



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 11-80

To adopt Amendment Number 41 to the Consolidated Official Plan of the City of Brampton Planning Area

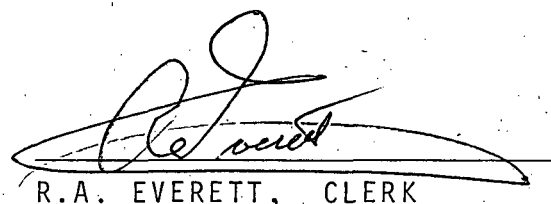
The Council of the Corporation of the City of Brampton, in accordance with the provisions of The Regional Municipality of Peel Act, 1973 and The Planning Act, hereby ENACTS as follows:

1. Amendment Number 41 to the Consolidated Official Plan of the City of Brampton Planning Area, consisting of the text set out in Schedule A of the amendment and the map attached as Schedule B of the amendment, is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number 41 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 14th day of January, 1980.


J.E. ARCHDEKIN, MAYOR


R.A. EVERETT, CLERK

DUPLICATE ORIGINAL

21-OP-0006-41

-3

AMENDMENT NUMBER 41
TO THE
CONSOLIDATED OFFICIAL PLAN
FOR THE
CITY OF BRAMPTON PLANNING AREA

MISC. PLAN NO. 569

LODGED IN THE REGISTRY OFFICE
FOR THE COUNTY OF PEEL

1980 APR 1 P.M. 4:18

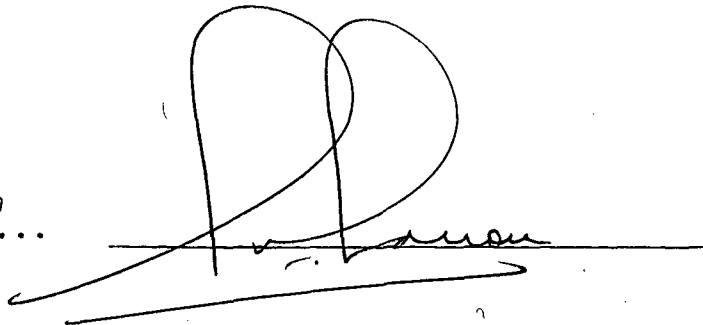
Katherine Bangs D.L.
REGISTRAR OF DEEDS, COUNTY OF PEEL

1980 APR 1 PM 4 18

Amendment No. 41
to the
Official Plan for the
City of Brampton Planning Area

This amendment 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, under the provisions of section 17 of
The Planning Act, as Amendment No. 41 to the Official
Plan for the City of Brampton Planning Area.

Date ... Feb. 27 / 80



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



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 11-80

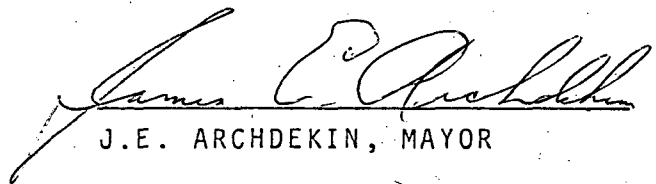
To adopt Amendment Number 41 to the Consolidated Official Plan of the City of Brampton Planning Area

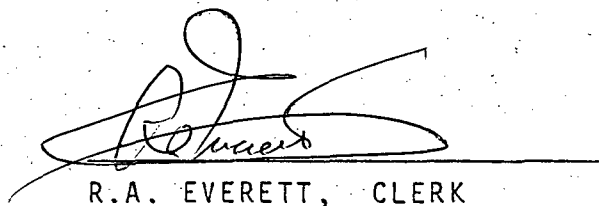
The Council of the Corporation of the City of Brampton, in accordance with the provisions of The Regional Municipality of Peel Act, 1973 and The Planning Act, hereby ENACTS as follows:

1. Amendment Number 41 to the Consolidated Official Plan of the City of Brampton Planning Area, consisting of the text set out in Schedule A of the amendment and the map attached as Schedule B of the amendment, is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number 41 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 14th day of January, 1980.


J.E. ARCHDEKIN, MAYOR


R.A. EVERETT, CLERK

AMENDMENT NUMBER 41

to the Consolidated Official Plan of
the City of Brampton Planning Area
(consisting of the text set out in Schedule
A and the map set out in Schedule B).

