



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 53-91

To adopt Amendment Number 199
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 199 to the 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 Municipal Affairs for approval of Amendment Number 199 to the Official Plan of the City of Brampton Planning Area.

READ a FIRST, SECOND AND THIRD TIME, and PASSED, in OPEN COUNCIL, this 18th day of March, 1991.

PAUL BEISEL - MAYOR

LEONARD J. MIKULICH -
CITY CLERK

01/91

APPROVED AS TO FORM LAW DEPT. BRAMPTON
DATE

ORIGINAL

AMENDMENT NUMBER 199

to the Official Plan of the City
of Brampton Planning Area

21-0P 0031-199 - 1

AMENDMENT NO. 199
TO THE
OFFICIAL PLAN FOR THE
CITY OF BRAMPTON

This Amendment No. 199 to the Official Plan for the City of Brampton which was 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.

Date: 1991-05-08

Diana Jardine

Diana L. Jardine, M.C.I.P.
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs
Plans Administration Branch



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

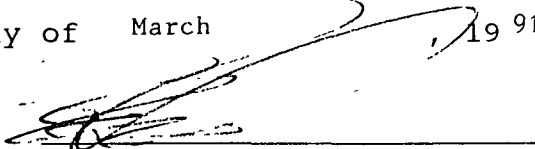
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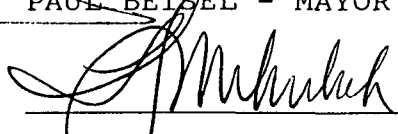
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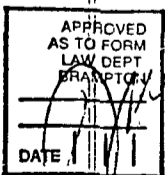


PAUL BEISEL - MAYOR

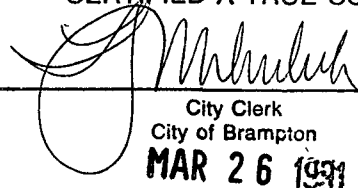


LEONARD J. MIKULICH -
CITY CLERK

01/91



CERTIFIED A TRUE COPY



City Clerk
City of Brampton

MAR 26 1991

19

AMENDMENT NUMBER 199
TO THE OFFICIAL PLAN
OF THE CITY OF BRAMPTON

1.0 Purpose

The purpose of this amendment is to change the land use designation of the lands shown outlined on Schedule A to this amendment from "Residential Low Density" to "Downtown Commercial" on the applicable secondary plan.

2.0 Location

The lands subject to this amendment are located on the east side of Elliott Street approximately 25 metres south of Queen Street West and is described as Part of Lot 26, Registered Plan BR-7, in the City of Brampton.

3.0 Amendment and Policies Relative Thereto

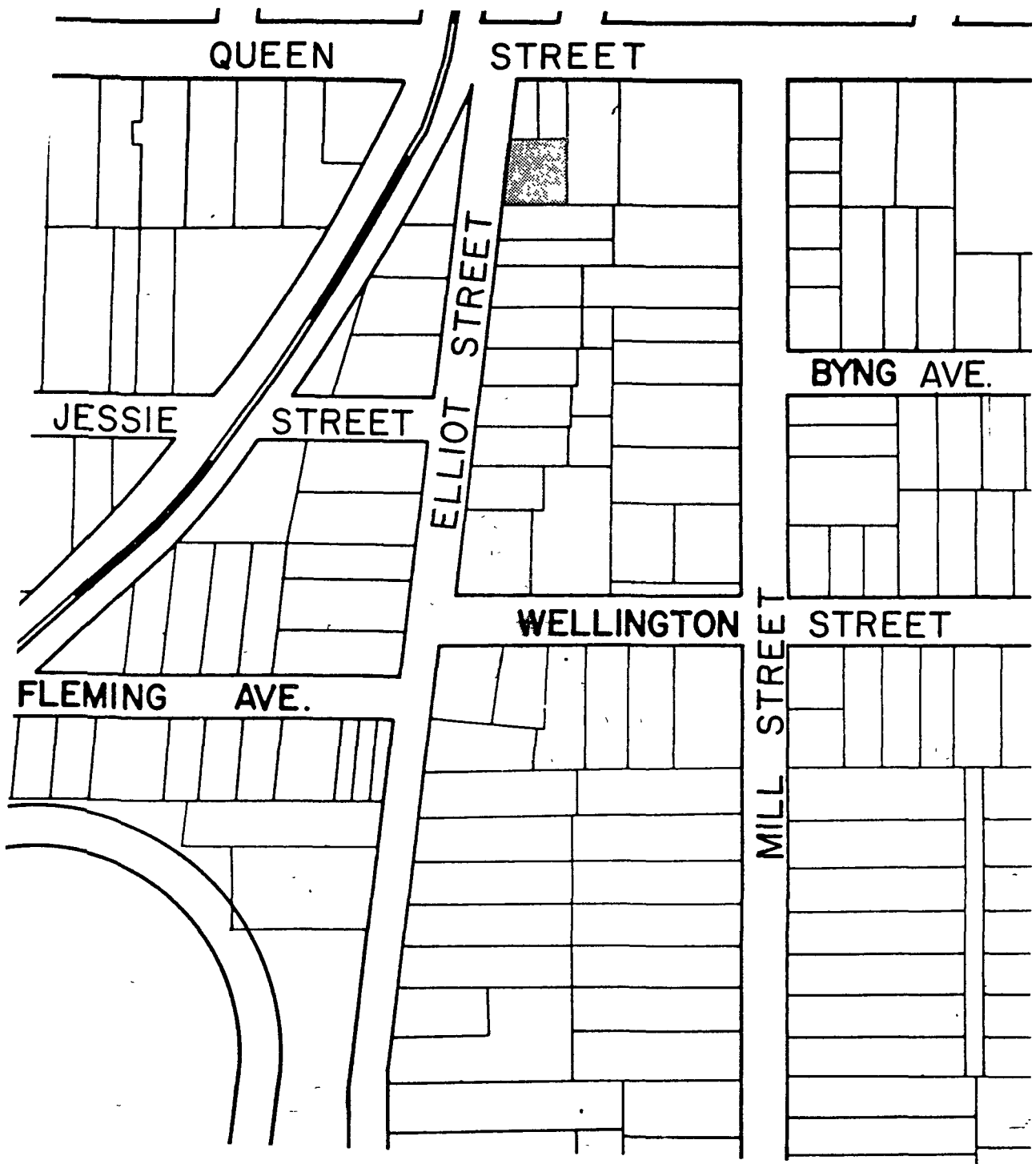
The Official Plan of the City of Brampton Planning Area is hereby amended:

- (1) by deleting subsection 7.2.7.7, and substituting therefor the following:

"7.2.7.7. Area 7: Brampton Central

Chapter 7 of Part IV of the Official Plan, as amended by Amendment Numbers 107, 128, 150, 152 and 199, shall constitute the Brampton Central Secondary Plan."

- (2) by changing, on Schedule SP7(a), Brampton Central Planning Area, thereto, the land use designations of the lands shown outlined on Schedule A to this amendment from RESIDENTIAL LOW DENSITY to DOWNTOWN COMMERCIAL.



LANDS SUBJECT TO THIS AMENDMENT

OFFICIAL PLAN AMENDMENT No. 199



CITY OF BRAMPTON
 Planning and Development

Schedule A.

1:2000

Date: 1989 07 26 Drawn by: CJK
 File no. CIW5.24 Map no. 59-51i

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 199

Attached is a copy of a planning report, dated July 7, 1989, and a copy of a report dated August 9, 1989, forwarding the notes of a Public Meeting held on August 2, 1989, after notification in the local newspapers and the mailing of notices to assessed owners of properties within 120 metres of the subject lands and a copy of all written submissions receive.

The Regional Municipality of Peel
Planning Department

April 29, 1988

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

July 7, 1989

TO: Chairman of the Development Team
FROM: Planning and Development Department
RE: Application to Amend the Zoning By-law
Part of Lot 26, Registered Plan BR-7
157 Queen Street East
Ward Number 4
CONRAD AND DELORES LEVY
Our File Number: C1W5.24

1.0 Background

An application to amend the zoning by-law for property located at 157 Queen Street East was the subject of two reports presented to Planning Committee at its meetings held on July 11, 1988, and August 8, 1988. The initial submission proposed that an existing two storey dwelling be renovated to contain a personal service shop (beauty salon) on the ground floor and an apartment on the second floor. Three parking spaces were to be provided in the rear yard and a fourth space in the front yard. Staff recommended that the application not be approved for the following reasons:

- a) the secondary plan for the area does not support any parking in the front yard of commercial developments in the area;
- b) the southerly most parking space in the rear yard is not usable due to difficulties with vehicular maneuverability;
- c) the parking space and driveway module within the rear yard are of insufficient size;
- d) the driveway leading to the rear yard parking area is too narrow, and
- e) a 1.5 metre landscaped strip is required along the southerly property boundary.

The original staff report concluded that it would be extremely difficult, if not impossible to rectify the site design problems, as the site is too small to support the development as proposed.

The revised proposal considered at the August 8, 1988 Planning Committee deleted any use of the property for residential purposes. The existing front porch would be removed to provide space for one parking space between Queen Street West and the northerly wall of the house. Parking in the rear yard was reduced from 3 to 2 parking spaces in order to produce a landscaped strip along the southerly property boundary. If access to Queen Street West were to be an issue, the applicant agreed to delete the front yard parking space to allow for an on-site stacking space in the front yard.

