



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 244-85

To adopt Amendment Number 67
and Amendment Number 67 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 67 and Amendment Number 67 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 67 and Amendment Number 67 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 12th day of August, 1985.

KENNETH G. WHILLANS - MAYOR

ROBERT D. TUFTS - ACTING CLERK

ORIGINAL

P. O. 244-85


AMENDMENT NUMBER 67
AND
AMENDMENT NUMBER 67 A TO
THE OFFICIAL PLAN
OF
THE CITY OF BRAMPTON PLANNING AREA

21 - 0 P 0031 - 067-1

Amendment No. 67A
to the
Consolidated Official Plan for the
City of Brampton Planning Area and
Amendment No. 67 to the
Official Plan for the
City of Brampton Planning Area

This amendment to the Consolidated Official Plan for the City of Brampton and the Official Plan for the City of Brampton, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved in accordance with Section 21 of the Planning Act R.S.O. 1983 as Amendment No. 67A to the Consolidated Official Plan and Amendment No. 67 to the Official Plan for the Brampton Planning Area.

Date . *Oct. 14, 1985*


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



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 244-85

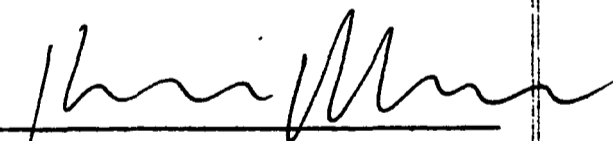
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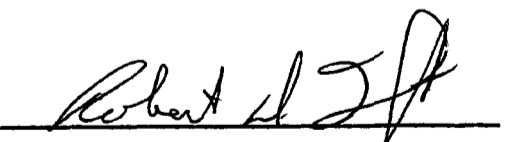
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READ a FIRST, SECOND and THIRD TIME and Passed In Open Council,

This 12th day of August, 1985


KENNETH G. WHILLANS - MAYOR


ROBERT D. TUFTS - ACTING CLERK

AMENDMENT NUMBER 67
AND
AMENDMENT NUMBER 67 A
TO THE OFFICIAL PLAN

1. Purpose:

The purpose of this amendment is to permit the lands shown outlined on Schedule A to this amendment to be used for residential and specific commercial purposes, and to provide supplemental development principles for its specific commercial use.

2. Location:

The lands subject to this amendment are located on the north-west corner of Main Street North and Rosedale Avenue, being part of Lot 7, Concession 1, W.H.S., in the geographic Township of Chinguacousy, in the City of Brampton.

3. Amendments and Policies Relative Thereto:

(1) Amendment Number 67 :

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

(a) 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, 83, 86, 96 and 99, and by Amendment Numbers 11A, 17A, 22A, 29A, 37A, 38A, and ___A, to the Consolidated Official Plan, are combined, and shall constitute the Brampton Central Secondary Plan."

(2) Amendment Number 67 A:

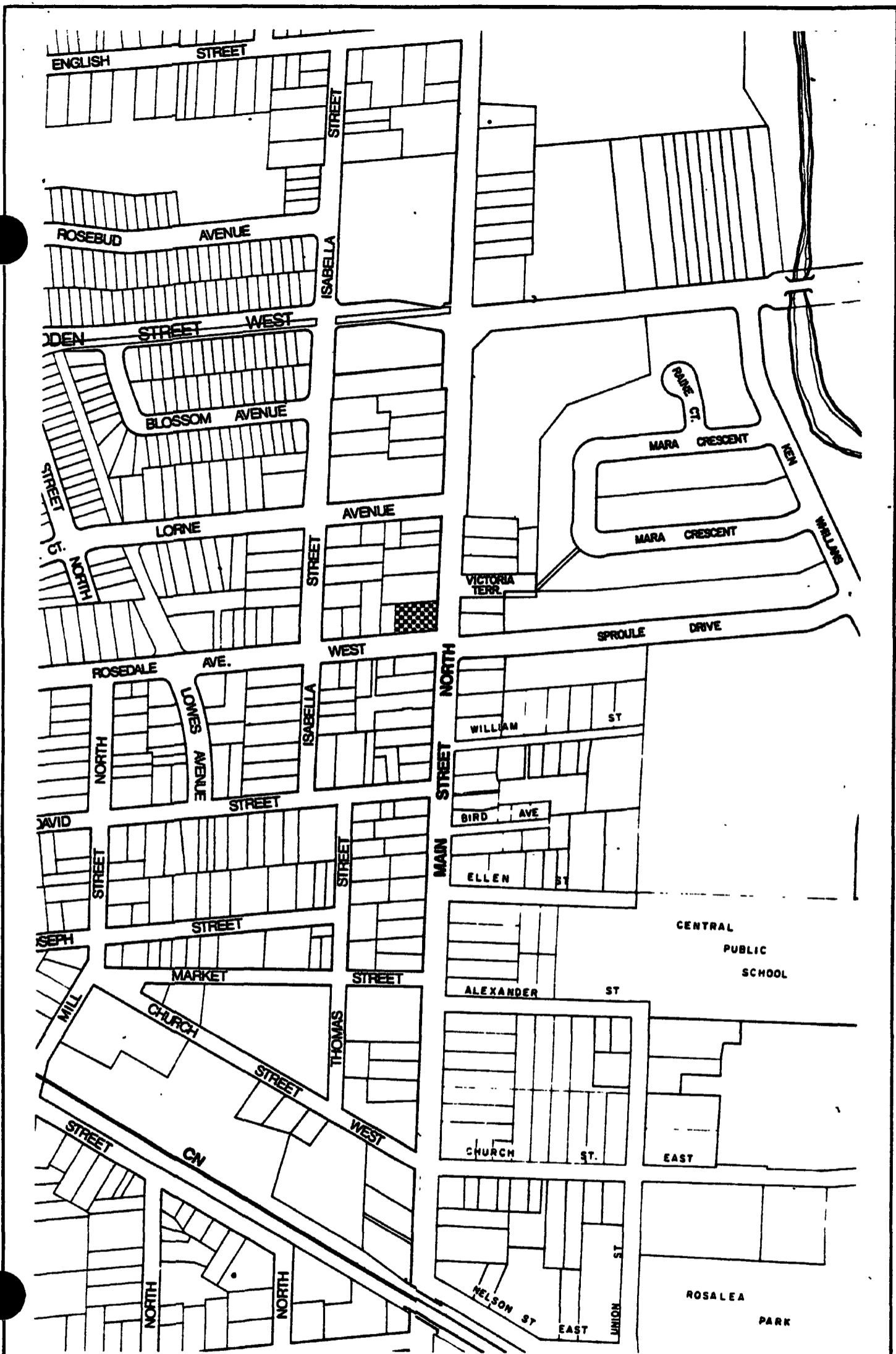
1. The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Brampton Central Secondary Plan (being Subsection B2.6 of Chapter B1, and Chapter B2 of Section B of Part C, and Plate Number 10, all of the Consolidated Official Plan of the City of Brampton Planning Area, as amended by Amendment Numbers 42, 51, 67,

72, 79, 83, 84, 86, 96, 99, and by Amendment Numbers 11A, 17A, 22A, 29A, 37A, 38A), is hereby amended:

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

"3.12 In Neighbourhood 1a, the existing detached dwelling located at the north-west corner of Main Street North and Rosedale Avenue, comprising part of Lot 116, Washington Block, BR-32, known municipally as 267 Main Street North, may be used for low density residential purposes and for limited office purposes. The low density residential character of the property is to be maintained through the careful renovation and maintenance of the existing building, the construction of screened off-street parking facilities, judicious use of landscaping, controlled and limited use of signs.

Commercial floor space will be located on the ground floor and will be restricted to an amount for which adequate on-site parking can be provided."



 Lands subject to these amendments

OFFICIAL PLAN AMENDMENT NO. 67

OFFICIAL PLAN AMENDMENT NO. 67 A

Schedule A



1:4000

CITY OF BRAMPTON
Planning and Development

Date: 85.08.09 Drawn by: J.K.

File no. CIW7.26 Map no. 42-80C

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 67
AND
AMENDMENT NUMBER 67 A

Attached is a copy of report from the Director, Planning and Development Services, dated May 7, 1985 and a copy of a report from the Director, Planning and Development Services, dated June 11, 1985 forwarding notes of a public meeting held on June 5, 1985.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

May 7, 1985

TO: Chairman of the Development Team

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law
Lot 116, Plan BR-32
267 Main Street North - Ward 5
HOLLY ELIZABETH WATERS
Our File Number CIW7.26

1.0 Background

An application has been filed to amend the Official Plan and Zoning By-law for land located at the north-west corner of the intersection of Main Street North and Rosedale Avenue West to permit the rehabilitation of an existing residence to accommodate a professional dental practice and a personal residence.

