



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 102-89

To adopt Amendment Number 161 to the Official Plan of the City of Brampton Planning Area.

The council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, 1983, hereby ENACTS as follows:

1. Amendment Number 161 to the Official Plan of the City of Brampton Planning Area, is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Amendment Number 161 to the Official Plan of the City of Brampton Planning Area.

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL,

this 24th day of April, 1989.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

[Signature]

DATE

[Signature]

KENNETH G. WHILLANS - MAYOR

[Signature]

LEONARD J. MIKULICH - CLERK

ORIGINAL

St HW 102-89

AMENDMENT NUMBER 161
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

21-0P 0031-161-1

Amendment Number 161
to the
Official Plan
for the
City of Brampton Planning Area

This amendment to the 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 pursuant to Section
21 of the Planning Act, R.S.O. 1983, as Amendment
Number 161 to the Official Plan for the City of
Brampton Planning Area.

Date: 1989.09.08

Diana Jardine

Diana L. Jardine, M.C.I.P.
Director (Acting)
Plans Administration Branch
Central and Southwest



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 102-89

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READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL,

this 24th day of April, 1989.

Am

KENNETH G. WHILLANS - MAYOR

LEONARD J. MIKULICH - CLERK

CERTIFIED A TRUE COPY

City Clerk
City of Brampton

MAY 02 1989

AMENDMENT NUMBER 161
TO THE OFFICIAL PLAN
OF THE CITY OF BRAMPTON PLANNING AREA

1. Purpose

The purpose of this amendment is to change the land use designation of the subject land from Agricultural to Commercial on Schedule 'A' - General Land Use Designations.

2. Location

The land subject to this amendment is located on the south side of Highway Number 7, east of Chinguacousy Road and is described as part of lot 10, Concession 2, West of Hurontario Street, in the geographic Township of Chinguacousy. The property has an area of 0.96 hectares.

3. Amendments and Policies Relative Thereto:

3.1 Amendment Number 161 :

The document known as the Official Plan of the City of Brampton Planning Area is hereby amended:

(1) by changing, on Schedule 'A' thereto, the land use designation of the lands shown outlined on Schedule A to this amendment from "AGRICULTURAL" to "COMMERCIAL".

(2) by adding on Schedule 'F' thereto, for the land shown outlined on Schedule A to this amendment, the land use designation of "HIGHWAY AND SERVICE COMMERCIAL", as a SITE SPECIFIC DESIGNATION with the number 39;

(3) by adding to PART II, CHAPTER 2, Section 2.2 thereto, the following:

"2.2.24 SITE 39 (Part of Lot 10, Concession 2, W.H.S., geographic Township of Chinguacousy);

2.2.24.1 Definition

The property designated "Commercial" and identified by the number 39 on Schedules 'A' and 'F' shall only be used for a motel, a single family residential dwelling, a residential apartment and accessory purposes.

2.2.24.2 Policy

The motel facility and the residential apartment shall be located in the northerly half and a single-family residential dwelling in the southerly portion of the subject property."

CHINGUACOUSY ROAD

HWY. No. 7

251m

64.19m

128.58m

136.04m

LOT 10, CON.2
W.H.S.
CHINGUACOUSY

78.80m

26.97m

— DESIGNATION BOUNDARY

OFFICIAL PLAN AMENDMENT NO. 161



CITY OF BRAMPTON
Planning and Development

SCHEDULE A

1:60

Date: 88.10.13 Drawn by: J.K.
File no. C2W10.2 Map no. 41-12H

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 161

Attached is a copy of a report from the Planning and Development Services Division, dated September 1, 1988, a copy of a report from the Planning and Development Services Division, forwarding the notes of a public meeting held on October 5, 1988 and a copy of all written submissions received.

Ministry of Transportation of Ontario
(Susan Lo)

88 07 26

Credit Valley Conservation Authority
(Lisa Ainsworth)

88 08 18

Region of Peel
(Doug Billett)

88 07 07

14/88/3

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

September 15, 1988

TO: The Chairman of the Development Team

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and the Zoning By-law
Part of Lot 10, Concession 2, W.H.S.
(former Township of Chinguacousy)
Ward Number 3
PEEL COUNTY MOTEL LIMITED
Our File Number: C2W10.1

1.0 Introduction

An application to amend the Official Plan and the Zoning By-law to permit the existing motel use of the subject lands to be a legal use in accordance with the Official Plan and the Zoning By-law, has been filed with the City Clerk and referred to staff on June 21, 1988 for a report and recommendation.

