



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

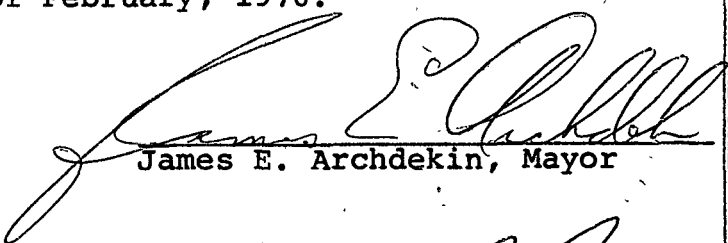
Number 51-76

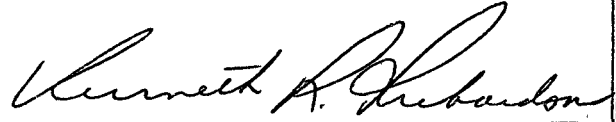
A By-law to amend the Official Plan of the former Town of Brampton Planning Area now part of the City of Brampton Planning Area. (Degalo)

The Council of the Corporation of the City of Brampton, in accordance with the provisions of The Planning Act, (R.S.O. 1970, Chapter 349, as amended) and the Regional Municipality of Peel Act, 1973, hereby ENACTS as follows:

1. Amendment No. 74 to the Official Plan of the former Town of Brampton Planning Area, now part of the City of Brampton Planning Area, consisting of the attached map and explanatory text, is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Minister of Housing, for approval of the aforementioned Amendment No. 74 to the Official Plan of the former Town of Brampton Planning Area, now part of the City of Brampton Planning Area.
3. This By-law shall not come into force or take effect until approved by the Minister of Housing.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 23rd day of February, 1976.


James E. Archdekin, Mayor


Kenneth R. Richardson, Clerk



BY-LAW

No. 51-76

A By-law to amend the Official Plan
of the former Town of Brampton
Planning Area now a part of the
City of Brampton Planning Area
(Degalo)

DUPLICATE ORIGINAL

- 3

OPC - 8-74

AMENDMENT NO. 74

TO THE

OFFICIAL PLAN

OF THE FORMER

TOWN OF BRAMPTON PLANNING AREA

MISC. PLAN NO. 474
LODGED IN THE REGISTRY OFFICE
FOR THE COUNTY OF PEEL

June 29, 1976 10:36 A.M.

Rachelle Baufra
Deputy Land REGISTRAR OF DEEDS, COUNTY OF PEEL

JUDITH E. HENDY
City Solicitor
City of Brampton
24 Queen St. East
Brampton, Ontario
L6V 1A4

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Amendment No. 74

to the

Official Plan of the former
Town of Brampton Planning Area

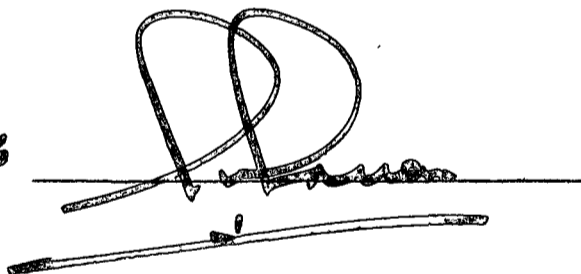
This Amendment to the Official Plan of the former Town of Brampton Planning Area, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby modified under the provisions of Section 17 of The Planning Act, as follows:

1. Development Principles, Section 3.1, page 4, is hereby modified by adding thereto "in addition to those industrial uses permitted under the existing zone of the restricted area by-law."

As thus modified, this Amendment is hereby approved pursuant to Section 17 of The Planning Act as Amendment No. 74 to the Official Plan of the former Town of Brampton Planning Area, now part of the City of Brampton Planning Area.

Date ...

June 15/76

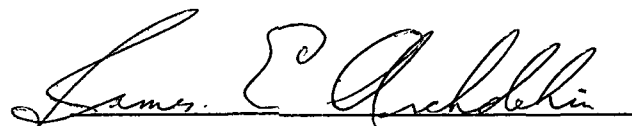


G. M. FARROW, Executive Director
Plans Administration Division
Ministry of Housing

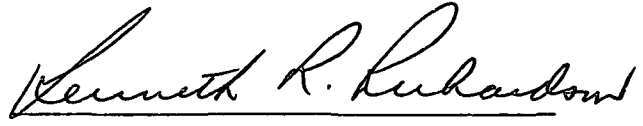
OFFICIAL PLAN
OF THE FORMER
TOWN OF BRAMPTON PLANNING AREA
NOW PART OF
THE CITY OF BRAMPTON PLANNING AREA

AMENDMENT NO. 74

The attached map Schedule 'A' and explanatory text, constituting Amendment No. 74 to the Official Plan of the former Town of Brampton Planning Area, now part of the City of Brampton Planning Area, was prepared and adopted by the Council of the City of Brampton, by By-law No. 51-76, in accordance with Section 54(4) of the Regional Municipality of Peel Act, 1973, and Sections 13, 14 and 17 of The Planning Act, (R.S.O.) 1970, Chapter 349 as amended) on the 23rd day of February 19 76



