



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 88-82

To amend By-law 861, of the former Township of Chinguacousy, now in the City of Brampton. (Part of Lot 9, Concession 3, E.H.S.)

The Council of The Corporation of the City of Brampton ENACTS AS FOLLOWS:

1. Schedule A to By-law 861, being the restricted area by-law of the former Township of Chinguacousy, is hereby amended by changing the zoning designation of the lands shown outlined on Schedule A attached to this by-law from AGRICULTURAL CLASS ONE (A1) to COMMERCIAL CLASS ONE-SECTION 324 (C1-SECTION 324).
2. Schedule A to this by-law is hereby attached to By-law 861 as part of Schedule A and forms part of By-law 861.
3. Schedule B to this by-law is hereby attached to By-law 861 as SECTION 324 - SITE PLAN, and forms part of By-law 861.
4. By-law 861 is hereby amended by adding thereto the following section:

"324.1 The lands designated COMMERCIAL CLASS ONE - SECTION 324 (C1-SECTION 324) on Schedule A attached hereto:

324.1.1 shall only be used for the following purposes:
 - (1) one of either a bank, trust or financial institution;
 - (2) business or professional offices other than offices for a physician, dentist, or drugless practitioner or a real estate office;
 - (3) one dry cleaning and laundry distribution station;
 - (4) service shop;
 - (5) personal service shop;
 - (6) one grocery store;
 - (7) one dining room or mixed service restaurant;
 - (8) one photographic supply retail store
 - (9) one drug store
 - (10) purposes accessory to the other permitted purposes.

324.1.2 shall be subject to the following requirements and restrictions:

- (1) all buildings shall be located within an area shown as BUILDING AREA on SECTION 324-SITE PLAN;
- (2) the gross commercial floor area of all buildings shall not exceed 1547.71 square metres;
- (3) landscaped open space shall be provided and maintained in the areas shown as LANDSCAPED OPEN SPACE on SECTION 324-SITE PLAN;
- (4) the gross commercial floor area of a grocery store shall not exceed 659.59 square metres;
- (5) the gross commercial floor area of a dining room or mixed service restaurant, not including the area used for garbage and refuse containers, shall not exceed 343.73 square metres;
- (6) a masonry wall, 2.0 metres in height, shall be erected and maintained in the location shown on SECTION 324-SITE PLAN;
- (7) maximum building height shall not exceed 1 storey;
- (8) garbage and refuse containers for a dining room or mixed service restaurant shall be located within a climate controlled area within the building;
- (9) garbage and refuse containers for all other uses shall be enclosed and kept in the location shown on SECTION 324-SITE PLAN;
- (10) no outside storage or display of goods shall be permitted;
- (11) no entertainment appealing to, or designed to appeal to, erotic or sexual appetites or inclinations shall be permitted in a dining room or mixed service restaurant;
- (12) a minimum of 127 parking spaces shall be provided;
- (13) each parking space shall have unobstructed access to an aisle leading to a driveway or street and shall be either:
 - (a) an angled parking space with a rectangular area measuring not less than 2.75 metres in width and 6 metres in length, or
 - (b) a parallel parking space with a rectangular area measuring not less than 2.75 metres in width and 6.5 metres in length, the long side of which is parallel to an aisle;
- (14) aisles leading to parking spaces and providing unobstructed access from each parking space shall have a minimum width of 6 metres;
- (15) a minimum of 2 loading spaces shall be provided.

324.1.3 shall be subject to those requirements and restrictions relating to the COMMERCIAL CLASS 1 zone which are not in conflict with the ones set out in this section.

324.2 For the purposes of section 324:

DRY CLEANING AND LAUNDRY DISTRIBUTION STATION shall mean a building or place used for the purpose of receiving and distributing articles or goods or fabrics to be dry cleaned, dry-dyed, cleaned or pressed off the premises.

FLOOR AREA, GROSS COMMERCIAL shall mean the aggregate of the areas of each storey, at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment, stairwells, elevators, or any part of the building below established grade use for storage purposes.

GROCERY STORE shall mean a retail establishment engaged in the business of selling groceries, meat, fruit and vegetables to the general public.

LANDSCAPED OPEN SPACE shall mean an unoccupied area of land which is used for the growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation and may include a surfaced walk, patio, parking, fencing and screening, or similar visual amenity, but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall or any covered space beneath or within any building or structure.

RESTAURANT, DINING ROOM shall mean a building or place where food and drink are prepared and offered for sale to the public, to be served by a restaurant employee at the same table where the food and drink are to be consumed, and where drive-in, take-out or packaged fast food services are not available.

RESTAURANT, MIXED SERVICE shall mean a building or place where food and drink are prepared, offered for sale and served to the public, primarily for consumption within the same building or place.

SERVICE SHOP shall mean a building or place used primarily for the repair, servicing, or incidental sales of articles or materials, but shall not include a building or place where articles or materials are assembled or manufactured, or where internal combustion engines or motor vehicles are repaired.

SERVICE SHOP, PERSONAL shall mean an establishment wherein a personal service is provided and, without limiting the generality of the foregoing, includes a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio or similar use.

TAVERN shall mean a building or place having as its primary purpose the sale and consumption of alcoholic beverages."

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

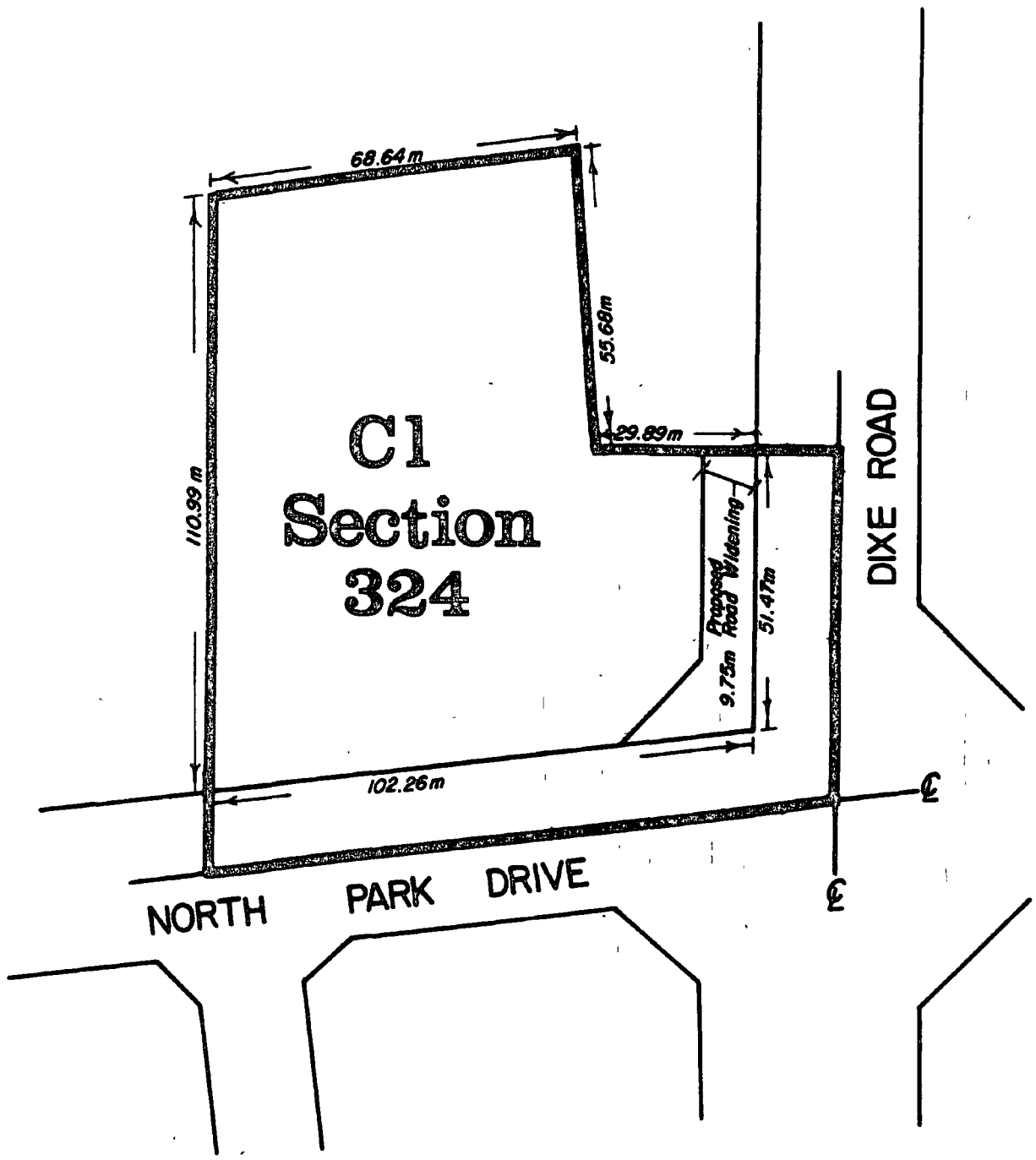
this 10th day of May 1982.