2.0 Property Description

The subject property is located on the south side of Highway Number 7, approximately 250 metres (820 feet) east of Chinguacousy Road. It is rectangular in shape having an area of approximately 0.96 hectares (2.38 acres), with a frontage along the southerly limit of Highway 7 of approximately 66.16 metres (217.07 feet) and an average depth of 146.02 metres (479.1 feet).

The property is presently occupied by a one storey motel containing 13 units, a single-family detached residential dwelling and a garage.

Topographically, the property is relatively flat with a gentle slope to a small creek along the southerly limit of the property. There are several large trees on the site. There are two entrance/exit points servicing the existing motel facility and the residential dwelling. The parking spaces, which are located perpendicular to the motel, abut the units.

In previous years, two road widenings were taken from the property; one being a width of 3.04 metres (10 feet) and the other being a width of 5.2 metres (17.1 feet).

Surrounding the site are the following uses:

- to the east is agricultural land;
- to the west are 2 single family dwellings, followed by a garden centre, 1 residence and the Colonial motel;
- to the north, beyond Highway Number 7 are agricultural land and Memorial Gardens Cemetery, and
- to the south is agricultural land.

3.0 Official Plan and Zoning Status

The subject property is designated according to Schedule 'A' of the Official Plan as "Agricultural".

By-law 861, as amended, zones the existing property as "Agricultural Class 1 (A1)". By-law 151-88 zones the existing property as "Agricultural (A)".

4.0 Proposal

The applicant is proposing that the Official Plan and the Zoning by-law be amended to permit a motel use as legal use which conforms to the Official Plan and the Zoning By-law.

Staff has been advised by the applicant's solicitor that the motel use has existed on the subject property in 1959. It appears that the motel is a legal non-conforming use.

5.0 Comments from Other Departments and Agencies

Community Service Department, Parks and Recreation, Transit and Fire; Community Design Section; Law Department; Zoning and By-law Enforcement Division; Region of Peel Health Department and Development and Engineering Services Division have no comments.

The Ministry of Transportation of Ontario advised that a commercial entrance (type CS-9) is already in existence and will not require modification.

The Credit Valley Conservation Authority noted that:

- a tributary of Fletchers Creek flows adjacent to the southern boundary of the subject property. The Fill, Construction and alteration to Waterways Regulations (Ontario Regulation 162/80) prohibit the erection of any structure or the placement or removal of any material within the floodplain area, or the alteration to any watercourse without the written approval of this Authority.
- as the subject property is located in the Fletchers Creek watershed, the Credit Valley Conservation Authority has concerns which relate to erosion and sedimentation problems currently

being experienced on the lower reaches of the Fletchers Creek, due to increases in stormwater runoff as a result of upstream urban development. A comprehensive Stormwater Management Study, prepared for this Authority in 1983, for the Fletchers Creek South Secondary Plan District, identified a need for further study of the upstream reaches of the Fletchers Creek watershed. It was apparent that stormwater management would have to be implemented in the upstream areas, to mitigate post-development flows to pre-development levels from the newly developing areas north of Steeles Avenue.

- the Authority has adopted an interim policy, that requires the implementation of stormwater detention techniques, for storms up to and including the level of the 10 year, for all new development or redevelopment north of Steeles Avenue.
- authority staff have reviewed a site plan for the expansion of the motel (City of Brampton's File No. SP87-86), and are currently working with the applicant to resolve the aforementioned concerns through the site plan review process.
- on this basis, they do not object to the subject Official Plan and Zoning By-law Amendment.

6.1 Background

As noted previously, a motel was built on the subject property in 1959. That structure was replaced by part of the present motel structure, which was constructed in 1965 and to which an addition was built in 1972.

