



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 124-86


To adopt Amendment Number 87
and Amendment Number 87 A 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 87 and Amendment Number 87 A to the Official Plan of the City of Brampton Planning Area are 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 for approval of Amendment Number 87 and Amendment Number 87 A to the Official Plan of the City of Brampton Planning Area.

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

this 9th day of June, 1986.



KENNETH G. WHILLANS - MAYOR



LEONARD J. MIKULICH - CLERK

ORIGINAL

BR AW 124-56


Amendment Number 87
and Amendment Number 87 A
to the Official Plan of the
City of Brampton Planning Area

21st OP⁰⁰³¹-087-1

Amendment No. 87
to the
Official Plan for the
City of Brampton Planning Area

This Amendment No. 87 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 in accordance with Section 17 of the
Planning Act, as Amendment No. 87 to the Official Plan
for the City of Brampton.

Date .. *July 29, 1986*



L. J. FINCHAM
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs



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this 9th day of June, 1986.


KENNETH G. WHILLANS - MAYOR


LEONARD J. MIKULICH - CLERK

AMENDMENT NUMBER 87
AND
AMENDMENT NUMBER 87 A
TO THE OFFICIAL PLAN
OF THE CITY OF BRAMPTON PLANNING AREA

1. Purpose:

The purpose of this amendment is to permit the lands shown outlined on Schedule A to this amendment to be used for, in addition to industrial uses, a real estate office on the second floor of an industrial building.

2. Location:

The lands subject to this amendment are located on the west side of Rutherford Road South, approximately 160 metres north of the intersection of Orenda Road and Rutherford Road, being part of Lot 4, Concession 2, East of Hurontario Street, of the geographic Township of Chinguacousy. The subject property is known municipally as 55 Rutherford Road South.

3. Amendment and Policies Relative Thereto:

3.1 Amendment Number 87 :

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

- (1) by adding to the list of amendments pertaining to Secondary Plan Area Number 18 and set out in the first paragraph of subsection 7.2.7.18, Amendment 87 A.

3.2 Amendment Number 87 A:

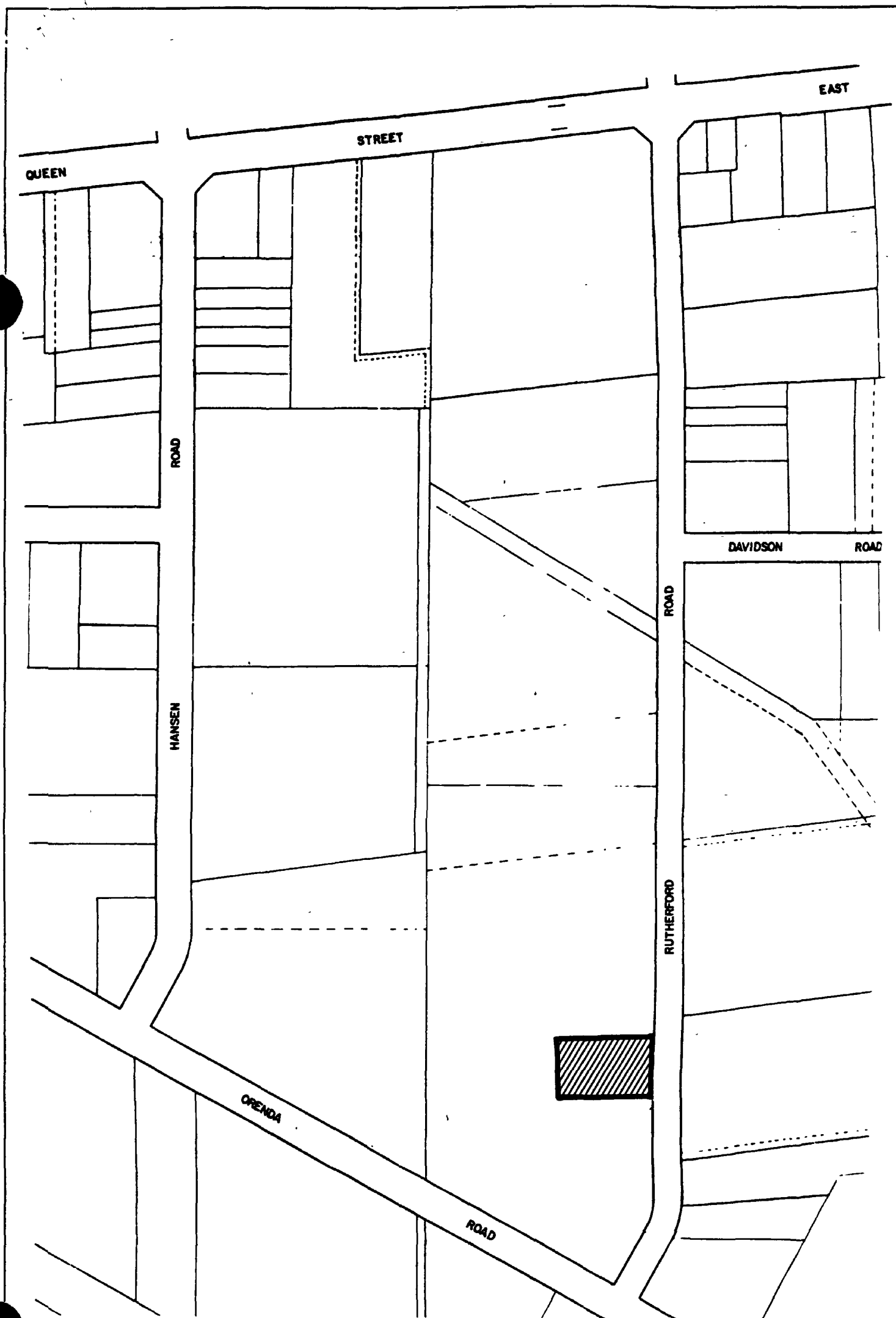
The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Brampton East Industrial Secondary Plan (being Subsection B2.5 of Chapter B1 of Section B of Part C, and Plate Number 9, thereof, as amended), is hereby amended:

- (1) by adding to Part C, Section B, Chapter B1, Subsection B2.5, Paragraph 9.0, the following:

"9.2 The lands located on the west side of Rutherford Road South, approximately 160 metres north of Orenda Road, being more particularly described as Part 3 on reference plan 43R-12170, and known municipally as 55 Rutherford Road South, may, in addition to industrial uses, be used for office

purposes which are not accessory to an industrial use. Non-accessory office uses shall be restricted to the second floor of the existing industrial building and shall not exceed 635 square metres. A site specific zoning by-law amendment shall determine the type of office use permitted to ensure compatibility with the principal industrial uses and that appropriate development standards, such as parking requirements, are imposed.

APPROVED
DATE: 06/15/29



 LANDS SUBJECT TO THIS AMENDMENT

OFFICIAL PLAN AMENDMENT NO. 87
 OFFICIAL PLAN AMENDMENT NO. 87 A
 SCHEDULE A



1:4000

CITY OF BRAMPTON
 Planning and Development

Date: 86 04 29 Drawn by: K.L.
 File no. C2E4.7 Map no. 61-38C

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 87
AND
AMENDMENT NUMBER 87 A

Attached is a copy of a report from the Director, Planning and Development Services, dated April 17, 1986 and a copy of a report from the Director, Planning and Development Services, forwarding notes of a public meeting held on May 7, 1986.

INTER-OFFICE MEMORANDUM

C3

Office of the Commissioner of Planning & Development

April 17, 1986

TO: Chairman of the Development Team

FROM: Planning and Development Department

RE: Application Amend the Zoning By-law
Part of Lot 4, Concession 2, E.H.S.
55 Rutherford Road South
Ward Number 3
645447 ONTARIO LIMITED
Our File Number: C2E4.7

1.0 Introduction

An application to amend the Zoning By-law to permit a real estate office in an existing industrial building has been submitted to the City Clerk and referred to staff for a report and recommendation.

2.0 Property Description and Surrounding Land Use

The subject property is located on the east side of Rutherford Road, approximately 160 metres (525 feet) north of the intersection of Orenda Road and Rutherford Road. The subject property is known municipally as 55 Rutherford Road South and legally described as Part 3 of Reference Plan 43R-12170. The property has a frontage of 50.15 metres (164.5 feet) on Rutherford Road and a depth of 81.75 metres (268.2 feet); total lot area is .41 hectares (1.01 acres).

