



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 124-93

To adopt Amendment Number 231
and Amendment Number 231 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 Planning Act, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

1. Amendment Number 231 and Amendment Number 231 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 for approval of Amendment Number 231 and Amendment Number 231 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 12th day of July, 1993.

PETER ROBERTSON - MAYOR

LEONARD J. MIKULICH -
CITY CLERK

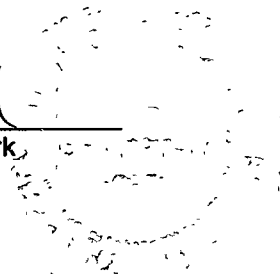
APPROVED AS TO FORM LAW DEPT BRAMPTON
DATE

I, LEONARD J. MIKULICH, City Clerk of the City of Brampton do hereby certify that Amendment Number 231 and 231A to the 1984 Official Plan for the City of Brampton Planning Area was approved by the Ministry of Municipal Affairs on February 4, 1994.

Dated at the City of Brampton this 10th day of February, 1994.



Leonard J. Mikulich - City Clerk



PROPOSED AMENDMENT NO. 231 & 231A
TO THE
OFFICIAL PLAN FOR THE
CITY OF BRAMPTON PLANNING AREA

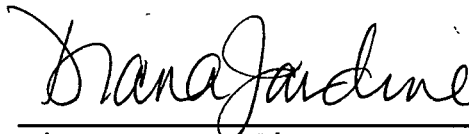
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AMENDMENT NO. 231 AND 231A

TO THE
OFFICIAL PLAN FOR THE
CITY OF BRAMPTON

This Amendment No. 231 and 231A to the Official Plan for the City of Brampton, which was adopted by the Council of the Corporation of the City of Brampton, is hereby approved under Sections 17 and 21 of the Planning Act.

Date: 1994-02-04



Diana L. Jardine, M.C.I.P.
Director
Plans Administration Branch
Central and Southwest



ORIGINAL

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

CERTIFIED A TRUE COPY

Deputy Clerk
City of Brampton

JUL 22 1993

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Number 124-93

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PETER ROBERTSON - MAYOR

LEONARD J. MIKULICH -
CITY CLERK

APPROVED AS TO FORM LAW DEPT. BRAMPTON
DATE

AMENDMENT NUMBER 231
and
AMENDMENT NUMBER 231 A
TO THE OFFICIAL PLAN OF THE CITY
OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to make revisions to the policies contained in the secondary plan to permit an increase in gross leasable floor area for the "Neighbourhood Commercial" designation.

2.0 Location

The lands subject to this amendment comprise an area of approximately 2.96 hectares (7.31 acres) and are located in the south-east quadrant of Queen Street West and Chinguacousy Road and are described as Part of Lot 5, Concession 2, W.H.S. in the geographic Township of Chinguacousy, now in the City of Brampton.

3.0 Amendment and Policies Relative Thereto:

3.1 Amendment Number : 231

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

- (1) by adding to the list of amendments pertaining to Secondary Plan Area Number 15 set out in subsection 7.2.7.15, Amendment 231;
- (2) by deleting policy 3.2.1(i) of Chapter 15(b) of Part IV and substituting therefor the following:

"3.2.1 (i) The maximum gross leasable area permitted shall be 7,148.4 square metres (76,947.26 square feet);"
- (3) by deleting policy 3.2.1(ii) of Chapter 15(b) of Part IV and substituting therefor the following:

"3.2.1 (ii) Primary permitted uses include a supermarket, retail stores, service establishments, restaurants and offices. The maximum gross leasable area of a supermarket shall be 2,322.5 square metres (25,000 square feet) which may be increased to 3,056.5 square metres (32,901 square feet), when sufficient population in the trade area bounded by Chinguacousy Road to the west, Steeles Avenue to the south, Main Street to the east and the Canadian National Railway line to the north, is achieved to support the increase;"

Background Material to
Amendment Number 231 and 231A

Attached are copies of a planning report dated October 1, 1992, and notes of the Public Meetings held on November 4, 1992, and December 3, 1992, after notification in the local newspapers and the mailing of notices to assess owners of properties within 120 metres of the subject lands.

The following written submissions were also received with respect to the proposed development of the subject lands:

Region of Peel	December 12, 1991, December 20, 1991, January 8, 1992, and July 23, 1992.
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INTER-OFFICE MEMORANDUM

PC - Oct 19

Office of the Commissioner of Planning and Development

October 1, 1992

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

Re: Executive Summary

Application to Amend the Official Plan and Zoning By-law

574971 ONTARIO LIMITED

Part of Lot 5, Concession 2, W.H.S.

South-east Quadrant of Chinguacousy Road and Queen Street West

Ward 4

Our File: C2W5.4

The attached staff report examines a proposal to amend the Official Plan and Zoning By-law to permit the development of the subject lands for a neighbourhood shopping centre. The proposal entails four buildings with a total gross commercial floor area of 7,148.4 square metres (76,947.26 square feet) including a supermarket and a fast food/drive through restaurant.

The property is located to the south-east of the Queen Street West and Chinguacousy Road intersection. The property is currently vacant.

A summary of the impacts of the proposed development are contained in the following Summary Impact Table.

SUMMARY IMPACT TABLE

ISSUE

SUMMARY

LAND USE

- the proposal conforms to the Official Plan designation of "Commercial" and the Secondary Plan designation of "Neighbourhood Commercial";
- an amendment is required to the Secondary Plan to permit an increase in the gross leasable floor area;
- a holding provision will be required on the supermarket gross leasable floor area in excess of 2322.5 square metres (25,000 square feet) until the required threshold population is met to

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
574971 ONTARIO LIMITED

minimize the impact on existing food stores in the area;

- an amendment is required to the Zoning By-law to change the designation from "Agricultural" to "Neighbourhood Commercial" to implement the proposal;

ZONING/PROPOSED USES

- the amending zoning by-law should restrict those uses that are not compatible with adjacent/abutting residential areas;

SETBACKS

- staff recommend a minimum 18.0 metre (59.05 feet) setback from abutting residential lands due to the noise generating operations related to a supermarket use;

URBAN DESIGN

- staff recommend a 3.0 metre (9.8 feet) wide landscaped open space area along the south and east property lines and along the boundary of the abutting proposed gas bar;
- specific landscaping details should be included as conditions of approval;
- residential architectural features such as pitched roofs and brick detailing should be incorporated as part of the elevation treatment;

ACCESS

- full turning movements will be allowed along Chinguacousy Road on a temporary basis until the road is widened, at which point the access should become right-in/right-out only;
- full turning movements should be allowed along Queen Street West and the applicant will be required to provide a west bound left turn lane at the entrance on Queen Street West, two exit lanes and one entrance lane at the access point;

PARKING

- the amount of parking proposed is in accordance with By-law 151-88, as amended;

PROPOSED DRIVE-THROUGH BUILDING D

- the drive-through component should be reviewed for proper functioning during the site plan approval process;

STRATEGIC PLAN

- the proposal is in keeping with the "Prosperous Economy" goal stream by increasing the commercial/industrial assessment ratio; and,

