



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 67-87

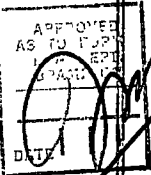
To adopt Amendment Number 116 to the Official Plan of the City of Brampton Planning Area.

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 116 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 and Housing for approval of Amendment Number 116 to the Official Plan of the City of Brampton Planning Area.

READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL,

this 23rd day of March, 1987.



KENNETH G. WHILLANS - MAYOR

LEONARD J. MIKULICH - CLERK

ORIGINAL

By Law 6787

AMENDMENT NUMBER 116
to the Official Plan of the
City of Brampton Planning Area

21 OP 0031-116-1

Amendment No. 116
to the
Official Plan for the
City of Brampton Planning Area

This Amendment to 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 under Sections 17 and 21 of the Planning Act, 1983, as Amendment No. 116 to the Official Plan for the Brampton Planning Area.

Date *May 6, 1987*.....

[Signature]



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 67-87

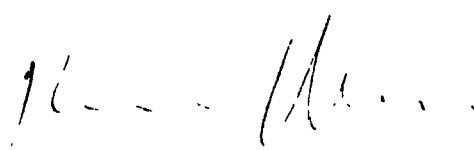
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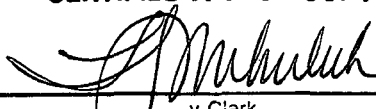
READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL,

this 23rd day of March, 1987.


KENNETH G. WHILLANS - MAYOR


LEONARD J. MIKULICH - CLERK

CERTIFIED A TRUE COPY


City Clerk
City of Brampton

MAR 26 1987

AMENDMENT NUMBER 116
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 PURPOSE

The purpose of this amendment is to permit limited rural estate development of a specific site as an exception to the rural estate development policies.

2.0 LOCATION

The land subject to this amendment is shown on Schedule A to this amendment and is presently designated Rural Estate. More particularly, the land is located on the east side of Goreway Drive, approximately 1010 metres north of Highway Number 7, in part of Lot 7, Concession 8, N.D., in the geographic Township of Toronto Gore, in the City of Brampton

3.0 THE AMENDMENT

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

- (1) by adding after section 2.1.3.2.13 the following:

"Site Specific Rural Estate Designation

This Plan recognizes that land with a rural estate designation, identified in Schedule "A" by a number, may be developed in accordance with policies that are an exception to the policies of Rural Estate development. It is not intended that this designation be a precedent for further exceptions.

2.1.3.3 Site 35 (Concession 8, N.D., Part of the west half Lot 7).

2.1.3.3.1 Definition

The property designated "Rural Estate" and identified by the number 35 on Schedule A may be used for rural estates purposes.

