



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 148-86

To adopt Amendment Number 91
and Amendment Number 91 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 91 and Amendment Number 91 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 91 and Amendment Number 91 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.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

[Signature]
DATE

[Signature]
KENNETH G. WHILLANS - MAYOR

[Signature]
LEONARD J. MIKULICH - CLERK

ORIGINAL

Revised 12-8-76


AMENDMENT NUMBER 91
to the Official Plan of the
City of Brampton Planning Area
and
Amendment Number 91 A
to the Consolidated Official Plan
for the City of Brampton Planning Area

21 OP 0031-091-1

Amendment No. 91A
to the
Consolidated Official Plan for the
City of Brampton Planning Area and
Amendment No. 91 to the
Official Plan for the
City of Brampton Planning Area

This amendment to the Consolidated 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. 91A to the Consolidated Official Plan and Amendment No. 91 to the Official Plan for the Brampton Planning Area.

Date ... *July 29, 1986*



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



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BY-LAW

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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

AMENDMENT NUMBER 91 AND
AMENDMENT NUMBER 91 A TO THE OFFICIAL PLAN
OF THE CITY OF BRAMPTON PLANNING AREA

1. Purpose

The purposes of this amendmnet are to change the land use designation of a site located in the Bovaird-Kennedy area and shown on Schedule A to this amendment from Low and Medium Density Residential to Institutional and to add appropriate policies for development of the lands.

2. Location

The lands subject to this amendment are shown on Schedule A to this amendment and are within the area known as the Bovaird-Kennedy Area, as shown on Plate 45, added to the Consolidated Official Plan by Amendment Number 76. More particularly, the lands are situated on the west side of Kennedy Road, north of Bovaird Drive, in part of Lot 12, Concession 1, E.H.S., in the geographic Township of Chinguacousy, in the City of Brampton.

3. Amendment and Policies Relative Thereto

3.1 Amendment Number 91:

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

(a) by adding, to the list of amendments pertaining to Secondary Plan Area Number 3 set out in the first paragraph of subsection 7.2.7.3, Amendment Number 91A; and

(b) by changing, on Schedule A, the land use designation of the lands shown outlined on Schedule A to this amendment, from RESIDENTIAL to INSTITUTIONAL.

3.2 Amendment Number 91A:

(2) The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Heart Lake West Secondary Plan (being Chapter C35 of Section C, and Plate Number 2 thereof, as amended) is hereby further amended:

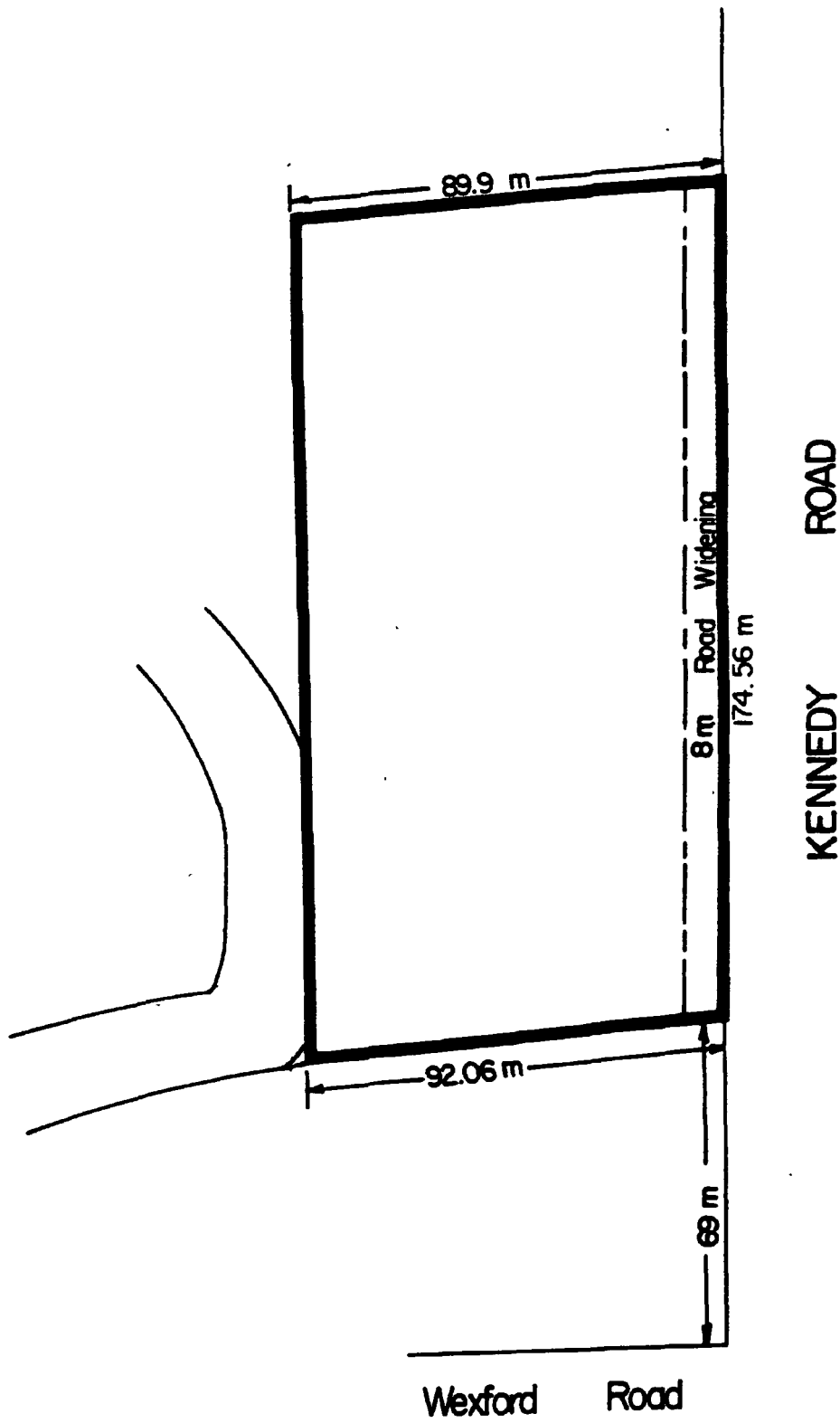
(a) by changing, on Plate 45 (being Schedule A to Amendment Number 76 to the Consolidated Official

