



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

*Number* 92-83  
To adopt Amendment Number 14  
to the Official Plan of the City  
of Brampton Planning Area and  
Amendment Number 14 A to the  
Consolidated 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 Regional Municipality of Peel Act, and the Planning Act, hereby ENACTS as follows:

1. Amendment Number 14 to the Official Plan of the City of Brampton Planning Area and Amendment Number 14 A to the Consolidated 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 and Housing for approval of Amendment Number 14 to the Official Plan of the City of Brampton Planning Area and Amendment Number 14 A 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 21st day of March 1983.

  
KENNETH G. WHILLANS - MAYOR

  
RALPH A. EVERETT - CLERK

21-0P-0031-014

AMENDMENT NUMBER 14

to the Official Plan of the  
City of Brampton Planning Area

and

AMENDMENT NUMBER 14 A

to the Consolidated Official Plan  
of the City of Brampton Planning Area

-8

CERTIFIED A TRUE COPY

  
.....  
City Clerk

City of Brampton

SEP 20 1983

..... 19 .....



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

This 21st day of March 1983.

KENNETH G. WHILLANS - MAYOR

RALPH A. EVERETT - CLERK

Amendment No. 14A  
to the  
Consolidated Official Plan for the  
City of Brampton Planning Area and  
Amendment No. 14 to the Official Plan  
for the City of Brampton Planning Area

This Amendment to the Consolidated Official Plan for the City of Brampton Planning Area and to the Official Plan for the City of Brampton Planning Area, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved in accordance with section 17 of the Planning Act as Amendment No. 14A to the Consolidated Official Plan for the City of Brampton Planning Area and Amendment No. 14 to the Official Plan for the City of Brampton Planning Area, save and except the following, which will be deferred for further consideration pursuant to section 14(3) of the Planning Act:

1. Section 3(1), pages 1 and 2, in its entirety.

Date ..... Aug. 26/63 .....                     Dunlop

AND

1. Purpose:

The purpose of this amendment is to change the land use designation of the lands shown outlined on Schedule A attached hereto, from Rural/Agriculture to Commercial, and to outline appropriate development principles for the development of the subject lands.

2. Locate:

The lands subject to this amendment are located between Clarkway Drive and Highway Number 50 (abutting both roads), just to the north of the intersection of these roads, being part of Lot 7, Concession 11, N.D.

3. Amendment and Policies Relative Thereto:

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

(a) by changing, on Schedule A, the land use designation of the lands subject to this amendment, as shown outlined on Schedule A, from RURAL to COMMERCIAL (NUMBER 19), and

(b) by adding to PART II, CHAPTER 2, Section 2.2, the following:

"2.2.18. SITE 19 (Part of Lot 7, Concession 11, N.D.)

2.2.18.1 Definition

The property designated "Commercial" and identified by the number 19 on Schedule A may be used for a limited number of retail, service and highway commercial purposes that are appropriate to the rural location of the subject property and do not require relatively large amounts of water for their operation.

The permitted commercial uses will be specified in an amendment to the restricted area by-law.

Policies

2.2.18.2 Vehicular access or egress to or from Highway Number 50 shall not be permitted.

2.2.18.3 No outside storage of materials or equipment shall be permitted.

2.2.18.4 As part of approvals required under section 40 of the Planning Act (Site Plan Control), landscaped buffers shall be provided and maintained by the owner to screen commercial uses from adjacent residential development."

(2) The Consolidated Official Plan of the City of Brampton Planning Area is hereby amended:

- (a) by changing, on Plate Number 1, the chapter reference of the lands shown outlined on Schedule A attached hereto, from Chapter D1 to Chapter D15;
- (b) by changing, on Plate Number 2, the land use designations of the lands shown outlined on Schedule A attached hereto, from Agriculture to Commercial;
- (c) by adding the text set out below, as Chapter D15:

"Chapter D15

1.0 Purpose

The purpose of this chapter is to permit the lands covered by Chapter D15 to be used for certain commercial purposes and to indicate certain development principles applying to these lands.

2.0 Location

The lands subject to this amendment are located between Clarkway Drive and Highway Number 50 (abutting both roads), just to the north of the intersection of these roads, being part of Lot 7, Concession 11, N.D.

3.0 Definition

The property designated "Commercial" on Plate Number 2 and covered by Chapter D15 may be used for a limited number of retail, service and highway commercial purposes that are appropriate to the rural location of the subject property and do not require relatively large amounts of water for their operation.

The permitted commercial uses will be specified in an amendment to the restricted area by-law.

4.0 Policies

4.1 Vehicular access or egress to or from Highway Number 50 shall not be permitted.

4.2 No outside storage of materials or equipment shall be permitted.

4.3 In accordance with section 40 of the Planning Act, the City shall endeavour to ensure a general high quality of design. In this regard due consideration shall be given to such elements as:

(i) the siting and design of buildings;

(ii) exterior construction materials and colours;

(iii) vehicular access points, parking layout, and internal circulation system;

(iv) location, lighting and screening of parking areas;

(v) landscaping and fencing; and

(vi) storage and garbage disposal facilities.

4.4 As part of approvals required under section 40 of the Planning Act, landscaped buffers shall be provided and maintained by the owner to screen commercial uses from adjacent residential development.

5.0 Implementation

5.1 Restricted Area By-law


5.1.1 Restricted area by-laws pursuant to section 39 of the Planning Act will be used to regulate the use of land and the character, location and use of buildings and structures in accordance with the policies of this Official Plan.

