



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 44-82

To adopt Amendment Number 95 to the Consolidated 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 Regional Municipality of Peel Act, 1973 and The Planning Act, hereby ENACTS as follows:

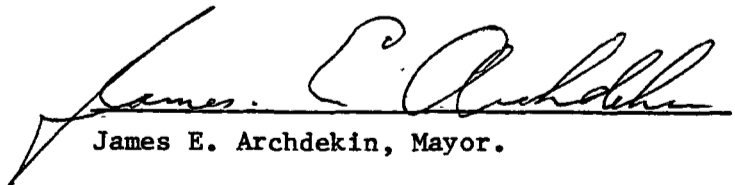
1. Amendment Number 95 to the Consolidated Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Amendment Number 95 to the Consolidated Official Plan of the City of Brampton Planning Area.

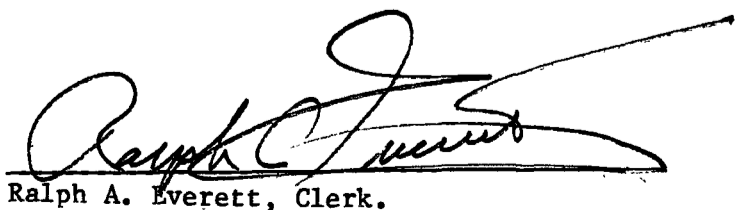
READ a FIRST, SECOND and THIRD TIME and Passed in Open Council

this 22nd day of February, 1982

APPROVED
AS TO FORM
BY CLERK
CITY OF BRAMPTON

DATE 2/22/82


James E. Archdekin, Mayor.


Ralph A. Everett, Clerk.



BY-LAW

No. 44-82

To adopt Amendment Number 95 to the
Consolidated Official Plan of the
City of Brampton Planning Area.
(BRUNO CELLA)

ORIGINAL

1982 APR 13 PM 4 00

21-OP-0006-95

AMENDMENT NUMBER 95
to the Consolidated Official Plan
of the City of Brampton Planning Area

REG. PLAN NO. 657

LODGED IN THE REGISTRY OFFICE

FOR THE COUNTY OF PEEL

1982 apr 13 PM 4:00

Gloria J. Smith
Asst Deputy REGISTRAR OF DEEDS, COUNTY OF PEEL

Amendment No. 95
to the
Official Plan for the
City of Brampton Planning Area

This Amendment No. 95 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. 95 to the Official Plan for the City of Brampton Planning Area.

Date

March 30/82



P. G. RIMMINGTON
Acting Executive Director
Plans Administration Division
Ministry of Municipal Affairs and Housing



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 44-82

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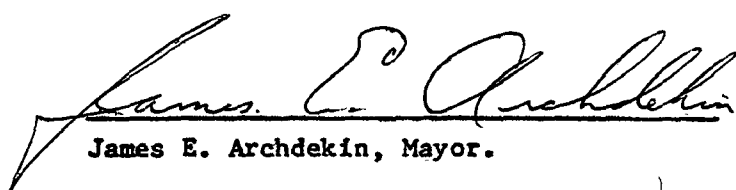
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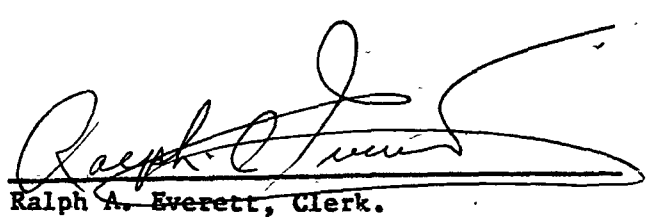
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READ a FIRST, SECOND and THIRD TIME and Passed in Open Council

this 22nd day of February, 1982

Open
1982


James E. Archdekin, Mayor.


Ralph A. Everett, Clerk.

1. Purpose:

The purpose of this amendment is to permit a specific commercial use located on lands presently designated Agriculture, to continue in operation for a limited period.

