



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 332-85

To adopt Amendment Number 77
and Amendment Number 77 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 77 and Amendment Number 77 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 77 and Amendment Number 77 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 18th day of November, 1985.

KENNETH G. WHILLANS - MAYOR

LEONARD J. MIKULICH - CLERK

ORIGINAL

By-law 332-85

AMENDMENT NUMBER 77
AND
AMENDMENT NUMBER 77 A TO
THE OFFICIAL PLAN
OF
THE CITY OF BRAMPTON
PLANNING AREA

21-OP-0031-077-1

Amendment No. 77A
to the
Consolidated Official Plan for the
City of Brampton Planning Area and
Amendment No. 77
to the
Official Plan for the
City of Brampton Planning Area

This amendment to the Consolidated Official Plan for the City of Brampton and the Official Plan for the City of Brampton, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved in accordance with Section 21 of the Planning Act R.S.O. 1983 as Amendment No. 77A to the Consolidated Official Plan and Amendment No. 77 to the Official Plan for the Brampton Planning Area.

Date ... *May 5, 1986*



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



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this 18th day of November, 1985.


KENNETH G. WHILLANS - MAYOR


LEONARD J. MIKULICH - CLERK

AND

1. Purpose:

The purpose of this amendment is to change the land use policies for lands shown outlined on Schedule A to this amendment, to accommodate the appropriate rehabilitation of an existing residence..

2. Location:

The lands subject to this amendment are located at the southeast corner of the intersection of Main Street North and Victoria Terrace, being part of Lot 7, Concession 1, E.H.S., geographic Township of Chinguacousy, in the City of Brampton.

3. Amendment and Policies Relative Thereto:(1) Amendment Number 77 :

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

- (a) by deleting therefrom the first paragraph of subsection 7.2.7.7, and substituting therefor the following:

"Subsection B2.6 of Chapter B1, and Chapter B2 of Section B of Part C, and Plate Number 10, of the Consolidated Official Plan of the City of Brampton Planning Area, as amended by Amendment Numbers 42, 51, 67, 72, 79, 83, 84, 86, 96 and 99, and by Amendment Numbers 11A, 17A, 22A, 29A, 37A, 38A, and 77 A to the Consolidated Official Plan, are combined, and shall constitute the Brampton Central Secondary Plan."

(2) Amendment Number 77A:

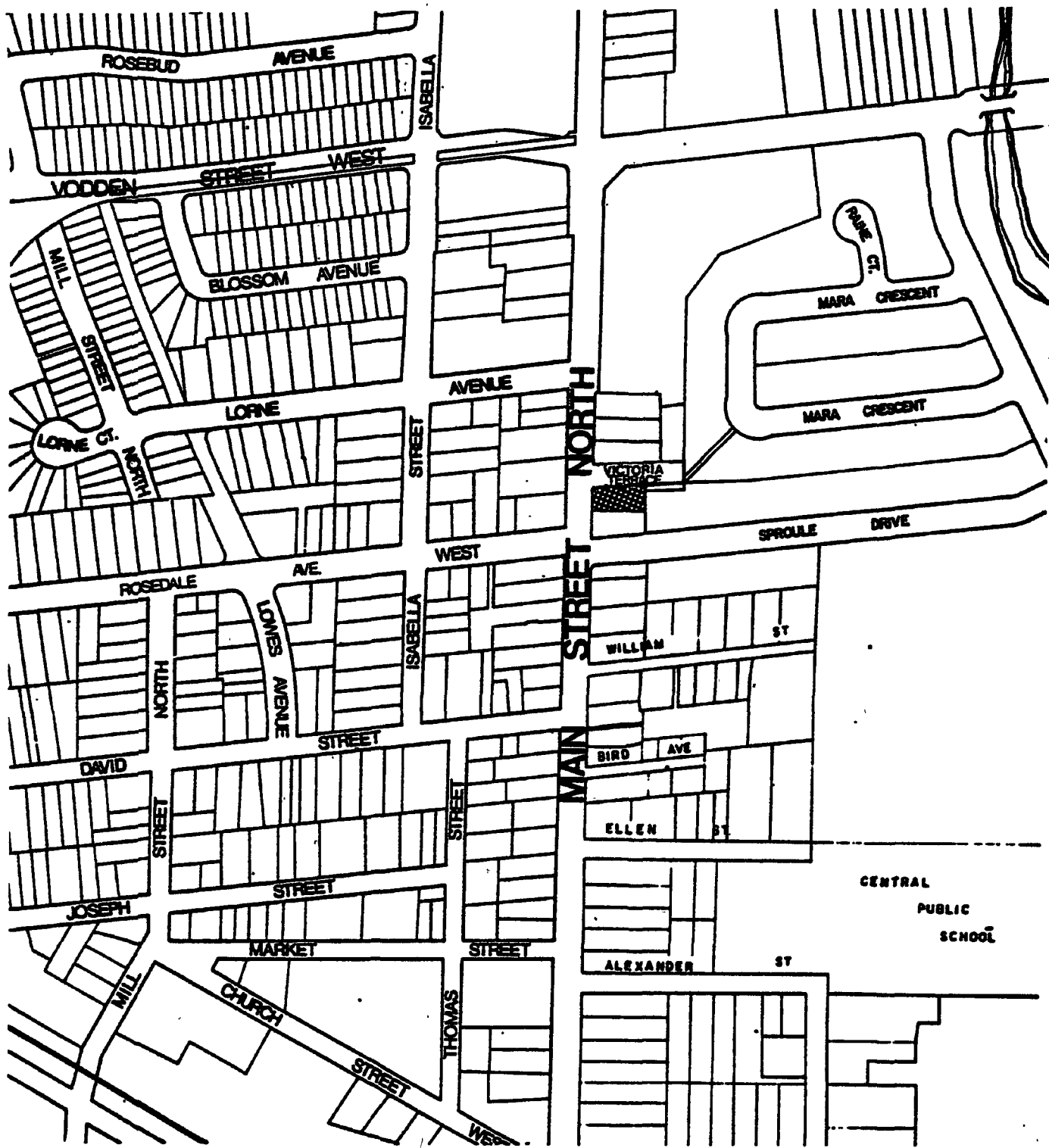
1. The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Brampton Central Secondary Plan (being Subsection B2.6 of Chapter B1, and Chapter B2 of Section B of Part C, and Plate Number 10, all of the Consolidated Official Plan of the City of Brampton Planning Area, as amended by Official Plan Amendment Numbers 42, 51, 67, 72, 79, 83, 84, 86, 96, 99, and by Amendment Numbers 11A, 17A, 22A, 29A, 37A and 38A) is hereby amended:

- (a) by adding to Part C, Section B, Chapter B1, Subsection B2.6, Paragraph 3.0 thereof, the following:

"3.13 In Neighbourhood 2, the existing detached dwelling located at the southeast corner of the intersection of Main Street North and Victoria Terrace, comprising part of Lot 1 and part of Victoria Terrace, Plan C-88, and known municipally as 268 Main Street North, is intended to be used for limited office purposes. The residential character of the property is to be maintained through the careful renovation and expansion of the existing building, judicious use of landscaping, controlled and limited use of signs, and the prohibition of outside storage of equipment or materials associated with the commercial undertaking.

Office floor space will be restricted to an amount for which adequate on-site parking can be provided."