Plan), the land use designation of the lands shown outlined on Schedule A to this amendment from Low and Medium Density Residential to Institutional; and

- (b) by adding the following to Chapter C35 of Part C, Section C, as policy 4.11:

"4.11 Institutional: The lands on the west side of Kennedy Road north of Wexford Road that are designated as Institutional may be used for the purposes of a retirement home. The following development principles shall be adhered to:

- (i) the site design shall have adequate entrances and parking to minimize conflict with through traffic, and
- (ii) appropriate siting of buildings and adequate landscaping shall be required to minimize any adverse impacts on adjacent residential uses."



OFFICIAL PLAN AMENDMENT No. 91
 OFFICIAL PLAN AMENDMENT No. 91 A

Schedule A



1:1400

CITY OF BRAMPTON
 Planning and Development

Date: 86 05 26 Drawn by: RB
 File no. CIE125 Map no. 25-40G

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 91
AND AMENDMENT NUMBER 91 A

Attached is a copy of a report of the Planning and Development Services Division, dated February 13, 1986 and a copy of a report from the Planning and Development Services Division, dated March 11, 1986 forwarding the notes of a public meeting held on March 2, 1986.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

February 13, 1986

TO: Chairman of the Development Team
FROM: Planning and Development Department
RE: Application for Amendment to the
Official Plan and Zoning By-law
Part of Lot 12, Concession 1, E.H.S.
ALBERT POST
Our File Number C1E12.5

1.0 Introduction

An application for amendment to the Official Plan and Zoning By-law to permit a retirement nursing home on the above noted property has been submitted to the City Clerk and referred to staff for a report and recommendation.

At its meeting held on January 27, 1986, City Council adopted the following recommendation of Planning Committee:

"THAT we approve in principle the (Post) nursing home rezoning and request a public meeting and staff report re the nursing home."

2.0 Property Description

The subject property is located on the west side of Kennedy Road approximately 560 metres north of Bovaird Drive. The site has a frontage of 204.9 metres (672.2 feet) and an area of approximately 1.965 hectares (4.86 acres). There is presently one two-storey brick single family dwelling and two sheds on the northerly portion of the site and the remainder of the property is vacant. The dwelling is

unoccupied at this time. The site is essentially flat and the only significant vegetation is situated around the single family dwelling.

The subject property is surrounded on the north and west by a draft plan of subdivision by Lethbridge Developments Ltd. The land uses contained in the draft approved subdivision which abut the subject lands include single family dwellings, a parkette and internal roads. The lands on the east side of Kennedy Road are occupied by the Heart Lake Baptist Church and single family residential dwellings.

To the south of the subject lands is a property occupied by the Kennedy Road Veterinary Clinic and a single family residential dwelling. That property is the subject of an application to amend the Official Plan and Zoning By-law to permit retail and office commercial uses.

3.0 Official Plan and Zoning Status

The Official Plan designates the subject property as Residential. Amendment No. 76 to the Official Plan, also known as the Bovaird Kennedy Secondary Plan, designates the site as Low and Medium Density Residential.

By-law 861, as amended, of the former Township of Chinguacousy zones the property as Agricultural (A).

4.0 Proposal

The applicant is requesting that the Official Plan and Zoning By-law be amended to permit a senior citizens retirement home on the property. The facility would provide full services including accommodation, food, laundry facilities, nursing care and supervision over medications, nutrition and personal hygiene.

In addition to resident rooms to accommodate 100 persons, the building would include areas for reception and administration, a dining room, a food preparation room, an exercise and craft room, general lounges, a medication room, a small retail outlet and staff facilities. Expansion to include additional buildings is planned in the future.

The site plan submitted in support of the subject application contains the following features:

- an irregular shaped two-storey building having a ground floor area of 2,181.0 square metres (23,476.9 square feet);
- driveway access to Kennedy Road located approximately 100 metres north of the south boundary of the property and approximately 165 metres north of Wexford Road;
- a total of 55 parking spaces, of which 25 are for staff and residents and 30 are for visitors;
- an internal driveway circulation system that includes a receiving area;
- a landscaped area approximately 9 metres in width across the Kennedy Road frontage, and
- landscaped outdoor amenity space to the south of the building.

To facilitate the proposed development, the applicant has been negotiating with the owner of the abutting draft plan of subdivision to revise the draft plan. The proposed revised draft plan, shown on an attached schedule, modifies the road pattern, the location of the park and the lot arrangement adjacent to the proposed nursing home. In addition, a land exchange is proposed whereby the applicant is to convey the northerly portion of the subject property to Lethbridge

Developments Ltd. in exchange for an equivalent area of land along the west side of the subject property. An attached schedule illustrates the proposed land exchange. It is the understanding of staff that a final agreement between the owners on this matter has not been completed.

