

THE CORPORATION OF THE CITY OF BRAMPTON

## **BY-LAW**

#### Number <u>42-78</u>

A By-law to amend the Official Plan of the City of Brampton Planning Area. (Amendment No. 20 - GULF OIL LIMITED)

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act (R.S.O. 1970 as amended) and the Regional Municipality of Peel Act, 1973, hereby ENACTS as follows:

- Official Plan Amendment Number 20 to the Consolidated Official Plan of the City of Brampton Planning Area consisting of the attached map (Schedule "A") and explanatory text is hereby adopted.
- 2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number 20 to the Consolidated Official Plan of the City of Brampton Planning Area.
- 3. This By-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 20th day of February, 1978.

Archdekin, Mayor James

Kenneth R. Richardson, Clerk

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DUPLICATE ORIGINAL

OPC 0006-20

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AMENDMENT NUMBER 20

TO THE CONSOLIDATED OFFICIAL PLAN OF THE CITY

OF BRAMPTON PLANNING AREA

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This Amendment No. 20 to the Consolidated Official Plan for the City of Brampton Planning Area, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved under section 17 of The Planning Act, as Amendment No. 20 to the Consolidated Official Plan for the City of Brampton Planning Area.

Date April 6/28

G. M. FARROW, Executive Director Plans Administration Division Ministry of Housing

#### CONSOLIDATED OFFICIAL PLAN

 $\mathbf{OF}$ 

#### THE CITY OF BRAMPTON PLANNING AREA

AMENDMENT NUMBER 20

The attached maps Schedule 'A' and 'B' and explanatory text, constituting Amendment Number 20 to the Consolidated Official Plan of the City of Brampton Planning Area, was prepared and adopted by the Council of the City of Brampton by By-law No.42-78 , in accordance with Section 54(4) of the Regional Municipality of Peel Act, 1973, and Sections 13, 14 and 17 of the Planning Act, (R.S.O.) 1970, Chapter 349 as amended) on the 20th day of February 1978

Mayor

Clerk

This amendment to the Consolidated Official Plan of the City of Brampton Planning Area, which has been prepared and adopted by the Council of the City of Brampton is hereby approved in accordance with Section 17 of The Planning Act, as Amendment Number 20 to the Consolidated Official Plan of the City of Brampton Planning Area.

Date



THE CORPORATION OF THE CITY OF BRAMPTON



42-78 Number\_\_\_\_

A By-law to amend the Official Plan of the City of Brampton Planning Area. (Amendment No. 20 - GULF OIL LIMITED)

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act (R.S.O. 1970 as amended) and the Regional Municipality of Peel Act, 1973, hereby ENACTS as follows:

- 1. Official Plan Amendment Number 20 to the Consolidated Official Plan of the City of Brampton Planning Area consisting of the attached map (Schedule "A") and explanatory text is hereby adopted.
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- 3. This By-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 20th day of February, 1978.

ames E. Mayor Archdekin,

Kenneth R. Richardson, Clerk

### AMENDMENT NO. 20 TO THE OFFICIAL PLAN OF THE CITY OF BRAMPTON PLANNING AREA

#### PART A - PREAMBLE

#### 1.0 Title

The title of this Amendment is Amendment No. 20 to the Consolidated Official Plan of the City of Brampton Planning Area, hereafter referred to as Amendment No.  $^{20}$  .

#### 2.0 Relative Parts

Part B only of this Amendment constitutes Amendment No. 20 Part A - Preamble, and Part C - Appendices, are included only to provide background for Part B and shall not themselves be construed as a statement of policy.

Part B, the operative portion of this Amendment comprising a new chapter to be added to the Official Plan contains Six Sections, as follows:

Section 1.0 - Purpose and property location

Section 2.0 - Definitions Section 3.0 - Land Use Section 4.0 - Development Principles Section 5.0 - Implementation Section 6.0 - Interpretation

#### 3.0 Background

The approximately 1.12 acre parcel of land, located at the south west corner of the intersection of Highway Number 10 and Steeles Avenue and having a frontage of 230 feet on Highway Number 10 is designated Agricultural under the Official Plan of the City of Brampton Planning Area. The property is zoned R-3 (Residential) by By-law 5500, as amended, of the former Town of Mississauga. The subject land is presently occupied by a single storey building containing a Restaurant and Tavern. An application was made to the City of Brampton requesting an amendment to the Official Plan and the Restricted Area By-law to permit an Automobile Gasoline Service Station, Self-Serve Gasoline Filling Station and a car wash on the site.



#### Background (continued)

The City Council at its meeting held on January 23, 1978 directed that an Official Plan and Restricted Area By-law be prepared. A public meeting to consider the proposal of an Automobile Service Station, Self-Serve Gasoline Filling Station and car wash at this location was held on November 2, 1976, in the Council Chambers of the City of Brampton.

#### PART B - THE AMENDMENT

The whole part of this document entitled Part B - The Amendment which consists of the following text and the attached maps constitutes Amendment Number 20 to the Consolidated Official Plan of the City of Brampton Planning Area.

The Consolidated Official Plan is hereby amended by adding a new Chapter, CHAPTER Al9, after Chapter Al8.