1. The purpose of this amendment is to redesignate certain lands as shown on Schedule B to this amendment within the City of Brampton Planning Area from Industrial Use Area to Special Commercial-Industrial Use Area and to establish the appropriate development principles and the range of commercial uses which are to be permitted
2. (a) Plate Number 1 of the Consolidated Official Plan of the City of Brampton Planning area is hereby amended by changing the chapter reference of the lands subject to the amendment, as shown on Schedule B of this amendment, from Chapter A21 to Chapter A22.
- (b) Plate Number 2 of the Consolidated Official Plan of the City of Brampton Planning Area is hereby amended by changing the designation of the lands subject to the amendment, as shown on Schedule B of this amendment, from Industrial Use Area to Special Commercial-Industrial Use Area.
3. The Consolidated Official Plan of the City of Brampton Planning Area is hereby further amended by adding thereto, as Chapter A22, the text set out below:

"CHAPTER A22

1.0 Purpose

The purpose of this chapter is to permit certain lands designated as Special Commercial-Industrial Use Area to be used for specific commercial purposes in addition to the purposes permitted in the Industrial Use Area as set out in Chapter A21.

2.0 Location

The lands affected comprise Lots 1 and 2 of Registered Plan M-94, an area of land being part of Lot 15, Concession 5, East of Hurontario Street, formerly in the Town of Mississauga, now within the City of Brampton.

The parcel encompasses an area of 1.49 hectares with frontage along Steeles Avenue of 122 metres and a frontage along Melanie Drive of 122 metres.

3.0 Definition

Special Commercial - Industrial Use Area means lands which are intended to serve specific commercial purposes in addition to purposes permitted in the Industrial Use Area designation outlined in Chapter A21. The specific commercial uses permitted for such lands are retail warehouses for home furnishings and home improvement products such as furniture, appliances, electrical fixtures, carpets and floor coverings, plumbing fixtures and other similar products plumbing fixtures and other similar products, of which at least 80% are new, and a retail warehouse for industrial clothing.