Mayor



Clerk

~~This amendment to the Official Plan of the former Town of Brampton Planning Area, now part of the City of Brampton Planning Area, which has been prepared and adopted by the Council of the City of Brampton is hereby approved in accordance with Section 17 of The Planning Act, as Amendment No. 74 to the Official Plan of the former Town of Brampton Planning Area, now part of the City of Brampton Planning Area.~~

Date _____



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW


Number 51-76

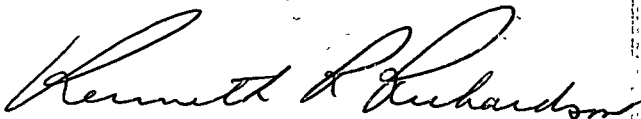
A By-law to amend the Official Plan of the former Town of Brampton Planning Area now part of the City of Brampton Planning Area. (Degalo)

The Council of the Corporation of the City of Brampton, in accordance with the provisions of The Planning Act, (R.S.O. 1970, Chapter 349, as amended) and the Regional Municipality of Peel Act, 1973, hereby ENACTS as follows:

1. Amendment No. 74 to the Official Plan of the former Town of Brampton Planning Area, now part of the City of Brampton Planning Area, consisting of the attached map and explanator text, is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Minister of Housing, for approval of the aforementioned Amendment No. 74 to the Official Plan of the former Town of Brampton Planning Area, now part of the City of Brampton Planning Area.
3. This By-law shall not come into force or take effect until approved by the Minister of Housing.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 23rd day of February, 1976.


James E. Archdekin, Mayor


Kenneth R. Richardson, Clerk

AMENDMENT NUMBER 74

TO THE OFFICIAL PLAN OF THE FORMER
TOWN OF BRAMPTON PLANNING AREA

PART A - PREAMBLE

1.0 Title

The title of this Amendment is Amendment Number 74 to the Official Plan of the former Town of Brampton Planning Area, hereafter referred to as Amendment Number 74.

2.0 Relative Parts

Part B only of this Amendment constitutes Amendment Number 74. Part A - Preamble and Part C - Appendices are included only to provide background for Part B and should not themselves be construed as a statement of policy.

Part B, the operative portion of this Amendment is organized in five sections, as follows:

Section 1.0 - Definitions

Section 2.0 - Land Use

Section 3.0 - Development Principles

Section 4.0 - Implementation

Section 5.0 - Interpretation

3.0 Location

This Amendment is concerned with land situated in part of Lot 4, Concession 2, East of Hurontario Street, lying on the north side of Clarence Street in the City of Brampton, Regional Municipality of Peel.

4.0 Purpose

The purpose of this Amendment is to change the present designation of the lands from Industrial to Commercial and

to establish principles for the use of the building for a Catalogue Centre including the use of adjacent lands for off-street parking purposes.

5.0 Basis

The City Council of Brampton referred an application by Degalo Developments Limited to amend the Official Plan and restricted area by-law to permit the operation of a furniture and appliance store within a portion of an existing building on part of a 4.163 acre parcel of land. City Council adopted Amendment Number 68 to the Official Plan of the former Town of Brampton, which was subsequently approved by the Minister. An implementing Restricted Area By-law - Number 145-74 was approved by the Ontario Municipal Board on April 30, 1974.

On October 20, 1975 City Council recommended that after the holding of an advertised public meeting the Official Plan and Restricted Area By-law be amended to accommodate a Catalogue Centre on part of the subject lands.

PART B - THE AMENDMENT

The whole of the part of this document entitled Part B - The Amendment which consists of the following text and the attached map (Schedule 'A' Land Use Plan) constitutes Amendment Number 74 to the Official Plan of the former Town of Brampton Planning Area.

The Official Plan is hereby amended as follows:

1.0 Definitions

For purposes of this Amendment, the following definitions shall apply:

- 1.1 Commercial Area shall mean that the predominant use of the land is for commerce. The Commercial category includes offices and stores. This classification will not prevent some of the land being used for other than commercial purposes provided they do not prevent the areas from being uses for commercial development.
- 1.2 Gross floor area (G.F.A.) shall mean the area of all floors including any floor area used for building maintenance, communal facilities and storage purposes.

2.0 Land Use

- 2.1 The land use classification of lands shown as edged with a red border on Schedule 'A' attached hereto shall be designated as Commercial. The Commercial Area designation shall apply only to a portion of an existing building, with the portion of the building to be used for the proposed use not to exceed a gross floor area of 30,300 square feet, and the abutting lands to the portion of the building to be used for off-street

parking, loading and unloading, signs and landscape purposes. However, off-street parking facilities required or to be used in conjunction with the proposed use may occupy lands now designated as an Industrial Area without an amendment to the Official Plan.

