

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: July 10, 2017

CASE NO(S): PL160478
PL160479

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: North American Realty Acquisition Corporation
Subject: Application to amend Zoning By-law No. 270-2004 - neglect of the City of Brampton to make a decision
Existing Zoning: Agricultural (A)
Proposed Zoning: Site Specific (to be determined)
Purpose: To permit residential and commercial uses
Property Address/Description: Block 1 on Plan 43M-1927
Municipality: City of Brampton
Municipality File No.: C04W11.010
OMB Case No.: PL160478
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OMB Case Name: North American Realty Acquisition Corporation v. Brampton (City)

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Applicant and Appellant: North American Realty Acquisition Corporation
Subject: Application to amend Zoning By-law No. 270-2004 - neglect of the City of Brampton to make a decision
Existing Zoning: Agricultural (A)
Proposed Zoning: Site Specific (To be determined)
Purpose: To permit Residential and commercial uses
Property Address/Description: Blocks 2-4 On Plan 43M-1927
Municipality: City of Brampton
Municipality File No.: C04W11.010
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OMB File No.: PL160479
OMB Case Name: North American Realty Acquisition Corporation
v. Brampton (City)

Heard: May 26, 2017 in Brampton, Ontario

APPEARANCES:

Parties

Counsel

North American Realty Acquisition
Corporation

J. Harbell
J. Cheng

City of Brampton

M. Rea

Osmington Inc.

M. Flowers
J. Cole (summer student)

DECISION DELIVERED BY SUSAN de AVELLAR SCHILLER AND ORDER OF THE BOARD

INTRODUCTION

[1] North American Realty Acquisition Corporation (“Proponent”) wishes to develop lands that front on Bovaird Drive West and are located both east and west of Creditview Road in the City of Brampton (“City”). The lands are made up of four blocks. Block 1 is west of Creditview Road; Blocks 2, 3 and 4 are to the east of Creditview Road.

[2] The Proponent applied for site-specific amendments to By-law No. 270-2004 (“ZBL”) to permit its proposed development. The Proponent appealed these matters to this Board when the City failed to make a decision on the applications. The appeals are in two separate files but are being heard together.

[3] The Region of Peel (“Region”), represented by Counsel R. Maciver, was in attendance to monitor the proceedings and ensure that the Region’s conditions have been included properly, which they have been.

[4] At the outset of the hearing, the Board was advised that the Proponent and the City had reached a settlement. The Minutes of Settlement (“MOS”) between these two parties was filed as Exhibit 1 in these proceedings.

[5] The Proponent’s lands are all east of Mississauga Road. Osmington Inc. (“Osmington”) owns lands west of Mississauga Road.

[6] Osmington is not a signatory to the MOS but did seek an amendment to s. 3.5.2.5.4(a) of the proposed zoning by-law amendment as it relates to Block 1, found at Attachment 1 to this decision. This amendment, agreed to by the City and the Proponent, places a cap of 8000 square metres on the size of certain retail uses. With this amendment, Osmington advised the Board that it had no further objection.

[7] Attachment 2 to this decision is the zoning by-law amendment as it relates to Blocks 2, 3 and 4.

ISSUES, ANALYSIS AND FINDINGS

[8] The Board heard from Oz Kemal, a full Member of the Canadian Institute of Planners and a Registered Professional Planner in Ontario, whom the Board qualified to provide independent expert opinion evidence in land use planning matters.

[9] Mr. Kemal reviewed the proposed amendments to the ZBL, and provided evidence that they conform to the Region Official Plan (“ROP”), conform to the City Official Plan (“OP”) and the applicable secondary plans, are consistent with the Provincial Policy Statement, 2014 (“PPS”) and conform to the provincial Growth Plan for the Greater Golden Horseshoe (“GGH”) in force on the date of the hearing.

[10] A new 2017 GGH was issued just prior to the hearing. The 2017 GGH is effective July 1, 2017. The transition regulation (O. Reg. 204/17) had not been issued at the time of the hearing. Out of an abundance of caution, and with appreciation that the 2017 GGH represented the Province’s emerging planning policy, the Board asked for expert

land use planning evidence on whether the proposed zoning by-law amendments would also conform to the 2017 GGH.

[11] The Board heard from Neal Grady, a full Member of the Canadian Institute of Planners and a Registered Professional Planner in Ontario whom the Board qualified to provide independent expert opinion evidence in land use planning matters.

[12] Mr. Grady adopted the evidence of Mr. Kemal and provided further evidence that the zoning by-law amendments conform to the 2017 GGH.

[13] The Proponent's lands take up part of the area that is within a rough triangle which has Bovaird Drive West on the south, Mississauga Road on west and a rail line on the diagonal from northwest to southeast.

[14] The rail line has Government of Ontario ("GO") transit service and a GO station that is within this triangle.

[15] The zoning by-law amendments are structured to facilitate phased development with residential and commercial uses. The development is to begin on the west in Block 1 first. The residential permissions envision the possibility of higher densities, including the redevelopment of lower-rise commercial areas, as the GO transit service is increased. Both the ROP and OP identify a Gateway Mobility Hub at this location which would be supported through the increased densities and redevelopment.

[16] Although the prehearing identified two participants, only Dalvir Passi attended and addressed the Board.

[17] Mr. Passi is a Brampton resident and a strong supporter of transit. He is also a strong supporter of efficient land use, intensification, transit supportive densities and complete communities as set out in the PPS and further emphasized in both versions of the GGH. He noted that the GO station meets the definition of a Major Transit Station and the Proponent's lands should now be considered to be within a Major Transit

Station Area. He agreed that the GO station area is intended to become a Gateway Mobility Hub. As such, he testified that the Proponent's lands warrant transit-supportive densities.

[18] At no time did Mr. Passi suggest that the proposed zoning by-law amendments are not consistent with the PPS or do not conform to either iteration of the GGH, or do not conform to the ROP or to the OP. He simply felt that more could be done sooner and is very concerned that the residential densities are not high enough.

[19] Mr. Passi did acknowledge that the zoning by-law amendments permit medium and high density residential development on some blocks and contemplate the possibility that development with these densities could occur much sooner if the GO transit service is improved more quickly and the market for such residential densities is there.

[20] On balance, the Board finds that the zoning by-law amendments provide for, and encourage, substantial transit-supportive residential development appropriate for a location within a Major Transit Station Area and a planned Gateway Mobility Hub.

[21] On the unchallenged expert opinion evidence of Messrs. Kemal and Grady, and on the evidence and acknowledgement of Mr. Passi, the Board finds that the proposed zoning by-law amendments have had regard for matters of provincial interest as set out in s. 2 of the *Planning Act*, R.S.O. 1990, c. P.13, are consistent with the PPS, conform both to the 2006 and the 2017 GGH, and conform to the ROP and the OP. Additionally, the Board has had regard to the fact that these proposed zoning by-law amendments come to the Board as part of a settlement and with the full support of the City.

[22] The Board delivered the substance of this decision orally at the hearing of May 26, 2017. The Board withheld its order at the request of the Proponent and the City until the City filed with the Board a final form of the zoning by-law amendments and an executed copy of the development agreement, referred to as the rezoning agreement.

[23] The City has since made these requisite filings and the Board's order now issues with this written decision.

ORDER

[24] The Board Orders that the appeals by North American Realty Acquisition Corporation are allowed in part and the City of Brampton By-law No. 270-2004 is amended in accordance with Attachment 1 and Attachment 2 to this decision.