The property is occupied by a recently constructed, brick and concrete block industrial building. The multiple unit building is 2 storeys high in the front facing Rutherford Road and 1 storey in the rear. Total floor area of warehouse space is 1055.8 square

metres (11,365 square feet) and office floor area is approximately 966.3 square metres (10400 square feet). Gross floor area of the industrial building is 2082.42 square metres (22415 square feet). It contains 10 separate industrial units on the main floor plus the second floor office space.

There are 59 parking spaces provided on the subject site and two access driveways to Rutherford Road. A 330 square metre (3550 square foot) landscaped area occupies the front yard between the industrial building and Rutherford Road. A reduced copy of the approved site plan (site plan file number SP85-34) for the subject property is attached to this report.

The subject property is located within a general industrial area and is surrounded by the following uses:

- to the northeast, on the east side of Rutherford Road, is an industrial warehouse operation (Armstrong Brothers),
- to the southeast, on the west side of Rutherford Road abutting the subject property, is a recently constructed motor vehicle body shop (Tri-Star Auto Collision),
- to the southwest, abutting the rear lot line of the subject property, is a recently established asphalt production plant (T.J. Pounder (Ontario) Ltd.), and
- to the northwest, is a .304 hectare (.75 acre) vacant parcel which abuts the northerly side lot line of the subject property and an industrial plant (Wheaton Glass).

3.0 The Proposal

The applicant has submitted an application to amend the zoning by-law to permit an office use, other than a medical office, in the existing industrial building. The proposed real estate office will

occupy approximately 35 percent of the gross leasable office space and be located on the second floor of the subject building. The applicant indicates to staff that approximately 265 square metres (2853 square feet) of floor area would be devoted to the real estate office use.

Although the actual disposition of the remainder of the second floor office space has not been determined, the applicant indicates he may locate his own office in the remaining space on the second floor. All of the first floor office space is associated with the 10 warehouse units.

4.0 Official Plan and Zoning By-law Status

The subject property is designated Industrial in both the Consolidated Official Plan (Brampton East Industrial - Secondary Plan Area Number 18) and the City of Brampton Official Plan.

Comprehensive Zoning By-law 200-82, as amended, zones the subject property as Industrial Two (M2) Zone. As the M2 zone only permits offices as an accessory use to a permitted industrial or non-industrial use, the proposal to permit a real estate office requires an amendment to the zoning by-law.

5.0 Comments

The Planning and Development Department conducted the customary circulation of the subject proposal in order to consolidate the City's position. The following comments were received:

The Zoning and By-law Enforcement Division of the Public Works Department has advised that:

"the property is zoned M2 which does not permit a real estate office. The parking area provided is in excess of by-law requirements and we have no objection to the application."

The Community Design Section of the Planning and Development Department has advised:

"no objections provided the number of parking spaces are sufficient for the use proposed."

The Region of Peel Public Works Department has advised that:

"full municipal services are available on Rutherford Road South and that Regional roads are not directly affected."

The following departments have indicated that they have no comments with respect to the proposal:

- Development and Engineering Services Division of the Public Works Department,
- Traffic Division of the Public Works Department,
- Community Services Department (Parks and Recreation, Fire and Transit), and
- Law Department.

6.0 Discussion

Staff are of the opinion that an official plan amendment is required to accommodate any zoning by-law amendment which would implement the approval of the subject application. The Official Plan permits non-industrial uses in industrial areas provided they do not interfere with nor are detrimental to the development of the area for primarily industrial uses. Office uses are discouraged unless they are ancillary to a permitted industrial use.

Section 2.3.5.5. of the Official Plan recognizes free-standing offices uses in industrial areas provided the site is designated for

commercial development in a secondary plan. Section 2.3.5.6 states that service commercial uses such as offices will be encouraged to locate in industrial malls or in conjunction with existing commercial development. Staff also find the following subsections of Section 2.3.5.7 relevant in establishing criteria regarding the establishment of service commercial uses (offices) in industrial areas:

- (i) the site is peripheral to the industrial area in which it is located and is in proximity to an arterial road,
- (ii) commercial development along arterial roads, interior to industrial areas will be discouraged,
- (iii) the site has satisfactory access to the road system and the potential to be served by public transit, and
- (iv) where feasible and practicable, access to arterial roads will be restricted and vehicular access will be oriented to collector roads interior to the industrial area.