3.0 Development Principles

3.1 Within the area which is the subject of this Amendment only a Catalogue Centre use including off-street parking facilities shall be permitted as a commercial use

3.2 Council shall determine the minimum number of off-street parking spaces that shall be provided to satisfy the expected requirements of customers and employees.

The location of parking areas shall be arranged in recognition of the convenience of customers and employees of the proposed commercial use. Further, where deemed necessary by City Council, fencing, screening and landscaping will be provided as may be required.

3.3 To ensure that the development will be of a high quality the location of signs and advertising devices will be subject to control as to location, size and illumination.

3.4 In recognizing the importance of the abutting local road, namely Clarence Street, the location of access driveways shall be such to ensure that the traffic function of the street will not be affected unduly. To this end, Council may require that turning movements at driveways be restricted.

MODIFICATION

NO /
UNDER SECTION 112 OF
THE PLANNING ACT

4.0 Implementation

4.1 Amendment Number 74 will be implemented by an appropriate amendment to the restricted area by-law in such a form which will impose the appropriate zoning classification and regulations in conformity with the development principles.

4.2 Council will enter into an agreement incorporating various aspects of site and building design not implemented by the zoning by-law including financial and such other matters, as deemed necessary by Council.

5.0 Interpretation

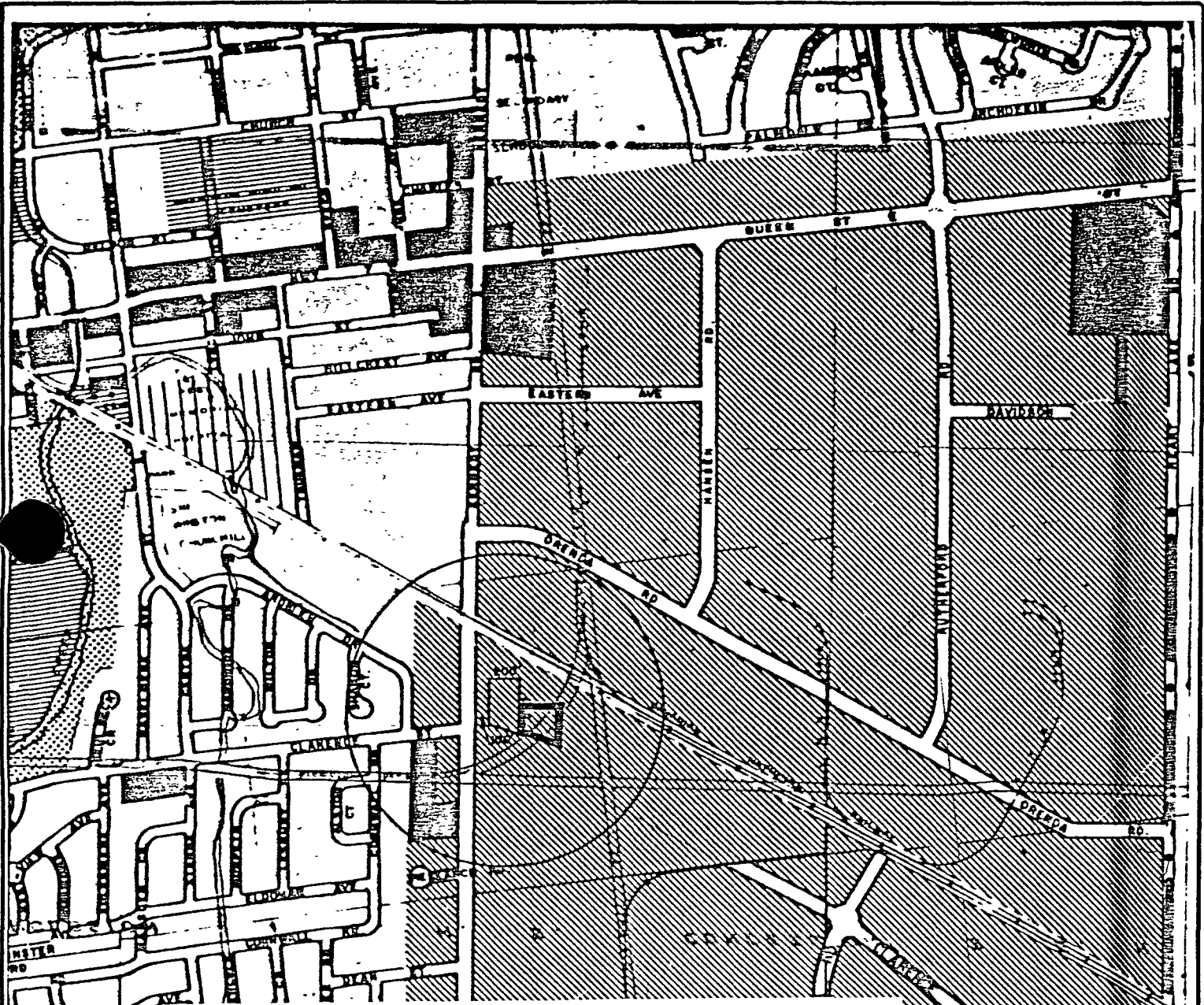
5.1 The boundaries between classes of land use designated on Schedule 'A' are general only and are not intended to define the exact limits of each such class. It is intended therefore that minor adjustments may be made to these boundaries for the purposes of any by-law to implement Schedule 'A' without the necessity of making formal amendment to the Official Plan. Other than such minor changes as these, it is intended that no area or district shall be created that does not conform with Schedule 'A'.