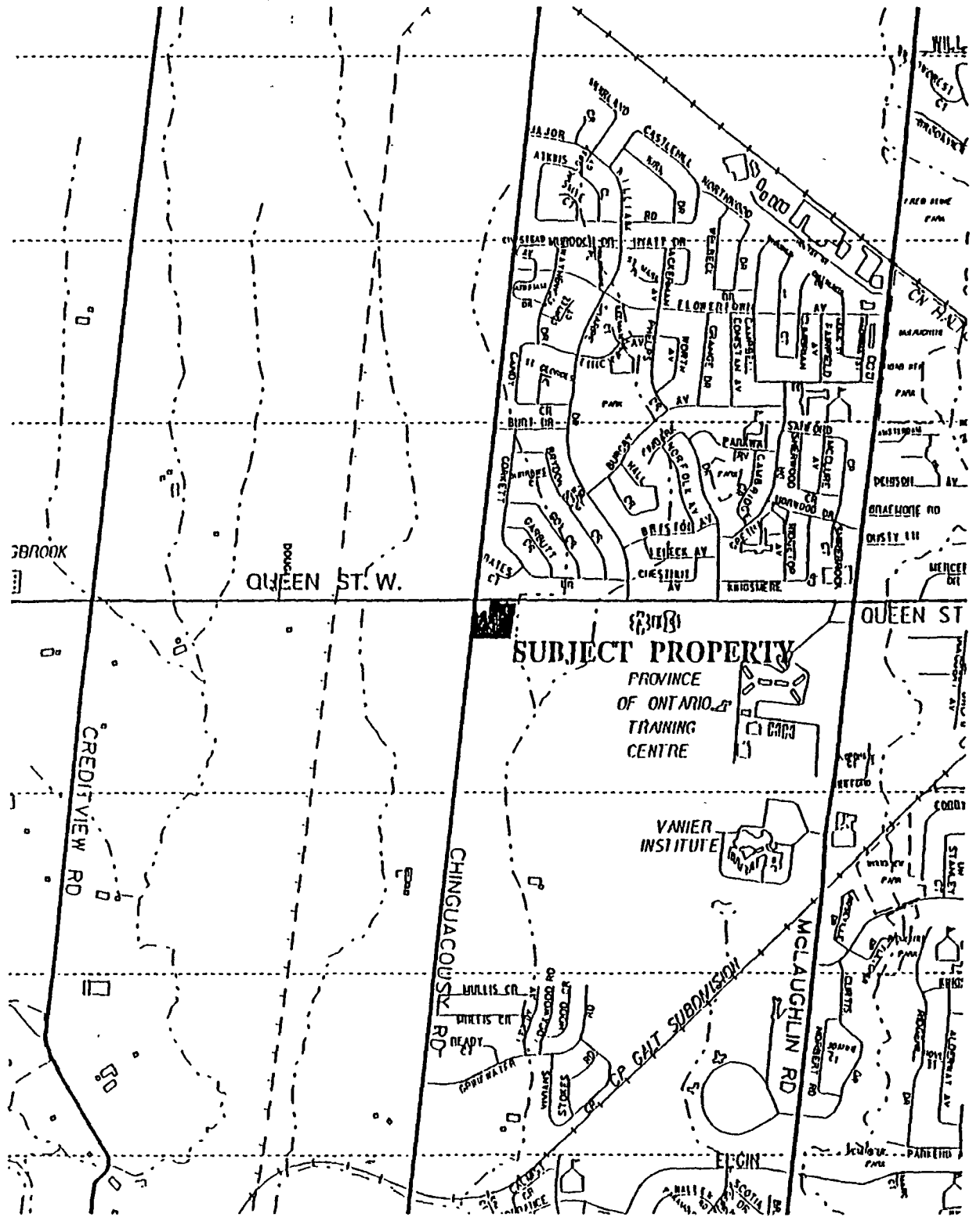
FINANCIAL

- the proposal would result in an annual positive net financial impact of \$27,700.

OVERALL SUMMARY

- **the proposal to amend the Official Plan and Zoning By-law is supportable subject to specific conditions including:**
 - **a provision is being recommended that restricts the supermarket floor area to that which is currently allowed until sufficient population in the trade area is reached;**
 - **the uses should be restricted from that proposed due to potential negative impacts on the abutting and adjacent residential land uses; and,**
 - **increased setbacks and landscaped open space areas should be imposed to enhance land use compatibility.**

KA/SJ/execsum



CITY OF BRAMPTON

Date: 1992 09 16 Drawn By: C.R.E.
 File no. C2W5.4 Map no. 58 - 25A



LOCATION MAP

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
 574971 ONTARIO LIMITED

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

October 1, 1992

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

Re: Application to Amend the Official Plan and Zoning By-law
574971 ONTARIO LIMITED
Part of Lot 5, Concession 2, W.H.S.
South-east Quadrant of Chinguacousy Road and Queen Street West
Ward 4
Our File: C2W5.4