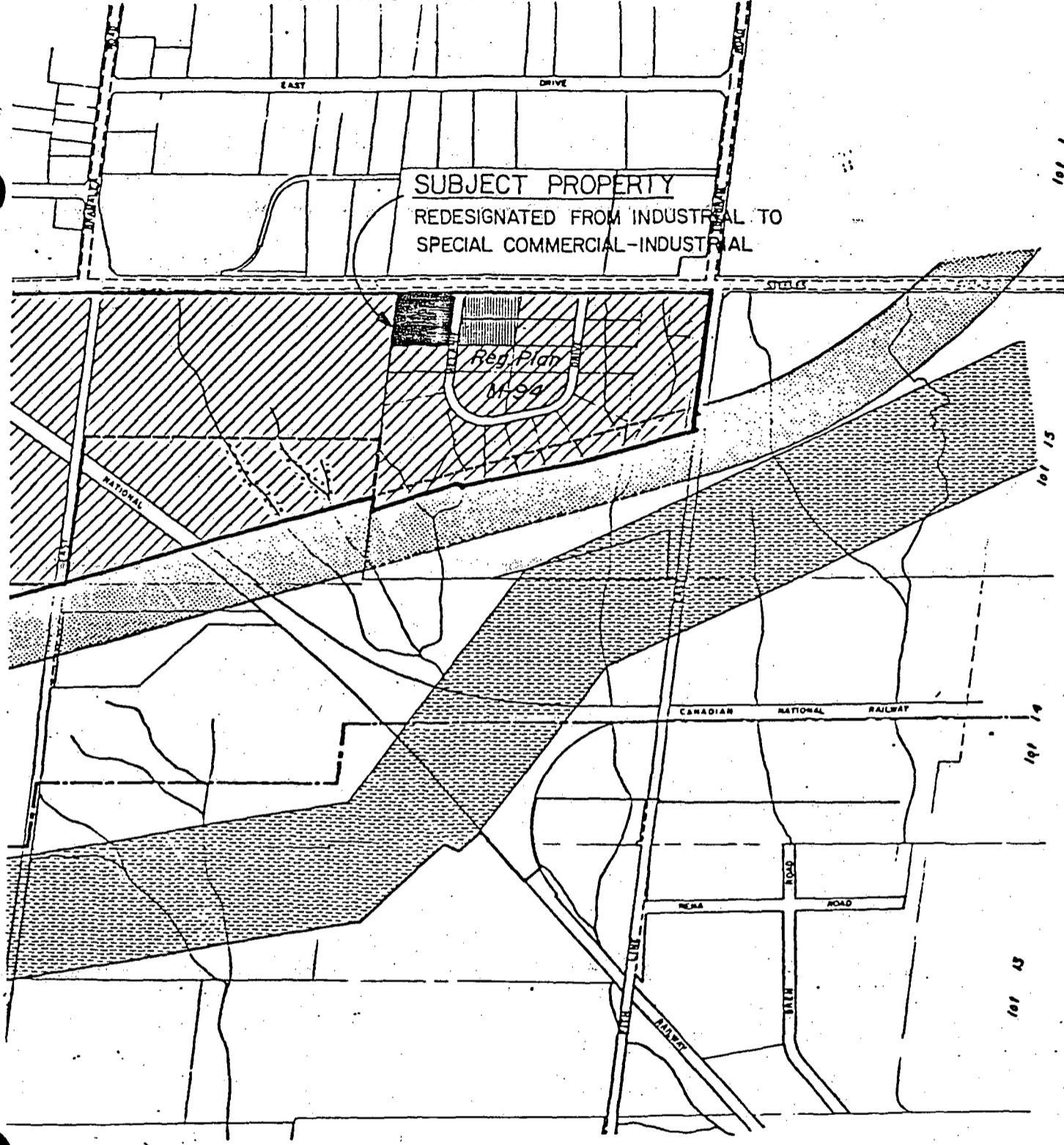
4.0 Development Principles

The Special Commercial - Industrial Use Area shall be subject to the same Development Principles outlined for the Commercial Use Area in Chapter A21 with the exception of Section 3.5.

5.0 Implementation

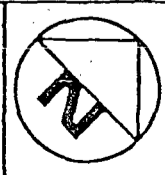
- 5.1 This chapter will be implemented by an appropriate amendment to the Restricted Area By-law in such form which will impose the appropriate zone classification and regulations in conformity with the development principles outlined in Section 4.0.
- 5.2 The Corporation of the City of Brampton may require the owners of the lands to enter into one or more agreements incorporating various aspects of site and building design not implemented by the zoning by-law."

Concession 5 E.H.S.



Area of Amendment	Commercial
City Limits	Open Space - Flood and Hazard Land
Parkway Belt Regulation Area	Institutional
Industrial	Proposed Highway
Highway Commercial	Hydro Corridor

O.P. AMENDMENT No. 41
 Schedule B



113200

CITY OF BRAMPTON
 Planning and Development

Date: 79 09 20 Drawn by: CK
 File no. T5E15.10 Map no. 80-80

Attached are copies of report of the Planning Director dated June 28th, 1979 and a copy of the notes of a special meeting of the Planning Committee held on July 23rd, 1979 subsequent to the publication of notices in the local newspapers and mailing of notices to the assessed owners of properties within 400 feet of the subject site.

1979 07 26

To: Chairman and Members of Planning Committee

From: Commissioner of Planning and Development

Re: Application to Amend the Official Plan
and Restricted Area By-law
Part Lot 15, Concession 5, E.H.S.
Lots 1 and 2, Registered Plan H-94
CANDEATH HOLDINGS LIMITED
Our File: AT5E15.10

Attached are brief notes of a public meeting held on July 23,rd, 1979, for the above noted application, for "select industrial-commercial" uses. Also attached, is a letter from the owner of the industrial lot immediately adjacent and to the south of the subject property.

In a report dated June 28th, 1979, staff recommended that the request for retail warehouses for home furnishings and home improvement products and retail sales floor space, incidental to permitted industrial uses, be endorsed. Planning Committee indicated its support of a retail warehouse for Workmen's clothing.

The original report noted that the question of the mix of retail, automobile related and industrial uses in industrial malls, and particularly an indoor used car showroom use, would be studied further. The study of automobile related and retail uses in the industrial area is still in progress. However, at this time, staff are prepared to comment on an indoor used car showroom, as a use within an industrial mall. The applicant wishes to enable a prospective tenant to operate a motor vehicle repair shop and associated with this use a used car showroom and sales outlet. Staff feel an automobile sales outlet should not

- Cont'd. -

be permitted within an industrial mall building. An operation of the nature desired would store wrecked cars waiting to be repaired and store the vehicles which are to be sold. Although the applicant has indicated that vehicles would be stored inside, it would seem to be inconceivable that there would not be outside storage of vehicles. The tendency is to store such vehicles outside. Within industrial malls, such outside storage would utilize parking spaces intended to be used by other tenants and customers of the building. In addition, the tendency with car sales outlets is that they provide as many vehicles for sale as may be stored on the property. In view of these tendencies, such a use should be located on its own parcel of land so that no other tenants or customers of a multi-use industrial mall building will be inconvenienced by the automobile sales outlet use.

The only other concern of staff with regard to this application is the adequacy of the landscaping on the property. This matter should be dealt with in a Development Agreement.

It is recommended that Planning Committee advise staff what uses it wishes to permit on the subject property, in order that staff may prepare a Development Agreement and the appropriate amendments to the Official Plan and Restricted Area By-law.

F. R. Dalzell
Commissioner of Planning
and Development

FRD
FRD/GB/ec
attached

PUBLIC MEETING

A Special Meeting of Planning Committee was held on MONDAY, JULY 23, 1979, in the Council Chambers, 24 Queen Street East, Brampton, Ontario, commencing at 7:30 p.m. with respect to an application by Canreath Holdings Limited to amend the Official Plan and Restricted Area (Zoning) By-law to allow certain "select industrial commercial" uses on the property.