2. Location:

The lands subject to this amendment are located in part of Lot 15, Concession 10, Northern Division (geographic township of Toronto Gore, County of Peel) in the City of Brampton.

3. Amendment and Policies Relative Thereto:

The Consolidated Official Plan of the City of Brampton Planning Area is hereby amended:

- (1) by changing, on Plate No. 1 the chapter reference of the lands shown on Schedule A to this amendment from CHAPTER D1 to CHAPTER D14;
- (2) by adding thereto, as Plate No. 64, Schedule A to this amendment, and
- (3) by adding the following text to the Consolidated Official Plan as Chapter D14:

"CHAPTER D14

1.0 Purpose:

The purpose of this chapter, together with Plate No. 64, is to permit an automobile repair business now occupying a 3 bay accessory building and appurtenant land for outside storage and parking purposes to continue in operation for a period considered acceptable to City Council, to allow the operator an opportunity to remove the use without undue hardship.

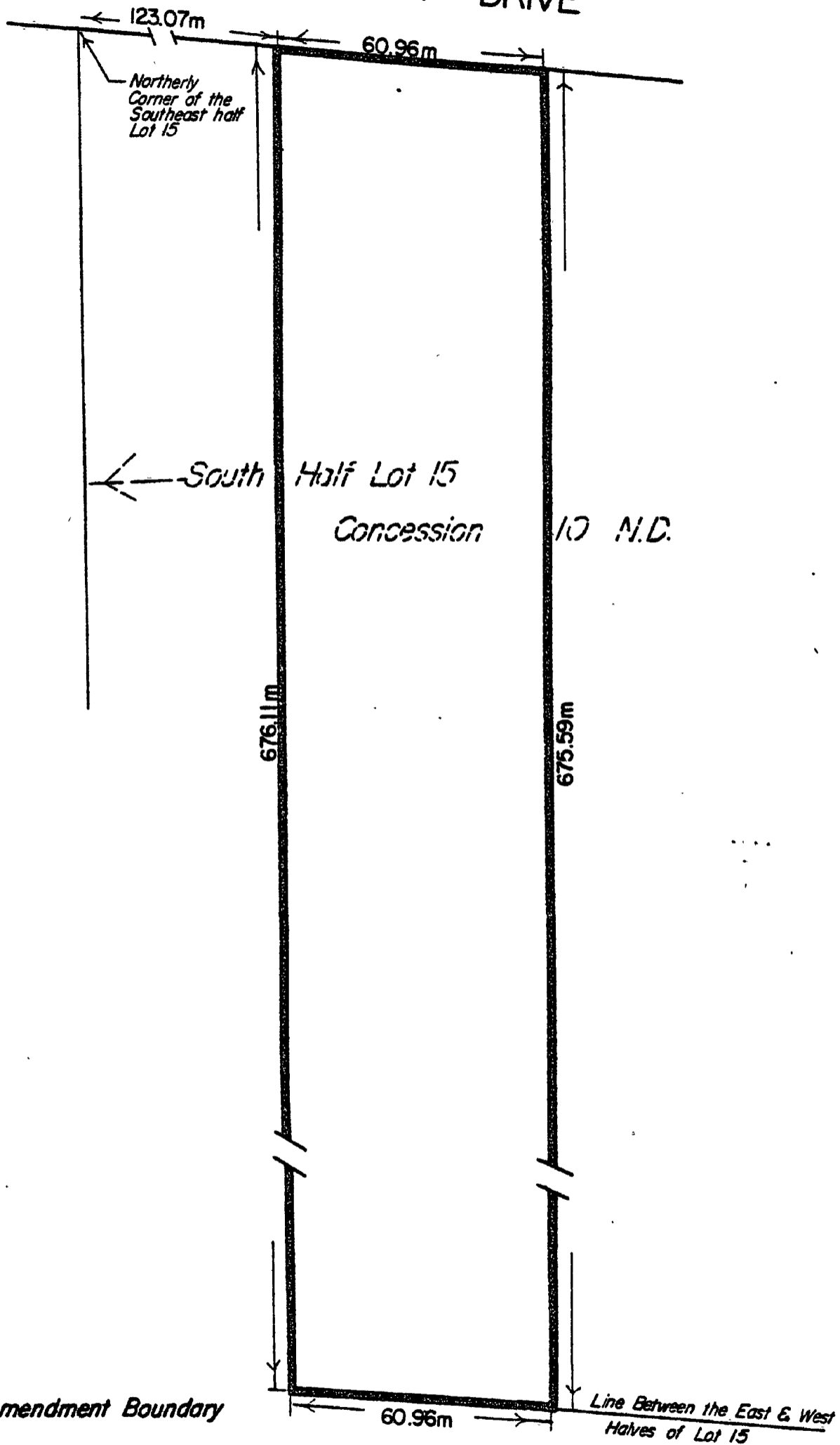
2.0 Location:

The subject lands are located in part of Lot 15, Concession 10, Northern Division (geographic township of Toronto Gore, County of Peel) in the City of Brampton as outlined on Plate No. 64. The particular use is situated on the subject lands about 105 metres west of Clarkway Drive and comprises an area of about 770 square metres excluding the area occupied by a private driveway.

3.0 Amendment and Policies:

- 3.1 Notwithstanding the Agriculture designation of the lands shown on Schedule A to this amendment, a portion of the property may be used as a site for motor vehicle repair business.
- 3.2 The motor vehicle repair business will be restricted to an existing 3 bay garage accessory building with a gross floor area of about 116 square metres and abutting lands for storage and parking lot purposes comprising a site area of approximately 770 square metres.
- 3.3 No expansion of the existing building or appurtenant lands associated with the motor vehicle repair business will be permitted.
- 3.4 The approval of the municipality, the Metropolitan Toronto and Region Conservation Authority and the Ministry of Natural Resources will be required to straighten, change, direct or interfere in any way with the existing channel of an abutting water course.
- 3.5 An existing access driveway to the motor vehicle repair business site is not to be enlarged, though this restriction is not intended to prevent the realignment, repair, improvement or removal of the driveway.
- 3.6 The period for which the motor vehicle repair business will be permitted will be determined by an appropriate amendment to the restricted area by-law."

CLARKWAY DRIVE



OFFICIAL PLAN AMENDMENT No. 95
Schedule A



1:1200

CITY OF BRAMPTON
Planning and Development

Date: 1982 02 16 Drawn by: J.M.d.
File no. C10E15.1 Map no. 34-1E

BACKGROUND MATERIAL TO AMENDMENT
NUMBER 95

Attached is a copy of a report from the Director, Planning and Development Services dated 1981 01 29, and a copy of a report dated 1981 03 06 together with notes of a Public Meeting held on 1981 03 04.

DS

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

1981 01 29

To: The Chairman of Development Team

From: Director of Planning and Development Services

Re: Application to Amend the Restricted
Area (Zoning) By-law
Part Lot 15, Concession 10, N.D.
(Former Township of Toronto Gore)
BRUNO CELLA
Our File: C10E15.1

1.0 INTRODUCTION

An application to amend the zoning by-law has been received by City staff.

2.0 SITE DESCRIPTION

The property in question is located on the west side of the 10th Line, south of the 15th Sideroad, in the former Township of Toronto Gore area. The applicant's property totals 4.05 hectares (ten acres) in area with 60.96 metres (200 feet) of frontage on the 10th Line, and a depth of about 675.6 metres (2216.5 feet). The property is therefore very long and narrow, extending from the 10th Line westerly to the centre of Concession 10.

The site is bisected by two streams which run generally in a north-south direction, parallel to the 10th Sideroad. One stream is located close to the 10th Sideroad while the other is located approximately half way between the east and west boundaries of the site.