5.2 Site Plan Control

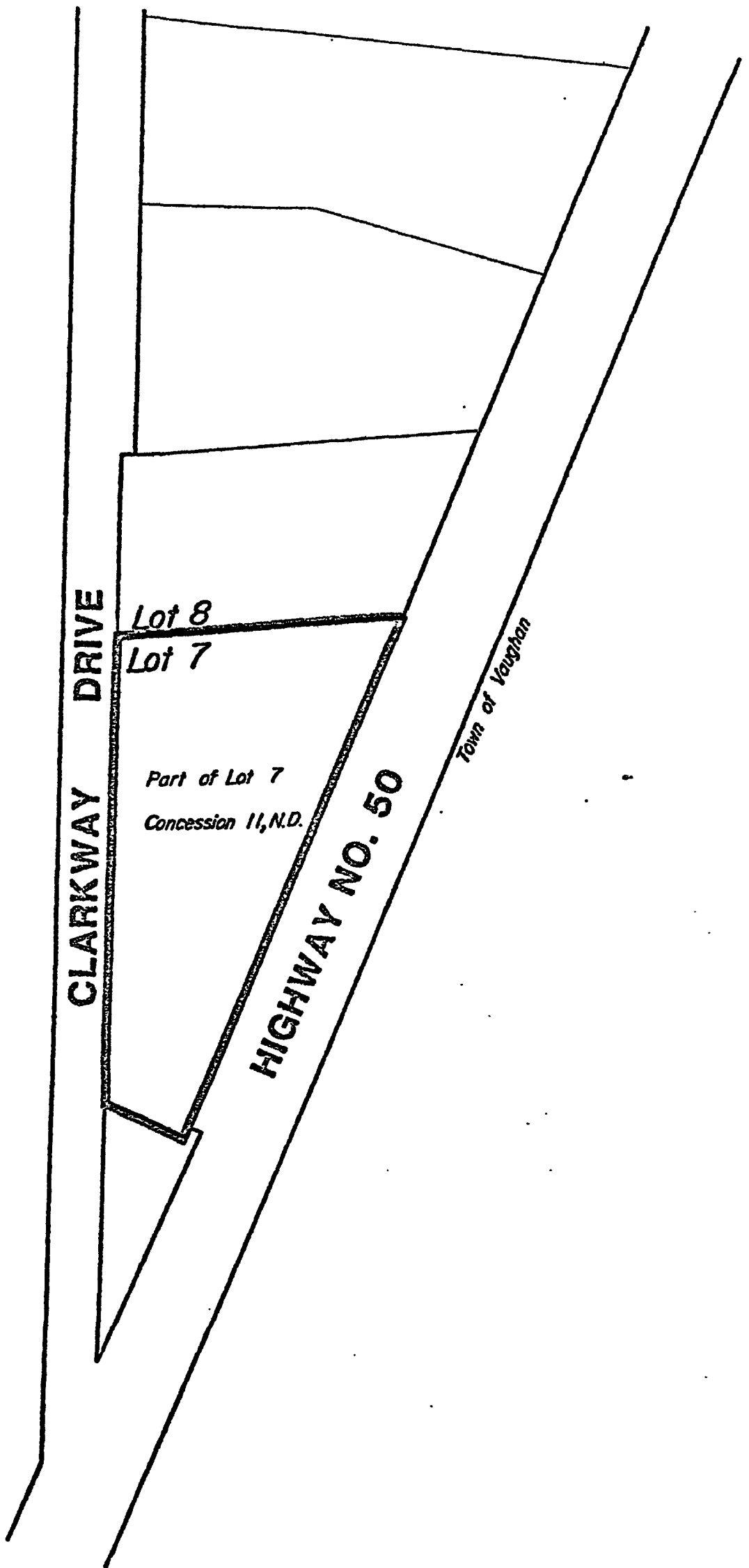
5.2.1 The City may control the provision and maintenance of certain site related facilities and matters associated with any development or redevelopment

through the mechanism of site plan agreements pursuant to section 40 of the Planning Act.

5.2.2 Approval of site plans and execution of site plan agreements will be required prior to the issuance of building permits for development or redevelopment."

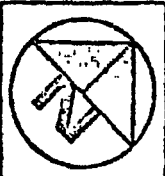
  
10/3/83





 Limit of Lands Affected

OFFICIAL PLAN AMENDMENT No. 14  
 OFFICIAL PLAN AMENDMENT No. 14 A  
 Schedule A



1:2000

**CITY OF BRAMPTON**  
 Planning and Development  
 Date: 1983/03/16 Drawn by: J.M.C.  
 File no. 711 Map no.

BACKGROUND MATERIAL TO AMENDMENT  
NUMBERS 14 AND 14A

Attached are a copy of a report from the Director of Planning Policy and Research dated 1983 01 05, a copy of a report from the Commissioner of Planning and Development dated 1983 03 16, and a copy of a report from the Director of Planning Policy and Research dated 1983 03 07 forwarding notes of a public meeting held on 1983 03 02.

# INTER-OFFICE MEMORANDUM

## Office of the Commissioner of Planning & Development

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1983 01 05

**TO:** Chairman and Members of Planning Committee  
**FROM:** J.A. Marshall, Director - Planning Policy and Research  
**RE:** Toronto Gore Comprehensive Restricted Area By-law  
Our File Number T11

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At its meeting held 1982 12 20 the Planning Committee made the following recommendation:

"That Mr. Sal De Gregorio and Mr. Nino De Gregorio and/or their Solicitor meet with staff prior to the presentation of the Toronto Gore Comprehensive Restricted Area By-law to Council, to see if an equitable solution can be reached which will satisfy Mr. Sal De Gregorio and Mr. Nino De Gregorio and the City of Brampton."

Staff met with Mr. Sal De Gregorio, Mr. Nino De Gregorio and their Solicitor, Mr. John Cirillo, on Wednesday, January 5, 1983 to discuss a solution to the issue of acceptable uses for their site.

### Background

The subject property is located in Lot 7, Concession 11, N.D. It has a frontage of 243 metres onto Clarkway Drive and 273 metres fronting onto Highway Number 50. The site is 1.15 hectares in size. The original Official Plan designation approved for this property in 1960 designated the lands agricultural and showed an "e" for the existing residential units. In 1966, By-law 890 was passed giving the land a Commercial zoning. This C zone permitted the following uses:

- (a) Club, lodge, or other similar place of public assembly;
- (b) Church, church hall, Sunday school, private school;

- (c) Retail store, service shop, business or professional office, bank, dental or medical clinic;
- (d) Restaurant, dairy bar, lunch counter;
- (e) Theatre, bowling alley;
- (f) Hotel, motel, undertaking establishment;
- (g) Automobile service station, sales room, sales lot, repair shop, parking lot;
- (h) Highway-commercial establishment with drive-in service except for drive-in theatres;
- (i) Accessory uses, buildings or structures, and
- (j) Public services and utilities.

