



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 267-85

To adopt Amendment Number 68 and
Amendment Number 68 A 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 68 and Amendment Number 68 A 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 for approval of Amendment Number 68 and Amendment Number 68 A 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 September, 1985

KENNETH G. WHILLANS - MAYOR

LEONARD J. MIKULICH CLERK

ORIGINAL

by AW 267-85

AMENDMENT NUMBER 68

and

AMENDMENT NUMBER 68 A

to the Official Plan of the
City of Brampton Planning Area

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AMENDMENT No. 68A
to the
Consolidated Official Plan
for the
City of Brampton Planning Area

-and-

AMENDMENT No. 68
to the
Official Plan
for the
City of Brampton Planning Area

This amendment to the Consolidated Official Plan for the City of Brampton and 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 in accordance with Section No. 21 of the Planning Act R.S.O. 1983 as Amendment No. 68A to the Consolidated Official Plan and Amendment No. 68 to the Official Plan for the Brampton Planning Area.

Date: *Feb. 3, 1986*.....


L. J. FINCHAM
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs



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KENNETH G. WHILLANS - MAYOR

LEONARD J. MIKULICH - CLERK

AMENDMENT NUMBER 68
AND
AMENDMENT NUMBER 68 A TO THE OFFICIAL PLAN

1. Purpose

The purpose of this amendment is to permit an existing detached dwelling to be used, in part, for a specific commercial purpose, and to provide supplemental principles for its development for such use.

2. Location

The lands subject to this amendment are located on the west side of Main Street North, approximately 16.1 metres south of David Street, being the part of Lot 107 on Plan BR-8 shown as Part 1 on reference plan 43R-10020.

3. Amendments and Policies Relative Thereto

(1) Amendment Number 68 :

1. The document known as the Official Plan of the City of Brampton Planning Area is hereby amended by deleting the first paragraph of subsection 7.2.7.7, and substituting therefor the following:

"Subsection B2.6 of Chapter B1, and Chapter B2, of Section B of Part C, and Plate Number 10, all of the Consolidated Official Plan of the City of Brampton Planning Area, as amended by Amendment Numbers 42, 51, 67, 72, 79, 83, 84, 86, 96 and 99 and by Amendment Numbers 17A and 68A to the Consolidated Official Plan, are combined, and shall constitute the Brampton Central Secondary Plan."

(2) Amendment Number 68 A:

1. The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Brampton Central Secondary Plan (being Subsection B2.6 of Chapter B1, and Chapter B2, of Section B of Part C, and Plate Number 10, all of the Consolidated Official Plan of the City of Brampton Planning Area, as amended by Official Plan Amendment Numbers 42, 51, 67, 72, 79, 83, 84, 86, 96, 99 and by Amendment Number 17A), is hereby amended by adding to Part C, Section B, Chapter B1, Subsection B2.6, Paragraph 3.0, the following:

"3.10 In Neighbourhood 1A, land situated on the west side of Main Street, approximately 16.1 metres south of David Street, comprising part of Lot 107, Plan BR-8, and shown as Part 1 on reference plan 43R-10020, may be used for a hairdressing salon together with one residential dwelling unit. The residential character of the property is to be maintained through the careful renovation and maintenance of the existing building, judicious use of landscaping, controlled and limited use of signs, and the prohibition

of outside storage of equipment or materials associated with the commercial undertaking.

Commercial use of the floor space within the residential building will be restricted to the ground floor only. A limited amount of parking will be provided on site."

8/8/6

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 68
AND
AMENDMENT NUMBER 68 A

Attached is a copy of a report of the Director, Planning and Development Services, dated September 1, 1983 and a copy of a report from the Director, Planning and Development Services, forwarding notes of a public meeting held on January 18, 1984.

01

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

January 27, 1984

TO: The Chairman and Members of Planning Committee

FROM: Planning and Development Department

RE: Application to Amend the Official Plan and
the Restricted Area (Zoning) By-law
Lot 107, Plan BR-8
223 Main Street North
Ward Number 5
AGOSTINO DE GASPERIS - AGOSTINO BEAUTY SALON
Our File Number C1W7.18A

The notes of the Public Meeting held on Wednesday, January 18, 1984, with respect to the above noted application are attached for the information of Planning Committee.

