



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2023

To 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 (H) - Special Section (3736) (R4A (H) - 3736)

- (2) By adding thereto, the following section:

3736 for the lands designated Residential Apartment A (H) Section — 3736 (R4A (H) — 3736) on Schedule “A” to this By-law.

3736.1 Shall only be used for the following purposes:

- (a) Residential
 - (1) Uses permitted by the Residential Apartment A (R4A) Zone;
- (b) Non – Residential (in conjunction with an apartment dwelling)
 - (1) a retail establishment;
 - (2) a bank, trust company or financial institution;
 - (3) an office;
 - (4) a convenience store;
 - (5) a convenience restaurant;
 - (6) a dining room restaurant;

- (7) a take-out restaurant;
- (8) a dry cleaning and laundry distribution station;
- (9) a home occupation;
- (10) a retail establishment;
- (11) a service shop;
- (12) a personal service shop;
- (13) a commercial school;
- (14) a health or fitness centre;
- (15) a day nursery;
- (16) a walk-in clinic;
- (17) a pharmacy;
- (18) a sales centre;
- (19) a business incubator;
- (20) a custom workshop;
- And;
- (21) purposes accessory to the other permitted uses.

3736.2 The lands zoned as R4A (H) – 3736 on Schedule “A” to this By-law shall be subject to the following requirements and restrictions:

1. For the purposes of this zone, Steeles Avenue West shall be deemed to be the front lot line
2. Maximum Gross Floor Area: 81,000 square metres
3. Maximum Building Height:
 - a) for a building within 34.5 meters of Steeles Avenue West: 150 metres
 - b) for a building beyond 34.5 meters of Steeles Avenue West: 165 metres
4. Minimum Ground Storey Height: 4.5 Meters
5. Minimum Setback of Tower to the edge of the Podium:
 - a) Tower portion fronting Steeles Avenue West must be setback a minimum of 3.0 metres.
 - b) Tower portion of the building for all other sides must be setback a minimum 2.4 metres.
6. Minimum Gross Floor Area for all commercial uses: 1,500 square metres
7. Minimum Front Yard Depth along Steeles Avenue West to the Podium: 3.0 Meters
8. Minimum Gross Floor Area for Indoor Amenity Areas: 1,550 square metres
9. Minimum Interior Side Yard (West Side)
 - a) to the Podium portion of the building: 10 Metres
 - b) to the Tower portion of the building: 12.5 metres

10. Minimum Interior Side Yard (East Side)

- a) to the Podium portion of the building: 9 Metres
- b) to the Tower portion of the building: 12.5 metres

11. Minimum Rear Yard Depth: 2.4 Metres

12. Bicycle Parking shall be provided in accordance with the following:

- a) Minimum 0.5 spaces per apartment dwelling unit
- b) Minimum 0.10 visitor spaces per apartment dwelling unit.

13. Minimum Tower separation distance: 25 meters

14. Minimum Podium separation distance: 18 meters

15. Maximum Tower Floorplate size: 850 square metres

16. Residential unit types shall be provided in accordance with the following:

- a) A minimum of 50 percent of the units shall be two bedroom or larger.

17. Minimum Outdoor Amenity Area: 900 square metres

18. Windows and Doors at Grade: For the first storey of any wall adjacent to a street, a minimum of 70% of the gross area of the wall shall have clear vision windows and/or doors.

19. Required Commercial Uses at Grade: The portion of the floor area within the first storey of a building located within 34.5 metres of Steeles Avenue West shall be used for commercial purposes. Notwithstanding the foregoing, entrances, lobbies and uses accessory to the apartment dwelling are permitted provided that no more than 30% of the wall facing Steeles Avenue West is occupied by entrances or lobbies

20. Continuous Street Wall: A building at grade level, must occupy at least 95% of the entire available frontage facing Steeles Avenue West and 75% of the entire available frontage facing any other public street. For the purpose of this subsection, "available frontage" means the total frontage excluding any required side yard setbacks, approved pedestrian and vehicular access locations, and privately-owned publicly accessible spaces.

21. Loading, Unloading and Waste Disposal and Storage:

- a. Two on-site loading space shall be provided.
- b. Loading, Unloading and waste disposal facilities, accepting access thereto, shall not be located on the wall facing a street, and must be adequately screened.
- c. All garbage, refuse and waste containers shall be located within a climate-controlled area within the same building containing the use.
- d. Notwithstanding Section 20.6 of this By-law, loading spaces may be shared between retail commercial uses and office uses.

3736.3 Uses Permitted Prior to Removal of the H — Holding Symbol:

1. Uses legally existing on the effective date of the amending by-law; and

3736.4 Conditions for Removing the H - Holding Symbol:

Removal of the H - Holding Symbol on land zoned (R4A (H) — 3736) shall be subject to the following conditions:

1. A Functional Servicing Report supporting interim and permanent servicing for any proposed phase of development has been approved by the Region of Peel (or successor), City of Brampton, and the Credit Valley Conservation Authority in consultation with the landowners for the entire Tertiary Plan Area bound by Malta Avenue, Steeles Avenue West and Lancashire Lane;
2. A Traffic Impact Study supporting interim and permanent servicing for any proposed phase of development has been completed in accordance with the City of Brampton and Region of Peel Terms of Reference in consultation with the landowners for the entire Tertiary Plan Area bound by Malta Avenue, Steeles Avenue West and Lancashire Lane to the satisfaction of the Region of Peel (or successor) and City of Brampton;
3. The City's Commissioner of Planning, Building and Growth Management shall be satisfied that the submission of a Draft Plan of Subdivision is received for the entirety of the property and draft approved for the purpose of conveying of the public street network, future road widenings, underground infrastructure and public parkland; and
4. The City's Commissioner of Public Works shall be satisfied that a new public road providing access to the lands has been constructed via the extension of Malta Avenue and/or Lancashire Lane and conveyed to the City, or other alternative access arrangements to the satisfaction of the Commissioner of Public Works
5. Any requisite permits or approvals from Credit Valley Conservation Authority under O. Reg 160/06 be received

3736.5 For the purposes of R4A (H) - 3736:

Podium shall mean any of various building elements that form the base or bottom storeys of a building, and does not include the Tower.

Tower shall mean the portion of the building located above a height of 28.0 metres for buildings within 84 meters of Steeles Avenue West.

Floor Plate means the total floor area of an individual storey of the building measured from exterior walls.

Business Incubator shall mean an establishment that is dedicated to nurturing the development and commercialization of start-ups, early-stage companies, and established companies (enterprises) by providing incubator services such as management training, networking facilities, programming, mentorship programs, business assistance services, and office space.

Workshop shall mean a building where the design and custom production of goods and articles occurs on the premises, including custom woodworking, clothing articles, signs, jewelry, antique refinishing, custom metalworking, and similar products.

Indoor Amenity Space shall mean a recreational and/or common area within the building exclusively accessible to residents.

ENACTED and PASSED this [enter date] day of [enter month], 2023.

Approved as to
form.

2023/11/16

SDSR

Patrick Brown, Mayor

Approved as to
content.

2023/11/16

AAP

Peter Fay, City Clerk

(File: OZS-2023-0018)