On the basis that an official plan amendment will also be processed, staff find the subject proposal acceptable. Ideally the proposed use would be established in an existing commercial area or facility although staff are of the opinion that the establishment of a small real estate office in the existing building subject to this application will not interfere with or be detrimental to the development of the area for primarily industrial uses. The subject building will be largely occupied by small industrial warehousing operations and the surrounding properties are developed or developing with industrial uses.

With respect to the policies contained within Section 2.3.5.7 of the Official Plan, the subject property is not peripheral to the industrial area and it is located on Rutherford Road South which is

identified as a minor arterial road by the Official Plan. These policies are more suited to larger, free-standing commercial uses and not to 265 square metres (2853 square feet) of real estate office space located on the second floor of an existing industrial building. The establishment of the proposed use would not have any significant impact on the traffic function of Rutherford Road.

The subject property currently accommodates 59 parking spaces which is quite ample for the anticipated use of the existing building. Based on the following parking requirement evaluation, the real estate office would not jeopardize the availability of parking spaces on the property.

warehouse - 1 space per 91 sq. m. (1055.8)	- 12 spaces
1st floor offices - 1 space per 31 sq. m. (331.7)	- 11 spaces
2nd floor offices - 1 space per 31 sq. m. (368.9)	- 12 spaces
2nd floor real estate office -	
1 space per 20 sq. m. (265.7)	- 14 spaces
	<u>49 spaces</u>
	required

Therefore, based on the parking standards contained in By-law 200-82 and anticipated uses for the property, there will still be a surplus of parking after the real estate office is established.

Staff are concerned with the parking on the site if motor vehicle body shops begin to occupy the building. With a parking requirement of 1 space per 18 square metres of floor area, parking could quickly become a problem on the site. Therefore, with the introduction of the real estate office space, staff recommend that the total floor area of motor vehicle repair or body shops on the premises be limited to 1 industrial unit or 146.1 square metres (1573 square feet). This will help to ensure that the parking requirements for the building will continue to comply with the by-law.

Finally, staff note that landscaping on the property is minimal for commercially related development and that the parking spaces are not ideally distributed to accommodate office space in the front of the existing building. These are characteristics of the site which the applicant and the real estate occupant may need to endure with the establishment of the real estate office. The subject site was not designed with a commercial occupant in mind.

7.0 Conclusion

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

- A. a public meeting be held in accordance with City Council's procedures; and
- B. subject to the results of the public meeting, staff be instructed to prepare the appropriate documents for the consideration of Council, subject to the following conditions:
 - 1. That the applicant revise the application to include an amendment to the Official Plan and pay the necessary application fee.
 - 2. That the site specific zoning by-law amendment provide for the following restrictions:
 - (a) the real estate office shall be located on the second floor of the building and not exceed a gross floor area of 270 square metres, and
 - (b) the gross floor area of motor vehicle repair shops and motor vehicle body shops within the building shall not exceed 146 metres.

Respectfully submitted,



Carl Brawley, M.C. I.P.
Development Planner

AGREED:

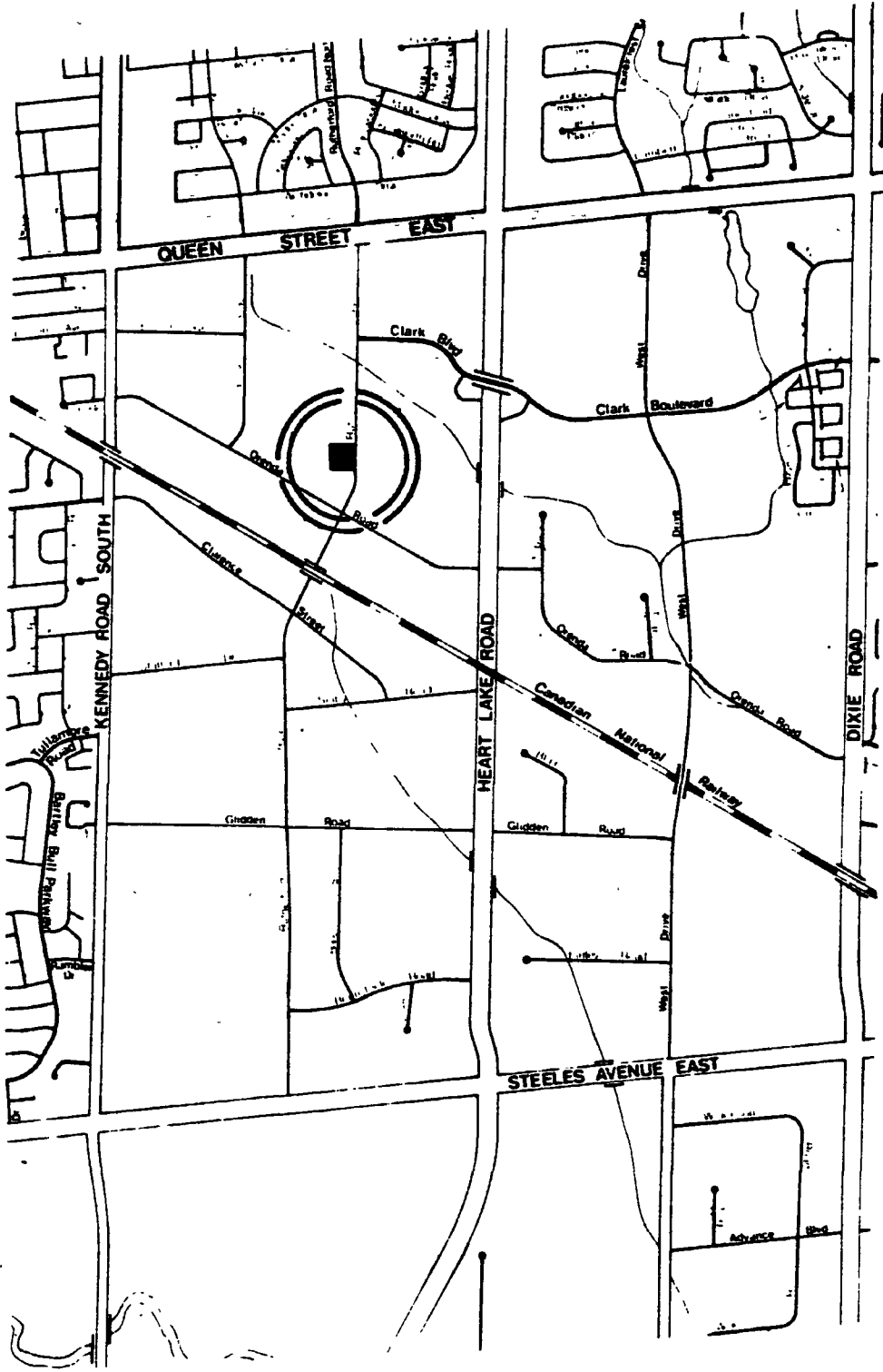


F. R. Dalzell
Commissioner of Planning
and Development

CB/jp/4



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



645447 ONTARIO LIMITED

Location Map

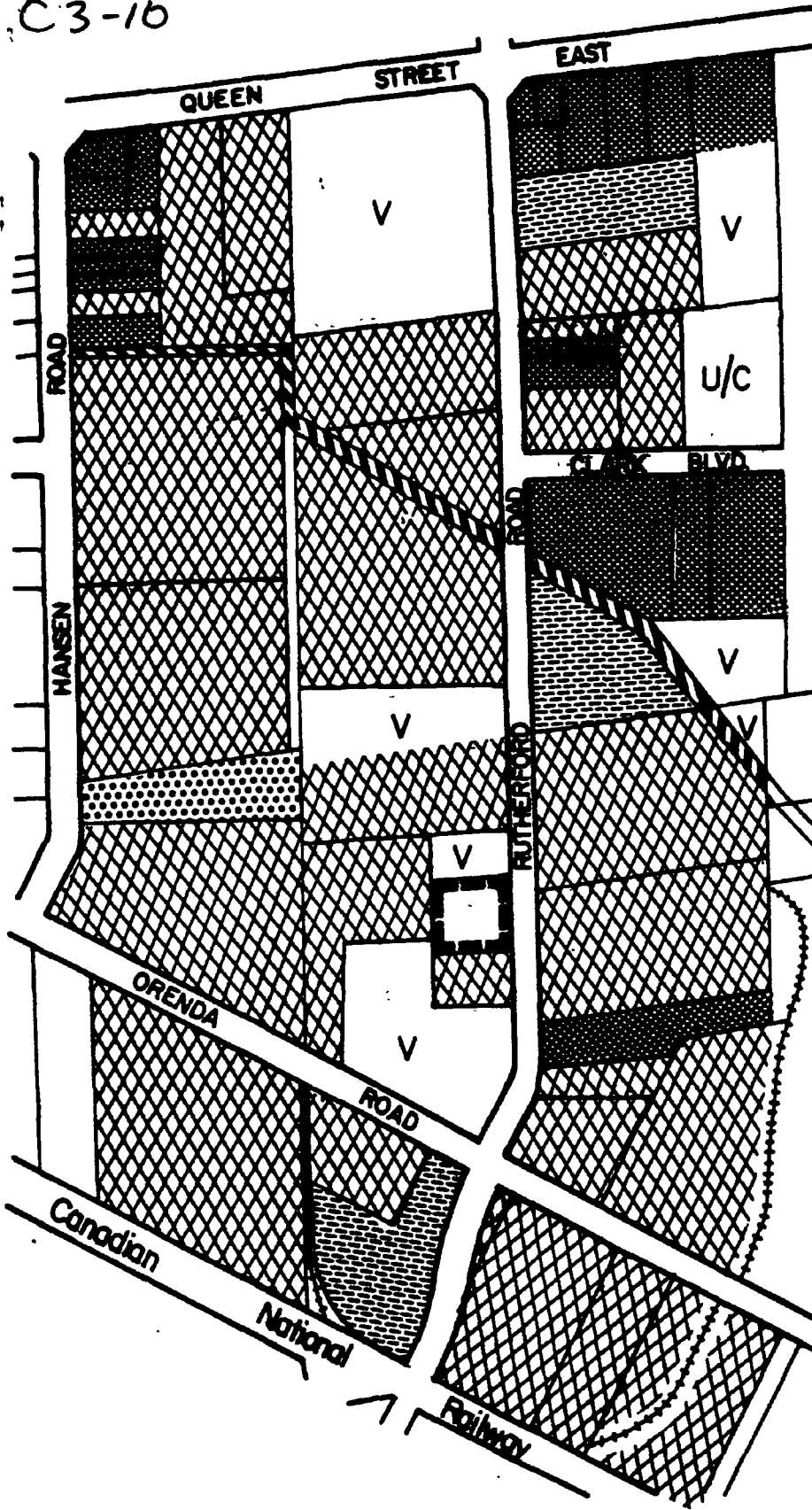


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CITY OF BRAMPTON
Planning and Development

Date: 86 02 20 Drawn by: RB
File no. C2E4.7 Map no. 61-38A

C3-10



LEGEND

-  Subject Property
-  Commercial
