



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 105-91

To amend By-law 139-84, as amended
(part of the west half of Lots 14
and 15, Concession 2, W.H.S., in the
former geographic Township of Toronto)

The council of The Corporation of the City of Brampton ENACTS
as follows:

1. By-law 139-84, as amended, is hereby further amended:

(1) by changing, on Sheet 5 of Schedule A thereto, the zoning designation of the lands shown outlined on Schedule A to this by-law from AGRICULTURAL-(A) and RESIDENTIAL SINGLE FAMILY B-SECTION 781 (R3B)-SECTION 781) to RESIDENTIAL SINGLE FAMILY B-SECTION 692 (R1B-SECTION 692), RESIDENTIAL SINGLE FAMILY C (R1C), RESIDENTIAL SINGLE FAMILY D (R1D), RESIDENTIAL STREET TOWNHOUSE (R3B), COMMERCIAL ONE-SECTION 693 (C1-SECTION 693), OPEN SPACE (OS), INSTITUTIONAL ONE (I1) and INSTITUTIONAL TWO-SECTION 562 (I2-SECTION 562) such lands being part of Lots 14 and 15, Concession 2, West of Hurontario Street, in the geographic Township of Toronto.

(2) by adding thereto, the following sections:

"692 The lands designated R1B - SEC. 692 on
Sheet 5 of Schedule A to this by-law:

692.1 shall only be used for the purposes
permitted by section 12.2.1

692.2 shall be subject to the following
requirements and restrictions:

(1) Minimum Lot Area: 540 square
metres

(2) Minimum Lot Width: 18 metres

692.5 shall also be subject to the requirements and restrictions relating to the R1B zone and all general provisions of this by-law which are not in conflict with the ones set out in section 692.2.

693. The lands designated C1-SEC. 693 on Sheet 5 of Schedule A to this by-law:

693.1 shall only be used for the following purposes:

- (1) a retail establishment having no outside storage
- (2) a convenience store
- (3) a service shop
- (4) a personal service shop
- (5) a bank, trust company, finance company
- (6) an office
- (7) a dry cleaning and laundry distribution station
- (8) a laundromat
- (9) a parking lot
- (10) a dining room restaurant, a standard restaurant
- (11) purposes accessory to the other permitted purposes.

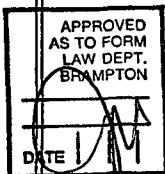
693.2 shall be subject to the following requirements and restrictions:

- (1) Minimum Lot Width: 70 metres
- (2) Maximum Lot Area: 0.80 hectares
- (3) Maximum Building Height: 1 storey
- (4) A masonry wall, 1.8 metres in height, shall be erected along the lot lines which abut a residential zone
- (5) No outside storage or display of goods shall be permitted.

- (6) All garbage and refuse storage areas, including any containers for recyclable materials, shall be located with a building and shall not be located closer than 9 metres to any residential zone
- (7) Minimum landscaped open space shall be provided and maintained as follows:
 - (a) not less than 8 metres in width along the future extension of Mavis Road
 - (b) not less than 3 metres in width along the north and east property lines abutting a residential zone, and along Ray Lawson Boulevard except in the location of a driveway
 - (c) not less than 5 metres in width along the hypotenuse of the daylight triangle located at the corner of the intersection of Ray Lawson Boulevard and the future extension of Mavis Road.

693.3 shall also be subject to the requirements and restrictions relating to the C1 zone and all general provisions of this by-law which are not in conflict with the ones set out in section 693.2"