Members Present: Councillor D. Sutter - Chairman
Mayor Archdekin
Councillor E. Mitchell
Councillor P. Robertson
Councillor T. Miller
Alderman N. Porteous
Alderman B. Crowley
Alderman F. Andrews
Alderman H. Chadwick
Alderman F. Russell
Alderman F. Kee
Alderman K. Coutlee
Alderman B. Brown
Alderman E. Coates

Planning Staff
Present:

F. R. Dalzell - Commissioner of Planning and
Development
L.W.H. Laine - Director, Planning and Development
Services
Greg Brown - Development Planner
J. Singh - Development Planner
E. Coulson - Secretary

There were two members of the public present.

The Chairman enquired if all the notices to the property owners within 400 feet of the site were sent and whether the notification was placed in the local newspapers. Mr. Dalzell replied in the affirmative.

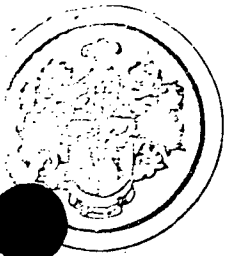
Mr. Brown outlined the proposal and explained the intent of the application. After the close of the presentation, the Chairman invited questions and comments from the members of the public in attendance.

Mr. W. Schneller, owner of an industrial building located at 8 Melanie Drive, remarked that he could not sell his building, which is next to the subject property due to the auto wrecks on the subject property and the fact that cars and wrecks were often parked on his property. He objected to auto repair, auto sales and auto body shops in the industrial mall.

Mr. Andrew Orr, Solicitor for Canreath Holdings limited, noted that the present zoning is industrial and permits automobile and body shops. He indicated that the application was for commercial purposes with which Mr. Schneller did not seem to object.

There were no further questions or comments and the public was advised that objections could be sent to the Planning Department.

The meeting was adjourned at 7:45 p.m.



W.J. SCHNELLER ENTERPRISES LIMITED

16 A GREENFIELD AVE. · WILLOWDALE · ONTARIO M2N 3C8 · 222-5407

City of Brampton
PLANNING DEPT.
Date JUL 18 1979 Rec'd
File No. T5E 15.10

July 13, 1979

The Corporation of the
City of Brampton,
Office of the Planning Director.

Dear Sir/Madam:

In reference to the application of rezoning of lots #1 and #2, registered plan M-94, Melanie Drive, Brampton (your file No. T5E 15.10).

We are the owners of lot #3, registered plan M-94, Melanie Drive, Brampton, and we wish to object to any rezoning which would permit motor vehicle repair and sale in a multiple industrial building.

We would also request that the existing zoning By-laws be changed to forbid the repairs and sales of motor vehicles in an industrial mall or multiple industrial building or to enforce the the existing By-law requiring repair shops to only park the wrecker cars inside the respective buildings, not in the employee parking lots.

As I mentioned earlier, we are the owners of lot #3, on which we have built a 37,000 sq. ft. building which we have not been able to lease or sell for the past 3 years. Our building just stands vacant while we pay high civic taxes.

Normally a building of this type is renting from \$1.85 to \$1.95 per sq. ft., we have not been able to attract a tenant at a rental price of \$1.70 per sq. ft.. The main reason why our property is not rentable or sellable is the present tenants in the buildings to the north and south of us. More specifically the many auto repair shops. These shops are allowing wrecked cars to be left in their parking lots creating a unsightly mess. This area's begining to take on the form of a junk yard. As this land has been designated as employee parking under the zoning By-laws, I am hoping something can be done to clean up this mess as on more than one occasion perspective deals have fallen through due to our neighbors mess.

*Copy to C.C. L. K...
79-7-18*

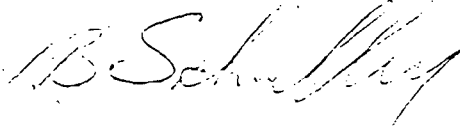
At the time we constructed our building, we did not realize that car repair shops would be permitted in our industrial mall. As they are not permitted in industrial malls in Etobicoke or in any other part of Metro Toronto.

It is on these grounds that we are strongly objecting to any rezoning permitting the sales, service, and repair of motor or recreational vehicles in this area. If you wish to verify the truth of my statements, please visit our area, I'm sure you will agree.

We will also be present at the public meeting on July 23, 1979 to voice our objections to the rezoning.