JAMES E. ARCHDEKIN - MAYOR


RALPH A. EVERETT - CLERK

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

DATE 8/4/82



**C1
Section
324**

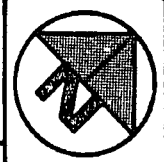
NORTH PARK DRIVE

DIXIE ROAD

--- ZONE BOUNDARY

PART LOT 9, CONCESSION 3 E.H.S.
BY-LAW 861, SCHEDULE A

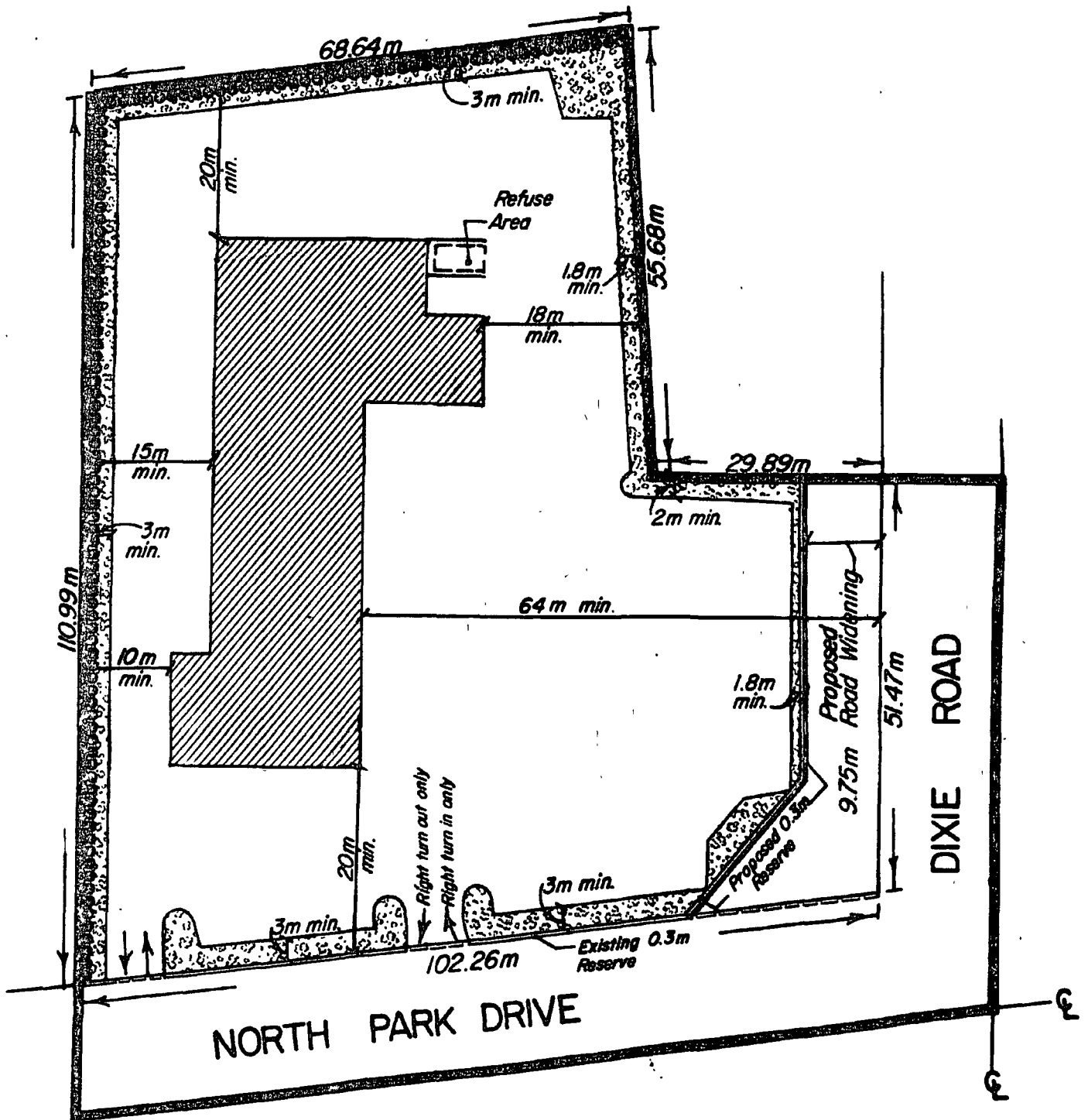
By-law 88-82, Schedule A



1:1200

CITY OF BRAMPTON
Planning and Development

Date: 1981 · 12 · 21 Drawn by: *J.M.S.*
File no. C3E9.1 Map no. 45-13E



-  Building Area
-  Landscaped Open Area
-  Masonry Wall

**SECTION 324 - SITE PLAN
BY-LAW 861**

By-law 88-82, Schedule B



1:750

CITY OF BRAMPTON
Planning and Development

Date: 82-01-04
File no. C3E9.1

Drawn by: J.M.L.
Map no. 45-13F



Ontario
Municipal
Board

416/965-5689

180 Dundas St. West
Toronto, Ontario
M5G 1E5

The Clerk
City of Brampton
150 Central Park Drive
BRAMPTON, Ontario.
L6T 2T9

Quote File Number

R 821100

August 16, 1982

Dear Sir:

Enclosed is documentation as follows:

- Copy of Decision dated
- Duplicate Original of Decision dated
- Board's Order made August 10, 1982
- Appointment For Hearing

Yours truly,

C. Saruyama
Supervisor
Planning Administration

SW:ak
Encl.(s)

RECEIVED
CLERK'S DEPT.

AUG 19 1982

REC NO 8000
FILE NO: CBE9.1



R 821100

Ontario Municipal Board

**IN THE MATTER OF Section 39 of
The Planning Act (R.S.O. 1980,
c. 379),**

- and -

**IN THE MATTER OF an application
by The Corporation of the City
of Brampton for approval of
its Restricted Area By-law 88-82**

B E F O R E :

A.H. ARRELL, Q.C.
Vice-Chairman

- and -

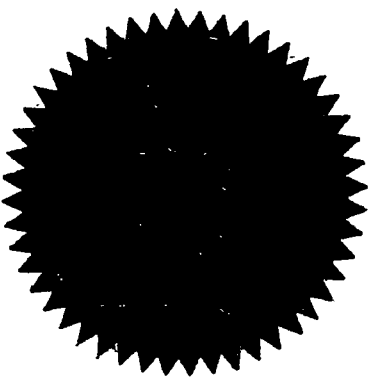
K.D. BINDHARDT
Member

)
)
)
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)

**Tuesday, the 10th day
of August, 1982**

**No objections to approval having been received
as required;**

**THE BOARD ORDERS that By-law 88-82 is
hereby approved.**



SECRETARY

ENTERED
C. D. No. <i>R.82-2</i>
Folio No. <i>342</i>
AUG 16 1982
 m/c
SECRETARY, ONTARIO MUNICIPAL BOARD

INTER-OFFICE MEMORANDUM

*Sent to P.C.
Sept. 10*

Office of the Commissioner of Planning and Development

1981 09 01

TO: The Chairman and Members of Planning Committee
FROM: Planning and Development Department
RE: Application to Amend the Official Plan
and Restricted Area By-law
Part Lot 9, Concession 3, E.H.S.
L. BRUZIO
Our File: C3E9.1

1.0 ORIGIN

On August 10, 1981, Planning Committee considered a staff report respecting the subject application and referred the matter to Staff for re-evaluation in terms of the latest revised site plan proposal, its traffic impact, potential measures to mitigate noise and odour problems for adjacent future residents, and respecting measures to ensure that a convenience commercial use would be established on the subject site within a specified period of time.

This report is in response to Committee's aforementioned concerns.

2.0 REVISED SITE DEVELOPMENT PLAN PROPOSAL

Attachment 2 to this report illustrates the latest revised submission for site development by the applicant. It is proposed as follows:

The irregularly shaped one-storey convenience commercial centre is to locate in the north-westerly portion of the 0.93ha (2.31 acre) subject site. Total building area would be 1,547.71m² (16,660 square feet). The northerly 659.59m² (7,100 sq. ft.) of the building are to be occupied by a retail food market or grocery store. The southerly

343.73m² (3,700 sq. ft.) of the building are to accommodate a sit-down, family-type restaurant. The remaining floor area of the building (i.e. total of 552.4m² or 6,000 sq. ft.) is proposed for uses such as a service shop; personal service shop; bank, trust company or finance company; an office; and/or a dry cleaning and laundry distribution station.

A total of 125 parking spaces are to be provided and predominantly to be located in the south-westerly portion of the site. Three loading areas are provided, one to the west and two to the north of the building. A garbage/refuse storage area has been located at the north-west corner of the building. A parcel pick-up area for two cars is located to the north of the proposed retail food market.

Two points of access are shown from North Park Drive, both being of a 7.6m (25 ft.) width. The easterly access is 53.6m (176 ft.) removed from Dixie Road intersection, whereas the westerly access is 93.2m (306 ft.) from that intersection. The distance between driveways is 32m (105 ft.). The easternmost access is to be restricted to right turns in and out only, and the existing traffic island on North Park Drive is to be extended to provide for left turning lane for 9 cars at the Dixie Road-North Park intersection.

The westerly entrance has unrestricted turning movements and is located such that its westerly boundary is almost directly across from the centre line of the street intersecting with North Park Drive to the south.