Policies

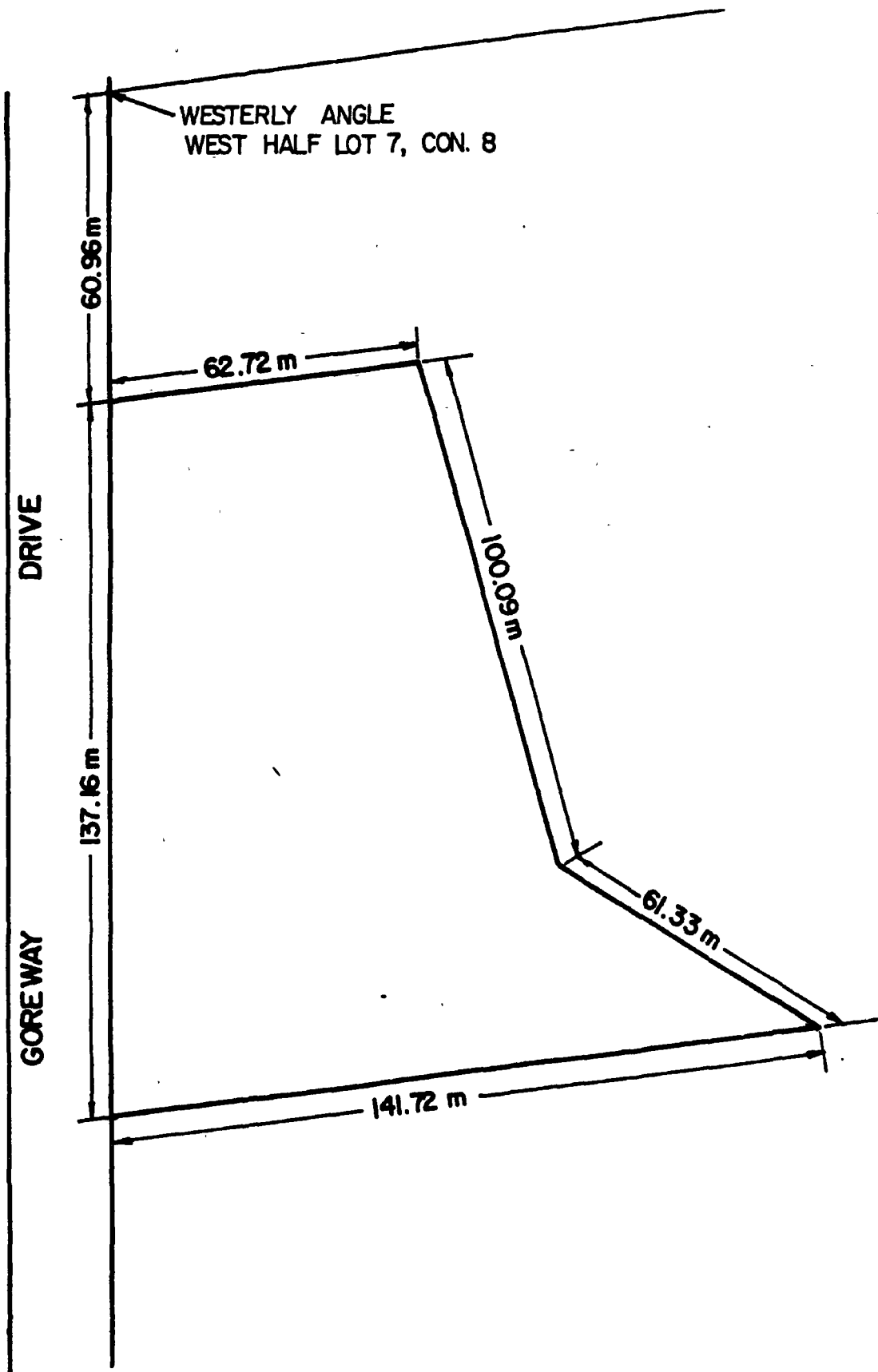
2.1.3.3.2 Rural estate development shall be permitted by a consent application to allow the creation of only 2 lots.

2.1.3.3.3 Access to the existing and new lot may be from an existing concession road.

2.1.3.3.4 The area of the existing lot and new lot shall not be less than 0.55 and 0.57 hectares respectively."

- (2) by adding, on Schedule "A", the numerical notation of "35" for the land shown outlined on Schedule A to this amendment.

LOT 8, CONCESSION 8 N.D.



CONCESSION 7

OFFICIAL PLAN AMENDMENT No. 116
Schedule A



1:1200

CITY OF BRAMPTON
Planning and Development

Date: 87 03 06 Drawn by: RB
File no. C8E7.1 Map no. 50-2 E

BACKGROUND MATERIAL TO
OFFICIAL PLAN AMENDMENT
NUMBER 116

Attached is a copy of a report from the Director, Policy Planning and Development Services Division, dated November 26, 1986 and a copy of a report from the Director, Planning and Development Services Division, dated January 12, 1987 forwarding the notes of a public meeting held on January 6, 1987.

5/87/4

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

November 26, 1986

TO: Chairman of the Development Team
FROM: Planning and Development Department
RE: Application to Amend the Official Plan
and the Zoning By-law
Part of Lot 7, Concession 8, N.D.
(Former Township of Toronto Gore)
Ward Number 10
RAYMOND AND CATHERINE DUNCAN
Our File Number: C8E7.1

1.0 Introduction

An application for amendment to the Official Plan and zoning by-law to permit a reduction of the minimum lot area requirement on the above noted property has been submitted to the City Clerk and referred to staff for a report and recommendation.