The revised proposal was not supported by staff. The proposed front yard parking spaces is contrary to the policies of the Secondary Plan for the area. The unavailable front yard parking space reduces parking on the site to 2 spaces. It was expected that the applicant would drive his personal vehicle to work reducing the customer parking by half. The depth of the parking space and the width of the driveway within the rear yard was deficient. The dimensions for a right-angle module, are 5.4 metres and 6.6 metres respectively which total 12 metres (39.4 feet) exceeding the 11 metre (36.0 feet) lot width by 1 metre (3.3 feet). The driveway width of 2.7 metres at its narrowest point, was noted as substandard for a commercial use.

The report concluded that the subject property was too small for the proposed use. It was suggested that the proposal would have greater merit if the subject property were combined with one of the abutting commercially designated and zoned properties creating a larger parcel which could ease parking and traffic circulation difficulties.

The applicant has acquired the property to the south, Number 4 Elliott Street and proposes to use this property:

- i) to increase the number of parking spaces for the personal service shop (beauty salon);
- ii) to enhance the vehicular traffic circulation pattern by establishing a one-way traffic flow, and
- iii) to convert the existing residence into office purposes.

2.0 Property Description

With the acquisition of the additional land on Elliott Street, the subject property now in a shape of a reversed letter L, will have a dimension on Queen Street West of 10.973 metres (36.0 feet) and on Elliott Street of 19.66 metres (64.50 feet). The depth of the property from Elliott Street along its south limit is 26.896 metres (88.24 feet), and along its north limit is 24.613 metres (80.75 feet). The Queen Street West property has a more regular shape and a uniform depth of 24.7 metres (81.0 feet). The area of the Elliott Street property is 502.84 square metres (5412.75 square feet), whilst the Queen Street West property has an area of 270.9 square metres (2916 square feet) for a combined area 773.74 square metres (8328.75 square feet).

A two storey brick veneer house, with a gross floor area of 118.9 square metres (1280 square feet) is situated on the Queen Street West land. A frame garage, formerly located in the rear yard, has been demolished. A one and one-half storey aluminium clad dwelling with a gross floor area of 111.48 square metres (1200 square feet) is situated approximately 1.66 metres (5.44 feet) from Elliott Street. A frame garage, in poor condition, is situated in the south-east corner of the Elliott Street property.

The Elliott Street property has three significant deciduous trees, one located near the north property line, a second in the north side yard and a third is located on the south lot line.

Surrounding land uses are as follows:

- o to the west, a former residence has been converted into a commercial purpose of an insurance office, while further west on the opposite side of Elliott Street are a Canadian Pacific Railway right-of-way and residential purposes;
- o to the north, on the opposite side of Queen Street West, is Park Street and the Canadian Pacific Railway right-of-way;
- o to the east, abutting the subject site is property occupied by a two storey commercial building, while further east is a Salvation Army Thrift Store, and
- o to the south, abutting the subject property is a residential development comprising a semi-detached dwelling, while further south on both sides of Elliott Street, land is used for residential purposes.

3.0 Official Plan and Zoning By-law Status

The subject property is designated on Schedule 'A' of the Official Plan as "Commercial" and on Schedule 'F' as "Highway and Service Commercial". The Brampton Central Secondary Plan designates the Queen Street West property as "Downtown Commercial" and the Elliott Street property as "Low Density Residential". By-law 200-82, as amended, zones both the Elliott Street and Queen Street West properties "Service Commercial (SC)".

4.0 Proposal

The applicant is proposing, that with the appropriate zoning by-law amendment, to renovate 157 Queen Street West for purposes of a beauty salon containing a gross floor area of about 119 square metres (1281 square feet). The residence on Elliott Street will be converted into office purposes with a gross floor area of about 111.5 square metres (1200 square feet)

A total of 11 parking spaces will be provided, with one space to be used for staff purposes, situated to the south of the Elliott Street residence. Eight parking spaces will be angled spaces (approximately 60 degrees) with two spaces designed as parallel spaces, and one space occupying the existing Elliott Street driveway. The angled parking spaces are proposed to be 2.5 metres (8.20 feet) wide with a depth of 5.6 metres (18.37 feet). The parallel spaces are planned to have a similar width and depth.

Vehicular access is proposed to be from Queen Street West via a one-way entrance with exiting traffic using Elliott Street.

Landscaped open space areas will be provided in the front yard abutting Queen Street, along the north-west and south-east property lines of the Elliott Street property. The frame garage on Elliott Street will be demolished.

5.0 Comments

Community Services Department - Parks and Recreation have noted the following:

- o boulevard trees are required along Queen Street West and Elliott Street;
- o solid screen fencing 2.8 metre high should be installed on the property line abutting any residential properties;

- o large trees should be planted in the landscaped areas abutting other properties, and
- o cash-in-lieu of parkland is required.

Planning and Development Department - Community Design Section has noted that with road widening, parking space number 10 is not viable.