A landscape buffer between street and parking areas is to be provided along the North Park Drive and Dixie Road frontage. Sidewalks are to be installed along North Park Drive.

A masonry wall, eight feet in height and of a design and building material satisfactory to the City is to be erected along the westerly and northerly boundaries where the site abuts single family

residential lots (Bramalea Limited - Residential 9). Where the property abuts the existing cemetery in the north-east, a 4 foot high black vinyl chain link fence is to be erected to protect that cemetery from any debris originating from the subject parcel.

3.0 DISCUSSION:

3.1 Traffic Circulation

The traffic movements to and from as well as on the site itself, are constrained by such factors as the proposed location and orientation of the building; the proximity of the North Park Drive and Dixie Road intersection; the need for an extended traffic island and left turn storage lane on North Park Drive; the location of a street intersection across from the westerly lot boundary on the south side of North Park Drive, plus the need to co-ordinate access points on the subject site with those required for the commercial one acre parcel to the south. Also, no direct access will be permitted by the Region onto Dixie Road for the subject parcel.

The applicant's revised proposal attempts to accommodate such on-site traffic engineering concerns as improved access to loading spaces on the site and to the parcel pick-up area for the retail food market.

Provision has been made for a 32 foot widening on Dixie Road requested by the Region and a 50 foot daylight site triangle.

The easterly driveway has been restricted to right turning movements only to reduce its traffic impact on North Park Drive and on the turning movements from Dixie Road. Also, that driveway has been located such as to maximize the "throat area" inside the driveway to minimize congestion on North Park Drive due to internal turning movements at nearby parking aisles.

The second (westerly most) access point is located such as to align, to the greatest degree possible, with the street intersection to the south. Perfect alignment has, however, not been achieved due to the westerly limits of the subject parcel not extending far enough to the

west. The westerly access point leads directly to the rear of the building where eleven parking spaces and one loading dock are located. However, it is also possible to reach the front parking areas via this access by turning right immediately upon entering the site and passing the 8-car parking area opposite the restaurant.

The spacing between driveways (i.e. 32m or 105 feet) has in this case been regarded as sufficient from a traffic engineering point of view.

Ideally, the distance of any driveway from a major intersection such as Dixie Road and North Park Drive is 75 metres (246 feet) in order to ensure safe and unobstructed traffic movement. For that reason one access to the site as far west as possible would have been most desirable. Given the proposed location of the building with orientation toward the North Park/Dixie intersection, one such access would however not be as desirable as the proposed two driveways since it would be difficult to provide for an unobstructed "driveway throat area" leading toward the parking areas and to avoid back-ups on the major road due to internal traffic circulation or movement. The proposed two driveways therefore constitute a compromise accommodating to a maximum degree both traffic safety and site design considerations.

It is noted however, that highly visible signs may be required especially for the easterly driveway indicating to customers that this access is limited to right turns in and out and that only the second westerly access is unrestricted in terms of turning movements.

The proposal would not have any significant impact on the desirable access points for the one acre site to the south across North Park Drive. It is anticipated that one right-in and-out access each from North Park Drive and from Dixie Road may be permitted in the case where this site will be used for a gasoline service station. As well, an unrestricted point of access is likely to be located on the

roadway intersecting with North Park Drive immediately to the west (see attachment 2 for anticipated location of access points).

3.2 Impact on Adjacent Uses

To avoid littering of the adjacent cemetery, a 4 foot high chain-link fence along the adjacent lot lines should be effective. To mitigate the impact on the adjacent residences, an eight foot high masonry wall along the abutting boundary of the subject site has been suggested.

Sources of noise from the commercial use to nearby residences may be general traffic noise and fumes from the subject site as well as noise from delivery trucks having to move during early or late hours on and off the site and having to unload in areas within a distance of approximately 30 to 40 feet from the rear yards of residential lots to the west.

It is noted that a total of 32 parking spaces are either abutting the residential lot lines or are within 30 feet from such lot lines.

Further, the garbage/refuse area is located within about 40 feet from the residential lots. Depending on wind direction and time of the year (summer season meaning increased speed of decay of fresh food wastes), odour problems may arise. It appears however, that special garbage treatment and storage facilities can be designed to minimize such problems.

Finally, the proposed restaurant operation (approximately 35 feet from residential rear yards) may pose odour problems as well as be a source of noise in the late evening, depending on hours of operation. Noise from restaurant patrons may be difficult to control. However, odour problems from restaurant refuse may be minimized by installing an internal garbage room kept at constant cool temperatures. Odours from kitchen operations may be mitigated by installation of ventilation systems exhausting odours in a less

obnoxious manner.

As per the attached memorandum from the Commissioner of Building and By-law Enforcement (attachment 5), it is apparent that the City has experienced problems in the past respecting both refuse areas and restaurants near-by residential areas.

The erection of an 8 foot high masonry wall of City specified design and building materials may be expected to be fully effective only to mitigate the visual impact on adjacent residents. Due to the lack of precise data, it is however not possible to predict how effective such wall may be as protection against noise. With respect to any odours from the garbage container area and the restaurant operation, it may be expected that a masonry wall will not be a fully effective abatement measure. Increased distance from the odour source may be the only completely effective measure in this instance. However, considering the irregular lot configuration, plus the desired building area for the commercial use plus the need for orientation and exposure to Dixie Road and North Park Drive, it appears that locating the commercial building farther away from the residential lot lines cannot be achieved.

3.3 Need for Commercial Development

3.3.1 Competitive Influences

As noted in Staff's previous report on this matter, there have already been designated four commercial sites within close proximity of the subject lands (see attachment 3) which may put into question the long-term viability of the proposed additional commercial centre.

It is noted that when the appropriate location for a convenience commercial site for Bramalea-Residential 9 (bounded by Bovaird-Dixie-Williams Parkway-Heart Lake) was considered in 1979, a six acre site at Nuffield Street and North Park Drive was seen as most appropriate as the focus for that neighbourhood and least interfering with the then not yet established centre at MacKay and North Park Drive.

Bramalea Limited now has advised Staff of its concern respecting the impact of the subject proposal on the planned 6-acre neighbourhood commercial centre at Nuffield Street and North Park Drive approximately half a mile west of the subject parcel. More particularly, Bramalea has advised that it prefers residential low density development on the subject site and that it is of the opinion that the proposed facility of a 16,800 square foot gross commercial floor area may duplicate the facilities contemplated for the 6-acre site on Nuffield Street (which facility is not to exceed a floor area of about 50,000 square feet and may include a small supermarket). Bramalea Limited is of the opinion that only one such commercial centre can be supported by Residential Neighbourhood 9, being either the proposed site or the already designated commercial parcel at Nuffield Street. Further, Bramalea Limited raised concerns that the proposal will have a locational advantage over both the existing MacKay Plaza and the planned commercial centre at Nuffield Street due to the high visibility from Dixie Road and North Park Drive. This may reduce the viability of the two larger "internal" shopping facilities to the east and west.

Staff has examined this matter with the following results:

Assuming that the trade area for the subject site were to include Bramalea Residential 9 and 10 (bounded by Bovaird Drive, Heart Lake Road, Williams Parkway, Bramalea Road) with a total ultimate population of about 22,500 people (Residential 9 having about 8,000 people; Residential 10 about 14,500 people), a total convenience commercial space of approximately 11,998m² (129,150 sq. ft.) may at maximum be required to serve that population (based on figures provided in attachment 4). Considering the convenience commercial component (i.e. excluding the super market) of the existing MacKay Plaza of 1381.87m² (14,874.81ft²) and the expected convenience commercial component of the Nuffield Street plaza of approximately equal gross floor area, plus a potential 25% coverage for the 1-acre site at the south-west corner of Dixie and North Park Drive, a

maximum total of about 8,222.58m² (88,510.01 sq. ft.) of convenience commercial floor space could still be supported in this area. The subject proposal is only for a gross floor area of 1560m² (16,800 sq. ft.).

In other words, the commercial use of the subject site could be justified in terms of the total gross commercial floor area which could potentially be supported by the ultimate maximum total anticipated population of Residential 9 and 10.

This, however, may hold true only in the case where competitive influences particularly duplication of services and locational advantages are not a significant factor.

Respecting the competitive influence due to duplication of services, it may be said that the proposed food market will be of the "grocery store" (small scale) variety rather than the existing larger scale supermarket at MacKay and the planned supermarket for the Nuffield Street centre. It is also noted that there is no family restaurant presently existing in the MacKay Plaza. Thus the proposed main uses on the subject site do not appear to constitute a duplication of existing or proposed uses in the vicinity.

Respecting locational advantage, it was pointed out earlier that due to its location at a major intersection, the subject proposal has an advantage over the "internally" located shopping facilities at Nuffield Street and at MacKay. Thus, the subject site may capture some of the market which would otherwise gravitate to the larger centres nearby.

3.3.2 Phasing of Commercial Development

The City's conditions for draft approval of the Bramalea Residential 9 plan require among others, that the commercial units on the 6 acre Nuffield Street site be built after the first 1,000 building permits have been issued. To date, a total of no more than 303 building permits have been issued for that neighbourhood.

It may therefore be expected that the building of commercial units at Nuffield Street may not proceed prior to 1982.

