BY-LAW 32-77 AMENDS O.P.A. NO. 8 (JURIAN)



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

32-77

Number	32-77		
A By-law to	amend the	Official	Plan
of the City	of Bramat	on Planni	^~

of the City of Brampton Planning (Amendment No. 8 - Jurian Investments 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 8 to the 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 8 to the Official Plan of the City of Brampton Planning Area.
- 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 14th day of February, 1977.

J. E. Archdekin, Mayor

K. R. Richardson, Clerk

OPC UU06-8 1

AMENDMENT NUMBER 8

TO THE CONSOLIDATED OFFICIAL PLAN

OF THE CITY

OF BRAMPTON OFFICIAL PLAN

-3

MISC. SIAN NO. 492
LODGED IN THE REGISTRY OFFICE
FOR THE COUNTY OF PIEL
1977 MAY 16 A.M. 934
Katherine Barylaningally
REGISTRAP OF DEEDS, COUNTY OF PER PROPERTY SUPPLY Land Registrar
OFFICE STRANGE OF DEEDS.

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This Amendment No. 8 to the Consolidated Official Plan for the City of Brampton Planning Area, which has been adopted by the Council of the City of Brampton, is hereby approved in accordance with Section 17 of The Planning Act, as Amendment No. 8 to the Consolidated Official Plan of the City of Brampton Planning Area.

Date . May 6/7.7.

G. M. FARROW, Executive Director

Plans Administration Division

Ministry of Housing

CONSOLIDATED OFFICIAL PLAN

OF

THE CITY OF BRAMPTON PLANNING AREA

AMENDMENT NUMBER 8

The attached map Schedule 'A' and explanatory text, constituting Amendment Number 8 to the Consolidated Official Plan of the City of Brampton Planning Area, was prepared and adopted by the Council of the City of Bramptan by By-law No. 32-77, 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 14th day of February, 1977.

Mayor C. Grenden

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 to the Consolidated Official Plan of the City of Brampton Planning Area.

Date



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number_		32-1	<i>!</i>		
Bv-law	to	amend	the	Official	P1

A By-law to amend the Official Plan of the City of Brampton Planning Area. (Amendment No. 8 - Jurian Investments 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 8 to the 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 8 to the 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 14th day of February, 1977.

J. E. Archdekin, Mayor

K. R. Richardson, Clerk

AMENDMENT NUMBER 8

TO THE OFFICIAL PLAN OF THE CITY OF BRAMPTON PLANNING AREA

PART A - PREAMBLE

1.0 Title

The title of this Amendment is Amendment Number 8 to the Consolidated Official Plan of the City of Brampton Planning Area, hereafter referred to as Amendment Number

2.0 Relative Parts

Part B only of the Amendment constitutes Amendment Number ⁸
Part A - Preamble and Part C - Appendices are included only to provide background for Part B and should not themselves be construed as a statement of policy.

Part B, the operative portion of this Amendment is organized in five sections, as follows:

Section 1.0 - Amendment to Part C, Section B, Chapter Bl.

Section 2.0 - Land Use

Section 3.0 - Amendments to Plates No. 3 and 9.

Section 4.0 - Implementation

Section 5.0 - Interpretation

3.0 Location

The Amendment is concerned with lands situated in part of
Lot 1, Concession 2, East of Hurontario Street, lying on
the north-east corner of Rutherford Road and Steeles Avenue
in the City of Brampton, Regional Municipality of Peel.

4.0 Purpose

The purpose of the Amendment is to change the present designation of the lands from Industrial to Commercial and to establish development principles for a neighbourhood shopping plaza on a site with a total area of 3.975 acres.

5.0 Basis

On June 2, 1975, an application has been filed by Jurian Investments Limited, owners of a parcel of land located on the north-east corner of Steeles Avenue and Rutherford Road to amend the Official Plan and restricted area by-law to permit mixed industrial/commercial uses on the subject property.

A planning report dealing with the application was submitted to Planning Committee at its meeting on December 15, 1975.

However, a request of deferment by the applicant was granted.

Planning Committee at its meeting of May 17, 1976 considered a revised proposal which upon the request of the applicant was deferred.

On June 14, 1976 Planning Committee reviewed a plan for a commercial plaza and recommended that a public meeting be held to advise and inform the public of the proposed Amendment to the Official Plan and restricted area by-law. This public meeting was held in the Council Chambers at 24 Queen Street East, on Thursday, July 8, 1976.

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 8 to the Consolidated Official Plan of the City of Brampton Planning Area.

The Consolidated Official Plan is hereby amended as follows:

- 1.0 PART C, SECTION B, CHAPTER B1 SECTION B.2.0, SUB-SECTION B.2.5
 BRAMPTON EAST PLANNING DISTRICT is amended by adding after
 Subsection 4.8 page 112 a new Subsection 4.9 as follows:
 - 4.9 Commercial facilities will be permitted at the north-east corner of the intersection of Rutherford Road and Steeles Avenue. It is intended that a shopping area not exceeding a gross floor area of 30,000 square feet will occupy the lands designated as a Commercial Use Area.