Law Department; Public Works and Building Department, Zoning and By-law Enforcement Division, Building Division, and Community Services Department, Transit and Fire have no objections.

6.0 Discussion

The acquisition of the additional property affords the opportunity to lessen the circulation difficulties of the previous submissions and to provide parking facilities. The one way traffic flow from Queen Street West will remove the need to provide a lay-by in the front yard of 157 Queen Street West. The dimensions of the proposed parking spaces deviate slightly from the by-law requirement of a width of 2.7 metres to 2.5 metres and for the parallel spaces, from a length of 6.6 metres to 5.6 metres. The utility of the parallel parking spaces is decreased because of the sidewalk encroachment that will be necessary if the other parallel parking space is occupied and the necessity to widen the right-of-way width of Elliott Street.

The deficiencies in the parking space dimensions can be corrected by a slight adjustment in the width of the angled parking spaces and by the deletion of a parallel parking space. If the width of the angled parking spaces cannot be increased without encroaching into the proposed 3 metre wide landscaped open space adjacent to the residential use, one of the angled spaces should be deleted. The removal of two spaces will reduce the number of functional parking spaces to 9.

The proposed parking and driveway system will require the removal of a large deciduous tree in the north side yard of the Elliott Street property. The concept site plan for the enlarged proposal, provides a landscaped strip in the vicinity of the deciduous tree situated in the north lot line of the Elliott Street residence. The small size of the landscaped open space does not provide sufficient undisturbed area to ensure continued growth and protection of the tree. A tree protection/conservation plan satisfactory to the City, should be provided by the applicant.

The front yard landscaped open space area at 157 Queen Street West should be retained for landscaping purposes, except for the necessary one way driveway access, and not be used for parking purposes.

The revised proposal intrudes upon the amenity of the abutting semi-detached dwelling to the south. To lessen the adverse impacts, a visual screen should be provided along the south limit of the parking lot employing a fence and landscaped buffer. The design detail of the visual screen will be determined at the site plan approval stage and could incorporate an existing recently erected wood fence.

Provision for widening of Queen Street West and Elliott Street will be required. The Development and Engineering Services Division comments on the original proposal requested a 3.05 metre road widening along Queen Street West. This requirement shall be fulfilled for the revised proposal. Elliott Street has a width of 13.588 metres (44.58 feet) while a width of 20 metres (65.617 feet) is a normal requirement. Assuming that an equal widening will be required on each side, a widening of 3.206 metres (10.518 feet) is required. However, the residence on Elliott Street has an average front yard depth of about 1.67 metres with the front door steps closer, resulting in a significant road widening encroachment. Since the applicant intends to retain the existing residence in its present location, it is recommended that a temporary encroachment in the road widening be permitted until the land is required for future public or utility purposes.

Payment of City and Region Industrial/Commercial levies, including payment of the recently instituted parkland levy equal to two per cent of the value of the land to be developed or redeveloped will be required.

The type of offices to be permitted in the Elliott Street renovated dwelling should exclude health care practitioners and real estate offices because of the limited number of useable parking spaces.

7.0 Conclusion

The revised submission addresses, in a large measure, the deficiencies of the earlier proposal to redevelop 157 Queen Street West for a beauty salon. However, the Secondary Official Plan, as established by Amendment Number 58, should be amended to designate the Elliott Street property as "Commercial" and specifically "Downtown Commercial".

From a zoning by-law perspective, the land should be zoned Service Commercial (SC) with a special section number to deal with the necessary amendments to the restrictions and requirements of the Service Commercial zone of By-law 200-82, and to restrict the purposes to a beauty salon, and general offices.

It is recommended that

- A. A Public Meeting be held in accordance with City Council's procedures.
- B. Subject to the results of the Public Meeting, staff be instructed to prepare the appropriate amendment to the Official Plan (Secondary Plan) and to the zoning by-law for the consideration of City Council subject to the following conditions:
 1. The site specific zoning by-law shall contain the following specific requirements:
 - a) the site shall only be used for:
 - i) a beauty salon occupying 157 Queen Street West and offices, excluding health care and real estate personnel, occupying 4 Elliott Street, and
 - ii) purposes accessory to the other permitted purposes.
 - b) the gross floor area of the purposes shall be restricted to the gross floor area of the existing main buildings, comprising for Queen Street West and Elliott Street, 119 and 111.5 square metres respectively.
 - c) all garbage and refuse containers shall be enclosed;
 - d) the minimum required distances from the Queen Street West and Elliott Street property lines shall recognize the provision of road widenings;
 - e) the minimum side yard widths shall be determined by the location of the existing buildings and as shown on the zoning by-law schedule;
 - f) a loading space will not be required;