#### 1.0 Purpose and Property Location

- 1.1 The purpose of this Chapter is to redesignate certain lands located within the City of Brampton Planning Area from Agricultural to Commercial and to establish principles for the redevelopment of such lands for an Automobile Service Station, Self-Serve Gasoline Filling Station and a car wash.
- 1.2 This Amendment is concerned with lands situated at the south west corner of the intersection of Steeles Avenue and Highway Number 10 (Hurontario Street), described particularly as being part of Lot 15, Concession 1, W.H.S. (Toronto Township). The subject land constitutes parts of Lots 1 and 2, Registered Plan 347 and outlined on Schedule 'A' attached hereto.

#### 2.0 <u>Definition</u>

<u>Commercial</u>, as pertaining to above mentioned lands, outlined on Schedule 'A', means that the use of land is for an Automobile Service Station, Self-Serve Gasoline Filling Station and a car wash.

#### 3.0 Land Use

3.1 The land use classification of lands as outlined on Schedule 'A', attached hereto, shall be designated as commercial. The commercial area designation shall apply to the said lands shown on a larger scale on Schedule 'B' attached hereto.

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#### 3.0 Land Use (Continued)

3.2 Plate No. 2 Generalized Land Use of the Consolidated Official Plan of the City of Brampton Planning Area shall be amended to the extent and in accordance with Schedule 'A', hereto attached.

#### 4.0 Development Principles

- 4.1 Within the area designated commercial by this amendment, the use of the land as shown on Schedule 'B' shall be limited to an Automobile Service Station as the principal use and may include an Automobile Self-Serve Gasoline Filling Station and car wash facility as accessory or secondary uses.
- 4.2 The development of the site for commercial purposes shall be such as to minimize any adverse impact and the creation of such conditions that will unduly affect the amenities of the existing residential development to the south; or the development of abutting lands to the west.
- 4.3 As the lands are located at a major highway intersection, it is desirable to maintain a high degree of aesthetic and architectural integrity. Therefore, the exterior design and the choice of materials for the proposed structures on the subject land shall be subject to the approval of the City, which approval shall not be unreasonably withheld.
- 4.4 The use of the said land as shown on Schedule 'B", being limited to Automobile Service Station, including Self-Serve and Car Wash facilities, shall be subjected to further controls as to the access driveways in order to ensure that the traffic function of the intersection will not be unduly affected. City Council may require the provision of centre medians as a means of prohibiting left turn movements to and from this parcel, subject to the approval of the Regional Municipality of Peel and the Provincial Ministry of Transport and Communication.

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4.0 Development Principles (continued)

- 4.5 The signs and advertising devices shall be subject to control with regard to location, size and illumination in order to ensure a high quality of development and to minimize any adverse impact on the abutting lands.
- 4.6 A provision of adequate landscaping and screening shall be made on the site in order to protect the abutting lands and to enhance the appearance of the subject lands.
- 4.7 Sufficient number of off-street parking facilities shall be provided on the site to satisfy the requirements of the employees, as well as those of the customers. Further, for the proposed car wash facilities to be located on the site, adequate automobile spaces shall be provided for the line-up before entering the car wash and for the wipe-off area at the car wash exit.

#### 5.0 Implementation

- 5.1 Amendment Number 20 shall be implemented by an amendment to the restricted area by-law in such a manner as to impose the appropriate zoning classification and regulations in conformity to the development principles, as above.
- 5.2 The Corporation of the City of Brampton may enter into one or more agreements incorporating various aspects of site and building design not implemented by the zoning by-law including financial and such other matters, as deemed necessary by City Council.

#### 6.0 Interpretation

6.1 The boundaries between classes of land use designated on Schedule 'A' are general only and are not intended to define the exact limits of each such class. It is intended therefore, that minor adjustments may be made to these boundaries for the purposes of any by-law to implement Schedule 'A' without the necessity of making formal amendment to the Official Plan. Other than such minor

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#### 6.0 Interpretation (continued)

changes as these, it is intended that no area or district shall be created that does not conform with Schedule 'A'.