2.0 Property Characteristics

The subject property has a width of 25.51 metres (83.68 feet) on Main Street North, a depth along Rosedale Avenue West of 37.58 metres (123.3 feet) and an area of about 963 square metres (0.24 acres). The property is subject to a right-of-way, being 15.24 metres (50 feet) long and 2.44 metres (8 feet) wide, located at the south-west corner of the parcel fronting onto Rosedale Avenue West.

On the property is a two storey dwelling with a gross floor area of 226.4 square metres (2437 square feet), and a one storey wood frame garage. Several large mature deciduous trees are located in the front and exterior side yards. A short length of cedar hedge is located in the rear yard, as are several shrub beds. Shrubs exist adjacent to the porch and scrub vegetation occurs adjacent to the

dwelling. Smaller diameter deciduous trees occupy the exterior side yard abutting Rosedale Avenue, and a further two deciduous trees are located near the garage. The west boundary is unfenced, whilst a wood picket fence is on the north property line.

Two parking spaces are located in the front yard, with access provided by a driveway from Main Street North.

Abutting the property to the west and north are residences while to the east on the east side of Main Street North are; a law office in a converted residence, on the south side of Victoria Terrace; a residence on the north side of Rosedale Avenue East; a vacant property on the south side of Rosedale Avenue East and residences further to the south, and on the south to the south side of Rosedale Avenue are residences. At the south-west corner of Rosedale Avenue West and Main Street North, is a residence that was the subject of an application filed by James Turton to permit the use of the dwelling for an optical retail sales outlet, our file number C1W7.28.

3.0 Official Plan and Zoning Status

The property is presently designated, on Schedule "A", General Land Use Designation, of the Official Plan as Residential; and Residential Low Density in the Brampton Central Secondary Plan. A proposed Official Plan amendment, to be considered in the near future by City Council, proposes that property fronting on Main Street North may be used for either residential or limited commercial purposes or a combination thereof, provided that specific criteria are satisfied. Relevant criteria of the proposed Official Plan amendment are as follows:

- 3.2.1.6 (d) permitted commercial purposes shall include office uses which are low traffic generators ...;
- (e) commercial floor space shall be restricted to an amount for which adequate on-site parking can be provided;

- (f) residential or commercial parking shall be located in the rear yard only and be appropriately buffered from adjacent residential properties;
- (g) vehicular access shall only be permitted from Main Street North unless direct access to the property exists from a side street without crossing other property, and

The subject land is zoned by By-law 200-82 as Residential Single Family B - R1B.

4.0 Proposal

The applicant proposes to locate a dental operation of 64 square metres (689 square feet) on a portion of the ground floor of the dwelling. The remainder of the ground floor and the second floor will be used as the residence of the operator of the dental practice.

The proposal requires an access from Rosedale Avenue to a six bay parking area for the dental practice. The existing two bay car parking area in front of the dwelling will be removed, with the facility to be replaced with landscaping. Residential parking will be provided in the form of two tandem spaces using the existing driveway.

The proposed business parking area is planned to be provided with a 1.2 metre (4 foot) high wood slat fence adjacent to Rosedale Avenue West and a 1.8 metre (6 foot) high wood slat fence adjacent to the existing residential holdings on the west and north. The single car wood frame garage, which is in a poor state of repair, will be removed.

5.0 Comments

The Region of Peel Public Works Department has advised that sanitary and water services are available at Main Street and Rosedale Avenue and Regional roads are not directly affected.

C10-4

- 4 -

The Public Works Division has requested the dedication of a 3 metre widening along the west side of Main Street and that all grading and drainage work be carried out in such a way as not to interfere with existing drainage on abutting properties.

The Building Division has advised of no objections and noted that the site plan proposed would meet the requirements of the zoning by-law for a dental office.

The Law Department advises it has no comment to make.

The Community Services Department has indicated no major concerns with the proposal except to note that the proposed parking area at the rear of the site will remove nine mature coniferous trees. Consequently, the applicant should endeavour through the revision of the parking proposal to preserve the 30 foot Spruce by transplanting it or by redesigning the parking lot. They further note that there appears to be considerable extension of wood privacy fencing and suggest that a form of hedge planting would be just as effective and would soften the screening of parking.

