



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 218-84

To adopt Amendment Number 38  
and Amendment Number 38 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 Regional Municipality of Peel Act, and the Planning Act, 1983, hereby ENACTS as follows:

1. Amendment Number 38 and Amendment Number 38 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 and Housing for approval of Amendment Number 38 and Amendment Number 38 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 10th day of September, 1984.

KENNETH G. WHILLANS - MAYOR

RALPH A. EVERETT - CLERK

AND

1. Purpose:

The purpose of this amendment is to permit the lands shown outlined on Schedule A to this amendment to be used for either residential or specific commercial purposes and to provide supplemental development principles for its specific commercial use.

2. Location:

The lands subject to this amendment are located on the west side of Main Street North, south of Vodden Street, being part of Lot 7, Concession 1, W.H.S., in the geographic Township of Chinguacousy, in the City of Brampton.

3. Amendment and Policies Relative Thereto:(1) Amendment Number 38 :

1. The document known as the Official Plan of the City of Brampton Planning Area is hereby amended:

(a) 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, 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 11A, 17A, 22A, 29A and A, to the Consolidated Official Plan, are combined, and shall constitute the Brampton Central Secondary Plan."

(2) Amendment Number 38 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 Amendment Numbers 42, 51, 67, 72, 79, 83, 84, 86, 96, 99, and by Amendment Numbers 11A, 17A, 22A and 29A), is hereby amended:

(a) by deleting Paragraph 3.7 of Part C, Section B, Chapter B1, Subsection B2.6, and substituting therefor the following:

"3.7 The existing structure and a limited sized addition to the structure on the land on the west side of Main

Street North, south of Vodden Street, comprising all of Lot 4 and part of Lot 5, Plan D-12, and Part 12 on Reference Plan 43R-10580 (part of former Dale Avenue right-of-way), known municipally as 303 Main Street North, may be used for low density residential purposes or for an art gallery, certain office purposes and personal service shops. The residential character of the property is to be maintained through the careful renovation and maintenance of the existing building, the construction of an addition which has an exterior appearance that is compatible with the existing structure, 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 floor space will be restricted to an amount for which adequate on-site parking can be provided.

APPROVED  
AS TO FORM  
LAW DEPT.  
BRAM  
DATE 8/19/6



 Lands Subject to this Amendment

OFFICIAL PLAN AMENDMENT No. 38  
 OFFICIAL PLAN AMENDMENT No. 38A

Schedule A



1:4000

**CITY OF BRAMPTON**  
 Planning and Development

Date: 84 06 28 Drawn by: RB  
 File no. CIW 7.25 Map no. 42-71G

BACKGROUND MATERIAL TO

AMENDMENT NUMBER 38

AND

AMENDMENT NUMBER 38 A

Attached is a copy of a report of the Director, Planning and Development Services Division, dated May 30th, 1984 and a copy of a report from the Director, Planning and Development Services Division, dated July 30th 1984, forwarding notes of a public meeting held on July 25th, 1984.

# INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

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May 30, 1984

**TO:** Chairman of the Development Team  
**FROM:** Planning and Development Department  
**RE:** Application to Amend the Official Plan  
and Zoning By-law  
Lot 4 and Part of Lot 5, Registered Plan D-12  
and Part of the former Dale Avenue Right-of-Way  
303 Main Street North (Gustafsson Gallery)  
Part Lot 7, Concession 1, W.H.S.  
(former Town of Brampton)  
Ward Number 5  
PRO URBAN DEVELOPMENTS LIMITED  
Our File Number C1W7.25

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**1.0** Introduction

An application has been filed with the City Clerk for an amendment to the Official Plan and Zoning By-law to permit the conversion of the building on the subject property for use as general offices.

**2.0** Property Description

The subject property is located on the west side of Main Street North just south of Vodden Street, being part of Lot 7, Concession 1, W.H.S., in the former Town of Brampton. The property is comprised of Lot 4 and part of Lot 5 in Registered Plan D-12 as well as a portion of the former Dale Avenue right-of-way. The site has a total width of 30.77 metres (100.95 feet), and average depth of 60.25 metres (197.7 feet) and an area of 0.18 hectares (0.45 acres).