"Susan de Avellar Schiller"

SUSAN de AVELLAR SCHILLER
VICE-CHAIR

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please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

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THE CORPORATION OF THE CITY OF BRAMPTON
BY-LAW NO. 2017 - _____

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

From:	To:
AGRICULTURAL (A)	RESIDENTIAL APARTMENT A – SECTION 3522 (R4A-3522) RESIDENTIAL APARTMENT A – SECTION 3523 (R4A-3523) RESIDENTIAL APARTMENT A (HOLDING) – SECTION 3524 (R4A(H)-3524) COMMERCIAL THREE – SECTION 3525 (C3-3525)

2) By adding thereto the following sections:

3522 The lands zoned Residential Apartment A – SECTION 3522 on Schedule A to this by-law:

3522.1 Shall only be used for the following purposes:

- a) Residential Uses
 - i) A rear lane townhouse dwelling
 - ii) Back to back townhouse dwelling
 - iii) Townhouse dwelling
 - iv) A stacked back to back townhouse dwelling
 - v) A live-work townhouse dwelling
- b) Purposes accessory to the other permitted purposes

3522.2 For the purposes of this section (R4A – SECTION 3522) the following provisions shall apply:

- a) Despite any division of the lands, including a Public Street network, all lands zoned R4A – SECTION 3522 and R4A – SECTION 3524 (Holding) shall be treated as one lot for zoning purposes.
- b) 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.
- c) 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.
- d) There are no minimum lot depths, minimum front yard depths, minimum interior side yard depths, minimum exterior side yard depths, minimum rear yard depths, minimum lot widths, minimum lot areas, or lot coverage requirements for back to back townhouse dwellings, townhouse dwellings, rear lane townhouse dwellings, stacked back to back townhouse dwellings and live-work townhouse dwellings.
- e) Where walls for townhouse dwellings, back-to-back townhouse dwellings, rear lane townhouse dwellings, stacked back to back townhouse dwelling and live-work 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.

3522.3 Shall be subject to the following additional requirements and restrictions, for rear lane townhouse dwelling uses:

a) Minimum Dwelling Unit Width:	4.5 metres
b) Minimum Setback from the Front Wall of a Dwelling to the Curb of a Private Street or Private Lane:	4.5 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 Building Separation Distance:	3.0 metres
e) Minimum Setback from the Side Wall of a Dwelling to the Curb of a Private Street or Private Lane:	1.5 metres

f) Minimum Setback from a garage door opening to a Private Lane:	1.0 metre
g) Minimum Building Height:	<ul style="list-style-type: none"> i) 2 storeys abutting a Public Street, Private Street or Private Lane. ii) 3 storeys within 45 metres of a C3 – SECTION 3525 zone and abutting Lagerfeld Drive.
h) Maximum Building Height:	3 storeys abutting a Public Street, Private Street or Private Lane
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) Minimum number of parking spaces:	<p>Resident Spaces:</p> <ul style="list-style-type: none"> i) 0.9 spaces for a one-bedroom dwelling unit. ii) 1.0 spaces for a two- bedroom dwelling unit. iii) 1.20 spaces for a three-bedroom dwelling unit. <p>Visitor Spaces:</p> <ul style="list-style-type: none"> iv) 0.15 spaces per dwelling unit
k) A garage shall only be accessed by a Private Lane.	

3522.4 Shall be subject to the following additional requirements and restrictions, for back to back townhouse dwelling uses:

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 Private Lane:	4.5 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 Building Separation Distance:	3.0 metres
e) Minimum Setback from the Side Wall of a Dwelling to the Curb of a Private Street or Private Lane:	1.5 metres
f) Minimum Building Height:	<ul style="list-style-type: none"> i) 2 storeys. ii) 3 storeys within 45 metres of a C3 – SECTION 3525 zone and abutting Lagerfeld Drive.
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) Minimum number of parking spaces:	<p>Resident Spaces:</p> <ul style="list-style-type: none"> i) 0.9 spaces for a one-bedroom dwelling unit. ii) 1.0 spaces for a two-bedroom dwelling unit. iii) 1.20 spaces for a three-bedroom dwelling unit. <p>Visitor Spaces:</p> <ul style="list-style-type: none"> iv) 0.15 spaces per dwelling unit.
j) 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.	

3522.5 Shall be subject to the following additional requirements and restrictions, for townhouse dwelling uses:

a) Shall only be permitted within 35 metres of a Floodplain zone.	
b) Minimum Dwelling Unit Width:	6.0 metres
c) Minimum Setback from the Front Wall of a Dwelling to the Curb of a Private Street or Private Lane:	4.5 metres provided that a minimum 6.0 metre setback is provided to a garage door opening.
d) Minimum Setback from the Front or Side Wall of a Dwelling to a lot line abutting a Public Street:	3.0 metres
e) Minimum Building Separation Distance:	3.0 metres
f) Minimum Setback from the Side Wall of a Dwelling to the Curb of a Private Street or Private Lane:	1.5 metres
g) Minimum Depth From the rear wall of the building to the Floodplain zone:	6.0 metres
h) Minimum Building Height:	<ul style="list-style-type: none"> i) 2 storeys. ii) 3 storeys abutting Lagerfeld Drive.
i) Maximum Building Height:	3 storeys
j) 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.
k) Minimum number of parking spaces:	Resident Spaces: <ul style="list-style-type: none"> i) 0.9 spaces for a one-bedroom dwelling unit. ii) 1.0 spaces for a two-bedroom dwelling unit.

	iii) 1.20 spaces for a three-bedroom dwelling unit. Visitor Spaces: iv) 0.15 spaces per dwelling unit.
l) Garage Control:	i) Maximum garage door width shall be 2.5 metres. ii) The maximum interior garage width shall be 0.6 metres wider than the permitted garage door width.
m) The Maximum Driveway Width Shall not exceed the width of the garage.	
n) A garage shall only be accessed by a Private Lane or Private Street.	

3522.6 Shall be subject to the following additional requirements and restrictions, for stacked back to back townhouse dwelling uses:

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 Private Lane:	4.5 metres
c) Minimum Setback from the Front or Side Wall of a Dwelling to a lot line abutting Public Street:	3.0 metres
d) Minimum Building Separation Distance:	3.0 metres
e) Minimum Setback from the Side Wall of a Dwelling to the Curb of a Private Street or Private Lane:	1.5 metres
f) Minimum Setback to a Private Lane:	1.5 metres
g) Minimum Building Height:	3 storeys
h) Maximum Building Height	4.5 storeys, excluding a stairwell enclosure

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) Minimum number of parking spaces	<p>Resident Spaces:</p> <ul style="list-style-type: none"> i) 0.9 spaces for a one-bedroom dwelling unit. ii) 1.0 spaces for a two-bedroom dwelling unit. iii) 1.20 spaces for a three-bedroom dwelling unit. <p>Visitor Spaces:</p> <ul style="list-style-type: none"> iv) 0.15 spaces per dwelling unit.
k) 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.	

3522.7 Shall be subject to the following additional requirements and restrictions for live-work townhouse uses:

<p>a) The following additional uses are permitted within a Live-Work Townhouse Dwelling on the ground floor:</p> <ul style="list-style-type: none"> 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

<ul style="list-style-type: none"> 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) a police station xxi) purposes accessory to the other permitted purposes xxii) a billiard hall or pool hall 	
<p>b) The following uses shall be prohibited:</p> <ul style="list-style-type: none"> 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 	
<p>c) Shall only be permitted within 35 metres of Lagerfeld Drive.</p>	
<p>d) Minimum Dwelling Unit Width:</p>	<p>6.0 metres</p>
<p>e) Minimum Setback from the Front Wall of a Dwelling to the Curb of a Private Street or Private Lane:</p>	<p>4.5 metres</p>
<p>f) Minimum Setback from the Front or Side Wall of a Dwelling to a lot line abutting Public Street:</p>	<p>3.0 metres</p>
<p>g) Minimum Separation between the Side Walls of a Dwelling:</p>	<p>3.0 metres</p>
<p>h) Minimum Setback from the Side Wall of a Dwelling to the sidewalk or Curb of a Private Street or Private Lane:</p>	<p>1.5 metres</p>
<p>i) Minimum Building Height:</p>	<p>3 storeys</p>
<p>j) Maximum Building Height:</p>	<p>4.5 storeys</p>
<p>k) Minimum landscaped open space:</p>	<p>Those portions of all yards not occupied by permitted accessory structures, permitted encroachments as per 6.13 of this By-law and the permitted driveway and sidewalk shall consist of landscape open space.</p>

l) Minimum number of parking spaces:	i) a minimum of 1 parking space per residential unit shall be provided; and, ii) one (1) additional parking space is required for any commercial use on the ground floor.
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3523 The lands zoned Residential Apartment A – SECTION 3523 on Schedule A to this by-law:

3523.1 Shall only be used for the following purposes:

a) Residential Uses

- i) An apartment dwelling
- ii) Purposes accessory to the other permitted purposes
- iii) Only in conjunction with an apartment dwelling and only on the ground floor of the same apartment building:
 - 1) a retail establishment having no outside storage
 - 2) a supermarket
 - 3) a service shop
 - 4) a personal service shop
 - 5) a bank, trust company, or finance company
 - 6) an office
 - 7) a dry cleaning and laundry distribution station
 - 8) a laundromat
 - 9) a dining room restaurant, a take-out restaurant
 - 10) a printing or copying establishment
 - 11) a commercial, technical or recreational school
 - 12) a place of commercial recreation
 - 13) a health or fitness centre
 - 14) a tavern
 - 15) an animal hospital
 - 16) a day nursery
 - 17) an amusement arcade
 - 18) a Ground Floor Townhouse Dwelling Unit
 - 19) purposes accessory to the other permitted purposes

b) Institutional Uses

- i) Retirement Home
- ii) Nursing Home

3523.2 For the purposes of this section (R4A – SECTION 3523) the following provisions shall apply:

- a) Despite any division of the lands, including a Public Street network, all lands zoned R4A – SECTION 3523 shall be treated as one lot for zoning purposes.
- b) 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.
- c) 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.
- d) There are no minimum front yard depth, minimum interior side yard depth, minimum exterior side yard depth, minimum rear yard depth, maximum lot coverage, minimum landscaped open space, minimum lot width or minimum lot area requirements.
- e) “Ground Floor Townhouse Dwelling Unit” means a ground floor dwelling unit which is entered through an independent or common entrance through the exterior wall of the apartment dwelling.
- f) For the purposes of this section, Bovaird Drive West shall be deemed to be the front yard.

3523.3 Shall be subject to the following-requirements and restrictions:

a) Minimum Lot Depth Between the lot line abutting Bovaird Drive West and the centre line of a Private Street or Private Lane:	50 metres
b) Minimum building setbacks:	To a lot line abutting Bovaird Drive West, to a public street, to the curb of a Private Lane or Private Street, to an R4A – SECTION 3522 zone, a Floodplain (F) zone, a C3 – SECTION 3525 zone: 4.5 metres.
c) Maximum building setbacks:	4.5 metres to a lot line abutting Bovaird Drive West.
d) Minimum Building Height:	i) A minimum of 60% of the building footprint must be at a minimum height of 6 storeys for a building

	<p>within 12 metres of Bovaird Drive West.</p> <p>ii) In no case shall the Building Height be less than 3 storeys.</p>
e) Maximum Building Height:	9 storeys
f) Minimum ground floor height:	4.5 m
g) Maximum lot coverage:	No requirement
h) Minimum landscaped open space:	No requirement
i) Maximum floor space index:	No requirement
j) Minimum landscape buffer:	Except at approved access locations, a 3 metre wide strip shall be provided between any surface parking lot/driveway and a Private Street, Private Lane, or a lot line abutting a public street.
k) Minimum number of parking spaces:	<p>Resident Spaces:</p> <p>i) 0.9 spaces for a one-bedroom dwelling unit.</p> <p>ii) 1.0 spaces for a two- bedroom dwelling unit.</p> <p>iii) 1.20 spaces for a three-bedroom dwelling unit.</p> <p>Visitor Spaces:</p> <p>iv) 0.15 spaces per dwelling unit.</p> <p>Non Residential:</p> <p>v) one space per 23 square metres of gross commercial floor area.</p>
l) Continuous Street Wall:	Building walls located between the 4.5 metre minimum setback and the 7.5 metre maximum setback to a lot line abutting Bovaird Drive West must occupy at least

	<p>60% of the available frontage along Bovaird Drive West for the development area.</p> <p>For the purposes of phasing, the continuous street wall shall apply to the portion of the lands subject to development.</p>
m) Angular Plane:	Notwithstanding the minimum and maximum Building Height requirements, no portion of a building may extend beyond a 45 degree angular plan measured from a height of 10.5 metres above the zone boundary.
n) Minimum Building Separation:	12 metres.
o) 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.
p) Bicycle parking:	<ul style="list-style-type: none"> i) Bicycle parking must be located on the same lot as the use or building for which it is required. ii) A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces. iii) Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within: <ul style="list-style-type: none"> 1) a building or structure 2) a secure area such as a supervised parking lot or enclosure; or 3) bicycle lockers iv) Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is

	<p>securely anchored to the ground and attached to a heavy base such as concrete.</p> <p>v) <u>Dimensions:</u></p> <ol style="list-style-type: none"> 1) If located in a horizontal position (on the ground): a minimum length of 1.8m and a minimum width of 0.6m. 2) If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m. <p>vi) <u>Rates:</u></p> <ol style="list-style-type: none"> 1) For Residential uses: 0.50 spaces per dwelling unit. 2) For Commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof.
<p>q) No setback from Bovaird Drive West, an R4A – SECTION 3522 zone, a Floodplain (F) zone and a C3 – SECTION 3525 zone is required for any portion of a parking garage that is below grade.</p>	

3523.4

The Retirement Home and Nursing Home uses permitted under Section 3523.1 b) shall be subject to the provisions of 3523.3. Notwithstanding the provisions of Section 3523.3, the following regulations shall apply:

<p>a) Minimum number of parking spaces:</p>	<p>i) Retirement Home: 0.65 spaces per unit (inclusive of visitor parking); and</p> <p>ii) Nursing Home/ Long-Term Care Facilities: 0.35 to 0.45 space per bed</p>
<p>b) Bicycle Parking:</p>	<p>No requirement</p>

3524 The lands zoned Residential Apartment A – SECTION 3524 (H) on Schedule A to this by-law:

- 3524.1 Shall only be used for purposes permitted in the R4A – SECTION 3522 zone.
- 3524.2 Shall be subject to the requirements and restrictions of the R4A – SECTION 3522 zone that are not in conflict with this section.
- 3524.3 Until such time as the holding (H) symbol is removed, the lands zoned R4A – SECTION 3524 shall only be used for the purposes permitted in an Agricultural (A) zone.
- 3524.4 For the purposes of this section (R4A(H) – SECTION 3524), the Holding (H) symbol shall not be removed until Phase 4 of the Lagerfeld Drive Municipal Class Environmental Assessment has been completed with a preferred alignment chosen for the extension of Lagerfeld Drive to Mississauga Road.
- 3524.5 For the purposes of this section (R4A(H) – SECTION 3524), the following additional requirements and restrictions shall apply that are not in conflict with the following:
 - a) Despite any division of the lands all lands zoned R4A (H) – SECTION 3524 and R4A – SECTION 3522 shall be treated as one lot for zoning purposes.
 - b) 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.
 - c) 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.
 - d) Where walls for rear lane townhouse dwellings, stacked back to back townhouse dwellings, live-work townhouse dwellings, townhouse dwellings and back to back townhouse dwellings are not facing a Private Lane or Private Street and are not considered a side wall, the minimum distance between buildings shall be 12 metres.
 - e) For the purposes of this section, Lagerfeld Drive shall be deemed to be the front yard.

3525 The lands zoned Commercial Three – SECTION 3525 on Schedule A to this by-law:

- 3525.1 Shall only be used for the following purposes:
 - a) Non-Residential
 - i) a retail establishment having no outside storage
 - ii) a convenience store or grocery store
 - iii) an art gallery

- iv) an artist and photography studio
- v) a custom workshop
- vi) a supermarket
- vii) a service shop
- viii) a personal service shop
- ix) a bank, trust company, or finance company
- x) an office
- xi) a dry cleaning and laundry distribution station
- xii) a laundromat
- xiii) a dining room restaurant, a take-out restaurant
- xiv) one service station or gas bar. Only in conjunction with a service station or gas bar, a convenience restaurant and motor vehicle washing establishment
- xv) a printing or copying establishment
- xvi) a commercial school
- xvii) a place of commercial recreation
- xviii) a billiard hall or pool hall
- xix) an amusement arcade
- xx) a health or fitness centre
- xxi) a tavern
- xxii) an animal hospital
- xxiii) a day nursery
- xxiv) a garden centre
- xxv) purposes accessory to the other permitted purposes.

