



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 67-80

To adopt Amendment Number 46
to the Consolidated Official
Plan of the City of Brampton
Planning Area.

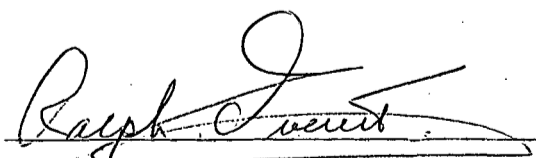
The Council of The Corporation of The City of Brampton, in accordance with the provisions of The Regional Municipality of Peel Act, 1973, and The Planning Act, hereby ENACTS as follows:

1. Amendment Number 46 to the Consolidated Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number 46 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 10th day of March, 1980.


James E. Archdekin, Mayor.


Ralph A. Everett, Clerk.

DUPLICATE ORIGINAL

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AMENDMENT NUMBER 46
to the Consolidated Official Plan
of the City of Brampton
Planning Area.

MISC. PLAN NO. 619

LODGED IN THE REGISTRY OFFICE

FOR THE COUNTY OF PEEL

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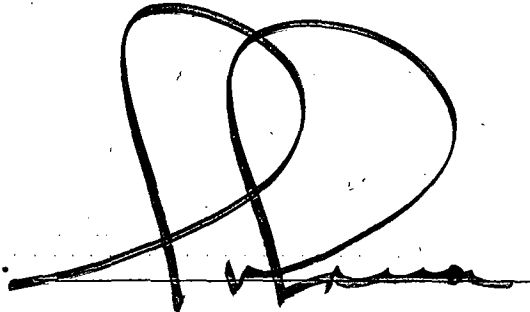
Gloria J. Amuck Assi Deputy
REGISTRAR OF DEEDS, COUNTY OF PEEL

Amendment No. 46
to the
Official Plan for the
City of Brampton Planning Area

This Amendment No. 46 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. 46 to the Official Plan for the City of Brampton Planning Area.

Date

July 10/81



G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Municipal Affairs and Housing



THE CORPORATION OF THE CITY OF BRAMPTON

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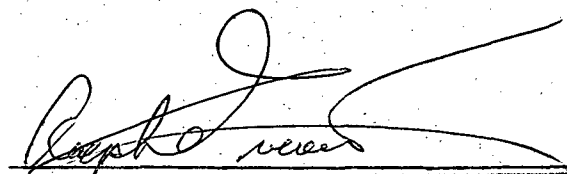
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1. Amendment Number 46 to the Consolidated Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number 46 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 25th day of February, 1980.


James E. Archdekin, Mayor.


Ralph A. Everett, Clerk.

Amendment No. 46

1. The purpose of this amendment is to eliminate the misleading impression given by Plate No. 2 of The Consolidated Official Plan of the City of Brampton Planning Area that there exists land within the former Township of Toronto Gore designated for industrial and commercial land use, to eliminate outdated and outmoded terms of reference for development within Chapter D1 of the said Consolidated Official Plan, and to indicate how the residential, commercial, and industrial development which is to be permitted is to take place.
2. Plate No. 2 of the Consolidated Official Plan of the City of Brampton Planning Area is hereby amended by deleting therefrom, for the area within the City of Brampton located north of Steeles Avenue and east of Airport Road, all and any indication or recognition of existing land use, now shown on the said plate through the use of the symbols for Residential, Commercial and Industrial land use designations together with the symbol "e".
3. The Consolidated Official Plan of the City of Brampton Planning Area is hereby further amended
 - a) by deleting from Chapter D1 of Section D of Part C, sections 3.1, 3.2, 4.0, 4.1 (including 4.1.1 and 4.1.2) and 4.2, and substituting therefor the following:

"3.1 Land Use Designations

The following designations of land use, to apply within the former Township of Toronto Gore, are established in this part of the Official Plan, and the lands so designated are indicated on Plate No. 2.

a) Restricted Residential

This designation will permit the construction of single family detached dwellings, with a minimum lot size of 3 acres, and will also permit agricultural uses. These uses will be subject to the provisions of the zoning by-laws.

b) Agricultural

This designation will cover the major part of the former Township, and is intended to permit, primarily, agricultural uses. A limited number of commercial and industrial uses will be recognized, but not designated as such, and permitted to continue in the area designated AGRICULTURAL by this Chapter if, on 31 December 1979,

"1) the commercial or industrial use is an existing one, and

2) either (A) the use is a legal non-conforming one,

or

(B) the land occupied by such use is appropriately zoned for the particular use made of the land.

c) Floodplain

No buildings will be permitted on lands in this category. All land designated by the Metropolitan Toronto and Region Conservation Authority as floodplain or similar hazard lands will be included in this category.

Other designations of land use within the former Township of Toronto Gore may be introduced through amendments to this part of the Official Plan.

