899.1 Shall only be used for the following purposes:

- (a) Dual Frontage Townhouse Dwellings
- (b) Townhouse Dwellings

2899.2 Shall be subject to the following requirements and restrictions, which shall apply to dual frontage townhouse dwellings:

- a) The lot line abutting McMurchy Avenue South shall be deemed to be the front lot line for Zoning purposes
- b) Minimum Lot Area: 120 square metres per dwelling unit
- c) Minimum Lot Width: Interior Lot: 5.5 metres  
Corner Lot: 6.5 metres
- d) Minimum Yard Setbacks for a Principal Building:
  - i) the front wall of a dwelling unit:  
3 metres to a lot line abutting a street
  - ii) the rear wall of a dwelling unit:
    - 4.5 metres to a lot line abutting a private road
    - 6 metres between a garage door opening and a lot line abutting private road
  - iii) The side wall of a dwelling unit
    - 1.2 metres to a private road

- 2.5 metres to a lot line abutting lands zoned R4A-3347

- e) Maximum Building Height: 13.0 metres
- f) Maximum Building Height within 12 metres of Lands Zoned R2A: 11.0 metres
- g) Minimum Landscaped Open Space: Other than approved driveway locations and encroachments permitted by Section 6.13 of this By-law, the front yard, rear yard and side yard of a dwelling shall only be used as landscaped open space
- h) The following shall not be permitted in the rear yard:
  - i. Sheds or accessory structures
  - ii. Boats, trailers and/or seasonal recreational equipment
- i) Garbage and refuse, including containers for the storage of recyclable materials, shall not be stored in the front yard, rear yard, and/or side yard
- j) Air conditioning units shall not be permitted in the front yard
- k) Section 10.13.2 of this By-law shall not apply

2899.3 Shall be subject to the following requirements and restrictions, which shall apply to townhouse dwellings:

- a) Minimum Lot Area: 120 square metres per dwelling unit
- b) Minimum Lot Width: Interior Lot: 5.0 metres  
Corner Lot: 6.0 metres
- c) Minimum Yard Setbacks for a Principal Building:
  - i) the front wall of a dwelling unit:
    - 4.5 metres to a lot line abutting a private road
    - 6 metres between a garage door opening and a lot line abutting a private road
  - ii) the rear wall of a dwelling unit:
    - 6.0 m to a rear lot line
    - No more than two consecutive dwelling units shall be sited at the same distance from the rear lot line after which subsequent dwelling unit shall be sited at a minimum variation of 1.5 m
  - iii) The side wall of a dwelling unit:
    - 1.5 metres to a common amenity area
    - 1.2 metres to a lot line abutting lands zoned R2A
- d) Maximum Building height 11.0 metres
- e) Minimum Landscaped Open Space: Other than approved driveway locations and encroachments permitted by Section 6.13 of this By-law, the front yard and side yard of a dwelling shall only be used as landscaped open space

Each dwelling unit shall have a minimum of 25 square metres of landscaped open space in the rear yard

- f) Garbage and refuse, including containers for the storage of recyclable materials shall not be stored in the front yard and/or the side yard

2899.4 For all uses permitted in Section R3C – SECTION 2899 the following additional provisions shall apply:

- a) Notwithstanding Section 10.10 (a) of this By-law, within a required front yard, the maximum height of a fence shall not exceed 1.2 metres;
- b) Notwithstanding Section 6.17.1 (d)(3) of this By-law, a private road having a minimum width of 6.0 metres shall be permitted as an access aisle to parking spaces located on a private residential driveway; and,
- c) Notwithstanding Section 10.9.1.B (7), a residential driveway shall have a maximum width of 3.0 metres.


ENACTED and PASSED this 12th day of September, 2018.

Approved as to  
form.  
2018/08/27  
AWP

Approved as to  
content.  
2018/08/27  
AP

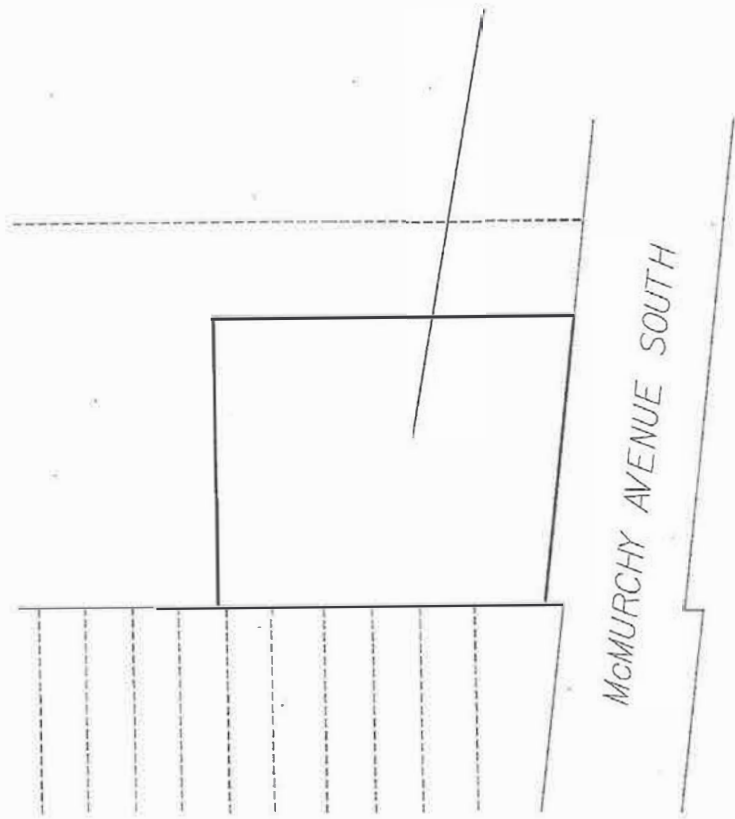
(File C01W05.041)

  
Linda Jeffrey, Mayor

  
Peter Fay, City Clerk



R3C-2899



LEGEND

— ZONE BOUNDARY

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

By-Law 187-2018

Schedule A



**CITY OF BRAMPTON**  
Planning and Development Services

Date: 2018 08 07

Drawn by: CJK

File no. C31W05.041\_ZB1A

