



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

*Number* 322-80  
To adopt Amendment Number 67  
to the Consolidated Official Plan of  
the City of Brampton Planning Area.

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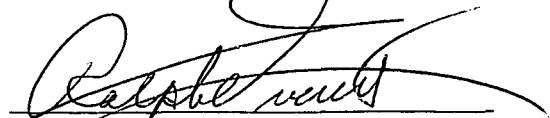
The Council of The Corporation of the City of Brampton, in accordance with the provisions of The Regional Municipality of Peel Act, 1973 and The Planning Act, hereby ENACTS as follows:

1. Amendment Number 67 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 67 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 15th day of December 198 0

  
JAMES E. ARCHDEKIN, MAYOR

  
RALPH A. EVERETT, CLERK

DUPLICATE ORIGINAL

1981 APR 16 PM 12 54

21-OP - 0006 - 67

AMENDMENT NUMBER 67  
to the Consolidated Official Plan  
of the City of Brampton Planning Area

-3

MISC. PLAN NO. 607  
LODGED IN THE REGISTRY OFFICE  
FOR THE COUNTY OF PEEB  
1981 Apr 16 P.M. 12:54  
*Gloria J. Smuck*  
REGISTRAR OF DEEDS, COUNTY OF PEEB  
*Asst Deputy*

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

This Amendment No. 67 to the Official Plan for the City of Brampton Planning Area which has been adopted by the Corporation of the City of Brampton, is hereby modified in accordance with Section 17 of The Planning Act as follows:

1. The amendment, Section 2, Page 1, Subsection 2.0(ii) is modified by deleting the words "to be operated by a non-profit organization".

As thus modified, this amendment is hereby approved as Amendment 67 to the Official Plan for the City of Brampton Planning Area under Section 17 of The Planning Act.

Date .....

*April 6/81*

*W. Wronski*

**W. WRONSKI, Assistant Deputy Minister  
Community Planning  
Ministry of Housing**



THE CORPORATION OF THE CITY OF BRAMPTON

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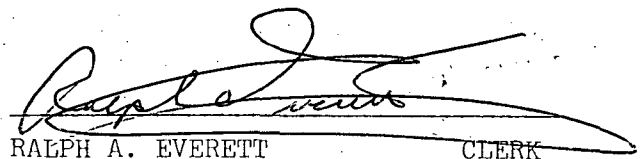
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READ a FIRST, SECOND and THIRD TIME and Passed in Open Council

This 15th day of December 1980

  
JAMES E. ARCHDEKIN MAYOR

  
RALPH A. EVERETT CLERK

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

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1. Plate Number 10 (LAND USE AND ROADS) of the Consolidated Official Plan of the City of Brampton Planning Area is hereby amended by changing the land use designation of the land shown outlined on Schedule 'A' hereto attached from RESIDENTIAL LOW DENSITY to RESIDENTIAL HIGH DENSITY.

2. Part C, Section B of the Consolidated Official Plan of the City of Brampton Planning Area, is hereby amended by adding after Chapter B3 the following chapter:

"Chapter B4

1.0 Purpose and Location

The purpose of this Chapter is to permit the development of a site located on the west side of Scott Street abutting Rosalea Park, consisting of Lots 29 and 30, and parts of Lots 28 and 31, on Plan BR-2, being part of Lot 6, Concession 1, East of Hurontario Street, and comprising an area of approximately 3,116 square metres as a senior citizens' apartment building, with accessory uses, in accordance with the development principles set out herein.

2.0 Development Principles

The Residential High Density Area shall be subject to the following development principles:

- i) the designation of Residential High Density shall not preclude the development of the lands at a lower density level, provided that the residential dwelling is used as a senior citizens' residence, or, if used for other than a senior citizens' residence, is developed as a Residential Low Density Area.
- ii) Residential High Density development shall be for a senior citizens' residence designed as a high rise elevator apartment, ~~to be operated by a non-profit organization.~~

