



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 204-83
To adopt Amendment Number 17 to the
Official Plan of the City of Brampton
Planning Area and Amendment Number 17 A
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, and the Planning Act, hereby ENACTS as follows:

1. Amendment Number 17 to the Official Plan of the City of Brampton Planning Area, and Amendment Number 17 A to the Consolidated 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 and Housing for approval of Amendment Number 17 to the Official Plan of the City of Brampton Planning Area and Amendment Number 17 A 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 11th day of July, 1983.

KENNETH G. WHILLANS - MAYOR

ROBERT D. TUFTS - ACTING CLERK

21-OP-0031-017

AMENDMENT NUMBER 17

to the Official Plan of the
City of Brampton Planning Area

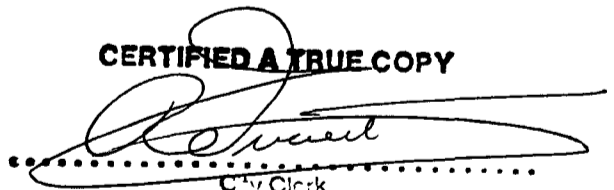
and

AMENDMENT NUMBER 17 A

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

-7

CERTIFIED A TRUE COPY



City Clerk
City of Brampton

AUG 18 1983

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Amendment No. 17a
to the
Consolidated Official Plan for the
City of Brampton Planning Area and
Amendment No. 17 to the Official Plan
for the City of Brampton Planning Area

This Amendment to the Consolidated Official Plan for the City of Brampton Planning Area and 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. 17a to the Consolidated Official Plan for the City of Brampton Planning Area and Amendment No. 17 to the Official Plan for the City of Brampton Planning Area, save and except the following, which will be deferred for further consideration pursuant to section 14(3) of the Planning Act:

1. Section 3.(1), page 1, in its entirety.

Date Aug: 5/83 ASWELL



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 204-83

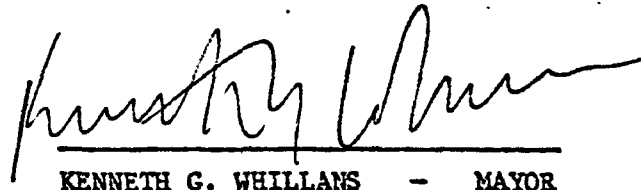
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READ a FIRST, SECOND and THIRD TIME, and Passed In Open Council,

This 11th day of July, 1983.


KENNETH G. WHILLANS - MAYOR


ROBERT D. TUFTS - ACTING CLERK

AND

1. Purpose

The purpose of this amendment is to change the land use designation of lands shown outlined on Schedule A attached hereto from Residential Low Density to Service Commercial and to provide a supplemental development principle for the development of the subject lands.

2. Location

The lands subject to this amendment are located at the south-east corner of Railroad Street and Elizabeth Street North, being part of Lot 6, Concession 1, W.H.S., (former Town of Brampton, County of Peel) in the City of Brampton.

3. Amendment and Policies Relative Thereto

(1) The Official Plan of the City of Brampton Planning Area is hereby amended by deleting 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 Number 17 A to the Consolidated Official Plan, are combined, and shall constitute the Brampton Central Secondary Plan."

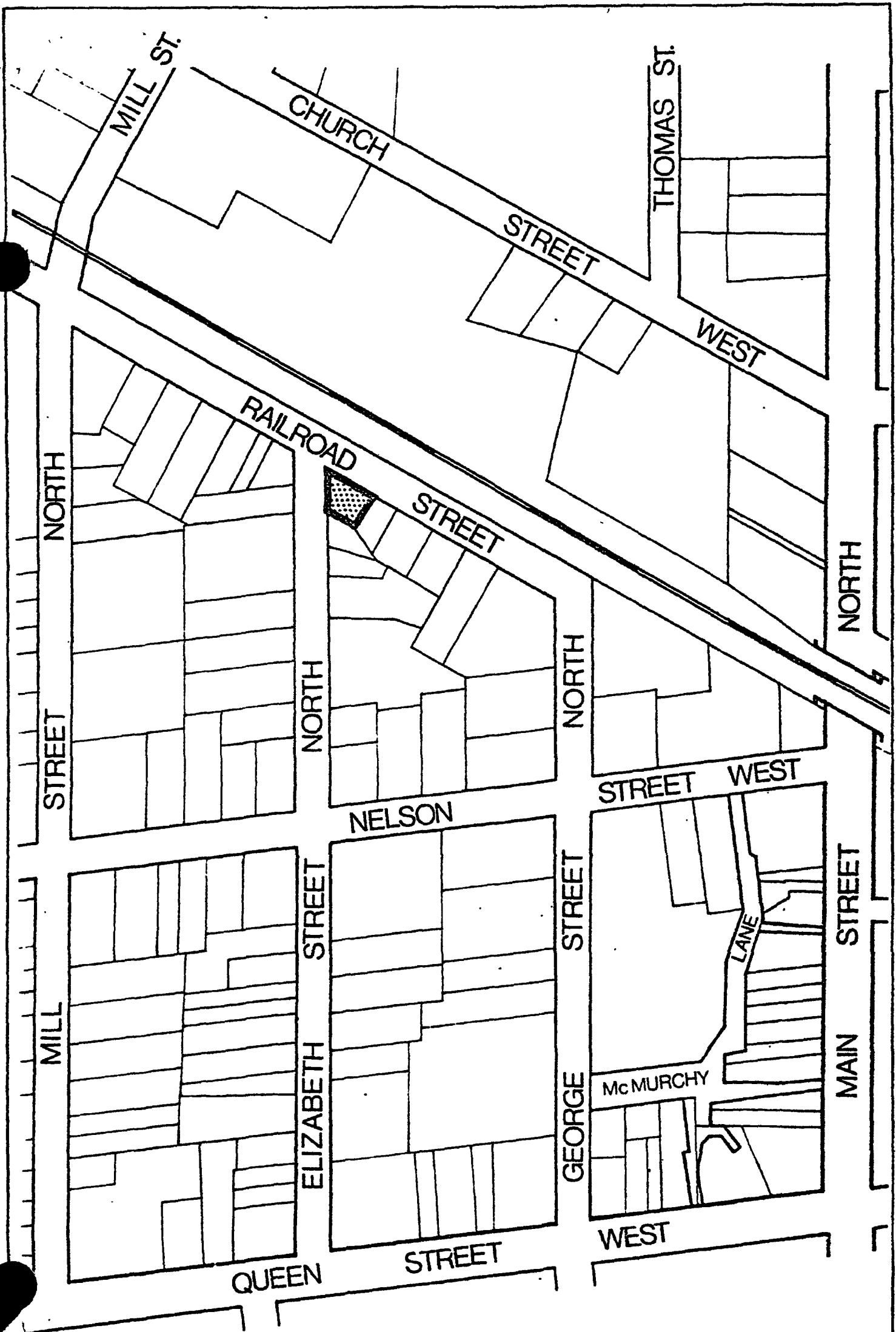
(2) The Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Brampton Central Secondary Plan (being Subsection B2.6 of Chapter B1 and Chapter B2 of Section B of Part C, and Plate Number 10, of the Consolidated Official Plan of the City of Brampton Planning Area, as amended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

(1) by changing, on Plate Number 10, the land use designation of lands shown outlined on Schedule A attached hereto, from Residential Low Density to Service Commercial.

(2) by adding to Part C, Section B, Chapter B1, Subsection B2.6, Paragraph 4.0, the following:

"4.8 The Service Commercial designation of the land at the south-east corner of the intersection of Railroad Street and Elizabeth Street is intended to permit the use of an existing structure for specific office purposes only."

JP
8/7/6



 Service Commercial

OFFICIAL PLAN AMENDMENT No. 17
 OFFICIAL PLAN AMENDMENT No. 17 A
 Schedule A



1:2000

CITY OF BRAMPTON
 Planning and Development

Date: 83 06 22 Drawn by: RB
 File no. CIW6.26 Map no. 42-630

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 17
AND
AMENDMENT NUMBER 17 A

Attached is a copy of a report of the Director, Planning and Development Services, dated May 19, 1983 and a copy of a report from the Director, Planning and Development Services, dated June 28, 1983, forwarding notes of a public meeting held on June 27, 1983.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

1983 05 19

TO: Chairman of Development Team

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and the Restricted Area (Zoning) By-law
Part of Lots 6 and 7
Registered Plan Number BR-4
58 Elizabeth Street North
Ward Number 5
LINDA R. LEENDERS
Our File Number C1W6.26

1.0 Introduction

An application to amend the Official Plan and the Restricted Area (Zoning) By-law has been filed with the City Clerk.