Notices of the meeting were placed in two local newspapers and were mailed to the owners of property within 120 metres of the subject property, more than 30 days prior to the meeting.

Of the members of the public in attendance, only one person spoke to the application, indicating that in his opinion all the properties on Main Street North should be zoned for commercial purposes. There were no objections expressed at the meeting.

One letter has been received from Mrs. A. Battiston of 219 Main Street North and Mrs. Sonja Collis of 7 David Street, a copy of which is attached, outlining a number of requirements which they feel should be imposed on the approval of this application as well as on all future commercial proposals on Main Street North.

City Council at its meeting of December 14, 1983, approved a recommendation of Planning Committee dealing with the staff report dated November 30, 1983 regarding the land use guidelines for Main Street North between Church and Vodden Streets, which in part stated that "the De Gasperis application be approved subject to a public meeting and based on the land use guidelines - Main Street North."

The majority of the restrictions outlined by Mrs. Battiston and Mrs. Collis have been addressed in the land use guidelines for Main Street North. The guidelines did not directly address such matters as paving and curbing of parking areas, snow removal and storage, control of the hours of operation and limiting the number of employees.

With respect to these matters, staff concur that the parking area of the subject proposal should be paved and that measures should be taken, whether it be curbs, guards, or car stops to protect the privacy fence, landscaped area and existing trees from vehicular traffic. Concerning snow removal and storage, staff are of the opinion it is unreasonable to expect the applicant to remove snow from the site under normal winter conditions and the storage of snow on the parking area is undesirable in staff's opinion. As the applicant will be required to construct a fence to the parking area and landscape the site, staff are of the opinion that it is in the applicant's interest to deal with snow storage in a manner which does not have a detrimental effect on such fencing or landscaping or results in decreasing the amount of parking available to his clientele. We therefore do not feel conditions with respect to snow storage are necessary.

With regard to controlling the hours of operation, staff note that City Council has not regulated the hours of business operation up to the present time, leaving this matter to others to determine. A control over the number of employees, thereby the clientele and parking required in effect has been addressed in the land use guidelines for Main Street North in that the guidelines indicate that the amount of commercial floor space permitted is to be commensurate with the amount of parking which can be accommodated.

In view of the decision of Council to approve the application, subject to the land use guidelines for Main Street North, it is recommended that in order to achieve as many of the objectives of the guidelines to the greatest extent possible, approval of this application should be subject to a number of conditions. It is therefore recommended that:

- A) Planning Committee recommend to City Council that the notes of the Public Meeting held on January 18, 1984 be received.

- B) Staff be directed to prepare for the consideration of City Council appropriate amendments to the Official Plan and Zoning By-law, subject to the following conditions:
 - 1) The site specific zoning by-law contain the following:
 - (a) a building envelope be identified which is consistent with the existing structure on the site;
 - (b) the site shall only be used for one dwelling unit and one hairdressing salon;
 - (c) the gross floor area of the structure shall be limited to that which currently exists;
 - (d) the gross floor area of the hairdressing salon shall be limited to the first floor of the existing structure;
 - (e) a minimum of 8 parking spaces shall be provided;
 - (f) all garbage and refuse containers shall be located within the building, and
 - (g) no outside storage or display of goods shall be permitted.

D1-4

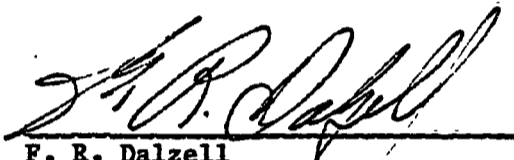
- 4 -

- 2) Development of the site be subject to a development agreement.
- 3) The development agreement shall contain the following provisions:
 - a) no flood lights will be installed on the site and all exterior lighting will be in keeping with the residential character of the area;
 - b) as many of the existing trees as possible will be preserved;
 - c) all signs on the property shall be approved by the Commissioner of Planning and Development in accordance with the Main Street North Sign Guidelines as endorsed by City Council, and
 - d) all drainage of the site shall be totally self-contained and shall not adversely affect the drainage of abutting properties.
- 4) Prior to the enactment of the Official Plan Amendment and the site specific by-law, site plan approval, landscape plan approval and grading and drainage plan approval shall be obtained and appropriate securities be deposited with the City to ensure implementation of these plans.
- 5) The site and landscaping plans shall reflect the following:
 - a) the provisions of a paved parking area in the rear yard to accommodate 8 vehicles;
 - b) the provision of a driveway to Main Street a minimum of 3.0 metres in width;
 - c) the provision of a wood privacy fence, 1.8 metres in height, in suitable locations to screen the parking area