The property is occupied by a two-storey brick building currently occupied by a dwelling unit and an art gallery. The existing building

has a gross floor area of 232.2 square metres (2,500 square feet). Access to the site is obtained from a driveway extending across the northerly part of the property which was previously the Dale Avenue right-of-way. Dale Avenue has been closed and is no longer a public highway. An unpaved parking area is situated at the rear of the building.

The front and side yards of the subject property are landscaped. A number of mature deciduous trees, in reasonably good condition, are situated at the front of the building and to the immediate north of the building.

The property immediately south of the subject site is occupied by a dwelling unit which is currently used for the purposes of a dwelling unit as well as a dental office. The lands to the north are vacant and are proposed to be developed as a commercial plaza containing retail stores and professional offices. The lands to the rear of the subject property are occupied by a multi-family dwelling fronting on to Isabella Street. The lands on the east side of Main Street North are proposed to be developed as a commercial plaza.

### 3.0 Official Plan and Zoning Status

Schedule A to the Official Plan designates the subject property as Residential. In addition, the Official Plan adopts Plate No. 10 of the Consolidated Official Plan as part of the Brampton Central Secondary Plan. Plate No. 10 designates the subject property as Residential Low Density. The Consolidated Official Plan contains a policy statement which provides for the art gallery use in conjunction with the residence on the subject property.

By-law 200-82 zones the subject property as Residential Single-Family A Zone - Section 75. The permitted uses in the R1A - Section 75 zone are a single family detached dwelling and an art gallery and art studio. Uses accessory to a single family detached dwelling as well as a home occupation are also permitted.

4.0 Proposal

The applicant has requested amendments to the Official Plan and Zoning By-law to permit the use of the subject property for the purposes of general offices (not including medical offices). The applicant is proposing to remove the rear portion of the existing building and erect an addition to the building which is compatible with the existing scale and character. The following chart indicates the existing and proposed floor areas:

|                                 |  |
|---------------------------------|--|
| Existing Building               | 232.3 square metres<br>(2,500 square feet) |
| Part to be Removed              | 46.4 square metres<br>(500 square feet)    |
| Proposed Addition               | 241.6 square metres<br>(2,600 square feet) |
| Final Proposed<br>Building Area | 427.5 square metres<br>(4,600 square feet) |

In support of this proposal, the applicant has submitted a preliminary concept site plan showing the proposed development of the subject lands. The plan shows the existing building, the proposed addition onto the rear of the existing building, a parking area at the rear of the site and a driveway 6 metres (20.0 feet) in width providing access from Main Street and a connection with the parking area.

The existing landscaped areas in the front and side yards are to be retained and landscaped buffers 2.0 metres (6.6 feet) in width are proposed to extend adjacent to the northerly and westerly property boundaries. In addition, the plan provides for the erection of cedar wood fencing 1.8 metres in height along the westerly and southerly

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property boundaries between the north-west corner of the property and the rear corner of the existing building.

Subsequent to submission of the subject application, the proposal was revised by correspondence indicating that the applicant requests that personal service shops and a real estate office be permitted in the zoning by-law. The applicant has not specified the floor areas to be occupied by the proposed additional uses and has not provided a revised site plan showing additional parking and/or a reduced building envelope.

#### 5.0 Comments

The Community Services Department had indicated that if this application is approved it would be appropriate to require boulevard trees along Main Street and a landscaping plan.

The Fire Chief has no objection or comments regarding this application.

The Public Works and Building Department has indicated that the existing drainage on the subject property and abutting properties must be maintained. It was noted that proposed drainage and grading plans will be required in order to obtain site plan approval. In addition, a 2.966 metre road widening is required along the Main Street frontage of the original 303 Main Street property (Lot 4, Registered Plan D-12).

#### 6.0 Discussion

The subject property is located within an area that is known as Main Street North between Church and Vodden Street and which forms an integral part of the Brampton Central Planning Area. A recent study prepared by the Planning Policy and Research Division in response to direction from Council established criteria and guidelines for future

redevelopment along Main Street North. At its meeting held on 1984 02 20, City Council adopted a recommendation that development applications for properties along Main Street North be considered on a site-specific basis and be evaluated in terms of their conformity with the objectives, land use criteria and development guidelines contained within the report entitled Land Use Guidelines - Main Street North. In addition, staff were directed to incorporate the said provisions into the Secondary Plan concept for the Brampton Central Planning Area.