2.0 Property Description

The subject property is 0.03 hectares (0.08 acres) in size located at the south-east corner of Railroad Street and Elizabeth Street. The property has a frontage along the south side of Railroad Street of 25.9 metres (85 feet) and a frontage along the east side of Elizabeth Street North of 18.5 metres (61 feet).

The property is presently occupied by a one and one half storey house, in good condition, having a total floor area of approximately 119 square metres (1,280 square feet). The house is currently being used for a restaurant on the ground floor and a residential dwelling unit on the second floor. Approximately 5 parking spaces are provided in a paved parking area to the south of the structure with access to this parking area being obtained via both Elizabeth Street and Railroad Street.

C3-2

Along the southerly limit of this parking area, on the southerly property boundary is a chain link fence, approximately 4 feet in height and a deciduous hedge. To the east, between the subject property and the rear yard of the abutting detached dwelling is a wood screen fence, approximately 5 feet in height. No other fencing exists on the property.

Except for the aforementioned parking area, the site is grassed and pleasantly landscaped, consisting of three mature deciduous trees and a number of shrubs. In general, the structure and the site appears to be well maintained.

Surrounding the site are the following uses:

- to the east, lands are developed for detached dwellings fronting on Railroad Street;
- to the south and west, lands are also developed for detached dwellings fronting on Elizabeth Street North, and
- to the north, on the opposite side of Railroad Street, is the Canadian National Railway, the Brampton Railway Station and the Go Transit parking lot.

3.0 Official Plan and Zoning Status

The subject site is within the Brampton Central Planning District of the Consolidated Official Plan and is designated Residential Low Density. The new Official Plan also designates the subject site Residential Low Density by the readoption of the secondary plan for the Brampton Central Planning District. Although the secondary plan for the Brampton Central Planning District was readopted in the new Official Plan, in January of 1981 Council initiated the preparation of a new secondary plan for the district. As part of this new secondary plan process, the Four Corners Revitalization Study has been prepared, received by Council and referred to staff for further evaluation and is background material to the new secondary plan. The subject site is outside of the boundary of the revitalization study

but within the boundary of the Brampton Central Secondary Plan Area. At present, staff is preparing a concept plan for the Central Planning District, which is intended to form the basis for a new secondary plan.

By-law 200-82 zones the subject site Service Commercial - Section 109 (SC - Section 109) which limits the use of the property to a dining room restaurant on the first storey and a dwelling unit on the second storey.

In view of the foregoing, an amendment to both the Official Plan and the Zoning By-law are required to permit the use proposed.

4.0 Proposal

The applicant is proposing that the Official Plan and the Restricted Area Zoning By-law be amended to permit the existing structure on the site to be used for office purposes other than a real estate office or an office for a physician, dentist or drugless practitioner.

The applicant has advised that as the property is currently being used for commercial purposes, namely a restaurant, no changes to the site or the exterior of the structures are necessary. In this respect the applicant has submitted a site development plan which illustrates the location of the existing structure on the site, existing parking facilities, existing driveways and access and existing landscaping. In addition, the applicant has indicated that approximately 76.7 square metres (826 square feet) of the existing 119 square metre structure is usable for office purposes with the balance of the structure composed of washrooms, hallways and an enclosed porch.

5.0 Comments from Other Agencies and Departments

Public Works Department have advised they have no objection to the subject application, however, note that the owner should be made

C3-4

aware of the encroachment of the existing structure on the right-of-way of Railroad Street, City property, and should agree to the removal of this encroachment at the owners cost, if and when requested by the City.

Region of Peel advises sanitary sewers and municipal water services are available on Elizabeth Street and Railroad Street. No regional roads are directly affected and the Region does not object to this application.

No other department or agency has indicated any objections or comments on the subject application.

6.0 Discussion

As noted earlier, the subject site is within the Brampton Central Planning District, an area for which a comprehensive planning study, for the development of a new secondary plan, is presently underway. More specifically, the subject site, is being considered for a low density commercial designation in recognition of the existing use of the property and the residential nature of the surrounding area. Such a low density commercial designation would accommodate the low intensity office use proposed by the applicant.

Ideally the approval of office use of the subject property should await the appropriate policies and the criteria for such uses being firmly established in the new secondary plan. In the case of the subject application, such a delay would not only be unnecessarily onerous on the applicant but would not be in the best interests of the City, as the use being proposed is of a lower intensity nature than the existing use of the property. In view of the foregoing, it is the opinion of staff that the low intensity office use which is proposed will be more compatible with the surrounding residential area and thereby have no objection in principle to the subject proposal.

We note, however, that the limited size of the site, its irregular shape, and the location of the existing structure will mean that various aspects for the current zoning requirements for the use proposed cannot be achieved. The structure will be deficient in virtually all setback requirements and in fact encroaches onto the right-of-way of Railroad Street. Although the adequate number of parking spaces can be provided within the existing parking area of the site, the existing driveways and aisle are below the standards contained in By-law 200-82.

It is recognized that in many cases where a structure was originally designed as a single-family residential dwelling and is converted to commercial use, there is little that can be accomplished with respect to conformity to current zoning requirements. In the case of the subject property, staff are of the opinion that little can be done to improve the existing situation with respect to conformity to current zoning standards, short of demolishing the existing structure. However, staff feel that if approved, the low intensity of the use being proposed will be an improvement over that which currently exists. As a result, it is the opinion of staff the substandard features of the site could be tolerated in this particular instance.

To improve the current appearance of the site and its relationship to the abutting residences to the south and east, it is recommended that:

1. the existing landscaped treatment at the north-westerly corner of the site be augmented with 70 mm. deciduous trees in suitable locations to ultimately replace the existing mature trees in this vicinity;
2. no flood lights be permitted to be installed;
3. the amount of signage be minimal and the design and type of sign reflect the residential character of the immediate area;

C3-6

4. the parking area be screened from the abutting residential properties to the south and east by a 1.8 metres solid screen fence, and
5. concrete car stops be provided along the southerly boundary of the parking area and a timber guardrail be provided along the easterly boundary of the site.

Although landscape plan approval and sign approval will be necessary to implement the above noted recommendations, as no significant alternations will be made to the structure, the existing parking or the existing access, staff are of the opinion that site development plan approval is not necessary in this instance. However, since no building permit will be required for this application, the approval of the landscape plan, to depositing of securities and the execution of the appropriate agreement should be carried out prior to the passing of an amending by-law.

7.0 Recommendation

It is recommended that:

- A. A public meeting be held in accordance with City Council's procedures, and that
- B. Subject to the results of the public meeting, staff be instructed to prepare appropriate amendments to the Official Plan and Restricted Area (Zoning) By-law for the consideration of Council subject to the following conditions:
 1. The site specific zoning by-law contain the following:
 - (a) the total gross commercial floor area be limited to that which currently exists;

- (b) a building envelope, parking area, access and landscaped area be identified which is consistent with that which currently exists; and
 - (c) the site shall only be used for offices, other than those of a physician, dentist or drugless practitioner or a real estate office.
- 2. The applicant enter into an appropriate agreement with the City which contains the following provisions:
 - (a) no signs shall be erected without the approval of the Commissioner of Planning and Development as to size, type and design;
 - (b) no flood lights will be installed on the site, and
 - (c) the applicant acknowledges the fact that the structure on the site encroaches onto the right-of-way of Railroad Street, City owned property, and agrees, that at any time after an initial ten year period, to the removal of this encroachment, at the applicant's expense, if and when requested by the City.
- 3. Prior to the enactment of the site specific by-law, landscape plan approval shall be obtained and appropriate securities shall be deposited with the City to ensure implementation of this plan.
- 4. The landscape plan reflect the following:
 - (a) the provision of a screen fence, 1.8 metres in height, in suitable locations to screen the parking area from the properties to the east and south, and

C3-8

- (b) the provision of concrete car stops at the southerly boundary of the site and a timber guardrail along the easterly boundry of the site.
- (c) the provision of 70 mm. deciduous trees in suitable locations to ultimately replace the existing mature trees at the north westerly corner of the site.