The property is presently occupied by a dwelling unit, located in the easterly section of the site, close to the 10th Sideroad, and a large concrete block building,

- cont'd. -

being used for a 3 bay repair garage. The repair garage is located directly to the west of the creek, which runs behind the house and is situated within the valley of that creek. Vegetation on the site is limited to a few trees at the rear of the repair garage and some shrubs close to the dwelling.

3.0 OFFICIAL PLAN AND ZONING STATUS

The site is presently designated "Agriculture" by the Consolidated Official Plan, and "Rural" by the New Official Plan. An amendment to the Official Plan will be required if this application is to be approved. (The applicant has not submitted an application for an Official Plan Amendment).

The site is zoned A, Agricultural, by By-law 825 of the former Township of Toronto Gore. A repair garage is not a permitted use within that zone.

4.0 PROPOSAL

The applicant has applied to amend the zoning by-law to permit the use of the 3 bay garage as a commercial enterprise.

The applicant has been using the garage on the property for a part time auto repair business for the past several years, and at this time, wishes to have the property rezoned to allow him to apply for a license in order to operate the business on a full time basis, for the repair of farm related equipment, cars and light trucks.

5.0 COMMENTS

5.1 Planning Staff Comments:

The garage apparently was constructed approximately eight years ago, and the applicant has been operating a part time repair garage business since that time.

Planning staff have the following concerns with respect to this application:

- 1) The approval of isolated industrial/commercial land use in the rural area violates the intent of the

Official Plan with respect to agricultural areas.

- 2) Council has recently approved the new, comprehensive Official Plan, which designates the area in which this site is situated as Rural. The very rear portion of the property, however, (to the west of the most westerly of the two creeks on the property) is designated as Rural Estate Expansion area. If the repair garage is permitted, through an amendment to the Official Plan and Zoning By-law, future conflicts with adjacent estate residential uses may arise.
- 3) Conflicts with existing residential land uses in the immediately surrounding area may occur. The applicant has been using the garage for a part time repair business, however, with a full time operation, business will increase. The following impacts may likely result:
 - increased traffic on the 10th Line (an unpaved road),
 - increased air pollution from cars being repaired,
 - noise pollution,
 - possible water pollution as a result of the garage being located directly beside the creek (all of the houses in the area are supplied by wells), and
 - visual pollution of the landscape from cars stored on the site.

The significance of these impacts only can be measured against the scale (size) of the ultimate operation.

- 4) The approval of this application will create a precedent which may encourage other property owners in the Toronto Gore Rural area to seek approval for similar developments.
- 5) Approval of the request may result in permanent commercial or semi-industrial status for the lands.

The basis for approval of the application is very weak. The fact that a part time auto repair activity has been in existence is insufficient planning grounds to approve the proposal.

- cont'd. -

5.2 Other Comments:

The Region of Peel Public Works Department has commented that sanitary sewers and municipal water are not available in this location.

The Region of Peel Planning Department notes that the approval of the proposal could result in land use conflicts in this area. Regional Planning also points out that a resolution of Regional Council, dated October, 1976, would affect this application. The resolution recommended that no further Official Plan Amendments be approved for the area east of Goreway Drive, until a comprehensive review of the Official Plan is completed and a New Official Plan is completed and adopted by Council. City staff note further, that these studies have been completed and that the application would not conform with the New Official Plan's goals and policies.

The Metropolitan Toronto and Region Conservation Authority have commented that they would have no objection to the application because their jurisdiction with respect to floodplain regulations does not extend as far upstream as the subject site, which is traversed by tributaries of the Humber River. They do note, however, that their written permission would be required if the owner wishes to alter the watercourse in any way.

The New Official Plan has identified the two streams crossing the applicant's lands as Hazard Lands (Schedule 'B'), and in spite of the Authority's lack of jurisdiction, development within or in close proximity of the valleys should be subject to land use controls.

6.0 RECOMMENDATION

It is recommended that the application to amend the restricted area by-law by B. Cella be refused.