2.0 Property Description

The subject property is located on the east side of Goreway Drive approximately 1010 metres north of Highway Number 7 in the west half of Lot 7, Concession 8, N.D. The property is irregular in shape, has an area of 1.18 hectares (2.9 acres) and a frontage of 137 metres (450 feet). The northerly half of the lot is occupied by a single family dwelling and the southerly half of the lot is vacant. The property has relatively flat topography and drains to the watercourse to the east of the property.

The surrounding land uses are as follows:

- the property to the north is occupied by a single family residential dwelling;
- a farm is located to the south;
- the lands to the east, which are owned by the Metropolitan Toronto and Region Conservation Authority, are vacant, and
- the lands to the west, on the west side of Goreway Drive, are occupied by single family residential dwellings.

3.0 Official Plan and Zoning Status

Schedule A to the Official Plan designates the property as Rural Estate. The policies of the Rural Estate designation require that Rural Estate lots shall be 0.8 hectares (2 acres) or larger.

By-law 56-83, as amended, of the former Township of Toronto Gore, zones the property as Residential Estate Holding (REH). The minimum lot area in the REH zone is 4.0 hectares.

4.0 Proposal

The applicant is requesting that the Official Plan and zoning by-law be amended to permit two residential lots that are less than the minimum lot area requirements contained in both the Official Plan and zoning by-law. The existing parcel owned by the applicant is 1.18 hectares (2.9 acres) and the applicant proposes to sever the property into two parcels having areas of 0.58 and 0.6 hectares and frontages of 68.58 metres (225 feet).

An application for consent to sever the lands in this manner has been approved by the Land Division Committee, (Application 'B'69/86B) and

is conditional upon the applicant obtaining amendments to the Official Plan and zoning by-law. It is noted that City staff recommended that the consent application be refused because it did not conform with the Official Plan. Staff also recommended that the City appeal the consent application to the Ontario Municipal Board. The City did not file an appeal of the decision of the Land Division Committee.

5.0 Comments

The Public Works and Building Department has no comments, but noted that should the rezoning application be approved, road widening of 3.05 metres is required along the frontage of the retained parcel.

The Community Services Department - Parks and Recreation advise that in the event that the application is approved, cash-in-lieu of parkland dedication is required in accordance with City's policy.

The Region of Peel had no comments.

6.0 Discussion

As noted above, the Official Plan designates the subject property as Rural Estate and requires that lots be at least 0.8 hectares (2 acres) in size. The Rural Estate designation in this area is an isolated pocket of land extending along both sides of Goreway Drive and situated between an industrial area to the west and an open space area owned by the Conservation Authority to the east. The other areas designated as Rural Estate are located in the northerly part of the former Township of Toronto Gore and on Manswood Crescent adjacent to The Gore Road and Highway Number 7.

Staff note that in the past there have been several requests for amendment to the Official Plan to reduce the minimum lot size requirement. The most recent application was submitted by Ralph

Suppa of Manswood Crescent. This application was not supported by Planning staff and was denied by City Council. No other applications for reduced lot sizes have been approved. Staff are seriously concerned that approval of this application would set a precedent for similar applications in the future.

There is a significant amount of vacant, undeveloped land in the Rural Estate designation, which indicates that there is no justification for an increased supply through intensification of this type of development. There is a concern that larger holdings such as the parcel of land to the south of the Duncan property would be subject to a similar request for small lots when the owners, who appear to be related to the applicant, proceed to develop their lands. As an alternative to allowing lots less than the minimum standard, it is recommended that a portion of the large holding to the south be added to the subject property in order that the proposed lots will be 0.8 hectares (2 acres) in size.

Prior to submitting the subject application, the owner submitted a consent application. Although the application was approved by the Land Division Committee, and the City recommended no appeal, approval of the consent application should not be considered as evidence in support of the subject application. It is the opinion of staff that the consent application was premature and should not have been approved until the subject application was processed.

