



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 207-2001

To adopt Amendment Number OP93-163
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, R.S.O. 1990, c.P.13, hereby ENACTS as follows:

1. Amendment Number OP93- 163 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.

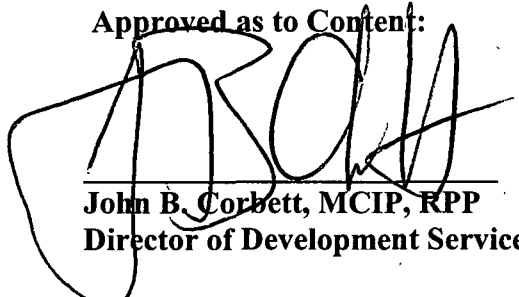
READ a FIRST, SECOND AND THIRD TIME, and PASSED, in OPEN COUNCIL, this 11th day of, July, 2001.


SUSAN FENNELL - MAYOR


LEONARD J. MIKULICH - CLERK

KATHRYN ZAMMIT, ACTING CITY CLERK

Approved as to Content:


John B. Corbett, MCIP, RPP
Director of Development Services

AMENDMENT NUMBER OP93- 163
to the Official Plan of the
City of Brampton Planning Area

**AMENDMENT NUMBER OP 93- 163
TO THE OFFICIAL PLAN OF THE CITY
OF BRAMPTON PLANNING AREA**

1.0 Purpose:

The purpose of this amendment is to facilitate the development of a plan of subdivision filed by Rock Valley Developments (Files: 21T-01-019B; C7E11.7) involving single family detached and semi-detached lots, valleyland, stormwater management and open space/future development purposes

2.0 Location

The lands subject to this amendment comprise an 11.38 hectare (28.14 acre) vacant parcel of land located at the north-east corner of Airport Road and Castlemore Road. The lands are within part of Lot 11, Concession 7, N.D.

3.0 Amendment and Policies Relative Thereto:


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

- (1) by adding to the list of amendments pertaining to Secondary Plan Area Number 42: Vales of Castlemore , as set out in Part II: Secondary Plans, Amendment Number OP93- 163
- (2) by adding after the last paragraph in Section 3.1.14, the following:

“ Notwithstanding Table 2, and policy section 3.1.14, the lands located at the north-east corner of Airport Road and Castlemore Road, west of the valleyland as shown on Schedule SP 42(a) shall permit the following housing mix ranges:

Housing Density Type	Percentage of Total Dwelling Units
Single Detached Density	30-50%
Semi-Detached Density	50%-70%
Medium Density	0%”

Approved as to Content:



John B. Corbett, MCIP, RPP
Director of Development Services

ISSUE DATE:
Dec. 07, 2001

DECISION/ORDER NO:
2005



RECEIVED

CLERK'S DEPT.

DEC 10 2001

PL010749

Ontario

Ontario Municipal Board REG. No.: T3E15.18

Commission des affaires municipales de l'Ontario

Debjaun Construction Ltd. and Baron Group Holdings Ltd. have appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 208-2001 of the City of Brampton
O.M.B. File No: R010160

APPEARANCES:

Parties

City of Brampton

Vista Restaurant and Lunch Incorporated
(hereinafter referred to as Vista)

Counsel

J. Atwood-Petkorski

R. Filkin

MEMORANDUM OF ORAL DECISION DELIVERED BY N.C. JACKSON ON NOVEMBER 28, 2001 AND ORDER OF THE BOARD

Vista owns an 11.4 acre property bounded by Steeles Avenue East, Dixie Road and Wilkinson Road to the south. There is currently commercial use on the property including a restaurant and truck parking and automobile sales. The proposed zoning By-law 208-2001 has the effect of consolidating the zoning to add a drive through restaurant, recognizing a temporary use, and deleting from the zoning a site plan which has restricted building envelopes on site. These changes are not disputed by the appellants who are neighbouring businesses. Of concern is the proposal to permit truck fueling on the southern portion of the site fronting on Wilkinson Road. Truck parking is currently a permitted use in the M1 zoning, but not the SC zoning on site. There have been problems with the truck parking as to access and location which are being resolved in court and by agreement. The appellants prime concerns have been respecting proposed truck refueling. Adverse impacts from the truck refueling, both visual and traffic are claimed. The applicant and City have now agreed to withdraw truck fueling as a permitted use, from the proposed zoning. The two appellants, Baron Group Holdings Ltd. and Debjaun Construction Ltd, withdrew their appeals (Exhibits 6 and 7).