JP
8/11/4



 Lands subject to these amendments

OFFICIAL PLAN AMENDMENT NO. 77
 OFFICIAL PLAN AMENDMENT NO. 77A
 Schedule A



1:4000

CITY OF BRAMPTON
 Planning and Development

Date: 85 08 08 Drawn by: K.L.
 File no. CIE7.17 Map no. 43-521

BACKGROUND MATERIAL TO

AMENDMENT NUMBER 77

AND

AMENDMENT NUMBER 77 A

Attached is a copy of a report of the Director, Planning and Development Services Division, dated 1984 04 11 and a copy of a report from the Director, Planning and Development Services Division, dated 1984 06 28, forwarding notes of a public meeting held on 1984 06 26.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

April 11, 1984

TO: 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 1 and part of Victoria Terrace
Registered Plan C-88
Ward Number 5
268 Main Street North
WINTERSET PROPERTIES LIMITED
Our File Number C1E7.17

1.0 Background

An application to amend the Official Plan and Zoning By-law to permit the renovation and enlargement of an existing residence to be used as a law office, has been referred to staff for a report.

2.0 Property Characteristics

The subject lands are located at the south-east corner of the intersection of Main Street North and Victoria Terrace.

The property has a frontage on Main Street North of 20.11 metres (65.98 feet), a flankage distance on Victoria Terrace of 39.4 metres (129.26 feet) and comprises an area of about 792.334 square metres (8,528.9 square feet).

On the site is a 2 1/2 storey brick veneer dwelling on a masonry, cement plaster foundation and a frame one car garage with a lean-to shed. The dwelling has a gross floor area of 156.64 square metres (1,686.11 square feet) and has been converted to contain 3 dwelling units.

The subject lands are landscaped with lawns, 4 large and 4 small deciduous trees, 2 coniferous trees and hedges. A deciduous hedge exists along the front, a portion of the flankage side yard and in the rear yard. An evergreen hedge in the rear yard defines the limit of 2 parking spaces which are accessed off Victoria Terrace.

Lands in the immediate area to the east, south, to the north of Victoria Terrace and on the opposite side of Main Street North are used for residential purposes.

3.0 Official Plan and Zoning By-law Status

The property is designated as Residential Low Density by the Official Plan and is zoned Residential Single Family B (R1B) by By-law 200-82.

Main Street North is classified by the Official Plan as a Major Arterial Road with a right-of-way width of 23 to 26 metres (75.5 to 85.3 feet).

4.0 Proposal

The applicant proposes to erect a 2 1/2 storey brick veneer addition with a gross floor area of 155.07 square metres to an existing residence for the purpose of a law office. Thus, the gross floor area of the proposed office building would be 311.76 square metres (3,356 square feet).

A total of 10 off-street parking spaces would be provided.

5.0 Comments

The Regional Department of Public Works has noted that sanitary sewer and water mains are available on Main Street and Victoria Terrace. Regional roads are not directly affected.

The Public Works Division has suggested that a 3 metre widening along Main Street North be obtained. Further, the Division requires a plan showing existing and proposed elevations and proposed drainage patterns for the subject site and abutting properties.

The Fire Department and the Building Division have no comments.

The Community Services Department has advised that the criteria of the Main Street North Land Use Guidelines should be adhered to.

6.0 Discussion

The subject site is located within a study area recently considered by the report entitled "Land Use Guidelines - Main Street North between Church and Vodden Streets". Subsequently to the consideration of that report by Planning Committee and a public meeting, City Council adopted at its meeting held on 1984 02 20 the following recommendation:

"That the Report dated 1984 01 23 re Land Use Guidelines - Main Street North between Church and Vodden Streets, be received and;

1. That Attachment 1 (Land Use Map) to the staff report dated November 30th, 1983, be deleted and replaced by Attachment 1 (Land Use Map), hereto;
2. That "personal service shops" be added to the list of permitted commercial uses outlined under Section 6.2.2 (2) of the staff report dated November 30th, 1983;
3. That development applications for properties along Main Street North between Church and Vodden Streets be considered on a site-specific basis and be evaluated in terms of their conformity with the objectives, land use criteria and development guidelines discussed under Section 5.0 and 6.0 of the staff report dated November 30th, 1983, and;
4. That staff be directed to incorporate the provisions of Sections 5.0 and 6.0 of the said report into the Secondary Plan concept for the Brampton Central Planning Area.