However, if justification for the subject proposal were to be based on the apparent immediate need for added commercial facilities in this general area, one would have to consider the fact that due to the time involved in Official Plan and Zoning Amendment approvals and the execution of the site development agreement, the subject proposal may also not reach the point of construction prior to construction on the Nuffield site.

Finally, it may be difficult to ensure other than by way of development agreement that a commercial use will establish itself on the subject site within a given period of time, e.g. 3 years from enactment of the amending by-law.

Council could rescind the amending by-law permitting the commercial use after such three year period if no construction has occurred on the site. This, however, would result in the following: a further By-law amendment would be required to identify alternative permitted land uses. These uses may not conform with the Official Plan designation for a convenience commercial centre - thus an Official Plan Amendment would have to be adopted at that time as well. Both these documents may be appealed to the Ontario Municipal Board by the applicant or future owner of the subject site. In any event, such future amendments would once again open up the question of the most appropriate land use for the subject site - a question which ought to have been resolved at the time of initial consideration of the subject application. Accordingly, staff would recommend that the applicant enter into a development agreement respecting a time period for establishment of the convenience commercial use on the site.

4.0 CONCLUSION

Should Council decide that the proposed commercial use merits approval, the following conditions should apply:

- a) the plan attached hereto as attachment 2 be the basis for approval;
- b) that the zoning by-law amendment limit the uses on the site to a total gross commercial floor area of 1560m^2 ($16,800\text{ ft}^2$), permitting a grocery store of a maximum gross floor area of 659.59m^2 ($7,100\text{ sq. ft.}$); a sit-down family-type restaurant of maximum 343.73m^2 ($3,700\text{ sq. ft.}$) gross floor area, plus service shop, personal service shop, bank or trust company, an office other than medical, dental or real estate, a dry cleaning and laundry distribution centre occupying the remaining gross commercial floor area;
- c) that the zoning by-law amendment require that an 8 foot high masonry wall to City specifications be erected and maintained where the subject property abuts a residential use;
- d) that the applicant agree by development agreement to install a 4 foot high black vinyl chain link fence where the subject property abuts a cemetery use;
- e) that the applicant agree by development agreement to install at his expense sidewalks to City specifications along North Park Drive;
- f) the applicant agree by development agreement to extend at his expense to the satisfaction and specifications of the City Public Works Department the traffic island on North Park Drive as illustrated in approximation on attachment 2, extend the left turn storage lane westerly on North Park Drive to provide 25 metres of storage space at the westerly driveway, and further, to carry out the necessary curb alignments.
- g) that a 32 foot widening along Dixie Road and a 50 foot site triangle as indicated on attachment 2 be conveyed to the Region of Peel for highway purposes;
- h) that approval be granted by the Committee of Adjustment respecting relief from the provisions of Regional By-law 29-80 (Regional Road Width and Setback By-law);
- i) that no flood lights be permitted on the subject site;

- j) that the applicant agree by development agreement that construction on the site shall commence no later than 3 years from the date of approval of the by-law amendment.

5.0 RECOMMENDATION

It is recommended that Planning Committee direct staff with respect to the further processing of the subject application.

AGREED:



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



F.R. Dalzell,
Commissioner of Planning
and Development

- Attachments:
1. Location map.
 2. Revised site development proposal.
 3. Commercial sites in close proximity of subject lands.
 4. Ratios determining total commercial floor space requirements.
 5. Memorandum from Commissioner of Building and By-Law Enforcement dated 31st August, 1981.