Commercial Use Area means land which is predominantly used for commerce which is defined as the buying and selling of goods and service, and offices. This classification need not prevent some of the land being used for other purposes provided that these purposes are compatible to commerce and will in no way detract, hinder or prevent the areas from being used for proper commercial development and further that precautions are taken by imposing standards on how the land may be used by these other purposes to protect the area for commerce. This exception to permit other uses of land does not include an industrial undertaking that may be interpreted as being compatible to commerce unless such undertaking is part of an incidental to a commercial use or undertaking and is essential for the satisfactory operation of the commercial undertaking; nor does this exception to permit other uses of land include residential uses that may be interpreted as being compatible to commerce.

The type of uses and size of buildings will be regulated generally to the extent applicable to other lands similarly designated. Development will proceed only when Council is

satisfied that all necessary services and utilities (water, sanitary sewer, storm sewer, street lighting, traffic control, road, sidewalks and electric energy facilities) are adequate or that the appropriate steps have been taken to provide the necessary facilities when deemed necessary.

The design and location of parking and off-street loading facilities shall be suitably screened to reduce the adverse influence of noise, glare of lights, traffic hazards upon adjoining and on-site uses.

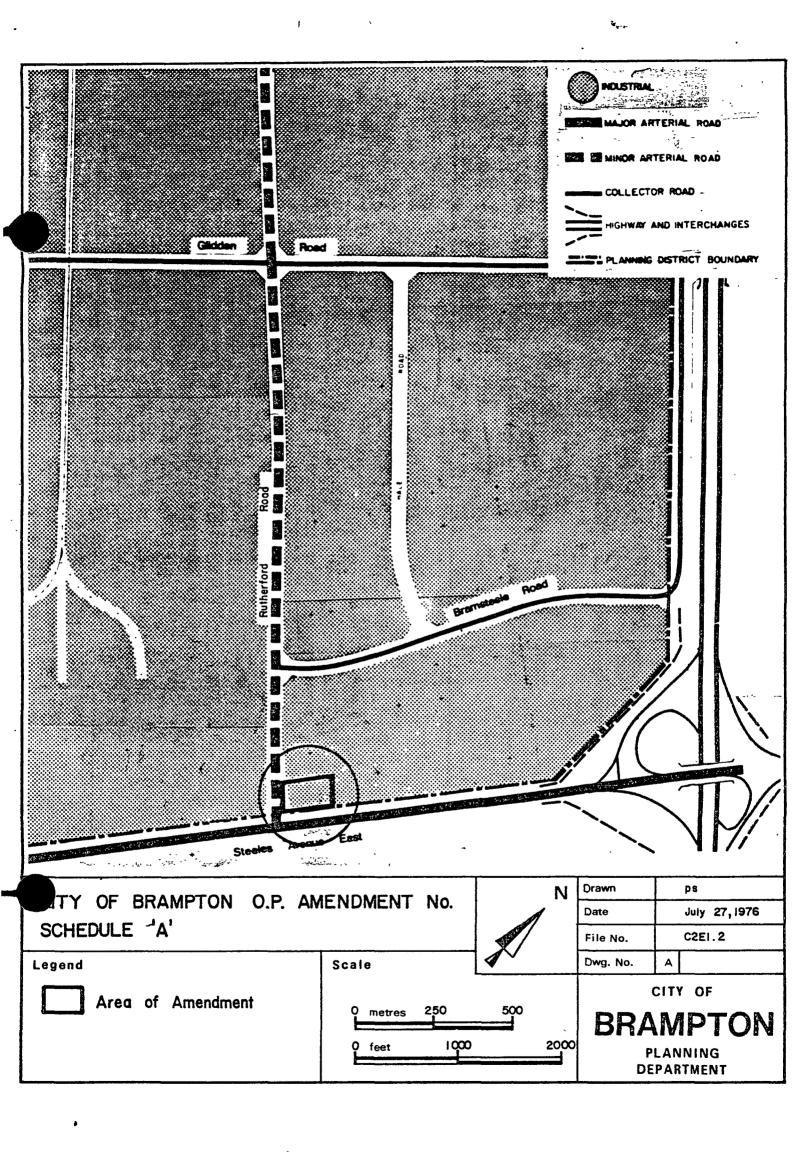
To ensure that the size of the buildings to be erected on the site will not have an undue adverse influence upon the adjoining uses, Council will undertake the appropriate provisions to regulate the location, floor area and height of buildings.