AGREED


P. R. Dalzell,
Commissioner of Planning
and Development


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

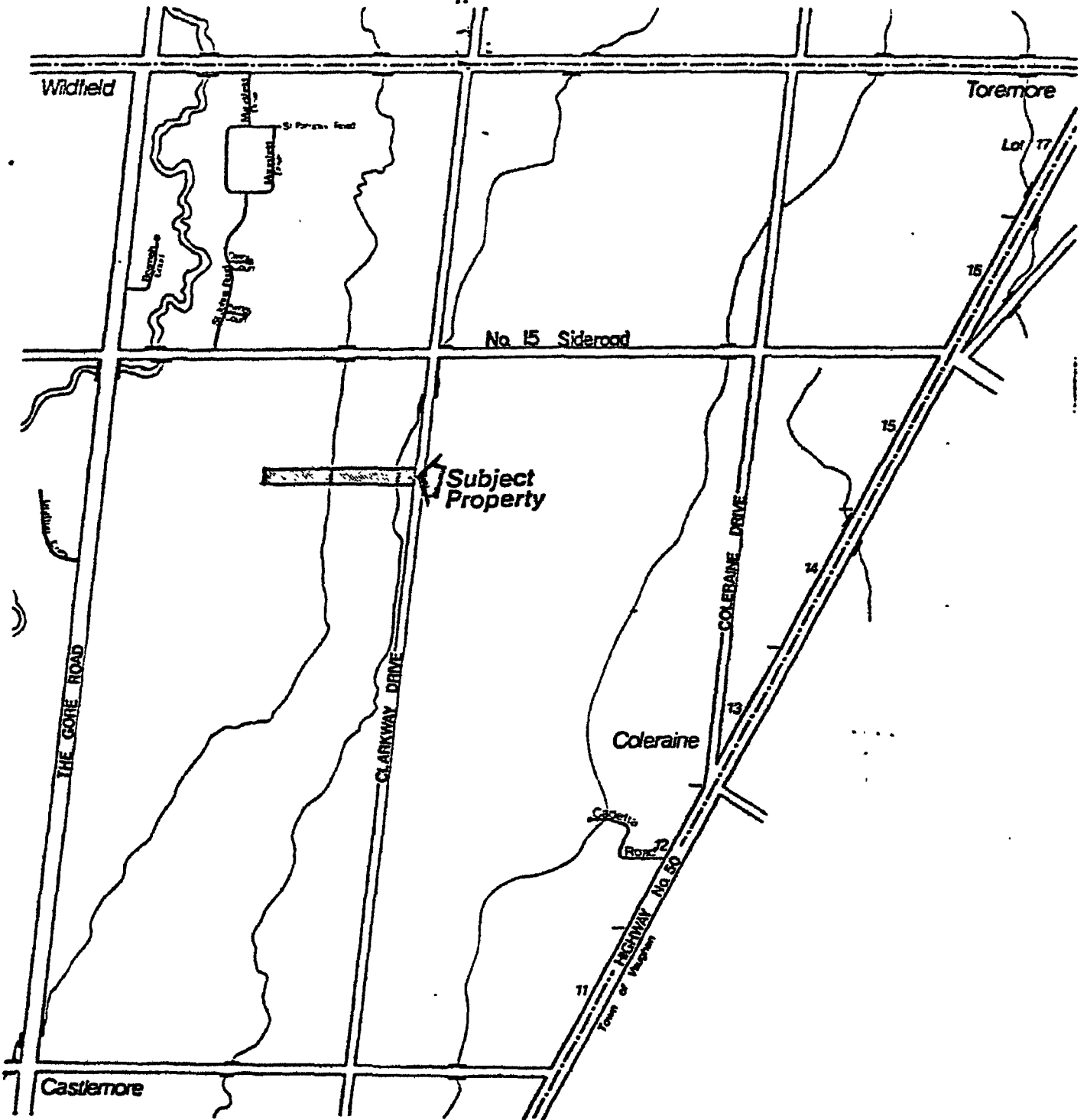
D5-5

N D

Concession 10 N D

Concession 11 N D

Concession 12 N D