b) Residential

- i) an apartment dwelling
- ii) Ground Floor Townhouse Dwelling Unit
- iii) purposes accessory to the other permitted purposes

c) Institutional Uses

- i) Retirement Home
- ii) Nursing Home

d) Other

- i) Mixed Use Development

3525.2 The following uses shall be prohibited:

- a) Massage or body rub parlour
- b) The repair and servicing of motor vehicles or internal combustion engines
- c) Adult video store or adult book store
- d) Outside storage of goods and materials

3525.3 For the purposes of this section (C3 – SECTION 3525) the following provisions shall apply:

- a) Despite any division of the lands zoned C3 – SECTION 3525, including a Public Street network, the lands zoned C3 – SECTION 3525 shall be one lot for zoning purposes.
- b) 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.
- c) 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.
- d) There are no minimum lot depth, minimum front yard depth, minimum interior side yard depth, maximum lot coverage, minimum exterior side yard depth, minimum rear yard depth, minimum lot width or minimum lot area requirements.
- e) “Ground Floor Townhouse Dwelling Unit” means a ground floor dwelling unit which is entered through an independent or common entrance through the exterior wall of the apartment dwelling.
- f) A Mixed Use Development in accordance with Section 3525.6 and having a minimum Building Height of 2 storeys shall be required within 25 metres of Lagerfeld Drive.
- g) “Mixed Use Development” means a building containing ground floor non-residential uses listed in 3525.1 with apartment units and/or other non-residential uses above including institutional uses permitted within this zone.

3525.4 The single storey commercial uses permitted under Section 3525.1 a) shall be subject to the following additional requirements and restrictions:

a) Maximum Gross Leasable Commercial Floor area:	32,516 square metres of which a maximum of 8,000 square metres may be used for retail uses listed in Section 3525.1(a)(i), (ii), (vi), (vii), (viii), (xiii), (xxi), and (xxiv).
b) Minimum Building Setbacks:	<ul style="list-style-type: none"> i) to a lot line abutting Bovaird Drive – 4.5 metres ii) to a lot line abutting Creditview Road – 0 metres iii) to a lot line abutting Lagerfeld Drive – 1.5 metres iv) to an R4A – SECTION 3522 zone and an R4A – SECTION 3523 zone – 4.5 metres

	v) to a daylighting triangle or rounding – 1.5 metres
c) Maximum Building Height:	1 storey
d) Minimum Landscaped Open Space:	No restriction
e) Minimum Landscape buffer abutting an R4A – SECTION 3522 zone and an R4A – SECTION 3523 zone:	Except at approved access locations, a 3 metre wide strip shall be provided.
f) Minimum number of parking spaces:	1 space per 23 square metres of gross commercial floor area
<p>g) A convenience retail and convenience restaurant associated with a gas bar or service station shall have a minimum gross floor area of 300 square metres and shall be located within 6.0 metres of the intersection of Bovaird Drive West and Creditview Road. A drive-through facility shall not be located between a building and a Public Street.</p> <p>For clarity, a gas bar canopy or accessory car wash shall not be located within 6.0 metres of the intersection of Bovaird Drive West and Creditview Road.</p>	
<p>h) Refuse storage for restaurant purposes, including any containers for storage of recyclable materials, shall be contained in a climate controlled area within a building.</p>	
<p>i) Shall also be subject to the requirements and restrictions relating to the C3 Zone and the general provisions of the Corporation of the City of Brampton Zoning By-law 270-2004, not in conflict with those set out in Section 3525.</p>	
<p>j) Seasonal and temporary uses (e.g. garden centres) shall not require additional parking, and the spaces taken up by such uses shall still be counted towards the overall parking total. A garden centre is permitted up to a maximum area of 929 square metres.</p>	

3525.5 The residential uses permitted under Section 3525.1 b) shall be subject to the following additional requirements and restrictions:

a) Minimum building setbacks:	i) to a lot line abutting Bovaird Drive – 4.5 metres
	ii) to a lot line abutting Creditview Road – 0 metres

	<ul style="list-style-type: none"> iii) to a lot line abutting Lagerfeld Drive – 1.5 metres iv) to an R4A – SECTION 3522 zone and an R4A – SECTION 3523 zone – 4.5 metres v) to a daylighting triangle or rounding – 1.5 metres vi) to a Private Lane or Private Street: 3.0 metres
b) Maximum building setbacks:	To a lot line abutting a public street, to the curb of a Private Lane or Private Street, to an R4A – SECTION 3522 zone, and R4A – SECTION 3523 zone: 4.5 metres
c) Minimum Building Height:	6 storeys for that portion of a building within 12 metres of Bovaird Drive West.
d) Maximum Building Height:	12 storeys
e) Minimum ground floor height:	4.5 m
f) Maximum lot coverage:	No requirement
g) Minimum landscaped open space:	No requirement
h) Minimum landscape buffer:	Except at approved access locations, a 3 metre wide strip shall be provided between any surface parking lot/driveway and a Private Street, Private Lane, or a lot line abutting a public street.
i) Continuous Street Wall:	<ul style="list-style-type: none"> i) Building walls abutting Bovaird Drive West must occupy at least 60% of the available frontage along Bovaird Drive West. ii) For the purposes of phasing, the continuous street wall shall apply to the portion of the lands subject to development.
j) Angular Plane:	Notwithstanding the permitted Building Height, no portion of the building can extend beyond a 45 degree angular plane measured at a height of 10.5 metres

	measured from the centreline of a Private Street for any portion of the building abutting the R4A – SECTION 3522 zone.
k) Minimum Building Separation:	12 metres.
l) Podium Requirements:	<p>i) Apartment buildings greater than 9 storeys in height shall include a podium that is a minimum of 2 storeys in height.</p> <p>ii) For any building where a podium is required, the tower portion of the building shall be step back a minimum of 2.5 metres from the private or public street edge of the podium.</p>
m) 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.
n) Minimum Number of Parking Spaces:	<p>Resident Spaces:</p> <p>i) 0.9 spaces for a one-bedroom dwelling unit.</p> <p>ii) 1.0 spaces for a two- bedroom dwelling unit.</p> <p>iii) 1.20 spaces for a three-bedroom dwelling unit.</p> <p>Visitor Spaces:</p> <p>iv) 0.15 spaces per dwelling unit</p>
o) Bicycle parking:	<p>i) Bicycle parking must be located on the same lot as the use or building for which it is required.</p> <p>ii) A maximum of 50% of the required bicycle parking may be vertical</p>

	<p>spaces, and the rest must be horizontal spaces.</p> <p>iii) Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within:</p> <ol style="list-style-type: none"> 1) a building or structure; 2) a secure area such as a supervised parking lot or enclosure; or 3) bicycle lockers <p>iv) 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.</p> <p>v) <u>Dimensions:</u></p> <ol style="list-style-type: none"> 1) If located in a horizontal position (on the ground): a minimum length of 1.8m and a minimum width of 0.6m. 2) If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m. <p>vi) <u>Rates:</u></p> <ol style="list-style-type: none"> 1) For Residential uses: 0.50 spaces per dwelling unit. 2) For Commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof.
<p>p) No setback from Bovaird Drive West, Creditview Road, Lagerfeld Drive, an R4A – SECTION 3522 zone and an R4A – SECTION 3523 zone for any portion of a parking garage that is below grade.</p>	

3525.6

The Mixed Use Development as defined under Section 3525.3 shall be subject to the following requirements and restrictions:

a) Minimum building setbacks:	<ul style="list-style-type: none"> i) to a lot line abutting Bovaird Drive – 4.5 metres ii) to a lot line abutting Creditview Road – 0 metres iii) to a lot line abutting Lagerfeld Drive – 1.5 metres iv) to an R4A – SECTION 3522 zone and an R4A – SECTION 3523 zone – 4.5 metres v) to a daylighting triangle or rounding – 1.5 metres vi) to a Private Lane or Private Street: 3.0 metres
b) Maximum building setbacks:	To a lot line abutting a public street, to the curb of a Private Lane or Private Street, to an R4A – SECTION 3522 zone, and R4A – SECTION 3523 zone: 4.5 metres
c) Minimum Building Height:	6 storeys for that portion of a building within 12 metres of Bovaird Drive West.
d) Maximum Building Height:	12 storeys
e) Minimum ground floor height:	4.5 m
f) Maximum lot coverage:	No requirement
g) Minimum landscaped open space:	No requirement
h) Minimum landscape buffer:	Except at approved access locations, a 3 metre wide strip shall be provided between any surface parking lot/driveway and a Private Street, Private Lane, or a lot line abutting a public street.
i) Continuous Street Wall:	i) Building walls abutting Bovaird Drive West must occupy at least 60% of the available frontage along Bovaird Drive West.