All numerical figures on Schedule 'A' should not be interpreted as absolute or rigid. Minor variations from these figures will be tolerated, in so far as the spirit and intent of the Amendment is maintained.

5.2 The provisions of the Official Plan, as amended from time to time with respect to the interpretation of policies of this Amendment, shall apply to this Amendment.

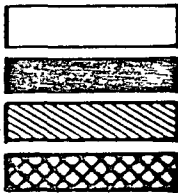
PART C - APPENDIX

1.0 Attached are copies of reports of the Planning Director dated November 14th, 1975 and October 10th, 1975, and a copy of the minutes of a Planning Committee meeting held on October 14th, 1975, subsequent to the mailing of notices to assessed owners within 400 feet of the 4,163 acre parcel.

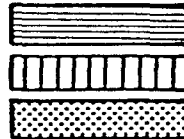


- LEGEND -

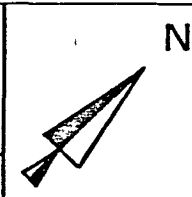
RESIDENTIAL (R)
 COMMERCIAL (C)
 INDUSTRIAL (I)
 GREENHOUSE



OPEN SPACE
 INSTITUTIONAL
 AGRICULTURAL



City of Brampton O.P. Amendment No.74
 Schedule 'A'

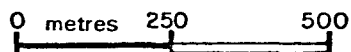


Drawn	ps
Date	Feb. 3, 1976
File No.	C2E4. 1A
Dwg. No.	A

Legend

Area of Amendment

Scale



CITY OF
BRAMPTON
 PLANNING
 DEPARTMENT

November 14th., 1975

To: J. Galway,
Senior Administrative Officer

From: Planning Director

Re: Application to Amend the Official Plan
and Restricted Area By-law
Part of Lot 4, Concession 2, E.H.S.
Degalo Developments Limited
File C2E4.1A.

1.0 Background: At the last meeting of Planning Committee the application to amend the Official Plan and Restricted Area By-law was endorsed to accommodate Eaton's Catalogue Store only, subject to appropriate design principles.

2.0 Design Principles: Since the building to be occupied by Eaton's is basically completed except for interior renovation and the balance of the subject property is covered with asphalt except for a small landscaped front yard the design principles area to a large degree pre-determined. However, the applicant should be required to comply with the following:

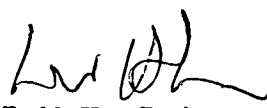
- 1) the landscaped area shall not be reduced in width to less than 20 feet and no advertising signs shall be located within the landscaped area;
- 2) the flow of traffic as established with the Bad Boy application shall apply; that is, the easterly access point may be used for right and left turns into and out of the property, whilst the westerly access shall be used only for right turns in and right turns out;

Con't

- 3) the exterior design of the building shall not be altered without the approval of City Council. (Signs are subject to control of the Sign By-law);
- 4) the applicant shall provide, if feasible, a left turn lane opposite the easterly entrance satisfactory to the City Engineer;
- 5) the applicant should provide adequate amenities for pedestrian movement and shall construct a sidewalk including curb and gutter across the full width of the property to connect to a sidewalk on the east side of Kennedy Road South at a location acceptable to the City Engineer;
- 6) the applicant shall construct and mark a pedestrian way from the public sidewalk mentioned in (5) above and suitably post this walkway to warn motorist travelling in the parking area, and
- 7) a chain link security fence be provided along the railway right-of-way.