Yours truly,

W.J. SCHNELLER ENTERPRISES LIMITED



W.B. Schneller, Vice-President

WBS/rg

INTER - OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

1979 06 28

TO: The Chairman of the Development Team
FROM: The Director of Planning and Development Services

RE: Amendment to the Official Plan and the
Restricted Area (Zoning) By-law
Part Lot 15, Concession 5, E.H.S.
Lots 1 and 2, Registered Plan M-94.
CANREATH HOLDINGS LIMITED
Our File: T5E15.10

1.0 Introduction

An application has been submitted to amend the Official Plan and Restricted Area By-law to permit additional uses within existing industrial mall buildings.

2.0 Property Description

The property has a frontage along Steeles Avenue of 122 metres (400 feet) and a frontage along Melanie Drive of 122 metres (400 feet). The area of the property is 1.49 hectares (3.64 acres). The rentable building area of the three existing industrial buildings is 5,709 square metres (61,454 square feet). There is provision for 183 parking spaces on the property. The frontage along Steeles Avenue and Melanie Drive is landscaped.

At present the buildings are partially occupied. The present occupants are; Bramalea Auto Electric, Kyalami Auto Limited, Tidy Car, 4 Wheel Drive Offroad Centre, Porsche Auto Repairs, Marcon, Taylor Auto Lease Limited, Stephenson's Rent-All Limited and La Conca Foods (restaurant).

.....2/

3.0 Official Plan and Zoning Status

The draft Official Plan and the Consolidated Official Plan both designate the property Industrial.

By-law 5500 zones approximately 75 percent of the property M1 and the remaining 25 percent M2.

4.0 Proposal

The applicant is seeking certain "select industrial commercial" uses for his property. The requirement for an amendment to the Official Plan as well as an amendment to the Restricted Area (Zoning) By-law has been indicated after the desired use as OPA. The requirement for an amendment to the Restricted Area (Zoning) By-law has been indicated as ZBA. The following uses are requested:

- (a) retail warehouse including carpet, drapery, home furnishings and appliance outlets (OPA);
- (b) retail sales by distributors but not limited to distributors of electrical parts or supplies (ZBA);
- (c) retail service shop for such articles as appliances, electric motors, motor vehicles and recreational vehicles. The intent being that tenants would not only be permitted to repair and service such vehicles but would also be permitted to sell accessory products related to items being serviced (ZBA);
- (d) retail warehouse for "a workmen's clothing merchandizer". The applicant wishes to permit a workmen's clothing retail outlet which will occupy approximately 650 square metres (7,000 square feet) of floor area (OPA);
- (e) an indoor used car showroom. The applicant has been approached by a prospective tenant who would be involved in the repair of damaged late

model cars. The cars would be refinished on the site and the finished products would be available for sale to the public. The tenant is considering about 465 square metres (5,000 square feet) of floor space (OPA).

5.0 Comments

Staff have several concerns with regard to this application. The concerns are as follows;

- (a) the appropriateness of some of the proposed uses within an industrial zone;
- (b) the appropriateness of some of the proposed uses when combined with other uses within an industrial mall building;
- (c) the adequacy of the on-site parking in relation to the proposed uses and the present permitted uses including the existing occupants of the buildings; and
- (d) the adequacy of the landscaping that is being provided by the applicant.

In order to deal with these major concerns, each of the proposed uses or groups of uses shall be discussed in relation to the above referenced concerns.

(1) Retail Warehouse for home furnishings and home improvement products

In order to be consistent with a decision made for the old Town of Brampton to include a retail warehouse for home furnishings and home improvement products as a permitted use in industrial zones, staff have no objection to a retail warehouse as defined in By-law 25-79 being permitted on the subject property.

In By-law 25-79, a retail warehouse is defined as "a building or part thereof where home furnishings and home improvement products such as furniture, appliances, electrical fixtures, carpets and floor coverings, plumbing fixtures and other similar products, of which at least 80% are new, are stored or kept for sale".

(2) Retail warehouse for workmen's clothing merchandizer

In addition to the uses permitted according to the above definition of a retail warehouse, the applicant also wishes to enable a "workmen's clothing merchandizer". The applicant contends that since his prospective tenant intends to retail "industrial type clothing" to the industrial workers, he feels that it is reasonable to locate the retail establishment within an industrial area.

If the City is willing to accept the argument of the convenience of a retail use to industrial workers, what is to prevent other landowners of industrial land from using the same argument in support of developing a wide range of commercial uses in the industrial areas? If a "workmen's clothing warehouse" (clothing store) is permitted in an industrial area, what argument could the City use to justify denying the establishment of a food store, a drug store, a book store or any other retail use which wishes to service the needs of the industrial workers. Although industrial workers would certainly patronize a retail outlet of this nature, such a use would inevitably carry a wide line of clothing that would be attractive to a broad cross section of consumers.