MODIFICATION  
NO. 1  
UNDER SECTION 14(1) OF  
THE PLANNING ACT

.../2

- iii) the bulk (height, length and width) and siting of a building shall not unduly shadow or interfere with sunlighting of adjacent residential properties.
- iv) appropriate measures shall be undertaken to satisfy the requirements of the Metropolitan Toronto and Region Conservation Authority and the Ministry of the Environment with respect to floodproofing of buildings.
- v) adequate off-street parking facilities shall be provided in accordance with the policies of Section B1.0, Sub-section B1.2, Paragraph 9.0, Sub-paragraph 2.1.
- vi) The policies of Section B2.0, Sub-section 2.1, Paragraph 2.0, Sub-paragraph 2.2, respecting the maximum density of dwelling units for high density development, are waived, provided that the net density does not exceed 210 dwelling units per hectare and that the floor space index does not exceed 1.4.

3.0 Implementation

3.1 This Chapter will be implemented by an appropriate amendment to the Restricted Area By-law to impose the appropriate zone classification and regulations in conformity with the development principles outlined in Section 2.0.

3.2 The Corporation of the City of Brampton may require the owners of the lands to enter into one or more agreements incorporating various aspects of site plan control pursuant to Section 35(a) of The Planning Act.

SCOTT ST.

12.19 m

25.34 m

1.82 m

BOUNDARY OF LANDS AFFECTED

39.16 m

11.27 m

32.52 m

8.69 m

32.18 m

33.14 m

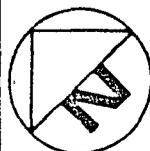
129.90 m

NELSON ST. E. (unopened)

PARK

MAPLE AVENUE (unopened)

OFFICIAL PLAN AMENDMENT  
No. 67  
Schedule A



1:480

CITY OF BRAMPTON  
Planning and Development

Date: 80 07 09

Drawn by: ck

File no. CIE6.13

Map no. 43-33R

Attached are copies of Reports of the Director, Planning and Development Services dated May 15, 1980 and June 6, 1980 and a copy of the notes of a special meeting of the Planning Committee held on June 3, 1980, subsequent to the publishment of notices in the local newspapers and mailing of notices to the assessed owners of properties within 400 feet of the subject site.



# INTER OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

1980 05 15

TO: Chairman of the Development Team

FROM: Director, Planning and Development Services

RE: Application to Amend the Official Plan and Restricted Area By-law  
Part of Lot 6, Concession 1 E.H.S.  
(Chinguacousy Township)  
Lots 29 and 30 and Part of Lots 28 and 31, Plan BR-2  
GRACE RETIREMENT AND COMMUNITY ENTERPRISES INCORPORATED  
Our File: C1E6.18

1.0 Background

An application has been filed to amend the Official Plan and Restricted Area By-law to permit the construction of a senior citizens' apartment building.

A request by Councillor Sutter that staff investigate the possible use of a portion of Rosalea Park with frontage on Church Street East, has been commented upon by the Commissioner of Parks and Recreation. A copy of his memorandum is attached.

2.0 Property Description

The subject site is situated between an unopened portion of Maple Street, on the west and Scott Street and a 101 unit senior citizens' high rise apartment building.

The property has a frontage of 12.19 metres (40.0 feet) X on Scott Street and 33.14 metres (108.73 feet) on Maple Avenue comprising an area of about 3,116 square metres (33,541 square feet).

The Scott Street portion of the subject lands is presently occupied by a detached residence (17 Scott Street).

The major portion of the subject site is approximately 4.5 metres (14.7 feet) to 5.4 metres (17.7 feet) lower than the elevations of Maple Avenue and Scott Street respectively. Along the southerly slopes of the site are a number of mature deciduous trees.

Abutting the property to the south are detached residences and an Ontario Housing Corporation senior citizens' high rise apartment. To the west and north is Rosalea Park and to the east on the opposite side of Scott Street are detached residences.

3.0 Official Plan and Zoning By-law Status

The property is designated by the Consolidated Official Plan as partly Residential Low Density and Residential High Density (Plate No. 10).

The zoning of the lands by By-law Number 1827 are partly Residential and Agriculture. According to By-law Number 25-79, the zoning classification is Residential Single-Family "B" (R1B).