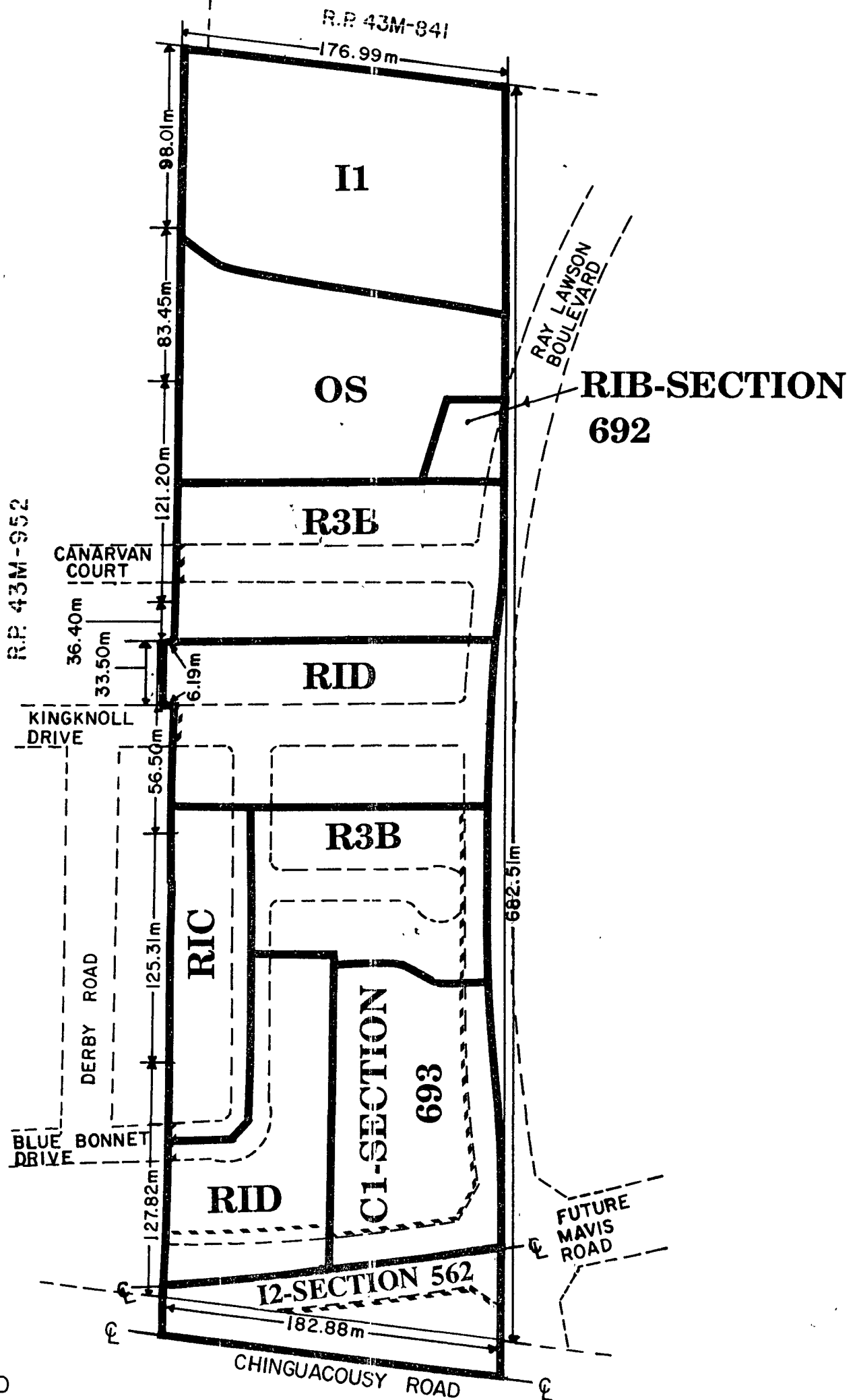
READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL, this 27th day of May 19 91.