2.0 Land Use

The land use designation of lands located at the north-east corner of the intersection of Steeles and Rutherford Road, shown as edged with a heavy line on Schedule 'A' hereto attached, shall be changed from Industrial Use Area to a Commercial Use Area.

3.0 Amendments to Plates No. 3 and 9

- 3.1 Plate No.3 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.
- 3.2 Plate No.9 Land Use and Road Brampton East Planning
 District 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 Implementation

4.1 The provisions of the Consolidated Official Plan, as amended from time to time, with respect to implementation shall apply to this Amendment.

5.0 Interpretation

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

PART C - APPENDIX

1.0 Attached are copies of reports of the Planning Director dated December 12, 1975, May 10, 1976 and June 11, 1976 and a copy of the minutes of a Planning Committee meeting held on July 8, 1976, subsequent to the mailing of notices to assessed owners within 400 feet of the 3.975 acre parcel.

To: J. Galway, 1975

Senior Administrative Officer

From: Planning Director

Re: Application to Amend the Official Plan and

Restricted Area (Zoning) By-law Part of Lot 1, Concession 2, E.H.S.

Northeast corner of Steeles Avenue and Rutherford Road

Jurian Investments Ltd.

Our File C2E1.2

1.0 Introduction

An application has been filed to amend the Official Plan and Restricted Area By-law to permit the establishment of some commercial and industrial development on the above noted lands.

2.0 Property Description

The subject property is situated at the northeast corner of Steeles Avenue and Rutherford Road, and consists of part of part 18, Plan 43R-408, which is located in part of Lot 1, Concession 2, E.H.S. in the City of Brampton. The parcel has a frontage of approximately 355 feet along Rutherford Road, a depth of approximately 525 feet, and has a total area of 3.975 acres.

The property is generally flat, void of any vegetation and is bound on the north by a new industrial building, on the east by vacant industrial lands, on the south by Steeles Avenue, and on the east by Rutherford Road.

3.0 Official Plan & Zoning Status

The subject lands are designated industrial by the Official Plan and zoned industrialby By-law Number 2688 as amended

by By-law Number 2830, which does not permit the establishment of limited general commercial use. The current zoning only permits commercial use that is ancillary to the industrial use.

4.0 Proposal

It is proposed to use part of the lands in question as General Commercial use (GC). A bank, a restaurant and office space for general uses are intended to serve the adjacent industrial use area.

The applicant has suggested an Official Plan designation of Industrial with limited Commercial use and a zoning designation of Industrial Class 2 (IC2) with limited general commercial use (GC).

5.0 Comment

The proposal to establish a combined general commercial and industrial development on the subject lands has been circulated to various City and Regional departments requesting their comments.

The Region has requested a one foot reserve along Steeles Avenue and a fifty foot daylight triangle on Steeles Avenue at Rutherford Road and further, that only one access point at the north property boundary be permitted onto Rutherford Road.

The Fire Chief has requested not less than 20 feet clear access at the northeast end of the industrial mall.

The Planning Department, after reviewing this proposal, has several concerns with respect to the nature and layout of the proposal in particular, and the overall land use in this area in general.

The site plan of the project has been based upon the possibility of having a bank, restaurant and general office space together with industrial use.

Considering the type and possible volume of that would be traffic generated by the combined uses, more than one access pointo onto Rutherford Road would be highly desirable. Furthermore, the industrial occupancy has not been identified. The control over the type of industrial uses presently permitted by the restricted area by-law is very limited. The "industrial uses" range from animal hospital and kennel, manufacture of light metal products, truck and freight terminal to iron foundry in many instances be incompatible with a small commercial area.

The site plan does not indicate any shipping areas or loading docks to serve the industrial units and the area set aside for off-street parking purposes does not offer an efficient circulation pattern for either truck or automobile movement.

Adequate banking and restaurant services appear to exist in the area. Should the need arise to establish future service facilities for this district, a more central location

would be desirable.