6.0 Discussion

The proposed use per se would be permitted as a home occupation provided that the gross floor area devoted to such use did not exceed 15 percent of the floor area above grade. With a gross floor area of the residence at 226.4 square metres, a dental practice occupying almost 34 square metres (366 square feet) of floor area would be permitted. However, the proposal is for an operation that will utilize almost twice that floor area.

The applicant proposes to locate two signs over the porch entrances from Rosedale Avenue West and Main Street North with dimensions of 0.9144 metres by 1.8288 metres (3 feet by 6 feet) and 0.9144 metres by 2.7432 metres (3 feet by 9 feet) respectively. The total area of the two sign faces will be almost 4.3 square metres (46 square feet) if single sided. The sign criteria for Main Street North, adopted

by City Council on January 23, 1984 would permit only one identification sign which may be an awning sign, a canopy sign, an under canopy sign, a wall sign or window lettering. The messages are to be restricted to contain the name, logo or symbol and address of the business and to be limited to an area of 0.25 square metres (2.7 square feet). Thus, the intended signage exceeds the size criteria adopted by City Council.

Of the eight criteria stated in the proposed Official Plan amendment, four criteria have been identified that are not fully satisfied. Criterion (a) of policy statement section 3.2.1.6 requires that the residential character be maintained through various measures including "the control and limited use of signs and external lighting". The applicant has indicated that signs will not be illuminated. However, as noted previously, the sign criteria with respect to number and size will be contravened. The sign criteria should be supported and the number of signs reduced to one and the size to 0.25 square metres (2.7 square feet).

Criterion (d) refers to permitted commercial uses which shall include office uses that are low traffic generators. The examples that are cited do not include dental offices, which have been included with physicians and drugless practitioners as significant generators of parking demand. For example, the provisions of By-law 200-82, applicable to the former Town of Brampton, requires for general office use that one parking space for each 31 square metres of gross leasable commercial floor area be provided, whilst a dentist would be required to provide one parking space for each 12 square metres, or fraction thereof, of gross leasable commercial floor area. Since the size of the dental practice is to be restricted to a maximum floor area of 64 square metres, and it is proposed to provide a minimum of six off-street parking spaces for the dental practice, which satisfies the parking standard, it might be argued that traffic generation per se is not critical.

Criterion (f) requires that residential or commercial parking be located in the rear yard only and be appropriately buffered. The residential parking of two tandem parking spaces is intended to be provided on the existing driveway, which is located in the north side yard and not in the rear yard. Since no change in the location of the residential parking facilities is proposed to occur, the negative impact upon the residential amenity is not likely to increase. In fact, an improvement will occur when the existing front yard parking spaces are removed and replaced with landscaping. The proposed dental practice parking area will extend into the existing residential side yard, though the required exterior side yard width of 3 metres (9.8 feet) will not be contravened. The minimum distance of the screen fencing to Rosedale Avenue West property line is approximately 4.0 metres (13.1 feet). The existing residential amenity of the adjacent dwellings is not disrupted unduly. To ensure that adequate "buffering" occurs, the quality of privacy fencing should equal to that of acoustic attenuation barriers. The type of material that is acceptable could include wood, which should be of a tongue and groove design to ensure durability.

Criterion (g), which requires that vehicular access shall only be permitted from Main Street North, is the most significant one to be considered. Access to the commercial off-street parking facility is only from Rosedale Avenue West, not from Main Street North. Parking lot access could be achieved from Main Street North, but would require the use of a narrow driveway that would have a width of 3.8 metres (12.5 feet) or less, restricting its use to one direction movement at a time. If vehicular access were restricted to Main Street North, the continued use of the front yard parking facility likely would be a necessity. On balance, staff feel that access from Rosedale Avenue West is acceptable and an exception - an amendment to the criteria, is supportable.

In order to permit the establishment of the dental practice parking facility, the 2.44 metres (8 foot) wide right-of-way should be

removed. It is understood that the applicant has realized an agreement with the owner of the abutting property facing onto Rosedale Avenue West - 4 Rosedale Avenue - to redefine the right-of-way to allow the existing driveway to remain and to permit screening of the parking area.

7.0 Conclusion

Staff feel that the application has sufficient merit to warrant careful consideration by Planning Committee in spite of the deviation from several of the criteria. The dwelling will provide the residence of the dentist who will conduct his practice from the premises. The dwelling will be retained, subject to normal repairs and maintenance requirements, and contribute to the stabilization of Main Street North.