In 1987, an application (A8/87) submitted to the Committee of Adjustment to add 13 new units to the existing motel business, was denied. Later in 1987, another Committee of Adjustment application (A41/87) was submitted, also requesting an extension of the existing

uses to include 13 new motel units, and was approved. The addition will remove one of the units resulting in a total of 25 units. The approval by the Committee of Adjustment was based on the submission that the motel use is a legal non-conforming use, as it had been a continuous use of the subject property since 1959.

At the time of the submission of the Committee of Adjustment applications, a review of By-law 861 of the former Township of Chinguacousy was in process. The applicant requested that the amending by-law (now referred to as By-law 151-88), recognize the motel use by an appropriate commercial zone. However, staff were unable to incorporate the requested change to the by-law because the schedules of the Official Plan, Schedule 'A' General Land Use Designations, and Schedule 'F' - Commercial, did not identify the property as a commercial area. In accordance with the Planning Act, Council is only able to amend the zoning of a property when the proposed zone will conform with the Official Plan.

6.2 Official Plan Policy

Prior to the review of applications A8/87 and A41/87, the following policies were reviewed by staff and the Committee of Adjustment. Section 7.11.2 of the Official Plan permits consideration of an application by the Committee of Adjustment for an extension or enlargement of a non-conforming use to avoid undue hardship, in accordance with Section 42 of the Planning Act.

Section 7.11.4 states the City is to be satisfied that the following requirements will be met prior to recommending approval of an application for the extension or enlargement of a non-conforming use:

- (i) The proposed extension or enlargement will not unduly aggravate the situation created by the existence of the use;

- (ii) The proposed extension or enlargement represents a reasonable increase to the size of the non-conforming use;
- (iii) The characteristics of the existing non-conforming use and the proposed extension or enlargement will be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting, and traffic generating capacity;
- (iv) The neighbouring uses will be afforded reasonable protection by the provision of landscaping, buffering or screening; appropriate setbacks for buildings and structures; and devices and measures for reducing nuisances;
- (v) Adequate provisions will be made for off-street parking and loading facilities;
- (vi) All municipal services such as water, sewerage and roads will be adequate, and
- (vii) The application is referred to municipal departments and public agencies which may be concerned or affected for information reports on the various aspects of the matter before making a decision.

Staff and the Committee of Adjustment considered Sections 7.11.2 and 7.11.4 and were satisfied that the requested extension of the existing motel could be approved.

6.3 Discussion

It is the intent of the application that the motel use be recognized as a permitted use in accordance with the Official Plan and the Zoning By-law. Subsequent to the request for the expansion, to the Committee of Adjustment, approval was requested and has been given by the Region of Peel Health Department to allow the expansion of

the motel business to include 13 new units. A building permit application has also been submitted to locate the new units immediately south of the existing units, such that the units will be back-to-back with a walkway between the two buildings. The permit has not as yet been issued. The required parking spaces are to be located perpendicular to and abutting each unit.

It is the opinion of staff, that because the use has been in continuous existence since 1959 and it satisfies the requirements of Section 7.11.4, it is recommended that the Official Plan be amended by designating the subject property "Commercial" to permit a motel use.


It is also recommended that By-law 151-81 and By-law 861 be further amended, to permit a 25 unit motel, a detached residential dwelling and accessory uses and buildings on the subject property. A special section will be required for the amending zoning by-law to deal with the site specific development. In this regard, the restrictions and requirements of the special section will have to be selected to recognize the rural situation and the absence of piped services.

7.0 Recommendation

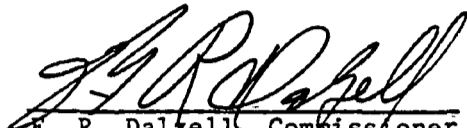
It is recommended that Planning Committee recommend to City Council that:


- A. A Public Meeting be held in accordance with City Council Procedures;
- B. Subject to the results of the Public Meeting, staff be directed to prepare the appropriate documents for the consideration of City Council with the permitted purposes limited to a motel, residential dwelling and accessory purpose.