LWHL/FY/th

LAPL HALL

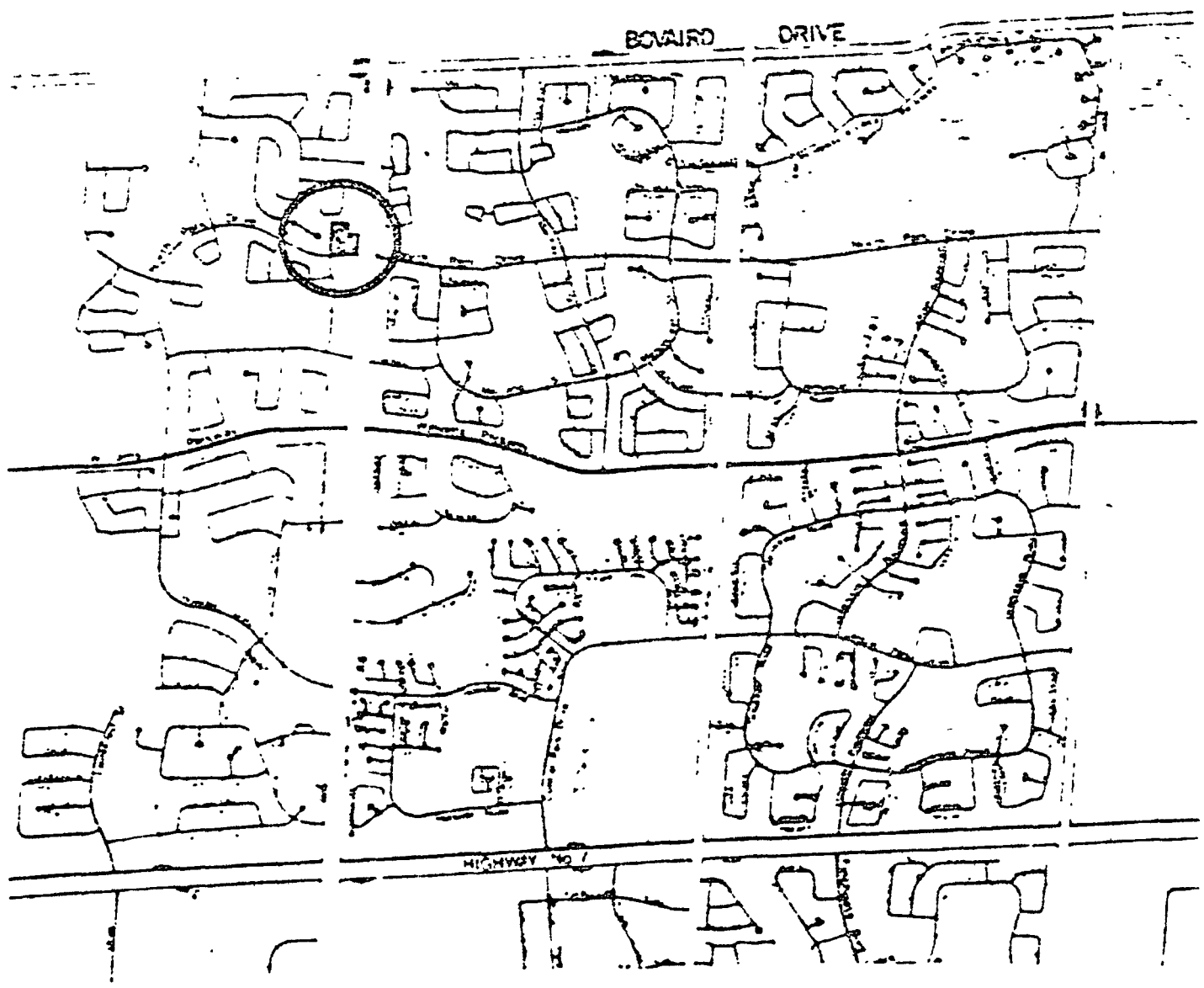
DITE HALL

BRAMBLE HALL

TURBISH HALL

BOVAIRD DRIVE

HIGHWAY NO 7



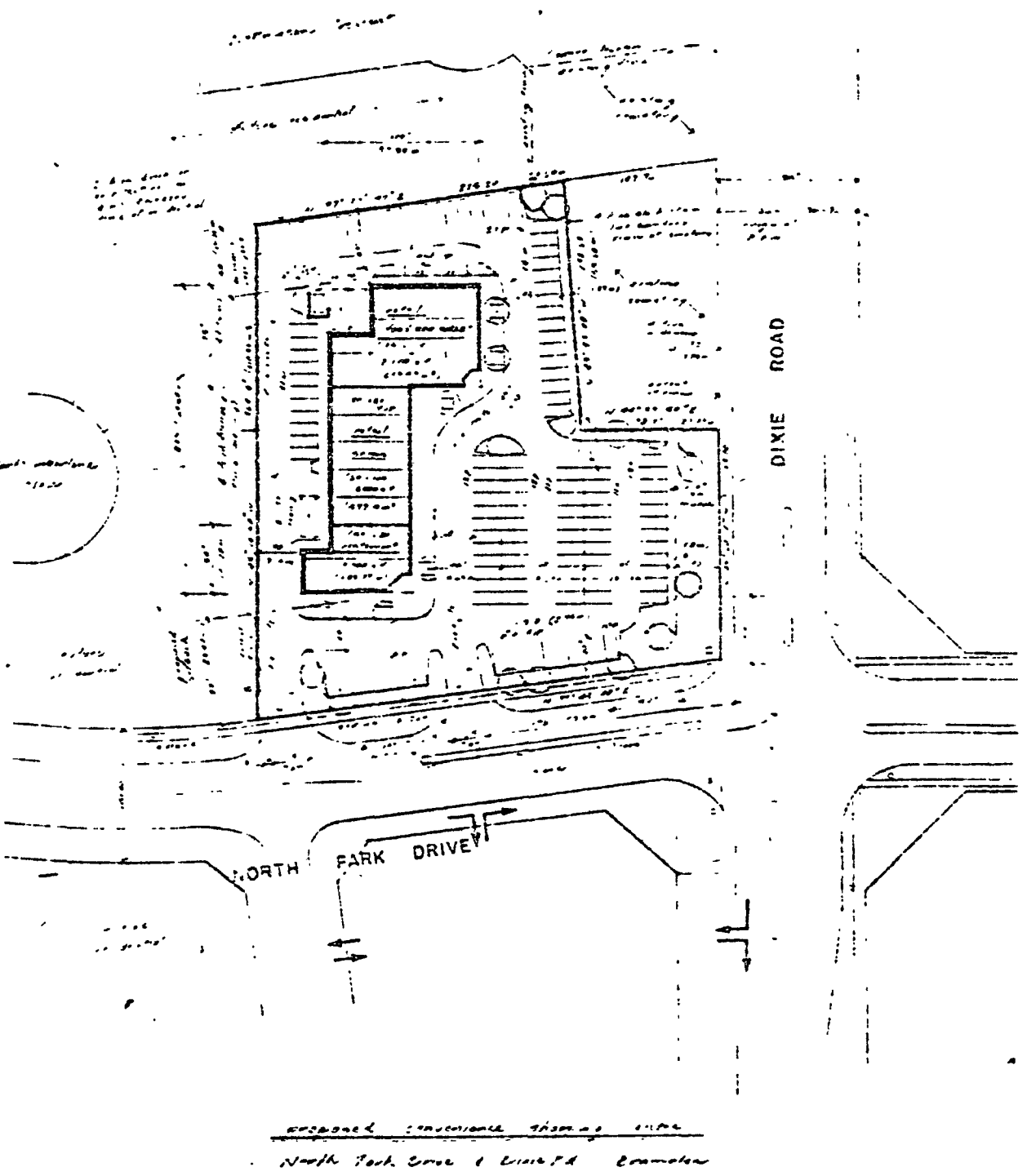
Attachment 1
BRUZIO
 Location Map



1:25000

CITY OF BRAMPTON
 Planning and Development

Date: 01 07 16 Drawn by: J.M.
 File no. C359.1 Map no. 45-13A

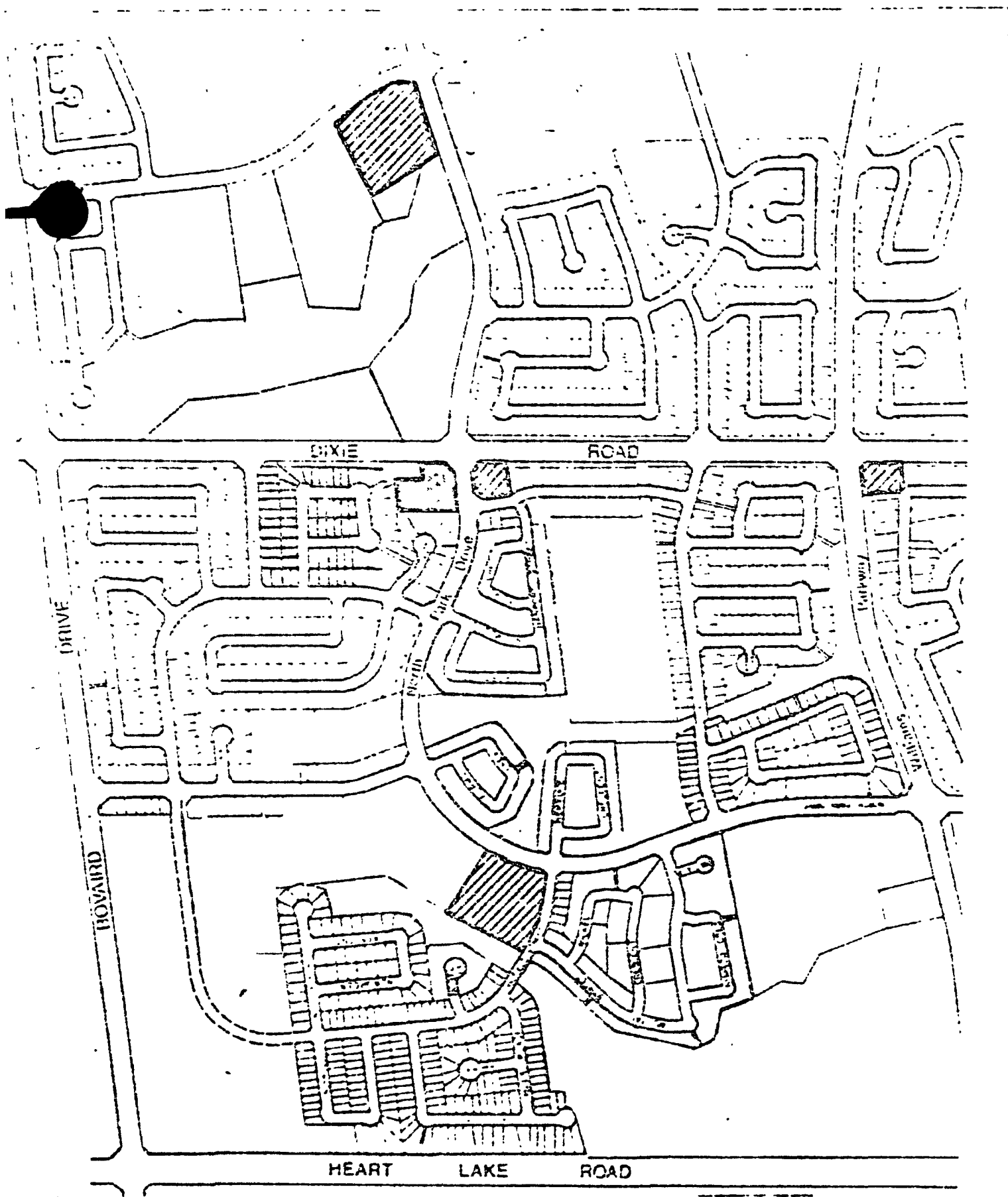


Bruzio Development
Site Plan Attachment 2





CITY OF BRAMPTON
 Planning and Development

Date: 81 09 09 Drawn by: RS



Attachment 3

BRUZIO

-  Subject Property
-  Existing Commercial Sites



1:10000

CITY OF BRAMPTON
 Planning and Development

Date: 81 07 16 Drawn by: *J.M.D.*
 File no. C3E91 Map no. 45-13C

Attachment 4

Ratios determining total of convenience commercial floor space requirements.

	<u>Square Foot/Capita</u>
1. Specialty Food (Other Food)	0.89
2. Hardware/Paint/Wallpaper	0.39
3. Drug Store	0.57
4. Liquor/Beer/Wine	0.35
5. Eating and Drinking	1.56
6. Barber/Beauty Salons	0.41
7. Other Services (e.g. Shoe Repair)	0.15
8. Dry Cleaning/Laundry	0.32
9. Bank, Trust Co.	<u>1.10</u>
	5.74

Source: Larry Smith & Associates

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Buildings and By-law Enforcement

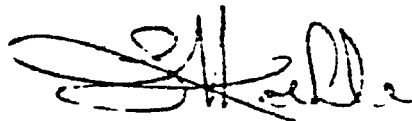
COMMUNITY PLANNING UNIT	
Date	FILED
File No	C3E9.1

To: F.R.Dalzell.
From: L.T.Koehle. P.Eng.:.
Re: Bruzio - Lot 9 Conc: 3 E.H.S.
File: C3E9.1

With regard to the above application, I am still of the opinion that a convenience commercial plaza is not well suited to this site. We have had problems with garbage/refuse areas in almost all plazas that abut a residential area, and as you are aware, we have also had difficulty with plazas abutting residential areas when one of the permitted uses is a restaurant. Invariably a liquor licence is obtained, entertainment becomes necessary, and we are unable to control the type of clientele that frequent the establishment.

For the above reasons I believe that an extension of the residential use is more appropriate for this site.

I would appreciate these comments being attached to the report when it is re-presented to Council, or Committee.



L.T.Koehle. P.Eng.:
Commissioner of Buildings
and By-law Enforcement.

31st August, 1981.
LTK/rw

I concur with Mr. Koehle's remarks.
[Signature]

Attachment 5

INTER-OFFICE MEMORANDUM

*Sent to
PC: Oct
16.*

Office of the Commissioner of Planning and Development

1981 10 16

TO: The Chairman and Members of Planning Committee
FROM: Planning and Development Department
RE: Application to Amend the Official Plan
and Restricted Area By-law
Part Lot 9, Concession 3, E.H.S.
L. BRUZIO
Our File No. C3E9.1

1.0 Origin

On October 14, 1981 the applicant's agent appeared as a delegation before Council and presented a revised site development plan for the 0.93 ha (2.31 acre) subject site in the north-west quadrant of the intersection of Dixie Road and North Park Drive. At the time, Council directed that the matter be referred to the Planning Committee meeting of October 21, 1981 and that staff prepare a report examining the revised proposal with a view to the location of garbage storage facilities, rear area parking and of the proposed restaurant use. The following is in response to Council's directions in this regard.