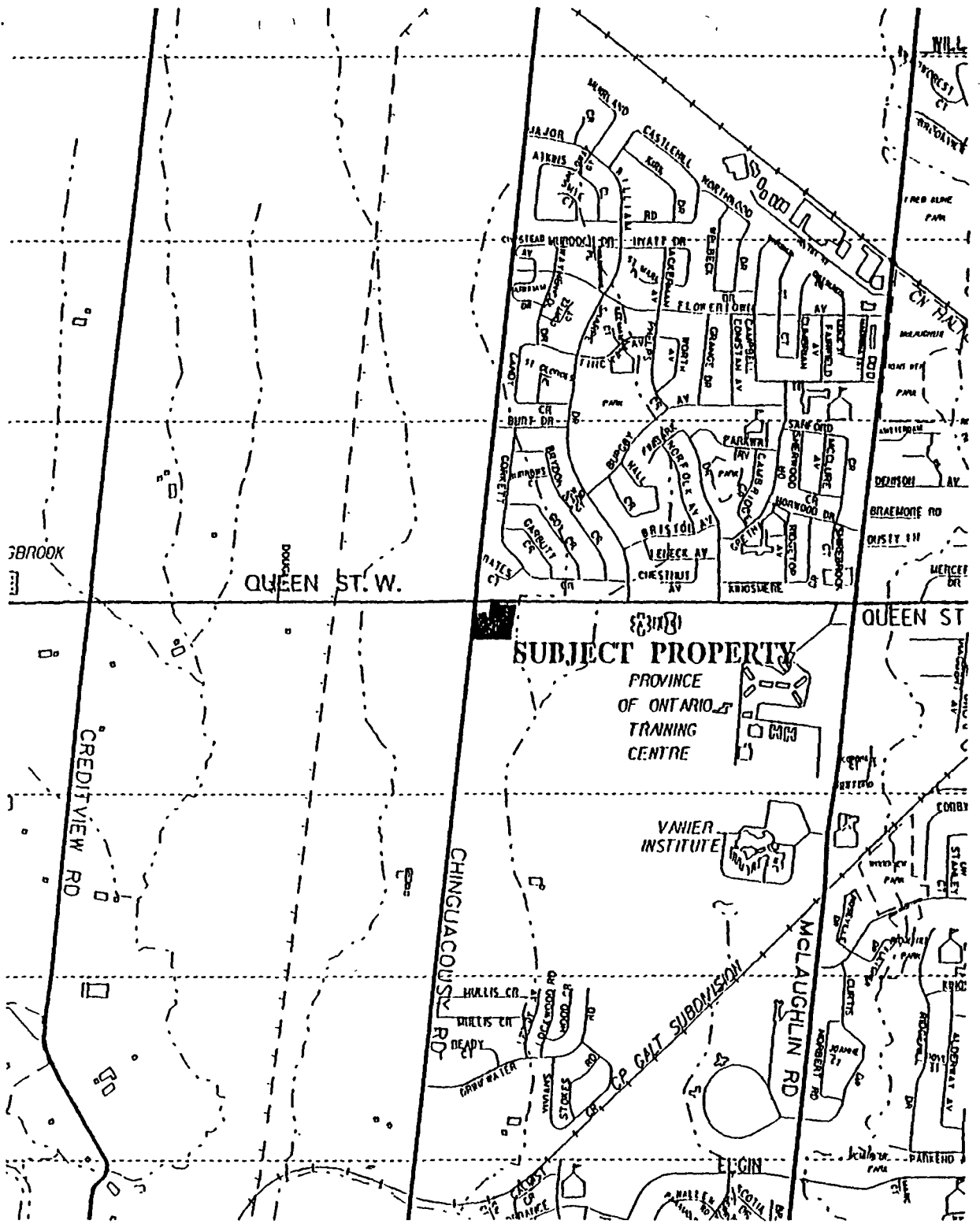
1.0 PROPOSAL

The above noted application to amend the Official Plan and Zoning By-law was referred to staff by City Council on June 11, 1991. Following discussions with staff and upon completion of a Retail Demand and Impact Study, a revised site plan was submitted on June 24, 1992.

The applicant is proposing to develop the subject lands for a neighbourhood commercial shopping centre. The revised site plan/landscape plan, elevation and cross-section drawings and landscape entry detail submitted by the applicant, and attached to this report, illustrate:

- 4 buildings with a gross building floor area of 7,148.4 square metres (76,947.26 square feet);
- Buildings A, B, and C, connected in an "L" shape, are situated parallel to the south and east lot lines with a minimum setback of 9.0 metres (29.5 feet);
- Building D, which is located in the western portion of the parking area, has a proposed drive through component;
- access to both Chinguacousy Road and Queen Street West via 7.6 metre (24.9 feet) driveways with full turning movement;
- a total of 379 parking spaces;
- 16 percent of the site devoted to landscaped open space;
- landscaped areas along Queen Street West and Chinguacousy Road having minimum widths of 4.5 and 3.0 metres (14.7 and 9.8 feet) respectively;

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
574971 ONTARIO LIMITED



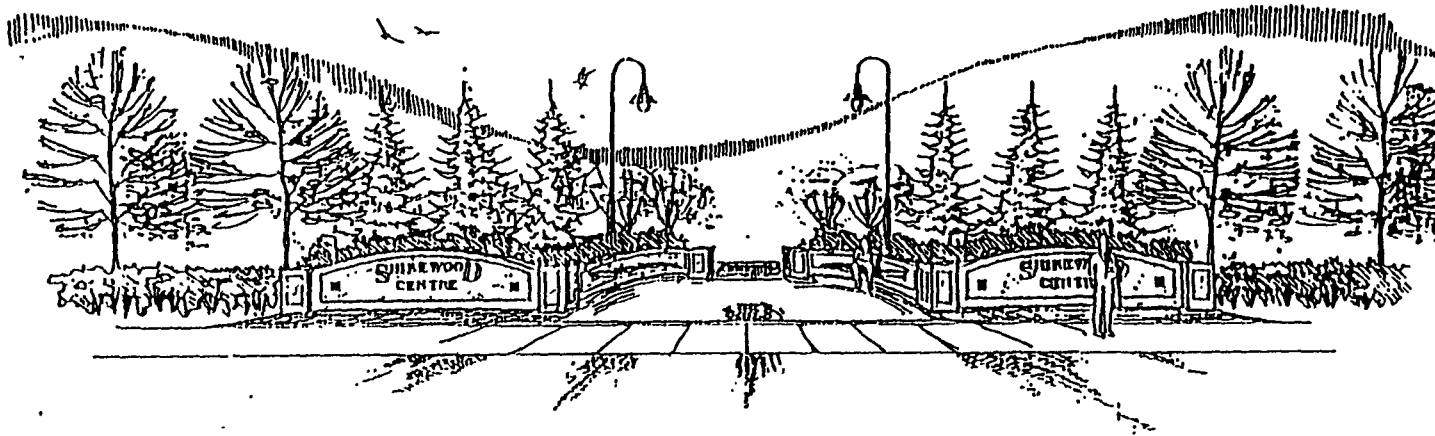
CITY OF BRAMPTON

Date: 1992 09 16 Drawn By: C.R.E.
 File no. C2W5.4 Map no. 58 - 25A



LOCATION MAP

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
 574971 ONTARIO LIMITED



CITY OF BRAMPTON

Date: 1992 09 18

Drawn By: C.R.E.