Respectfully submitted,

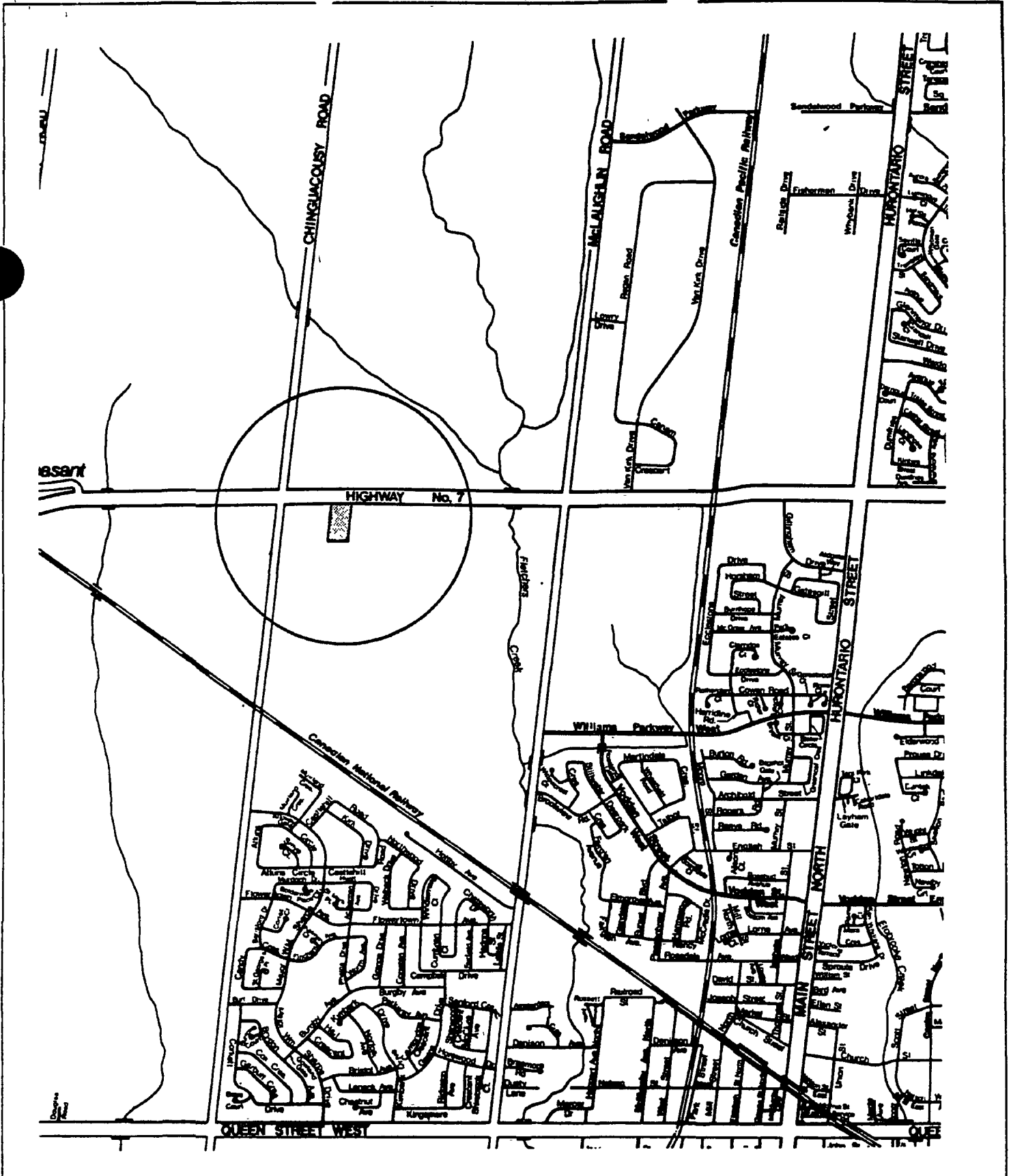

Gail Speirs, M.C.I.P.
Development Planner

AGREED:


F. R. Dalzell, Commissioner
of Planning and Development


L. W. H. Laine, Director,
Planning and Development
Services Division

GS/hg/am/12



COBALT MOTEL

Location Map

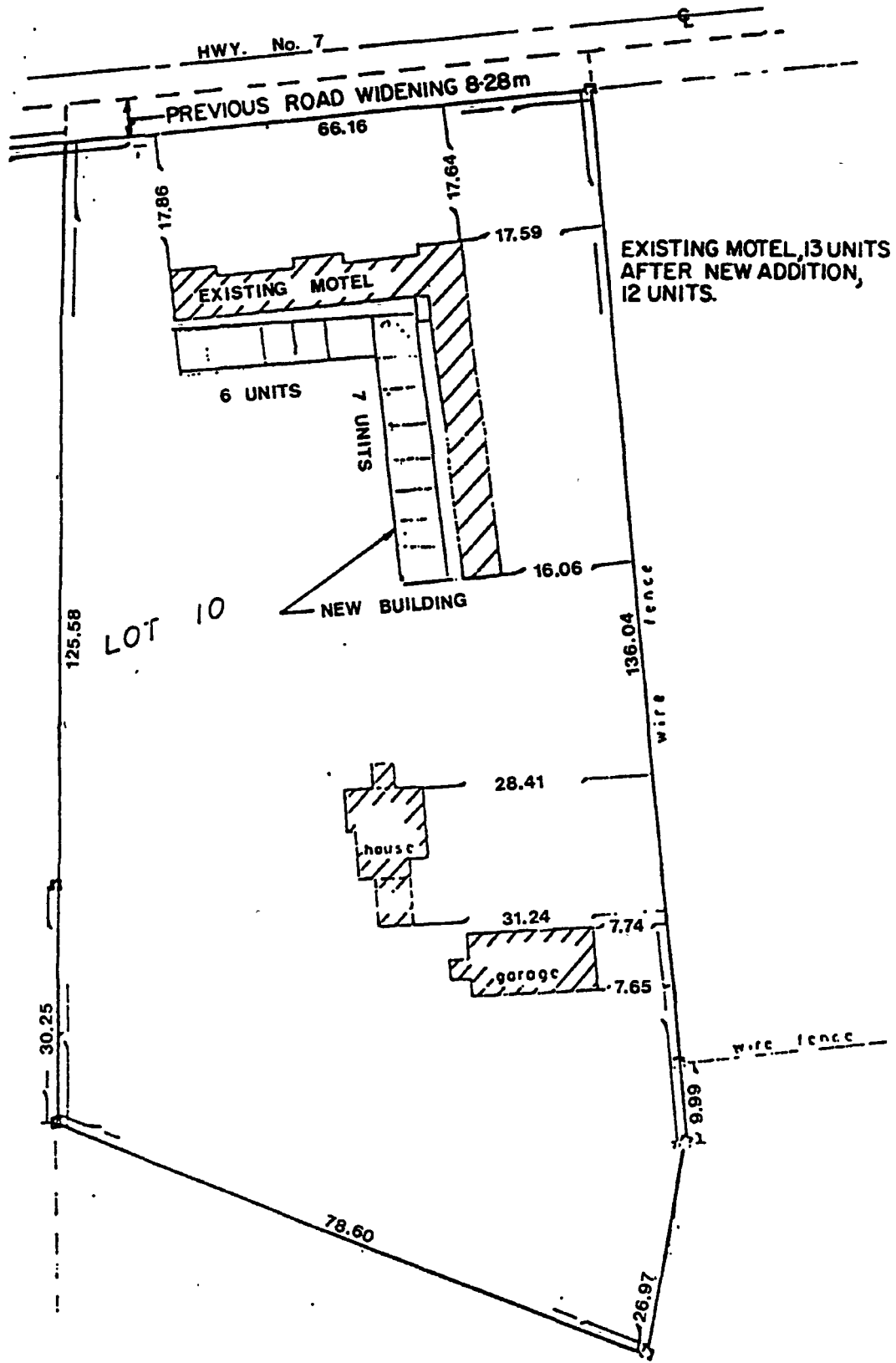


1:25000

CITY OF BRAMPTON
Planning and Development

Date: 1988 06 28 Drawn by: C.R.E.
File no. C2W10-1 Map no. 41-12A

EY-10



PEEL COUNTY MOTEL LIMITED

SITE PLAN



1:60

CITY OF BRAMPTON

Planning and Development

Date: 88 08 12 Drawn by: M.J.O.