5.0 Comments

Public Works and Building

The Public Works Division has provided the following comments:

- "1. It is our understanding that it is the intent of the Official Plan and Secondary Plan that this area be developed with reverse frontage onto Kennedy Road to maintain and protect this road as a main arterial facility. This proposal violates this principle. If the plan is approved as proposed, we require a left hand turn lane at this entrance to maintain the existing road capacity.
2. We require an 8 metre road widening.
3. If this plan is approved, the draft plan surrounding this property must be revised.
4. A drainage report is required to show how this property will be drained, (storm and sanitary sewers) prior to approval of this application."

The Public Works Division has subsequently indicated that they are strongly opposed to allowing the proposed nursing home direct access to Kennedy Road and it was recommended that alternative access arrangements be made.

The Building Department has indicated that an appropriate institutional zoning category would be required to permit the proposed development.

The Community Services Department has provided the following comments:

- 1. I believe that the application is contrary to the secondary plan for this area, therefore, I feel that the application should be denied;
- 2. If we allowed this type of development then it would seriously affect the amalgamation of the proposed future park area that was outlined in connection with block 470 in the Lethbridge Development plan. Block 70 on its own would, therefore, become unacceptable in terms of size, shape and park development;
- 3. It appears that this application will affect future abutting roadways;
- 4. The site plan does not indicate the ultimate height of the facility for the proposed retirement home and this factor could affect future residential development to the west, and
- 5. The layout of parking and entrance way practically negates any type of front entrance landscaping and certainly any type of landscaping along the road allowance.

Region of Peel

The Public Works Department has examined the proposal and indicates that sanitary sewers will be available in conjunction with development of the subdivision directly to the west and water service is available on Kennedy Road. Frontage charges apply on Kennedy Road and Regional roads are not directly affected.

The Social Services and Housing Departments have no comments or objections to approval of the application.

6.0 Discussion

Staff have two major concerns with respect to the subject application. The first concern is with respect to the overall planning status of the area. The subject property abuts a draft plan of subdivision which was draft approved in 1984. In order to obtain draft approval of the plan, Lethbridge Developments Ltd. were required to demonstrate how the adjoining lands could be developed in conjunction with the draft plan. Accordingly, the draft plan of subdivision proposed that the subject property be developed for 34 single family detached dwellings having frontage on a cul-de-sac extending from Dorking Drive. In addition, a park on the Lethbridge plan was to be completed on the subject lands. A consensus on the proposal for developing the subject lands for residential purposes was reached after numerous discussions between the owners and the City and it was on this basis that the Lethbridge plan was draft approved.

The subject application was submitted after the Lethbridge plan was approved and consequently does not correspond with the approved plans. More specifically, streets and residential lots are inappropriately located if a nursing home is to be allowed on the subject property and the park in the Lethbridge plan would be incomplete and have a poor configuration. City staff noted that the Lethbridge plan would have to be revised to be coordinated with the nursing home proposal if the application were to proceed.

A revised plan was prepared which provided for an exchange of lands between the owners, a redesign of the street pattern and lotting and a relocated park. The plan has been circulated to the various City departments and they have commented that the redesign is acceptable. However, the owners have not as yet entered into an agreement for the

land exchange and the sharing of servicing costs. Lethbridge Developments Ltd. has therefore indicated that they wish to proceed with the draft approved plan even though it is inappropriate in relation to the nursing home proposal. Lethbridge Developments Ltd. has also indicated that they would undertake to revise the plan in the vicinity of the subject property if the nursing home proceeds. The above described problems exist because the original subdivision plans for the area did not consider a nursing home.

The second major concern relating to this application is with respect to the proposed access to the subject property. Direct access to Kennedy Road is proposed, whereas Kennedy Road is designated as a Minor Arterial Road and the Official Plan policy indicates that "direct access to abutting properties is to be discouraged where practical alternatives exist so as not to interfere with the primary minor arterial street function of moving through traffic". Although it may appear that no practical alternatives exist for access to the subject property, staff note that this property had already been planned for residential development that would not have required direct access. Ideally, the area should have been planned to accommodate a nursing home in a location where it could have access to a collector road adjacent to an intersection with an arterial road. However, the subject application had not been submitted when the area was planned. Another alternative for access would be to acquire the Footman property to the south, but such arrangements have not been made. The other obvious alternative is for the nursing home to obtain access via the cul-de-sac adjacent to the southwest corner of the property. This would be a poor method of access because it would result in traffic being directed through local residential roads in a somewhat circuitous fashion.

With respect to the site plan, it is noted that there are several deficiencies with the plan:

- a road widening 8 metres (26.25 feet) in width should be provided;
- major driveways should be 7.6 metres (25 feet) in width;
- there are three separate parking areas that are not logically situated in relation to the entrances - the parking areas in the plan should be redesigned;
- the receiving area is inadequate because there is insufficient space to manoeuvre;
- the receiving area is not adequately screened from Kennedy Road;
- there is no provision for garbage disposal;
- no fencing or buffering has been proposed except for a reference to a "low fence" on the south boundary, and
- there should be some provision for an outdoor amenity area that is not exposed to noise from Kennedy Road.

Notwithstanding the above noted concerns and unresolved matters, City Council has granted approval in principle and requested a report and a public meeting. However, staff are not in a position to recommend that a public meeting be held because of these outstanding matters. A public meeting should not be held until the problems are satisfactorily resolved.