The Board heard from two land use planners, Michael Bagnon on behalf of the applicant, and Paul Snape on behalf of the Municipality, that the amended by-law (Exhibit 8) represents good planning. The Official Plan designation is business industrial. The secondary plan permits highway commercial and industrial. Many of the uses proposed are already permitted. Both planners recommended the amended by-law to the Board. Both indicated that truck parking would be dealt with through a site plan process to begin soon after this hearing. That process will review access and truck ingress and egress and parking on site.

The Board is satisfied that proper planning procedures are being utilized to encourage reasonable development and resolve past issues. The Board accepts the planning evidence called and amends the proposed zoning by-law to delete truck refueling as a permitted use - leaving the M1 zone as it was. To this extent, the Board allows the appeals. Otherwise the appeals are dismissed and the Board amends the zoning by-law in the form of Exhibit 8 and made Attachment 1 hereto. It is so Ordered.



N.C. JACKSON
MEMBER



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____

To amend By-law 139-84 as amended.

The Council of The Corporation of the City of Brampton ENACTS as follows:

1. By-law 139-84, as amended, is hereby further amended:
 - (1) by changing on Sheet 9 of Schedule "A" thereto, the zoning designation of the lands shown outlined on Schedule "A" to this by-law from INDUSTRIAL ONE (M1) and SERVICE COMMERCIAL - SECTION 556 (SC - SECTION 556) to INDUSTRIAL ONE (M1) and SERVICE COMMERCIAL - SECTION 556 (SC - SECTION 556).
 - (2) by deleting therefrom Schedule C - Section 556.
 - (3) by deleting from Section 3.2 (2) thereof, the following:
"Schedule C - Section 556"
 - (4) by deleting therefrom Section 556 and substituting therefor the following:
"556 The lands designated SC-Section 556 on Sheet 9 of Schedule A to this By-law
556.1 shall only be used for:
 - (a) an office, excluding the offices of medical, dental or drugless practitioners;
 - (b) a gas bar;

- (c) a retail establishment having no outside storage, but excluding a supermarket, a garden centre sales establishment, and a department store;
- (d) a take out restaurant;
- (e) a personal service shop;
- (f) a dry cleaning establishment;
- (g) a community club;
- (h) a dining room restaurant;
- (i) a standard restaurant;
- (j) a convenience restaurant;
- (k) a banquet hall;
- (l) a motel;
- (m) an outdoor patio, only in conjunction with, or accessory to, a dining room restaurant;
- (n) a bank, trust company or other financial institution;
- (o) a convenience store;
- (p) a motor vehicle washing establishment;
- (q) a motor vehicle service station, or combination motor vehicle service station/parts retail outlet, not having outside storage and not including a motor vehicle body shop;
- (r) a motor vehicle sales establishment; and
- (s) purposes accessory to other permitted purposes;

556.2 shall be subject to the following requirements and restrictions:

- (a) the gross floor area for office uses shall not exceed 3,695 square metres;
- (b) the total gross commercial floor area for all dining room restaurants and banquet halls shall not exceed 650 square metres;
- (c) the maximum gross commercial floor area for retail uses shall not exceed 4,000 square metres;
- (d) the gross commercial floor area for a motel shall not exceed 4,000 square metres;

- (e) a minimum 3 metre wide landscaped open space strip shall be provided along the property limits abutting any road right-of-way, except at approved driveway locations;
- (f) no adult entertainment parlour or adult video store shall be permitted;
- (g) all restaurant refuse shall be stored in a climate controlled room within the building;
- (h) for each motor vehicle washing establishment, 10 waiting spaces shall be provided and shall be arranged on the lot so as to provide continuous access to the entrance of the motor vehicle washing establishment, and the minimum size of a waiting space shall be 2.75 metres by 6 metres;
- (i) no outside storage of goods and materials shall be permitted;

556.3 shall also be subject to the requirements and restrictions of the SC zone and all the general provisions of this by-law, which are not in conflict with those set out in Section 556.2.”