File no. C2W10.1 Map no. 41-12B

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

October 13, 1988

TO: The Chairman and Members of
Planning Committee

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law
Part of Lot 10, Concession 2, W.H.S.
Ward Number 5
(former Township of Chinguacousy)
PEEL COUNTY MOTEL LIMITED
Our File Number: C2W10.1

The notes of the Public Meeting held on Wednesday, October 5, 1988, are attached for the information of Planning Committee.

No members of the public appeared at the meeting to express concerns or comments. In addition, no communications have been received with respect to the application.

It is recommended that Planning Committee recommend to City Council that:

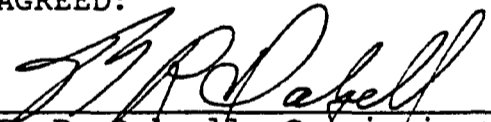
- A) the notes of the Public Meeting be received;
- B) the application be approved subject to the conditions approved by City Council on September 15, 1988, and
- C) staff be directed to present the appropriate documents to Council.

Respectfully submitted,

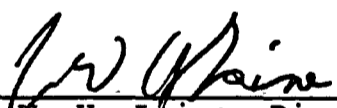


Gail Speirs
Development Planner

AGREED:



F. R. Dalzell, Commissioner of
Planning and Development



L. W. H. Laine, Director,
Planning and Development
Services Division

Attachment
GS/hg/icl

A Special Meeting of Planning Committee was held on Wednesday, October 5, 1988, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:33 p.m. with respect to an application by PEEL COUNTY MOTEL LIMITED (File: C2W10.1 - Ward 5) to amend both the Official Plan and zoning by-law to recognize and permit a motel use on the subject property.

Members Present: Councillor P. Robertson - Chairman
Councillor F. Russell

Staff Present: F. R. Dalzell, Commissioner of Planning
and Development
L. Laine, Director, Planning and
Development Services
D. Ross, Development Planner
J. Armstrong, Development Planner
G. Speirs, Development Planner
E. Coulson, Secretary

The Chairman inquired if notices to the property owners within 120 metres of the subject site were sent and whether notification of the public meeting was placed in the local newspapers.

Mr. Laine replied in the affirmative.

There were no interested members of the public in attendance and the meeting adjourned at 7:34 p.m.



Ministry of Transportation
 Ministère des Transports

Planning & Design Section
 Central Region
 5000 Yonge Street
 Willowdale, Ontario
 M2N 6E9

Telephone: 224-7661

July 26, 1988

[Handwritten signature]

Ms. Gail Speirs, M.C.I.P.
 City of Brampton, Planning & Development Dept.
 150 Central Park Drive
 Brampton, Ontario
 L6T 2T9

City of Brampton PLANNING DEPT.	
Date	JUL 29 1988 Rec'd.
File No.	C2W10.1

Dear Ms. Speirs:

RE: Amendment to the Official Plan and Zoning By-Law
 Part of Lot 10, Con. 2 W.H.S.
 (Peel County Motel Limited) C2W10.1
Highway 10, City of Brampton

This letter is to advise that the Ministry of Transportation has no objections to the proposed amendment to the Official Plan and Zoning By-law to recognize the existing non-conforming landuse.

A commercial entrance (type CS-9) is already in existence and will not require modification .

I trust this is satisfactory.

Yours truly,

[Handwritten signature]

Susan Lo, P. Eng.
 Senior Project Manager

SL/sd

[Handwritten note: C2W10.1 28]



BY COURIER

CREDIT VALLEY CONSERVATION AUTHORITY

MEADOWVALE, ONTARIO L0J 1K0

Telephone 451-1615

WHEN REPLYING KINDLY QUOTE
THIS FILE NUMBER

August 18, 1988

City of Brampton
Planning and Development Department
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Attention: Ms. Gail Speirs
Development Planner

[Handwritten signature]

City of Brampton PLANNING DEPT.	
Date	AUG 24 1988 Rec'd.
File NO.	CZW10.1...

Dear Gail:

Re: Amendment to the Official Plan and the Zoning By-law
Part of Lot 10, Concession 2, W.H.S.
City of Brampton
PEEL COUNTY MOTEL LIMITED (COBALT MOTEL)
Your File No. CZW10.1
Our File No. OZ/B/8/88

Further to your circulation dated June 29, 1988, we have now had the opportunity to review the above noted application, and we provide the following comments for your information.