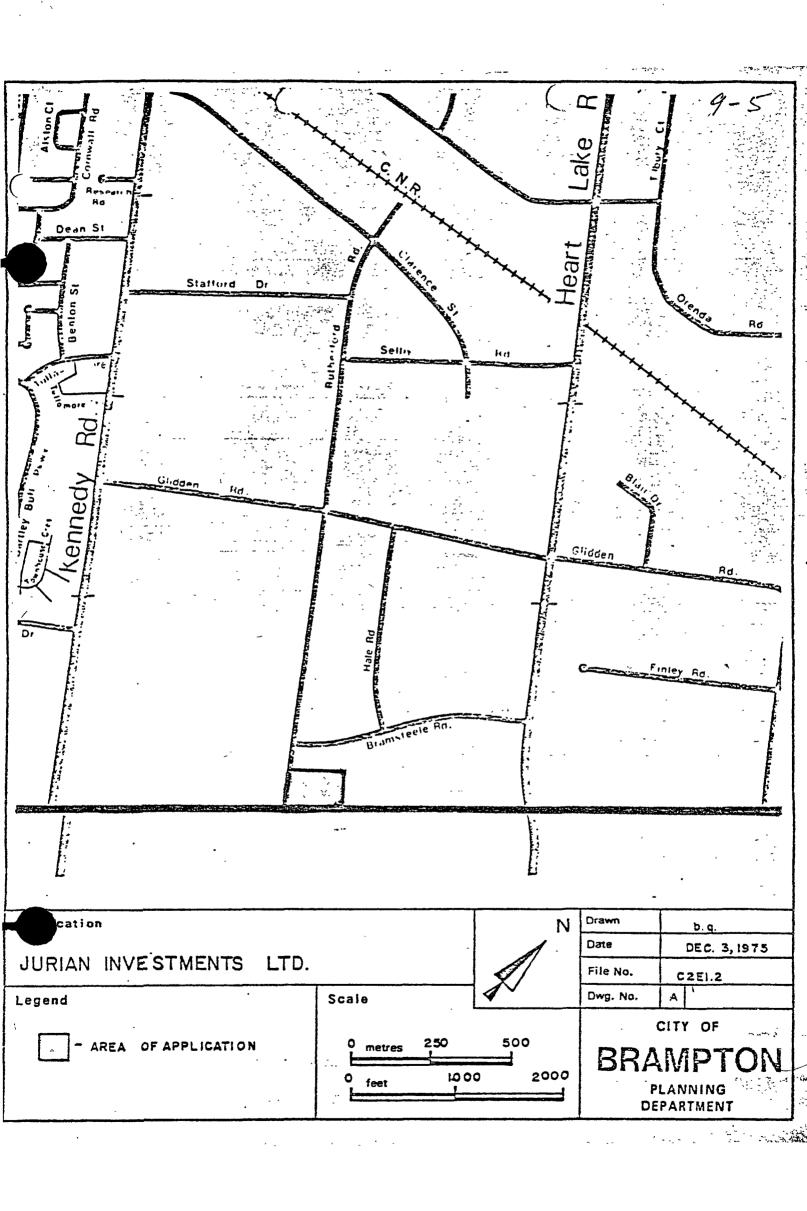
6.0 Conclusion

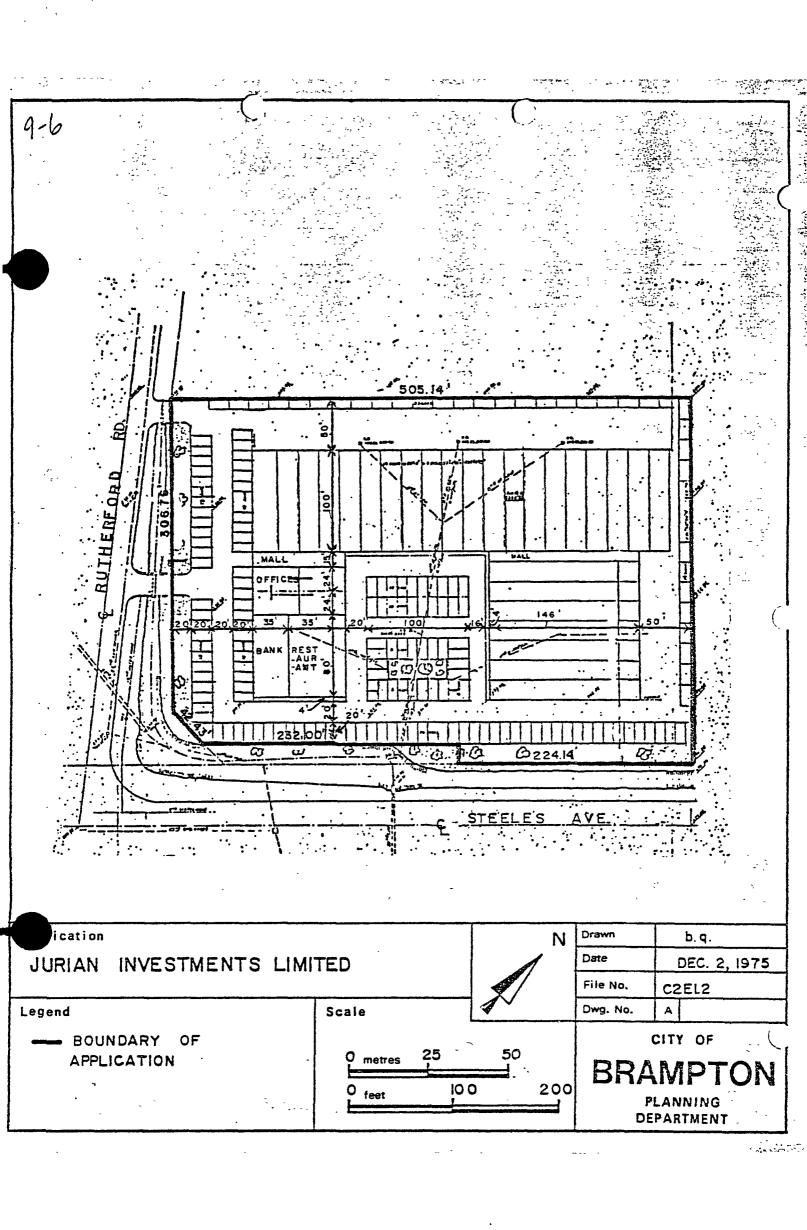
The proposed mixed industrial/commercial undertaking appears to be an excessive development of the site.