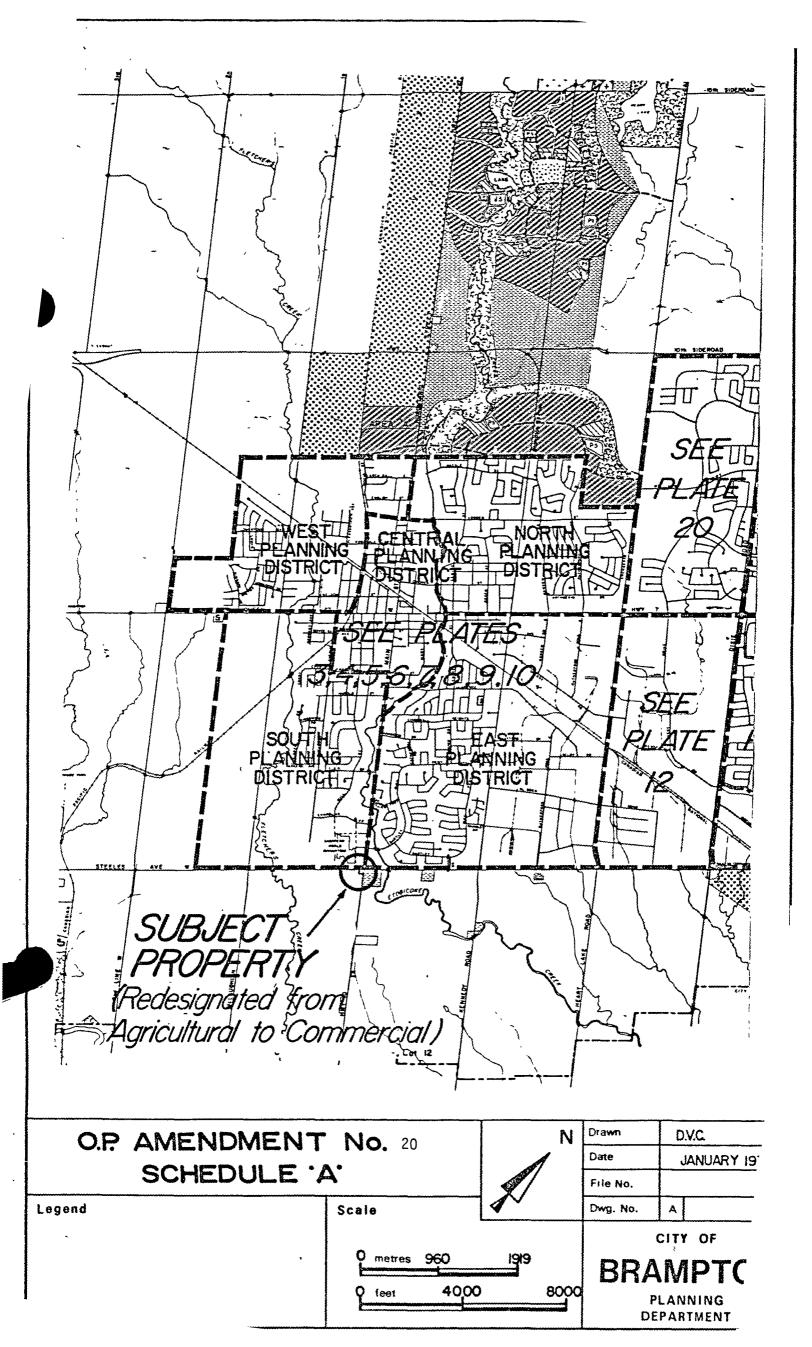
All numerical figures on Schedule 'A' and Schedule 'B' shall not be interpreted as absolute or rigid. Minor variations from these figures will be tolerated, insofar as the spirit and intent of the Amendment is maintained.

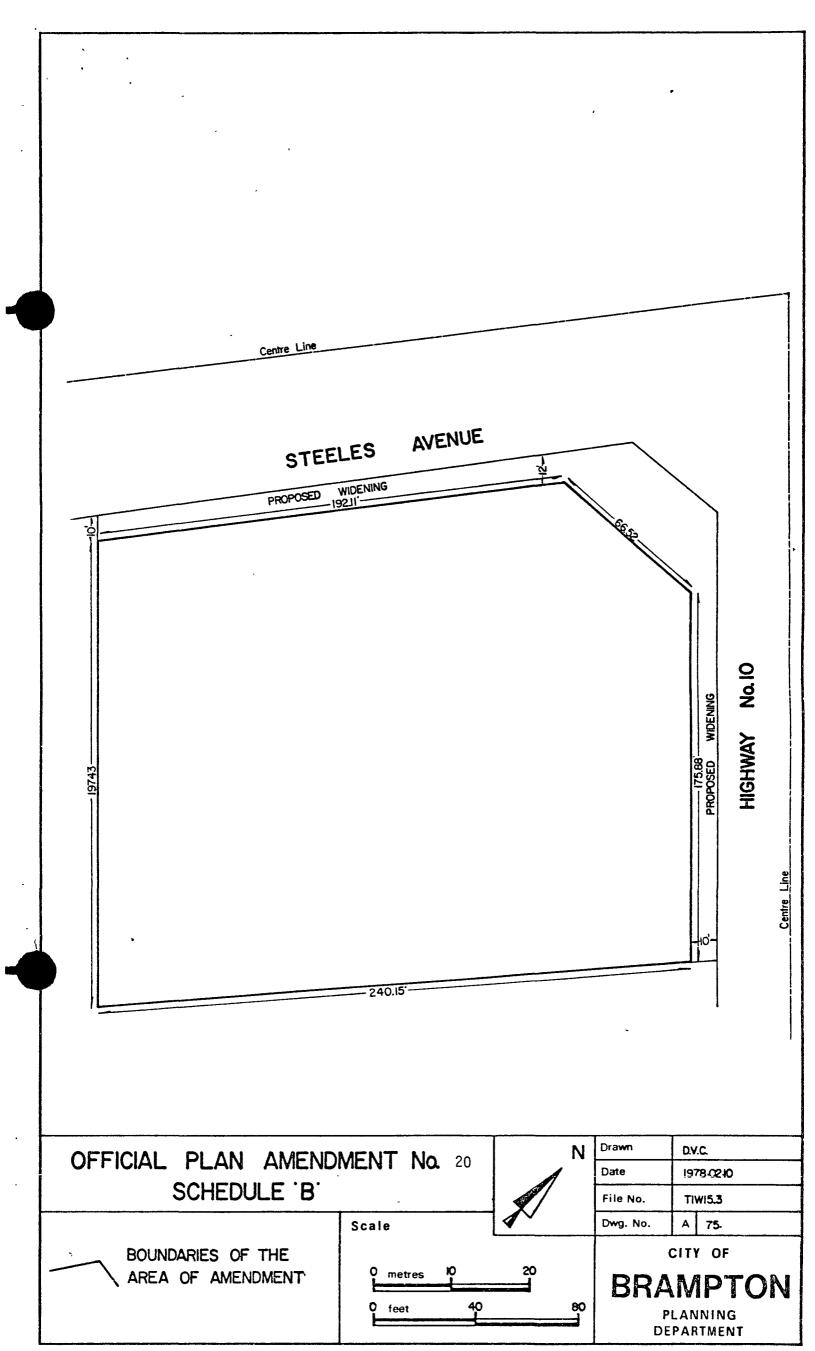
6.2 The provisions of the Official Plan, as amended from time to time with respect to the interpretation of policies of this Amendment, shall apply to this Amendment.