BRUNO CELLO
Location Map



1:25000

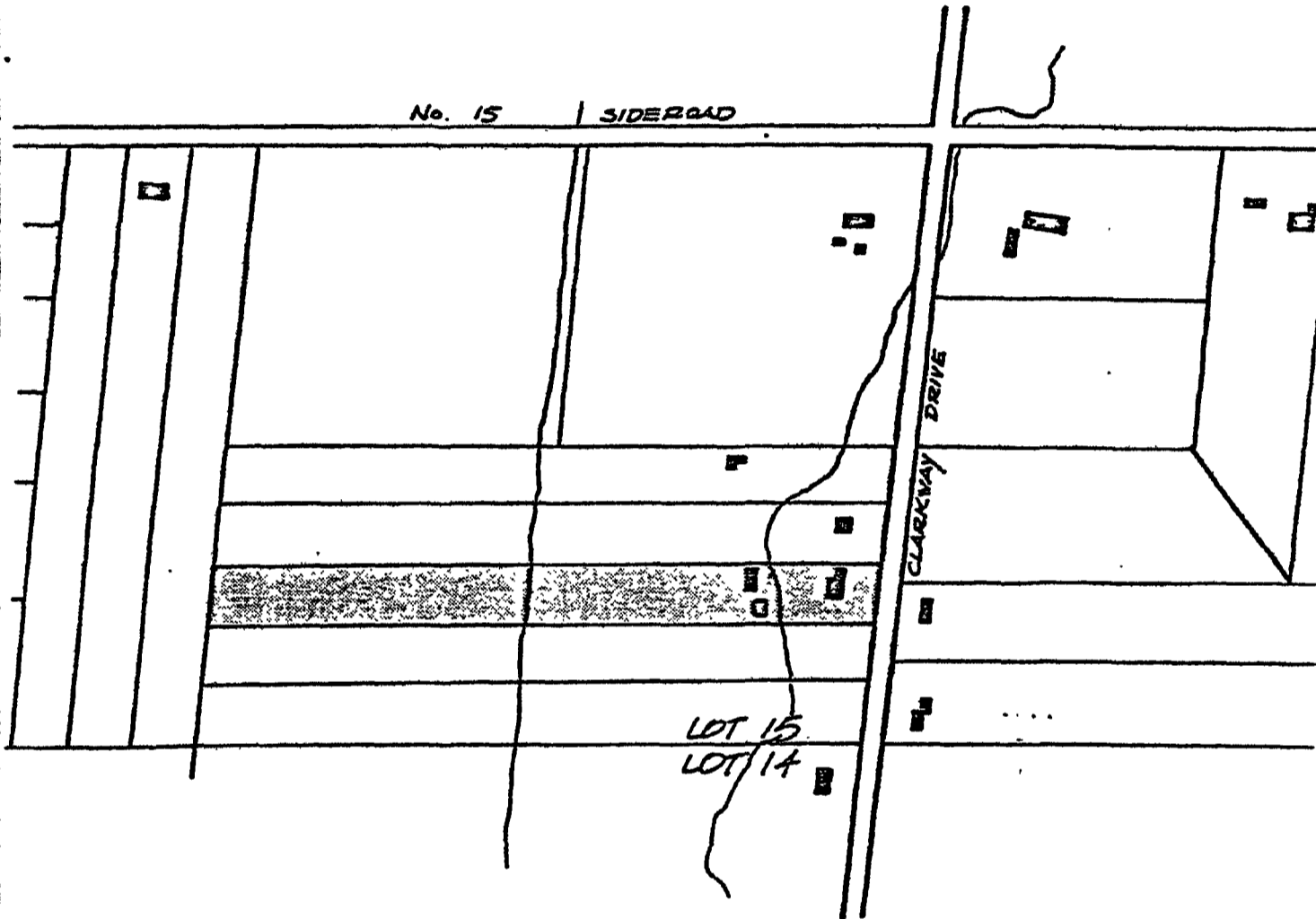
CITY OF BRAMPTON
Planning and Development

Date: 1980 12 22 Drawn by: *J.M.S.*
File no CIOE15.1 Map no 34-1A

05-6

CONCESSION 10 E.H.S.