2.0 Revised Site Development Plan Proposal

A reduced copy of the proposed revised site development plan is attached to this report as attachment No. 2 and differs from the submission previously considered by Planning Committee (see attachment No. 3) as follows:

(a) Building Coverage/Commercial Gross Floor Area:

Although the general configuration of the proposed building has been maintained, the depth of the building has been

increased from approximately 18.28 metres (60 feet) to 19.8 metres (65 feet) and the total building area or coverage has been increased by 89.65 square metres (1,025 square feet) from 1547.71 square metres (16,660 square feet) to 1637.36 square metres (17,625 square feet).

This has resulted in a redistribution of gross commercial floor area among uses, as follows:

	PREVIOUS PROPOSAL (attachment No.2)	REVISED PROPOSAL (attachment No.3)
Retail Food Market	659.59m ² (7,100 sq.ft.)	661.9m ² (7,125 sq.ft.)
Retail Shops	557.4m ² (6,000 sq.ft.)	622.43m ² (6,700 sq.ft.)
Restaurant	343.73m ² (3,700 sq.ft.)	353.02m ² (3,800 sq.ft.)

(b) Restaurant Location

The previous plan showed the restaurant use as occupying the southerly 343.73 square metres (3,700 square feet) of the building. As such, the restaurant use was located within a 9.14 metre (30 feet) distance from the nearest rear lot line of future residential uses to the west.

The plan has been revised to accomodate a 139.35 square metre (1,500 square feet) retail outlet in the south-westerly corner of the building, thereby moving the proposed restaurant use further to the east-side of the building. As a result, the distance between the nearest residential rear lot line and the restaurant use has been increased from 9.14 metres (30 feet) to approximately 15.24 metres (50 feet).

(c) Location of Refuse/Garbage Area

The previous plan located garbage storage facilities for the food market in the north-westerly corner of the building at a distance of about 10.67 metres (35 feet) from the nearest residential lot line to the west end about 16.76 metres (55 feet) from the nearest residential lot line to the north.

The revised plan relocates the garbage facility to the north-easterly corner of the building where it would be approximately 22.86 metres (75 feet) removed from the nearest residential lot line to the north. Additional protection is to be provided by a masonry wall shielding the garbage storage facility from the north.

(d) Loading Spaces

The previous plan showed a total of three loading spaces, one along the rear of the building and two at the north-westerly corner of the building next to the refuse storage area.

The revised plan shows two loading spaces, one at the rear of the building, the other next to the relocated refuse storage area to the north-east of the building.

(e) Number and Location of Parking Spaces

The previous plan provided for a total of 125 parking spaces, eleven (11) of which were located along the rear of the building, 21 spaces located along the northerly lot boundary where the subject parcel abuts residential properties, and the remaining spaces in front of the commercial structure.

The revised plan shows a total of 135 parking spaces, i.e. an increase of 10 spaces from the previous plan. This increase in parking spaces reflects the increase in gross commercial floor area of the revised plan. For the most part, the additional spaces have been accommodated along the north-side

of the building where previously a parcel pick-up area, refuse storage area and two loading spaces were located. Also, the number of parking spaces at the rear of the building has been increased by one to a total of 12 spaces.

A further change pertains to the configuration of parking aisles in front of the building, thereby improving internal traffic safety and ease of movement.

3.0 Discussion

The following discusses the plan in light of Council's concerns respecting the location of garbage storage facilities, rear area parking and the restaurant use.

(a) Location of Refuse Area

The proposed relocation of the refuse area from the north-west to the north-east corner of the building constitutes an improvement in that it increases the distance from nearby residential lots and reduces the number of residential lots potentially affected by odours emanating from the refuse area. As such the proposed relocation appears satisfactory.

(b) Rear Area Parking

The revised plan proposes an increase of one additional rear area parking space, i.e. a total of 12 spaces. Also, the rear area loading space has been maintained.

At the above noted meeting of Council, concerns were raised about the number of parking spaces in this location and their impact on adjacent residential lots.

In order to reduce the number of parking spaces and improve the driveway traffic flow in this location, staff suggests the following changes be made to the plan:

- Reduce the building coverage to that of the previous proposal (i.e. from 17,625 square feet to 16,660 square feet). Given such reduction, a maximum of 125 parking spaces would be needed and 10 of the 12 rear area parking spaces would no longer be required. The remaining two parking spaces may be accommodated by slight re-adjustments in the present proposed parking area arrangement in front of the building, or by providing two parallel parking spaces at the rear of the building.

- The aforementioned changes would facilitate a 3 metre (9.8 feet) wide landscaped area to be provided along the westerly lot boundary. Within such landscaped area the protective masonry wall may be erected with a sufficient area remaining for landscaping between the wall and the driveway.

- The building envelope should be re-adjusted slightly and shifted to the west permitting sufficient space between the westerly lot line and the building to accommodate the 9.8 feet wide landscaped area, a minimum 24 feet wide driveway and parallel parking spaces, if necessary, plus the presently proposed loading area. The presently shown walkway along the rear of the building would no longer be required as the elimination of most of the public parking at the rear would also reduce pedestrian traffic in that area.

- A slight shift of the building to the south (i.e. by 3m or 9.8 feet) would permit the landscaped area along the inside of the protective wall to extend parallel to the northerly boundary.

In order to facilitate the southerly shift of the building, a reduction of the presently over-sized pedestrian walkway along the south of the building may be required (i.e. standard walkway width is approximately 2.1 metres or 7 feet compared to the 4.87 metres or 16 feet proposed by the applicant.)

(c) Restaurant Use

Due to site constraints such as lot configuration and lot size, plus restrictions to access from North Park Drive only, it is difficult to locate a building of the proposed coverage at a maximum distance from adjacent residential lots while maintaining its orientation toward the intersecting roadways. Accordingly, the restaurant use, if accommodated in the building, can best be controlled in terms of its impact on adjacent residences by:

- (1) ensuring that pedestrian traffic to the restaurant be confined to the south-east and east of the building (the revised proposal does attempt this by providing access to the restaurant in these locations);
- (2) the use be restricted to a family type, sit-down restaurant facility with no adult entertainment, and
- (3) refuse from the restaurant be stored indoors in an area with climate-control (i.e. kept at a constant low temperature), thus reducing the negative impact the restaurant refuse area may have on adjacent residences.

4.0 Conclusion

Should Planning Committee decide that the revised plan merits support, the following should be considered:

A: A Public Meeting to be held in accordance with City Council's policy, and

B: Subject to the results of the Public Meeting the following conditions should apply:

a) the plan attached hereto as attachment 2 be the basis for approval, but be modified in accordance with staff's suggestions outlined under Section 3.0 above;

b) that an Official Plan Amendment permitting the subject application be approved by the Minister of Municipal Affairs and Housing;

c) that the zoning by-law amendment limit the height of the building to 1 storey and permitted uses on the site to a total gross commercial floor area of 1547.71m² (16,660 ft²), permitting a grocery store of a maximum gross floor area of 659.59m² (7,100 sq. ft.); a sit-down family-type restaurant of maximum 343.73m² (3,700 sq. ft.) gross floor area, plus service shop, personal service shop, bank or trust company, an office other than medical, dental or real estate, a dry cleaning and laundry distribution centre occupying the remaining gross commercial floor area;

d) that the zoning by-law amendment require that a masonry wall to City specifications be erected and maintained where the subject property abuts a residential use;

- e) that the applicant agree by development agreement to install a 4 foot high black vinyl chain link fence where the subject property abuts a cemetery use;
- f) the applicant agree by development agreement to install at his expense sidewalks to City specifications along North Park Drive, and either construct sidewalks to City specifications along Dixie Road or pay an amount equal to the estimated construction costs to the City;
- g) the applicant agree by development agreement to extend at his expense to the satisfaction and specifications of the City Public Works Department the traffic island on North Park Drive as illustrated in approximation on attachment 2, extend the left turn storage lane westerly on North Park Drive to provide 25 metres of storage space at the westerly driveway, and further, to carry out the necessary curb alignments;
- h) that a 32 foot widening along Dixie Road and a 50 foot site triangle as indicated on attachment 2 be conveyed to the Region of Peel for highway purposes;
- i) that approval be granted by the Committee of Adjustment respecting relief from the provisions of Regional By-law 29-80 (Regional Road Width and Setback By-law);
- j) that the existing 0.3 metre (1 foot) reserve along the south boundary of the property be lifted only at those points of access onto North Park Drive indicated on attachment 2 to this report;
- k) that no flood lights be permitted on the subject site;

5.0 RECOMMENDATION

It is recommended that Planning Committee direct staff with respect

to the further processing of the subject application.