A site specific zoning by-law amendment, incorporating a site plan schedule should be instituted to ensure that the basic on-site facilities are properly controlled.

It is recommended that Planning Committee:


- A. determine whether it is appropriate for this particular application to permit an exception to the development criteria to permit vehicular access from Rosedale Avenue to a parking facility containing no more than six parking spaces, and subject to the above decision;
- B. hold a Public Meeting with respect to the application to amend the zoning by-law and with respect to an amendment to the Official Plan, if necessary,
- C. subject to the results of the Public Meeting, the application be approved provided the following conditions are satisfied:
 - 1) The site specific zoning by-law shall contain the following:

- a) the site shall only be used for:
 - i) home occupation (professional office), and residence
 - ii) purposes accessory to the other permitted purposes.
 - b) a building envelope consistent with the existing residential building, shall be identified on the by-law schedule;
 - c) the floor area devoted to the professional office use shall be restricted to the first storey of the building and not exceed 65 square metres;
 - d) a minimum of six parking spaces shall be provided for the professional office use;
 - e) all garbage and refuse storage shall be contained within the building, and
 - f) no outside storage or display of goods shall be permitted.
2. Redevelopment of the site shall be subject to a development agreement and the development agreement shall contain the following provisions:
- a) prior to the enactment of the zoning by-law; a site plan, landscape plan and grading and drainage plan shall be approved by the City;
 - b) prior to enactment of the zoning by-law and execution of the development agreement, the applicant shall deposit securities with the City

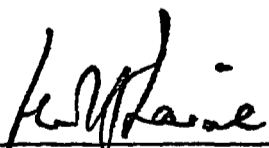
to ensure fulfillment of the site and landscape plan requirements;

- c) all lighting on the site shall be designed and oriented so as to minimize glare on adjacent residential properties;
- d) the applicant shall dedicate a 3 metres road widening along the Main Street North frontage;
- e) any proposed paving or regrading shall not interfere with existing drainage on abutting properties;
- f) the applicant shall install screen fencing 1.8 metres in height along the northerly and westerly boundaries of the property at a location and in accordance with specifications as shown on the approved landscaped plan;
- g) the applicant shall install screen fencing, along the Rosedale Avenue frontage, not less than 1.2 metres in height at a location and in accordance with specifications as shown on the approved landscape plan, and
- h) the applicant shall remove the impediment of the right-of-way to permit the use of the property for parking facilities.

AGREED:



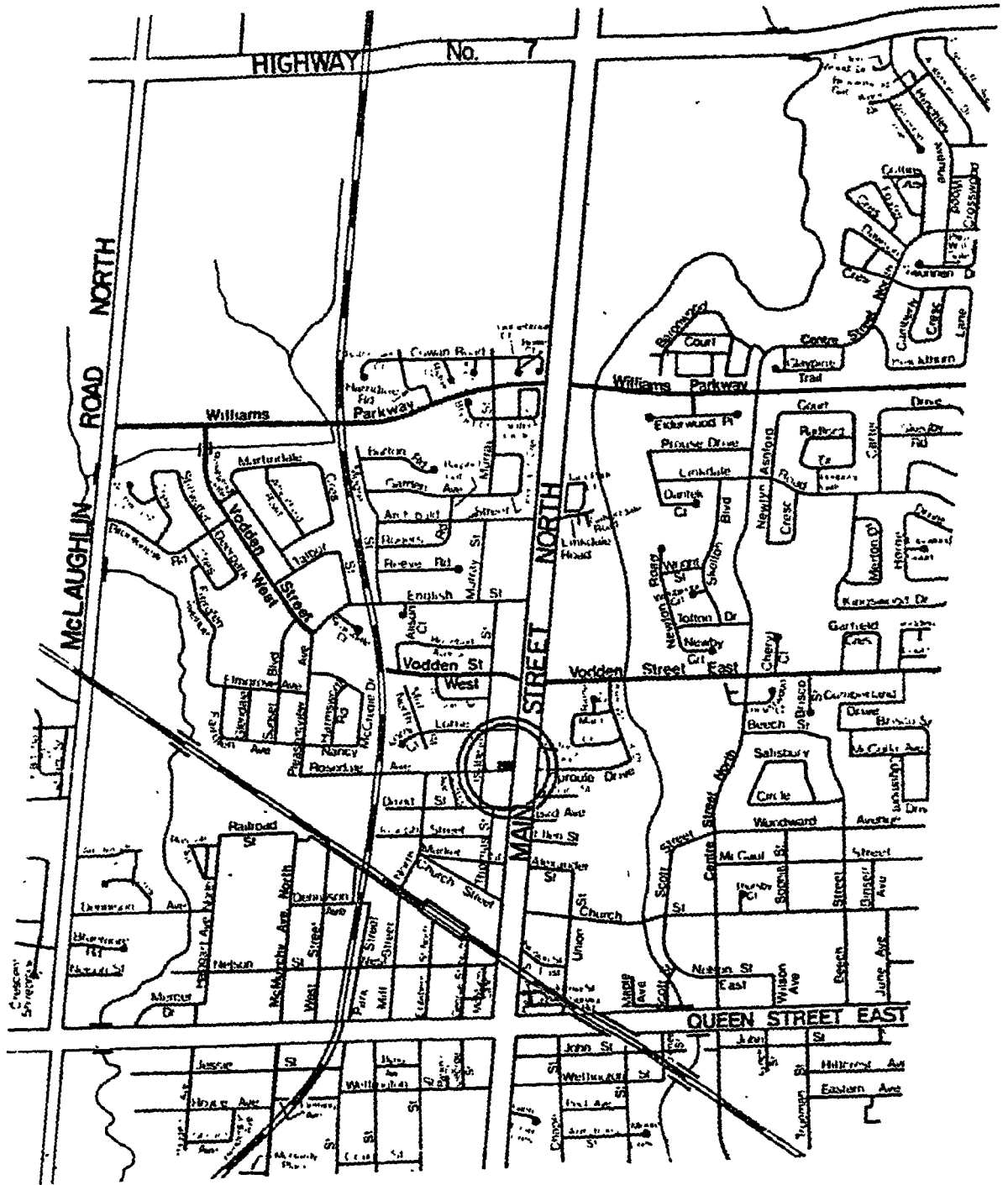
F. R. Dalzell
Commissioner of Planning
and Development