from the residential properties to the north, south and west, and

- d) the provision of guards, curbs and/or car stops to protect the landscaped area, existing trees, and fencing which may be susceptible to damage from vehicular traffic.

AGREED:



F. R. Dalzell
Commissioner of Planning
and Development



L. W. H. Laine
Director of Planning and
Development Services Div.

Enclosures- 2

DR/thk/10

D1-6

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, January 18, 1984, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:30 p.m., with respect to an application by Augustino De Gasperis, File: C1W7.18A, to amend the Official Plan and Zoning By-law to permit the expansion of the existing hairdressing salon to encompass the entire ground floor of the existing building.

Members Present: Councillor D. Sutter - Chairman
Alderman H. Chadwick
Councillor E. Mitchell
Alderman C. Gibson

Staff Present: F. R. Dalzell, Commissioner of Planning
and Development
L.W.H. Laine, Director, Planning and
Development Services Division
F. Yao, Policy Planner
D. Ross, Development Planner
J. Singh, Development Planner
E. Coulson, Secretary

Approximately 46 members of the public were in attendance.

The Chairman enquired if notices to the property owners within 400 feet 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.

Chairman Sutter noted receipt of a letter regarding the above application from Mrs. Angela Battiston and Mrs. Sonja Collis, (see attached).

Mr. Ross 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. Kovacs, Main Street North, stated that the entire area of Main Street North should be zoned commercial, instead of spot zoning of properties for commercial uses.

Mr. Harris, Main Street North, said that staff should approach every property owner individually, door to door, to get their opinion on the subject proposal. Also, he voiced the opinion that all of the properties on Main Street North should be zoned for commercial uses.

Chairman Sutter responded that notices of the public meeting were sent to every property owner within 400 feet of the subject site and notification of the public meeting was placed in the local newspapers.

There were no further questions or comments and the meeting adjourned at 8:40 p.m.

DL-8

January 6th, 1984

Mrs. D. Sutter
P.O. Box 2350
Brampton, Ontario
L6T 3Y9

RE: Main St. North

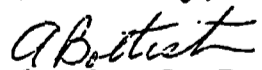
Dear Mrs. Sutter;


As per our discussion on November 21st, 1983 I am enclosing a list of what we would like to see done at 223 Main St. N. We also feel that these stipulations should apply to all future commercial applications on Main St. N.

1. Parking lots and driveways should be paved and have curbs.
2. Snow should be removed unless it is stored on asphalt areas. It should not be piled on unpaved areas or against neighboring fences.
3. Privacy fencing - 6' high should be installed as well as fencing which will double as noise barriers.
4. Any and all signs must be the wall mounting type, no illumination and no lawn signs. A standard size should be specified.
5. Lighting restrictions, so as not cause disturbances to other residents.
6. No fencing in front of yard.
7. No parking in the front of any building, in the rear only.
8. Restriction of operational hours.
9. No of beautician to be limited (223 Main St. N) reflecting on the no of clientele and parking.

Thank you,

Yours truly,


Mrs. Angela Battiston
219 Main St. N.,
Brampton


Mrs. Sonja Collis
7 David St.
Brampton

cc Chris Gibson cc: Frank Russell cc: Ken Whelans

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

September 1, 1983

TO: Chairman of the Development Team
FROM: Planning and Development Department
RE: Application to Amend the Official Plan and
the Restricted Area (Zoning) By-law
Lot 107, Plan BR-8
223 Main Street North
Ward Number 5
AGOSTINO DE GASPERIS - AGOSTINO BEAUTY SALON
Our File: C1W7.18A

1.0 INTRODUCTION:

An application to amend the Official Plan and the Restricted Area (Zoning) By-law has been filed with the City Clerk for the expansion of an existing hairdressing salon to encompass the entire ground floor of an existing detached dwelling.