	<ul style="list-style-type: none"> ii) For the purposes of phasing, the continuous street wall shall apply to the portion of the lands subject to development.
j) Angular Plane:	Notwithstanding the permitted Building Height, no portion of the building can extend beyond a 45 degree angular plane measured at a height of 10.5 metres measured from the centreline of a Private Street for any portion of the building abutting the R4A – SECTION 3522 zone.
k) Minimum Building Separation:	12 metres
l) Podium Requirements:	<ul style="list-style-type: none"> i) Mixed Use buildings greater than 9 storeys in height shall include a podium that is a minimum of 2 storeys in height. ii) For any building where a podium is required, the tower portion of the building shall be step back a minimum of 2.5 metres from the private or public street edge of the podium.
m) 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.
n) Minimum Number of Parking Spaces:	<p>Resident Spaces:</p> <ul style="list-style-type: none"> i) 0.9 spaces for a one-bedroom dwelling unit. ii) 1.0 spaces for a two- bedroom dwelling unit. iii) 1.20 spaces for a three-bedroom dwelling unit.

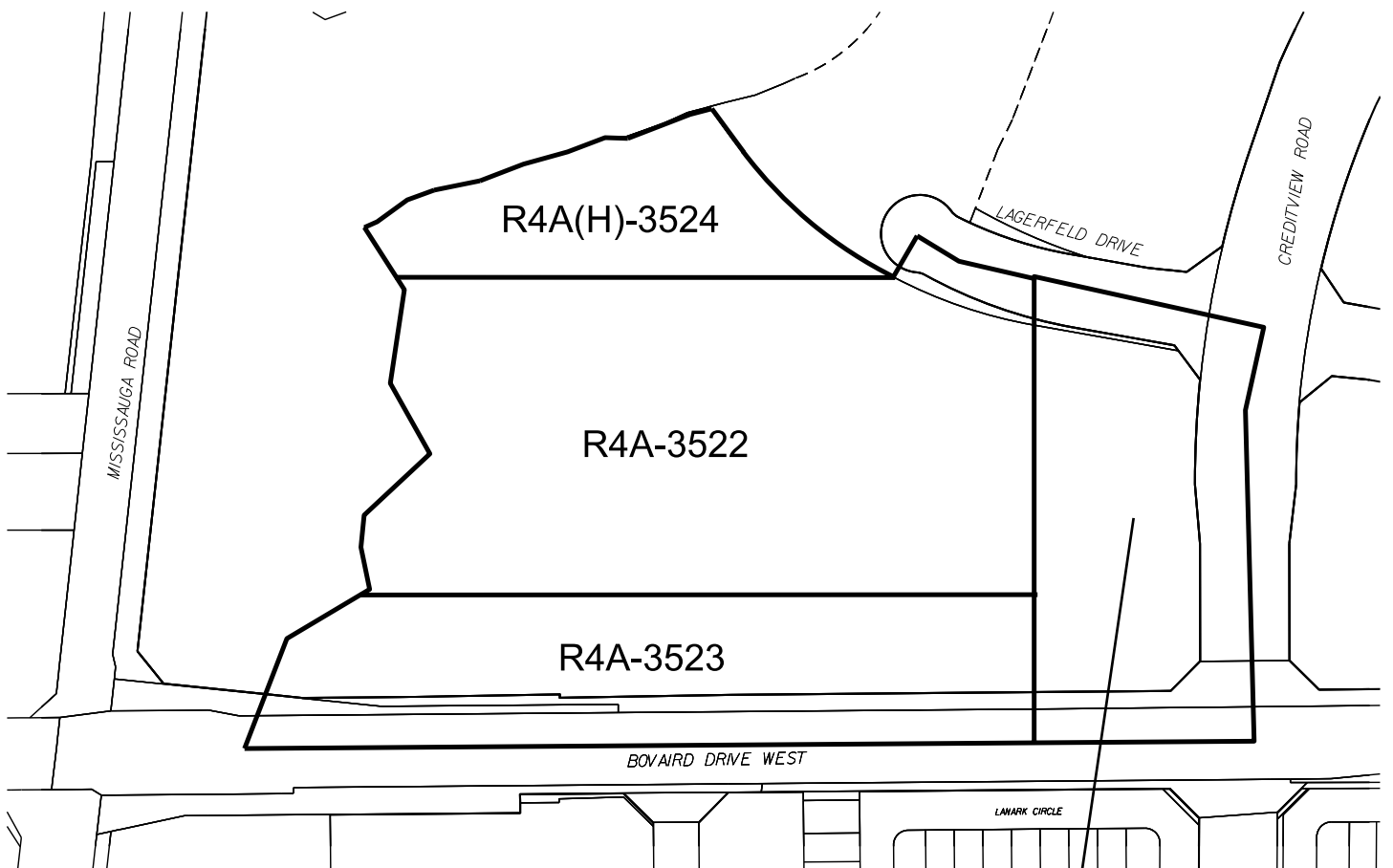
	<p>Visitor Spaces:</p> <p>iv) 0.15 spaces per dwelling unit</p> <p>Non Residential:</p> <p>v) one space per 23 square metres of gross commercial floor area.</p>
o) Bicycle parking:	<p>i) Bicycle parking must be located on the same lot as the use or building for which it is required.</p> <p>ii) A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces.</p> <p>iii) Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within:</p> <ol style="list-style-type: none"> 1) a building or structure 2) a secure area such as a supervised parking lot or enclosure; or 3) bicycle lockers <p>iv) 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.</p> <p>v) <u>Dimensions:</u></p> <ol style="list-style-type: none"> 1) If located in a horizontal position (on the ground): a minimum length of 1.8m and a minimum width of 0.6m. 2) If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m.

	vi) <u>Rates:</u> 1) For Residential uses: 0.50 spaces per dwelling unit. 2) For Commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof.
p) No setback from Bovaird Drive West, Creditview Road, Lagerfeld Drive, an R4A – SECTION 3522 zone and an R4A – SECTION 3523 zone for any portion of a parking garage that is below grade.	

3525.7

The Retirement Home and Nursing Home uses permitted under Section 3525.1 c) shall be subject to the provisions of 3525.5. Notwithstanding the provisions of Section 3525.5, the following additional regulations shall apply:

a) Minimum number of parking spaces:	i) Retirement Home: 0.65 spaces per unit (inclusive of visitor parking); and ii) Nursing Home/ Long-Term Care Facilities: 0.35 to 0.45 space per bed
b) Bicycle Parking:	No requirement



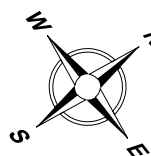
LEGEND

— ZONE BOUNDARY

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

By-Law _____

Schedule A



CITY OF BRAMPTON
 Planning and Development Services

Date: 2017 05 11

Drawn by: CJK

File no. C04W11.010_ZBLA

THE CORPORATION OF THE CITY OF BRAMPTON
BY-LAW NO. 2017 - _____

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

From:	To:
AGRICULTURAL (A)	COMMERCIAL THREE – SECTION 3526 (C3-3526) RESIDENTIAL APARTMENT A – SECTION 3527 (R4A-3527)

- 2) By adding thereto the following sections:

3526 The lands zoned Commercial Three – SECTION 3526 on Schedule A to this by-law:

3526.1 Shall only be used for the following purposes:

- a) Non-residential
- i) a retail establishment having no outside storage
 - ii) a supermarket
 - iii) a convenience store, and/or grocery store
 - iv) an art gallery
 - v) an artist and photography studio
 - vi) a custom workshop
 - vii) a service shop
 - viii) a personal service shop
 - ix) a bank, trust company, or finance company
 - x) an office
 - xi) a dry cleaning and laundry distribution station
 - xii) a laundromat
 - xiii) a parking lot
 - xiv) a dining room restaurant, a take-out restaurant, convenience restaurant
 - xv) printing or copying establishment
 - xvi) a commercial school
 - xvii) a garden centre sales establishment
 - xviii) an amusement arcade
 - xix) a temporary open air market