The objectives for Main Street North contained within the aforementioned report include that redevelopment should conserve and enhance the existing low-density residential character of the area, be compatible with the adjacent residential neighbourhoods, and have no negative impacts on the abutting uses, the Four Corners area and the function of Main Street North. Several land use criteria were set forth in order to achieve the above objectives, as well as development guidelines which establish appropriate uses and specific matters to be considered during the evaluation of redevelopment applications.

With respect to commercial uses, the following uses are considered to be appropriate in light of the objectives for Main Street North:

- professional offices including;
  - lawyer's offices
  - accountant's offices
  - offices of architects, landscape architects, planners, engineers or interior decorators
  - insurance broker's offices;
- artist studio or gallery,
- arts and crafts studio and

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- photographer's studio.

The report also recommends that applications to amend the zoning by-law to permit commercial uses such as those listed above should be subject to the following conditions:

- the amount of commercial floor space permitted in any of the large homes shall be commensurate with the amount of parking which can be accommodated on the lot;
- parking standards are to be in keeping with the commercial parking standards of By-law 200-82, as amended;
- parking is to be provided on-site and shall be located in the rear yard so as to maintain a residential appearance at the street;
- rear yard parking areas shall be screened and the type of screening be selected with due regard for abutting properties;
- any external lighting is to be in keeping with the residential character of the area;
- no flood lighting shall be permitted;
- no outside storage of materials or goods shall be permitted;
- the external low density residential character of the building is to be retained;
- the building envelope is to be restricted to the existing dwelling;
- a landscape plan is to be approved by the Planning and Development Department, and

- a minimum landscaped open space of the front yard shall be 70 percent."

The applicant is proposing to use the property for the purposes of general offices, a use which is in keeping with the above list of appropriate uses. Staff are not in support of the subsequent proposal to include a real estate office because it is not a use provided for in the Main Street North guidelines. With respect to the proposed personal service shops, staff note that this is a use permitted by the amended Main Street North guidelines. However, it is critical that adequate parking be provided.

The site plan submitted by the applicant shows 14 parking spaces situated at the rear of the property. In accordance with the parking standards for general offices contained within By-law 200-82 which require 1 parking space for each 31 square metres of gross commercial floor area, a total of 14 on-site parking spaces must be provided. The higher parking requirement for personal service shops (1 space for each 23 square metres of gross commercial floor area) means that it will be necessary for the applicant to reduce the total floor area of the building in order to comply with the applicable parking standards. However, staff cannot determine the extent to which this is necessary because the applicant has not indicated the specific floor area to be occupied by personal service shops.

It is the opinion of staff that the zoning by-law should specify the maximum floor area of the building and the exact parking requirements in order to avoid a situation where adequate parking cannot be provided for the permitted uses. It is therefore recommended that the applicant be required to submit a detailed proposal which includes personal service shops prior to a public meeting regarding this proposal. The existing proposed plan does not provide enough parking to include personal service shops, therefore the recommendation at the conclusion of this report will not include personal service shops as a permitted use.

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With respect to the provision of buffering between the proposed commercial uses and abutting residences, the applicant should be required to agree in the development agreement to erect wood privacy fencing 1.8 metres in height. The design and specifications of the wood fence are subject to the approval of the Commissioner of Planning and Development. Also in accordance with the development criteria for commercial uses, the development agreement should specify that no flood lighting and no outside storage of goods or materials shall be permitted.

The subject proposal complies with all of the aforementioned criteria with the exception that the building envelope is not to be restricted to the existing building. The applicant has submitted drawings showing that the exterior appearance of the addition will be compatible with the existing structure in terms of the design, roof height, window treatment, building materials, etc. Because the original front facade of the existing structure will not be altered and the low-density residential character of the property will be retained when the addition is erected, staff are of the opinion that the overall objectives of redevelopment on Main Street North will be achieved.

With respect to the criterion indicating that the amount of commercial floor space permitted should be commensurate with the amount of on-site parking that can be provided, staff note that the enlargement of the original lot due to the addition of a portion of the Dale Avenue right-of-way enables the applicant to increase the floor area of the building and still provide sufficient parking in accordance with the appropriate standards. However, it is critical that the portion of the Dale Avenue right-of-way be combined with the original property in order to support the subject proposal. In this regard, staff recommend that an appropriate agreement of purchase for the said lands from the City be entered into prior to the enactment of the Official Plan and zoning by-law amendments. In addition, the development agreement should require that the purchase transaction be closed prior to issuance of any building permits.