2.0 PROPERTY DESCRIPTION:

The subject property is 0.08 hectares (0.2 acres) in size and located on the west side of Main Street North approximately 16.1 metres (52.8 feet) south of David Street. The property has a frontage of 16.1 metres (52.8 feet) on Main Street and an average depth of 50.4 metres (165 feet).

The property is presently occupied by a one and one half storey brick house with a recently constructed attached single storey brick addition to the rear. The house has a total floor area of approximately 173 square metres (1,860 square feet), of which approximately 132 square metres (1,425 square feet) is located on the ground floor of the original house and the attached addition. A portion of

the ground floor of the existing house is currently being used for a hairdressing salon with the balance of the ground floor and the attached addition being devoted to storage purposes. The second floor is presently being used as the applicant's residence.

Approximately 7 parking spaces are provided in a gravel parking area which occupies the majority of the rear yard of the site. Access to this parking area is provided via a 3 metre (10 foot) asphalt driveway along the south side of the house. A board screen fence exists along the north, south, and west property boundaries of the rear yard ranging in height from 1.2 metres (4 feet) to 2 metres (6 feet). Between these fences and the gravel parking area, the rear yard is grassed and contains a number of small to medium sized deciduous trees.

An open frame porch and concrete walk exist in the front yard of the site with the balance of the front yard being landscaped in the form of grass, small shrubs and a deciduous hedge. A small sign identifying the beauty salon, exists in the front yard.

Surrounding the site are the following uses:

- to the east, on the opposite side of Main Street, lands are developed for residential purposes, with the exception of a commercial operation (Flowerland) at the intersection of Main Street and Ellen Street, and
- to the north, south and west, lands are developed for residential purposes, fronting on David Street, Main Street and Thomas Street, respectively.

3.0 OFFICIAL PLAN AND ZONING STATUS:

The subject site is within the Brampton Central Planning District of the Consolidated Official Plan and is designated Residential Low Density. The new Official Plan also designates the subject site Residential Low Density by the readoption of the secondary plan for

the Brampton Central Planning District. Within the context of this Residential Low Density designation, a home occupation use of an existing one family detached dwelling would be permissible subject to a number of provisions including the limitation in the amount of the dwelling occupied by the home occupation.

Although the secondary plan for the Brampton Central Planning District was readopted in the new Official Plan, in January of 1981 Council initiated the preparation of a new secondary plan for the district. As part of this new secondary plan process, the Four Corners Revitalization Study has been prepared, received by Council and referred to staff for further evaluation and as background material to the new secondary plan. The subject site is outside of the boundary of the revitalization study, but within the boundary of the Brampton Central Secondary Plan Area. At present, staff is preparing a concept plan for the Central Planning District, which is intended to form the basis for a new secondary plan.

By-law 200-82 zones the subject site Residential Single Family B (R1B), which in addition to a single family detached dwelling, permits a home occupation subject to a number of requirements and restrictions, one of which limits the size of the operation to 15 per cent of the floor area of the dwelling.

In view of the foregoing, an amendment to both the Official Plan and the Zoning By-law are required to permit the use proposed.

4.0 PROPOSAL:

The applicant is proposing that the Official Plan and the Restricted Area Zoning By-law be amended to permit the expansion of the existing hairdressing salon to encompass the entire ground floor of the structure on the site. The second floor of the structure is proposed to be used as a dwelling unit.

The applicant has advised that the property is currently being used

for a hairdressing salon within the home occupation provisions of the existing zoning and Official Plan. No changes have been proposed to the site or the exterior of the structure at this time, and in this respect, the applicant has submitted a drawing of the site which indicates the location of the existing structures on the property.

5.0 COMMENTS FROM OTHER AGENCIES AND DEPARTMENTS:

Public Works Department advise they have no comments from an engineering point of view.

Buildings and By-law Enforcement Department advise they have no comments on the subject proposal.

Region of Peel advise that sanitary sewer and water are available on Highway Number 10 and no Regional roads are directly affected. The Region has no objection to the subject application.