In July 1980, Official Plan Amendment Number 46 was approved removing the "e"'s which designated existing residential and commercial uses and incorporating a new clause permitting new zoning by-laws within the Agricultural designation to only recognize existing legal uses or recognize existing legal non-conforming uses. Since the subject property does not have a commercial Official Plan designation, the new comprehensive by-law for the Toronto Gore Area can only permit the existing uses. To permit a broader range of commercial uses, an Official Plan Amendment must be processed to designate the lands commercial.

#### Discussion

Staff met with Sal and Nino De Gregorio and their solicitor and presented them with a list of uses that were considered to be acceptable for the size and location of the site. These uses include:

- (a) Banquet hall;
- (b) Dining room restaurant with no adult entertainment;
- (c) Community club;
- (d) Service shop;
- (e) Office; and
- (f) Custom workshop.

In addition, staff indicated a number of conditions which would also be imposed in the zoning by-law. These included:

- (1) no access to be permitted from the site to Highway Number 50;

- (2) the location and size of signs are to be limited, and
- (3) standard site plan control will be applied by the City.

The De Gregorio's were generally pleased with staff's recommendation but inquired into the possibility of being permitted retail uses, a hotel or motel and a construction yard within an enclosed garage. Staff feel that both retail uses and a hotel or motel are not appropriate uses for the site because of the lack of access to Highway Number 50 and therefore the high volumes of traffic that would be generated on Clarkway Drive and the rural nature of the area.

The provision of a construction yard within an enclosed garage was seen by staff to be incompatible with the other uses to be permitted on the site and would increase heavy truck traffic on Clarkway Drive. Staff feel the concern of the De Gregorio's to optimize the use of their three acre site could be better achieved by combining a number of the uses staff is recommending.

With respect to the condition to be incorporated into the zoning by-law stating that no access be permitted to Highway Number 50, the De Gregorio's indicated that they are interested in pursuing the issue further with the Ministry of Transportation and Communications and do not want the City to restrict access they might obtain sometime in the future by the By-law restriction. Staff received confirmation from the Ministry of Transportation and Communications on November 3, 1982 (attached) that no access onto Highway Number 50 will be allowed from this property as there are already three alternative means of access from Clarkway Drive. To respect the decision of the Ministry of Transportation and Communications on this matter, staff feel that the inclusion of a "no access" condition in the by-law would clarify the situation and provide the present owners or future owners with an accurate indication of the access question. Any changes in their position on the issue by the Ministry of Transportation and Communications could be incorporated into the by-law by an amendment.

#### Conclusions

Staff recommend that an Official Plan Amendment be processed designating

the De Gregorio property for a site specific commercial designation permitting selected commercial uses that would be detailed in an amendment to the restricted area by-law. These uses would include only the following:

- (a) Banquet hall;
- (b) Dining room restaurant with no adult entertainment;
- (c) Community club;
- (d) Service shop;
- (e) Office; and
- (f) Custom workshop.


Additional conditions to be incorporated into the by-law include no access onto Highway Number 50 and a limitation on signs.

Recommendations

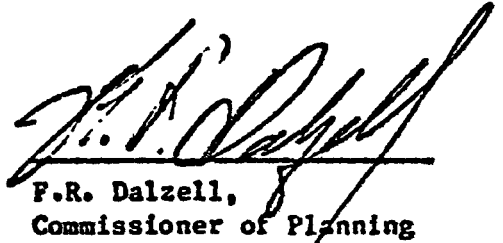
- 1) That staff be directed to prepare a site specific Official Plan Amendment for the De Gregorio property; and
- 2) That a Public Meeting be held in accordance with Council procedure.

AGREED:

Pamela Schwartzberg  
 Pamela Schwartzberg,  
 Policy Planner.



PS/kab



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

# INTER-OFFICE MEMORANDUM

## Office of the Commissioner of Planning & Development

---

1983 03 16

**TO:** The Mayor and Members of Council  
**FROM:** F. R. Dalzell - Commissioner of Planning and Development  
**RE:** Toronto Gore Comprehensive Zoning By-law  
DE GREGORIO PROPERTY  
Our File Number T11

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**ORIGIN:**

At its meeting of 1983 03 14, Planning Committee referred the subject item to Council for further discussion regarding the uses to be permitted on the lands owned by De Gregorio.

**COMMENTS:**

Staff interpret the direction of the dialogue that took place between the Solicitor for De Gregorio and City Council, and the results of the public meeting is that the zoning for the subject property should retain as many uses as possible from the previous Zoning By-law (By-law 890 of the former Township of Toronto Gore), but should not include uses that require significant quantities of water in their operation. Accordingly, staff have prepared the attached Official Plan Amendment and zoning by-law for the consideration of Council.

By-law 890 of the former Township of Toronto Gore permitted the following uses:

- (a) club, lodge, or other similar place of public assembly;
- (b) church, church hall, Sunday school, private school;

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CLERK'S DEPT.

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REG. NO: 1402  
FILE NO. GP

- (c) retail store, service shop, business or professional office, bank, dental or medical clinic;
- (d) restaurant, dairy bar, lunch counter;
- (e) theatre, bowling alley;
- (f) hotel, motel, undertaking establishment;
- (g) automobile service station, sales room, sales lot, repair shop, parking lot;
- (h) highway-commercial establishment with drive-in service except for drive-in theatres;
- (i) accessory uses, buildings or structures, and
- (j) public services and utilities.