A headwater wetland/tributary of Fletcher's Creek flows adjacent to the Southern boundary of the subject property. The Fill, Construction and Alteration to Waterways Regulations (Ontario Regulation 162/80) prohibit the erection of any structure or the placement or removal of any material within a floodplain area, or the alteration to any watercourse without the written approval of this Authority.

In addition, as the subject property is located in the Fletcher's Creek watershed, this Authority has concerns which relate to erosion and sedimentation problems currently being experienced on the lower reaches of the Fletcher's Creek, due to increases in stormwater runoff as a result of upstream urban development. A comprehensive Stormwater Management Study, prepared for this Authority in 1983, for the Fletcher's Creek South Secondary Plan District, identified a need for further study of the upstream reaches of the Fletcher's Creek watershed. It was apparent that stormwater management would have to be implemented in the upstream areas, to mitigate post-development flows to pre-development levels from the newly developing areas North of Steeles Avenue.

...continued...

File 920825

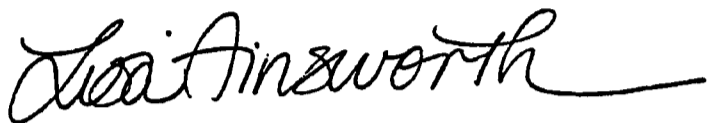
August 18, 1988

As you know, the Authority and the City of Brampton have not yet finalized arrangements for the preparation of such a Study. In this regard, the Authority has adopted an interim policy, that requires the implementation of stormwater detention techniques, for storms up to and including the level of the 10 year, for all new development or redevelopment North of Steeles Avenue.

Authority staff have reviewed a site plan for the expansion of the motel (City of Brampton's File No. S.P. 87-86), and are currently working with the applicant to resolve the aforementioned concerns through the site plan review process.

On this basis, we do not object to the subject Official Plan and Zoning By-law Amendment.

Yours very truly,



Lisa Ainsworth
Resource Planner

LA:dl

cc: City of Brampton
Attention: Mr. D.J. Van Beilen, P. Eng.
Director of Development Engineering
Attention: Mr. H.P. Hornblow
Supervisor, Plans and Permits
(BY COURIER)

MEMORANDUM

Region of Peel

To Doug Billett
Director, Development Control

m Paul Callanan
Supervisor Environmental Health

Date July 14, 1988

Subject Proposed O.P.A. and Rezoning
Peel County Motel Limited (Cobalt Motel)
Part Lot 10, Concession 2, W.H.S.

Attached, please find a request for comments from the City of Brampton regarding this development.

The Health Department has no objection or unfavourable comment concerning the Official Plan Amendment or rezoning, provided the development proceeds as indicated on the site plan.

PC/mrs

PC/mrs

Encl.

JS



July 7, 1988

City of Brampton
Planning and Development Department
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Attention: Ms. Gail Speirs
Development Planner

Re: Application to Amend the
Official Plan and Rezoning
Peel County Motel Limited
Your File: C2W10.1
Our File: R42 2W14B

[Handwritten initials]

City of Brampton PLANNING DEPT.	
Date	JUL 11 1988 Rec'd.
File No.	C2W10-1

Dear Ms. Speirs:

In reply to your letter dated June 29, 1988 concerning the above, we have examined the proposal and have no objections or comments to offer.

We trust that this information is satisfactory.

Yours truly,

[Handwritten signature of D. R. Billett]

D. R. Billett
Director of
Development Control

VZ:nb

[Handwritten initials]



The Regional Municipality of Peel

Planning Department

City of Brampton PLANNING DEPT.	
Date	JUL 20 1988 Rec'd.
File No.	C2W10.1

July 7, 1988

City of Brampton
Planning and Development Department
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Attention: Ms. Gail Speirs
Development Planner

Re: Application to Amend the
Official Plan and Rezoning
Peel County Motel Limited
Your File: C2W10.1
Our File: R42 2W14B

Dear Ms. Speirs:

Further to our letter dated July 7, 1988, concerning the above proposal, attached is a copy of comments as received from the Regional Health Department.

We trust that this information is satisfactory.

Yours truly,

D. R. Billett
Director of
Development Control

VZ:nb
Encl.