No other department or agency has indicated any objections or comments on the subject application.

6.0 DISCUSSION:

As noted earlier, the subject site is within the Brampton Central Planning District, an area for which a comprehensive planning study, for the development of a new secondary plan, is presently underway.

More specifically, the subject site is located on Main Street North, a major thoroughfare and in close proximity to the Four Corners commercial area. Regardless of this, the immediate area in general has retained a residential character.

Recognizing these locational factors, as well as the desirability of retaining the residential character of the area, staff is considering, through the preparation of the study, the potential of combined

residential/commercial uses, where warranted, which maintain the residential appearance and which have little, if any, detrimental effect on the surrounding residential area. Such consideration however, necessitates detailed review and analysis to establish a set of site development and locational criteria. The preparation of the planning study for the Brampton Central Planning District will involve such review and analysis.

In view of the foregoing, it is the opinion of staff that an application to amend the Official Plan to permit a combined residential/commercial use on the subject lands should follow, not precede, the review of the new secondary plan for the Brampton Central Planning District. If such a class of use and location, which may include the subject lands, is considered in the new secondary plan as desirable, then appropriate site development criteria will have been established to review specific proposals for such uses.

In addition, it is noted that during 1980 a similar application was submitted for the subject property but was refused by City Council. The staff report concerning this previous application did not endorse the application on the basis of concerns regarding the effect of the proposal on the surrounding residential area and the function of Main Street North as an arterial road. At this time, the subject property was being used solely for residential purposes and consequently had an appearance of a well maintained residential property. Since this previous application, the single storey frame section at the rear of the house has been demolished and replaced with a single storey brick addition. A gravel parking area was constructed occupying the majority of the rear yard of the property and a hairdressing salon was established in a portion of the ground floor of the residence within the home occupation provisions of the zoning by-law. As a result, in relation to the abutting residential properties, the subject site has taken on a commercial character.

Although the character and appearance of the subject site has changed since the previous application, many of the concerns raised at that time remain applicable. For example, as in the previous application, the subject proposal is to permit the use of the entire ground floor of the house as a hairdressing salon. A floor area approximately five times greater than that permitted within the home occupation provisions of the existing residential zoning. It is not unreasonable to expect that such intensification of the existing hairdressing salon will result in an increase in the number of both employees and customers thereby increasing the volume of traffic to and from the site.

While the existing parking area, with modification, would appear to be of sufficient size to accommodate the required number of parking spaces, the restricted side yard width (about 4.2 metres (13.75 feet) at its narrowest point) eliminates the possibility of two way traffic movement to the rear yard parking area. It is also not unreasonable to expect that an increase in the size of the hairdressing salon would result in further decreasing the residential character of the property. A substantially larger sign would be justified for a dominant commercial use, and the need to screen the abutting residences would become more acute and more difficult to achieve in an acceptable manner.

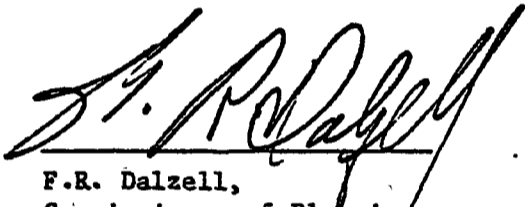
In summary, the proposal, from a traffic viewpoint, parking lot size and location, access, signing, protection of the amenity of the abutting residences, and intensity of use will, in the opinion of staff, intrude to a greater degree on the residential area and on the function of Main Street North than the existing home occupation. To deal with such a proposal out of context of a comprehensive planning study for the area and prior to the establishment of a suitable locational and site criteria for mixed residential/commercial uses, is not advisable in the opinion of staff.

7.0 RECOMMENDATION:

It is recommended that:

- A. The application to amend the Official Plan and the Restricted Area (Zoning) By-law to permit the entire ground floor of 223 Main Street North to be used in a hairdressing salon with a residence on the second floor, not be approved.