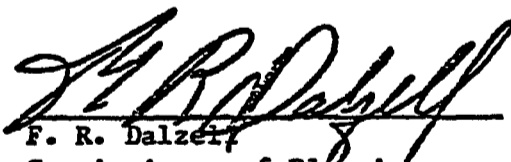
The proposed zoning by-law permits the following uses:

- a religious institution, excluding an associated place of public assembly;
- a retail establishment with no outside storage;
- a service shop;
- an office, excluding the office of a physician, dentist or drugless practitioner;
- a dining room restaurant with no adult entertainment;
- a custom workshop;
- a bowling alley;
- a service station, and
- purposes accessory to the other permitted purposes.

The proposed list excludes those uses permitted by By-law 890 that would likely require significant amounts of water in their operation and/or generate significant vehicular traffic.

**RECOMMENDATION:**

That the attached Official Plan Amendment and Zoning By-law Amendment relating to the De Gregorio property be approved.

  
F. R. Dalzell  
Commissioner of Planning  
and Development

CONCUR:

  
J. G. Metras, Q.C.  
City Solicitor

Attachment - 1  
cc: J. Galway

JAM/thk



# INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

---

1983 03 07

To: The Chairman and Members of Planning Committee

From: J. A. Marshall, Director of Planning Policy and Research

Re: Toronto Gore Comprehensive Zoning By-law  
DE GREGORIO PROPERTY  
Our File: T-11

---

Attached are the notes of the public meeting held Wednesday, March 2, 1983 with respect to the above referenced property.

Approximately 12 members of the public were in attendance, several of whom raised concerns about the proposed banquet hall, restaurant and community club uses. These three uses were seen as inappropriate for the subject site for the following reasons:

- lack of an adequate, reliable water supply,
- the inadequacy of a septic sewer system to service these uses,
- negative impacts on adjacent properties due to noise, and,
- the traffic impact on Clarkway Drive.

The area residents in attendance suggested that only low intensity, low density type uses be permitted and had no objections to the proposed service shop, offices and custom workshop. Staff noted at the meeting, that any commercial development of the property would not only be subject to site development control but would also require the approval by the Regional Department of Health of an adequate water supply and private sewage disposal facility.

- cont'd. -


The Site development control mechanism would control, amongst others, the location of parking, access points and buffer strips, if required. Involvement of the Department of Health will ensure that only those uses will locate on the property which can adequately be serviced with private water and sewage facilities.

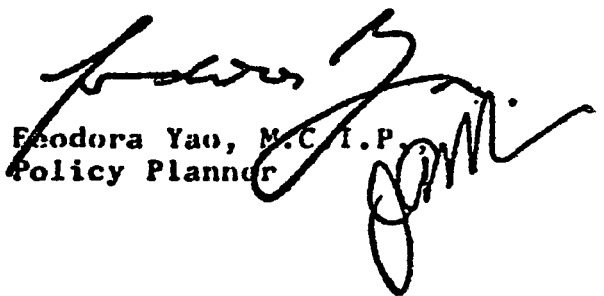
RECOMMENDATION:

It is recommended that Planning Committee recommend to City Council:

- 1) THAT staff be directed to prepare a site specific Official Plan amendment for the De Gregorio property to permit a service shop, offices and a custom workshop, subject to the conditions outlined in staff's report dated 1983 01 05, and further,
- 2) THAT, in light of concerns raised at the public meeting, Council consider whether a banquet hall, a dining room restaurant with no adult entertainment, and a community club are appropriate uses for the subject property, and direct staff accordingly.

AGREED

  
 F. R. Dalzell,  
 Commissioner of Planning  
 and Development

  
 Feodora Yao, M.C.I.P.  
 Policy Planner

FY/ec  
attachment

A Special Meeting of Planning Committee was held on Wednesday, March 2, 1983, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:46 p.m., with respect to an application by DE GREGORIO - Toronto Gore Comprehensive Zoning By-law (T-11) to amend the Official Plan and new Zoning By-law to permit the following commercial uses:

- (a) Banquet hall,
- (b) Dining room restaurant with no adult entertainment,
- (c) Community club,
- (d) Service shop,
- (e) Office, and
- (f) Custom workshop.

In addition, it is proposed that a number of conditions would also be imposed in the zoning by-law. These include:

- (1) no access to be permitted from the site to Highway Number 50;
- (2) the location and size of signs are to be limited; and
- (3) standard site plan control will be applied by the City.

Members Present: Councillor D. Sutter - Chairman  
Councillor F. Russell  
Alderman C. Gibson  
Alderman H. Chadwick  
Councillor P. Robertson  
Alderman T. Piane

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

Approximately 12 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.

Ms. Yao 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.

Mr. Richard Hirsch, R.R. #3, Brampton, also speaking on behalf of his neighbours, expressed concern relating to some of the uses proposed for the property, specifically, the proposed banquet hall, restaurant and community club. He contended that a restaurant or a community club facility may at times also function as a banquet hall. He had no objection to the other proposed uses. He complained that the high intensity nature of a banquet hall use would create hardship for neighbours because of the demand on sewers and water supply, a potential for septic tank overflow and decomposition of waste material causing pollution in the area. Mention was made of a local banquet hall which is relatively isolated and is still having water supply and septic tank related problems. He said he noticed the good intentions to clean up the subject property but also noted the undesirability of a high intensity use. Further concerns he expressed related to traffic congestion, parking on local roads and noisy, boisterous customers.

Mr. Dalzell responded to Mr. Hirsch's point of view that the Region of Peel Department of Health would be involved in setting out the conditions relating to the proposal and that the intensity of any future uses would by necessity have to be a function of the availability and adequacy of private water and sewer services. Mr. Dalzell also noted staff's reservations against intense uses of the property.

Mr. A. Di-Donato, R.R. #8, Brampton, agreed with Mr. Hirsch's comments and expressed concern with traffic, noting that his property's delivery entrance is opposite one of the subject

- cont'd. -

property's existing driveways. He commented that he was against the banquet hall use and complained of present water shortage, noting that his well dried up last summer.