It is recommended that the application to amend the Official Plan and Restricted Area Zoning By-law to permit the establishment of mixed industrial and general commercial use not be endorsed.

HJ/LWHL/jn

L.W.H. Laine Planning Director





Date: May 10, 1976

To: Chairman and Members of Planning Committee

From: H. Jenak, Planner

Re: Application to Amend the Official Plan and Restricted Area (Zoning) By-law Part of Lot 1, Concession 2, E.H.S. North-east corner of Steeles Avenue and Rutherford Road Jurian Investments Ltd. Our File C2E1.2

1.0 Introduction:

An application to amend the Restricted Area By-law and Official Plan of the former Town of Brampton, to permit the establishment of commercial uses on a property designated and zoned for industrial purposes, has been received, on June 4, 1975.

A planning report dealing with the application was submitted to Planning Committee at its meeting on December 15, 1975. However, a request of deferment by the applicant was granted and a revised site plan submitted at a later date.

2.0 Property Description:

The lands to be affected by the proposal have a total area of 3.975 acres with a frontage on Rutherford Road of about 306 feet and a depth of approximately 550 feet.

The property is generally flat, void of any vegetation and is bound on the north by a new industrial building; on the east by vacant industrial lands; on the south by Steeles Avenue, and on the east by Rutherford Road.

3.0 Official Plan and Zoning Status:

The subject lands are designated industrial by the Official

Plan and zoned Industrial by By-law Number 2688 as amended by By-law Number 2830, which does not permit the establishment of limited general commercial use.

The applicant has suggested an Official Plan designation of Industrial with limited Commercial use and a zoning designation of Industrial Class 2 (IC2) with limited General Commercial use (GC).

4.0 Proposal:

It is proposed to use part of the lands in question for a bank and a restaurant and the remainder for industrial purposes. From the 70,624 square feet total building area, about 7,200 square feet is to be used for commercial purposes, while the balance of 61,967 square feet will be utilized by industrial uses and some 1,457 square feet by a mall.

It has been suggested that off-street parking facilities for 149 automobiles will be provided.

5.0 Comment:

The revised site plan showing a combined commercial and industrial development on the subject lands has been circulated to various City and Regional departments requesting their comments.

The Region, further to the request for a 1-foot reserve along Steeles Avenue and a 50-feet daylight triangle on Steeles Avenue at Rutherford Road, adds that two access points onto Rutherford Road are acceptable.

The Building and Zoning Co-ordinator sustains his previous request for a 50-feet, instead of the present 30-feet, rear yard to accommodate parking on an angle rather than

straight and to provide better access for emergency vehicles. He recognized a lack of shipping or loading areas for the commercial facilities.

The Director for Parks and Recreation indicates that in terms of landscaped space the plan has not changed to improve the site. A minimum of 20 feet should be provided along Steeles Avenue for landscaping. He also recommends the elimination of parking spaces paralleling the non-roadway boundary lines and the utilizing of this space for landscaping.

Planning staff after reviewing the revised plan recognized considerable complications in the nature of this proposal.

The distribution and design of the various uses, including the parking areas, is, at least, a poor compromise and is not acceptable to Planning Department. It is questionable whether the layout of the internal road pattern allows a proper function of the type and volume of that anticipated traffic generated by the combined uses.

Furthermore, no identification of the industrial occupancy is being offered. Presently, the control over the type of industrial uses permitted by the restricted area by-law is rather limited. The "industrial uses" range from animal hospital, storage or rental area, freight classification yard to paint and oil manufacture frequently incompatible with a small commercial area.

It is recognized that some commercial uses in the form of retail and service establishments should be available to serve this area. However, this commercial use area should be designed in the form of a plaza, excluding all uses

other than commercial uses.

6.0 Conclusion:

The revised site plan does not consider Planning staff previous concern that the proposed mixed industrial/ commercial undertaking is an excessive development of the site.

It is recommended that the application to amend the Official Plan and Restricted Area Zoning By-law to permit the establishment of mixed industrial and general commercial uses not be endorsed.