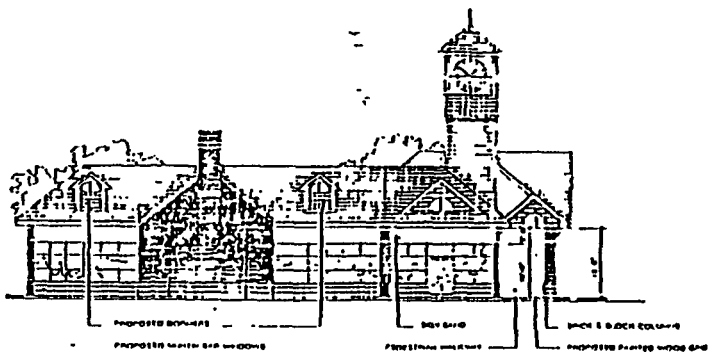
File no. C2W5.4

Map no. 58 - 25C

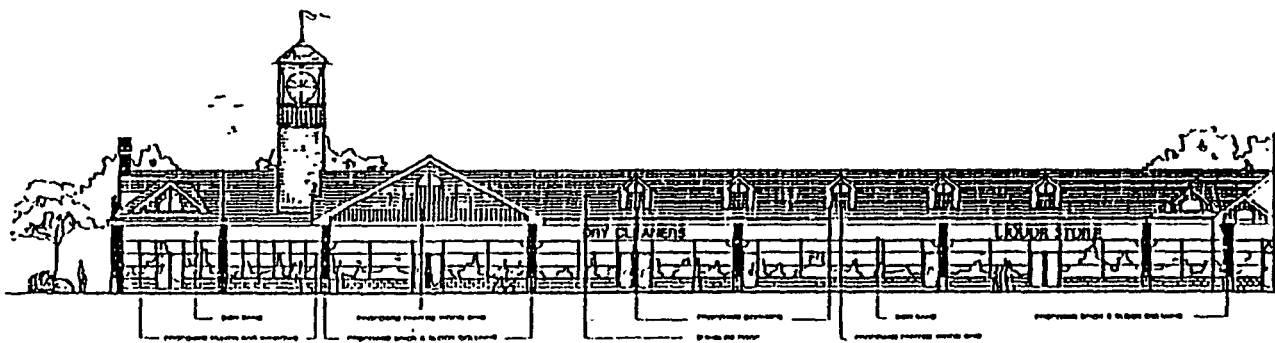


LANDSCAPE ENTRY DETAIL

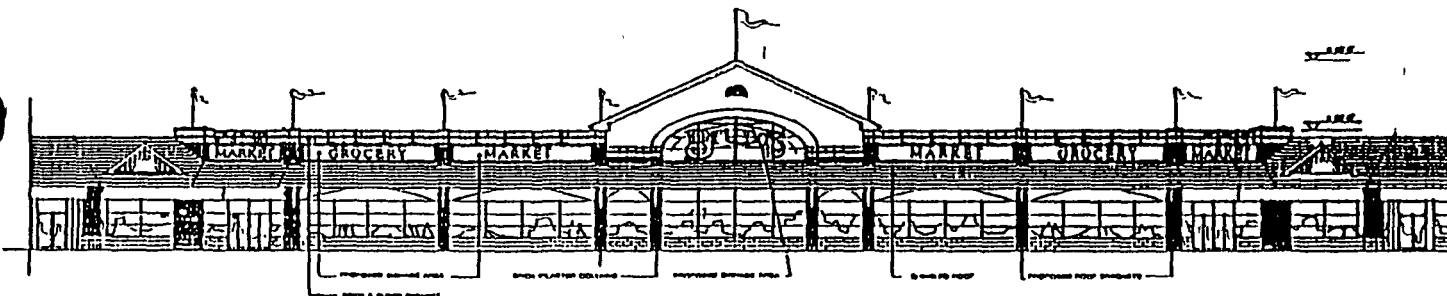
PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
574971 ONTARIO LIMITED



ELEVATION A.



ELEVATION B.



ELEVATION C.

CITY OF BRAMPTON

Date: 1992 09 28

Drawn By: CJK

File no. C2W5.4

Mnp no. 58-25E



ELEVATION AND CROSS-SECTION
DRAWINGS

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
574971 ONTARIO LIMITED

- landscaped areas along the south and east property lines having a minimum width of 1.0 metre (3.2 feet);
- a landscape entry feature abutting Queen Street West with provision for planters, benches and decorative lighting;
- future connections to the proposed gas station (not part of this application) at the south-east corner of Chinguacousy Road and Queen Street West;
- a service driveway which is located between Buildings A, B, and C and the approved residential development to the south and east;
- a service area for loading and garbage removal, abutting Building B and screened by a 3 metre (9.8 feet) high masonry wall, with the capacity for delivery/service vehicles; and,
- architectural details including special signage, a pitched roof, brick detailing, dormers and a public arcade.

Additional information submitted by the applicant proposes:

- that a 3.0 metre (9.8 feet) wide buffer area, situated in the rear yards of the abutting residential properties, be planted with large calliper deciduous and coniferous trees;
- that Building B, with a floor area of 3,056.51 square metres (32,901.08 square feet), is intended for use as a supermarket;
- that the subject proposal be zoned to permit a wide range of commercial uses (see Appendix B for a complete list of proposed uses); and,
- a maximum building height of 7.32 metres (24 feet) to the tip of the roof for Buildings A, C, and D and a height of 12.2 metres (40 feet) for the supermarket, Building B.

2.0

PROPERTY DESCRIPTION AND SURROUNDING LAND USES

The subject property:

- is located in the south-east quadrant of Queen Street West and Chinguacousy Road;
- is legally described as Part of Lot 5, Concession 2, W.H.S.;
- has a frontage of 116.39 metres (381.86 feet) on Chinguacousy Road, a flankage of 146.49 metres (480.61 feet) on Queen Street West, and a lot depth of approximately 192.0 metres (629.92 feet);
- has an area of 2.96 hectares (7.31 acres); and,
- is flat, vacant, and contains no significant vegetation.

The surrounding land uses are as follows:

North: Vacant land at the south-east corner of Queen Street West and Chinguacousy Road intended to be used as a service station and, further to the north, existing single family residential development fronting on Bates Court and Corkett Drive.

West: Rural residential properties fronting on the west side of Chinguacousy Road and a vacant parcel of land on the south-west corner of Chinguacousy Road and Queens Street West which is the subject of an application, to amend the Official Plan and Zoning By-law to permit the development of a service station with a retail commercial component. This application (Joseph Genova - Our File: C3W5.5) has been deferred pending the outcome of the Official Plan Review.

South and East: Vacant land zoned and draft approved for single family residential purposes under file 21T-86056B - C2W5.2 - 574971 Ontario Limited.

3.0 OFFICIAL PLAN AND ZONING STATUS

The subject property is:

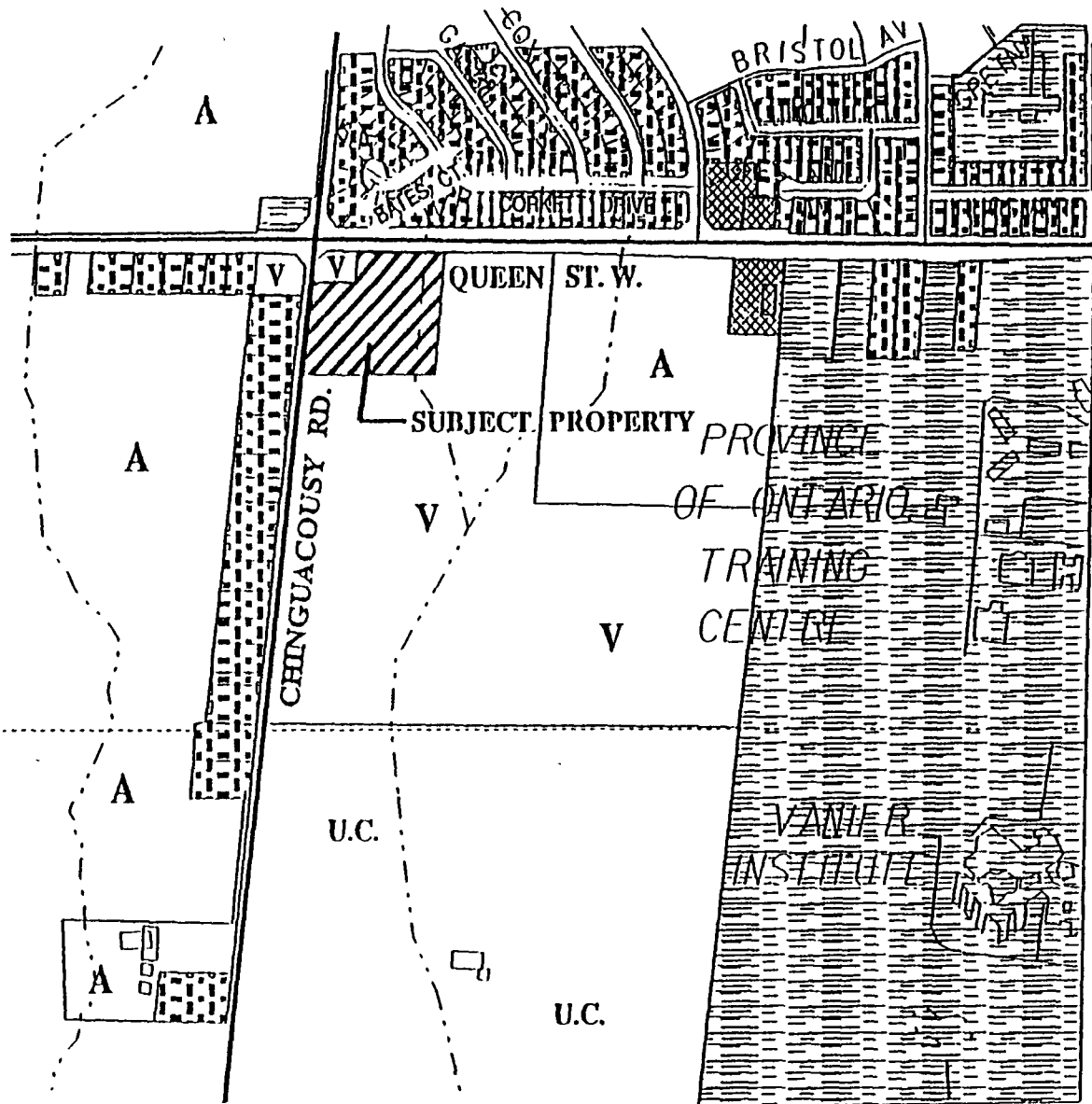
- designated "Commercial" on Schedule A of the Official Plan;
- designated "Neighbourhood Commercial" on Schedule F of the Official Plan and on Schedule SP15(b) of the Fletchers West Secondary Plan (Official Plan Amendment 123); and,
- zoned "Agricultural (A)" in By-law 151-88, as amended.