Alderman Piane, enquired about Official Plan Amendment 46 and asked about the affect it had on the subject property. She also noted that the original by-law provisions, now superceeded by the new Toronto Gore by-law, were extremely permissive with respect to the range of permitted commercial uses for the subject property. Mrs. Piane also requested that members in the audience suggest alternative acceptable uses for the property.

Mr. Hirsch noted his agreement to accept uses that do not place high demands on private water or sewage systems, i.e. "low occupancy use".

Mr. and Mrs. Payne, Tenth Line Road W/S, R.R. #8, Brampton, indicated agreement with the objectors.

Mr. DiGregorio spoke, advising that building would not proceed until proof of an adequate water supply was available and until sewage could be handled adequately. He noted also that he had received a letter from Brampton City Council saying that the property was zoned commercial and that there was no mention of a new Official Plan amendment.

There were no further questions or comments.

The Chairman advised that further questions or comments should be directed to the Planning and Development Department, and that Alderman Piane or Councillor Robertson could be contacted with regard to the proposal.

The meeting adjourned at 8:20 p.m.

ORIGINAL

# 21-0P-0031-014

AMENDMENT NUMBER 14  
to the Official Plan of the  
City of Brampton Planning Area  
and  
AMENDMENT NUMBER 14 A  
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of the City of Brampton Planning Area

-1

Amendment No. 14A  
to the  
Consolidated Official Plan for the  
City of Brampton Planning Area and  
Amendment 14 to the Official Plan  
for the City of Brampton Planning Area

I hereby approve, in accordance with Section 14(3) of  
the Planning Act, the further and final portions of  
Amendment 14 to the Official Plan for the City of  
Brampton Planning Area and Amendment 14A to the  
Consolidated Official Plan for the City of Brampton  
Planning Area:

1. Section 3(1), pages 1 and 2, in its entirety.

Date Jan. 25/84.....

*D. P. McHugh*

D. P. McHUGH  
Director  
Plans Administration Branch  
Central and Southwest  
Ministry of Municipal Affairs and Housing

Amendment No. 14A  
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1. Section 3(1), pages 1 and 2, in its entirety.

Date ..... *Aug. 26/83* .....

*D. P. McHugh*  
\_\_\_\_\_  
D. P. McHUGH  
Director  
Plans Administration Branch  
Central and Southwest  
Ministry of Municipal Affairs and Housing





THE CORPORATION OF THE CITY OF BRAMPTON

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

This 21st day of March 1983.

  
KENNETH G. WHILLANS - MAYOR

  
RALPH A. EVERETT - CLERK

AND

1. Purpose:

The purpose of this amendment is to change the land use designation of the lands shown outlined on Schedule A attached hereto, from Rural/Agriculture to Commercial, and to outline appropriate development principles for the development of the subject lands.

2. Locate:

The lands subject to this amendment are located between Clarkway Drive and Highway Number 50 (abutting both roads), just to the north of the intersection of these roads, being part of Lot 7, Concession 11, N.D.

3. Amendment and Policies Relative Thereto:



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

(a) by changing, on Schedule A, the land use designation of the lands subject to this amendment, as shown outlined on Schedule A, from RURAL to COMMERCIAL (NUMBER 19), and

(b) by adding to PART II, CHAPTER 2, Section 2.2, the following:

"2.2.18. SITE 19 (Part of Lot 7, Concession 11, N.D.)

2.2.18.1 Definition

The property designated "Commercial" and identified by the number 19 on Schedule A may be used for a limited number of retail, service and highway commercial purposes that are appropriate to the rural location of the subject property and do not require relatively large amounts of water for their operation.

The permitted commercial uses will be specified in an amendment to the restricted area by-law.

Policies

2.2.18.2 Vehicular access or egress to or from Highway Number 50 shall not be permitted.

2.2.18.3 No outside storage of materials or equipment shall be permitted.

DEFERRED  
UNDER SECTION 14(3) OF  
THE PLANNING ACT

DEFERRED  
UNDER SECTION 14(3) OF  
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2.2.18.4 As part of approvals required under section 40 of the Planning Act (Site Plan Control), landscaped buffers shall be provided and maintained by the owner to screen commercial uses from adjacent residential development."

(2) The Consolidated Official Plan of the City of Brampton Planning Area is hereby amended:

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4.0 Policies

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4.2 No outside storage of materials or equipment shall be permitted.

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(i) the siting and design of buildings;

(ii) exterior construction materials and colours;

(iii) vehicular access points, parking layout, and internal circulation system;

(iv) location, lighting and screening of parking areas;

(v) landscaping and fencing; and

(vi) storage and garbage disposal facilities.

4.4 As part of approvals required under section 40 of the Planning Act, landscaped buffers shall be provided and maintained by the owner to screen commercial uses from adjacent residential development.

5.0 Implementation

5.1 Restricted Area By-law


5.1.1 Restricted area by-laws pursuant to section 39 of the Planning Act will be used to regulate the use of land and the character, location and use of buildings and structures in accordance with the policies of this Official Plan.

