

ATTACHMENT 2

Modified ZBA



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number OLT ZB 2 - 2024

To amend By-law 270-2004 (known as "Zoning By-law 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, as amended, hereby enacts as follows:

- 1. By-law 270-2004, as amended, is hereby further amended:
 - (1) by changing on Schedule A thereto, the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From the Existing Zoning of:	To:
Service Commercial (SC)	Residential Apartment A –Special Exception (R4A - 3765)

- (2) by adding thereto, the following sections:
 - "3765 The lands designated R4A – 3765 on Schedule A to this by-law:
 - 3765.1 Shall only be used for the purposes permitted in a R4A zone and the following additional uses:
 - 1. Residential:

- a. An apartment dwelling
- 2. Only in conjunction with an apartment dwelling building, the following uses to a maximum combined gross floor area of 443 square metres:
 - a. A retail establishment;
 - b. A personal service shop;
 - c. A take-out restaurant;
 - d. An office: and
 - e. Purposes accessory to other permitted purposes, including **the limited** outdoor display and sale of goods is permitted **only** in conjunction with a permitted **non-residential use, but shall not include the permanent or temporary outdoor storage of goods, inventory, materials, machinery or vehicles**
- 3. The following uses shall be prohibited:
 - a. A drive-through facility

3765.2 Shall be subject to the following requirements and restrictions:

- 1. Minimum Front Yard Depth:
 - a. For any portion of a building 6 storeys in height or less: 6.0 metres
 - b. For any portion of a building 7 storeys in height or more: **9.7 metres**
- 2. Minimum Interior Side Yard Width (East):
 - a. For any portion of a building within **31.4 metres** from the front lot line minimum interior side: 0.0 **metres**
 - b. For any portion of a building beyond **31.4 metres** from the front lot line minimum interior side: **7.05 metres**
- 3. Minimum Interior Side Yard Width (West):
 - a. For any portion of a building within **19.6 metres** from the front lot line minimum interior side: **1.9 metres**
 - b. For any portion of a building **beyond 19.6 metres** from the front lot line minimum interior side: **15.2 metres**
- 4. Minimum Rear Yard Depth:
 - a. For any portion of a building 2 to 5 storeys in height or less: **17.8 metres**
 - b. For any portion of a building at the 6th storey: 20.0 metres
 - c. For any portion of a building at the 7th storey: 23.0 metres

d. For any portion of a building at the 8th storey: 26.0 metres

5. Cumulative FSI – 3.05

6. Maximum Height: 8 storeys

7. Maximum residential units: 82

8. Minimum parking requirement for an apartment dwelling use is 1.0 parking space per unit for residents and 0.20 parking space per unit for visitors.

9. **Minimum setback for a Hydrotransformer from the west interior lot line: 0.5m**

10. Minimum setback of a Hydrotransformer from the rear yard: 9 meters

3765.3 Residential dwelling units are permitted on all storeys.

3765.4 Maximum total **non-residential** gross floor area of those uses set forth in section XXX.1 of this By-law shall be 443m²

3765.5 Uses listed in section XXX.1 of this By-law shall be provided on the ground floor.

3765.6 Building Height of any building shall be exclusive of mechanical or architectural appurtenances such as mechanical equipment, mechanical penthouse, elevator machine rooms, telecommunication equipment and enclosures, parapets, turrets, cupolas, stairs and stair enclosures, located on the roof of an apartment dwelling.

Approved by the Ontario Land Tribunal on October 18, 2024 pursuant to Order No. OLT 24-000387

ENACTED and PASSED this [enter date] day of [enter month], 2024.

PATRICK BROWN - MAYOR

PETER FAY - CITY CLERK

Approved as to content:

Allan Parsons, MCIP, RPP
Director of Planning and Development