It seems obvious that industrial clothing such as work boots, parkas and heavy work pants, etc., are also used by office workers in their recreation time. Since a retail store of the kind proposed would have such a wide range of appeal, it cannot be considered to be strictly of appeal only to industrial workers. In addition, since there are various industrial areas, many of the "industrial" customers would be no more convenient to this location than to several existing or proposed commercial locations.

If the argument that a retail use is to serve industrial workers is a valid reason to permit commercial operations in industrial areas, the whole process of designating commercial sites in the Official Plan is open to question. If large numbers of commercial uses are to be permitted in the industrial areas there are serious implications. Two of the most obvious implications are;

- i) The industrial area may become less attractive to the industrial land user, and
- ii) commercial uses may become scattered throughout the entire City rather than being centralized or grouped in locations convenient to residential areas and major transportation and public transit arteries. The scattering of commercial uses, particularly the "low price" or "discount" commercial centres, often makes these less accessible to those people in the lower income brackets who would benefit most from the lower priced goods. (These uses may be attracted to industrial areas due to lower "industrial floor space" rents than "commercial floor space" rents). Even if an individual has an automobile, considerably more time and fuel will be expended in arriving at commercial locations. At a time when fuel prices are escalating, every effort should be made to concentrate commercial uses in appropriate locations.

In view of the serious implications of permitting a retail warehouse for a workmen's clothing merchandizer, a commercial use, in an industrial area, staff cannot support the application for this use.

(3) Retail Sales in addition to a warehouse or service shop operation.

Staff have no objection to a service shop or a retail outlet operated in conjunction with a permitted industrial use being permitted on the subject property provided that the gross floor area of such use is not more than

10% of the total floor area of the industrial use. It should be noted that in By-law 25-79, a service shop is defined as "a building or place used primarily for the repair, servicing, or incidental sales of articles or materials, but shall not include a place where articles or materials are assembled or manufactured, or where internal combustion engines or motor vehicles are repaired".

(4) Indoor Used Car Showroom

Staff are concerned about the inclusion of an automobile or motor vehicle sales establishment within an industrial mall building. Although the applicant has indicated that there would not be outdoor storage of the vehicles to be sold, staff feel this would be extremely difficult to control. An initial reaction to this proposed use is that motor vehicle sales establishments should exist on their own parcel of land in order that the vehicles stored by a motor vehicle sales establishment do not interfere with the use of parking areas required by other tenants and users of the industrial mall building.

(5) On-site Parking

Due to a lack of detailed standards, staff are not able to determine how many parking spaces are required by body shops, repair garages or the large variety of motor vehicle related operations such as motor vehicle sales establishments. These uses tend to have a high demand for parking spaces for employee and customer vehicles. For these uses, vehicles, including vehicles in a damaged condition, are stored on the property for periods of time of varying length. Staff are concerned about the lack of adequate or detailed standards and intend to conduct a survey of motor vehicle related uses in order to determine the requirements for parking and outside storage space for such uses. After this analysis has been made, the determination of the requirements for on-site parking for uses within industrial malls and on this particular property can be completed.

(6) Landscaping

Another aspect of development within this and other industrial areas relates to landscaping. Staff also intend to consider landscaping requirements within industrial areas during the summer months. After landscaping standards have been determined, staff will be in a position to evaluate the landscaping which the applicant has placed on the property.

6.0 Conclusion

The applicant has expressed an interest in having the application proceed as quickly as possible. Staff are generally in support of the uses applied for with the exception of the "workmen's clothing merchandizer" and the indoor automobile showroom.

Staff are opposed to a "workmen's clothing merchandizer" on the basis that it is an inappropriate land use on this particular property. This use is clearly a retail use which should be located in a commercial area rather than an industrial or even commercial-industrial area.


The basis for opposition to the indoor automobile showroom is the feeling that such a use may result in conflicts with other users of the common parking facilities. It is noted, however, that a detailed evaluation of an indoor automobile showroom use on this particular property cannot be properly made until the parking study and an evaluation of the mix of uses in existing industrial malls has been completed. Therefore staff wish to reserve final judgement on this use on this particular property until after the parking study has been completed.

While these studies are being conducted by staff, it is felt that a public meeting could be held with regard to the uses requested by the applicant with the exception of the "workmen's clothing merchandizer".

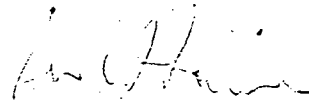
7.0 Recommendation

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

1. Council endorse in principal the application to permit the following additional uses on the property;
 - a) a retail warehouse for home furnishings and home improvement products; and
 - b) retail sales floor space incidental to permitted industrial uses.
2. A public meeting be held in accordance with City Council procedures for the above referenced uses including an indoor automobile showroom.
3. Staff proceed with a study of the parking requirements of motor vehicle related uses such as body shops, repair garages and motor vehicle sales establishments and report back to Planning Committee on this application with particular regard to the indoor automobile showroom use subsequent to:
 - a) the completion of a detailed evaluation of the mix of uses that could be permitted on the subject property in consideration of the existing floor area of the buildings and the number of on-site parking spaces, and
 - b) the public meeting.