In view of the foregoing, staff are not opposed to the proposed addition to the rear of the existing building. The addition to the building appears to be reasonable because the lot area is being increased and the objectives of the Main Street North guidelines are being achieved. To ensure that the exterior appearance of the addition is compatible with the existing structure, it is recommended that the proposal be subject to site plan approval and that the development agreement require that the design of the addition will conform with the elevation drawings submitted by the applicant.

To further ensure that there is minimal alteration of the appearance of the property from Main Street, the applicant should be required to retain all existing landscaped areas in the front and side yards of the property. The existing front yard landscaping comprises 80% of the front yard in keeping with the above criteria. The applicant shall be required to submit a landscape plan for the subject property which provides for new plant material on the landscaped areas extending along the north and west boundaries, the retention of existing vegetation in the front and side yards, the paving of the driveway and parking area and the installation of a wood privacy fence 1.8 metres in height to screen the parking area. In addition, the plan should provide for guards, curbs and/or car stops. With respect to signage of the property, any sign(s) shall be subject to the Main Street North Sign Guidelines as endorsed by City Council.

#### 7.0 Conclusion

It is recommended that Planning Committee recommend to City Council that:

- A. A public meeting be held with respect to the proposed amendments to the Official Plan and Zoning By-law in accordance with City Council's procedures, and
- B. Subject to the results of the Public Meeting, Planning Committee recommend to City Council that the application be approved subject to the following conditions:

1. Prior to enactment of the amendments to the Official Plan and Zoning By-law, the applicant shall enter into an appropriate agreement of purchase and sale with the City for the portion of the former Dale Avenue right-of-way described as Part 12, Reference Plan 43R-10580.
2. Prior to enactment of the amendments to the Official Plan and Zoning By-law, site plan approval, landscape plan approval and grading and drainage plan approval shall be obtained and appropriate securities shall be deposited with the City to ensure implementation of these plans.
3. The site specific Zoning By-law shall contain the following requirements and restrictions:
  - (a) the site shall only be used for general offices, not including the real estate offices or the offices of a medical, dental or drugless practitioner;
  - (b) the maximum gross commercial floor area of the building shall be 427.5 square metres;
  - (c) a building envelope that is consistent with the building envelope shown on the proposed site plan shall be identified on a by-law schedule;
  - (d) a minimum of 14 parking spaces shall be provided;
  - (e) all garbage and refuse containers shall be located within the building;
  - (f) no outside storage or display of goods shall be permitted;
  - (g) a landscaped area two (2) metres in width shall be provided and maintained on the northerly and westerly boundaries of the property, and

(h) the minimum landscaped open space on the front yard shall be 80 percent.

4. Redevelopment of the site shall be subject to a development agreement and 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 much of the existing front and side yard landscaping 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;

(d) all drainage of the site shall be totally self-contained and shall not adversely affect the drainage of abutting properties;

(e) a 2.966 metre road widening along the Main Street frontage of the original property (Lot 4, Plan D-12) shall be conveyed to the City;

(f) the applicant shall agree that the exterior appearance of the addition shall be compatible with the existing structure and shall be consistent with the elevation drawings submitted in support of the proposal, and

(g) the applicant shall agree that no building permits will be issued by the City prior to the closing of the purchase transaction for the portion of the former Dale Avenue right-of-way described as Part 12, Reference Plan 43R-10580.