4.0 Implementation of the Official Plan

It is the intention of Council to implement this part of the Official Plan through

- a) amendments to this part of the Official Plan,
- b) zoning by-laws,
- c) subdivision and development agreements, and
- d) site plan control."

BACKGROUND MATERIAL TO AMENDMENT NUMBER 46.

Attached are copies of a report of the Commissioner of Planning and Development dated 1979 12 06, and a copy of the notes of a special meeting of the Planning Committee held on February 14, 1980, subsequent to the publishing of notices in the local newspapers and the mailing of notices to the assessed owners of all properties within the former Township of Toronto Gore.

1979 12 06

TO: The Mayor and Members of Council
FROM: Commissioner of Planning and Development
RE: Amendment to Chapter D1 of
the Consolidated Official Plan
(former Township of Toronto Gore)
Our File: OPA-40

Staff of the Planning and Development Department have recently undertaken a review of the provisions of the Consolidated Official Plan which relate to the former Township of Toronto Gore. The review has resulted in an amendment to the Consolidated Official Plan being drawn up which will permit us to exercise some control over development in the area, replacing piecemeal efforts of the past.

The amendment deals with the policies of Chapter D2 of the Consolidated Official Plan. This chapter presently contains provisions which are irrelevant, outdated and misleading. The purpose of the Amendment is therefore to eliminate these problems.

The most severe shortcomings of Chapter D1 are as follows:

1. Chapter D1 contains provision whereby (urban) residential, commercial or industrial development may be permitted when severances have been approved by the former Planning Board.
2. Plate 2 of the Official Plan is totally misleading. It appears to designate lands for residential, commercial and industrial uses but in actual fact these uses are only "recognized" because they were existing at the date of adoption of the chapter. The "recognition" of the existing uses in the Official Plan should not be interpreted to mean that a given parcel is legally designated by the Official Plan for residential, industrial or commercial use. The lands informally "recognized" were never designated for anything other than Agricultural.


If it is the intent of Council that certain lands be designated for uses other than agricultural, restricted residential or floodplain, then separate amendments, specific for these sites should be passed, setting out appropriate development policies. The only lands in the former Township of Toronto Gore now designated for other uses than agricultural, restricted residential, or floodplain, are the ones which were the subject of recent amendments to the Consolidated Official Plan. These are listed as follows:

- Amendment No. 2 - J.W. Charbonneau, Industrial site (Part of Lot 13, Con. 12, N.D.)
- Amendment No. 6 - Gore Industrial Area
- Amendment No. 12 (also Amendment No. 5 to the Toronto Gore Official Plan) Gore Estate Residential Area.
- Amendment No. 27 - J. Colbaccin, Special Commercial site, (Part Lot 4, Con. 10, N.D.)
- Amendment No. 30 - Martia Properties and Cosentino Leasing Ltd., A special Industrial site, (Part Lot 12, Con. 11, N.D.).

The revision of Chapter D1 therefore will permit the City to exercise control over commercial, industrial and urban residential development in the former Township of Toronto Gore, and will provide a basis for amendments to the zoning by-law in accordance with good planning principles.

Recommendation:

It is recommended that Council pass a by-law adopting the attached amendment to Chapter D1 of the Consolidated Official Plan.


F.R. Dalzell
Commissioner of Planning
and Development

FRD/EG/bt

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

1980 02 20

To: The Mayor and Members of City Council

From: Director, Planning and Development Services

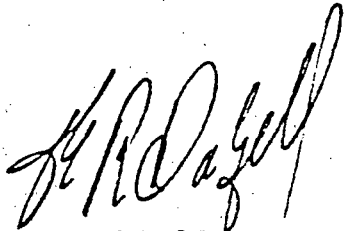
Re: Amendment to Chapter D1 of the
Consolidated Official Plan
(former Township of Toronto Gore)
Our File: OPA-40

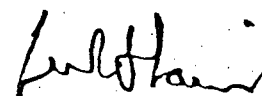
Attached are the notes of a public meeting held on February 14, 1980, at Castlemore School, with respect to the above noted proposed Amendment to the Official Plan. At the public meeting, there was some considerable discussion, however the majority of the persons present were not opposed to the amendment.

RECOMMENDATION:

It is recommended that Council enact a by-law to adopt an Amendment to Chapter D1 of the Consolidated Official Plan.

AGREED


F. R. Dalzell,
Commissioner of Planning
and Development



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

LWHL/EG/ec
attachment
c.c. J. Galway

PUBLIC MEETING

A special meeting of Planning Committee was held at the Castlemore School, The Gore Road, Brampton, Ontario, on Thursday, February 14th, 1980, commencing at 7:40 p.m., with respect to an Amendment to Chapter D1 of the Consolidated Official Plan of the City of Brampton Planning Area.

Members Present: Councillor P. Robertson - Chairman
Alderman T. Piane

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

Approximately 136 members of the public were present.

Mr. Dalzell outlined the items to be presented.