- g) the minimum lot width and depth requirements shall be as shown on the zoning by-law schedule and shall provide for road widenings of Queen Street West and Elliott Street;
 - h) the minimum lot area shall include the total lot area of 157 Queen Street West and 4 Elliott Street with an allowance for road widenings, and
 - i) maximum building height shall be restricted to 2 storeys.
2. Prior to the enactment of Official Plan and zoning by-law amendment, the applicant shall enter into a development agreement which shall contain the following provisions:
- a) prior to the issuance of a building permit, a site development plan showing access, grading drainage and parking facilities and a landscape plan shall be approved by the City and appropriate securities shall be deposited with the City to ensure implementation of these plans;
 - b) the site development plan and landscape plan shall include, to the satisfaction of the City,
 - (i) fences of acceptable material and height and in appropriate locations to perform the taxed effect, and
 - (ii) boulevard trees where feasible.
 - c) all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and other properties;
 - d) the applicant shall agree to pay all applicable Region and City levies in accordance with the Region's and City's Capital Contribution Policy prior to the issuance of a building permit, including payment of parkland levy.
 - e) the applicant shall convey to the City a 3.05 metre road widening along Queen Street West and a 3.206 metre road widening along Elliott Street where the streets abut the subject property.

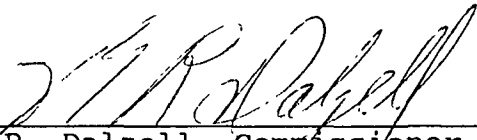
f) the applicant shall acknowledge that as a result of road widening on Elliott Street, a portion of the proposed office building may encroach into the road allowance and such encroachment will be permitted to continue until the widening is required for public purposes.

Respectfully submitted,



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

AGREED:

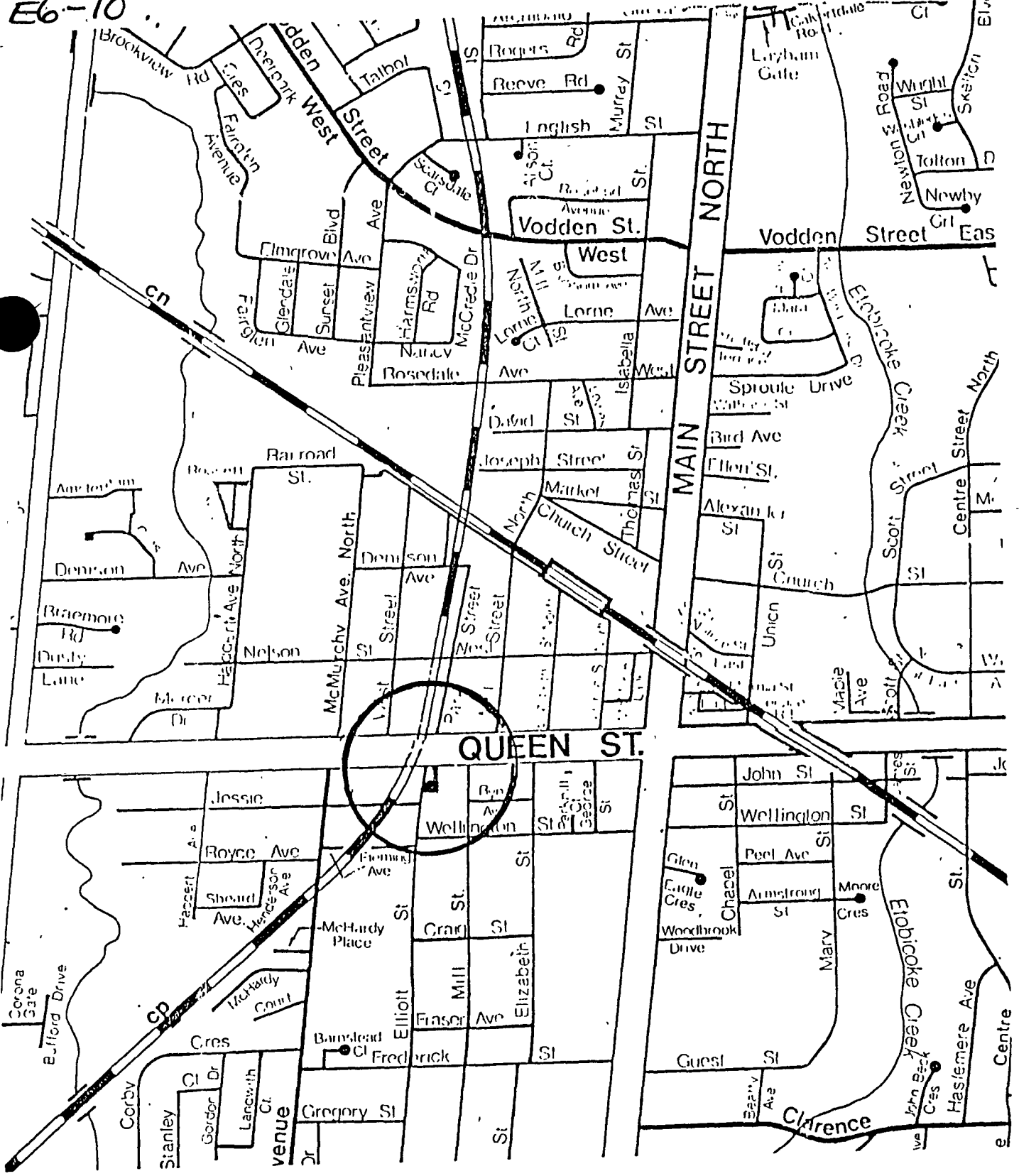


F.R. Dalzell, Commissioner,
Planning and Development Department

Attachments

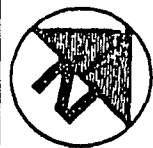
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E6-10



CONRAD & DELORES LEVY
 QUEEN STREET WEST & ELLIOTT
 STREET

Location Map

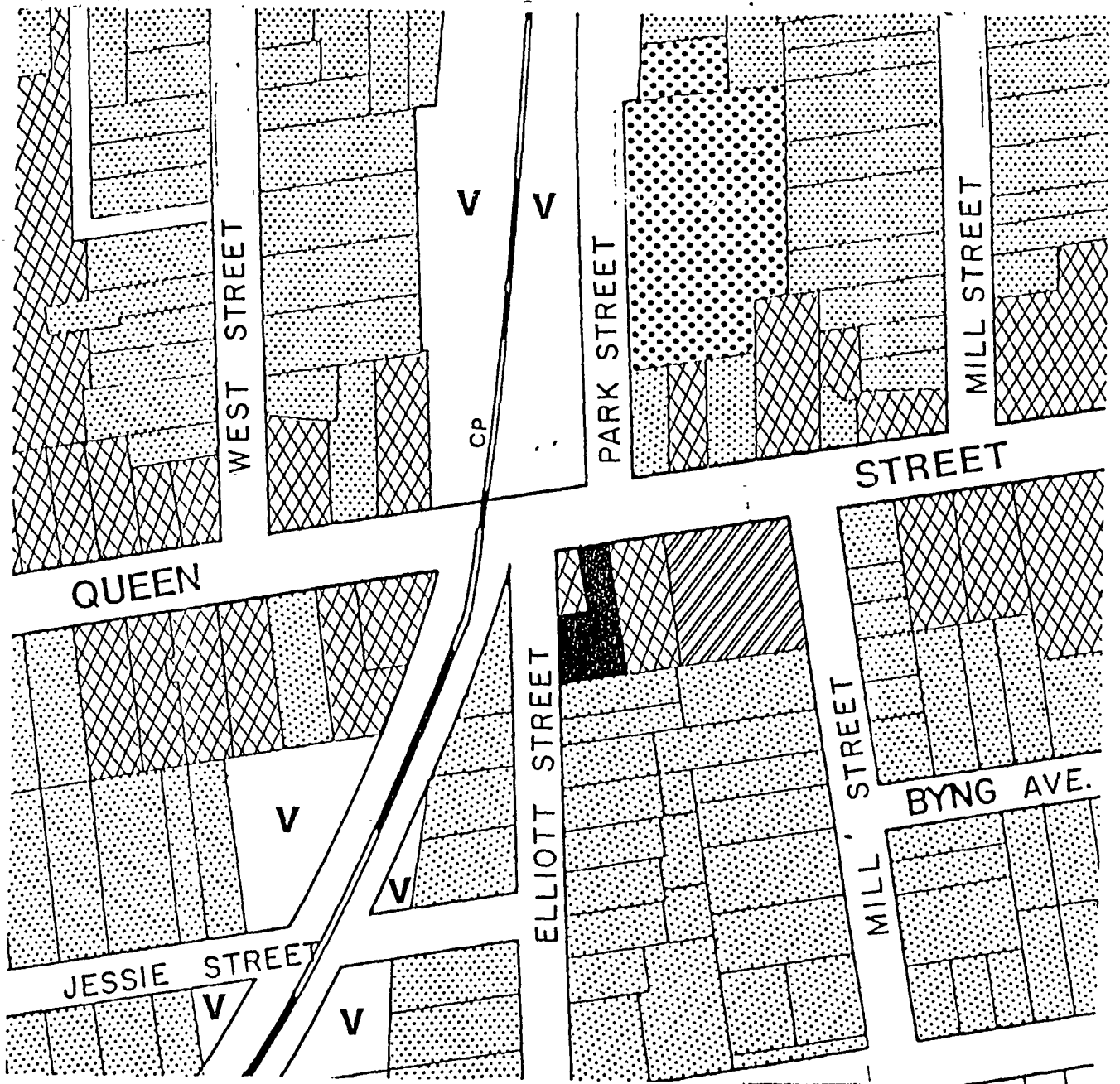





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CITY OF BRAMPTON
 Planning and Development