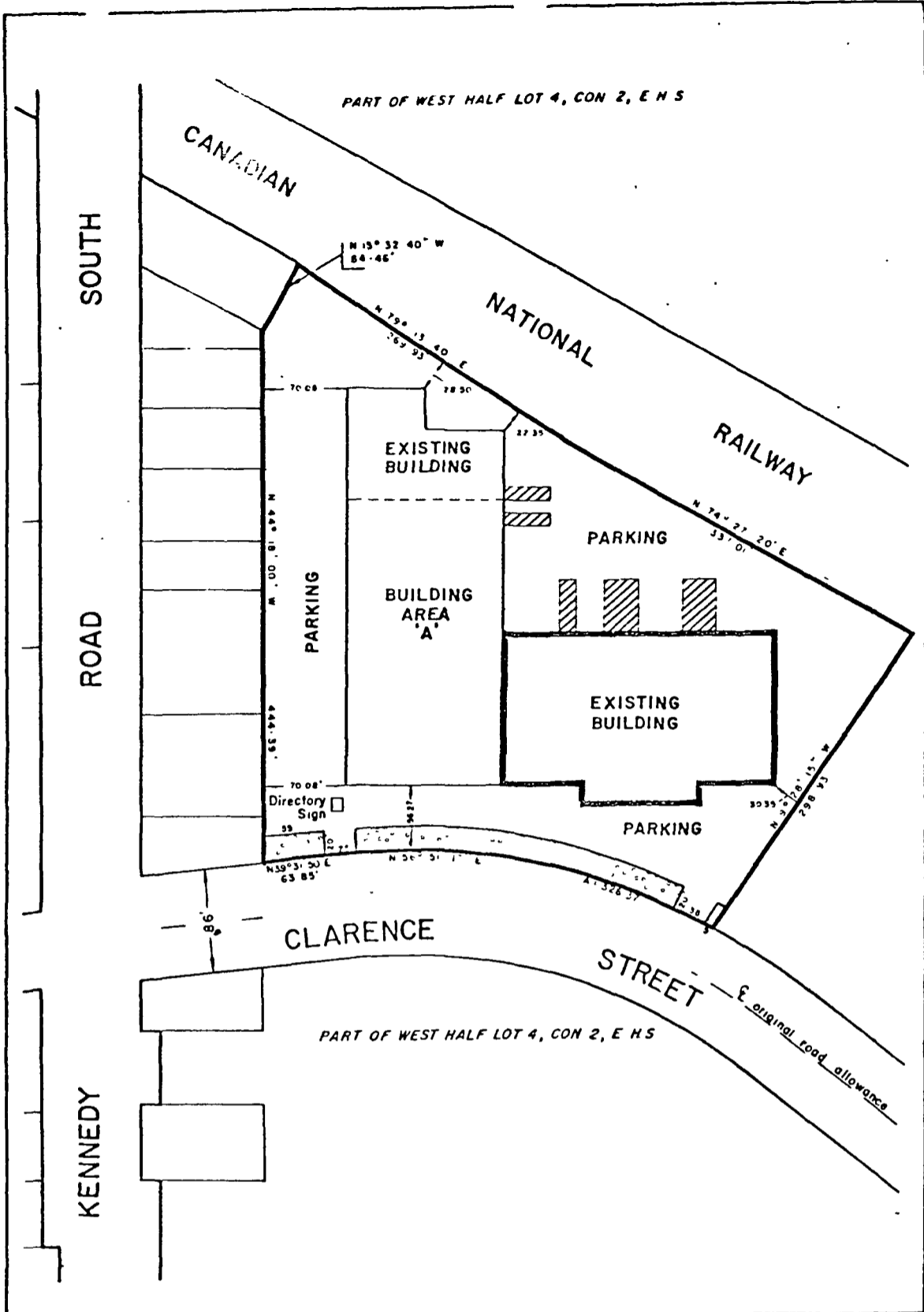
3.0 Conclusion: It is recommended that Planning Committee endorse the minimum requirements and that a date, time and location of a public meeting be determined by Planning Committee.

LWHL/sn


L.W.H. Laine
Planning Director

C.C. A. Macdonald

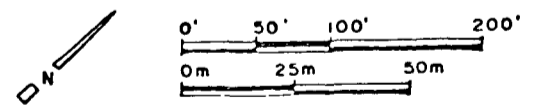




Legend
 BOUNDARY OF APPLICATION

Date Sept 4, 1975
 Dwn. b q

Application
 DEGALO DEVELOPMENTS
 C2E4.1A



CITY OF BRAMPTON PLANNING DEPARTMENT

October 10, 1975

To: J. Galway, Senior Administrative Officer

From: Planning Director

Re: Application to Amend the Official Plan
and Restricted Area By-law
Part of Lot 4, Concession 2, E.H.S.
(Chinguacousy Township)
Degalo Developments Limited
Our File Number C2E4.1A

1.0 Introduction: An application has been submitted to amend the Official Plan and Restricted Area By-law of the former Town of Brampton, to permit the use of part of an existing unoccupied building, located on the north side of Clarence Street, near Kennedy Road South as a T. Eaton Bargain Centre Catalogue Store.

2.0 Property Description: The lands to be affected by the proposal occupy part of a 4.163 acre site with a frontage on Clarence Street of about 392 feet (see attached plan). The property is occupied by an existing L-shaped building comprising an area of approximately 71⁷/₁₀,400 square feet. Approximately 31,170 square feet (44.4%) of the building area is occupied by an appliance and furniture outlet - Bad Boy - with a further 9,900 square feet to the rear (north) of the Bad Boy retail operations is intended to be occupied by a carpet warehouse.