The problem with respect to access to the site cannot be resolved through the imposition of conditions of approval. It is the recommendation of City staff that this issue be resolved by relocating the nursing home to a site where it can obtain access to a collector road. The recommended location is on the southwest corner

of Kennedy Road and Street No. 2 in the Lethbridge Development Limited draft plan of subdivision. The location, as shown on the attached schedule, is just north of the lands on which the nursing home is currently proposed. The size of the recommended site shown on the attached schedule is equal to the present site.

In addition to the availability of ideal access opportunities for this alternative site, its location is better in terms of land use compatibility. The site is across from a future convenience commercial parcel and a church site. Also, impacts of the nursing home will affect fewer residences because most of the adjacent dwellings will be separated by a street. It is therefore recommended that the applicant submit an amended application that proposes a nursing home in the preferred location.

7.0 Recommendation

In conclusion, it is recommended that Planning Committee recommend to City Council that:

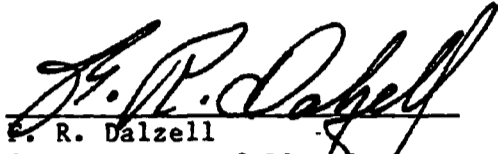
- A. The application to amend the Official Plan and Zoning By-law to permit a nursing home be refused, and
- B. The applicant be encouraged to enter into a land exchange with Lethbridge Developments Limited for land located at the northwest corner of Kennedy Road and Street No. 2 of the draft plan of subdivision and be requested to submit an amended application proposing a nursing home at the alternate location.

Respectfully submitted,

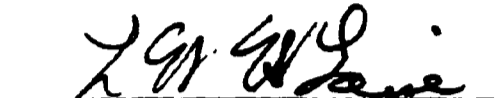


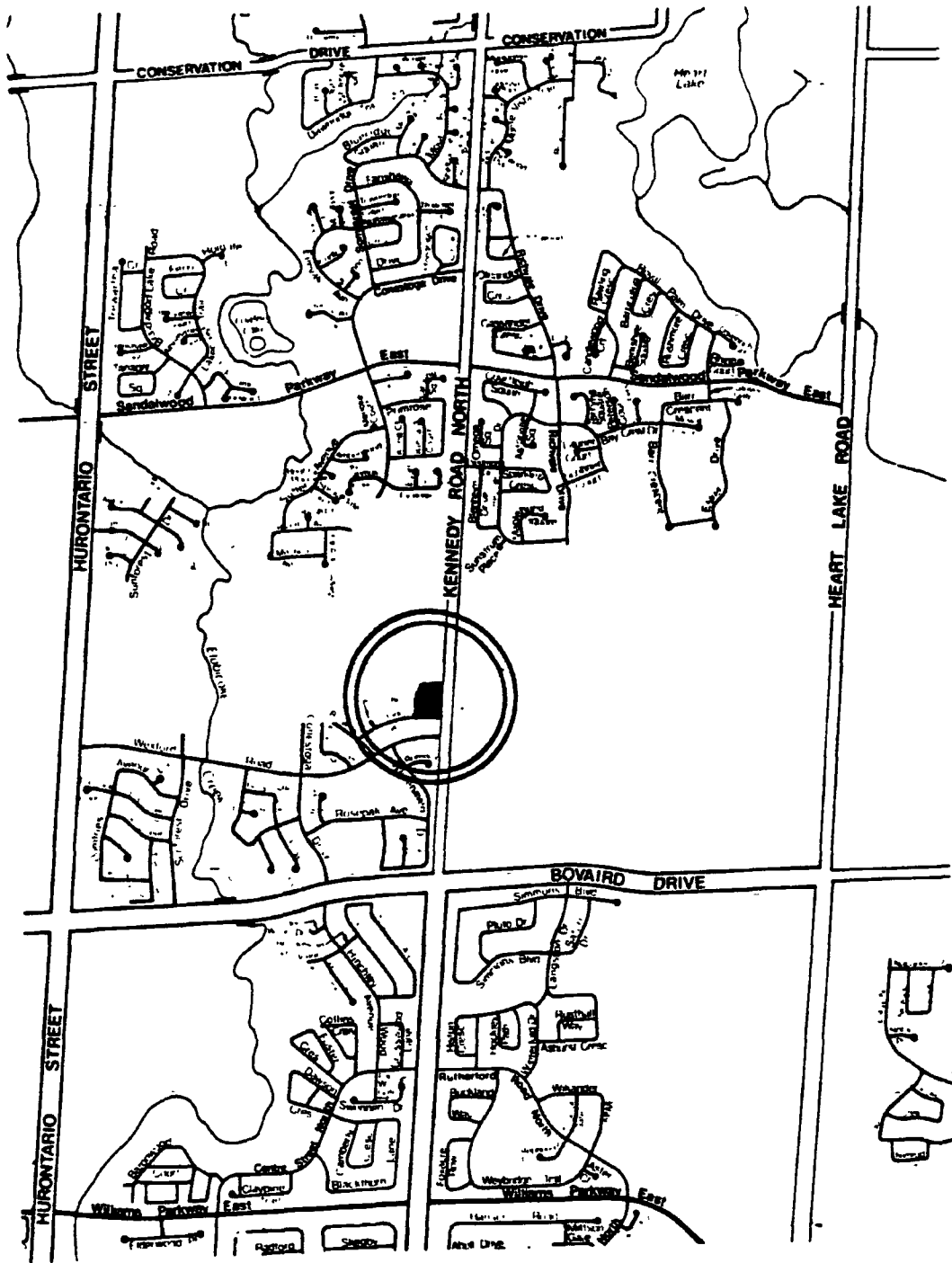
Janice M. Robinson, M.C.I.P.
Development Planner

AGREED:


F. R. Dalzell
Commissioner of Planning
and Development

JMR/thk/14


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



ALBERT POST

Location Map



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CITY OF BRAMPTON
Planning and Development

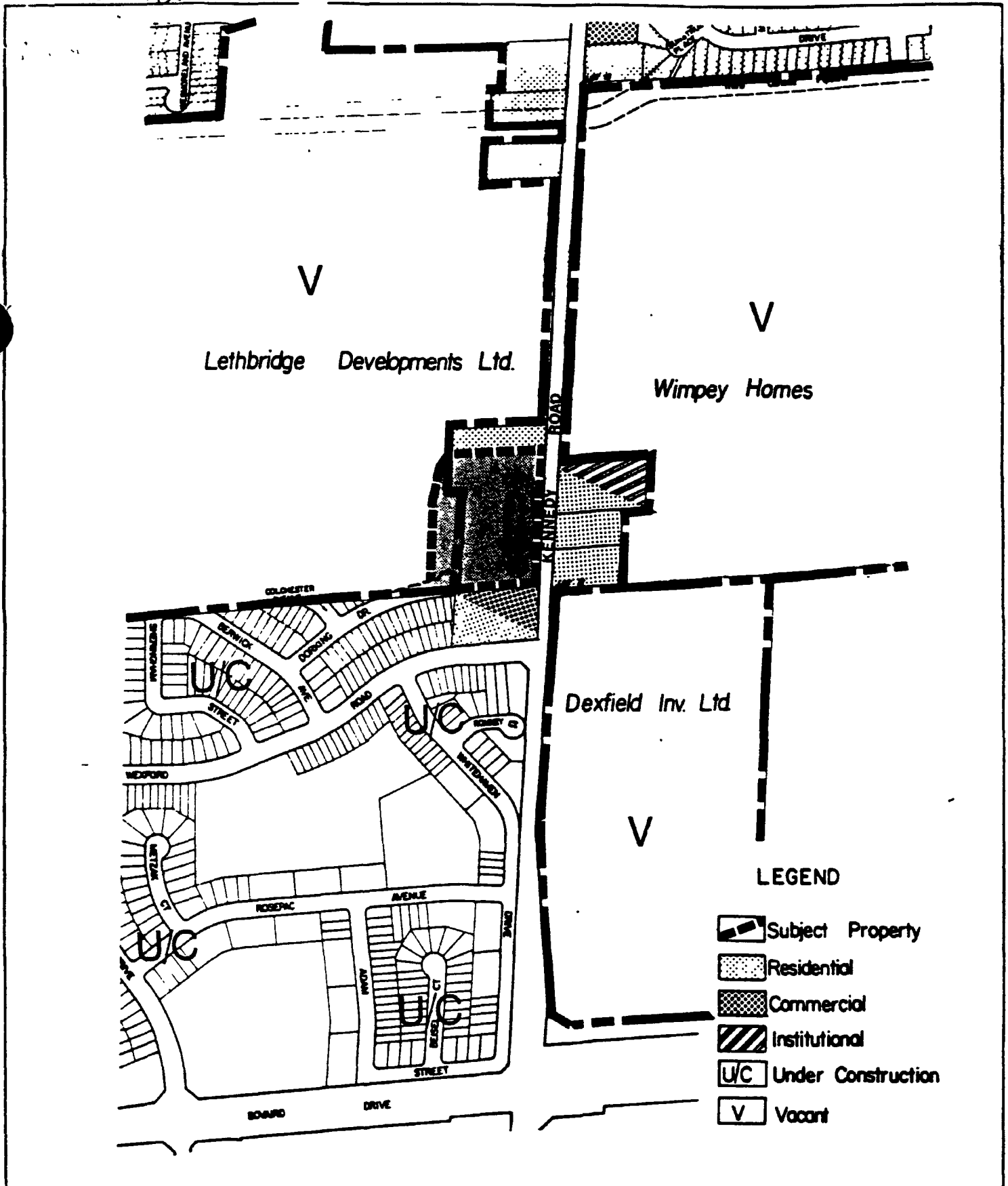
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Drawn by: RB







File no. CIE12.5

Map no. 25-40A

C2-12



LEGEND

-  Subject Property
-  Residential
-  Commercial
-  Institutional
-  Under Construction
-  Vacant