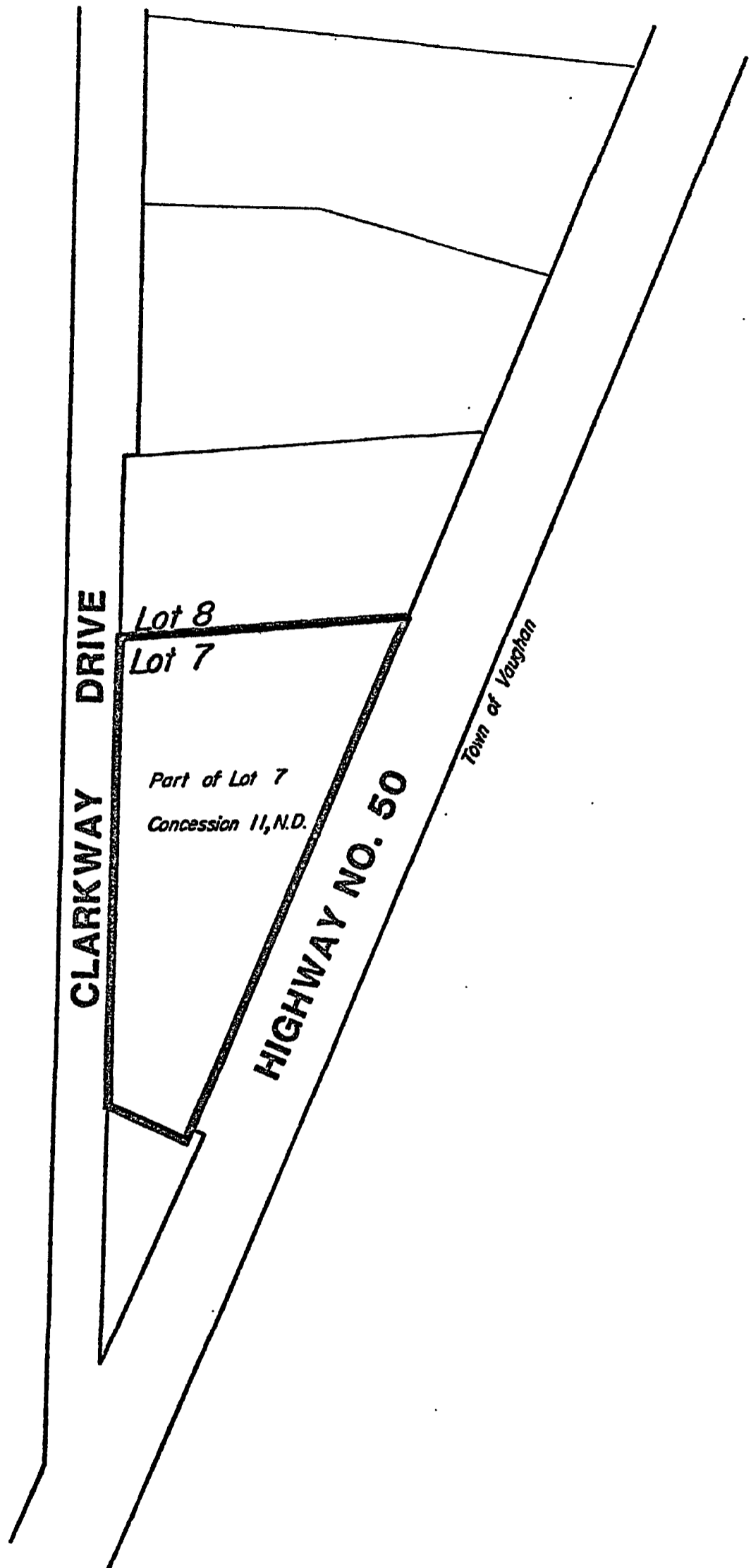
5.2 Site Plan Control

5.2.1 The City may control the provision and maintenance of certain site related facilities and matters associated with any development or redevelopment

through the mechanism of site plan agreements pursuant to section 40 of the Planning Act.

5.2.2 Approval of site plans and execution of site plan agreements will be required prior to the issuance of building permits for development or redevelopment."

  
10/3/83



**—** Limit of Lands Affected

OFFICIAL PLAN AMENDMENT No. 14  
 OFFICIAL PLAN AMENDMENT No. 14 A  
 Schedule A



1:2000

**CITY OF BRAMPTON**  
 Planning and Development

Date: 1983/03/16 Drawn by: J.M.C.  
 File no. 711 Map no.

BACKGROUND MATERIAL TO AMENDMENT  
NUMBERS 14 AND 14A

Attached are a copy of a report from the Director of Planning Policy and Research dated 1983 01 05, a copy of a report from the Commissioner of Planning and Development dated 1983 03 16, and a copy of a report from the Director of Planning Policy and Research dated 1983 03 07 forwarding notes of a public meeting held on 1983 03 02.

# INTER-OFFICE MEMORANDUM

## Office of the Commissioner of Planning & Development

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1983 01 05

TO: Chairman and Members of Planning Committee  
FROM: J.A. Marshall, Director - Planning Policy and Research  
RE: Toronto Gore Comprehensive Restricted Area By-law  
Our File Number T11

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At its meeting held 1982 12 20 the Planning Committee made the following recommendation:

"That Mr. Sal De Gregorio and Mr. Nino De Gregorio and/or their Solicitor meet with staff prior to the presentation of the Toronto Gore Comprehensive Restricted Area By-law to Council, to see if an equitable solution can be reached which will satisfy Mr. Sal De Gregorio and Mr. Nino De Gregorio and the City of Brampton."

Staff met with Mr. Sal De Gregorio, Mr. Nino De Gregorio and their Solicitor, Mr. John Cirillo, on Wednesday, January 5, 1983 to discuss a solution to the issue of acceptable uses for their site.

### Background

The subject property is located in Lot 7, Concession 11, N.D. It has a frontage of 243 metres onto Clarkway Drive and 273 metres fronting onto Highway Number 50. The site is 1.15 hectares in size. The original Official Plan designation approved for this property in 1960 designated the lands agricultural and showed an "e" for the existing residential units. In 1966, By-law 890 was passed giving the land a Commercial zoning. This C zone permitted the following uses:

- (a) Club, lodge, or other similar place of public assembly;
- (b) Church, church hall, Sunday school, private school;



- (c) Retail store, service shop, business or professional office, bank, dental or medical clinic;
- (d) Restaurant, dairy bar, lunch counter;
- (e) Theatre, bowling alley;
- (f) Hotel, motel, undertaking establishment;
- (g) Automobile service station, sales room, sales lot, repair shop, parking lot;
- (h) Highway-commercial establishment with drive-in service except for drive-in theatres;
- (i) Accessory uses, buildings or structures, and
- (j) Public services and utilities.