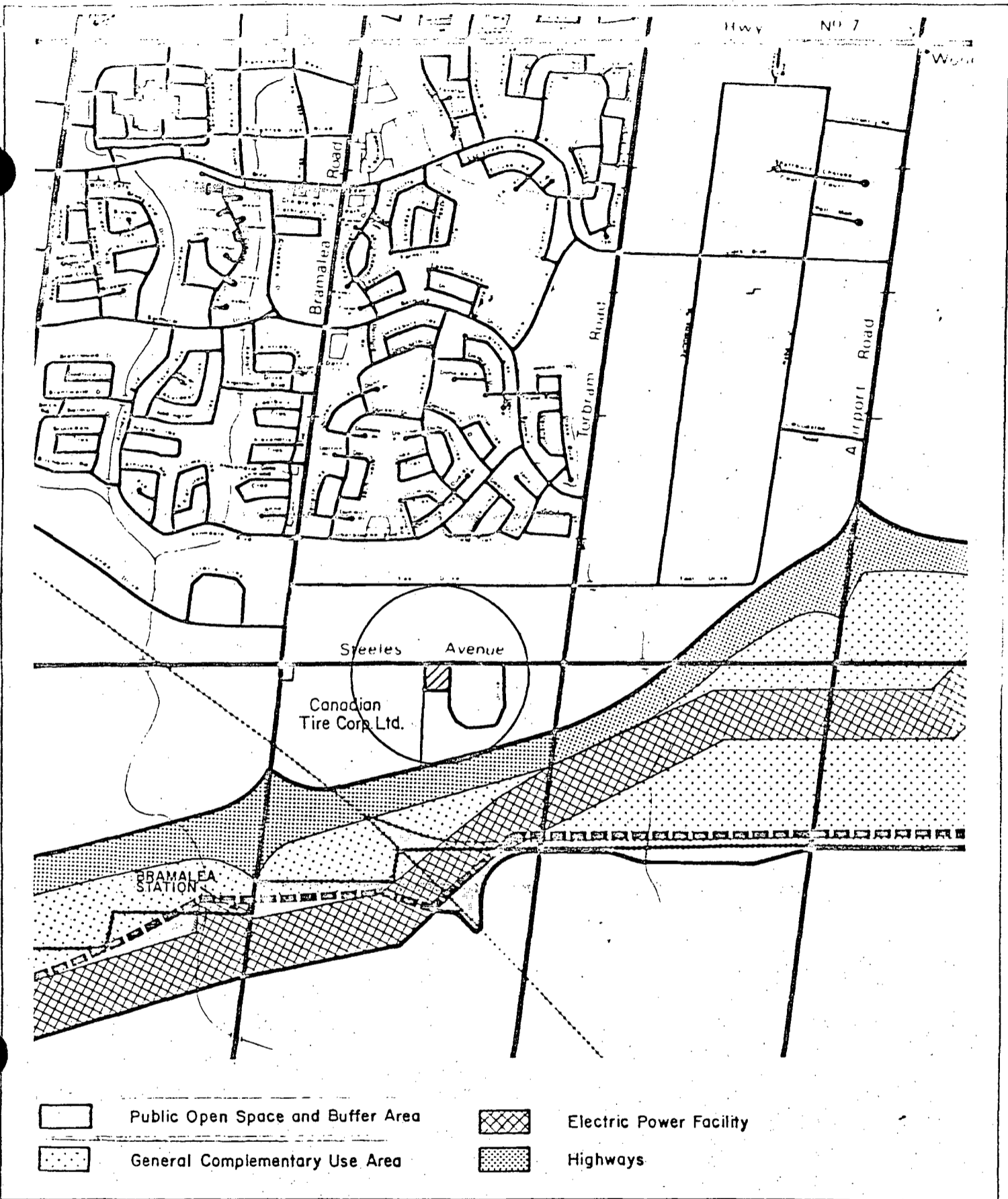


AGREED: F.R. Dalzell
Commissioner, Planning
and Development Department.




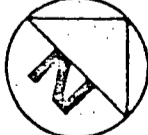
L.W.H. Laine
Director, Planning and
Development Services

GB/af
Encls.