ALBERT POST

Land Use Map

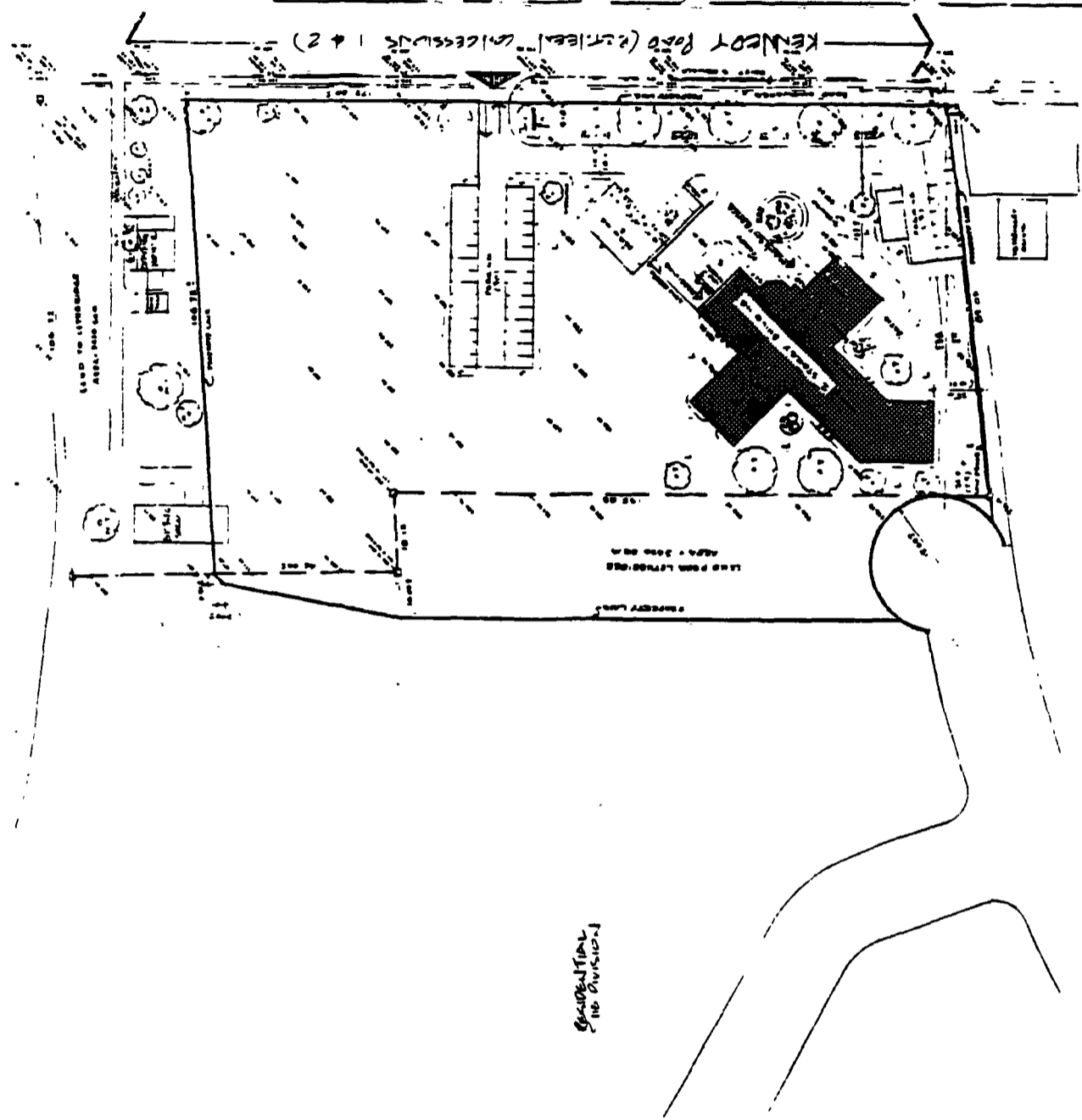


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CITY OF BRAMPTON
Planning and Development

Date: 86 01 28
File no. CIE12.5

Drawn by: RB
Map no. 25-40 B



ALBERT POST

Proposed Site Plan



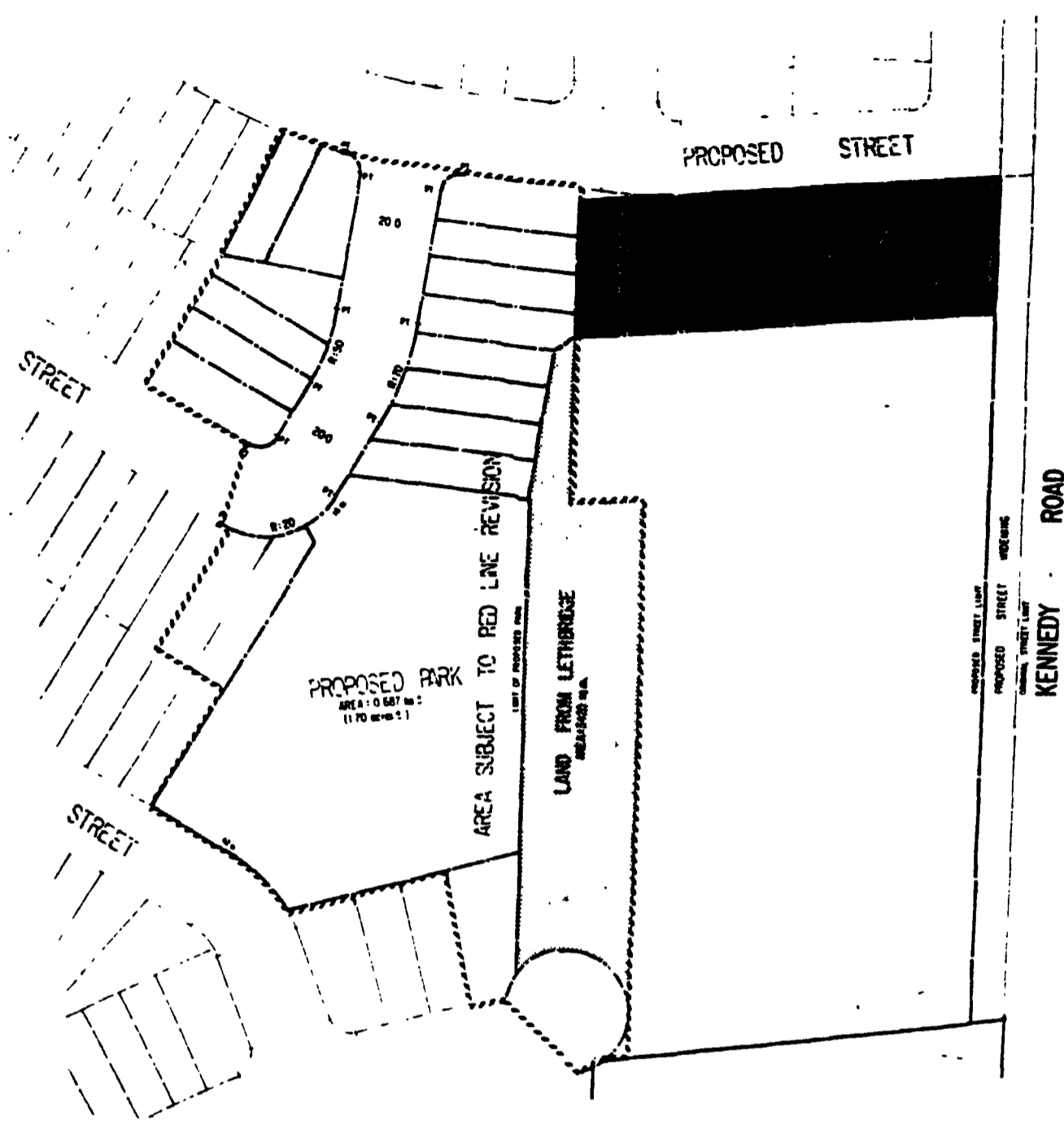
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CITY OF BRAMPTON
Planning and Development