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

Attachments (2)
LWHL/thk/6

C10-10



HOLLY ELIZABETH WATERS

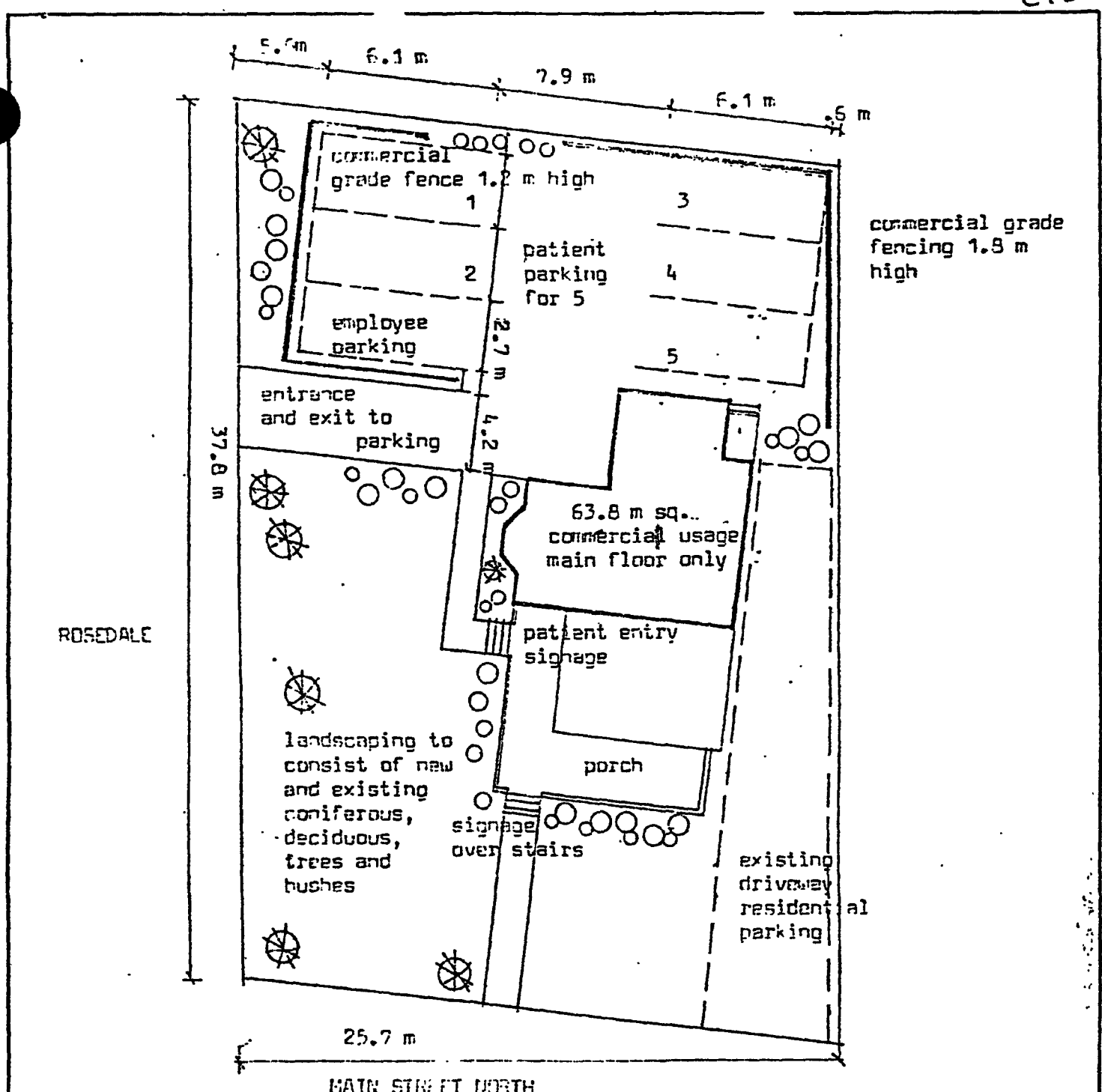
Location Map



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CITY OF BRAMPTON
Planning and Development

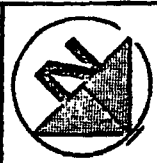
Date: 85 05 09 Drawn by: RB
File no. CIW7.26 Map no. 42-80 A



Gross site area 971.5 m sq. Building coverage 147.4 m sq.
 Total floor area 226.4 m sq. Building coverage ratio .15

PROPOSED SITE PLAN 267 MAIN STREET NORTH
 LOT 116 WASHINGTON BLOCK
 CONCESSION 1 REGISTERED PLAN BR 32
 DR. K.W. WATERS DENTAL/ RESIDENTIAL USAGE

HOLLY ELIZABETH WATERS



CITY OF BRAMPTON
 Planning and Development

Site Plan

1:240

Date: 85 05 09 Drawn by: RB
 File no. CIW7.26 Map no. 42-80B

E8

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

1985 06 11

To: The Chairman and Members of Planning Committee

From: Planning and Development Department.

Re: Application to Amend the Official Plan
and Zoning By-law
Lot 116, Plan BR-32
267 Main Street North - Ward 5
HOLLY ELIZABETH WATERS
Our File: C1W7.26

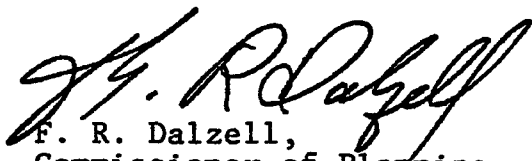
A Public Meeting was held on Wednesday, June 5, 1985, with respect to the above noted application. The notes of that meeting are attached for the information of Planning Committee.


No members of the public appeared at the meeting to express concerns or comments. In addition, no communications have been received with respect to the application.

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

- A) the notes of the Public Meeting be received,
- B) the application be approved, and
- C) staff be directed to prepare the appropriate documents.

AGREED


F. R. Dalzell,
Commissioner of Planning
and Development


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

LWHL/ec
attachment

E8-2

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, June 5, 1985, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:31 p.m. with respect to an application by HOLLY ELIZABETH WATERS (File: C1W7.26) to amend both the Official Plan and Zoning By-law to permit the establishment of a dental practice on a portion of the ground floor area of the existing building.

Members Present: Councillor D. Sutter - Chairman
Alderman H. Chadwick
Alderman C. Gibson
Councillor N. Porteous

Staff Present: F. R. Dalzell, Commissioner of Planning and Development
L.W.H. Laine, Director, Planning and Development Services
J.A. Marshall, Director of Planning Policy and Research
W. Lee, Manager, Community Design Section
J. Robinson, Development Planner
D. Ross, Development 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 no interested members of the public in attendance and the meeting adjourned at 8:32 p.m.