5. And to criteria re access to parking would only be allowed through the front yard."

The proposed commercial use of a law office is consistent with the type of commercial use that could assist in achieving the objectives as outlined in the report. The proposed number of parking spaces, 10 spaces for the office building of 311.76 square metres (3,356 square feet), compares favourably with the parking standard of By-law 200-82, which requires 1 off-street parking space for each 31 square metres of gross commercial floor area or portion thereof. However, there are several criteria not satisfied by the proposal.

Firstly, access to the parking area is from Victoria Terrace, a local street, and not directly from Main Street North. A direct access driveway from Main Street North is feasible if the addition were not constructed. Victoria Terrace presently provides vehicular access to the subject property, property at the north-east corner of the intersection of Victoria Terrace and Main Street North and is the sole public highway access for two residences located on the north side of the street. In addition a walkway connects the easterly end of Victoria Terrace with Mara Crescent, which is located in a recently registered subdivision (43M-527) lying to the east of Victoria Terrace.

Secondly, the external low density residential character of the building is not being retained by doubling the floor area of the existing building on the property. The elevation drawings submitted with the application illustrate an attempt to retain the architectural quality of the existing building with respect to the front elevation, but is less successful with the north, or Victoria Terrace elevation, and does not represent a recognition of the existing conditions with respect to the east (rear) and south elevations.

Thirdly, the building envelope is not restricted to the existing dwelling, but represents a two fold increase in the floor area and


almost doubling of the lot coverage - excluding the porch - from 78.3 square metres (842.8 square feet) to 155.8 square metres (1,677.1 square feet).


7.0 Conclusion

The proposal as submitted does not conform with several significant criteria established for evaluating development applications along Main Street North between Church and Vodden Streets. While the use of Victoria Terrace for office traffic movements may not affect a large number of dwelling units, it is evident that traffic movements generated by a non-residential use will impinge upon lands presently used for residential purposes and planned to be retained for that purpose. The size of the addition extends beyond the building envelope of the existing dwelling by a considerable amount. The external appearance of the proposed addition does follow to a large extent, the architectural massing of the existing dwelling, though some refinement will be required to the rear roof line.

Use of the existing dwelling as a law office is acceptable provided access to a suitably screened parking area is from Main Street North. Unless the applicant is prepared to accept a much reduced proposal, it is recommended that the application to amend the Official Plan and Zoning By-law by Winterset Properties Limited for property known municipally as 268 Main Street North be refused.