Although the secondary plan identifies the subject lands for Neighbourhood Commercial development it restricts the gross leasable area to a maximum of 5295.3 square metres (57,000 square feet). The Neighbourhood Commercial designation permits, as a primary use, a supermarket with a gross leasable area not exceeding 2322.5 square metres (25,000 square feet). Since the subject proposal exceeds these limits and the subject property is zoned for agricultural purposes, amendments to both the Official Plan and Zoning By-law are required to permit the proposed development.

4.0 STRATEGIC PLANNING IMPLICATIONS

The City's Strategic Plan identifies a series of goal streams, objectives and strategic initiatives. This application is most in keeping with the following:

- creating a "Prosperous Economy" by encouraging "desirable and sustainable economic growth in order to build a firm foundation for long term community prosperity", specifically by increasing the commercial/industrial assessment ratio.



-  SUBJECT PROPERTY
-  RESIDENTIAL
-  INSTITUTIONAL
-  OPEN SPACE
-  U.C. UNDER CONSTRUCTION
-  V VACANT
-  A AGRICULTURAL
-  COMMERCIAL

CITY OF BRAMPTON

EXISTING LAND USE

Date: 1992 09 23 Drawn By: C.R.E.
 File no. C2W5.4 Map no. 58 - 25D



PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
 574971 ONTARIO LIMITED

From a City financial perspective, the Treasury Services Division has advised that this proposed commercial development, with no residential offset, would provide a total assessment of \$3.5 million with a net financial impact to the City's annual operating position would be a positive \$27,700 annually.

5.0

BACKGROUND

The subject site was included in an application (Our file: C2W5.2) for a draft plan of proposed subdivision. The site was not included in the accompanying application to amend the zoning by-law. This was to allow the applicant to meet with surrounding property owners so that their concerns might be addressed in the preparation of the site development plan. It should be noted that the applicant made commitments to the residents to the north with respect to grading, fencing and plantings during the secondary plan approval stage. As a result, Council, in approving the secondary plan, passed the following resolution on July 13, 1987:

"that Lakeview accommodate the residents of Bates Court by grading, fencing and planting to staff satisfaction"

The subject proposal was submitted on April 18, 1991 and subsequently the applicant held informal public meetings with the surrounding residents on May 23, 1991 and July 9, 1992. The latter was held after the submission of the revised site plan. For the initial meeting, invitations were delivered to the residents of Garbutt Crescent, Brydon Crescent, Bates Court, Cox Crescent, Corkett Drive and Major William Sharpe Drive, the area Councillors and Aldermen and to the Chairman and Members of the Ward 4 and 5 Citizens Advisory Committees. At the subsequent meeting this list was expanded to include the Montessori School and the first nine residents living on the west side of Chinguacousy Road south of Queen Street West.

The purpose of these meetings was to elicit input into the formulation of the site plan. Predominant concerns raised at the meetings centred around the impact of traffic, access, size of the development, hours of operation and uses that would encourage loitering and a "hangout" type environment.

It should be noted that the Fletchers West Secondary Plan (OPA 123 - Section 3.2.1 v) states that only commercial development that is compatible with adjacent and abutting residential lands through landscaping and screening, to the City's satisfaction, is to be permitted. When the draft plan of proposed subdivision was considered, the size of the subject site was an issue and the staff report, dated January 4, 1989, stated the following regarding the subject property:

"...According to the applicant the future commercial block will be the subject of a separate rezoning application at a later date when discussions between the applicant and the surrounding property owners have taken place, thereby allowing the applicant to prepare an appropriate site development plan...The 2.83 hectare

(7.0 acre) block is greater in size than would be expected given the limit in gross commercial floor area for the site as contained in the secondary plan for the area. This larger site, as proposed, affords a greater opportunity to provide increased landscaping and buffering as well as a greater opportunity to incorporate the abutting service station site... In view of this, staff has no objection to the size of the future neighbourhood commercial site proposed, provided that the increased size is not interpreted as a basis to increase the gross commercial floor area of the future facility."

In addition to the above staff comments, Condition 43 to the conditions of draft approval states:

"That the applicant shall agree that the gross commercial floor area of development of Block 435 (the subject property) shall not exceed 5300 square metres" (17,388.45 square feet).

The discussion and recommendations that follow address the above noted comments and concerns regarding the subject proposal.

6.0 ANALYSIS

A complete circulation of this application was undertaken and the comments received are contained in Appendix "A". The subject proposal was evaluated with respect to the following factors:

- land use;
- proposed uses; and,
- site specific requirements and details including:
 - setbacks;
 - urban design:
 - landscaped open space; and
 - architectural details;
 - parking;
 - access; and,
 - the proposed drive-through for Building D.

6.1 Land Use

As previously mentioned, the subject lands are designated for Neighbourhood Commercial use in both the Official Plan and the Fletchers West Secondary Plan (Official Plan Amendment 123). Although the subject proposal falls within the size parameters for neighbourhood commercial centres as outlined in the Official Plan, the Fletchers West

Secondary Plan limits the gross leasable areas for the neighbourhood commercial centre and supermarket to a maximum of 5295.3 square metres (57,000 square feet) and 2322.5 square metres (25,000 square feet), respectively.