CANREATH HOLDINGS LTD.
Location Map

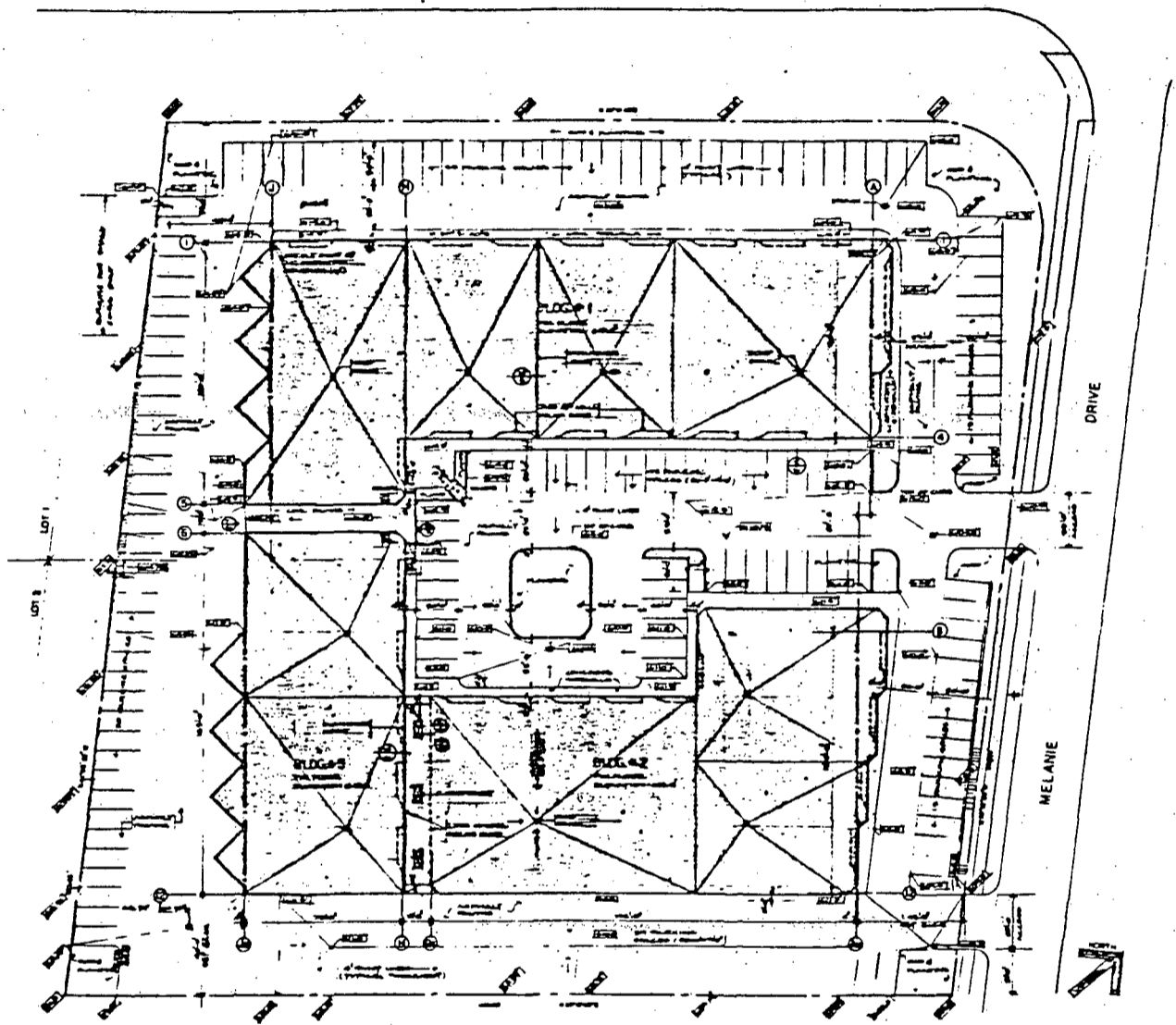
 **SUBJECT PROPERTY**


 1:25000

CITY OF BRAMPTON
 Planning and Development

Date: 1979 06 22 Drawn by: C.R.E.
 File no. T5E15-10 Map no. 80-8A

STEELES AVENUE



GROSS FLOOR AREA:

Building No.1 27,181 s.f.

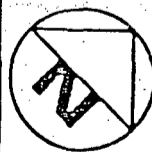
Building No.2 20,536 s.f.

Building No.3 12,510 s.f.

TOTAL 60,227 s.f.

PARKING 183 Spaces

CANREATH HOLDINGS LTD.
Site Plan



1:1000

CITY OF BRAMPTON
Planning and Development

Date: 1979 06 22 Drawn by: C.R.E.

File no. T5E15-10 Map no. 80-8B

PASSED January 14, 1980



BY-LAW

No. 11-80

To adopt Amendment Number 41 to the
Consolidated Official Plan of the City
of Brampton Planning Area.