5. The site and landscaping plans shall reflect the following:

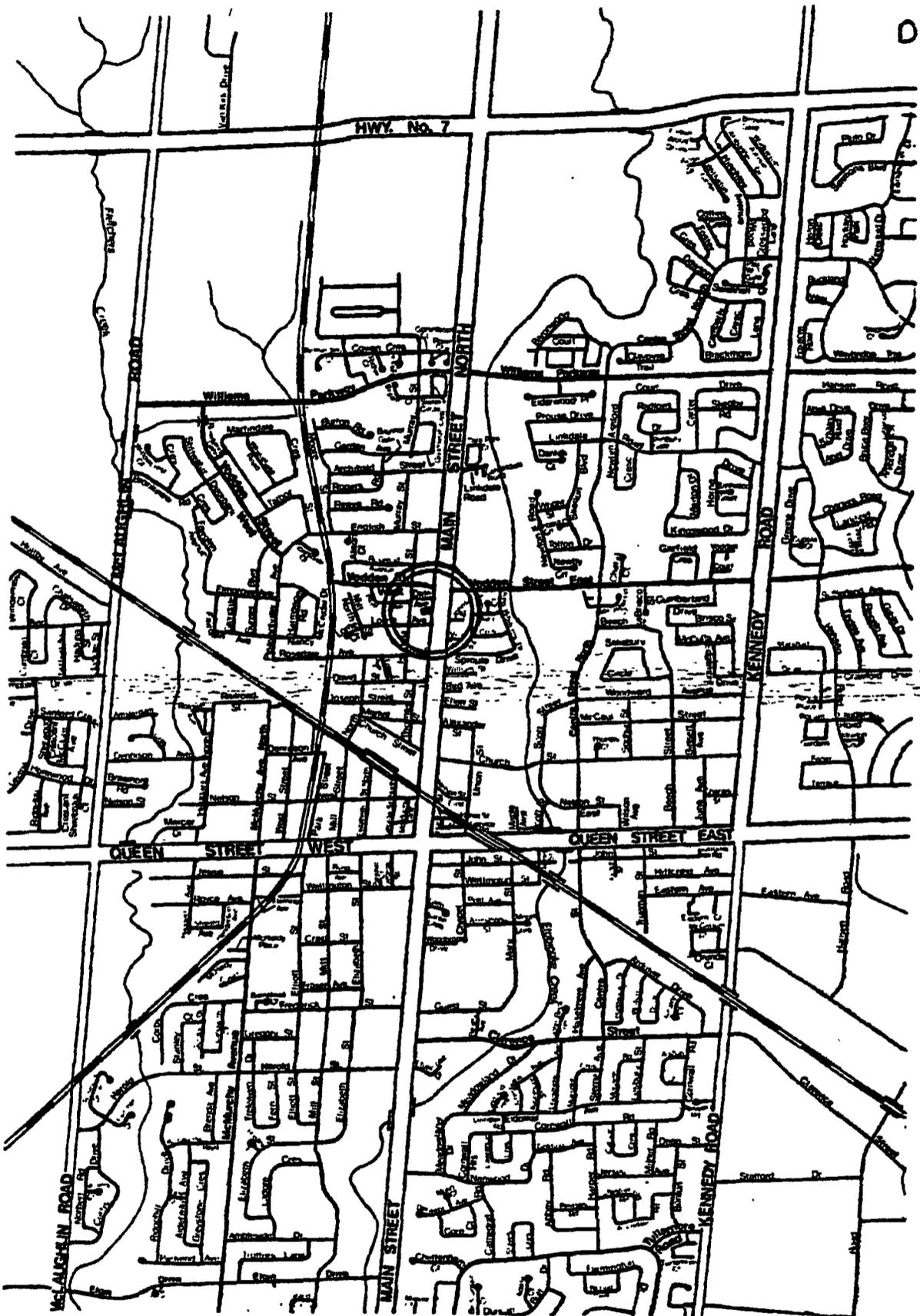
- (a) the provision of a paved parking area in the rear yard to accommodate 14 vehicles;
- (b) the provision of a paved driveway to Main Street a minimum of 6.0 metres in width;
- (c) the provision of a wood privacy fence 1.8 metres in height, in suitable locations to screen the parking area, along the southerly and westerly boundaries on the property;
- (d) the retention of the existing vegetation in the front and side yards, and
- (e) the provision of a landscaped area 2 metres in width extending along the northerly and westerly boundaries of the property.

AGREED:

  
 F. R. Dalzell  
 Commissioner of Planning  
 and Development

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

JMR/thk/8



PRO URBAN DEVELOPMENTS LTD.