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#### PART C - APPENDICES

Attached is a copy of the staff report to Planning Committee dated January 10, 1978 on the subject of this Amendment. Also attached is a copy of the notes of the Public Meeting held on November 2, 1976, subsequent to the publishment of notices in the local newspapers and mailing of notices to the assessed owners of properties within 400 feet of the subject site.





Office of Planning Director

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TO: The Chairman of the Development Team

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FROM: Planning Director

RE: Application for Amendment to the Consolidated Official Plan and Restricted Area By-law Part Lot 15, Concession 1, W.H.S. GULF OIL CANADA LIMITED Our File T1W15.2

#### 1.0 Background

Subsequent to an application by Gulf Oil Canada Limited in December, 1975 and the consideration of this application at the various meetings of the Planning Committee, Official Plan Amendment No.11 was adopted and By-law No. 45-77 was enacted by City Council to permit an Automobile Gasoline Filling Station and Car Wash on the subject site. Prior to the consideration of the proposed Amendment and By-law by the Region of Peel, the applicant dropped its option to purchase the subject lands. Currently, the Gulf Oil Canada has renegotiated its agreement with the owners of the land and intends to lease the property for a term of 15 years. A revised site plan has been submitted for the consideration of the City Council.

#### 2.0 Description of Site

The original site of this application comprised of an area of approximately 2.79 acres located at the southwest corner of the intersection of Highway #10 and Steeles Avenue. The parcel had a frontage of over 400 feet on Steeles Avenue and 325 feet along Highway #10. The current application as shown on the map attached is for the approximately 1.12 acre parcel of land located at the intersection of Highway #10 and Steeles Avenue. It has a frontage of nearly 250 feet on Steeles Avenue and approximately 230 feet on Highway #10. The site is presently occupied by a Restaurant and Tavern.

#### 3.0 Official Plan and Zoning Status

The subject site is designated Agriculture under the Consolidated Official Plan of the City of Brampton. The proposed Amendment Number 11, redesignates the former site from Agriculture to Commercial, to permit redevelopment of part of the site for an Automobile Gasoline Filling Station including a Car Wash and the remaining parcel for a mixed retail commercial and office complex.

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#### 3.0 Official Plan and Zoning Status (cont'd)

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The zoning as per By-law 5500, as amended, of the former Town of Mississauga is R-3. By-law 45-77, as enacted by Council on February 28, 1977, allows the corner property to be redeveloped with an Automobile Service Station, Self Serve Gasoline Station and a Car Wash in accordance with the Site Plan (see attached map #2).

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#### 4.0 Comment

The current proposal is to enlarge the original site of the Automobile Service Station by increasing its frontage on Highway #10 by approximately 25 feet and rearranging the parking area on the site. The location of pump islands, car wash and the service station building remains unchanged from the previous proposal. The increased size of the site provides additional landscaping area to the south.

The vehicular access to the site is restricted to ingress only from Highway #10 and one ingress and one egress onto Steeles Avenue. This arrangement is based on recommendations of the Region of Peel Transportation Division and the Ministry of Transportation and Communication.

Dedication of land along Highway #10 and on Steeles Avenue for widening purposes is also included in the current proposal.

The revised scheme is an improvement over the plan previously approved by the City (attached as Map #2). The arrangement of off-street parking for 6 cars in a clearly marked parking area is a definite improvement over the previous tandem parking space for 4 cars. The increase in the width of landscaping strip to 17 feet minimum along the southerly property line would provide an increased protection to the residential dwelling located immediately south of the site. The staff recommends approval of the revised proposal.