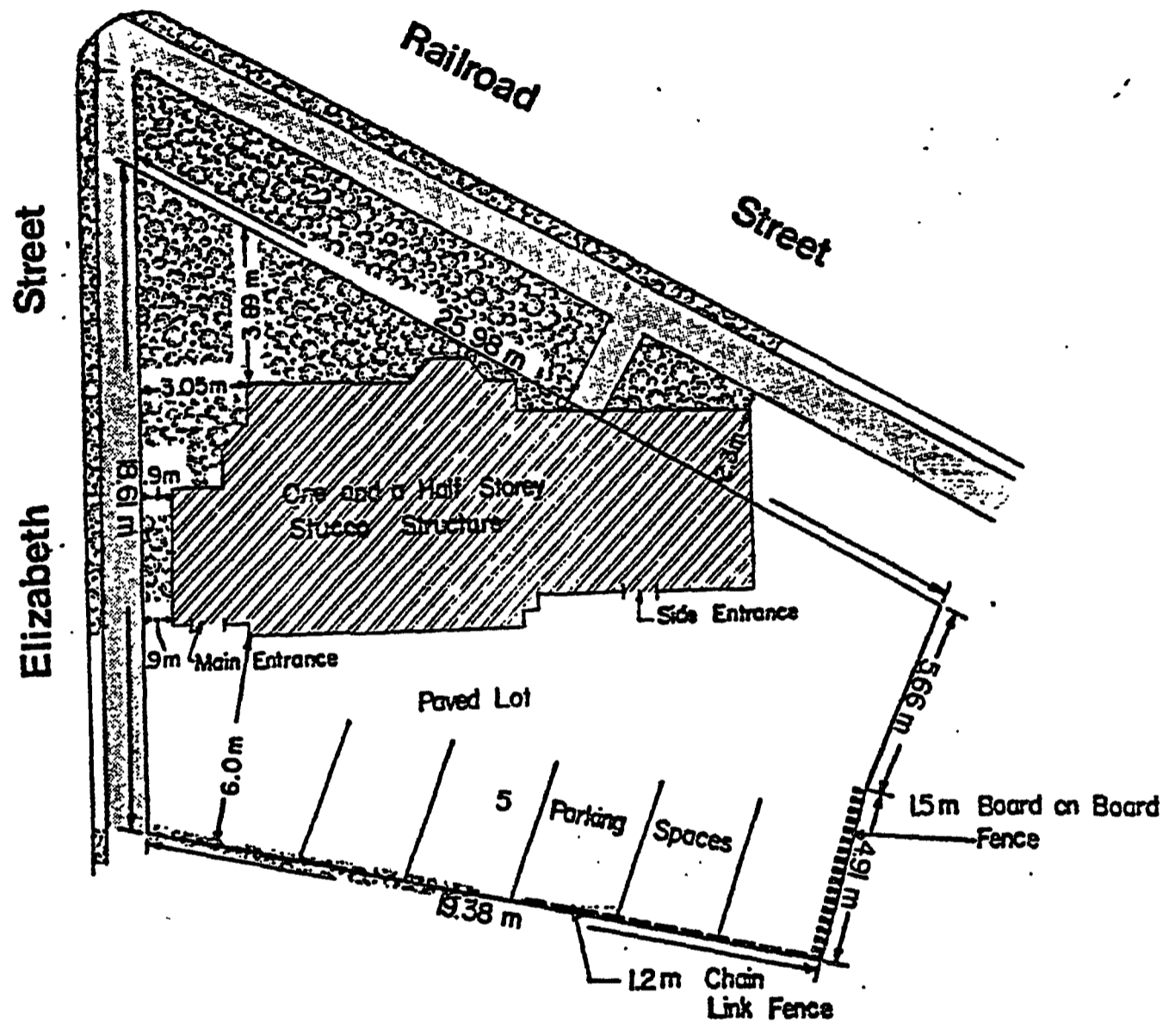
AGREED:


F. R. Dalzell
Commissioner of Planning
and Development


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

Enclosures - 3

DR/thk



LEGEND

- Building Area
- Concrete Sidewalk
- Chain Link Fence
- Board Fence
- Landscaped Area