No. 15 | SIDEROAD



 SUBJECT PROPERTY

BRUNO CELLA



1:7000

CITY OF BRAMPTON
Planning and Development

Date: 1981 01 05

Drawn by: J.N.L.

File no. C10E15.1

Map no. 34-1B

C3

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

1981 03 06

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

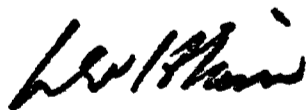
Re: Application to Amend the Restricted Area
(Zoning) By-law
Part Lot 15, Concession 10, N.D.
(Former Township of Toronto Gore)
BRUNO CELLA
Our File: C10E15.1

The notes of the Public Meeting held by Planning Committee on March 4, 1981 are attached for information purposes.

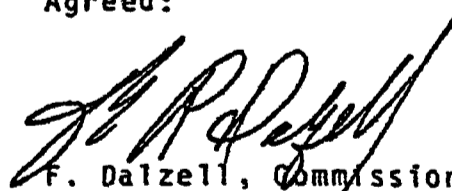
No objection was received at the Public Meeting to the proposal of Bruno Cella. However, one nearby property owner did request assurance that the proposed use be restricted to a limited area at all times. In order to achieve this objective, both the Official Plan and by-law amendment must be structured on a site plan basis.

It is recommended that Planning Committee recommend to City Council that staff be directed to prepare the appropriate Official Plan amendment, Restricted Area By-Law amendment and Development Agreement.

Agreed:



L. Laine, Director,
Planning and Development
Services Division



F. Dalzell, Commissioner
Planning and Development

Enclosure:

A Special Meeting of Planning Committee was held on Wednesday, March 4, 1981, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:27 p.m., with respect to an application by Bruno Cella to amend the Official Plan and Restricted Area (zoning) By-law (File: C10E15.1) to permit the operation of a repair garage on a site not exceeding 0.4 hectares (1 acre) located within a larger parcel comprising an area of 4.5 hectares (10 acres). The larger parcel is located on the west side of Clarkway Drive (10th Sideroad) in Lot 15 Concession 10 Northern Division, Township of Toronto Gore.

Members Present:

Councillor D. Sutter - Chairman
 Alderman C. Gibson
 Alderman H. Chadwick
 Alderman F. Andrews
 Alderman F. Kee
 Councillor W. Mitchell
 Alderman R. Callahan
 Alderman F. Russell
 Alderman T. Piane
 Councillor K. Whillans
 Alderman E. Carter
 Alderman B. Crowley

Staff Present:

F.R. Dalzell, Commissioner of Planning
 and Development
 L.W.H. Laine, Director, Planning and
 Development Services
 F. Yao, Development Planner
 W. Lee, Development Planner
 J. Singh, Development Planner
 E. Coulson, Secretary

Approximately 3 members of the public were present.

The Chairman enquired if notices to the property owners within 400 feet 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 close of the presentation, the Chairman invited questions and comments from the members of the public in attendance.

Mr. Tollis, R.R. #9, Brampton, stated that he had no objection if just part of the 10 acres was developed, but he did not wish to have the present project enlarged upon.

Mr. Laine responded that the intention was to re-zone just a part of the property, not the whole property, and that expansion should be reported.

Mr. D. Hawkins, R. R. #9, Brampton, voiced approval of the proposal, and noted the well-kept condition of the property.

There were no further questions or comments and the meeting adjourned at 8:35 p.m.