- xx) a place of commercial recreation but not including a billiard hall
 - xxi) a community club
 - xxii) a health or fitness centre
 - xxiii) a tavern
 - xxiv) a taxi or bus station
 - xxv) a swimming pool sales and service establishment
 - xxvi) a custom workshop
 - xxvii) an animal hospital
 - xxviii) a banquet hall
 - xxix) a hotel or motel
 - xxx) a day nursery
 - xxxi) a garden centre
 - xxxii) a maximum of one (1) accessory drive-through facility
 - xxxiii) purposes accessory to any other permitted purposes
- b) Residential
 - i) an apartment dwelling
 - ii) purposes accessory to the other permitted purposes
 - iii) Ground Floor Townhouse Dwelling Unit
 - c) Institutional Uses
 - i) Retirement Home
 - ii) Nursing Home
 - d) Other
 - i) Mixed Use Development

3526.2 The following uses shall be prohibited:

- a) an adult video store
- b) an adult entertainment parlour
- c) a massage or body rub parlour
- d) a service station or gas bar
- e) a motor vehicle or boat sales establishment
- f) a motor vehicle repair shop
- g) a drive-through facility, with the exception of one accessory drive-through facility

3526.3 For the purposes of this section (C3 – SECTION 3526) the following provisions shall apply:

- a) Despite any division of the lands, including a Public Street network, all lands zoned C3 – SECTION 3526 shall be treated as one lot for zoning purposes.
- b) There are no minimum lot depth, minimum front yard depth, minimum interior side yard depth, minimum exterior side yard depth, minimum rear yard depth,

minimum lot width, minimum landscaped open space, maximum lot coverage, maximum floor space index, or minimum lot area requirements.

- c) For the purposes of this section, Bovaird Drive West shall be deemed to be the front yard and Lagerfeld Drive shall be deemed the rear yard.
- d) "Ground Floor Townhouse Dwelling Unit" means a ground floor dwelling unit which is entered through an independent or common entrance through the exterior wall of the apartment dwelling.
- e) "Podium" means 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.
- f) Except for buildings located within 195 metres and 370 metres of the intersection of Lagerfeld Drive and Creditview Road, any building located within 25 metres of Lagerfeld Drive shall be a Mixed Use Development in accordance with the requirements of Section 3526.7.
- g) "Mixed Use Development" means a building containing ground floor non-residential uses listed in 3526.1 with apartment units and/or other non-residential uses above including institutional uses permitted within this zone.

3526.4 The single storey commercial uses permitted under Section 3526.1 a) shall be subject to the following additional requirements and restrictions:

a) Maximum Gross Leasable Commercial Floor area:	13,935 square metres
b) Minimum building setbacks:	<ul style="list-style-type: none"> i) to a lot line abutting Bovaird Drive – 4.5 metres ii) to a lot line abutting Creditview Road – 0 metres iii) to a lot line abutting Lagerfeld Drive – 1.5 metres iv) to an R4A – SECTION 3527 zone – 4.5 metres v) to a daylighting triangle or rounding – 1.5 metres
c) Maximum Building Height:	1 storey
d) Minimum Building Height:	5.5 metres
e) Maximum Lot Coverage:	No restriction

f) Minimum landscaped open space:	No requirement
g) Minimum Landscaped Buffer abutting an R4A – SECTION 3527 zone:	Except at approved driveway locations, a 3.0 metre wide strip shall be provided
h) Minimum number of parking spaces:	1 space per 23 square metres of gross commercial floor area
i) Refuse storage for restaurant purposes, including any containers for storage of recyclable materials, shall be contained in a climate controlled area within a building.	
j) Shall also be subject to the requirements and restrictions relating to the C3 Zone and the general provisions of the Corporation of the City of Brampton Zoning By-law 270-2004, not in conflict with those set out in Section 3526.	
k) Seasonal and temporary uses (e.g. garden centres) shall not require additional parking, and the spaces taken up by such uses still be counted towards the overall parking total. A garden centre is permitted up to a maximum area of 929 square metres.	
l) No drive-through facility shall be located between a building and a public street.	

3526.5 Residential uses permitted under Section 3526.1 b) shall be subject to the following additional requirements and restrictions:

a) Minimum building setbacks:	<ul style="list-style-type: none"> i) to a lot line abutting Bovaird Drive – 4.5 metres ii) to a lot line abutting Creditview Road – 0 metres iii) to a lot line abutting Lagerfeld Drive – 1.5 metres iv) to an R4A – SECTION 3527 zone – 4.5 metres v) to a daylighting triangle or rounding – 1.5 metres vi) to a private lane or private street: 3.0 metres
b) Maximum building setbacks:	To a lot line abutting a public street, to the curb of a private lane or

	private street, and R4A – SECTION 3527 zone: 4.5 metres
c) Minimum Building Height:	6 storeys
d) Maximum Building Height:	25 storeys
e) Maximum Tower Floor Plate:	The maximum floor plate of any portion of a building greater than 12 storeys shall not be greater than 800 square metres
f) Minimum Tower Separation:	Tower elements of a building shall have a minimum separation distance of 25 metres
g) Minimum ground floor height:	4.5 m
h) Maximum lot coverage:	No requirement
i) Minimum landscaped open space:	No requirement
j) Minimum landscape buffer:	Except at approved access locations, a 1.5 metre wide strip shall be provided between any surface parking lot/driveway and a private street, private lane, or a lot line abutting a public street.
k) Minimum number of parking spaces:	<p>Resident Spaces:</p> <ul style="list-style-type: none"> i) 0.9 spaces for a one-bedroom dwelling unit. ii) 1.0 spaces for a two-bedroom dwelling unit. iii) 1.20 spaces for a three-bedroom dwelling unit. <p>Visitor Spaces:</p> <ul style="list-style-type: none"> iv) 0.15 spaces per dwelling unit
l) Podium Requirements:	i) Apartment buildings greater than 12 storeys in height

	<p>shall include a Podium that is a minimum of 2 storeys in height.</p> <p>ii) For any building where a Podium is required, the tower portion of the building shall be setback a minimum of 2.5 metres from the front edge of the Podium.</p>
m) Continuous Building Wall:	<p>i) Building walls abutting Bovaird Drive West must occupy at least 60% of the available frontage along Bovaird Drive West.</p> <p>ii) For the purposes of phasing, the continuous street wall shall apply to the portion of the lands subject to development.</p>
n) Minimum Building Separation:	12 metres
o) 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.
p) Bicycle parking:	<p>i) Bicycle parking must be located on the same lot as the use or building for which it is required.</p> <p>ii) A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces.</p> <p>iii) Where the number of bicycle spaces exceeds fifty</p>

	<p>spaces, a minimum of 25% of that total required must be located within:</p> <ol style="list-style-type: none"> 1) a building or structure; 2) a secure area such as a supervised parking lot or enclosure; or 3) bicycle lockers <p>iv) 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.</p> <p>v) <u>Dimensions:</u></p> <ol style="list-style-type: none"> 1) If located in a horizontal position (on the ground): a minimum length of 1.8m and a minimum width of 0.6m. 2) If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m. <p>vi) <u>Rates:</u></p> <ol style="list-style-type: none"> 1) For Residential uses: 0.50 spaces per dwelling unit. 2) For Commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof.
<p>q) No setback required from Bovaird Drive West, Creditview Road, Lagerfeld Drive and an R4A – SECTION 3527 zone for any portion of a parking garage that is below grade.</p>	

3526.6

The Retirement Home and Nursing Home uses permitted under Section 3526.1 c) shall be subject to the provisions of 3526.5. Notwithstanding the provisions of Section 3526.5, the following additional regulations shall apply:

a) Minimum number of parking spaces:	<ul style="list-style-type: none"> i) Retirement Home: 0.65 spaces per unit (inclusive of visitor parking); and ii) Nursing Home/ Long-Term Care Facilities: 0.35 to 0.45 space per bed
b) Bicycle Parking:	No requirement