Date: 86 01 28
File no. CIE12.5

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Map no. 25-40C

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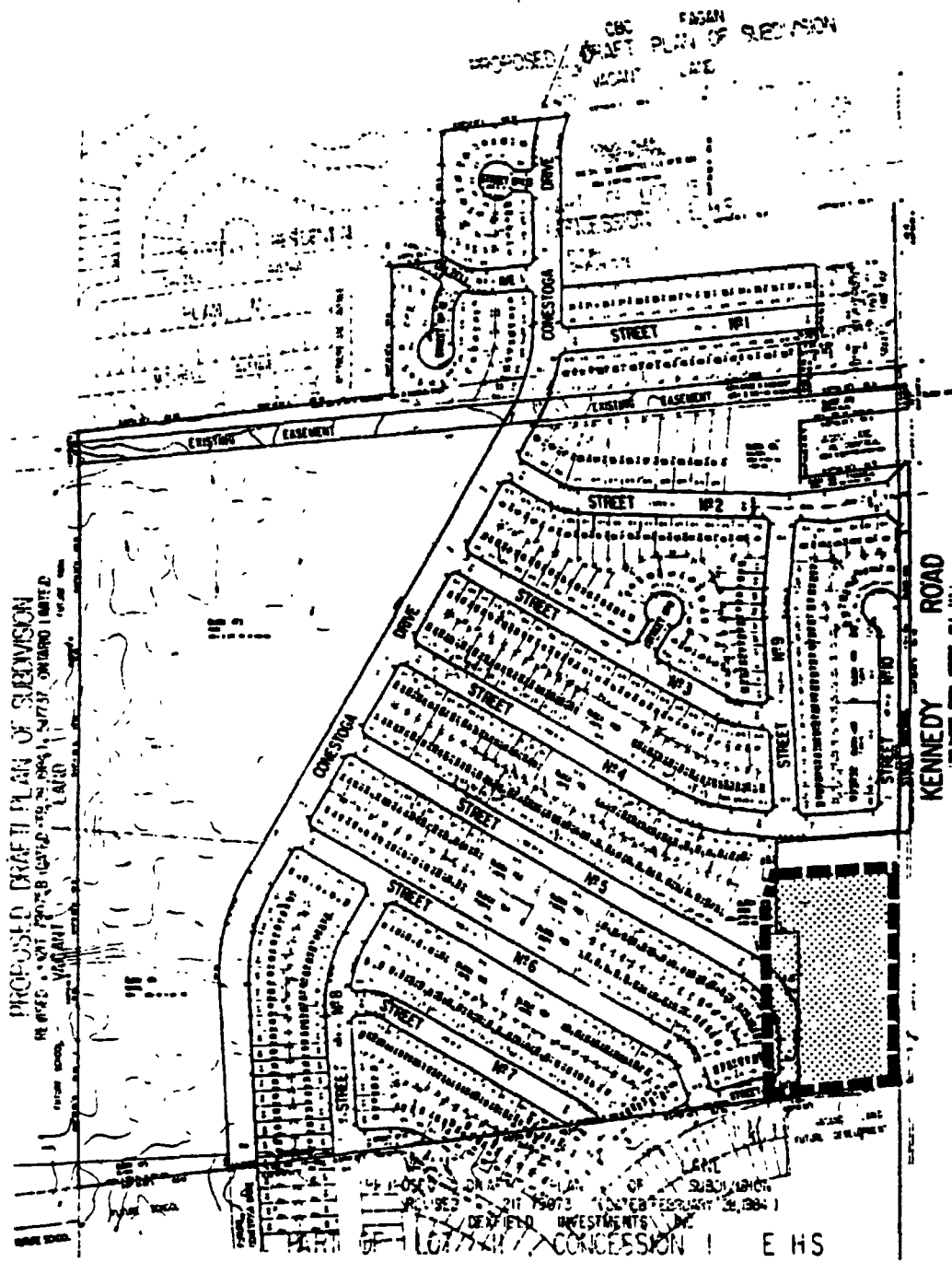


ALBERT POST
 Revised Draft Plan and
 Proposed Land Exchange with
 Abutting Subdivision



1:1428

CITY OF BRAMPTON
 Planning and Development
 Date: 86 01 28 Drawn by: RB
 File no. CIE12.5 Map no. 25-40D



LETHBRIDGE DEV. LTD.