4.0 Proposal

It is proposed to develop the site as a seven storey subsidized senior citizens' building to contain a total of 65 units. The ground floor of the building, which will be at an elevation slightly higher than Rosalea Park, will provide provision for 17 covered parking spaces and building service access.

The first floor will accommodate communal recreational facilities and as a lounge, lobby room, billiard and card room, service facilities and the main pedestrian entry which will be from Scott Street. The remaining 5 storeys will accommodate 5 bachelor dwelling units, 55 one-bedroom and 5 two-bedroom dwelling units.

Vehicle access will be from Scott Street and access to the ground floor will be achieved by a ramp.

The proposed development will be enclosed by a flood wall which will be approximately 3.66 metres (12.0 feet) above the elevation of Rosalea Park.

Access to Rosalea Park will be provided by a ramp sidewalk and by stairs.

5.0 Comments

The Executive Committee of the Metropolitan Toronto and Region Conservation Authority has approved an application to construct a senior citizens' apartment building on the subject lands in accordance with plans prepared by the applicant's architect.

The Regional Municipality of Peel Public Works Department has indicated that sanitary sewer service is available either from Scott Street or from the Etobicoke Creek Trunk and water services are available from Scott Street.

The Commissioner of Parks and Recreation has expressed his opinion that the proposal (i) is not compatible with the use of Rosalea Park; (ii) will require the removal of mature trees; (iii) does not guarantee that the building will continue to be occupied by senior citizens and (iv) requires an unsuitable flood wall. (See attached memorandum). He recommends that the subject lands should

.....

be purchased to retain them in their present condition.

The concerns of the Commissioner of Parks and Recreation as they relate to park/residential development compatibility, removal of trees and graffiti are not unreasonable observations from his perspective. Lighting of recreation facilities and their intrusion into the residential environment has been a concern without any reasonable solution advanced by park planners except the removal of the adjacent residences. The wish to retain mature trees on private lands must be tempered by the purpose that require their removal. The disfigurement of the flood wall by graffiti is a possibility that can be reduced by using the aesthetic quality of a textured wall surface as a deterrent. The necessary guarantee that a particular project will be used as proposed in order that future problems are not encountered, will have to be faced. If existing legal tools of agreements, covenants on title and zoning by-laws are unenforceable or unacceptable to the courts, then the opportunity exists for government agencies and non-profit organizations to violate their mandates. If this situation is deemed to be a distinct possibility then it may be reasonable to request zoning standards that are based upon the 'worst' possible case.

The overall density of the proposed project is equal to 208 units per hectare (84.4 units per acre.)

The quantity of landscaped open space is slightly more than 38 percent of the site area which is a lower standard than that employed elsewhere in the City.

For comparison purposes, the existing Ontario Housing Corporation senior citizens' high rise building on Maple Avenue has been provided with a minimum of 50%

landscaped open space and the net residential density is about 234 units per hectare (94.3 units per acre).

The provision of 17 parking spaces is equivalent to a ratio of 1 space for each 3.8 units (26.7 per cent) which is acceptable as a minimum standard.

The resident of a detached dwelling unit abutting the high rise building has submitted a letter objecting to the proposal citing loss of privacy and destruction of her view that she has had for a number of years. Another resident living near the proposed project has indicated opposition to the proposal noting that a 11 storey high rise apartment building accommodating senior citizens is located in the immediate vicinity and a further high rise structure in the locality is not justified.

It must be recognized that the building will obstruct the view of the park from a residence located on Maple Avenue which would happen if any type of development were permitted to occur at or about the same elevation above flood level as the proposed project. The edge of the balconies of the proposed development will be 6.1 metres (20.0 feet) distant from the nearest private residential property boundary. This yard separation should be compared with the total height of 21.33 metres (70.0 feet) above ground elevation, but with the same elevation as the detached dwelling unit and the resultant building height of about 14 metres (45.9 feet).

If the proposal is permitted to proceed, a pedestrian connection (bridge) should be considered to link the O.H. building and Rosalea Park.

Detail plans of the flood wall including construction and maintenance easements, architectural treatment and landscaping should be submitted for approval.