In July 1980, Official Plan Amendment Number 46 was approved removing the "e"'s which designated existing residential and commercial uses and incorporating a new clause permitting new zoning by-laws within the Agricultural designation to only recognize existing legal uses or recognize existing legal non-conforming uses. Since the subject property does not have a commercial Official Plan designation, the new comprehensive by-law for the Toronto Gore Area can only permit the existing uses. To permit a broader range of commercial uses, an Official Plan Amendment must be processed to designate the lands commercial.

#### Discussion

Staff met with Sal and Nino De Gregorio and their solicitor and presented them with a list of uses that were considered to be acceptable for the size and location of the site. These uses include:

- (a) Banquet hall;
- (b) Dining room restaurant with no adult entertainment;
- (c) Community club;
- (d) Service shop;
- (e) Office; and
- (f) Custom workshop.

In addition, staff indicated a number of conditions which would also be imposed in the zoning by-law. These included:

- (1) no access to be permitted from the site to Highway Number 50;

- (2) the location and size of signs are to be limited, and
- (3) standard site plan control will be applied by the City.

The De Gregorio's were generally pleased with staff's recommendation but inquired into the possibility of being permitted retail uses, a hotel or motel and a construction yard within an enclosed garage. Staff feel that both retail uses and a hotel or motel are not appropriate uses for the site because of the lack of access to Highway Number 50 and therefore the high volumes of traffic that would be generated on Clarkway Drive and the rural nature of the area.

The provision of a construction yard within an enclosed garage was seen by staff to be incompatible with the other uses to be permitted on the site and would increase heavy truck traffic on Clarkway Drive. Staff feel the concern of the De Gregorio's to optimize the use of their three acre site could be better achieved by combining a number of the uses staff is recommending.

With respect to the condition to be incorporated into the zoning by-law stating that no access be permitted to Highway Number 50, the De Gregorio's indicated that they are interested in pursuing the issue further with the Ministry of Transportation and Communications and do not want the City to restrict access they might obtain sometime in the future by the By-law restriction. Staff received confirmation from the Ministry of Transportation and Communications on November 3, 1982 (attached) that no access onto Highway Number 50 will be allowed from this property as there are already three alternative means of access from Clarkway Drive. To respect the decision of the Ministry of Transportation and Communications on this matter, staff feel that the inclusion of a "no access" condition in the by-law would clarify the situation and provide the present owners or future owners with an accurate indication of the access question. Any changes in their position on the issue by the Ministry of Transportation and Communications could be incorporated into the by-law by an amendment.

#### Conclusions

Staff recommend that an Official Plan Amendment be processed designating

the De Gregorio property for a site specific commercial designation permitting selected commercial uses that would be detailed in an amendment to the restricted area by-law. These uses would include only the following:


- (a) Banquet hall;
- (b) Dining room restaurant with no adult entertainment;
- (c) Community club;
- (d) Service shop;
- (e) Office; and
- (f) Custom workshop.

Additional conditions to be incorporated into the by-law include no access onto Highway Number 50 and a limitation on signs.

Recommendations

- 1) That staff be directed to prepare a site specific Official Plan Amendment for the De Gregorio property; and
- 2) That a Public Meeting be held in accordance with Council procedure.

AGREED:

Pamela Schwartzberg  
Pamela Schwartzberg,  
Policy Planner.  


PS/kab

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

# INTER-OFFICE MEMORANDUM

## Office of the Commissioner of Planning & Development

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1983 03 16

TO: The Mayor and Members of Council  
FROM: F. R. Dalzell - Commissioner of Planning and Development  
RE: Toronto Gore Comprehensive Zoning By-law  
DE GREGORIO PROPERTY  
Our File Number T11

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### ORIGIN:

At its meeting of 1983 03 14, Planning Committee referred the subject item to Council for further discussion regarding the uses to be permitted on the lands owned by De Gregorio.

### COMMENTS:

Staff interpret the direction of the dialogue that took place between the Solicitor for De Gregorio and City Council, and the results of the public meeting is that the zoning for the subject property should retain as many uses as possible from the previous Zoning By-law (By-law 890 of the former Township of Toronto Gore), but should not include uses that require significant quantities of water in their operation. Accordingly, staff have prepared the attached Official Plan Amendment and zoning by-law for the consideration of Council.

By-law 890 of the former Township of Toronto Gore permitted the following uses:

- (a) club, lodge, or other similar place of public assembly;
- (b) church, church hall, Sunday school, private school;

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- 5
- (c) retail store, service shop, business or professional office, bank, dental or medical clinic;
  - (d) restaurant, dairy bar, lunch counter;
  - (e) theatre, bowling alley;
  - (f) hotel, motel, undertaking establishment;
  - (g) automobile service station, sales room, sales lot, repair shop, parking lot;
  - (h) highway-commercial establishment with drive-in service except for drive-in theatres;
  - (i) accessory uses, buildings or structures, and
  - (j) public services and utilities.

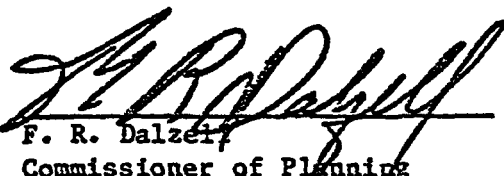
The proposed zoning by-law permits the following uses:

- . a religious institution, excluding an associated place of public assembly;
- . a retail establishment with no outside storage;
- . a service shop;
- . an office, excluding the office of a physician, dentist or drugless practitioner;
- . a dining room restaurant with no adult entertainment;
- . a custom workshop;
- . a bowling alley;
- . a service station, and
- . purposes accessory to the other permitted purposes.

The proposed list excludes those uses permitted by By-law 890 that would likely require significant amounts of water in their operation and/or generate significant vehicular traffic.

**RECOMMENDATION:**

That the attached Official Plan Amendment and Zoning By-law Amendment relating to the De Gregorio property be approved.