LINDA R. LEENDERS

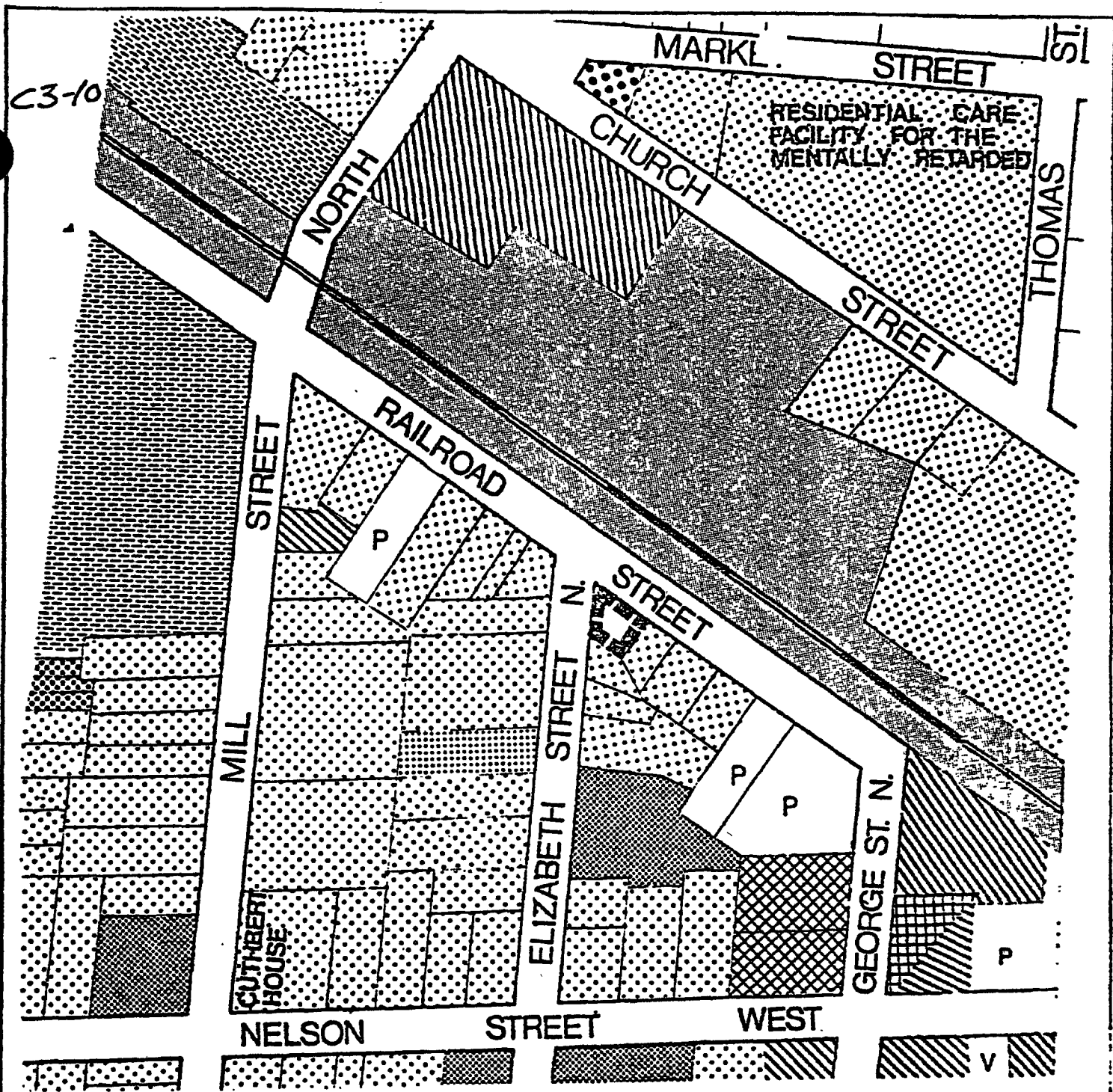
Site Plan



1:200

CITY OF BRAMPTON
 Planning and Development

Date: 83 05 05 Drawn by: R B
 File no. CIW6.26 Map no. 42-63C



LEGEND

SUBJECT PROPERTY

RESIDENTIAL

- Detached
- Semi-Detached
- Rowhouses
- Apartments

COMMERCIAL

- Retail
- Office
- INDUSTRIAL

TRANSPORTATION

- UTILITY
- VACANT — V
- PARKING LOT — P

LINDA R. LEENDERS

Land Use

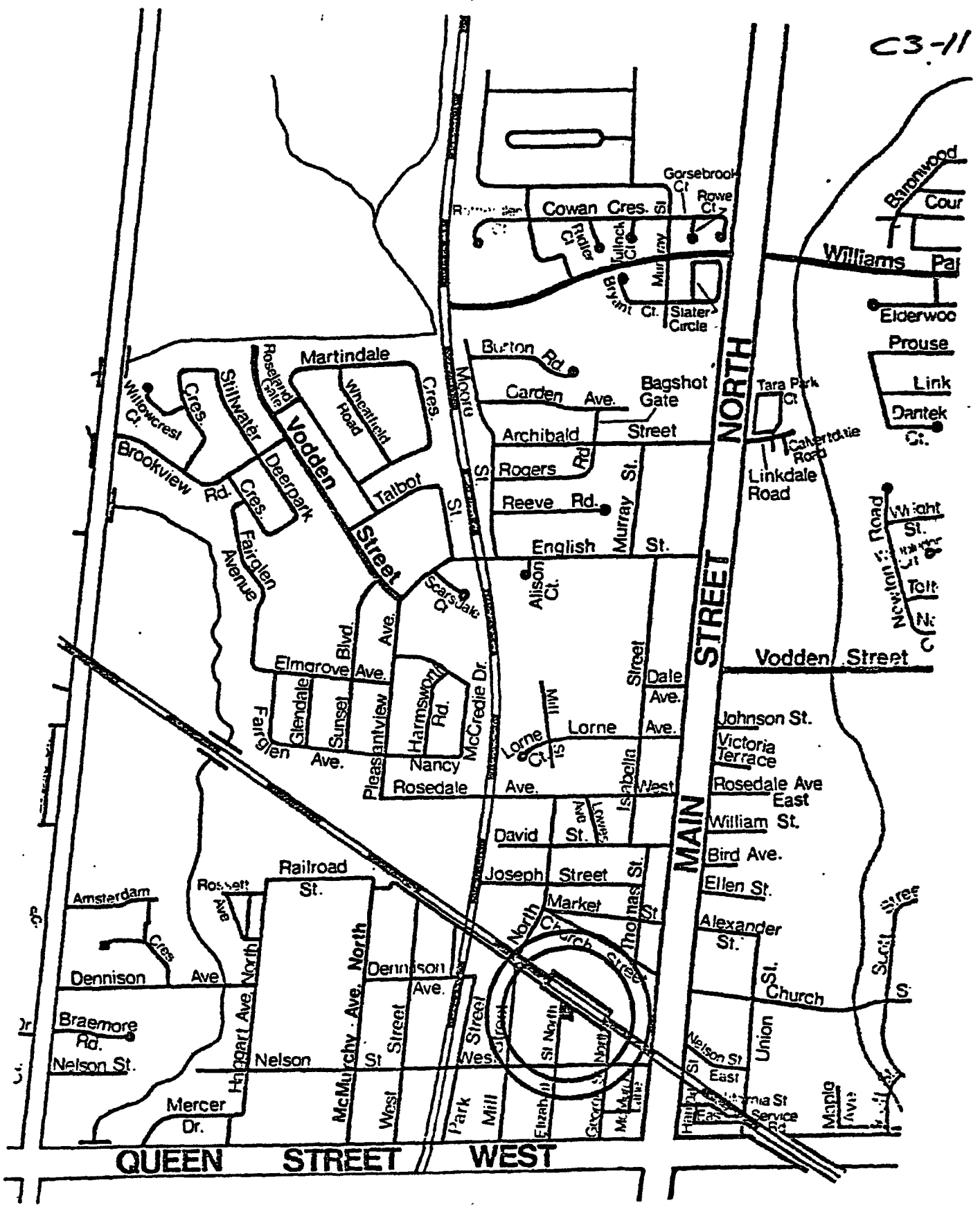


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CITY OF BRAMPTON
Planning and Development

Date: 83 05 04 Drawn by: RB
File no. CIW6.26 Map no. 42-63B

C3-11



LINDA R. LEENDERS

Location Map



1:2000

CITY OF BRAMPTON
Planning and Development

Date: 83 05 05 Drawn by: RB
 File no. CIW6.26 Map no. 42-63A

INTER-OFFICE MEMORANDUM

DI

Office of the Commissioner of Planning & Development

1983 06 28

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

Re: Application to Amend the Official Plan
and Restricted Area (Zoning) By-law
Part of Lots 6 and 7
Registered Plan BR-4 - Ward 5
58 Elizabeth Street North
LINDA R. LEENDERS
Our File: C1W6.26

The notes of the Public Meeting held on Monday, June 27, 1983, with respect to the above noted application are attached for the information of Planning Committee.

One member of the public, Mr. G. Giles, a local resident attended the meeting and raised an objection to the subject proposal. Mr. Giles indicated that he represented the views of a number of residents of the area, however, he provided no evidence to this effect. His objection primarily involved a concern regarding the creation of a commercial zoning in a predominantly residential area, in that, parking problems will result and the hours of operation make the proposed office use incompatible with the surrounding residential area. Mr. Giles also noted an existing visibility problem for traffic at the intersection of Elizabeth Street and Railroad Street due to the location of the existing structure on the site.

In response to the objections raised to the proposed office use of the property, staff note that the property has been zoned for commercial purposes since 1962 and within By-law 268-82 is currently zoned SC-Section 109, which permits the subject property to be used for a dining room restaurant within the existing structure on the site. It is the opinion

- cont'd. -

of staff that the subject proposal to permit the existing structure to be used for office purposes, not including medical offices or a real estate office, is a significantly lower intensity type of use than that which is presently permitted and thereby more compatible with the surrounding residential area.

In addition, a letter has been received from Mr. T. Anderson, the abutting property owner to the south, indicating that he has no objection to the proposal, subject to a 1.8 metre (6 feet) high privacy fence being erected along the site's southerly property boundary. A copy of Mr. Anderson's letter is attached.

RECOMMENDATION


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


- 1) The notes of the Public Meeting be received;
- 2) Staff be instructed to prepare appropriate amendments to the Official Plan and Restricted Area (Zoning) By-law for the consideration of City Council, subject to the following conditions:
 - 1) The site specific zoning by-law contain the following:
 - a) The total gross commercial floor area be limited to that which currently exists;
 - b) A building envelope, parking area, access and landscaped area be identified which is consistent with that which currently exists, and,
 - c) the site shall only be used for offices, other than those of a physician, dentist or drugless practitioner or a real estate office;
- 3) The applicant enter into an appropriate agreement

with the City which contains the following provisions:

- a) No signs shall be erected without the approval of the Commissioner of Planning and Development as to size, type and design;
- b) No flood lights will be installed on the site, and,
- c) The applicant acknowledges the fact that the structure on the site encroaches onto the right-of-way of Railroad Street, City owned property, and acknowledges that the City will permit this encroachment to continue as long as the existing building remains;
- d) The provision of a screen fence, 1.8 metres in height, in suitable locations to screen the parking area from the properties to the east and south, and
- e) The provision of concrete car stops at the southerly boundary of the site and a timber guardrail along the easterly boundary of the site;
- f) The provision of 70 mm. deciduous trees in suitable locations to ultimately replace the existing mature trees at the north westerly corner of the site, and
- g) The appropriate securities shall be deposited with the City to ensure the implementation of this agreement.

AGREED


F. R. Dalzell,
Commissioner of Planning
and Development


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

LWHL/DR/ec
attachments

D1-4

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Monday, June 27th, 1983, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:50 p.m., with respect to an application by LINDA R. LEENDERS (File: CIW6.26) to amend both the Official Plan and Restricted Area (Zoning) By-law to permit the applicant to use the existing structure on the site for office purposes other than a real estate, physician, dentist or drugless practitioner.

Members Present: Alderman M. Anecchini - Chairman
Alderman F. Kee
Alderman H. Chadwick
Alderman C. Gibson
Alderman R. Metzak

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

There was one interested member of the public in attendance.

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. Ross outlined the proposal and explained the intent of the application.

After the presentation the Chairman invited questions and comments from the members of the public in attendance.

Mr. G. Giles, 39 Elizabeth Street North, voiced objection to the proposal. He noted that the Ontario Municipal Board had backed his objection to the application proposed for the land

- cont'd. -

DI-5

across the street from the subject site. Also, he noted that a group of neighbours supported his request to retain the residential character of the area and not allow small businesses to establish which could mushroom out and affect the whole area. He expressed concern relating to parking and the fact that the subject property juts out into the intersection and should be aligned at the corner for traffic reasons.

Mr. Dalzell commented that the proposal would probably be more favourable than other uses because of the controlled hours of operation, that the parking conforms with the City standards and would perhaps be better than a restaurant on the site.

Mr. Giles complained about having to come to meetings on the rezoning of property in the area to express objection to any commercial zoning. He commented that the area should remain residential and that there was no need for more office buildings in the vicinity.