A storm drainage scheme acceptable to the Public Works Department will be a significant requirement because of the low lying nature of the apartment site.

The applicant should be required to pay cash in lieu of parkland dedication as well as development levies.

Further, the design and location of boundary fencing should be acceptable to the City.

The peculiar shape of the site and the varied terrain are not conducive to the use of the typical zoning by-law. Therefore, a site plan by-law together with a development agreement are essential requirements.

#### 6.0 Conclusion

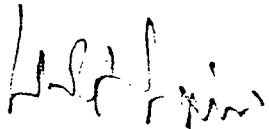
The demand for senior citizens' housing will continue to increase and any proposal to increase the supply must be given encouragement to the particular project is not offensive.

Planning Committee should consider

- (i) the recommendation of the Commissioner of Parks and Recreation with respect to the purchase of additional park land;
- (ii) compatibility of the proposal with Rosalea Park, a
- (iii) the compatibility of the proposal as presently submitted with respect to nearby residences.

The proposal by G.R.A.C.E., Incorporated appears to be of sufficient merit to warrant a public meeting.

It is recommended that a public meeting be held, and subject to the results of the public meeting, the proposal be approved subject to a site plan zoning by-law and a development agreement.



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

Agreed



F. R. Dalzell  
Commissioner of Planning  
and Development

LWHL/dh

Attachments: (2)

CITY OF CHICAGO LAND DEPARTMENT

Office of the Commissioner of Parks & Recreation

TO: F. Dalzell  
FROM: Donald M. Gordon  
DATE: 14 May 1980

|                                   |             |
|-----------------------------------|-------------|
| CITY OF CHICAGO<br>PLANNING DEPT. |             |
| Date                              | MAY 14 1980 |
| File No.                          | CIE 618     |

RE: Application to amend official plan and restricted area by-law  
Part Lot 6, Conc. 1 EHS  
Lots 29 and 30 and part lots 28 and 31, BR-2  
Grace Retirement and Community Enterprises Inc. -  
Apartment proposal between Maple Ave. & Scott St. adjacent to Rosalea Park

I have reviewed the site plan for the above noted proposal and would advise that I do not agree with the proposal for the following reasons.

1. The plan calls for a seven-storey apartment building for senior citizens immediately adjacent to Rosalea Park, which is a very high usage park in terms of the two ball diamonds, the arena, the Church St. parking lot and the tennis courts. Two of these facilities, namely, the tennis courts and the ball diamonds are floodlit and games are played until approximately 11:00 p.m. each night of the week during the season. This will, no doubt, cause aggravation to any residents of the proposed building and could result in submissions or delegations to Council to limit the usage of the park which in this particular area is already deficient.
2. The area in question has been left in a reasonably natural state along the embankments and at the existing elevation of the park, therefore, this proposal will result in the elimination of all of this natural area including many of the existing mature trees.
3. There does not appear to be any way of guaranteeing that only senior citizens will reside in this building, therefore, the requirement for public open space conveyance and the matter of parking requirements cannot be ignored. As mentioned previously, this particular area of the City is deficient in parkland and to increase the amount of people without seeking corresponding parkland would further aggravate the existing situation.



4. The proposal requires a large concrete "flood wall" along the northerly boundary line which will have the effect of changing what is existing now to constructing a 12' high concrete structure. Apart from the fact that this will provide an excellent opportunity to mark and graffiti the wall, it will do absolutely nothing for the aesthetics of what, to this date, has been a reasonably attractive park.

Basically there may be two alternatives to this proposal, one of which was suggested at a recent Council meeting, to look at an exchange of sites and consider locating the apartment building on the existing Church St. parking lot. This proposal would effectively remove all of the parking that the various sports groups and general public have relied on who use the park and its facilities. It would also have the same effect in terms of potentially restricting the usage of the park.

Another alternative would be to purchase the property which is some 33,541 square feet for parkland and in order to retain this area in its present condition, I would highly recommend that Council consider this alternative. Financing for such a purpose could be from the parkland cash-in-lieu account.