With respect to the Official Plan designation, the Official Plan Amendment #11, pertains to the 2.79 acre parcel which includes the subject site and an additional area located to the west and south of it. Amendment #11 is designed to permit a Service Station and Car Wash on the major part of the subject site (Parcel I of Amendment). The balance of land to the west and south (Parcel II of Amendment) is designated to permit Commercial Uses including a restaurant, retail stores, business and professional offices (excluding medical suites), a bank and the existing single family The Amendment allows the commercial uses within dwelling. the constraints of the development principles which are intended to minimize any adverse impact on the amenities of existing residential uses in the immediate area. The commercial development is subject to a high degree of aesthetic and architectural integrity to this major inter-section. The height of buildings within the commercial area was proposed to be limited to 2 storeys and the coverage restricted to a maximum of 40%. The development of the part

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#### Comment (cont'd)

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of land for commercial purposes was dependent on a Traffic Impact Study prior to the passing of the Restricted Area By-law.

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The use of the part of the site (Parcel I) for Service Station and Car Wash is restricted by the Amendment as being subject to access controls to ensure that the traffic function of the intersection will not be unduly affected and that the centre medians may be required to prohibit left turn movements from and to the site. By Bylaw 45-77 and the proposed Agreement included the constraints of the Official Plan Amendment as pertaining to the Service Station site. The applicant company has advised that, at present, it has no control over the balance of the land. The company has entered into an agreement with the owner to lease only the Service Station site on a long term basis. The applicant therefore, does not wish to pursue the development of the balance of the land for commercial purposes as designated under Official Plan Amendment #11.

The Region of Peel Planning staff has advised the City staff that it is strongly opposed to the designation of the part of the land (Parcel II) for Commercial purposes as per Official Plan Amendment #11. The Region staff contends that the appropriate land use of the parcel should be determined by a comprehensive secondary plan covering the area bounded by Steeles Avenue, Highway #10, the north limit of the Parkway Belt and McLaughlin Road.

City Council has decided that a Special Study would be undertaken for the subject area prior to the preparation of secondary plans. The Region staff has indicated no objection to the designation of the corner parcel for the Automobile Service Station and Car Wash. The current revised plan for the Service Station proposal is also acceptable to the concerned Departments of the Region.

Considering that the applicant company has revised its application which excludes the balance of the parcel located to the west and south of the current application site for the Service Station, it is advisable that the Official Plan designation be limited to the subject site only. The designation of the balance of the land should be included in the supplementary neighbourhood plans when prepared by the Planning staff.

In case this application is approved by the City, the Official Plan Amendment Number 11 be amended to cover the Service Station site only. 4.0 Comment (cont'd)

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In view of the consideration that the current application for the Service Station is substantially similar to the proposal already presented at the public meeting held on November 2, 1976, a further public meeting to consider the revised application is not being recommended.

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5.0 Conclusion

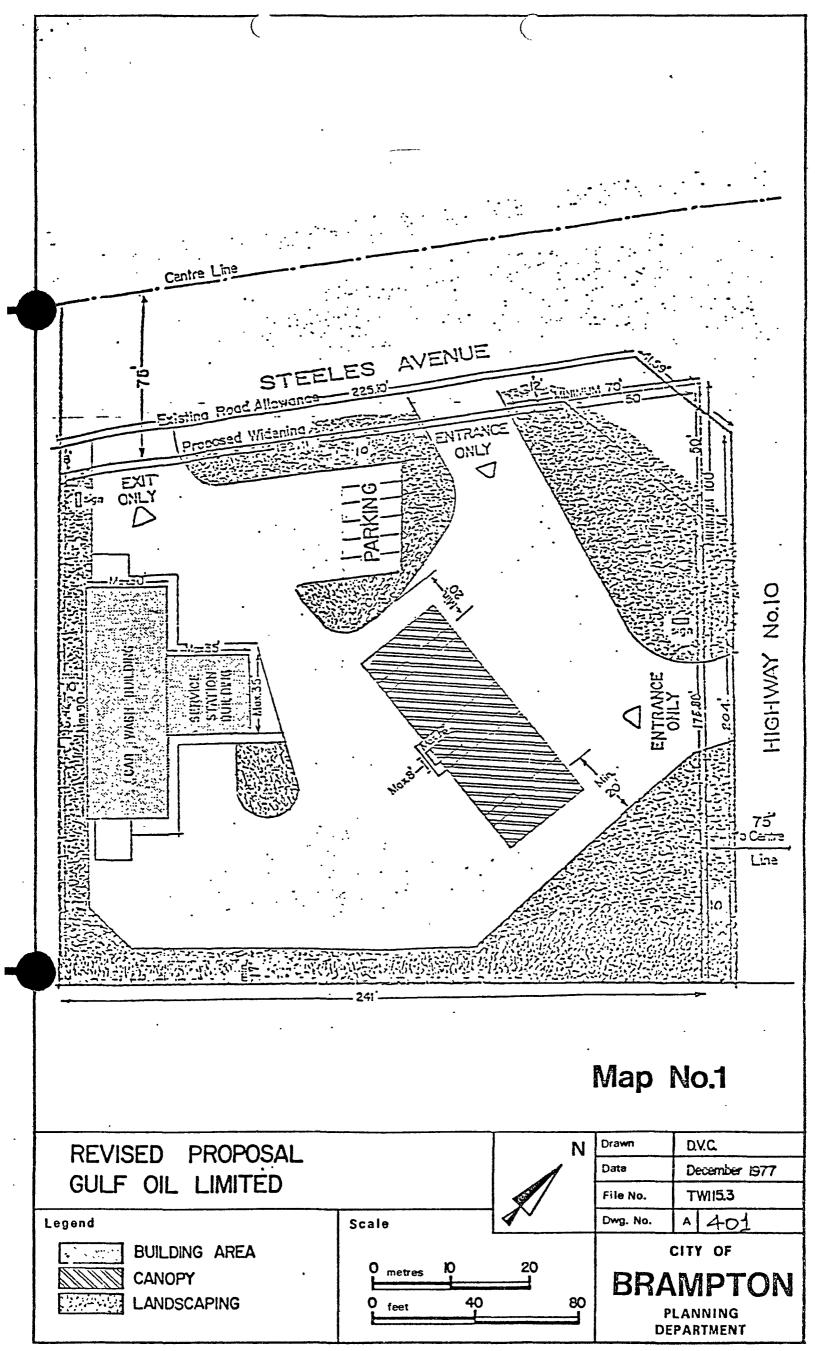
It is recommended that the Planning Committee recommend to Council that the revised application of Gulf Oil Canada Limited be approved and that the staff be directed to prepare the Revised Official Plan Amendment, Restricted Area By-law and development agreement on the basis of the attached site plan.