-  Commercial-Recreation
-  Industrial
-  Institutional
-  Utility
-  Vacant
-  Under Construction

645447 ONTARIO LIMITED

Land Use Map



1:6000

CITY OF BRAMPTON
Planning and Development

Date: 86 02 20
File no. C2E4.7

Drawn by: RB
Map no. 61-38B

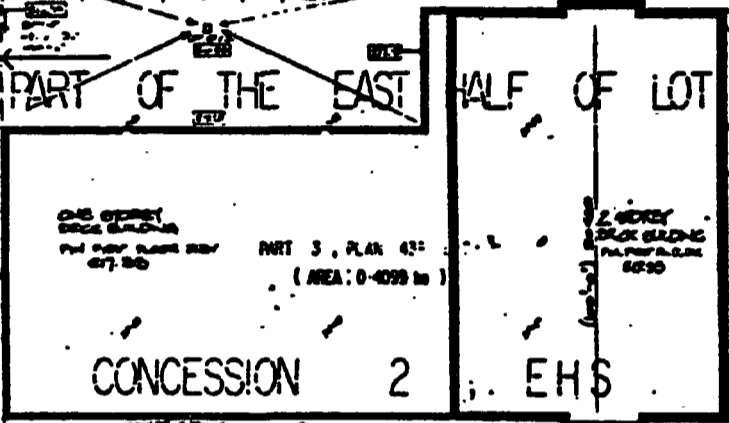
PLAN SHOWING TOPOGRAPHY ON
PART OF THE EAST HALF OF LOT 4,
CONCESSION 2, EAST OF MURONTARIO ST.
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