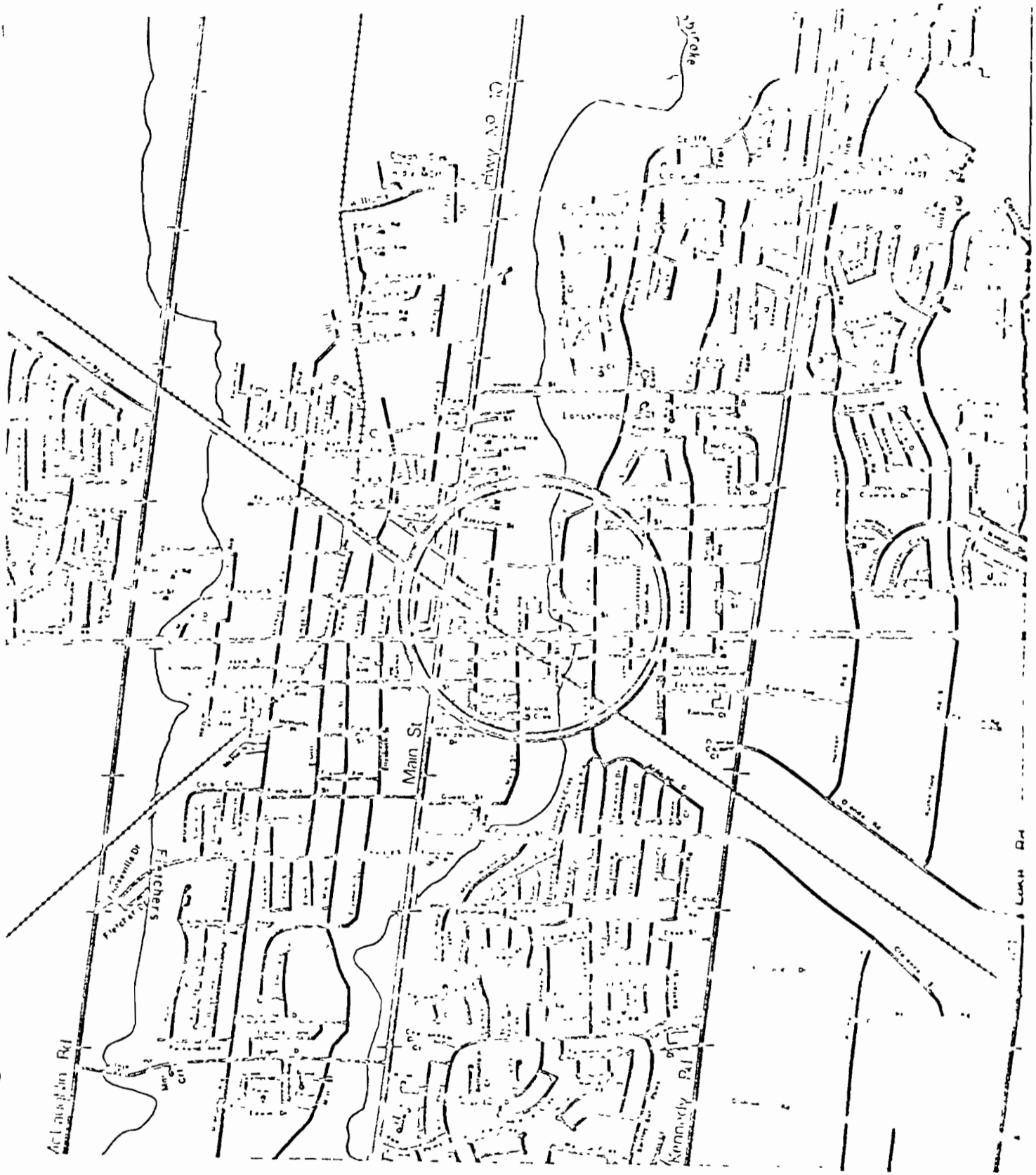
Trusting that this information can form an appendix to the planning report for Council consideration.