AGREED:



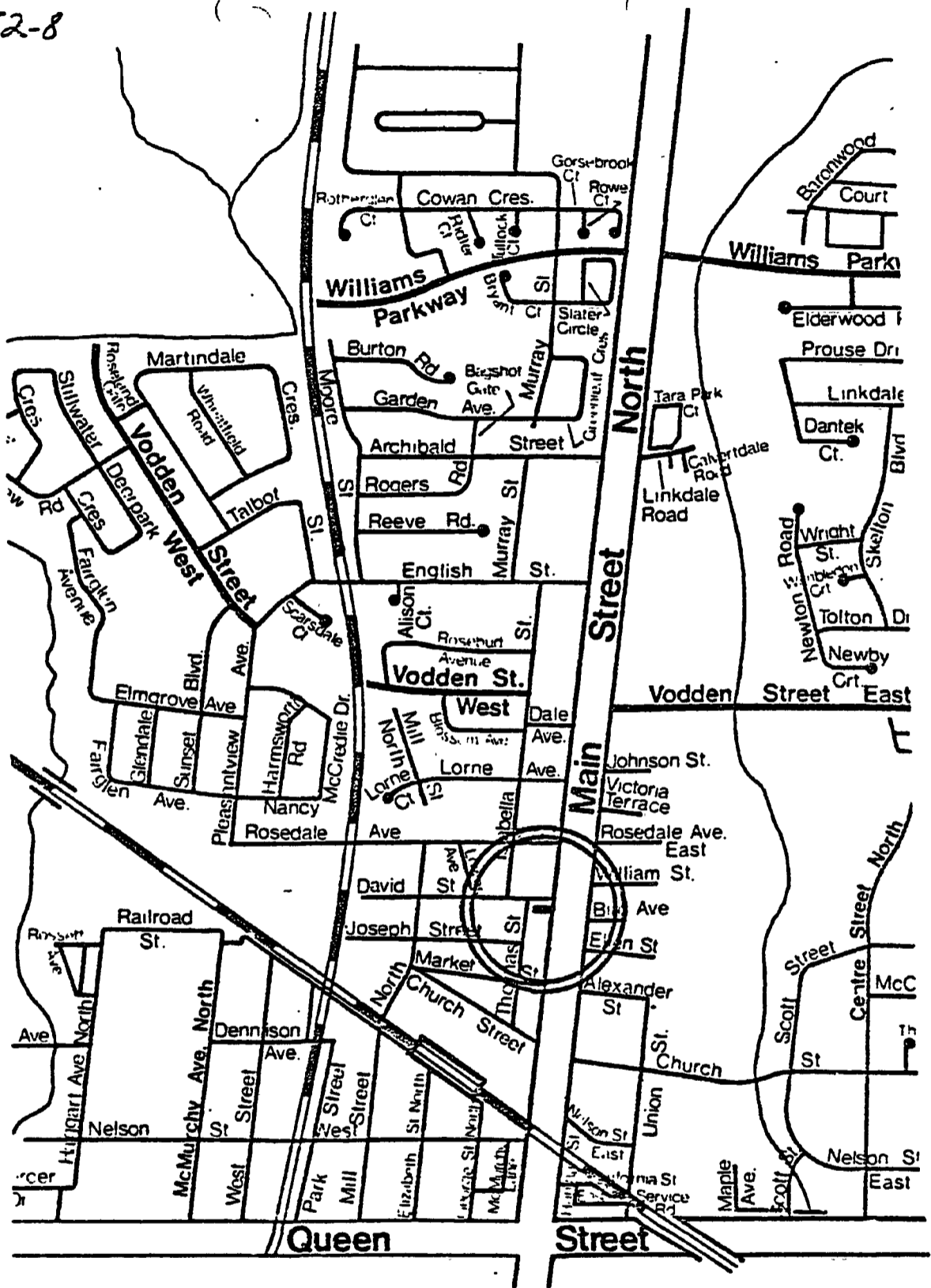
F.R. Dalzell,
Commissioner of Planning
and Development.