With respect to servicing, the applicant may argue that full servicing by sewer and water mains can be made available. However, staff note that the local sewer was not designed to accept the lands east of Goreway Drive; it was constructed to serve the industrial area to the west. The closest water main is located at Highway Number 7 and Gateway Boulevard, but the lands to the east of Goreway Drive are not designated for water service as Goreway Drive is the boundary between pressure zones 4 and 5. Regardless of the above, urban services are not available at this time.

Another issue which staff do not consider to be evidence in support of this application is the existence of residential lots which are smaller than 0.8 hectares. These lots were established prior to the adoption of Official Plan policies and minimum lot area requirements in the zoning by-law. Smaller lots do exist in the Toronto Gore area, however, the lots which have been created more recently are 0.8 hectares in size or greater.

7.0 Conclusion

In conclusion, staff are not in support of this application and therefore recommend that it be refused. There is no justification for allowing smaller lot sizes because the applicant can utilize lands to the south in order to achieve the minimum lot area. Approval of this application would set a precedent for other similar applications, whereas the 0.8 hectare (2 acre) minimum standard should be maintained.


In view of City Council's acceptance of the severance application, Planning Committee may wish to:

- (i) advise staff of its recommendation, and
- (ii) if the Committee concurs with Council's position, request that staff present for the consideration of City Council conditions of development approval.


Respectfully submitted,


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

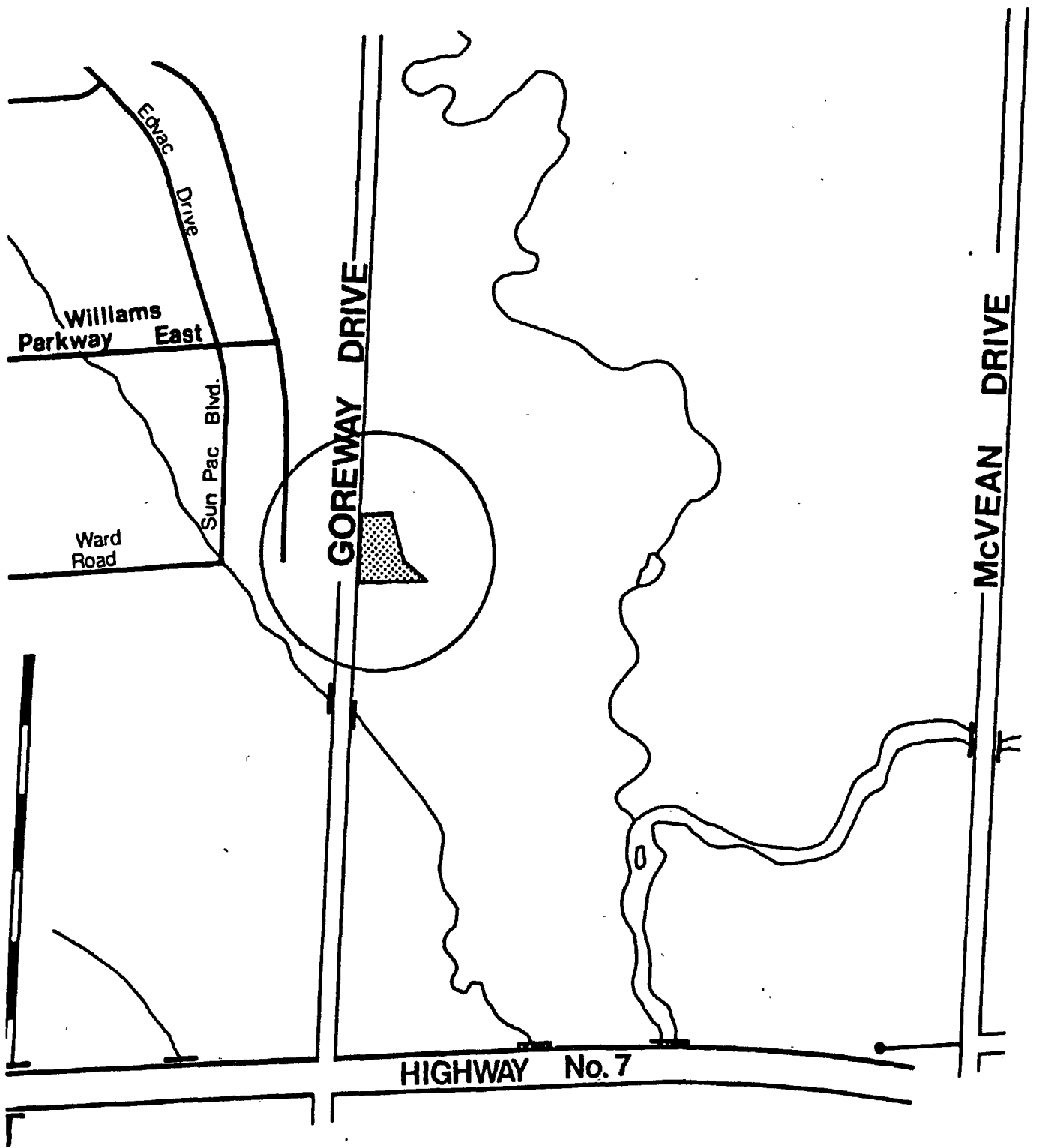
AGREED:


F. R. Dalzell, Commissioner of
Planning and Development

JMR/hg/13


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

C1-6



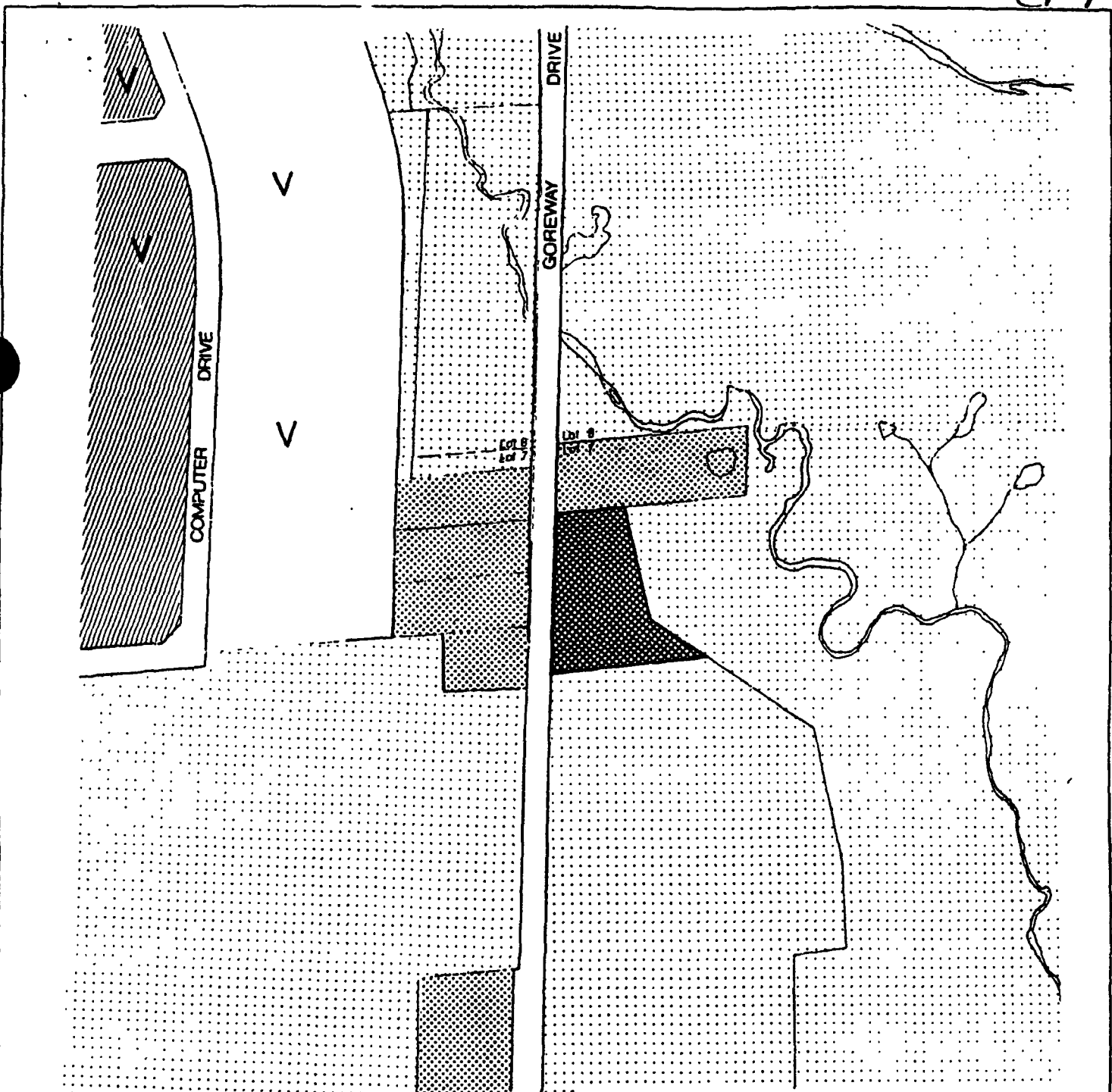
**DUNCAN, RAYMOND &
CATHERINE**
Location Map