Ms. Gilson explained the purpose of the proposed Amendment was to make Chapter D1 more relevant and up to date as well as eliminating misleading existing land use indications on Plate No.2, the land use map, of the Consolidated Official Plan.

Councillor Robertson asked if a person who owns a vacant parcel of land that has been severed, but which has no building on it, could still build a house.

He was informed that one house per lot was allowed.

There was an enquiry about the possibility of more than one house being allowed if there were more than one owner. The response was in the negative.

- cont'd -

Mr. J. Hawkins asked for an explanation as to the regulations of the Zoning By-law.

Ms. Gilson responded that the zoning by-law contains regulations as to minimum lot sizes, yard set-backs, etc.

Maria Di Biase asked if all the Gore area was to be designated as Agricultural. She enquired as to the relationship of 2 acre lots and 20 acre parcels, and the lot sizes beyond the Estate Residential Area. Also she expressed the view that there should be control over the introduction of industrial and commercial uses in proximity to residential buildings.

Ms. Gilson explained that only one dwelling is permitted on a lot, no matter whether the parcel was two or twenty acres. She noted that in a designated Agricultural area, industrial and commercial uses were not permitted, and the concept of the proposed amendment was to minimize the opportunity for industrial and commercial uses to occur. She also noted that residential was a permitted use in the Agricultural area.

Mr. Sam Del Giudice asked if existing commercial and industrial uses could be continued.

Ms. Gilson read the relevant section of the proposed amendment, noting that the Official Plan would allow those uses presently legally existing in the area, to continue.

A resident complained about having a large parcel of land and being allowed only one house on the property. He had proposed to build homes for other members of his family on the property.

Mr. Chayko requested that the matter of subdividing parcels of land be taken to another public meeting. He expressed the opinion that if the majority wished to subdivide their land, it should be done.

Mr. Dalzell and Councillor Robertson indicated that the purpose of this meeting was not to discuss the subdivision of land and that there is a course of registering objection to the provisions of the Official Plan by appealing to City Council or the Ontario Municipal Board.

Maria Di Biase asked about the effects on the existing industrial and commercial uses.

Ms. Gilson explained that the "existing land use" indications on Plate 2 would be eliminated. Also that anyone having a legal use may keep it, however, if that use were discontinued, there would have to be approval by the City of an alternative use. Ms. Gilson indicated that the whole white area on the map would be designated Rural.

Mr. Carlo Cumti wanted to know if he moved out or changed the use would he have to tear down the existing building.

Ms. Gilson replied in the negative, but noted that if a new use was to be proposed, an application to amend the By-law and Official Plan would have to have Council's approval.

Mr. Cumti complained about the loss of time and money during the procedure for the change of usage.

Mr. Adams enquired as to the possibility of acquiring a list of the residents in the area for the purpose of circulating a petition with regard to the division of land to present to City Council.

Councillor Robertson, on behalf of himself and Alderman Piane, promised to provide a list of voters if requested. He noted that the meeting being held was for the purpose of correcting the map to eliminate non-existing uses.

Mr. Bardyn asked why the meeting was being held to change the designation when it was already designated as Agricultural.

Ms. Gilson said that the purpose was to up-date the Official Plan since the provisions for Toronto Gore were drawn up in 1959 and are considerably outdated.

Mr. Bardyn wanted to know how it was possible to become a farmer on a 25 acre parcel of land.

Due to the concern expressed by the residents relating to the number of houses permitted on a parcel of land, there was a short recess to allow the public present to place their names on a list as wishing to support greater flexibility in the severance policy for the area.

Councillor Robertson requested a resident to translate a generalized view of the situation to the Italian-Canadians in the audience.

Mr. Del Giudice remarked that he thought the general concensus at the meeting might be that the City of Brampton was playing a tricky game, to make it easy to place a garbage dump or something else in the area in the future.

Mrs. Shilagy enquired as to the effects of the amendment on the home for special care persons.

Mr. Ewles asked if the commercial and residential properties were to be noted on the map as designated and requested that his property, which is zoned Commercial, be shown as Commercial on the Official Plan map.

Ms. Gilson responded that the map would not show the properties designated as industrial, commercial or residential, but the text of the Amendment would indicate that his use would be permitted to continue if it was legally existing on the land as of December 31, 1979. She noted that the land use policy designates the area for Agricultural land use, however the zoning by-law would zone his property as Commercial. She noted further that Mr. Ewles' property was never designated for Commercial by the Official Plan, however, since his land is already zoned Commercial, an Official Plan Amendment would be necessary only if he wished to change the zoning on the property.

Mr. Ewles requested a map be included in the Official Plan, showing the existing commercial uses in the Toronto Gore Area.

There were no further questions or comments and the meeting was adjourned at 9:10 p.m.

PASSED March 10th, 1980



BY-LAW

No. 67-80

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of Brampton Planning Area.