LWHL/DR/kab



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

F2-8



AUGUSTINO De GASPERIS



CITY OF BRAMPTON
Planning and Development

Location Map

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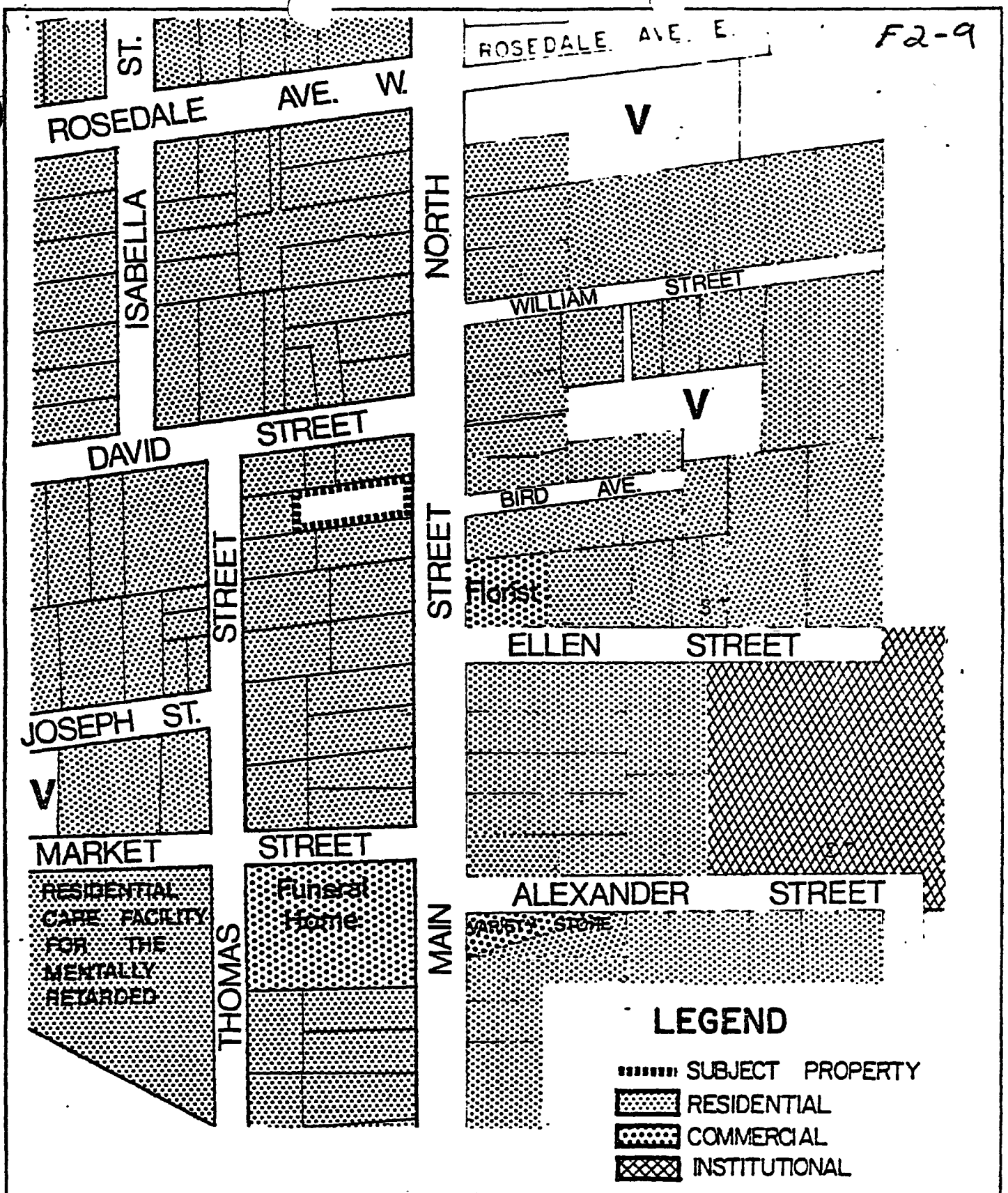
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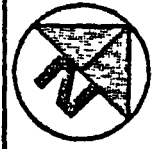
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F2-9