There were no further questions or comments and the meeting adjourned at 8:00 p.m.

D1-6

Date

Recd

14 Treleaven Drive
Brampton, Ontario

CIW6.26

Mr. F.R. Dalzell
Planning and Development Department
The Corporation of the City of Brampton
150 Central Park Drive
Brampton, Ontario

Dear Sir

Re: Your file #CIW6.26 Ward 5

I understand that the erection of a 6 foot
privacy fence on the south side of the property for
which the change in zoning has been requested, has been
recommended by the planning department staff. Should
this proposal be accepted I have no objection to the
change in zoning as requested.

Yours very truly


Ted Anderson

Dave
87.06.27

21-OP-0031-017

AMENDMENT NUMBER 17

to the Official Plan of the
City of Brampton Planning Area

and

AMENDMENT NUMBER 17 A

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

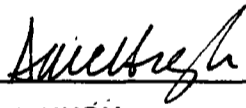
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Amendment No. 17A
to the
Consolidated Official Plan for the
City of Brampton Planning Area
Amendment No. 17 to the
Official Plan for the
City of Brampton Planning Area

I hereby approve, in accordance with Section 14(3) of the Planning Act, the further final portions of Amendment No. 17 to the Official Plan for the City of Brampton Planning Area and Amendment No. 17A to the Consolidated Official Plan for the City of Brampton Planning Area:

1. Section 3.(1), page 1 in its entirety.

Date Feb. 6/89



D. P. McHUGH
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs and Housing

Amendment No. 17a
to the
Consolidated Official Plan for the
City of Brampton Planning Area and
Amendment No. 17 to the Official Plan
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1. Section 3.(1), page 1, in its entirety.

Date *Aug. 5/83*

D. P. McHugh

D. P. McHUGH
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs and Housing



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

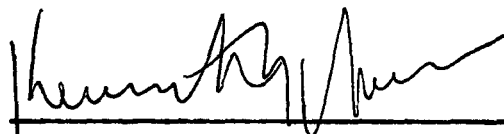
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This 11th day of July, 1983.


KENNETH G. WHILLANS - MAYOR


ROBERT D. TUFTS - ACTING CLERK

AMENDMENT NUMBER 17 TO THE OFFICIAL PLAN

AND

AMENDMENT NUMBER 17 A TO THE CONSOLIDATED OFFICIAL PLAN

1. Purpose

The purpose of this amendment is to change the land use designation of lands shown outlined on Schedule A attached hereto from Residential Low Density to Service Commercial and to provide a supplemental development principle for the development of the subject lands.

2. Location

The lands subject to this amendment are located at the south-east corner of Railroad Street and Elizabeth Street North, being part of Lot 6, Concession 1, W.H.S., (former Town of Brampton, County of Peel) in the City of Brampton.

3. Amendment and Policies Relative Thereto

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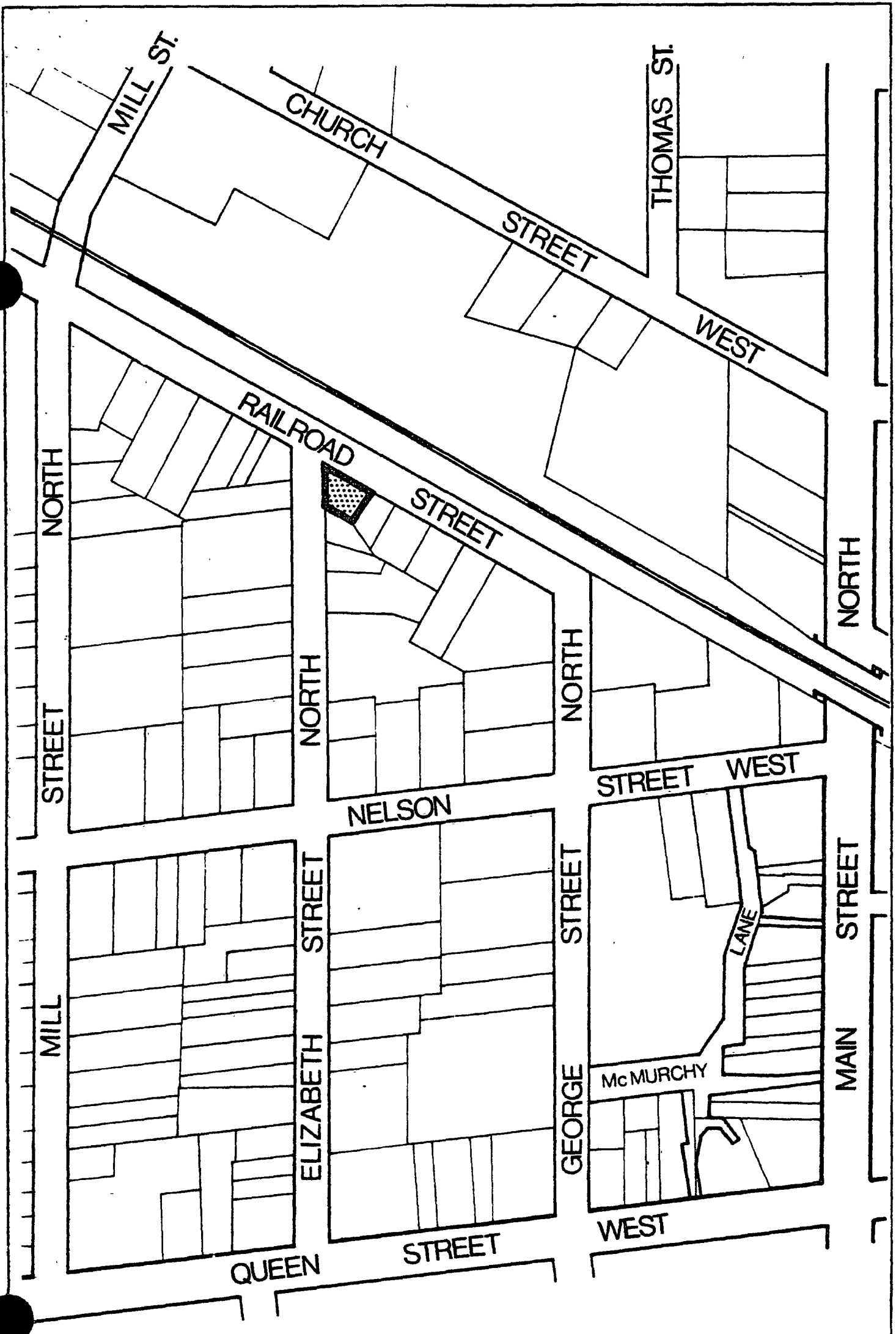
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(2) by adding to Part C, Section B, Chapter B1, Subsection B2.6, Paragraph 4.0, the following:

"4.8 The Service Commercial designation of the land at the south-east corner of the intersection of Railroad Street and Elizabeth Street is intended to permit the use of an existing structure for specific office purposes only."

DEFERRED
UNDER SECTION 14(3) OF
THE PLANNING ACT





 Service Commercial

OFFICIAL PLAN AMENDMENT No. 17
 OFFICIAL PLAN AMENDMENT No. 17A
 Schedule A



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CITY OF BRAMPTON
 Planning and Development

Date: 83 06 22 Drawn by: RB
 File no: CIW6 26 Map no. 42-63D

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 17
AND
AMENDMENT NUMBER 17 A

Attached is a copy of a report of the Director, Planning and Development Services, dated May 19, 1983 and a copy of a report from the Director, Planning and Development Services, dated June 28, 1983, forwarding notes of a public meeting held on June 27, 1983.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

1983 05 19

TO: Chairman of Development Team
FROM: Planning and Development Department
RE: Application to Amend the Official Plan
and the Restricted Area (Zoning) By-law
Part of Lots 6 and 7
Registered Plan Number BR-4
58 Elizabeth Street North
Ward Number 5
LINDA R. LEENDERS
Our File Number C1W6.26

1.0 Introduction

An application to amend the Official Plan and the Restricted Area (Zoning) By-law has been filed with the City Clerk.

2.0 Property Description

The subject property is 0.03 hectares (0.08 acres) in size located at the south-east corner of Railroad Street and Elizabeth Street. The property has a frontage along the south side of Railroad Street of 25.9 metres (85 feet) and a frontage along the east side of Elizabeth Street North of 18.5 metres (61 feet).

The property is presently occupied by a one and one half storey house, in good condition, having a total floor area of approximately 119 square metres (1,280 square feet). The house is currently being used for a restaurant on the ground floor and a residential dwelling unit on the second floor. Approximately 5 parking spaces are provided in a paved parking area to the south of the structure with access to this parking area being obtained via both Elizabeth Street and Railroad Street.