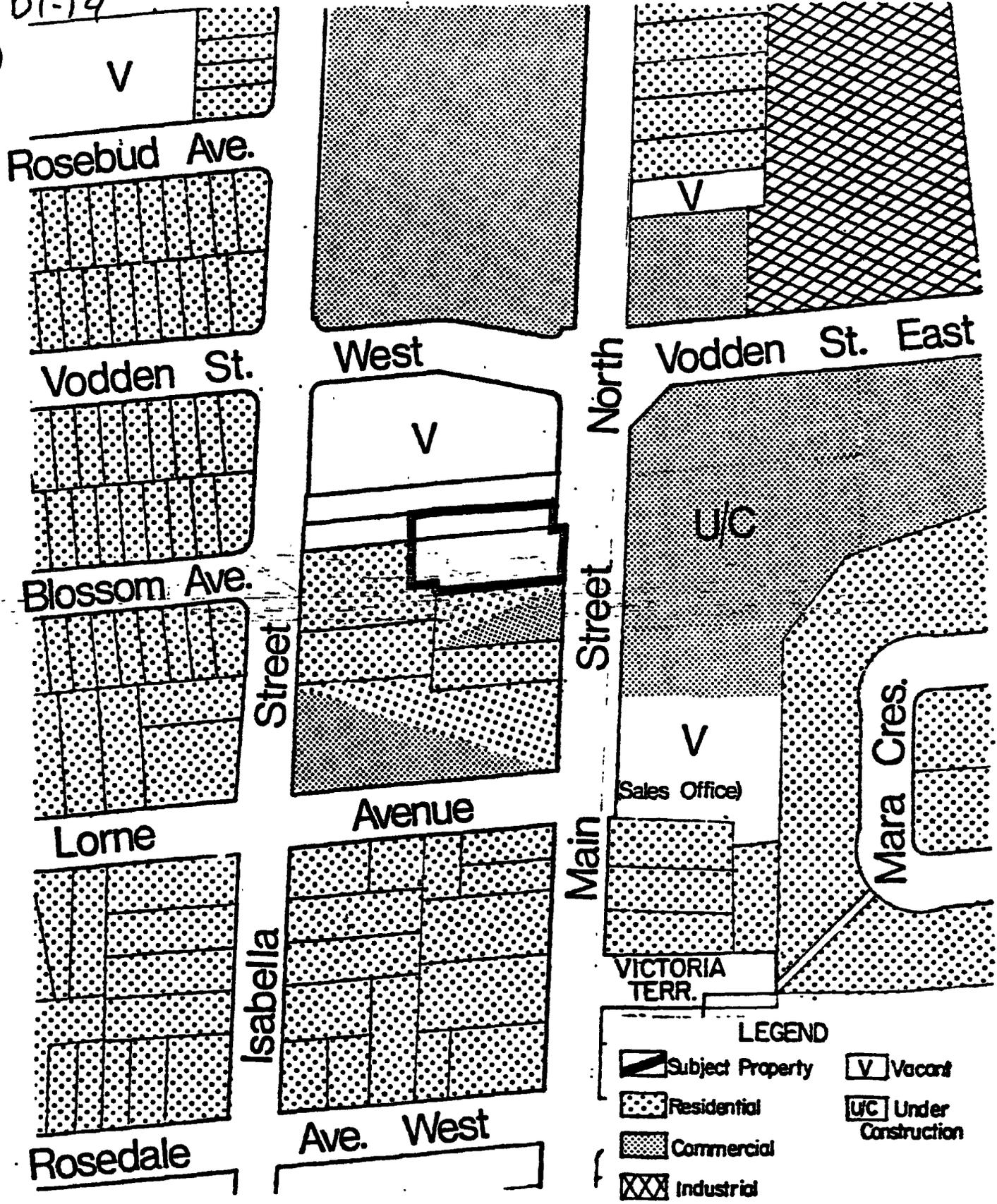
CITY OF BRAMPTON  
Planning and Development

Location Map

1:2000

Date: 84 05 08    Drawn by: RB  
File no. CIW7.25    Map no. 42-71A

D1-14



**LEGEND**

|                  |                    |
|------------------|--------------------|
| Subject Property | Vacant             |
| Residential      | Under Construction |
| Commercial       |                    |
| Industrial       |                    |

PRO URBAN DEVELOPMENTS LTD.