AUGUSTINO DeGASPERIS

Land Use



CITY OF BRAMPTON
Planning and Development

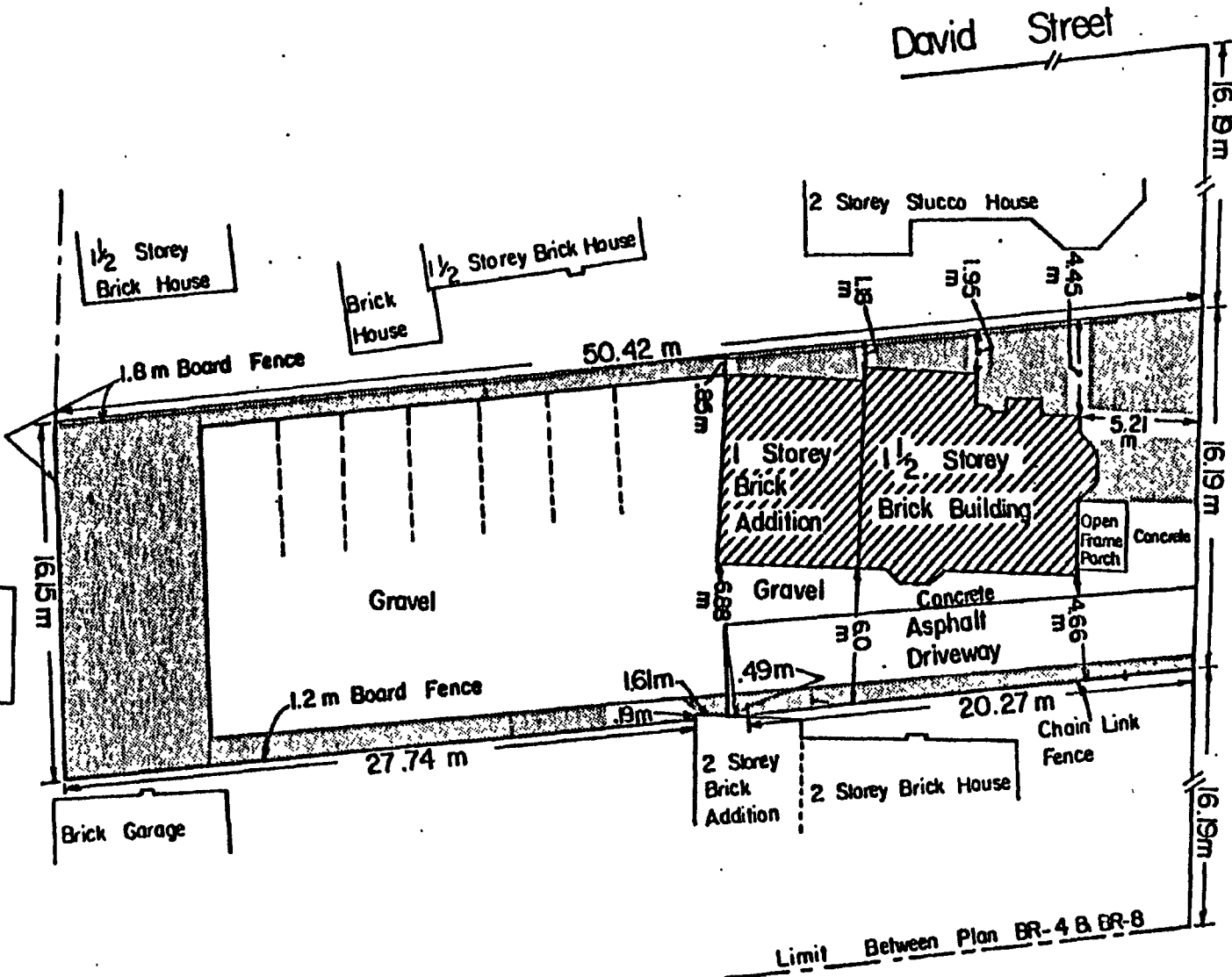
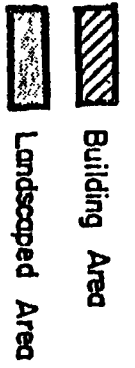
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AUGUSTINO De GASPERIS
 Site Plan

1:290

CITY OF BRAMPTON
 Planning and Development
 Date: 83 08 15
 File no. CIW 7.18
 Drawn by: RB
 Map no. 42-45E



BR-10
 Main Street North

Limit Between Plan BR-4 & BR-8