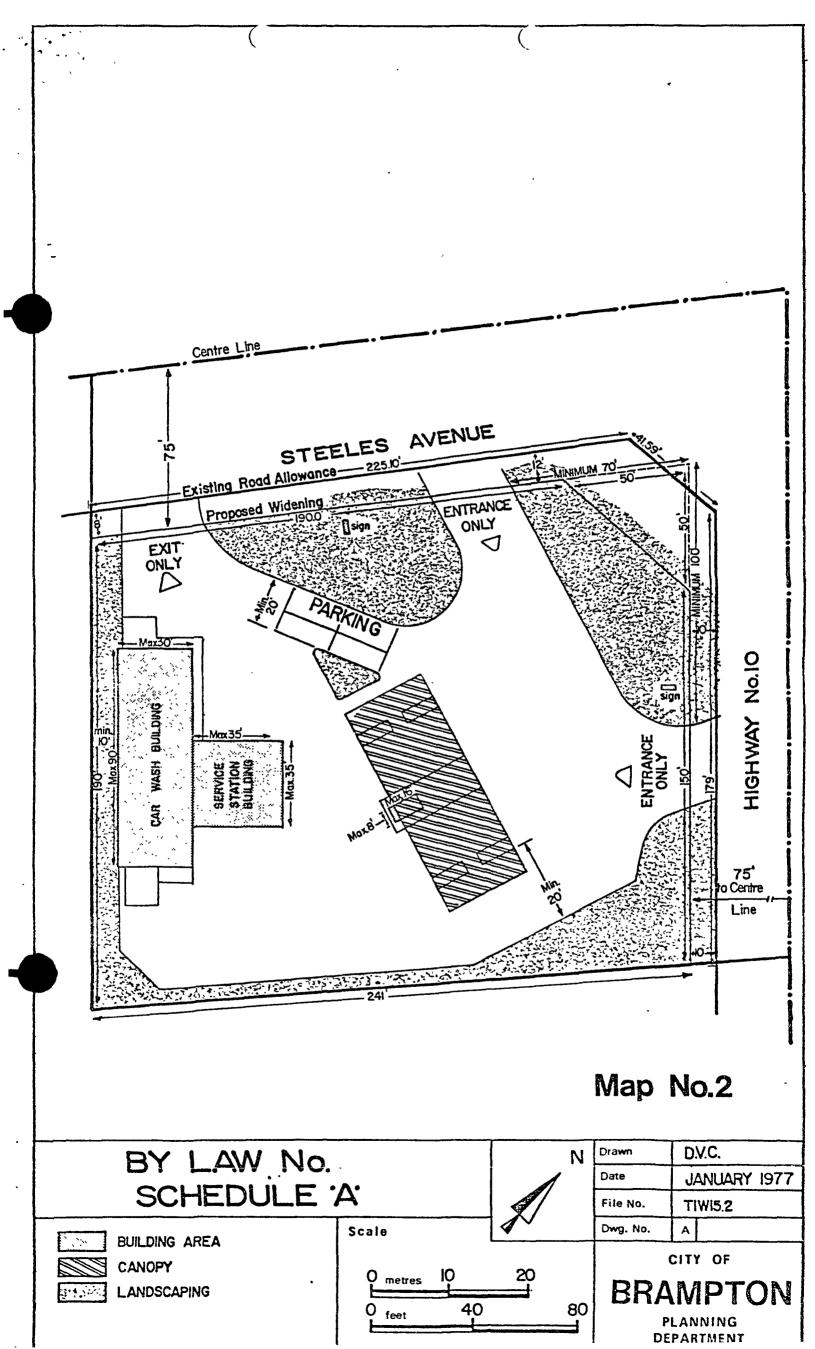
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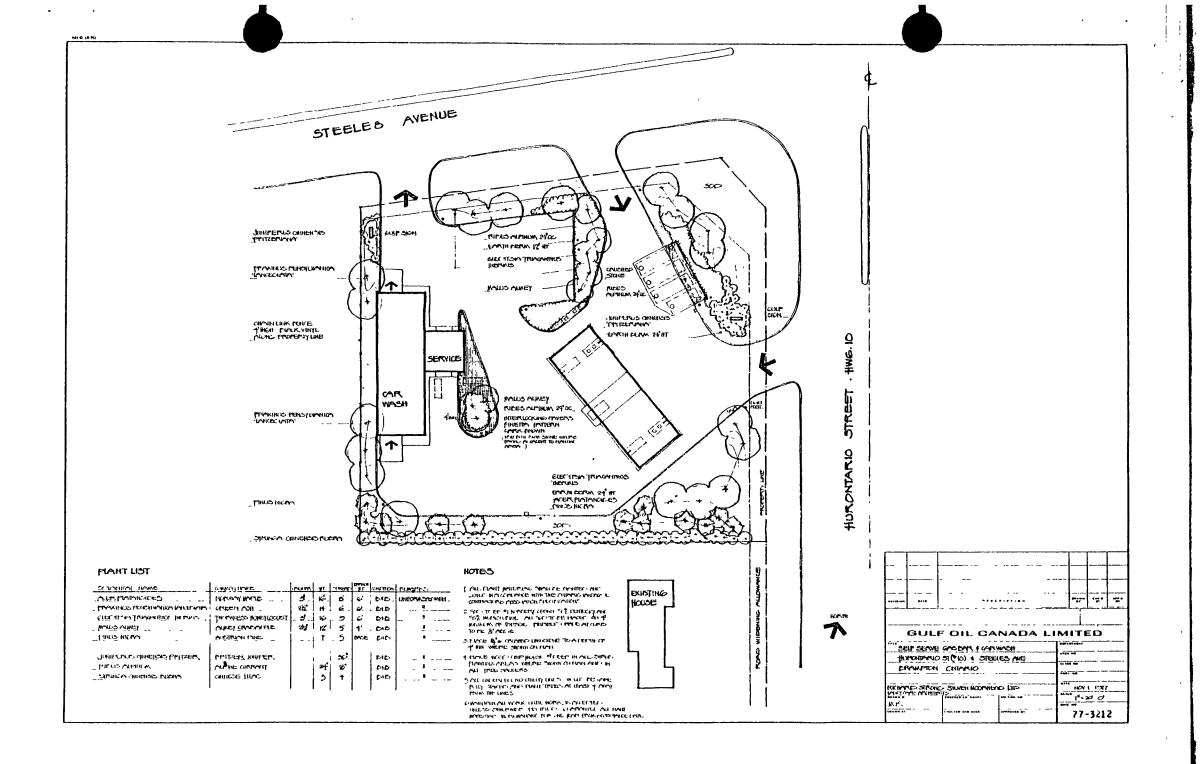
L.W.H. Laine, Planning Director