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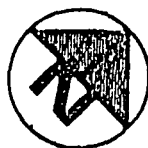


-  Commercial
-  Institutional
-  Industrial

-  Residential
-  Subject Property
-  Vacant

CONRAD & DELORES LEVY
 QUEEN STREET WEST &
 ELLIOTT STREET

Land Use Map



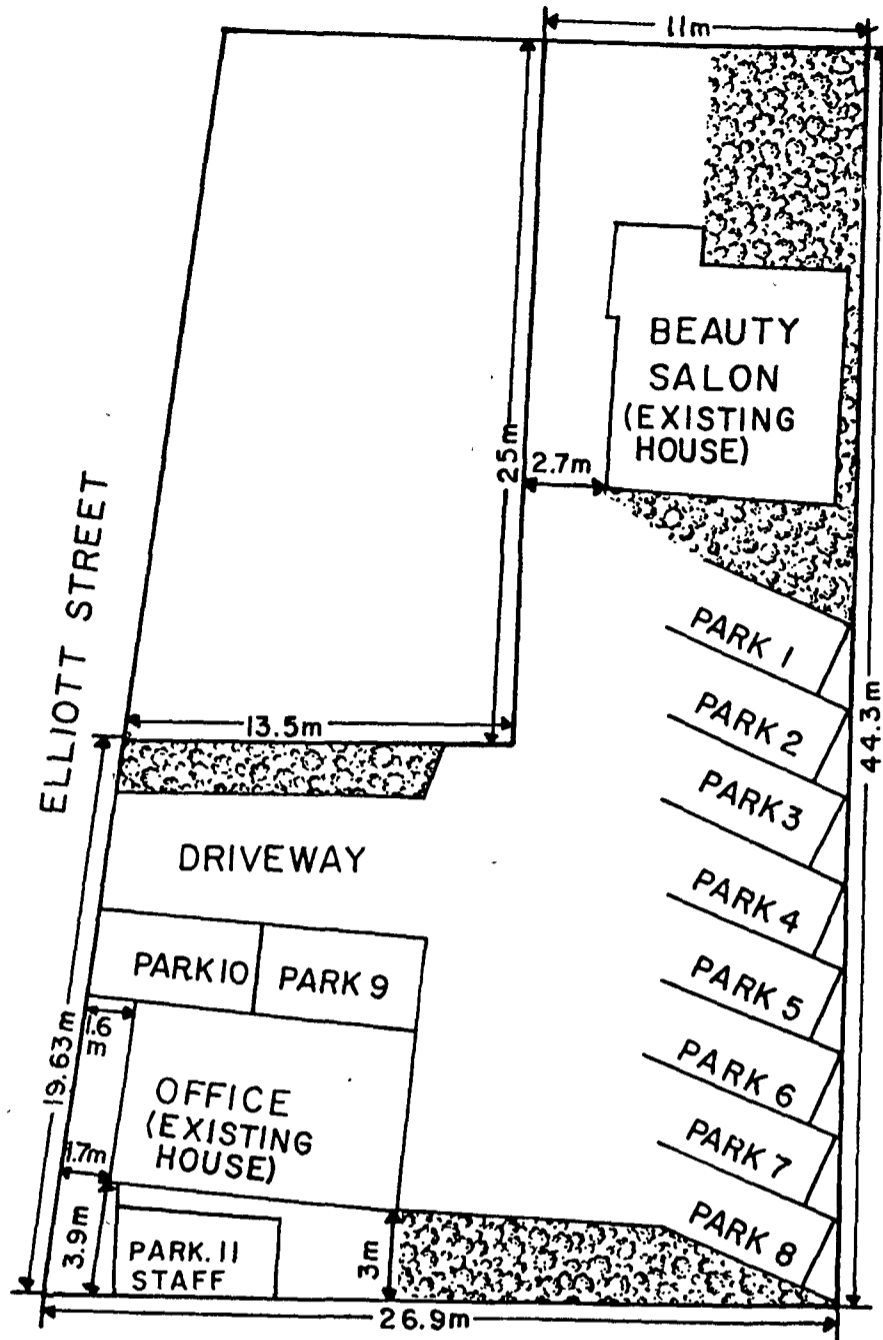
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CITY OF BRAMPTON
 Planning and Development

Date: 1989 06 14 Drawn by: CJK
 File no. CIW5.24 Map no. 59-51G

E6-12

QUEEN STREET W.