With the exception of landscaped areas located in the front yard with an area of 6,800 square feet, the remainder of the site is covered by asphalt paving for parking and loading/unloading facilities.

3.0 Proposal: It is proposed that about 30,300 square feet of the building facing onto Clarence Street will be occupied by a "bargain centre catalogue store". The floor area that is intended to be accessible to the public, consisting of display areas, sales check-out areas, catalogue order desk and change rooms will amount to about 16,000 square feet of space, while the balance of 14,300 square feet will be occupied by offices, staff facilities and goods storage area.

cont'd....

It has been suggested that off-street parking facilities for 220 automobiles will be provided.

- 4.0 Comment: The Planning Committee, approximately one year ago, considered, favourable, an application to amend the Official Plan and Restricted Area By-law to permit the operation of a furniture and appliance store within a portion of the existing building. City Council adopted Amendment Number 68 to the Official Plan of the former Town of Brampton, which was subsequently approved by the Minister. The implementing restricted area by-law - Number 145-74 was approved by the Ontario Municipal Board on April 30, 1974.

Amendment to the Official Plan and Restricted Area By-law will be required to accommodate the expanded commercial area.

The City of Brampton planning staff, in commenting upon the earlier application by Degalo Développments Limited, reported that there is "no overwhelming objection to the establishment of a retail furniture and appliance warehouse and no other so-called complimentary use at this location," subject to several provisions dealing with parking, access, landscaping and advertising displays. The concern that planning staff had at that time, that the Bad Boy application and occupancy would lead to further attempts to enlarge the commercial area, has come about.

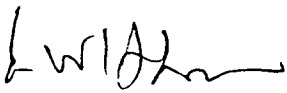
It is planning staff's opinion that the siting of the industrial type building is not acceptable to conversion to commercial use. The distribution and design of the potential customer parking areas is, at least, a poor compromise, and is not acceptable to the Planning Department. Visually, and functionally, the proposal is questionable, and the proximity of industrial uses detracts rather than enhances the property for commercial use. Notwithstanding the probable argument that the economics of the operation demand a low cost site, it is reasonable that customers be presented with an environment that has been treated to some sensitive design analysis.

cont'd....

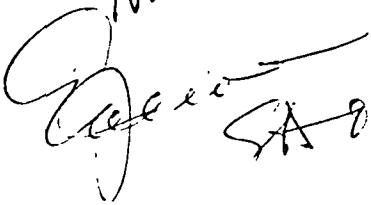
The Bad Boy furniture and appliance store has not commenced full scale operation and some concern was expressed that an insufficient number of off-street parking spaces might be provided. Accordingly, it was suggested that "overflow" parking could be accommodated within the "surplus" industrial users parking spaces; if the need were to arise. This flexibility will be lost if the major portion of the building were to be used for retail commercial uses that might have identical peak demand periods.

5.0 Conclusion: The two separate applications submitted to date to convert an unoccupied industrial building to commercial uses, one of which has been approved, are not supportable as cases of good planning. The applications, when considered together, are examples of piecemeal, ad-hoc development. It is recommended that Planning Committee not endorse the application to amend the Official Plan and Restricted Area By-law.

LWHL/jn
Att.