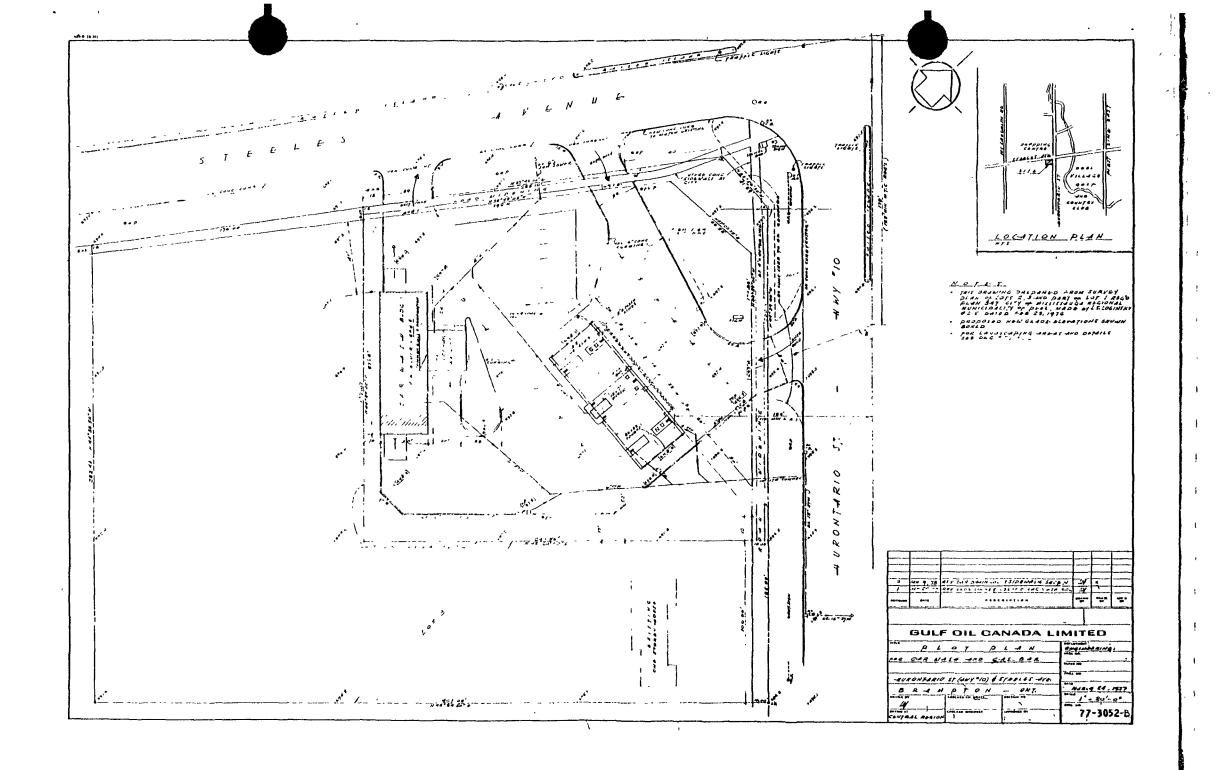
attach.