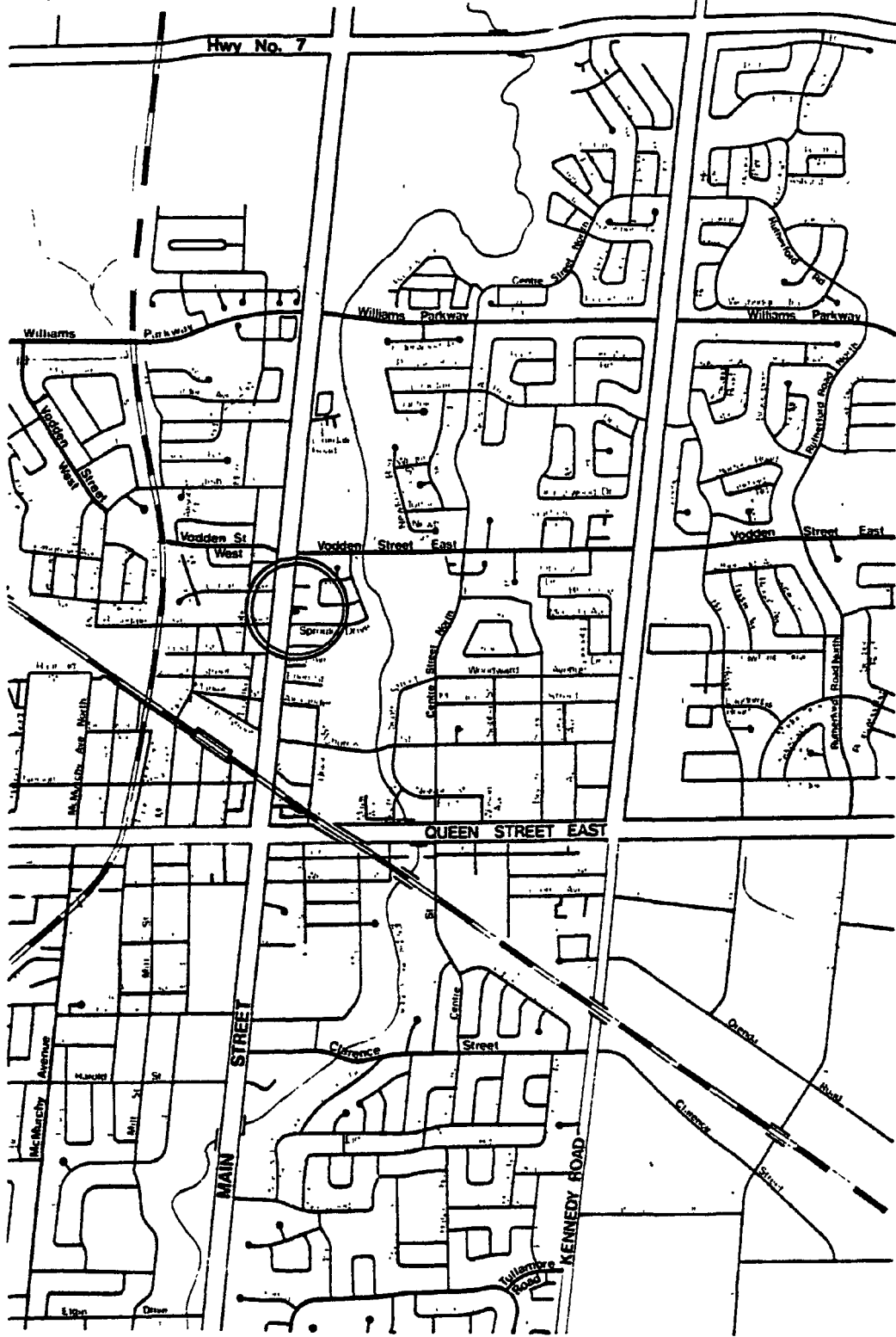
AGREED:


F. R. Dalzell
Commissioner of Planning and
Development


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

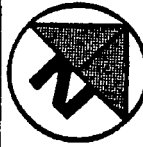
LWHL/jb/3
Enclosures (3)

E1-6



WINTERSET PROPERTIES LTD.