PART 2, PLAN 43R-12170

PART 1, PLAN 43R-12170

REM OF PART 1, PLAN 43R-12170

PART 4, PLAN 43R-12170



 Landscaping

645447 ONTARIO LIMITED



CITY OF BRAMPTON
Planning and Development

Approved Site Plan

1:560

Date: 86 03 11 Drawn by: RB
File no. C2E4.7 Map no. 61-38C

INTER-OFFICE MEMORANDUM

03

Office of the Commissioner of Planning & Development

May 13, 1986

TO: The Chairman and Members of Planning Committee

FROM: Planning and Development Department

RE: Application to Amend the Zoning By-law
Part of Lot 4, Concession 2, E.H.S.
55 Rutherford Road South
Ward Number 3
645447 ONTARIO LIMITED
Our File Number: C2E4.7

Attached are the notes of the Public Meeting held on May 7, 1986, for the above noted application.

One member of the public appeared although he did not have any objections to voice. He requested the presentation, believing that the subject application was actually another application on the agenda in which he was interested.

Attached is a letter from the applicant requesting that the original application be amended to provide for an additional 92.9 square metres (1,000 square feet) of floor space for the proposed real estate office. The applicant's potential tenant has requested this additional space. The original application was for 265 square metres (2,853 square feet) of floor space being devoted to the real estate office.

The requested amendment is of a minor nature and can be accommodated without the necessity of a further public meeting. The additional real estate office space will only raise the parking requirement by 2 spaces; leaving an excess of 8 parking spaces on the property given the anticipated use of the building. Staff have no objections to the requested amendment

and the change may be incorporated into the zoning by-law amendment when it comes before Council for passage.

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

1. the notes of the Public Meeting be received;
2. the application be amended to permit a maximum gross floor area of 360 square metres for the real estate office to be located on the second floor of the building;
3. the application be approved subject to the conditions, as amended above, contained with the planning report dated April 17, 1986; and
4. staff be directed to prepare appropriate amendments to both the Official Plan and Zoning By-law.

Respectfully submitted,

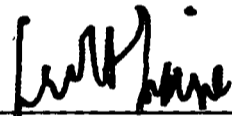


Carl Brawley
Development Planner

AGREED:



F. R. Dalzell
Commissioner of Planning
and Development



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

CB/jp/5

645447 ONTARIO LTD.
6A TILBURY COURT, UNIT #9, BRAMPTON, ONTARIO L6T 3T4

May 13, 1986

The Corporation of the City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Attention: Mr. Carl Brawley

Subject: Application to Amend Zoning By-Law
55 Rutherford Road S., Brampton
Your File #C2E4.7

C2E4.7

Dear Sir:

Further to the above noted application our tenant "Peel Real Estate Inc." has requested that we increase their rentable area by 1,000 square feet and we would ask if it would be possible to increase the gross floor area for the real estate office from 270 square metres to 360 square metres on the above application.

Trusting the above meets with your approval.

Yours truly,

645447 ONTARIO LTD.

J.E. Pegg
President

CC. MR. R.D. TUFFS
CLERKS DEPT.

03-4

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, May 7, 1986 in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:42 p.m. with respect to an application by 645477 ONTARIO LIMITED (File: C2E4.7 - Ward 3) to amend the Zoning By-law to permit an office use, other than a medical office, on the second floor of the existing industrial building situated upon the property.

Members Present: Alderman P. Beisel - Chairman
Alderman H. Chadwick
Alderman J. Shadrach
Alderman L. Bissell
Alderman T. Piane
Alderman P. Palleschi
Alderman S. DiMarco

Staff Present: F. R. Dalzell, Commissioner of Planning
and Development
L.W.H. Laine, Director, Planning and
Development Services Division
J. Robinson, Development Planner
C. Brawley, Development Planner
J. Corbett, Policy Planner
P. Schwartzberg, Policy Planner
E. Coulson, Secretary

The Chairman enquired 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. Dalzell replied in the affirmative.

There was one interested member of the public in attendance.

Mr. Brawley outlined the proposal and explained the intent of the application. After the conclusion of the presentation, the Chairman invited questions and comment from members of the public in attendance.

- cont'd. -

Mr. R. Murphy, 12 Golf View Drive, suggested that the location of proposals be clarified for members of the public.

There were no further questions or comments and the meeting adjourned at 7:45 p.m.