HJ/mt

Copies:

J. Galway

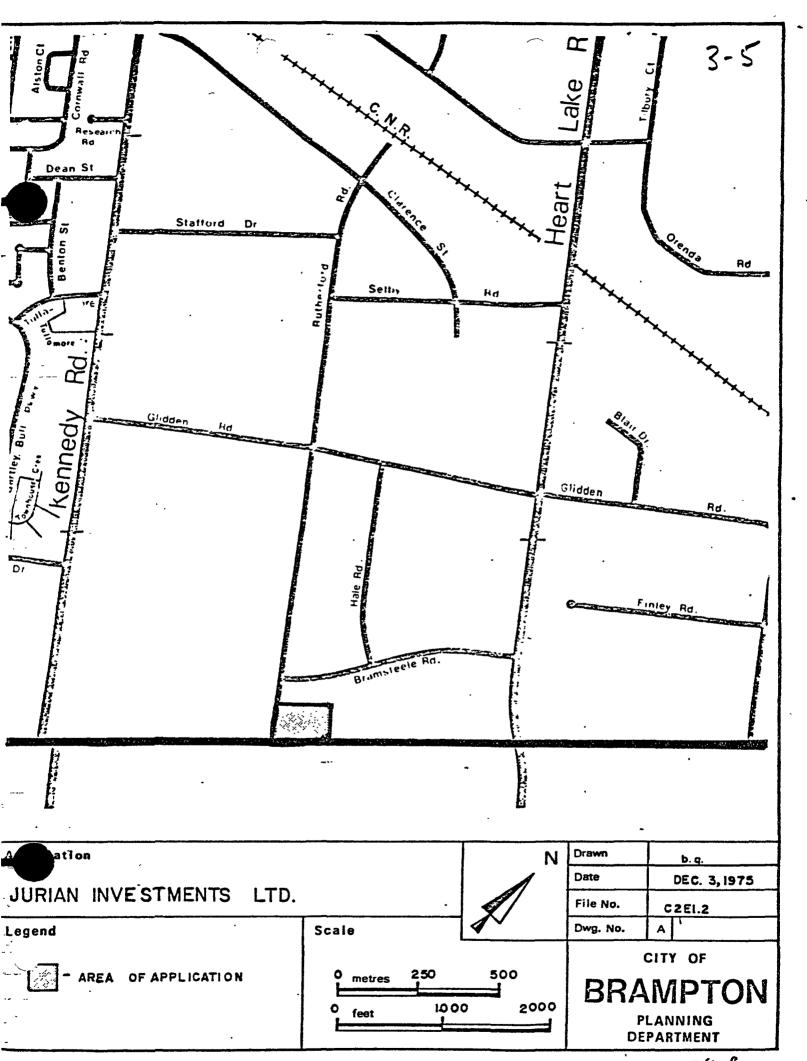
A.K. Macdonald

L. Thurston

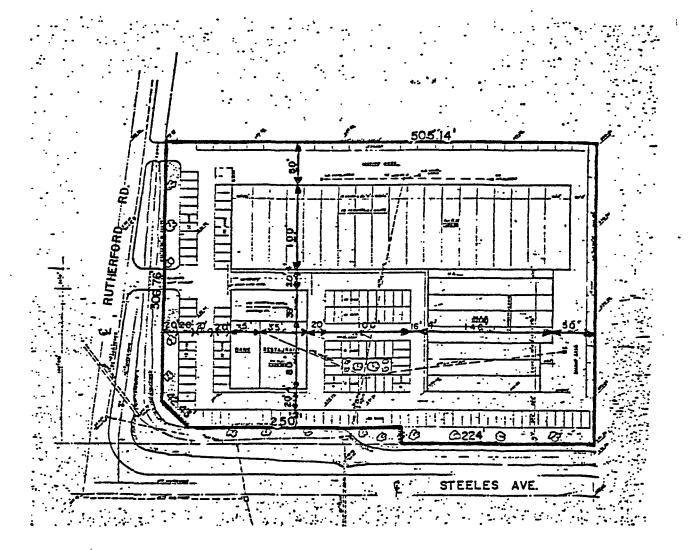
D. Gordon

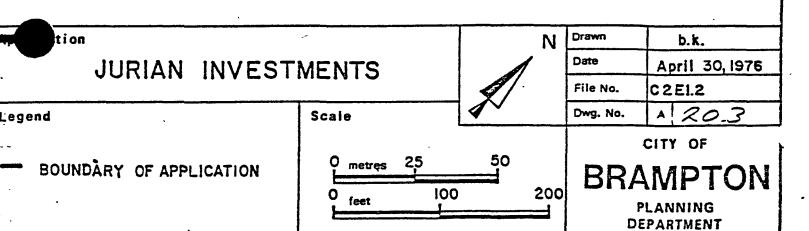
J.F. Curran K.R. Richardson

M. Gowland



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J. Galway

Senior Administrative Officer

Planning Director From:

Application to Amend the Official Plan and Re:

Restricted Area By-law

Part of Lot 1, Concession 2, E.H.S.