Location Map

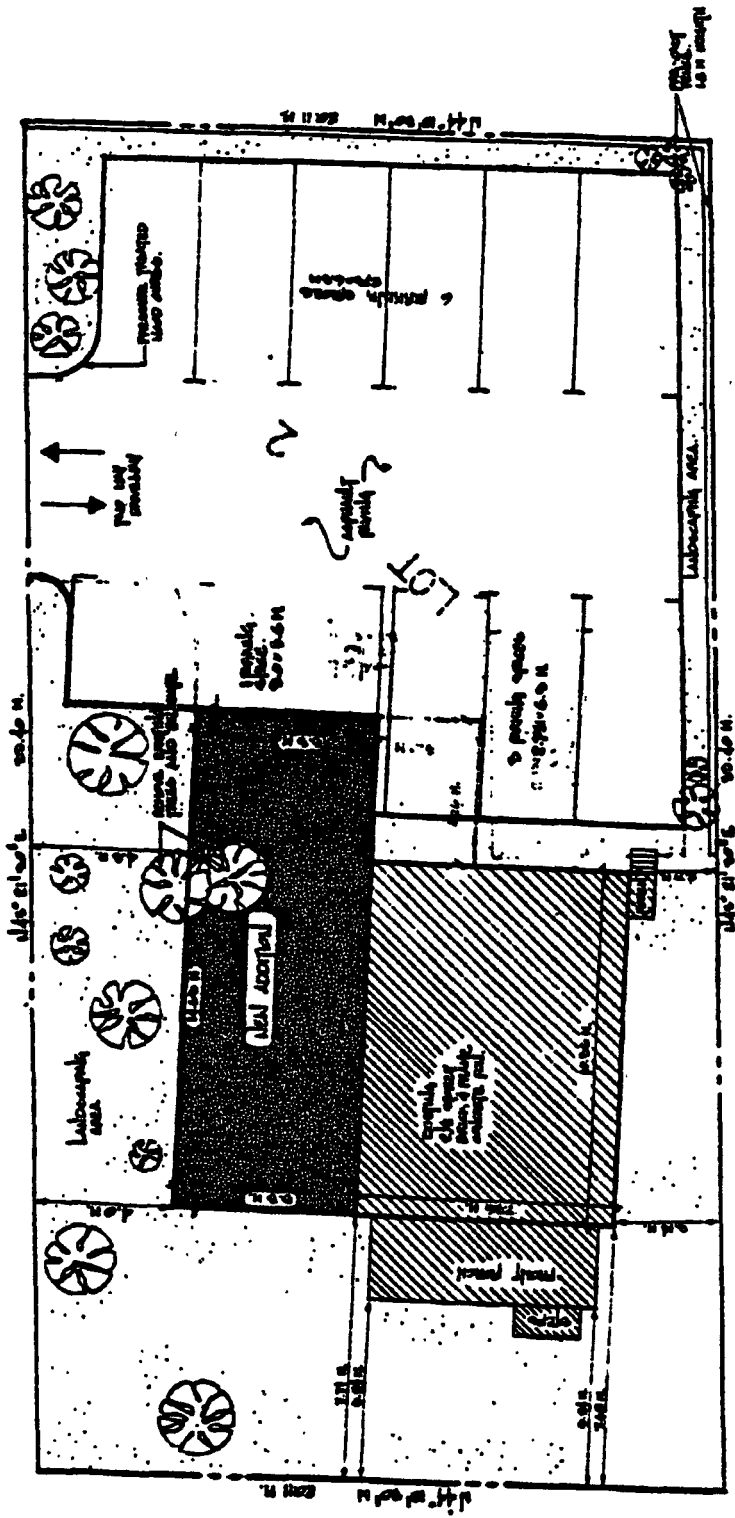


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CITY OF BRAMPTON
Planning and Development

Date: 84 03 06 Drawn by: RB
File no. C1E7.17 Map no. 43-2C

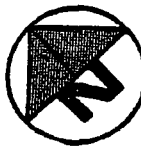
VICTORIA TERRACE



MAIN STREET

WINTERSET PROPERTIES LTD.

Site Plan



1:200

CITY OF BRAMPTON
Planning and Development

Date: 84 03 06
File no. C1E7.17

Drawn by: RB
Map no. 43-52A

E1-8



WINTERSET PROPERTIES LTD.

CITY OF BRAMPTON
Planning and Development

Elevations

1:200

Date: 84 03 06
File no. C1E7.17

Drawn by: RB
Map no. 43-52 B

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

1984 06 28

To: The Chairman and Members of Planning Committee

From: Planning and Development Department.

Re: Application to Amend the Official Plan
and the Zoning By-law
Part of Lot 1 and Part of Victoria Terrace
Registered Plan C-88 - Ward 5
268 Main Street North
WINTERSET PROPERTIES LIMITED
Our File: C1E7.17

The notes of the Public Meeting held on June 26, 1984 with respect to the above noted application are attached for the information of Planning Committee.