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METRES

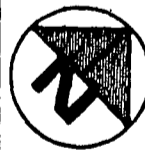


LANDSCAPED AREA

CONRAD & DELORES LEVY

QUEEN STREET WEST & ELLIOT STREET

Concept Site Plan - Revised



1:250

CITY OF BRAMPTON

Planning and Development

Date: 1989 06 30 Drawn by: CJK

File no. CIW5.24 Map no. 59-51H

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INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

August 9, 1989

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

Re: APPLICATION TO AMEND THE ZONING BY-LAW
Part of Lot 26, Registered Plan BR-7
157 Queen Street West and 4 Elliott St.
Ward 4
CONRAD AND DELORES LEVY
Our File: C1W5.24

The notes of the Public Meeting held on Wednesday, August 2, 1989, are attached for the information of Planning Committee. It is noted that no members of the public were present. Staff have not received any correspondence, telephone calls or inquiries registering objection to the proposal.

The Traffic Engineering Services Division has provided the following comments on the concept site plan:

- "1) As shown on the concept plan, the existing access from Queen Street shall operate as an entrance only, while the proposed driveway to Elliott Street is to provide sufficient width to permit both entry and exit movements.
- 2) In this regard, proper one-way "Do Not Enter" signage is to be provided on the southwest corner of the existing house (157 Queen Street). Parking space proposals #9 and #10 (adjacent to the Elliott Street driveway proposal) are to be deleted.
- 3) Revisions to the existing curb cut on Queen Street will be necessary. Details pertaining to such will be addressed during formal site plan review.

- cont'd. -

- 4) All proposed parking stalls are to be designed to meet City specifications and Standards. In particular, should there be insufficient space for parking stall #1, it will have to be deleted. We also note that the stalls indicated on the plan depict a substandard width of 2.5m."

The above noted comments support a two-way entry and exit driveway facility on Elliott Street and outline more detailed requirements pertaining to the use of the Queen Street West driveway as a one-way entry facility. It is recommended that the development conditions approved by City Council at its meeting held on 1989 07 17 be amended by incorporating the Traffic Engineering Services Division comments as part of the development conditions.

Further, it is noted that Condition B 2(b)(i) contains a typographic error and it is recommended that this matter be rectified.

IT IS RECOMMENDED THAT Planning Committee recommend to City Council that:

- A) the notes of the Public Meeting be received;
- B) the proposed development be approved, subject to the conditions approved by City Council on July 17, 1989, and as amended as follows:
 - 1) Condition B 2(b) be deleted and the following substituted therefor:
 - "(b) The site development plan and landscape plan shall include, to the satisfaction of the City,
 - (i) fences of acceptable material and height and in appropriate locations to perform the desired effect;
 - (ii) boulevard trees where feasible;
 - (iii) a two-way entry and driveway at Elliott Street and deletion of parallel parking spaces;

- cont'd. -


- (iv) erection of traffic control signs of a size and wording and at locations acceptable to the Commissioner of Public Works and Building;
- (v) Queen Street West driveway to be used as an entry facility only;
- (vi) Reinstatement of Queen Street West curb to accommodate a one-way driveway, and in this regard the front yard parking space on Queen Street West shall be discontinued, and
- (vii) all parking spaces shall conform to zoning by-law standards, where applicable and to acceptable traffic engineering standards in all other cases."

C) staff be directed to present the appropriate documents for the consideration of City Council.

AGREED



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



F. R. Dalzell,
 Commissioner of Planning
 and Development

LWHL/ec
 attachment

Kd-4
PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, August 2, 1989, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:31 p.m., with respect to an application by CONRAD AND DELORES LEVY (File: C7E2.7 - Ward 10) to amend the Zoning By-law and Secondary Official Plan to permit a beauty salon in one of the two existing buildings on the subject property with the other to be used for office purposes.

Members Present: Alderman S. Fennell - Chairman
Councillor F. Russell
Councillor F. Andrews
Alderman A. Gibson

Staff Present: L.W.H. Laine, Director, Planning and
Development Services
K. Ash, Development Planner
J. Corbett, Policy Planner
P. Douglas, Secretary

The Chairman inquired 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. Laine replied in the affirmative.

There were no interested members of the public in attendance and the meeting adjourned at 7:32 p.m.

The Regional Municipality of Peel

Planning Department



April 29, 1988

JAM

City of Brampton
Planning and Development Department
150 Central Park Drive
Brampton, Ontario
L6T 2T9

City of Brampton PLANNING DEPT.	
Date	MAY - 2 1988 Rec'd.
File No.	C1W5.24

Attention: Mr. John Armstrong,
Planner Interne

Re: Rezoning Application
Conrad and Delores Levy
Pt. Lot 5, Con. 1, W.H.S. (157 Queen St. W.)
City of Brampton
Your File: C1W5.24
Our File: R42 1W73B

Dear Sir:

Further to your letter of April 19, 1988 on the above subject please be advised that the Regional Public Works Department has the following comments to make:

Sanitary and Water: Available on Queen Street

Regional Roads: No objections

Transportation Policy Division: No objections

I trust that this information is of assistance.

Yours truly,

D. R. Billett
D. R. Billett
Director of
Development Control

IAP:nb

840503