3526.7

The Mixed Use Development as defined under Section 3526.3 g) shall be subject to the following additional requirements and restrictions:

a) Minimum setback to Creditview Road, Lagerfeld Drive and Bovaird Drive West and an R4A – SECTION 3527 zone:	<ul style="list-style-type: none"> i) to a lot line abutting Bovaird Drive – 1.5 metres ii) to a lot line abutting Creditview Road – 0 metres iii) to a lot line abutting Lagerfeld Drive – 1.5 metres iv) to an R4A – SECTION 3527 zone – 4.5 metres v) to a daylighting triangle or rounding – 1.5 metres vi) to a private lane or private street: 3.0 metres
b) Maximum setback to Creditview Road and an R4A – SECTION 3527 zone:	i) to a lot line abutting a public street, to the curb of a private lane or private street, and R4A – SECTION 3527 zone: 4.5 metres
c) Minimum Building Height:	2 storeys
d) Maximum Building Height:	25 storeys
e) Maximum Tower Floor Plate where Residential Uses are included in the Tower:	800 square metres for any portion of a building greater than 12 storeys in height
f) Minimum Tower Separation:	25 metres

g) Minimum ground floor height:	4.5 m
h) Maximum lot coverage:	No requirement
i) Minimum landscaped open space:	No requirement
j) Podium Requirements:	<ul style="list-style-type: none"> i) Buildings greater than 12 storeys in height shall include a Podium that is a minimum of 2 storeys in height. ii) For any building where a Podium is required, the tower portion of the building shall be setback a minimum of 2.5 metres from the front edge of the Podium.
k) Continuous Street Wall:	<p>Building walls located between the minimum setback and the 7.5 metre maximum setback to a lot line abutting Bovaird Drive West must occupy at least 60% of the available frontage along Bovaird Drive West for the development area.</p> <p>For the purposes of phasing, the continuous street wall shall apply to the portion of the lands subject to development.</p>
l) Minimum landscape buffer:	Except at approved access locations, a 1.5 metre wide strip shall be provided between any surface parking lot/driveway and a private street, private lane, or a lot line abutting a public street.
m) Minimum number of parking spaces:	<p>Resident Spaces:</p> <ul style="list-style-type: none"> i) 0.9 spaces for a one-bedroom dwelling unit. ii) 1.0 spaces for a two- bedroom dwelling unit. iii) 1.20 spaces for a three-bedroom dwelling unit.

	<p>Visitor Spaces:</p> <p>iv) 0.15 spaces per dwelling unit</p> <p>Non Residential:</p> <p>v) one space per 23 square metres of gross commercial floor area.</p>
n) Garbage, Refuse and Waste:	<p>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.</p>
o) Bicycle Parking:	<p>i) Bicycle parking must be located on the same lot as the use or building for which it is required.</p> <p>ii) A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces.</p> <p>iii) Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within:</p> <ol style="list-style-type: none"> 1) a building or structure 2) a secure area such as a supervised parking lot or enclosure; or 3) bicycle lockers <p>iv) 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.</p> <p>v) <u>Dimensions:</u></p> <ol style="list-style-type: none"> 1) If located in a horizontal position (on the ground): a

	<p>minimum length of 1.8m and a minimum width of 0.6m.</p> <p>2) If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m.</p> <p>vi) <u>Rates:</u></p> <p>1) For Residential uses: 0.50 spaces per dwelling unit.</p> <p>2) For Commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof.</p>
<p>p) No setback required from Lagerfeld Drive, Bovaird Drive West, Creditview Road and an R4A – SECTION 3527 zone for any portion of a parking garage that is below grade.</p>	

3527 The lands zoned Residential Apartment A – SECTION 3527 on Schedule A to this by-law:

3527.1 Shall only be used for the following purposes:

- a) Residential
 - i) an apartment dwelling
 - ii) purposes accessory to the other permitted purposes
 - iii) Ground Floor Townhouse Dwelling Units
- b) Institutional Uses
 - i) Retirement Home
 - ii) Nursing Home
- c) Other
 - i) Mixed Use Development

3527.2 For the purposes of this section (R4A – SECTION 3527) the following provisions shall apply:

- a) Despite any division of the lands, including a Public Street network, all lands zoned R4A – SECTION 3527 shall be treated as one lot for zoning purposes.
- b) There are no minimum lot depth, minimum exterior side yard depth, minimum lot width or minimum lot area requirements.

- c) For the purposes of this section, Bovaird Drive West shall be deemed to be the front yard, the east/west section of Lagerfeld Drive the rear yard and the north/south section of Lagerfeld Drive the exterior side yard.
- d) "Ground Floor Townhouse Dwelling Unit" means a ground floor dwelling unit which is entered through an independent or common entrance through the exterior wall of the apartment dwelling.
- e) "Podium" means 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.
- f) "Mixed Use Development" means a building containing ground floor non-residential uses listed in 3526.1 with apartment units and/or other non-residential uses above including institutional uses permitted within this zone.

3527.3 The residential uses permitted under Section 3527.1 a) shall be subject to the following additional requirements and restrictions:

a) Minimum setback to Bovaird Drive West, Lagerfeld Road and to the Private Street Adjacent to the Northerly Boundary of Block 4 on Registered Plan 43M-1927:	1.5 metres
b) Maximum setback to Bovaird Drive West, Lagerfeld Drive and the Private Street Adjacent to the Northerly Boundary of Block 4 on Registered Plan 43M-1927:	7.5 metres
c) Minimum setback to C3 – SECTION 3526 zone:	1.5 metres
d) Minimum Rear Yard Depth:	3.0 metres
e) Maximum Rear Yard Depth not abutting a road:	7.5 metres
f) Minimum Side Yard Width:	3.0 metres
g) Minimum Building Height:	6 storeys

h) Maximum Building Height:	25 storeys
i) Maximum Tower Floor Plate:	The maximum floor plate of any portion of a building greater than 12 storeys shall not be greater than 800 square metres
j) Minimum Tower Separation:	Tower elements of a building shall have a minimum separation distance of 25 metres
k) Minimum ground floor height:	4.5 m
l) Maximum lot coverage:	No requirement
m) Minimum landscaped open space:	No requirement
n) Minimum landscape buffer:	Except at approved access locations, a 1.5 metre wide strip shall be provided between any surface parking lot/driveway and a private street, private lane, or a lot line abutting a public street.
o) Minimum number of parking spaces:	<p>Resident Spaces:</p> <ul style="list-style-type: none"> i) 0.9 spaces for a one-bedroom dwelling unit. ii) 1.0 spaces for a two-bedroom dwelling unit. iii) 1.20 spaces for a three-bedroom dwelling unit. <p>Visitor Spaces:</p> <ul style="list-style-type: none"> iv) 0.15 spaces per dwelling unit
p) Podium Requirements:	<ul style="list-style-type: none"> i) Apartment buildings greater than 12 storeys in height shall include a Podium that is a minimum of 2 storeys in height.

	<p>ii) For any building where a Podium is required, the tower portion of the building shall be setback a minimum of 2.5 metres from the front edge of the Podium.</p>
<p>q) Continuous Building Wall:</p>	<p>Building walls located between the 1.5 metre minimum setback and the 7.5 metre maximum setback to a lot line abutting Bovaird Drive West must occupy at least 60% of the available frontage along Bovaird Drive West for the development area.</p> <p>For the purposes of phasing, the continuous street wall shall apply to the portion of the lands subject to development.</p>
<p>r) Garbage, Refuse and Waste:</p>	<p>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.</p>
<p>s) Bicycle parking:</p>	<p>i) Bicycle parking must be located on the same lot as the use or building for which it is required.</p> <p>ii) A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces.</p> <p>iii) Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within:</p> <ol style="list-style-type: none"> 1) a building or structure

	<ul style="list-style-type: none"> 2) a secure area such as a supervised parking lot or enclosure; or 3) bicycle lockers <p>iv) 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.</p> <p>v) <u>Dimensions:</u></p> <ul style="list-style-type: none"> 1) If located in a horizontal position (on the ground): a minimum length of 1.8m and a minimum width of 0.6m. 2) If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m. <p>vi) <u>Rates:</u></p> <ul style="list-style-type: none"> 1) For Residential uses: 0.50 spaces per dwelling unit. 2) For Commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof.
<p>t) No setback required from Bovaird Drive West, Creditview Road, Lagerfeld Drive and an R4A – SECTION 3527 zone for any portion of a parking garage that is below grade.</p>	