November 12, 1976

TO: Chairman and Members of Planning Committee

FROM: Planning Director

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RE: Application to Amend the Official Plan and Restricted Area By-law Part of Lot 15, Concession I, W.H.S. (Toronto Township) Gulf Oil Canada Limited Our File TIW15.2

A Public Meeting was held on Tuesday, November 2, 1976 with respect to the above noted application and attached for the information of Planning Committee are notes of the meeting and a copy of a letter from John A. and Amy N. Gibson recording their objections to the proposal.

It is suggested that Planning Committee consider the matter and indicate whether they wish staff to proceed with the preparation of the Official Plan amendment, development agreement and restricted area by-law amendment.

L.W.H. Laine, Planning Director

LWHL/jb

Attachment

#### PUBLIC MEETING

#### GULF OIL CANADA LTD.

A Special Meeting of Planning Committee was held on TUESDAY, NOVEMBER 2, 1976 in the Council Chambers, 24 Queen Street East, Brampton, Ontario, commencing at 7:45 p.m. to hear representation on a proposal to amend the Official Plan and Restricted Area By-law of the former Town of Mississauga.

Members present were:

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F.R. Dalzell Chairman J.J. Yarrow Vice-Chairman T.P. Miller Councillor M. Robinson Councillor F.W. Andrews Alderman Alderman R.V. Callahan R.F. Russell Alderman A. Ferri Alderman Alderman W.J. Baillie

Staff present were: L.W.H. Laine

Planning Director

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Approximately 17 members of the public were in attendance. The Chairman asked the Planning Director if notices were sent to the public and advertisements were placed in local newspapers. The Chairman welcomed the members of the public to the meeting and explained that the purpose of the meeting was to advise the public of the proposed by-law and to solicit their comments and questions.

The Chairman then asked the Planning Director to outline the proposal to the public and explain the intent of the applicant. After the close of the Planning Director's presentation, the Chairman invited questions and comments from the members of the public in attendance.

Mr. Morris Finer raised question of suitable planning approach. ( The Chairman and Mr. Laine, Planning Director, responded to Mr. Finer's question.

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Mr. John Gibson, a landowner in the vicinity of the proposed Gulf Oil project, stated that there were already eight service stations in that particular area and objected to the proposal.

There were no further comments or questions and the meeting adjourned at 8:15 p.m.

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7975 Hurontario Street North R. R. #6 Mississauga, Ontario.

November 2nd, 1976

Mr. L. W. Laine Director of Planning The Corporation of the City of Brampton 24 Queen Street East Brampton, Ontario.

Re: Gulf Oil Application - Hwy #10 & Steeles Avenue, City of Brampton

Dear Sir:

As a resident landowner living in the proximity of the proposed Gulf Oil development, we wish to officially object to the approval of this application as follows:

- a) Further development of this nature (carwash-service station) in this vicinity is considered in our opinion to conflict with the adjacent residential zonings. We feel it would not complement the present surroundings, being single family dwellings on spacious lots, a neatly kept Church and grounds and the recreational area known as Peel Village Golf Course which incidently is zoned as "Green Belt" (to protect the environmental status of the area.)
- b) The Gulf Oil application provides for a specific use of only a portion of the total parcel of land involved. Therefore until the applicant provides a specific use for the balance of the land we view this unknown condition with serious reservations.
- c) We seriously question the <u>need</u> for another service station car-wash in this area. Within one-half of a mile north, east and south of the intersection in question, there are eight service stations and to our knowledge, there are 4 car washes within the old city limits of Brampton. These facilities surely should be adequate to meet the motoring public's requirements.

R\_J..... 1°5V 51978 

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Mr. L. W. Laine Director of Planning

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Re: Gulf Oil Application

It is for these reasons that we draw the above items to the attention of the Planning Committee for their serious considerations.

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Yours very truly,

John A & Amy N. Gibson Johna. Sile Comy n Selos

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ASSED February 20 19 78

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