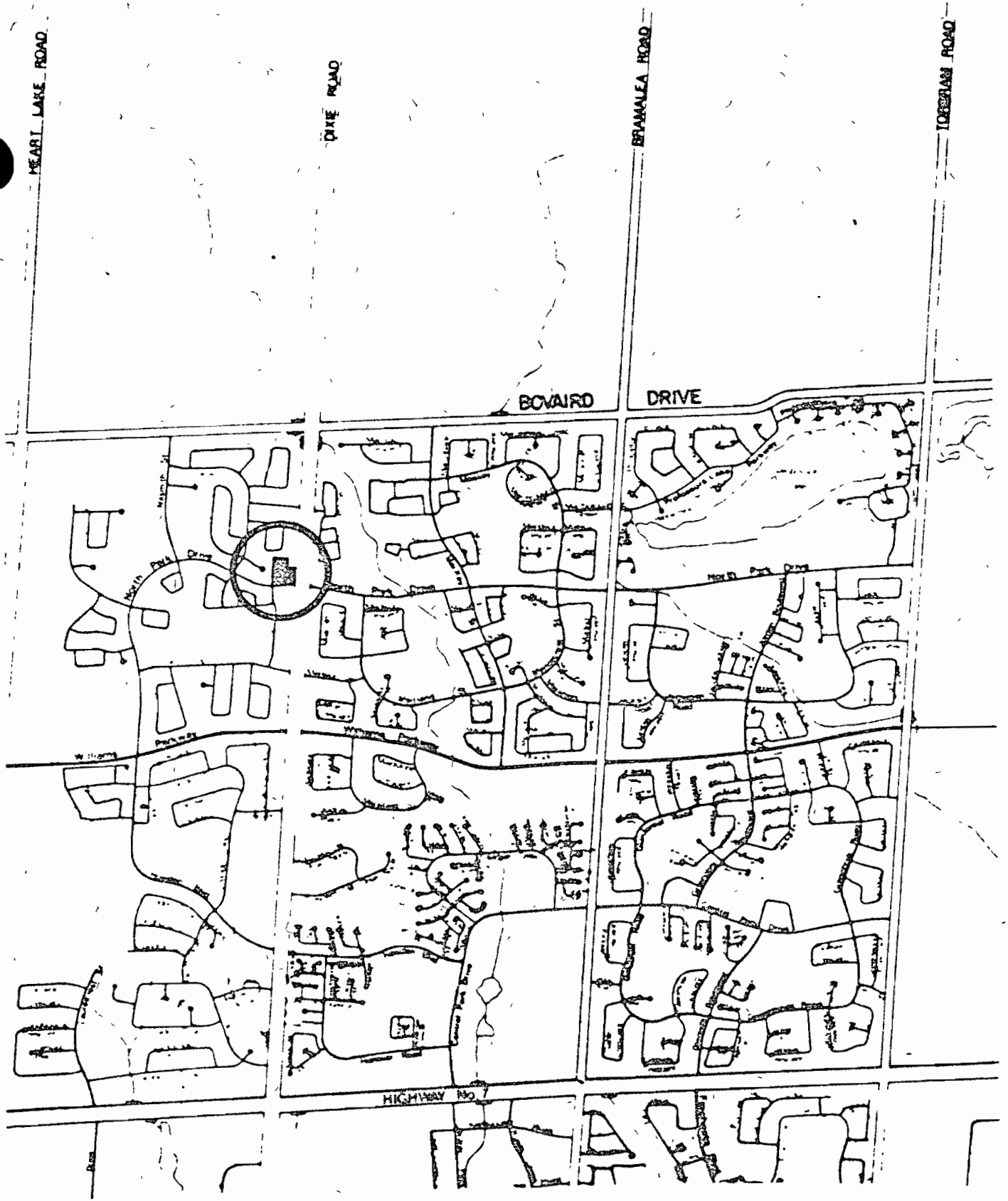
AGREED:



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

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

- Attachments:
1. Location map
 2. Latest revised site development proposal.
 3. Previous site plan proposal considered by Planning Committee on September 21, 1981.



Attachment -1
BRUZIO
 Location Map



1:25000

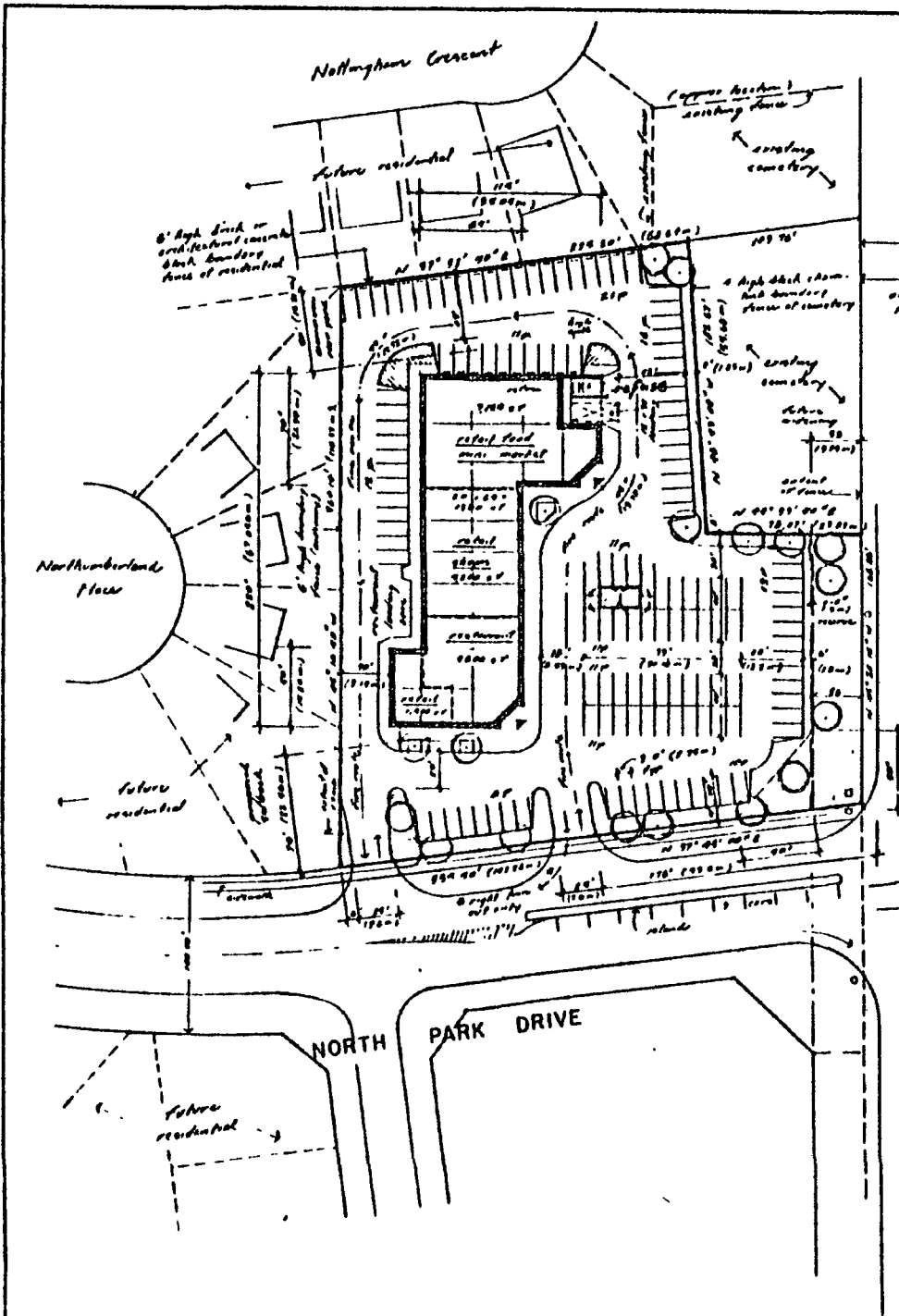
CITY OF BRAMPTON
 Planning and Development

Date: 81 07 16

Drawn by: J.M.L.

File no. C3501

Map no. 45-13A



development data:

site area
 2.91 acres = 125,000 s.f.
 (1000 sq m)

building area:
 17,000 s.f. (1575.00 m²)

coverage: -
 $\frac{17,000}{125,000} = 13.6\%$

parking requirement:

restaurant:
 gross floor area
 8000 s.f. (742.10 m²)
 parking required
 $\frac{8000}{100} = 80 p$

retail:
 gross floor area
 10,000 s.f. (929.03 m²)
 parking req'd. $\frac{10000}{100} = 100 p$

total: 180 spaces.