1:12000

CITY OF BRAMPTON
Planning and Development

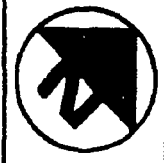
Date: 03 11 86 Drawn by: K L
File no. C8E7.1 Map no. 50-2A



LEGEND

-  Subject Property
-  Agricultural
-  Residential
-  Vacant
-  Industrial

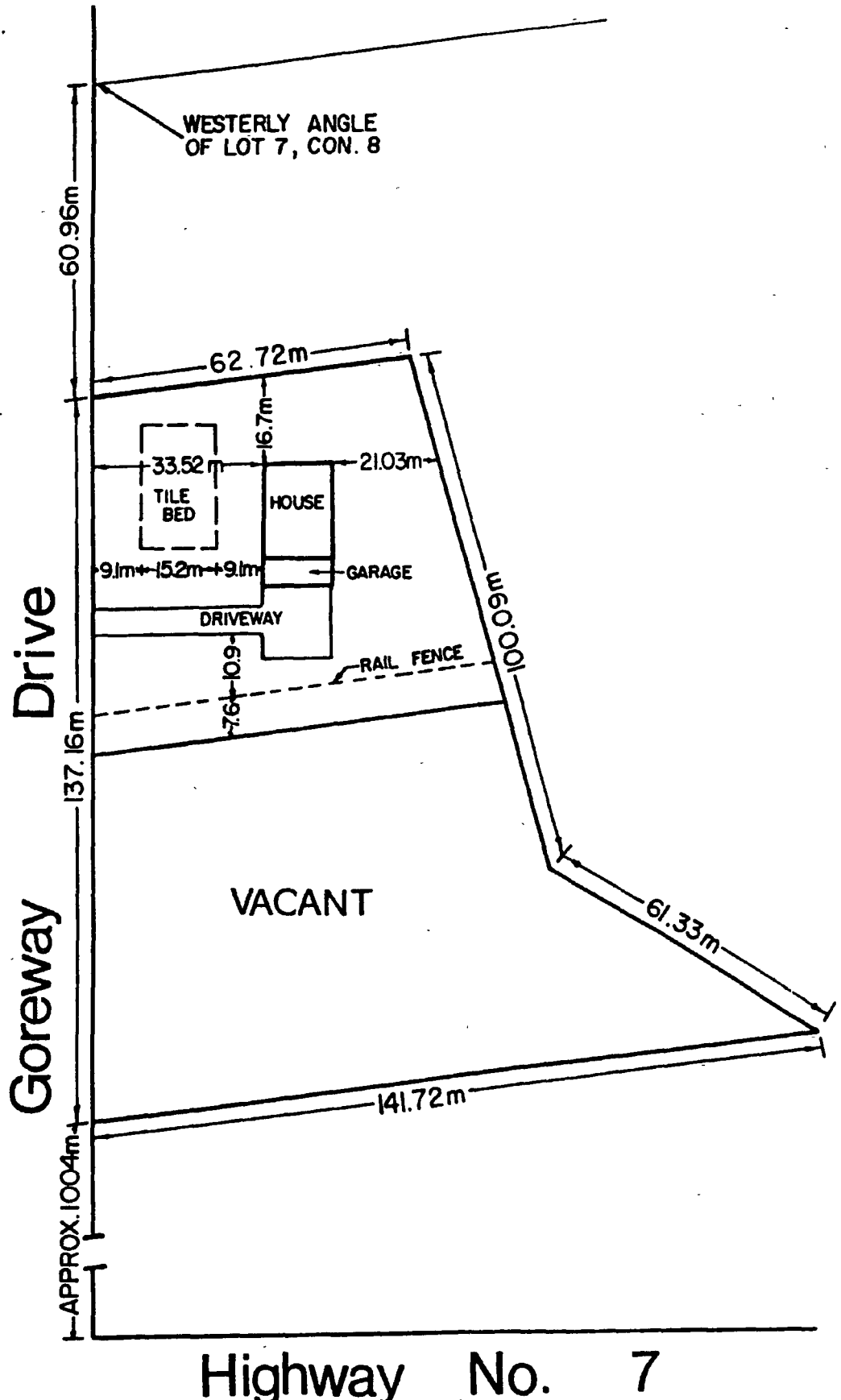
*DUNCAN, RAYMOND &
CATHERINE*
Land Use Map