Land Use Map



1:2000

**CITY OF BRAMPTON**  
Planning and Development

Date: 84 05 08 Drawn by: RB  
File no. CIW7.25 Map no. 42-71C



E-3

# INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

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1984 07 30

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

Re: Application to Amend the Official Plan  
and Zoning By-law  
Lot 4 and Part of Lot 5, Plan D-12  
and Part of the former Dale Avenue Right-of-Way  
303 Main Street North (Gustafsson Gallery)  
Part of Lot 7, Concession 1, W.H.S.  
(former Town of Brampton) Ward 5  
PRO-URBAN DEVELOPMENTS LIMITED  
Our File: C1W7-25

The notes of the Public Meeting held on Wednesday, July 25, 1984, with respect to the above noted application are attached for the information of Planning Committee.

Two members of the public appeared at the meeting, but no letters of objection or comments were received concerning the proposal.

The owner of the property to the immediate south appeared at the meeting and indicated his satisfaction when advised that a solid screen wood fence would be erected. The owner of the four-plex situated to the west of the subject property appeared and expressed concerns about the lack of property maintenance and the inadequacy of a wood fence in screening the proposed commercial uses from his residential property. Staff are of the opinion that the combination of a solid screen wood fence 1.8 metres in height and the 2 metre landscaped strip would sufficiently screen the subject property and that the masonry wall requested by the abutting property owner is not necessary in this situation.

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It is therefore recommended that Planning Committee recommend to City Council that:

- 1) The notes of the Public Meeting be received;
- 2) The application to amend the Official Plan and Zoning By-law be approved subject to the conditions approved by City Council at its meeting held on June 25, 1984, and
- 3) Staff be directed to prepare the appropriate development agreement and amendments to the Official Plan and Zoning By-law.

AGREED

  
F. R. Dalzell,  
Commissioner of Planning  
and Development

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

LWHL/JMR/ec  
attachment

PUBLIC MEETING

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A Special Meeting of Planning Committee was held on Wednesday, July 25th, 1984, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:31 p.m., with respect to an application by PRO-URBAN DEVELOPMENTS LIMITED (File: C1W7.25 - Ward 5) to amend both the Official Plan and Zoning By-law to permit the use of the subject property for the purposes of general offices (not including medical or real estate offices) and personal service shops.

Members Present: Councillor E. Mitchell - Chairman  
 Alderman H. Chadwick  
 Alderman F. Kee  
 Councillor F. Russell  
 Alderman E. Carter  
 Councillor N. Porteous

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

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Approximately 2 interested members of the public were present.

The Chairman enquired if notices to the property owners within 120 metres of the subject site were sent and whether notification of the public meeting was placed in the local newspapers.

Mr. Dalzell replied in the affirmative.

Mrs. Robinson outlined the proposal and explained the intent of the application. After the conclusion of the presentation, the Chairman invited questions and comments from members of the public.

Mr. I. Babytsch, 297 Main Street North, had fencing concerns which were responded to satisfactorily by Mrs. Robinson.

- cont'd. -

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Mr. J. Muhbic, 56 and 58 Isabella Street, voiced concern about cedar fencing and maintenance. He requested that the fence be brick (block) for durability and easy maintenance.

There were no further questions or comments and the meeting adjourned at 8:38 p.m.



R 812639  
R 812640

Ontario Municipal Board

IN THE MATTER OF Section 35 of  
The Planning Act (R.S.O. 1970,  
c. 349),

- and -

IN THE MATTER OF an application  
by the Corporation of the City  
of Brampton for approval of its  
Restricted Area By-law 283-80  
repealed and replaced by By-law  
166-83

- and -

IN THE MATTER OF an application  
by the Corporation of the City of  
Brampton for approval of its  
Restricted Area By-law 284-80

**B E F O R E :**

|                             |             |   |
|-----------------------------|-------------|---|
| T.F. BAINES, Q.C.<br>Member | }<br>}<br>} | Monday, the 1st day<br>of October, 1984 |
|-----------------------------|-------------|---|

THE COUNCIL of the applicant corporation having on the  
13th day of August, 1984 passed By-laws 195-84 and 205-84  
such by-laws repeal By-laws 283-80, 284-80 and 166-83 and  
having caused certified copies thereof to be filed;

THE BOARD ORDERS that By-laws 195-84 and 205-84 are hereby  
approved.

SECRETARY

R81-7  
58