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Along the southerly limit of this parking area, on the southerly property boundary is a chain link fence, approximately 4 feet in height and a deciduous hedge. To the east, between the subject property and the rear yard of the abutting detached dwelling is a wood screen fence, approximately 5 feet in height. No other fencing exists on the property.

Except for the aforementioned parking area, the site is grassed and pleasantly landscaped, consisting of three mature deciduous trees and a number of shrubs. In general, the structure and the site appears to be well maintained.

Surrounding the site are the following uses:

- to the east, lands are developed for detached dwellings fronting on Railroad Street;
- to the south and west, lands are also developed for detached dwellings fronting on Elizabeth Street North, and
- to the north, on the opposite side of Railroad Street, is the Canadian National Railway, the Brampton Railway Station and the Go Transit parking lot.

3.0 Official Plan and Zoning Status

The subject site is within the Brampton Central Planning District of the Consolidated Official Plan and is designated Residential Low Density. The new Official Plan also designates the subject site Residential Low Density by the readoption of the secondary plan for the Brampton Central Planning District. Although the secondary plan for the Brampton Central Planning District was readopted in the new Official Plan, in January of 1981 Council initiated the preparation of a new secondary plan for the district. As part of this new secondary plan process, the Four Corners Revitalization Study has been prepared, received by Council and referred to staff for further evaluation and is background material to the new secondary plan. The subject site is outside of the boundary of the revitalization study

but within the boundary of the Brampton Central Secondary Plan Area. At present, staff is preparing a concept plan for the Central Planning District, which is intended to form the basis for a new secondary plan.

By-law 200-82 zones the subject site Service Commercial - Section 109 (SC - Section 109) which limits the use of the property to a dining room restaurant on the first storey and a dwelling unit on the second storey.

In view of the foregoing, an amendment to both the Official Plan and the Zoning By-law are required to permit the use proposed.

4.0 Proposal

The applicant is proposing that the Official Plan and the Restricted Area Zoning By-law be amended to permit the existing structure on the site to be used for office purposes other than a real estate office or an office for a physician, dentist or drugless practitioner.

The applicant has advised that as the property is currently being used for commercial purposes, namely a restaurant, no changes to the site or the exterior of the structures are necessary. In this respect the applicant has submitted a site development plan which illustrates the location of the existing structure on the site, existing parking facilities, existing driveways and access and existing landscaping. In addition, the applicant has indicated that approximately 76.7 square metres (826 square feet) of the existing 119 square metre structure is usable for office purposes with the balance of the structure composed of washrooms, hallways and an enclosed porch.

5.0 Comments from Other Agencies and Departments

Public Works Department have advised they have no objection to the subject application, however, note that the owner should be made

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aware of the encroachment of the existing structure on the right-of-way of Railroad Street, City property, and should agree to the removal of this encroachment at the owners cost, if and when requested by the City.

Region of Peel advises sanitary sewers and municipal water services are available on Elizabeth Street and Railroad Street. No regional roads are directly affected and the Region does not object to this application.

No other department or agency has indicated any objections or comments on the subject application.

6.0 Discussion

As noted earlier, the subject site is within the Brampton Central Planning District, an area for which a comprehensive planning study, for the development of a new secondary plan, is presently underway. More specifically, the subject site, is being considered for a low density commercial designation in recognition of the existing use of the property and the residential nature of the surrounding area. Such a low density commercial designation would accommodate the low intensity office use proposed by the applicant.

Ideally the approval of office use of the subject property should await the appropriate policies and the criteria for such uses being firmly established in the new secondary plan. In the case of the subject application, such a delay would not only be unnecessarily onerous on the applicant but would not be in the best interests of the City, as the use being proposed is of a lower intensity nature than the existing use of the property. In view of the foregoing, it is the opinion of staff that the low intensity office use which is proposed will be more compatible with the surrounding residential area and thereby have no objection in principle to the subject proposal.

We note, however, that the limited size of the site, its irregular shape, and the location of the existing structure will mean that various aspects for the current zoning requirements for the use proposed cannot be achieved. The structure will be deficient in virtually all setback requirements and in fact encroaches onto the right-of-way of Railroad Street. Although the adequate number of parking spaces can be provided within the existing parking area of the site, the existing driveways and aisle are below the standards contained in By-law 200-82.

It is recognized that in many cases where a structure was originally designed as a single-family residential dwelling and is converted to commercial use, there is little that can be accomplished with respect to conformity to current zoning requirements. In the case of the subject property, staff are of the opinion that little can be done to improve the existing situation with respect to conformity to current zoning standards, short of demolishing the existing structure. However, staff feel that if approved, the low intensity of the use being proposed will be an improvement over that which currently exists. As a result, it is the opinion of staff the substandard features of the site could be tolerated in this particular instance.

To improve the current appearance of the site and its relationship to the abutting residences to the south and east, it is recommended that:

1. the existing landscaped treatment at the north-westerly corner of the site be augmented with 70 mm. deciduous trees in suitable locations to ultimately replace the existing mature trees in this vicinity;
2. no flood lights be permitted to be installed;
3. the amount of signage be minimal and the design and type of sign reflect the residential character of the immediate area;

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4. the parking area be screened from the abutting residential properties to the south and east by a 1.8 metres solid screen fence, and
5. concrete car stops be provided along the southerly boundary of the parking area and a timber guardrail be provided along the easterly boundary of the site.

Although landscape plan approval and sign approval will be necessary to implement the above noted recommendations, as no significant alternations will be made to the structure, the existing parking or the existing access, staff are of the opinion that site development plan approval is not necessary in this instance. However, since no building permit will be required for this application, the approval of the landscape plan, to depositing of securities and the execution of the appropriate agreement should be carried out prior to the passing of an amending by-law.

7.0 Recommendation

It is recommended that:

- A. A public meeting be held in accordance with City Council's procedures, and that
- B. Subject to the results of the public meeting, staff be instructed to prepare appropriate amendments to the Official Plan and Restricted Area (Zoning) By-law for the consideration of Council subject to the following conditions:
 1. The site specific zoning by-law contain the following:
 - (a) the total gross commercial floor area be limited to that which currently exists;

- (b) a building envelope, parking area, access and landscaped area be identified which is consistent with that which currently exists; and
 - (c) the site shall only be used for offices, other than those of a physician, dentist or drugless practitioner or a real estate office.
2. The applicant enter into an appropriate agreement with the City which contains the following provisions:
- (a) no signs shall be erected without the approval of the Commissioner of Planning and Development as to size, type and design;
 - (b) no flood lights will be installed on the site, and
 - (c) the applicant acknowledges the fact that the structure on the site encroaches onto the right-of-way of Railroad Street, City owned property, and agrees, that at any time after an initial ten year period, to the removal of this encroachment, at the applicant's expense, if and when requested by the City.
3. Prior to the enactment of the site specific by-law, landscape plan approval shall be obtained and appropriate securities shall be deposited with the City to ensure implementation of this plan.
4. The landscape plan reflect the following:
- (a) the provision of a screen fence, 1.8 metres in height, in suitable locations to screen the parking area from the properties to the east and south, and

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- (b) the provision of concrete car stops at the southerly boundary of the site and a timber guardrail along the easterly boundry of the site.

- (c) the provision of 70 mm. deciduous trees in suitable locations to ultimately replace the existing mature trees at the north westerly corner of the site.