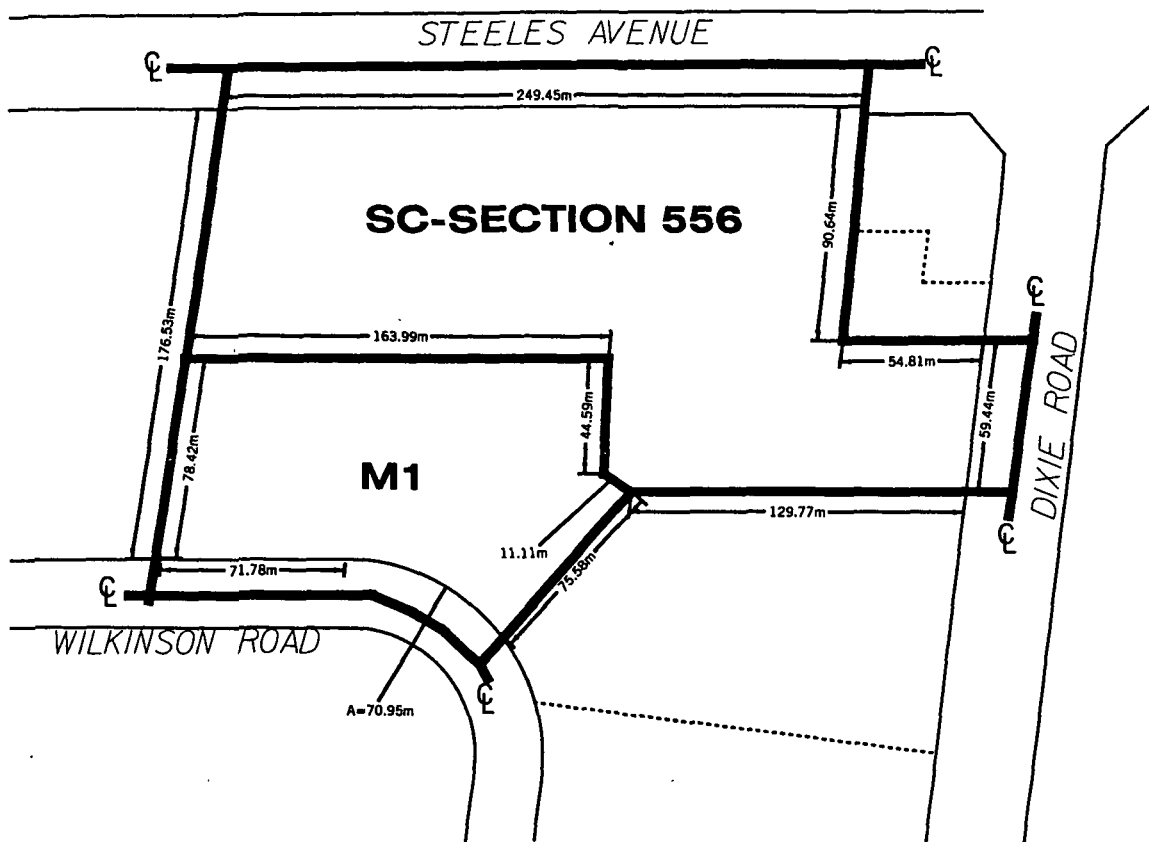
READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL,
this day of 2001.

SUSAN FENNELL - MAYOR



LEONARD J. MIKULICH - CITY CLERK

APPROVED AS TO
CONTENT:

John B. Corbett, M.C.I.P., R.P.P.
Director of Development Services



LEGEND

-  ZONE BOUNDARY
-  CENTRELINE OF ORIGINAL ROAD ALLOWANCE
- m METRES



PART LOT 3 , CONCESSION 3 E.H.S. (TOR.)
CITY-LAW 139-84
City-Law

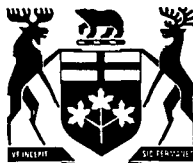
SCHEDULE A
Schedule A



CITY OF BRAMPTON
 Planning and Building
 Date: 2001 11 14
 File no. T3E15.18
 Drawn by: CJK
 Map no. 78-3RH

ISSUE DATE:
Dec. 28, 2001

DECISION/ORDER NO:
2105



PL010749

Ontario
Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Debjaun Construction Ltd. and Baron Group Holdings Ltd. have appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 208-2001 of the City of Brampton
O.M.B. File No: R010160

A P P E A R A N C E S :

Parties

Counsel

City of Brampton

Janice E. Atwood-Petkovski

Vesta Restaurant and Lunch Incorporated
(hereinafter referred to as Vesta)

R. Filkin

**AMENDING DECISION DELIVERED BY N.C. JACKSON AND ORDER
OF THE BOARD**

The Decision and Order of the Board issued on December 07, 2001 as Decision/Order No. 2005 is amended as follows:

Vesta is substituted for Vista and Gagnon for Bagnon.

In all other respects, Decision/Order No. 2005 remains as issued.

"N.C. Jackson"

N.C. JACKSON
MEMBER

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JAN 02 2002

REG. No.:
FILE No.: T 3E15-18