66/90/LWJL/jo

[Signature]
PAUL BEISEL - MAYOR

[Signature]
LEONARD J. MIKULICH - CLERK



LEGEND

— ZONE BOUNDARY

- - - 0.3m RESERVE
m METRES

⊕ CENTRELINE OF ORIGINAL ROAD ALLOWANCE

PART LOTS 14 & 15, CON. 2, W.H.S.(TOR.)
BY-LAW 139-84 SCHEDULE A



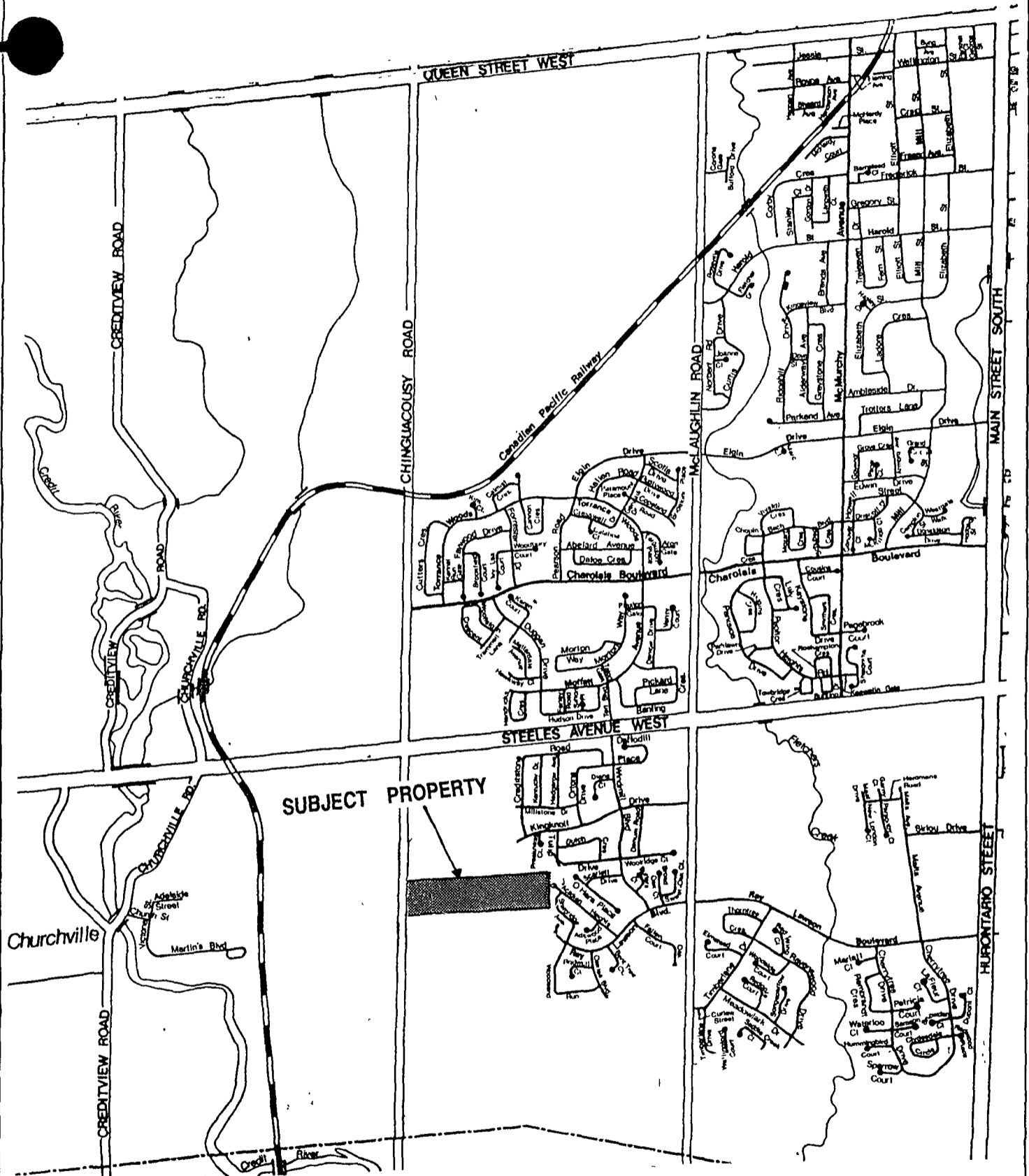
CITY OF BRAMPTON
Planning and Development

By-law 105-91

Schedule A

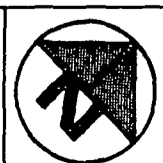
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Date: 1990 10 02 Drawn by: CJK
File no. T2W14.7 Map no. 74-10C



SOUTHBRIDGE DEVELOPMENTS INC.

Key Map By-Law 105-91



1:25000

CITY OF BRAMPTON
 Planning and Development

Date: 1991 06 03 Drawn by: CJK
 File no. T2W14.7 Map no. 74-10D

DB#	97	FOLIO#	354
ORDER ISSUE DATE			
AUG 11 1993			
OB#	1993-5	FOLIO#	180



R 910402

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

RECEIVED
CLERK'S DEPT.

AUG 16 1993

C3305.93

REG. No.:

FILE No.:

608

IN THE MATTER OF Section 34(18) of
the Planning Act, 1983

AND IN THE MATTER OF appeals by
Sandra Weiss, Carlo Tuzi, Deane
Cameron and others against Zoning
By-law 105-91 of the City of
Brampton

C O U N S E L :

John G. Metras, Q.C. - for City of Brampton

DECISION delivered by T. YAO AND ORDER OF THE BOARD

On May 27, 1991 Brampton passed By-law 105-91. It rezones Southbridge Developments Inc.'s 12.2 ha parcel from agricultural to various forms of residential. The land is in an urbanizing section of the south west corner of the City and the lotting will be a continuation of the pattern established by the adjoining developer, Kingknoll Developments. Southbridge will extend Canarvan Court, Blue Bonnet Drive, and Kingknoll Drive to Ray Lawson Boulevard. In addition there will be a short new street called "Street B".