AGREED:



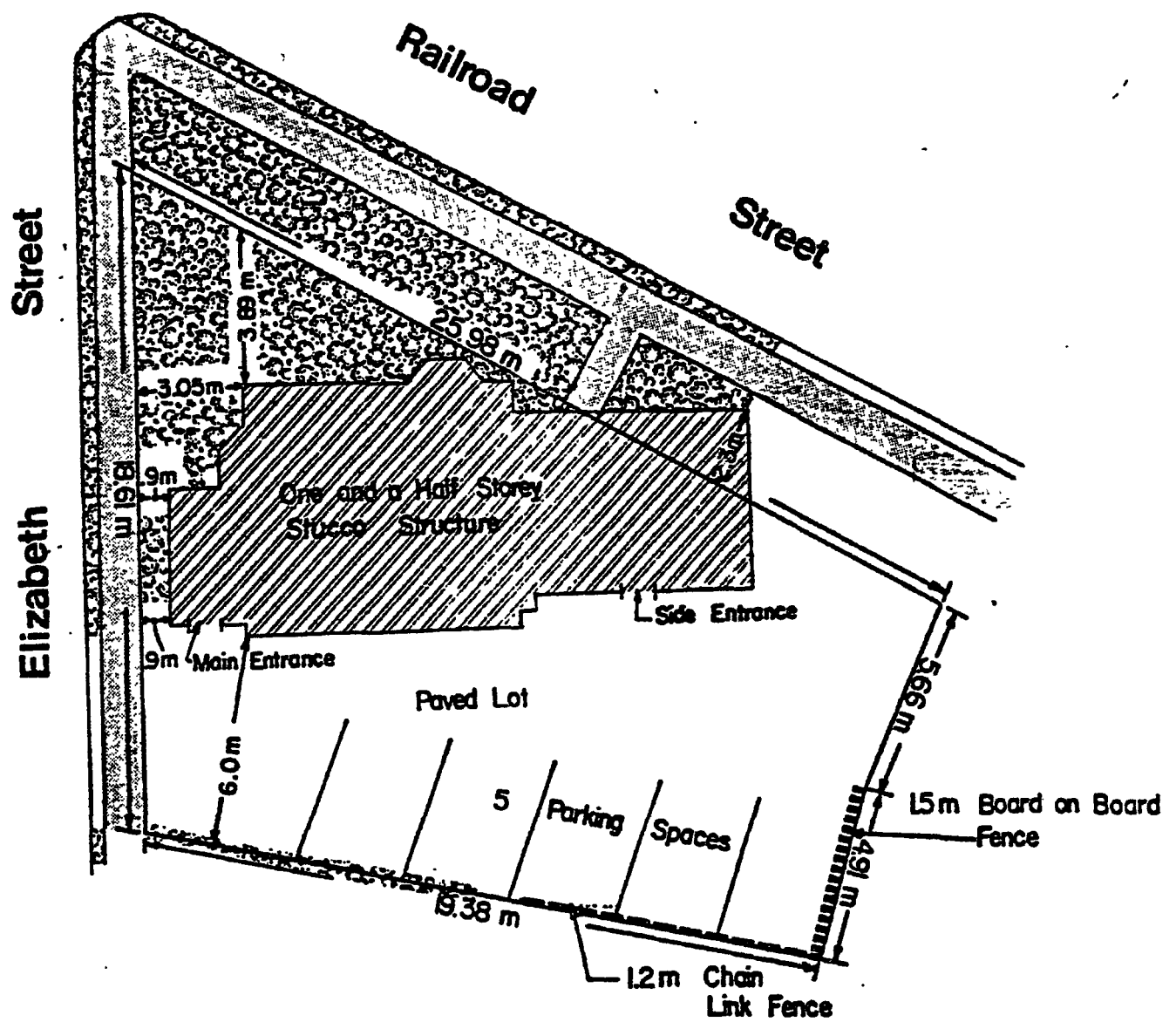
F. R. Dalzell
Commissioner of Planning
and Development








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

Enclosures - 3

DR/thk



LEGEND

- Building Area 
- Concrete Sidewalk 
- Chain Link Fence 
- Board Fence 
- Landscaped Area 

LINDA R. LEENDERS

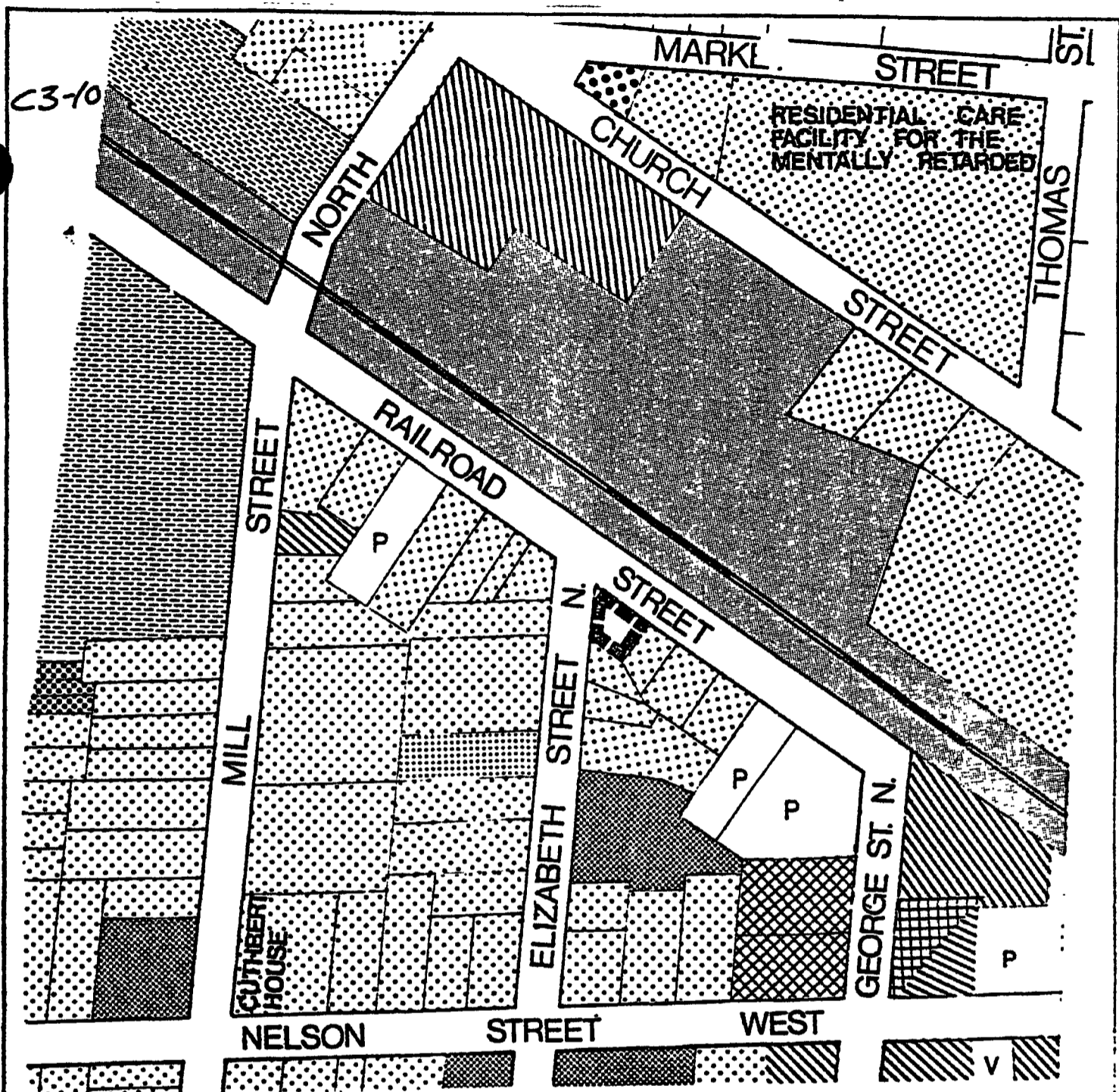
Site Plan



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CITY OF BRAMPTON
 Planning and Development