North-east corner of Steeles Avenue & Rutherford Road Jurian Investments Ltd.

Jurian Investments Ltd.

Our File: C2E1.2

Background

In June 3, 1975, an application has been filed by Jurian Investments Ltd., owners of a parcel of land located on the north-east corner of Steeles Avenue and Rutherford Road to amend the Official Plan and restricted area by-law to permit mixed industrial/commercial uses on the subject property...

A planning report dealing with the application was submitted to Planning Committee at its meeting on December 15th, 1975. However, a request of deferment by the applicant was granted.

Planning Committee at its meeting of May 17th, 1976, refused a revised proposal on the grounds of excessive development of the site. Consequently, a site plan · was received suggesting the development of the site for commercial purposes.

2.0 Proposal:

It is proposed to develop a "neighbourhood" shopping plaza on a site with a total area of 3975 acres with a frontage on Rutherford Road of about 306 feet and a depth of approximately 550 feet. Four square shingletype roofed one storey buildings having a length of 86.50 feet each will be connected by a mall with approximately 4079 square feet. The building containing a gross floor area of approximately 29,930 square feet are used to accommodate retail uses, a restaurant (about 14,965 square feet gross floor area) and offices and a bank with about 14,965 square feet

gross floor area. Public washrooms are proposed to be provided whilst the basements are intended to be used for storage purposes.

Access to the site, located at the northerly property boundary is limited to one driveway 31 feet in width permitting simultaneous ingress-egrees to and from Rutherford Road. Off-street parking facilities will accommodate 245 vehicles which appear to be adequate for normal occupancy.

A landscaped buffer strip varying between 20 feet and 6 feet in width is designed to be located on the west and south border of the property. Furthermore, a masonry wall is proposed to be built on the northerly and westerly property line.

The site plan recognizes a visibility triangle at the north-east corner of the intersection of Steeles Avenue and Rutherford Road.

3.0 Analysis

A previous planning report recognized the fact that some commercial uses in the form of retail and service establishments should be made available to serve this area. A small commercial plaza would eliminate possible strip development along Steeles Avenue.

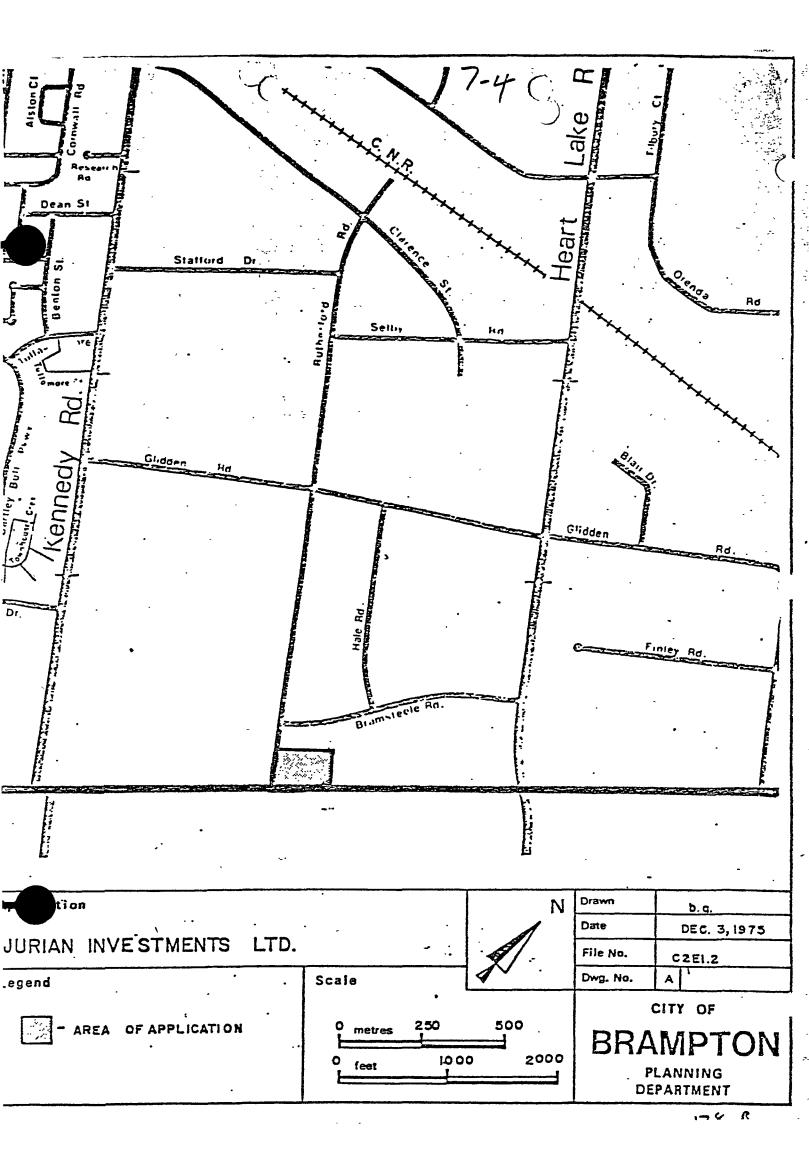
The possible retail or service establishments that might find the site attractive include restaurant, bank, retail commercial outlets in the form of a drugstore or variety store and business and professional offices. Certain matters involving the method of garbage and waste storage, landscape treatment of the buffer strips and the design and location of signs could be considered further. However, the proposal justifies the holding of a public meeting prior to the preparation of an official plan amendment and restricted area by-law.