Kingknoll's draft plan of subdivision was approved, subject to conditions, prior to 1987 and rezoned by By-laws 307-87 and 287-88. Southbridge's draft plan of subdivision received approval, subject to conditions, January 11, 1991. By the spring of 1991, Kingknoll's subdivision was selling to the public and residents were moving into Canarvan Court, Michigan Ave, Blue Bonnet Drive and Derby Road. When Brampton passed 105-91, it was these residents who appealed. There were 53 appeals in all.

At the hearing on August 11, 1992, before any ruling was made, and all of the evidence was heard, the City asked for an adjournment. It wished to re-serve all of the residents, some of whom had not been notified through no fault of the City. The City then held additional public meetings and considered a new planning report. It revised its earlier decision and requests this Board to approve a new version of 105-91. Despite the prodigious efforts of the City to reach a consensus over the period from 1992 to 1993, there are still objectors.

Canarvan Court is a cul-de-sac presently accessed by a temporary road. The draft plan contains 6 townhouse blocks (48 units) on Canarvan Court and another 28 units on "Street B", which is a cul-de-sac south of Blue Bonnet Drive. There are a total of 76 street townhouse units out of 140 units in all. The new version of 105-91 deletes the townhouse blocks on Canarvan Court and replaces them with 32 single detached houses. There are now 28 townhouse units out of 124.

The hearing resumed on July 5, 1993 after full public notice. The original matters of appeal had now melted away except for one issue. The following

Flora D'Souza	12 Blue Bonnet Drive,
Pal Singh	31 Blue Bonnet Drive,
Laxman Kerai	9 Derby Road,
Montaz Rempertab	5 Derby Road,
Terry Almeida	15 Derby Road,

oppose the remaining 28 townhouse units on Street "B".

Despite two days of testimony, their reasons for opposition are not entirely clear. They said that Kingknoll's sales agent (who has no relation to Southbridge) had not told them that there would be townhouses nearby, that if they looked out the window, they would be able to see the townhouses, that the City responded politically to Canarvan residents and not to them; that it would increase the traffic. Mostly they said simply that they were "opposed".

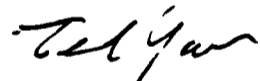
Some townhouse development is necessary to ensure a mixed housing development. Low to medium density residential has been shown on Southbridge lands in the Official Plan since June 1988. The traffic objection is meaningless as what few cars will come from Street B will not travel through Blue Bonnet or Derby but go to the collector roads. None of the objectors consulted the Official Plan before or after purchasing their homes. The only question left for this Board to consider is where to locate the townhouses. Brampton's original By-law 105-91 was fully consistent with the Official Plan, and so is the new version. Nonetheless, after extensive public consultation, Southbridge has offered to reduce the number of units from 140 to 124 and the percentage of townhouses from 54.2% to 22.5%.

A single resident of Canarvan Court, Paul Tuzi, appeared at the second instalment of the hearing to support the new version of 105-91. He stated that the Derby and Blue Bonnet residents would all be "buffered" from the townhouses by houses on the south side of

Derby and on the north side of Blue Bonnet. As the ultimate decision-maker, I accept that Council and the residents have worked out a reasonable solution and I will abide by it. But in so doing, I would disassociate myself from the residents' argument that the townhouses needed to be "buffered" or segregated on their own cul-de-sac in the first place. These are freehold homes, apparently to sell in the \$160,000 range. In the original and revised plans, lot frontages have been adjusted so there is adequate transition from the existing 14 m lots to the townhouses (approx. 6 m wide). I fail to see why the developer should be forced to spend an extra year getting its zoning simply because residents on Canarvan Court and Derby Road wrongly feel these townhouses are incompatible with their own \$300,000 homes. As set out on the previous page, the by-law complies fully with the provisions of 3.1 of OPA 133 that states "housing mix targets of 20%-30% townhouse types shall apply to the whole of the . . . area". The fact that some of the residents will see the townhouses some sixty meters away is not a reason for finding that the townhouses are incompatible with detached houses.

The appeals are dismissed and Brampton's zoning by-law is amended by By-law 105-91 in the form of Exhibit 9, the revised version and attached as Schedule "A". The Board so orders.

DATED at TORONTO this 11th day of August, 1993.