Donald M. Gordon  
Commissioner  
Parks and Recreation

DMG/eb

c.c. J. Metras  
J. Curran  
L. Koehle  
A. Solski  
L. Laine



GRACE RETIREMENT & COMMUNITY  
ENTERPRISES LIMITED

*Location Map*



1:25000

CITY OF FRANKLIN  
Planning and Development

Date 1990 05

File no 05018

Drawn by GEC

Map no 43-33A

1980 06 11

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

Re: Application to Amend the Official Plan  
and Restricted Area By-law  
Part of Lot 6, Concession 1, EHS  
(Chinguacousy Township)  
Lots 29 and 30 and Part of Lots 28 and  
31, Plan BR-2  
GRACE RETIREMENT AND COMMUNITY  
ENTERPRISES INCORPORATED  
Our File: ~~2716.8~~ CIE 6.18

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Attached are the notes of the public meeting held on Tuesday, June 3, 1980, with respect to the above noted application.

Enclosed is a copy of a letter of objection filed at the meeting by Mrs. McInerney of 9 Maple Avenue.

RECOMMENDATION

It is recommended that after considering the notes of the public meeting, Planning Committee present a recommendation for City Council's consideration that will provide direction to staff.

AGREED

  
F. P. Dayzell,  
Commissioner of Planning  
and Development

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

LWHL/ec  
enclosures

PUBLIC MEETING

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A Special Meeting of Planning Committee was held on Tuesday, June 3, 1980, in the Municipal Council Chambers, 3rd. Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:50 p.m. with respect to an application by Grace Retirement and Community Enterprises Inc. to amend both the Official Plan and Restricted Area (Zoning) By-law to permit the development on the site of a seven storey subsidised senior citizens building to contain a total of 65 units comprised of 55 one-bedroom units, 5 two-bedroom units, and 5 bachelor units.

Members Present: Councillor D. Sutter - Chairman  
Mayor Archdekin  
Councillor N. Porteous  
Alderman K. Coutlee  
Alderman E. Coates

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  
E. Gilson, Development Planner  
E. Coulson, Secretary

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70 members of the public were present.

The Chairman enquired if notices to the property owners within 400 feet of the subject lands were sent and whether notification of the public meeting was placed in the local newspapers. Mr. Dalzell replied in the affirmative.

Mr. Laine outlined the proposal and explained the intent of the application. After the close of the presentation, the Chairman invited questions and comments from the members of the public in attendance.

- Cont'd. -

Mr. David MacKay, 15 Scott Street, spoke about a dispute concerning the northerly 2½ feet of his property, and the possibility of sanitary sewer access being a problem.

Mr. Laine explained about the Etobicoke Creek Truck sewer and the possibility of utilizing the sewer on Scott Street.

Mr. MacKay was concerned about potential damage to his 135 year old dwelling since there is about 2 feet separating his house and the property line, and there would be heavy construction vehicle movement. He expressed concern also for the lack of parking facilities and enquired if the building would remain at the seven storey level.

Mr. Posliff, Architect for the applicant, stated that he was unaware of the right-of-way problem, and that there would be no pavement across Mr. MacKay's property according to the registered survey. He noted that there would be a ten foot buffer of landscaping between the ramp and Mr. MacKay's property, and that Mr. MacKay's house had been considered when the plans were drawn up.

Mr. Dalzell responded that there would be an agreement to cover the number of storeys allowed.

Mr. Prouse spoke to the matter of the right-of-way.

Mr. MacKay expressed concern about inadequate parking facilities and the walkway to the ball park.

Mr. Laine explained that the ratio of parking spaces to the number of units was consistent with the usual practice.

Mrs. Dorothy McInerney, 9 Maple Avenue, read a letter of objection to the proposal and submitted same.

Mr. Fry, 64 Nelson Street East, acting as a spokesman for a number of residents in the neighbourhood asked if the frontage met the requirements of the by-law. He was told that this meeting was being held for a proposed amendment to the by-law and that there would be a special by-law for this site only.

Mr. Fry expressed concern for the destruction or restriction of the walkway to the park. Also, he asked about the traffic expectations for this property, if Scott Street would be the only access, and if

the Traffic Division approved of the provisions. Also, he spoke on the deterioration of the Scott Street bridge over the Etobicoke Diversion Channel, the possible morality problems and safety of children in the parking lot closed in by landscaping, and asked if the Parks and Recreation Department approved of the proposal. He said that other sites may be more suitable.