1:5000

CITY OF BRAMPTON
Planning and Development

Date: 86 11 03 Drawn by: K.L.
File no. C8E7.1 Map no. 50-2B



DUNCAN, RAYMOND & CATHERINE
 Site Plan



CITY OF BRAMPTON
 Planning and Development

Date: 86 11 03 Drawn by: K.L.
 File no. C8E7.1 Map no. 50-2C

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

January 12, 1987

TO: The Chairman and Members of Planning Committee

FROM: Planning and Development Department

RE: Application to Amend the Official Plan and
the Zoning By-law
Part of Lot 7, Concession 8, N.D.
(Former Township of Toronto Gore)
Ward Number 10
RAYMOND AND CATHERINE DUNCAN
Our File Number: C8E7.1

The notes of the Public Meeting held on Tuesday, January 6, 1987 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.

The Public Meeting was held in accordance with the recommendation approved by City Council on December 15, 1986. It was also recommended that the application be subject to the following conditions:

- "1) payment of lot levies
- 2) lot frontages
- 3) that the new lot be hooked up to the sewer system".

Staff recommend that the application also be subject to payment of cash-in-lieu of a parkland dedication and conveyance of a 3.05 metre road widening across the Goreway Drive frontage.

In view of the foregoing, it is recommended that Planning Committee recommend to City Council that:

- (A) the notes of the Public Meeting be received;
- (B) the application be subject to the following conditions:

- 1) payment of lot levies;
- 2) connection of the new lot to the sewer system;
- 3) payment of cash-in-lieu of a parkland dedication, and
- 4) conveyance of a 3.05 metre road widening across Goreway Drive.

(C) Staff be directed to present the appropriate documents to Council.

Respectfully submitted,

Janice M. Robinson
Development Planner

AGREED:

F.R. Dalzell, Commissioner
of Planning and Development

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

JMR/ar
Attachment

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Tuesday, January 6, 1987, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:35 p.m., with respect to an application by RAYMOND AND CATHERINE DUNCAN (File: C8E7.13 - Ward 10) to amend both the Official Plan and the Zoning By-law to permit the development of two (2) residential lots that are less in minimum lot area than the requirements contained in both the Official Plan and the Zoning By-law.

- Members Present: Alderman P. Palleschi - Chairman
- Councillor P. Robertson
- Alderman S. DiMarco
- Councillor E. Mitchell
- Alderman H. Chadwick
- Alderman A. Gibson
- Alderman L. Bissell
- Alderman J. Hutton

- Staff Present: F. R. Dalzell, Commissioner of Planning and Development
- J. Robinson, Development Planner
- D. Ross, Development Planner
- C. Brawley, Policy Planner
- E. Coulson, Secretary

The Chairman enquired if notices to the property owners within 120 metres of the subject site were sent and whether notification of the public meeting was placed in the local newspapers. Mr. Dalzell replied in the affirmative.

There were no interested members of the public in attendance and the meeting adjourned at 7:35 p.m.