  
F. R. Dalzell  
Commissioner of Planning  
and Development

CONCUR:

  
J. G. Metras, Q.C.  
City Solicitor

Attachment - 1  
cc: J. Galway

JAM/thk

# INTER-OFFICE MEMORANDUM

## Office of the Commissioner of Planning & Development

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1983 03 07

To: The Chairman and Members of Planning Committee

From: J. A. Marshall, Director of Planning Policy and Research

Re: Toronto Gore Comprehensive Zoning By-law  
DE GREGORIO PROPERTY  
Our File: T-11

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Attached are the notes of the public meeting held Wednesday, March 2, 1983 with respect to the above referenced property.

Approximately 12 members of the public were in attendance, several of whom raised concerns about the proposed banquet hall, restaurant and community club uses. These three uses were seen as inappropriate for the subject site for the following reasons:

- . lack of an adequate, reliable water supply,
- . the inadequacy of a septic sewer system to service these uses,
- . negative impacts on adjacent properties due to noise, and,
- . the traffic impact on Clarkway Drive.

The area residents in attendance suggested that only low intensity, low density type uses be permitted and had no objections to the proposed service shop, offices and custom workshop. Staff noted at the meeting, that any commercial development of the property would not only be subject to site development control but would also require the approval by the Regional Department of Health of an adequate water supply and private sewage disposal facility.

- cont'd. -


The Site development control mechanism would control, amongst others, the location of parking, access points and buffer strips, if required. Involvement of the Department of Health will ensure that only those uses will locate on the property which can adequately be serviced with private water and sewage facilities.

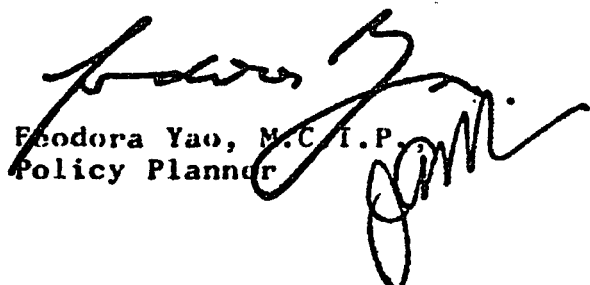
RECOMMENDATION:

It is recommended that Planning Committee recommend to City Council:

- 1) THAT staff be directed to prepare a site specific Official Plan amendment for the De Gregorio property to permit a service shop, offices and a custom workshop, subject to the conditions outlined in staff's report dated 1983 01 05, and further,
- 2) THAT, in light of concerns raised at the public meeting, Council consider whether a banquet hall, a dining room restaurant with no adult entertainment, and a community club are appropriate uses for the subject property, and direct staff accordingly.

AGREED

  
F. R. Dalzell,  
Commissioner of Planning  
and Development

  
Feodora Yao, M.C./I.P.  
Policy Planner

FY/ec  
attachment

A Special Meeting of Planning Committee was held on Wednesday, March 2, 1983, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:46 p.m., with respect to an application by DE GREGORIO - Toronto Gore Comprehensive Zoning By-law (T-11) to amend the Official Plan and new Zoning By-law to permit the following commercial uses:

- (a) Banquet hall,
- (b) Dining room restaurant with no adult entertainment,
- (c) Community club,
- (d) Service shop,
- (e) Office, and
- (f) Custom workshop.

In addition, it is proposed that a number of conditions would also be imposed in the zoning by-law. These include:

- (1) no access to be permitted from the site to Highway Number 50;
- (2) the location and size of signs are to be limited; and
- (3) standard site plan control will be applied by the City.

Members Present: Councillor D. Sutter - Chairman  
Councillor F. Russell  
Alderman C. Gibson  
Alderman H. Chadwick  
Councillor P. Robertson  
Alderman T. Piane

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



Approximately 12 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.

Ms. Yao 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.

Mr. Richard Hirsch, R.R. #3, Brampton, also speaking on behalf of his neighbours, expressed concern relating to some of the uses proposed for the property, specifically, the proposed banquet hall, restaurant and community club. He contended that a restaurant or a community club facility may at times also function as a banquet hall. He had no objection to the other proposed uses. He complained that the high intensity nature of a banquet hall use would create hardship for neighbours because of the demand on sewers and water supply, a potential for septic tank overflow and decomposition of waste material causing pollution in the area. Mention was made of a local banquet hall which is relatively isolated and is still having water supply and septic tank related problems. He said he noticed the good intentions to clean up the subject property but also noted the undesirability of a high intensity use. Further concerns he expressed related to traffic congestion, parking on local roads and noisy, boisterous customers.

Mr. Dalzell responded to Mr. Hirsch's point of view that the Region of Peel Department of Health would be involved in setting out the conditions relating to the proposal and that the intensity of any future uses would by necessity have to be a function of the availability and adequacy of private water and sewer services. Mr. Dalzell also noted staff's reservations against intense uses of the property.

Mr. A. Di-Donato, R.R. #8, Brampton, agreed with Mr. Hirsch's comments and expressed concern with traffic, noting that his property's delivery entrance is opposite one of the subject

property's existing driveways. He commented that he was against the banquet hall use and complained of present water shortage, noting that his well dried up last summer.

Alderman Piane, enquired about Official Plan Amendment 46 and asked about the affect it had on the subject property. She also noted that the original by-law provisions, now superceeded by the new Toronto Gore by-law, were extremely permissive with respect to the range of permitted commercial uses for the subject property. Mrs. Piane also requested that members in the audience suggest alternative acceptable uses for the property.

Mr. Hirsch noted his agreement to accept uses that do not place high demands on private water or sewage systems, i.e. "low occupancy use".

Mr. and Mrs. Payne, Tenth Line Road W/S, R.R. #8, Brampton, indicated agreement with the objectors.

Mr. DiGregorio spoke, advising that building would not proceed until proof of an adequate water supply was available and until sewage could be handled adequately. He noted also that he had received a letter from Brampton City Council saying that the property was zoned commercial and that there was no mention of a new Official Plan amendment.

There were no further questions or comments.

The Chairman advised that further questions or comments should be directed to the Planning and Development Department, and that Alderman Piane or Councillor Robertson could be contacted with regard to the proposal.

The meeting adjourned at 8:20 p.m.