L.W.H.Laine
Planning Director

c.c. A.K. Macdonald

Noted

SAO

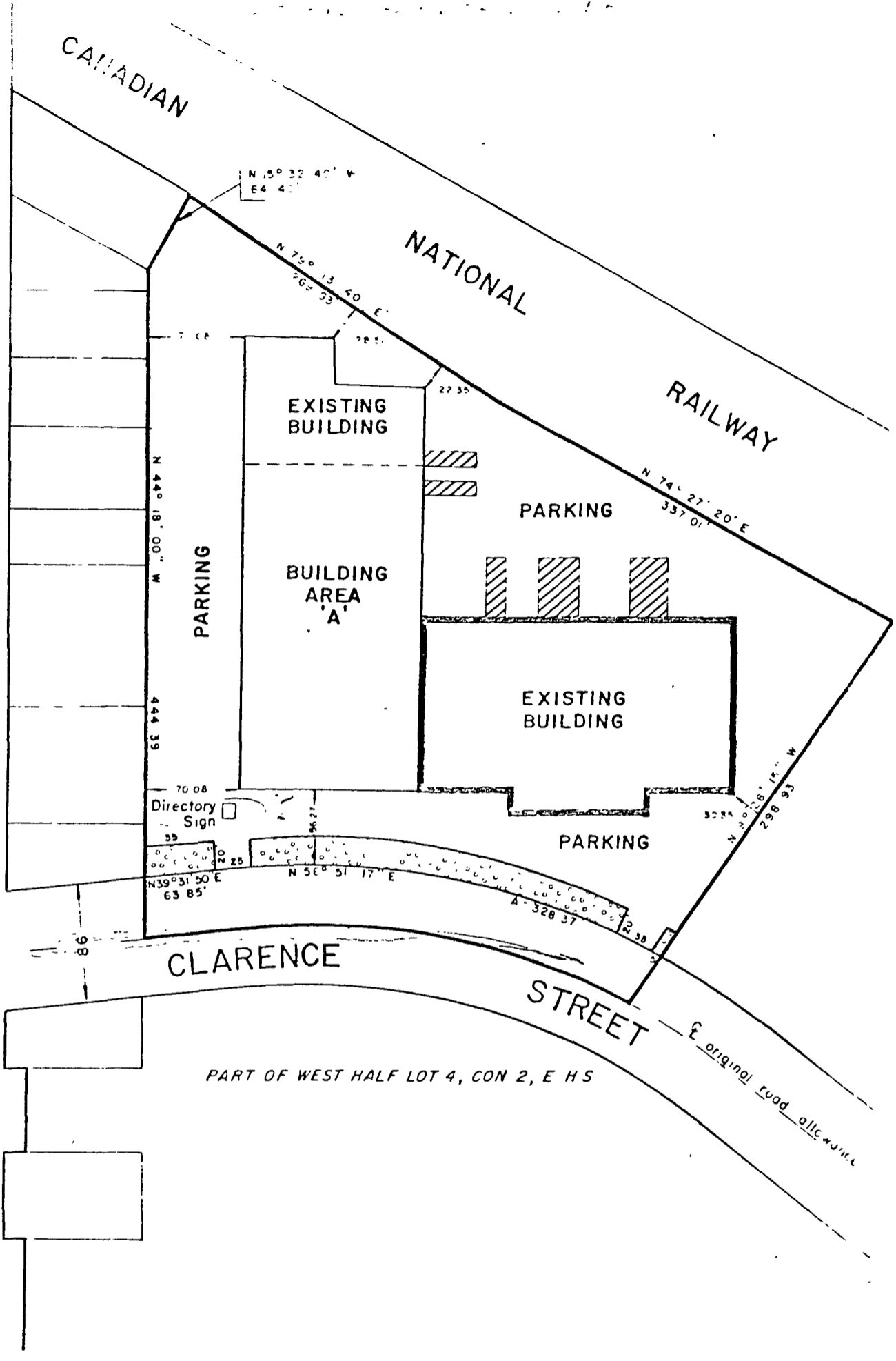
SOUTH ROAD

KENNEDY

CANADIAN NATIONAL RAILWAY

NATIONAL RAILWAY

RAILWAY



Legend



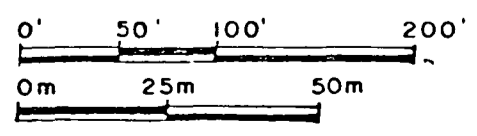
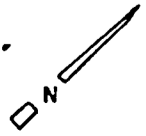
BOUNDARY OF APPLICATION

Date Sept 4, 1975

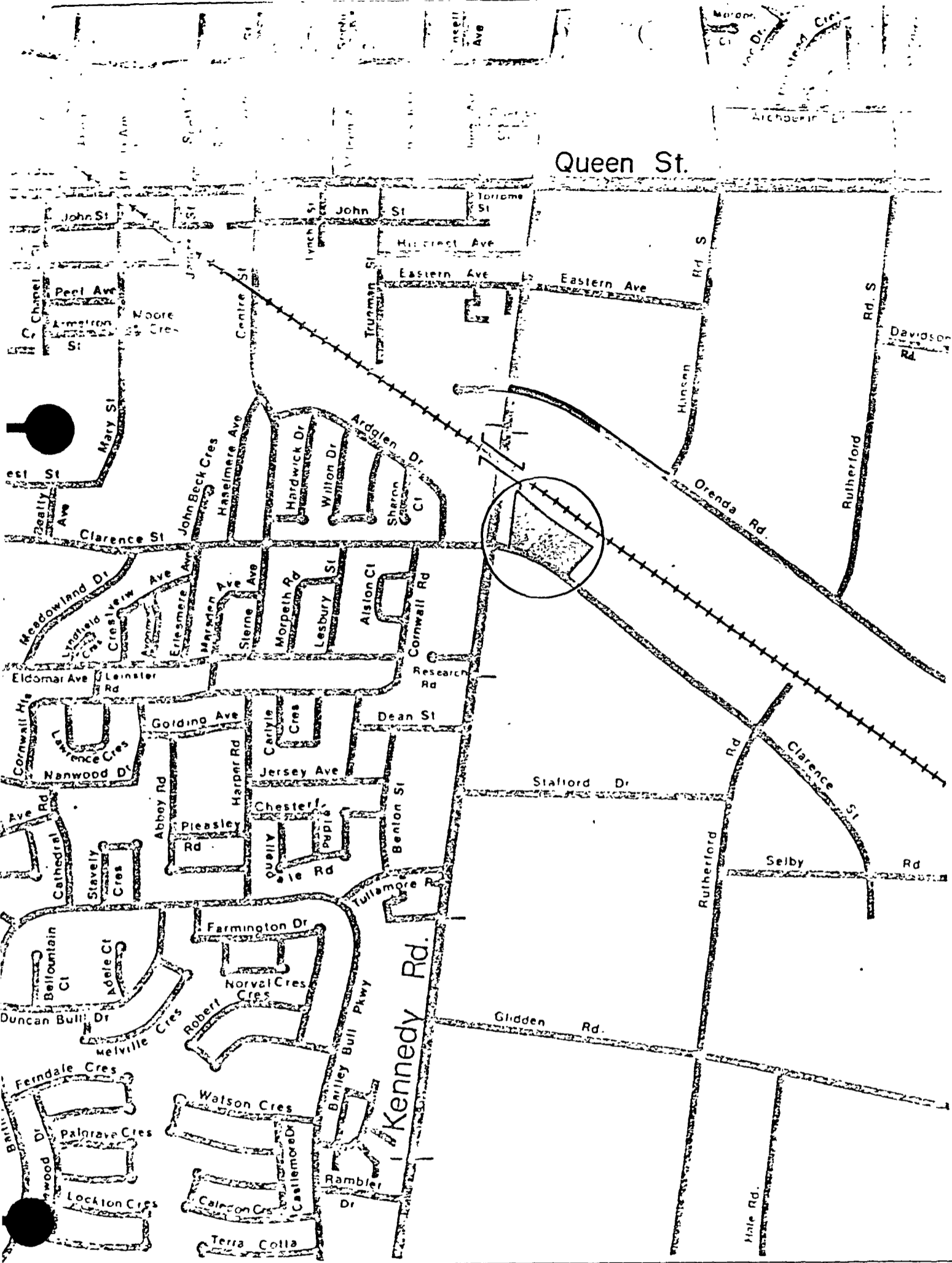
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Application