The revised site plan indicates a total gross floor area of 7148.4 square metres (76,947.26 square feet) and 3,056.51 square metres (32,901.08 square feet) for Building B, which is intended for use as a supermarket. The applicant has submitted an economic impact study which analyses the market feasibility of the subject proposal based on the existing population and the projected population of draft approved subdivisions within the trade area of the subject proposal. Specifically, the trade area was not based on any future urban boundary expansion. The Planning Policy and Research Division has reviewed this analysis and have advised that the results of the study are satisfactory in measuring the impact of the proposed neighbourhood commercial centre on similar facilities within the trade area of the subject proposal, but question whether the trade area population for the supermarket will be achieved by 1996 as projected in the study. If additional supermarket space is permitted prior to the required trade area population being reached, supermarkets within the subject proposal's trade area may be negatively impacted, particularly the Food City located at the north-west corner of McLaughlin Road and Queen Street West. Consequently, the Planning Policy and Research Division have recommended that the following be implemented:

- that the approval of the application be subject to a provision that only allows the additional F.C.T.M. space beyond what is currently designated by the prevailing secondary plan (25,000 square feet) until the trade area's population levels specified by Table 2(a) (see Appendix C) have been fully attained. The applicant will have to support the additional F.C.T.M. space by submitting further population information to the satisfaction of the Commissioner of Planning.

Accordingly, the subject proposal is supportable from a land use planning perspective given that the above noted provision is implemented.

6.2 Proposed Uses

The applicant is proposing that the following uses as found in the Commercial Two (C2) zone be permitted on the site (a detailed list of proposed uses can be found in Appendix B):

(a) Commercial:

- (1) a retail establishment having no outside storage;
- (2) a supermarket;
- (3) a service shop;
- (4) a personal service shop;
- (5) a bank, trust company and finance company;
- (6) an office;

- (7) a dry cleaning and laundry distribution station;
- (8) a laundromat;
- (9) a parking lot;
- (10) a dining room restaurant, a fast food restaurant, a standard restaurant, a take out restaurant;
- (11) a printing or copying establishment;
- (12) a commercial school;
- (13) a garden centre sales establishment;
- (14) a temporary open air market;
- (15) a place of commercial recreation;
- (16) a community club;
- (17) a health centre;
- (18) a tavern; and,
- (19) a custom workshop.

(b) Accessory:

- (1) purposes accessory to the other permitted purposes.

In addition, the applicant is proposing that the following uses, which are not permitted in the C2 zone, be allowed:

(a) Commercial:

- (1) a drive-in restaurant
- (2) a fast food restaurant with drive-through facility

(b) Non-Commercial

- (1) a library; and,
- (2) a day nursery.

Given the proximity of the subject proposal to residential development, both existing and approved, and the concerns expressed by area residents, consideration must be given to the impact of the proposed uses. Generally speaking, those uses that produce excessive noise and encourage loitering are not desirable adjacent to residential development. These problems are exacerbated by the fact that hours of operation cannot be regulated and therefore the above mentioned problems could extend to all hours of the day. As a result, staff recommend that uses that encourage loitering such as amusement arcades, billiard parlours, pool halls, adult entertainment parlours, places of commercial recreation and temporary open air markets be restricted in the amending zoning by-law.

6.3 Site Specific Requirements and Details

As with any application for commercial development, site development plan approval will be required prior to the issuance of a building permit to deal with specific development details. However, as a result of the circulation and review of this application and the preliminary concept site plan submitted in support of the application, a number of site specific details were commented on and should be considered at

this time.

6.3.1 Setbacks

The concept site plan indicates minimum building setbacks of approximately 20.0 metres from Chinguacousy Road, 25.0 metres from Queen Street West and 9.0 metres from the abutting residential lands to the south and east. The Region requires a 14.0 metre setback on regional roads and therefore the subject proposal provides sufficient setback in this regard. The provision of a 9.0 metre setback from abutting residential lands is sufficient in a CI zone where supermarkets are not permitted, however, the subject proposal includes a 3,056.51 square metre (32,901.08 square foot) supermarket and as a result the Urban Design and Zoning Division has advised:

"The proposed loading at the rear of the proposed supermarket is a noise source. The garbage compacting activities, the refrigerated delivery trucks, the waste collecting activities, etc. usually take place at early hours and have generated numerous complaints from residents in some old plazas where the location of these facilities were not sensitively considered.

In accordance with the City's comprehensive zoning by-laws, a commercial development with a supermarket (where these noise generating activities are most intense), the minimum setback distance to a residentially zoned property is 18.0 metres which is not provided by the proposed development.

A screen wall at the loading area is an unsatisfactory arrangement to protect future residents. An alternative solution is to redesign the plaza so that these noise generating activities are not in the vicinity of the residential properties or at least provide the required minimum 18.0 metre setback."

Given the above comments and the fact that the larger site was, as previously noted, to provide for increased landscaping and buffering, staff recommend that a minimum 18.0 metre setback be required from the abutting residential properties. This will result in a redesign of the site and possibly a reduction in the gross floor area that can be achieved and consequently result in a less intense development.

6.3.2 Urban Design

6.3.2.1 Landscaped Open Space

As a result of the review of this application staff have made several recommendations with respect to the landscaping of the subject lands. The Urban Design and Zoning Division has requested that a 4.5 metre (14.7 feet) landscaped open space area be provided along Queen Street West as illustrated on the concept site plan. In addition, they advise that a 3.0 metre (9.8 feet) landscaped open space area is required along the future gas bar to the north-west as the site will be significantly reduced due to road widening requirements. As previously mentioned, one of the reasons for the larger than required site for

this neighbourhood commercial development was to provide increased landscaping and to allow for the incorporation of the future gas bar. The 3.0 metre landscaped open space on the subject lands would accommodate the future gas bar by providing an appropriate amount of landscaped area between the two uses.

The applicant is proposing that the landscaping requirements in relation to the abutting residential lands to the south and east can be met by providing a 3.0 metre open space area, to be planted with deciduous and coniferous trees, on the abutting residential lots. These lots are proposed to have depths of 33.0 metres. Although the by-law requirement for these residential lots requires a minimum 30.0 metre lot depth it should be noted that this is a minimum requirement and good planning practice allows for greater lot depth adjacent to commercial development. As noted by the Urban Design and Zoning Division, it is not in the best interest of the City to provide buffer planting on abutting lands in lieu of adequate buffering on the site which necessitates the buffer. In addition it is noted that the required rear yard setback for the abutting residential lands is 7.6 metres and there is no mechanism in place, such as site plan approval for these residential lands, to ensure that adequate buffering is provided and maintained. Therefore the 3.0 metre wide landscaping should be required on the commercial lands. In conclusion, the residential properties will be subject to standard City requirements and the commercial site should address its requirements separately.

The applicant has submitted a landscape entry detail that is also indicated on the revised site plan/landscape concept. Staff recommend that the exact location of this feature be determined at the site plan approval stage where the possibility of co-ordinating the location with the bus stop and other features such as paper boxes can be explored. Since this landscape feature is an important element in fulfilling the special landscaping requirements of the site it is recommended that an appropriate condition be included to ensure the proposed feature is realized.