Draft Approved Plan



1:6000

CITY OF BRAMPTON
Planning and Development

Date: 86 01 30 Drawn by: RB
File no. C1E12.5 Map no. 25-40E

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

March 11, 1986

TO: The Chairman and Members of Planning Committee

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law
Part of Lot 12, Concession 1, E.H.S.
Ward Number 2
ALBERT POST
Our File Number C1E12.5

The notes of the Public Meeting held on Wednesday, March 5, 1986, are attached for the information of Planning Committee.

One member of the public attended the meeting to ask questions regarding the proposed retirement home and one letter was received with respect to the application. The letter expressed concerns that the area is not being planned comprehensively and that the proposal may contribute to strip development along Kennedy Road. There was also concern that this application is not being considered in conjunction with the Footman application. Staff note that the Footman application is being processed at this time and that the City is endeavouring to incorporate both proposals into the adjacent subdivisions.

It is also noted that City Council has approved the subject application and allowed one entrance to Kennedy Road. With respect to the relationship between the proposed nursing home and the adjacent subdivisions, a land exchange between owners is proposed which shall provide for the appropriate redesign of the subdivision adjacent to the nursing home. To ensure that this occurs, it is recommended that the City require that the land exchange agreement be entered into by the adjoining landowners prior to enactment of the amendments to the Official Plan and zoning by-law.

Other conditions which are recommended by staff include requirements for road improvements, a road widening, 0.3 metre reserves, cash-in-lieu of sidewalks, fencing, site, landscape and grading plans, and a fire protection plan.

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

(A) the notes of the Public Meeting be received,

(B) the application be subject to the following conditions:

1. The site specific zoning by-law shall include the following:

(a) the site shall only be used for:

(i) a nursing home, and

(ii) purposes accessory to the other permitted purposes.

(b) building envelopes, landscaped areas, parking areas and driveways consistent with the preliminary site plan shall be contained in a schedule to the zoning by-law,

(c) the minimum front yard, rear yard and interior side yard depth shall be 7.6 metres or half the height of the building, whichever is greater,

(d) the maximum building height shall not exceed 2 storeys,

(e) all garbage and refuse containers shall be totally enclosed,

(f) landscaped areas a minimum of 3 metres in width shall be provided on the front, rear and side lot lines, and


(g) parking shall be provided in accordance with the following requirements:

	Resident Spaces	Visitor Spaces	Total Spaces
Unit or Bed	0.20	0.25	0.45

2. Prior to the enactment of the site specific zoning by-law, a development agreement shall be executed.
3. Prior to the enactment of the site specific zoning by-law, the applicant shall enter into an agreement with Lethbridge Developments Ltd. providing for the exchange of lands, as shown on the plan.
4. The development agreement shall contain the following:
 - (a) a provision that prior to the issuance of a building permit, a site plan, a landscaping plan, a grading and drainage plan and elevation cross section drawings shall be approved by the City,
 - (b) a provision that all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and other properties,
 - (c) a provision that the applicant shall dedicate an 8 metre road widening across the Kennedy Road frontage to the City,
 - (d) a provision that the applicant shall pay cash-in-lieu of a sidewalk along Kennedy Road,
 - (e) a provision that the applicant shall construct a left hand turn lane on Kennedy Road at the entrance to the nursing home,

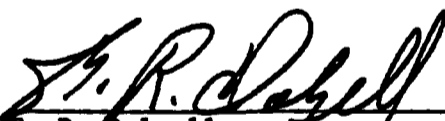
- (f) the applicant shall dedicate 0.3 metre reserves along the cul-de-sac and along Kennedy Road (except at the location of the driveway),
- (g) a provision that the applicant shall remove any existing buildings on the site prior to issuance of building permits,
- (h) a provision that the applicant shall provide a wood privacy fence 1.8 metres in height on the north and west property boundaries, chain link fencing 1.2 metres in height where the site abuts the park and a concrete wall 1.8 metres in height on the south boundary of the property, and
- (i) a provision that the applicant shall submit a fire protection plan indicating, among other things, the location of hydrants, that is satisfactory to the Fire Chief.
- (C) staff be directed to prepare the appropriate documents for the consideration of Council.

Respectfully submitted,



Janice M. Robinson, M.C.I.P.
Development Planner

AGREED:



F. R. Dalzell
Commissioner of Planning
and Development



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

JMR/thk/14

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, March 5, 1986, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:38 p.m. with respect to an application by ALBERT POST (File: C1E12.5) to amend both the Official Plan and Zoning By-law to permit a senior citizens retirement home on the subject property.

Members Present: Councillor P. Robertson - Chairman
Alderman H. Chadwick
Alderman J. Shadrach
Alderman A. Gibson
Alderman S. DiMarco
Alderman T. Piane
Councillor N. Porteous
Councillor E. Mitchell
Alderman P. Beisel
Alderman E. Carter
Alderman J. Hutton
Alderman D. Metzak

Staff Present: F. R. Dalzell, Commissioner of Planning and Development
L.W.H. Laine, Director, Planning and Development Services
J. Robinson, Development Planner
J. Corbett, 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 were approximately two interested members of the public in attendance.

- cont'd. -

The Chairman noted receipt of a letter of objection from Mr. Mario Anecchini. 42 Astorville Square (see attached).

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

Mr. Roger Barrett asked about the location of the proposed access, and if the Albert Post and Dr. Footman properties would be developed at the same time.

Mr. Dalzell replied that the Footman application was being processed and would probably be before Planning Committee next month, however, construction time is determined by the developer after the by-law is approved.

There were no further questions or comments and the meeting adjourned at 7:40 p.m.

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