4.0 Conclusion

It is recommended that Planning Committee set a location date and time for a public meeting with regard to a proposal to amend the Official Plan and Restricted Area By-law to permit limited commercial uses on the applicant's lands.

HJ/LWHL/mm

L.W.H. Laine Planning Director



24 QUEEN ST EAST BRAMPTON, ONTARIO L6V 1A4



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123.97-7, PHONE—Brampton 453-4110

The Corporation Of The

City Of Brampton

CFFICE OF THE PLANNING DIRECTOR

June 21st, 1976

NOTICE OF PUBLIC MEETING

The Planning Committee of the City of Brampton will hold a public meeting with respect to three applications to amend the Official Plan and/or Restricted Area By-law, applied for by the following:

- Mario Pestrin
- Jeroy Limited
- Jurian Investments Limited

The Meeting will be held in the Municipal Council Chambers, 2nd Floor, 24 Queen Street East, Brampton, Ontario, on Thursday, July 8th, 1976. The applications will be considered in the order shown above, and will run consecutively. The hearing of the first application will commence at 7.30 p.m.

This notice has been sent to you as an assessed owner of property in the vicinity of, or a person who has stated an interest in, the application of:

Jurian Investments Limited

A brief explanation of the application is:

The subject property consists of part of Lot 1, Concession 2, E.H.S. The parcel has an area of about 3.975 acres with a frontage of about 306 feet along Rutherford Road and a depth of about 550 feet.

It is proposed to develop a "neighbourhood" shopping plaza on the site. The building, containing a gross floor area of approximately 29,930 square feet, is to be used to accommodate retail outlets, a restaurant, offices and a bank. Off-street parking to accommodate 245 vehicles will be provided.

The Planning Committee is holding this meeting for the information of the public and to obtain the views and opinions of residents in the vicinity of the subject property and also the views of any other interested parties. Any person, interested owner, resident or their solicitor wishing to make a submission to the Planning Committee with respect to the above applications is invited to do so at the appropriate meeting. A. Rothund

L.W.H. Laine Planning Director

LWHL/AR/mm

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July 15, 1976

TO: Chairman and the Members of the Planning Committee

FROM: L.W.H. Laine

Planning Director

RE: Application to Amend the Official Plan

and Restricted Area By-Law

Part of Lot 1, Concession 2, E.H.S.

(Township of Chinguacousy)
Jurian Investments Limited

Our File: C2E1.1

Attached is a brief report on the Public Meeting held in the Council Chambers at 24 Queen Street East on Thursday, July 8, 1976 at 8:15 p.m. No formal objections were noted.

It is recommended that, Planning Committee direct staff to prepare the appropriate Official Plan amendment restricted area by-law and development agreement if necessary.

Yours truly,

L.W.H.Laine

Planning Director

LWHL:km

Enclosures 2

PUBLIC MEETING

JURIAN INVESTMENTS LIMITED

PART OF LOT 1, CONCESSION 2, E.H.S.

(TOWNSHIP OF CHINGUACOUSY)

A Special Planning Committee meeting of the City of Brampton was held on Thursday July 8th, 1976 at the Queen's Square Building commencing at 8:15 p.m. to hear representation on a proposal to amend the Official Plan and Restricted Area By-Law.

Members present were:

F. R. Dalzell - Chairman

M. Robinson - Councillor

K. G. Whillans - Alderman

A. Ferri - Alderman

F. Russell - Alderman

Staff present:

L. W. H. Laine - Planning Director

J. Coleman - Planner

The Chairman welcomed the public in attendance and requested that the Planning Director outline the intent of the application. It was explained that the intent of the proposal was to amend the Official Pland and Restricted Area By-Law to permit the development of a commercial plaza on a 4 acre site.

No members of the public had any questions or concerns and the meeting was adjourned at 8:20 p.m.