One member of the public appeared at the Public Meeting to pose several questions.

No letters of objection, telephone calls nor representations objecting to the proposal have been received by staff.

The applicant, in response to a Planning Committee recommendation, has reduced the size of the proposed addition from the original 155.07 square metres (1669.2 square feet) to 134 square metres (1442.4 square feet). The front wall of the addition has been recessed by about 2 metres (6.56 feet), and the flat portion of the roof has been replaced with a peak roof that should provide a greater degree of compatibility as to roof design.

The remaining major issue to be addressed by Planning Committee pertains to the size of the proposed building addition. The reduction in floor area has been minor when compared with the development guideline statement that refers to

"the building envelope is to be restricted to the existing dwelling".

Perhaps a modest increase in building envelope (and floor area) could be accepted by Planning Committee when it is noted that the coverage is less than that commonly associated with

- cont'd. -

present day detached dwelling lots. Coverage is defined as the "percentage of land or lot area covered by the main building and accessory buildings".

The existing coverage, excluding the porch, is 9.9 and 10.7 per cent before and after Main Street North widening, which would increase to almost 18.4 and 19.9 per cent respectively for the enlarged building.

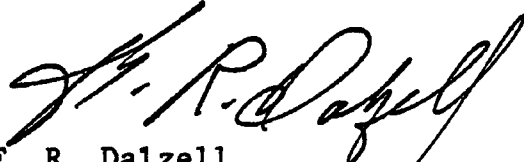
The proposed shape of the addition creates an unusual parking lot layout with 9 angled spaces and 1 parallel space. It is understood that the location and shape of the addition with a width of 5.3 metres (17.4 feet) and a length of 12.63 metres (41.4 feet) cannot be altered without a serious negative impact on the economic viability of the project. The size of the project requires that 10 parking spaces be provided, and only if the building addition were reduced to less than 130 square metres (1399 square feet) could the number of required parking spaces be decreased.

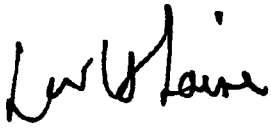
CONCLUSION

It is suggested that Planning Committee, after considering the matter of building size (and shop) recommend to City Council that:

- 1) Notes of the Public Meeting be received, and
- 2) Upon a decision having been made with respect to the building size staff be directed to prepare a development agreement, an Official Plan amendment and a zoning by-law amendment for the consideration of City Council.

AGREED


F. R. Daizell,
Commissioner of Planning
and Development


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

LWHL/ec
Attachment

PUBLIC MEETING

D5-3

A special Meeting of Planning Committee was held on Tuesday, June 26, 1984, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:34 p.m. with respect to an application by WINTERSET PROPERTIES LTD. (File: C1E7.17 - Ward 5) to amend both the Official Plan and the Zoning By-law to erect a 2 storey brick veneer addition for the purpose of a Law Office.

Members Present: Councillor D. Sutter - Chairman
Councillor F. Russell
Alderman H. Chadwick
Alderman P. Beisel
Councillor E. Mitchell

Staff Present: F. R. Dalzell, Commissioner of Planning and Development
L.W.H. Laine, Director, Planning and Development Services
E. Coulson, Secretary

One interested member of the public was in attendance.

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.

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

Mr. R. McGregor, 267 Main Street North, wanted to know the total area of the proposed building, and Mr. Laine informed him it was 134 square metres.

Mr. McGregor commented that he understood the entrances to property zoned for Commercial was to be off Main Street.

- cont'd. -

He was advised that the entrance was proposed to be off Victoria Crescent in this particular case due to a number of factors that make it more practical and desirable; the access is already in existence, the law office is not expected to generate a significant amount of traffic, the present volume of traffic on Victoria Crescent is not significant, an entrance off Main Street would destroy the value of this piece of property, etc..

There were no further questions or comments and the meeting adjourned at 8:43 p.m.