3527.4

The Retirement Home and Nursing Home uses permitted under Section 3527.1 b) shall be subject to the provisions of 3527.3. Notwithstanding the provisions of Section 3527.3, the following additional regulations shall apply:

a) Minimum number of parking spaces:	i) Retirement Home: 0.65 spaces per unit (inclusive of visitor parking); and ii) Nursing Home/ Long-Term Care Facilities: 0.35 to 0.45 space per bed
b) Bicycle Parking:	No requirement

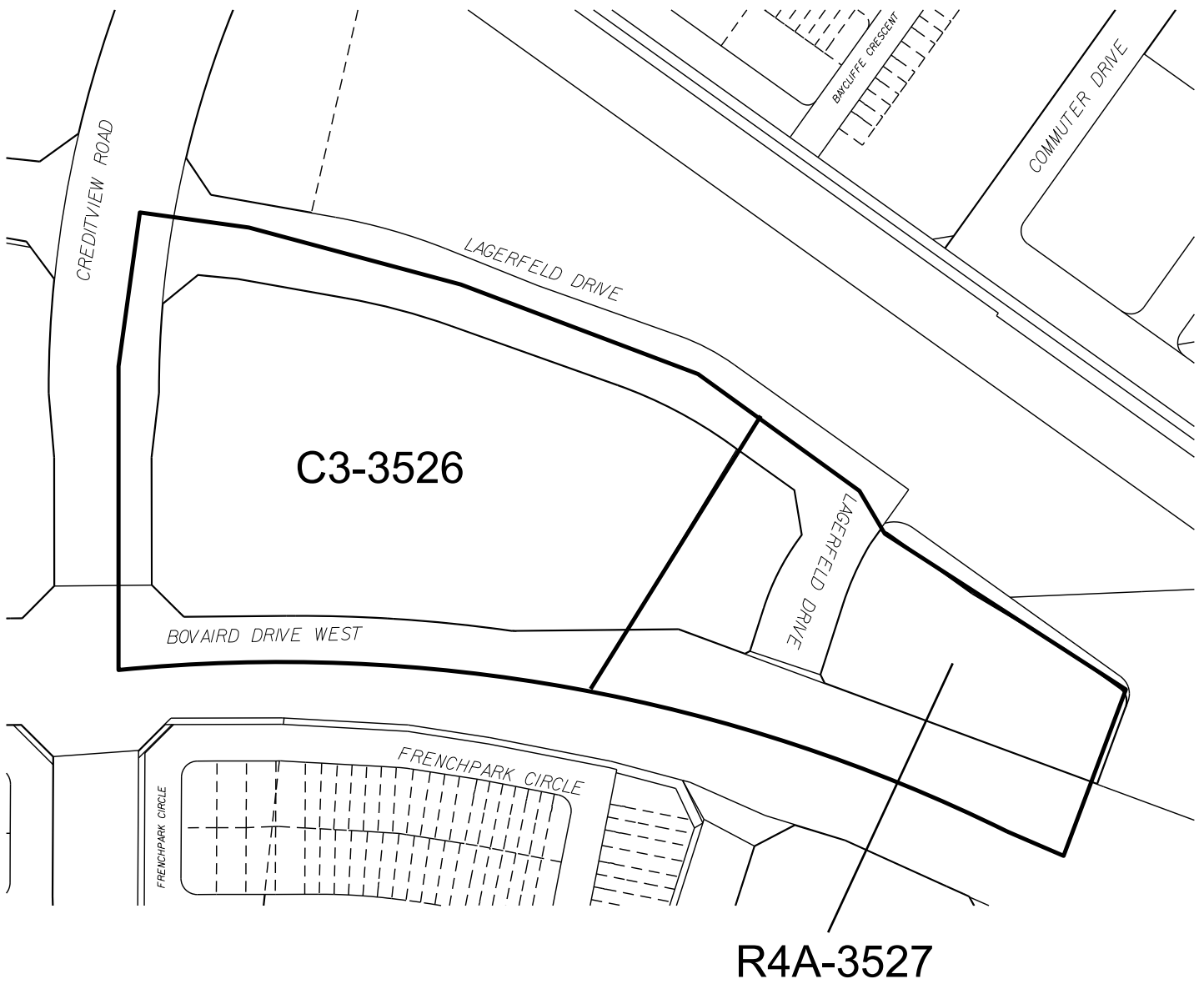
3527.5 The Mixed Use Development as defined under Section 3527.2 f) shall be subject to the following additional requirements and restrictions:

a) Minimum setback to Bovaird Drive West, Lagerfeld Road and to the Private Street Adjacent to the Northerly Boundary of Block 4 on Registered Plan 43M-1927:	1.5 metres
b) Maximum setback to Bovaird Drive West, Lagerfeld Drive and the Private Street Adjacent to the Northerly Boundary of Block 4 on Registered Plan 43M-1927:	7.5 metres
c) Minimum setback to C3 – SECTION 3526 zone:	1.5 metres
d) Minimum Rear Yard Depth:	3.0 metres
e) Maximum Rear Yard Depth not abutting a road:	7.5 metres
f) Minimum Side Yard Width:	3.0 metres
g) Minimum Building Height:	6 storeys
h) Maximum Building Height:	25 storeys
i) Maximum Tower Floor Plate:	The maximum floor plate of any portion of a building greater than 12 storeys shall not be greater than 800 square metres
j) Minimum Tower Separation:	Tower elements of a building shall have a minimum separation distance of 25 metres

k) Minimum ground floor height:	4.5 m
l) Maximum lot coverage:	No requirement
m) Minimum landscaped open space:	No requirement
n) Podium Requirements:	<p>i) Mixed Use buildings greater than 12 storeys in height shall include a Podium that is a minimum of 2 storeys in height.</p> <p>ii) For any building where a Podium is required, the tower portion of the building shall be setback a minimum of 2.5 metres from the front edge of the Podium.</p>
o) Continuous Street Wall:	<p>Building walls located between the minimum 1.5 metre setback and the 7.5 metre maximum setback to a lot line abutting Bovaird Drive West must occupy at least 60% of the available frontage along Bovaird Drive West for the development area.</p> <p>For the purposes of phasing, the continuous street wall shall apply to the portion of the lands subject to development.</p>
p) Minimum landscape buffer:	Except at approved access locations, a 1.5 metre wide strip shall be provided between any surface parking lot/driveway and a private street, private lane, or a lot line abutting a public street.
q) Minimum number of parking spaces:	<p>Resident Spaces:</p> <p>i) 0.9 spaces for a one-bedroom dwelling unit.</p> <p>ii) 1.0 spaces for a two- bedroom dwelling unit.</p> <p>iii) 1.20 spaces for a three-bedroom dwelling unit.</p>

	<p>Visitor Spaces:</p> <p>iv) 0.15 spaces per dwelling unit</p> <p>Non Residential:</p> <p>v) one space per 23 square metres of gross commercial floor area.</p>
r) Garbage, Refuse and Waste:	<p>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.</p>
s) Bicycle Parking:	<p>i) Bicycle parking must be located on the same lot as the use or building for which it is required.</p> <p>ii) A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces.</p> <p>iii) Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within:</p> <ol style="list-style-type: none"> 1) a building or structure 2) a secure area such as a supervised parking lot or enclosure; or 3) bicycle lockers <p>iv) 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.</p> <p>v) <u>Dimensions:</u></p> <ol style="list-style-type: none"> 1) If located in a horizontal position (on the ground): a

	<p>minimum length of 1.8m and a minimum width of 0.6m.</p> <p>2) If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m.</p> <p>vi) <u>Rates:</u></p> <p>1) For Residential uses: 0.50 spaces per dwelling unit.</p> <p>2) For Commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof.</p>
<p>t) No setback required from Lagerfeld Drive, Bovaird Drive West, Creditview Road and an R4A – SECTION 3527 zone for any portion of a parking garage that is below grade.</p>	



LEGEND

— ZONE BOUNDARY

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

By-Law _____ Schedule A



CITY OF BRAMPTON
 Planning and Development Services

Date: 2017 04 25 Drawn by: CJK

File no. C04W11.010_ZBLA_PART2