Date: 83 05 05 Drawn by: R B
 File no. CIW6.26 Map no. 42-63C



LEGEND

SUBJECT PROPERTY ■■■■


RESIDENTIAL

- Detached 
- Semi-Detached 
- Rowhouses 
- Apartments 

COMMERCIAL

- Retail 
- Office 
- INDUSTRIAL 

TRANSPORTATION 

- UTILITY 
- VACANT — V
- PARKING LOT — P

LINDA R. LEENDERS

Land Use

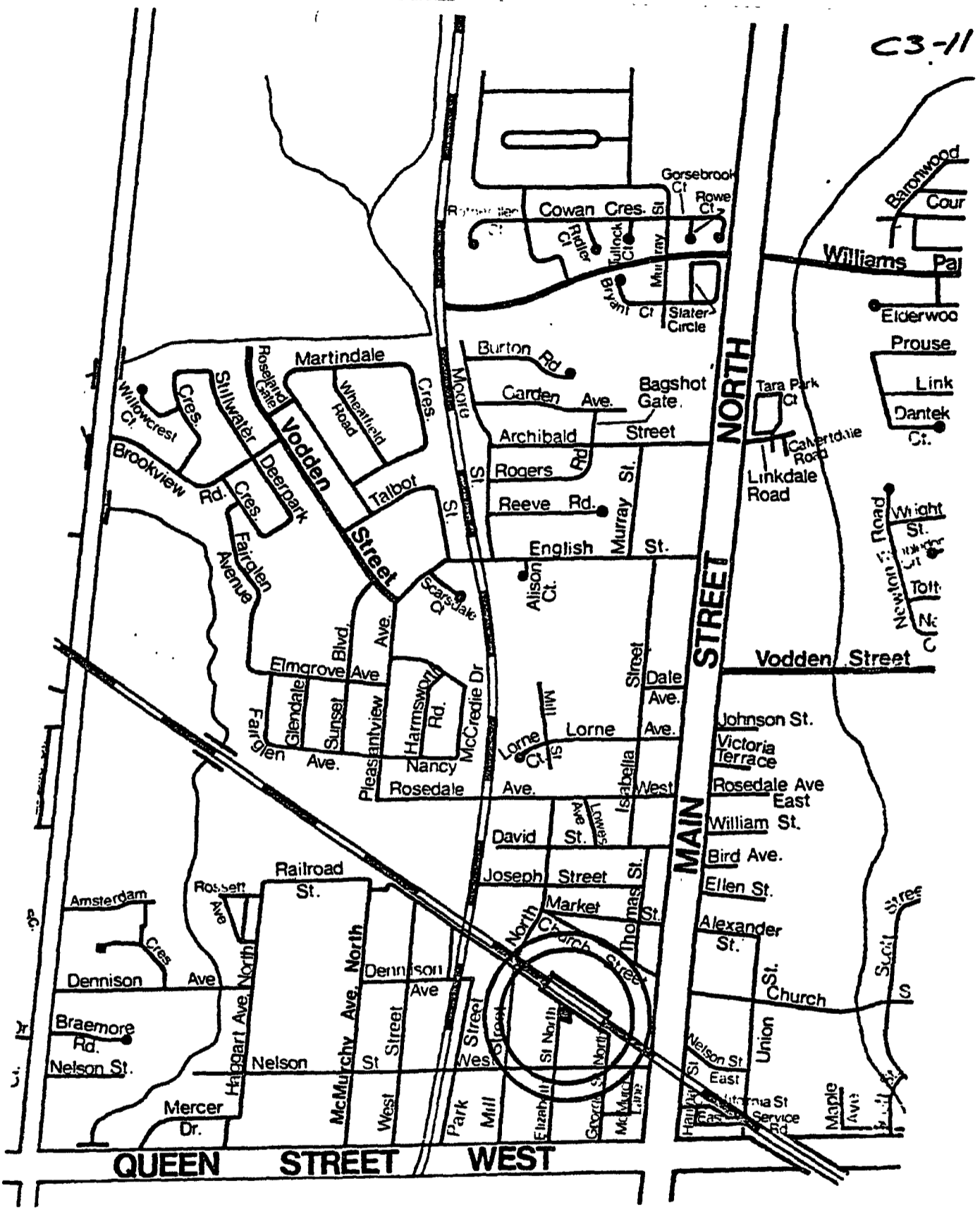


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CITY OF BRAMPTON
Planning and Development

Date: 83 05 04 Drawn by: RB
File no. CIW6.26 Map no. 42-63B

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LINDA R. LEENDERS
 Location Map

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CITY OF BRAMPTON
 Planning and Development
 Date: 83 05 05 Drawn by: RB
 File no. CIW6.26 Map no. 42-63A

INTER-OFFICE MEMORANDUM

DI

Office of the Commissioner of Planning & Development

1983 06 28

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

Re: Application to Amend the Official Plan
and Restricted Area (Zoning) By-law
Part of Lots 6 and 7
Registered Plan BR-4 - Ward 5
58 Elizabeth Street North
LINDA R. LEENDERS
Our File: C1W6.26

The notes of the Public Meeting held on Monday, June 27, 1983, with respect to the above noted application are attached for the information of Planning Committee.

One member of the public, Mr. G. Giles, a local resident attended the meeting and raised an objection to the subject proposal. Mr. Giles indicated that he represented the views of a number of residents of the area, however, he provided no evidence to this effect. His objection primarily involved a concern regarding the creation of a commercial zoning in a predominantly residential area, in that, parking problems will result and the hours of operation make the proposed office use incompatible with the surrounding residential area. Mr. Giles also noted an existing visibility problem for traffic at the intersection of Elizabeth Street and Railroad Street due to the location of the existing structure on the site.

In response to the objections raised to the proposed office use of the property, staff note that the property has been zoned for commercial purposes since 1962 and within By-law 268-82 is currently zoned SC-Section 109, which permits the subject property to be used for a dining room restaurant within the existing structure on the site. It is the opinion

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of staff that the subject proposal to permit the existing structure to be used for office purposes, not including medical offices or a real estate office, is a significantly lower intensity type of use than that which is presently permitted and thereby more compatible with the surrounding residential area.

In addition, a letter has been received from Mr. T. Anderson, the abutting property owner to the south, indicating that he has no objection to the proposal, subject to a 1.8 metre (6 feet) high privacy fence being erected along the site's southerly property boundary. A copy of Mr. Anderson's letter is attached.

RECOMMENDATION

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

- 1) The notes of the Public Meeting be received;
- 2) Staff be instructed to prepare appropriate amendments to the Official Plan and Restricted Area (Zoning) By-law for the consideration of City Council, subject to the following conditions:
 - 1) The site specific zoning by-law contain the following:
 - a) The total gross commercial floor area be limited to that which currently exists;
 - b) A building envelope, parking area, access and landscaped area be identified which is consistent with that which currently exists, and,
 - c) the site shall only be used for offices, other than those of a physician, dentist or drugless practitioner or a real estate office;
- 3) The applicant enter into an appropriate agreement

with the City which contains the following provisions:

- a) No signs shall be erected without the approval of the Commissioner of Planning and Development as to size, type and design;
- b) No flood lights will be installed on the site, and,
- c) The applicant acknowledges the fact that the structure on the site encroaches onto the right-of-way of Railroad Street, City owned property, and acknowledges that the City will permit this encroachment to continue as long as the existing building remains;
- d) The provision of a screen fence, 1.8 metres in height, in suitable locations to screen the parking area from the properties to the east and south, and
- e) The provision of concrete car stops at the southerly boundary of the site and a timber guardrail along the easterly boundary of the site;
- f) The provision of 70 mm. deciduous trees in suitable locations to ultimately replace the existing mature trees at the north westerly corner of the site, and
- g) The appropriate securities shall be deposited with the City to ensure the implementation of this agreement.

AGREED



F. R. Dalzell,
Commissioner of Planning
and Development



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

LWHL/DR/ec
attachments

D1-4

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Monday, June 27th, 1983, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:50 p.m., with respect to an application by LINDA R. LEENDERS (File: CIW6.26) to amend both the Official Plan and Restricted Area (Zoning) By-law to permit the applicant to use the existing structure on the site for office purposes other than a real estate, physician, dentist or drugless practitioner.

Members Present: Alderman M. Anecchini - Chairman
Alderman F. Kee
Alderman H. Chadwick
Alderman C. Gibson
Alderman R. Metzak

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

There was one interested member of the public in attendance.

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. Ross outlined the proposal and explained the intent of the application.

After the presentation the Chairman invited questions and comments from the members of the public in attendance.

Mr. G. Giles, 39 Elizabeth Street North, voiced objection to the proposal. He noted that the Ontario Municipal Board had backed his objection to the application proposed for the land

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across the street from the subject site. Also, he noted that a group of neighbours supported his request to retain the residential character of the area and not allow small businesses to establish which could mushroom out and affect the whole area. He expressed concern relating to parking and the fact that the subject property juts out into the intersection and should be aligned at the corner for traffic reasons.

Mr. Dalzell commented that the proposal would probably be more favourable than other uses because of the controlled hours of operation, that the parking conforms with the City standards and would perhaps be better than a restaurant on the site.

Mr. Giles complained about having to come to meetings on the rezoning of property in the area to express objection to any commercial zoning. He commented that the area should remain residential and that there was no need for more office buildings in the vicinity.

There were no further questions or comments and the meeting adjourned at 8:00 p.m.

D1-6

Date _____ Recd _____
...C1W6.26...

14 Treleaven Drive
Brampton, Ontario

Mr. F.R. Dalzell
Planning and Development Department
The Corporation of the City of Brampton
150 Central Park Drive
Brampton, Ontario

Dear Sir

Re: Your file #C1W6.26 Ward 5

I understand that the erection of a 6 foot
privacy fence on the south side of the property for
which the change in zoning has been requested, has been
recommended by the planning department staff. Should
this proposal be accepted I have no objection to the
change in zoning as requested.

Yours very truly


Ted Anderson

Dave
8/10/67