6.3.2.2 Architectural Details

Since the subject lands are in a high visibility location, architectural detailing should be sensitive to this level of exposure. The elevation drawing (attached) illustrates a number of details to enhance the compatibility with the surrounding residential lands. Staff recommend that the features shown on the elevation drawing, such as a pitched roof, brick detailing, dormers and a public arcade, be incorporated as part of the design during the site plan approval process. In addition, the design of all signs shall be in conformity with the provisions of the sign by-law.

6.3.3 Parking

The concept site plan illustrates a total of 379 parking spaces. The parking requirements contained in By-law 151-88 for a neighbourhood commercial centre is 1.0 space for each 19 square metres of gross leasable commercial floor area or portion thereof. As such the parking

requirement for the subject proposal is 377 spaces and therefore the proposed 379 spaces are sufficient to meet the minimum requirements of the by-law.

6.3.4 Access

As indicated on the concept site plan, the applicant is proposing two access points to the site. Since Queen Street West is under the jurisdiction of the Region of Peel and Chinguacousy Road will in the future be under the Region's authority (as Mavis Road) their comments are pertinent to the development of the subject lands.

Ultimately Chinguacousy Road will join Mavis Road in Mississauga and become a regional road which will be widened to four lanes and eventually to six lanes. The Region advises that full turning movement access will be permitted at Chinguacousy Road on a temporary basis until the road is widened and a centre median constructed. At that time access will be limited to right-in/right-out only.

Full access to Queen Street West will be allowed by the Region subject to the construction of a westbound left turn lane at the entrance to the site. In addition, the Region recommends that the applicant provide two exit lanes and one entrance lane at Queen Street West to further facilitate the smooth flow of traffic to and from the proposed shopping centre.

The site plan illustrates two future connections to the proposed gas station to the north-west of the subject property. Both the Region and the City Traffic Services Division advise that these connections should be eliminated from the plan and that the gas station should operate with independent access. Access between these sites would aggravate traffic movement on the small gas bar site and encourage additional traffic movement in the vicinity of the intersection of Queen Street West and Chinguacousy Road.

6.3.5 Proposed Drive Through for Building D

As illustrated on the concept site plan, Building D has a drive-through component. This design will be reviewed during the site plan approval process to assess whether the drive-through can accommodate the required number of stacking spaces and service area without interfering with traffic movement in the adjacent area.

7.0 RECOMMENDATION

In conclusion, staff can support the proposal with the appropriate conditions, including the amount of supermarket floor space that may be developed at this time. The increased size of the proposed neighbourhood commercial centre can facilitate a satisfactory interface with adjacent and abutting residential lands and will have a sufficient trade area.

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

- A. *A Public Meeting be held in accordance with City Council's procedures, and*
- B. *Subject to the results of the Public Meeting, Staff be directed to prepare the appropriate documents for the consideration of City Council, subject to the following conditions:*
1. *An amendment to the appropriate secondary plan to permit a maximum gross leasable area of 7,148.4 square metres (76,947.26 square feet) and a maximum gross leasable area of 3,056.51 square metres (32,901.08 square feet) for the supermarket use when sufficient population in the trade area is achieved.*
 2. *The site specific by-law shall contain the following provisions:*
 - (a) *the site shall only be used for the following:*
 - *a retail establishment having no outside storage;*
 - *a supermarket;*
 - *a service shop;*
 - *a personal service shop;*
 - *a bank, trust company and finance company, with or without a drive through facility;*
 - *a dry cleaning and laundry distribution station;*
 - *a laundromat;*
 - *a parking lot;*
 - *a dining room restaurant, a standard restaurant, a take out restaurant, a drive-in restaurant and a fast food restaurant, with or without a drive through facility;*
 - *a printing or copying establishment;*
 - *a commercial school;*
 - *a garden centre sales establishment;*
 - *a community club;*
 - *a health centre;*

- a tavern;
 - a custom workshop;
 - a library;
 - a day nursery; and,
 - purposes accessory to the other permitted purposes.
- (b) a place of commercial recreation, adult entertainment parlours, billiard parlours, pool halls, amusement arcades and temporary open air markets shall not be permitted;
- ✓(c) minimum interior side yard width: 18.0 metres;
- ✓(d) minimum rear yard depth: 18.0 metres;
- (e) minimum front yard depth: 25.0 metres;
- (f) minimum exterior side yard depth: 20.0 metres;
- (g) maximum building height: 1 storey;
- (h) maximum gross floor area: 7,148.4 square metres;
- (i) maximum gross floor area for a supermarket: 3,056.51 square metres;
- (j) restaurant refuse storage shall be enclosed in a climate controlled area within a building;
- (k) all garbage and refuse storage, other than restaurant refuse storage, but including any containers for the storage of recyclable materials, shall be enclosed within a building;
- (l) parking shall be provided in accordance with the provision of By-law 151-88, as amended;
- (m) landscaped buffers shall be provided as follows:
- a minimum 3.0 metre width along the south and east property lines;
 - a minimum 3.0 metre width along the property lines abutting the proposed gas station;
 - a minimum 4.5 metre width abutting Queen Street West; and,

o a minimum 3.0 metre width abutting Chinguacousy Road.

(n) shall be subject to the requirements and restrictions relating to the C2 Zone, and all the general provisions of By-law 151-88, which are not in conflict with the above.

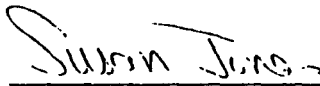
2. Development of the subject lands shall be subject to a development agreement and shall contain the following:

- (a) prior to the issuance of a building permit, a site development plan, an access plan, a landscape and fencing plan, a grading and drainage plan, an engineering and servicing plan, a fire protection plan and elevation and cross-section drawings shall be approved by the City and appropriate securities shall be deposited with the City to ensure implementation of these plans in accordance with the City's site plan review process;
- (b) the site plan and landscape plan shall reflect a landscape entry feature to the satisfaction of the Commissioner of Planning and Development;
- (c) the applicant shall agree that all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and properties;
- (d) the applicant shall agree to pay all applicable City and Regional development charges in accordance with their respective Development Charges By-laws;
- (e) the applicant shall pay cash-in-lieu of parkland conveyance in accordance with City policy;
- (f) the site plan shall reflect, in accordance with the Zoning By-law, any drive through facility in a manner as not to interfere with the adjacent parking area;
- (g) the applicant shall agree to provide a 0.3 metre reserve along Queen Street West and Chinguacousy Road except at approved access locations;
- (h) the applicant shall agree that full access will be permitted to Chinguacousy Road on a temporary basis and agree not to object or claim damages against the Region or the City when a centre median is constructed on Chinguacousy Road in the future, which will restrict access to right-

in/right-out only;