DEGALO DEVELOPMENTS
C2E4.1A



CITY OF BRAMPTON PLANNING DEPARTMENT

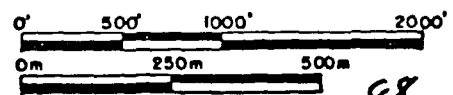
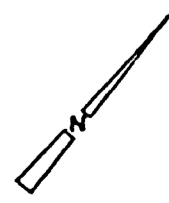


C2E4.1

DATE: AUG. 14th, 1974

DRAWN BY: m.o.

DEGALO DEVELOPMENTS LTD.



CITY OF BRAMPTON PLANNING DEPARTMENT



The Corporation Of The
City Of Brampton

OFFICE OF THE PLANNING DIRECTOR

NOTICE OF PUBLIC MEETING

The Planning Committee of the City of Brampton will hold a public meeting with respect to three applications to amend the Official Plan and/or Restricted Area By-laws applied for by the following:

1. Armbro Materials and Construction Limited
2. Degalo Developments Limited
3. Mel Ostro

The meeting will be held in the Municipal Council Chambers, 2nd Floor, 24 Queen Street East, Brampton, Ontario on Tuesday, December 9, 1975. The applications will be considered in the order shown above, and will run consecutively. The hearing of the first application will commence at 7:30 p.m.

This notice has been sent to you as an assessed owner of property in the vicinity of, or a person who has stated an interest in the application of Degalo Developments Limited.

A brief explanation of the application is:

The parcel of land is located in Lot 4, Concession 2, E.H.S. abutting both the north side of Clarence Street and the south side of the C.N.R. right-of-way, and situated to the east of Kennedy Road South (see attached plan). The site area is about 4.163 acres.

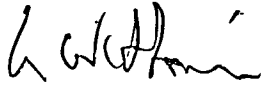
It is proposed that about 30,300 square feet of an existing building be used as a "bargain centre catalogue store".

The Planning Committee is holding this public meeting for the information of the public and to obtain the views and opinions of residents in the vicinity of and of other interested parties. Any person, interested owner, resident or their solicitor


wishing to make a submission to the Planning Committee with respect to the above is invited to do so at the aforesaid meeting.

If you are aware of any persons who may be interested in the proposal, you are invited on behalf of the Council to extend an invitation to them to attend the hearing if they so wish.


Yours very truly,



L.W.H. Laine
Planning Director
City of Brampton



LWHL/jn



Planning Committee Meeting - October 14, 1975

10. Application to Amend the Official Plan and Restricted Area By-law. Part of Lot 4, Concession 2 E.H.S. (Chinguacousy Township) Degalo Developments Limited. File C2E4.1A.

Planning Committee considered a report from the Director of Planning.

Mr. English addressed the committee on behalf of Degalo Developments Limited.

Recommendation: It is recommended that the application to amend the Official Plan and Restricted Area By-law be endorsed to accommodate the Eaton's Catalogue Store only subject to appropriate design principles.