T. YAO
MEMBER



R 910402

SCHEDULE "A"

Ontario

Ontario Municipal Board
Commission des affaires municipales de l'Ontario



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 105-91 (Revised)

To amend By-law 139-84, as amended
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and 15, Concession 2, W.H.S., in the
former geographic Township of Toronto)

The council of The Corporation of the City of Brampton ENACTS
as follows:

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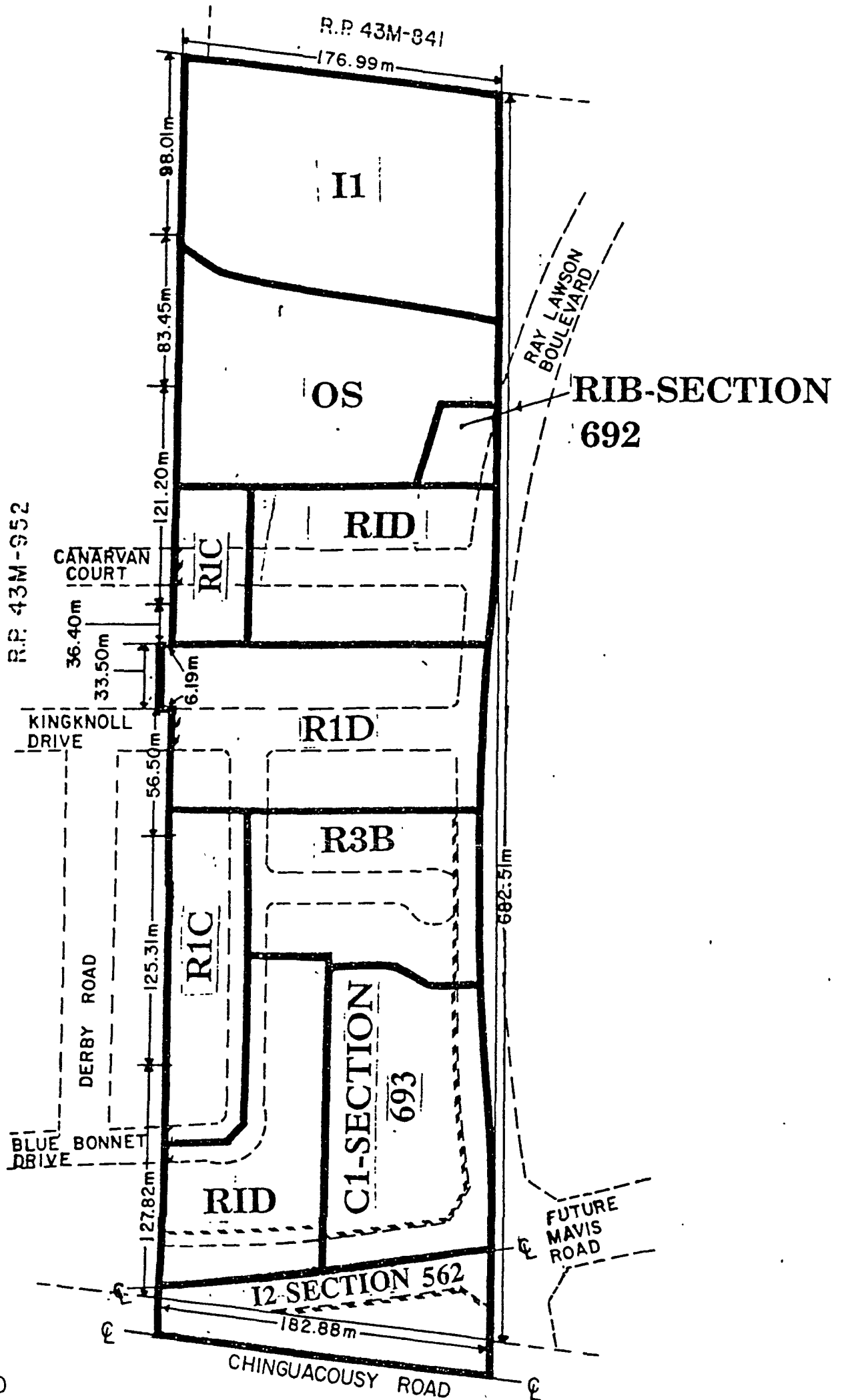
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READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN
COUNCIL, this day of 199 .

PETER ROBERTSON - MAYOR

LÉONARD J. MIKULICH -CLERK

66/90



LEGEND

- ZONE BOUNDARY
- - -** 0.3m RESERVE METRES
- ⊕** CENTRELINE OF ORIGINAL ROAD ALLOWANCE

PART LOTS 14 & 15, CON. 2, W.H.S.(TOR.)
BY-LAW 139-84 SCHEDULE A



CITY OF BRAMPTON
Planning and Development

By-law 105-91 Schedule A

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Date: 93 04 20 Drawn by: JRB
File no. T2W11.7 Map no. 74-10H