Mr. Dalzell indicated that there was a Development Team, comprised of Commissioners of all departments, the City Solicitor and the Director of Planning and Development Services, who consider each proposal and that Mr. Gordon, Commissioner of Parks and Recreation, had reported that the proposal would be imposing on the park.

Responding to a question by Mr. Fry, Chairman Sutter noted that written objections should be submitted to the Planning and Development Department by the 12th of June.

Mrs. M. Zadavec, 13 Scott Street, objected to the proposal. She complained of a section of the park walkway being on the subject property, the sizes of apartment units and the fact that she understood that the City of Brampton owned a portion of the property.

Responding to Mr. Fry, regarding the proposal being a private enterprise or a subsidized one, Mr. Prouse indicated that it was a non-profit charter.

Mr. Posliff responded to Mr. MacKay's questions regarding the effect upon the park walkway and the location of the railing.

Mr. Diplock, representing the merchants of the downtown Brampton Core (Four Corners Improvement Area), expressed support for the proposal, as citizens, taxpayers and merchants.

Mr. McInerney, 9 Maple Avenue, commented that he agreed with the comments made by his mother, noting that the by-law should not be changed for honorable projects and that the individual should be protected.

Mrs. Zadavec suggested that the proposal should be located at the rear of the church property.

Mr. McInerney asked if the site on Church Street had been investigated.

Chairman Sutter advised that the site had been examined but that problems with the site prevented its use for a Senior apartment building.

Mr. Fry noted that the Church Street bridge was deteriorating and asked if the bridge would be rebuilt if the proposal met with approval.

He was informed that the bridge would be rebuilt in due time.

There were no further questions or comments.

Chairman Sutter explained the procedure for further comments and objections.

The meeting adjourned at 9:45 p.m.

1. 1/2 apt. G.R.A.C.E

June 3/20

1. I ask that the zoning classification remain as Residential Single Family
2. I object to the proposed plan for an apartment on the land adjacent to house
3. My home is at end of Maple line, overlook Rialta Park. Looking from my windows I have enjoyed the view across the park for 41 years. My present house is only 16 years old.
4. Suddenly a wall of factories is to be thrown up, parallel with my house only 20 ft. away. My home will be a fish bowl, for there are to be windows and balconies on south side of apartment. My privacy will be invaded.
5. I am a Senior Citizen too, trying to live in my home with a bit of peace and pleasure. I do not want to be bugged in.

As a taxpayer and homeowner close to the land in question, I object to an apartment.

Heather M. Inerney



Ron McInerney  
213 John St.  
Brampton, Ont.

June 9, 1980

City of Brampton  
150 Central Park Dr.  
Brampton, Ont.

Dear Council:

It seems Council is in favour of changing the by-laws to allow G.R.A.C.E. Incorporated to build an apartment building, even though there is opposition from the residents in the immediate area.

The purposes of by-laws are to protect individuals and give direction of growth to communities. Allowing the amendment to the by-law would destroy my mother's property at 9 Maple Ave. The seven storey apartment building would be a mere twenty feet from my mother's house, eliminating the view she has enjoyed for forty one years.

The Ontario Municipal Board has set standards which have not been adhered to by G.R.A.C.E. Incorporated.

- 1) The distance from the perimeter of the property to the building wall must be a minimum of fifty percent of the building height.
- 2) The apartment building occupies sixty two percent of the total property area, not allowing sufficient greenbelt and visitor parking.

It was suggested the project would bring business to the down town merchants. One hundred and twenty senior citizens would not have a major impact on business for down-town stores.

The Parks and Recreation Department object to the project. Their recommendation should be accepted.

As worthy and necessary a project G.R.A.C.E. Incorporated has proposed, they must not be allowed to build the apartment building adjacent to Rosalea Park and twenty feet from residential property.

Sincerely yours,

*Ron McInerney*

PASSED December 15, 1980

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# BY-LAW

No. 322-80

To adopt Amendment Number 67 to the  
Consolidated Official Plan of the  
City of Brampton Planning Area.