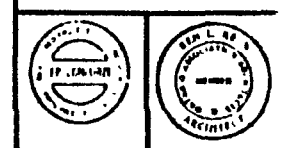
parking provided:
 180 spaces

Attachment #2

1 parking required @ 180 spaces	180
2 parking provided @ 180 spaces	180
3 parking provided @ 180 spaces	180
4 parking provided @ 180 spaces	180
5 parking provided @ 180 spaces	180
6 parking provided @ 180 spaces	180
7 parking provided @ 180 spaces	180
8 parking provided @ 180 spaces	180
9 parking provided @ 180 spaces	180
10 parking provided @ 180 spaces	180
11 parking provided @ 180 spaces	180
12 parking provided @ 180 spaces	180
13 parking provided @ 180 spaces	180
14 parking provided @ 180 spaces	180
15 parking provided @ 180 spaces	180
16 parking provided @ 180 spaces	180
17 parking provided @ 180 spaces	180
18 parking provided @ 180 spaces	180
19 parking provided @ 180 spaces	180
20 parking provided @ 180 spaces	180

Conforzi Keen & Associates
 17, 18th St.
 New York, N.Y. 10011
 Tel. (212) 697-1111

Conforzi Keen & Associates
 ARCHITECTS



Project:
 proposed convenience shopping center
 North Park Drive & Dixie Rd
 Crumpton

Drawing Title:
 site plan

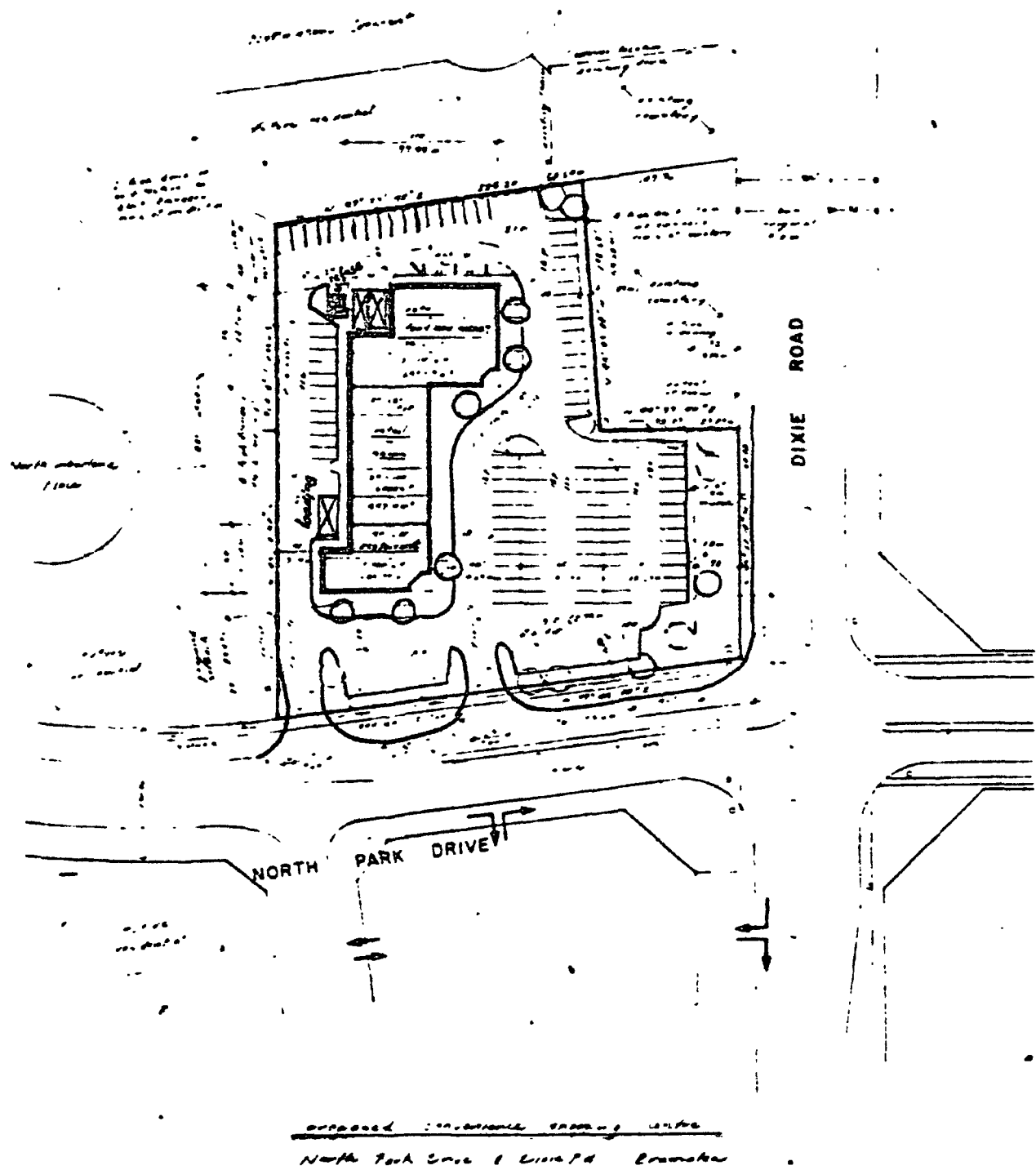
Scale: 1" = 40'

Drawn By: JF

Job No:

proposed convenience shopping center
 North Park Drive & Dixie Rd Crumpton





Bruzio Development
Site Plan Attachment 3



CITY OF BRAMPTON
 Planning and Development

Date: 01 09 09 Drawn by: RS

1:1456

575 St. George St. Mississauga, ON L4R 1B5

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

1981 11 06

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

Re: Application to Amend the Official Plan
and Restricted Area By-law
Lot 9, Concession 3, E.H.S.
L. BRUZIO
Our File: C3E9.1

Attached are the notes of the Public Meeting held on Wednesday, November 4, 1981, with respect to the above referenced proposal for a convenience commercial centre on a 0.93 hectare (2.31 acres) parcel located in the north-west quadrant of the intersection of North Park Drive and Dixie Road.

There were nine persons in the audience, however, no one offered comment with respect to this application. The meeting was therefore adjourned by the Chairman.

RECOMMENDATION:

It is recommended to Planning Committee:

- 1) That the results of the Public Meeting of Wednesday, November 4, 1981 be recorded;
- 2) Should Planning Committee decide that the application merits support, that the following be considered as conditions for approval:
 - a) The plan attached as attachment 2 to the staff report dated 1981 10 16, be the basis for approval, but be modified in accordance with staff's suggestions outlined under Section 3.0 of said staff report;

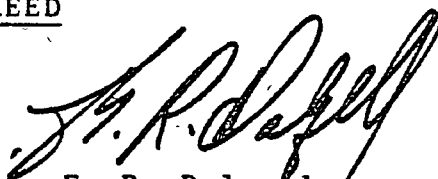
- cont'd -

- b) That an Official Plan Amendment permitting the subject application be approved by the Minister of Municipal Affairs and Housing;
- c) That the zoning by-law amendment limit the height of the building to 1 storey and permitted uses on the site to a total gross commercial floor area of 1547.71m² (16,660 square feet) permitting a grocery store of a maximum gross floor area of 659.59m² (7,100 square feet); a sit down family-type restaurant of maximum 343.73m² (3,700 square feet) gross floor area, plus service shop, personal service shop, bank or trust company, an office other than medical, dental or real estate, a dry cleaning and laundry distribution centre occupying the remaining gross commercial floor area;
- d) That the zoning by-law amendment require that a masonry wall to City specifications be erected and maintained where the subject property abuts a residential use;
- e) That the applicant agree by development agreement to install a 4 foot high black vinyl chain link fence where the subject property abuts a cemetery use;
- f) The applicant agree by development agreement to install at his expense sidewalks to City specifications along North Park Drive, and either construct sidewalks to City specifications along Dixie Road or pay an amount equal to the estimated construction costs to the City;
- g) The applicant agree by development agreement to extend at his expense to the satisfaction and specifications of the City Public Works Department the traffic island on North Park Drive as illustrated in approximation on attachment 2, extend the left turn storage lane westerly on North Park Drive to provide 25 metres of storage space at the westerly driveway, and further, to carry out the necessary curb alignments;
- h) That a 32 foot widening along Dixie Road and a 50 foot site triangle as indicated on attachment 2 be conveyed to the Region of Peel for highway purposes;

- i) That approval be granted by the Committee of Adjustment respecting relief from the provisions of Regional By-law 29-80 (Regional Road Width and Setback By-law);
 - j) That the existing 0.3 metre (1 foot) reserve along the south boundary of the property be lifted only at those points of access onto North Park Drive indicated on attachment 2 to the staff report of 1981 10 16;
 - k) That no flood lights be permitted on the subject site;
- 3) That Planning Committee direct staff with respect to the further processing of this application.


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

AGREED


F. R. Dalzell,
Commissioner of Planning
and Development

LWHL/FY/ec

- attachments - 1) Notes of the Public Meeting
2) Staff Report dated 1981 10 16.

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, November 4, 1981, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:04 p.m. with respect to an application by L. Bruzio to amend both the Official Plan and Restricted Area (Zoning) By-law to permit the site to be developed as a convenience shopping centre, comprised of a retail food market and retail shops with a combined total gross floor area of 1216.99 square metres (13,100 square feet) and a family-type, sit-down restaurant with no adult entertainment of a gross floor area of 330.72 square metres (3,560 square feet).

Members Present: Alderman Chadwick - Chairman
Councillor D. Sutter
Alderman E. Carter
Councillor N. Porteous
Alderman K. Coutlee
Alderman F. Kee
Councillor W. Mitchell

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

Approximately 9 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 and noted that for this application notices to the property owners within 800 feet of the subject site were sent.

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.

There were no questions or comments and the meeting adjourned at 8:10 p.m.

21-0P-0006-98

AMENDMENT NUMBER 98
to the Consolidated Official Plan
of the City of Brampton Planning Area

1982 JUL 20 PM 12 51

MISC. PLAN NO. 673

LOGGED IN THE REGISTRY OFFICE
FOR THE COUNTY OF PEEL

July 20, 1982 12:51 P.M.

M. Bidley
Asst. Dep. Land Registrar

-3

Amendment No. 98
to the
Official Plan for the
Brampton Planning Area

This Amendment No. 98 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. 98 to the Official Plan for the City of Brampton Planning Area.

Date

July 13/82

Dave McHugh
Dave McHugh
Director (Acting)
Community Planning Review Branch