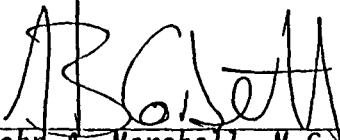
- (i) the applicant shall submit grading and drainage plans to the Regional Public Works Department for approval prior to the issuance of a building permit;*
- (j) the applicant shall agree to construct a west bound left turn lane at the Queen Street West entrance to the site and provide one entrance and two exit lanes at the Queen Street West access to the satisfaction of the Region and when required by the Region;*
- (k) the applicant shall agree to submit for approval to the Region of Peel the site plan which shall illustrate the west bound right turn lane on Queen Street, the west bound left turn lane at the entrance to the site from Queen Street West and two exit and one entrance lane at the Queen Street access;*
- (l) the applicant shall agree to install a 2.0 metre high masonry fence along the south and east property lines of a design and in a location satisfactory to the City;*
- (m) the site plan shall reflect no future connections from the subject lands to the proposed gas bar at the corner of Chinguacousy Road and Queen Street West;*
- (n) the applicant shall agree that the maximum gross leasable area of the supermarket shall be 2322.5 square metres (25,000 square feet) until the population in the trade area contained in the revision to the Retail Demand and Impact Study, dated May 15, 1992, prepared by W. Scott Morgan, Consultant Land Development and Planning, is reached and further population information is submitted, to the satisfaction of the Commissioner of Planning and Development, which supports a 3,056.51 square metre (32,901.08 square foot) supermarket on the site;*
- (o) the elevation and cross-section drawings shall reflect a pitched roof, brick detailing dormers and a public arcade; and,*
- (p) the applicant shall agree that all signs shall conform to the provisions of the sign by-law.*

Respectfully submitted,

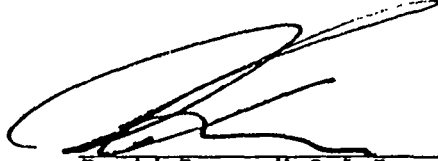


Susan Jones,
Development Planner

AGREED:



John A. Marshall, M.C.I.P.
Commissioner of Planning
and Development



David Ross, M.C.I.P.
Manager, Development
Services Division

KA/SJ/574971report

noted
ABC

APPENDIX A

COMMENTS FROM DEPARTMENTS AND EXTERNAL AGENCIES

The following departments have no comments or concerns: the Public Works and Building Department, Building Division, the Community Services Department, Fire and Transit, the Business Development Office and the Law Department.

The Community Services Department

Parks and Recreation has advised:

That the applicant pay cash in lieu of parkland in accordance with City policy, prior to the issuance of the building permit for the block.

That the applicant prepare a landscape and fencing plan acceptable to the Site Plan Committee. The Parks and Recreation Department recommends that the proposed buffer planting not be provided on private property but on the commercial block to buffer it from the adjacent residences. The screen planting is then the responsibility of the commercial block to maintain and it would be administered through the site plan agreement.

The landscape feature to be provided on Queen Street is to be designed in conjunction with the transit stop, newspaper boxes, etc. to create a functional area along the streetscape that is usable by residents and patrons of the commercial uses.

Treasury Services Division has advised:

This application was evaluated to determine its impact on the City's net annual financial position and goal to improve its assessment ratio. The following assumptions were made within the evaluation of the proposed commercial development:

1. Development plan data regarding site coverage for this 7.3 acre site;
2. Total City, Region and School Board property tax for commercial retail of \$4.50/square foot plus 30 percent business assessment;
3. Although minor institutional (non-taxable) uses were suggested the plan was assumed to represent taxable, commercial retail uses.

It was found that (in \$ 1992):

1. Total assessment for the commercial proposal was about \$3.5 million with no residential offset, thereby improving the City's assessment ratio.
2. The net financial impact to the City's annual operating position was a positive \$27,700.

The Public Works and Building Department

Traffic Engineering Services has advised:

The proposed "future connections" from the subject plaza to the proposed gas bar are to be deleted. This inter-connection of uses will not be permitted.

As proposed, Building 'D' has depicted a drive through facility. A minimum of 10 (ten) vehicle stacking spaces must be provided in such a manner as not to interfere with the adjacent parking spaces/parking aiseways.

All traffic related matters regarding Queen Street and Chinguacousy Road (i.e. road widenings, 0.3 metre reserves, access, roadway improvements), shall be addressed by the Region of Peel, as Queen Street is under their jurisdiction, and Chinguacousy Road will be under their control in the future.

Detailed comments pertaining to internal circulation will be addressed during formal site plan review.

Through discussions with the Region of Peel, it is our understanding that they will be requiring the applicant to agree that the access to Chinguacousy Road will ultimately be restricted to right in/right out traffic operations only. In the meantime, the access can operate as a full-turning entrance.

Development and Engineering Services Division has advised:

- "1. All road widenings and 0.3 metre reserves along Chinguacousy Road as per residential plan to the south and all road widenings and 0.3 metre reserves along Queen Street as per Region of Peel requirements.
2. All access/exit locations as per Region of Peel (Chinguacousy Road to become a Regional road).
3. We require a site plan agreement addressing grading, drainage and access prior to the issuance of a building permit."

The Regional Municipality of Peel

Planning Department has advised:

Full access will be permitted to Chinguacousy Road on a temporary basis. The site plan agreement shall include a clause whereby the developer will not object or claim damages against the Region or the City when a centre median is constructed on Chinguacousy Road in the future, which will then restrict access to right-in, right-out only.

Full access will be permitted from Queen Street West subject to construction of a westbound left turn lane at the entrance to the site. The access from Queen Street is not expected to be signalized. The plan does not reflect the required west bound right-turn lane on Queen Street. The applicant shall construct a west bound left turn lane at the entrance to the site.

The Region suggests that in order to facilitate traffic movements at the Queen Street access, that the developer provide two exit lanes and one entrance lane.

The proposed building setbacks comply with the Region's By-law requirements.

The future connections to the proposed gas bar on the corner of Chinguacousy Road and Queen Street shall be eliminated from the plan.

In addition grading and drainage plans shall be submitted to the Regional Public Works Department for approval.

As a result of the above comments, we anticipate that a revised site plan will be submitted for approval.

Public Works Department has advised:

Water: Available in a 400mm diameter main on Queen Street. Frontage charges apply at the prevailing rate, presently \$32.50 per metre.

Sanitary Sewer: Available in 375mm diameter sewer at the north limit of Lockwood Road. Extension of the sewer through subdivision 21T-86019B and 21T-86056B is required.

The Planning and Development Department

Planning Policy and Research Division has advised:

Market Justification:

Further to our meeting of late April, Scott Morgan as now completed the additional market work requested by staff concerning the potential impacts of the Antrex supermarket on similar facilities within the site's trade areas.

Staff are of the opinion that the analysis presented in the letter dated May 15, 1992 is satisfactory in measuring the market impact of additional F.C.T.M. space on supermarkets within the subject site's trade area. However, staff are still concerned that the trade area may not reach the projected 1996 population levels as illustrated by Table 2(a). Therefore, staff agree with the findings of the consultant's market impact study and the letter of May 15, 1992, if the following is implemented:

- that the approval of the application be subject to a provision that only allows the additional F.C.T.M. space beyond what is currently designated by the prevailing secondary plan (25,000 square feet) until the trade area's population levels specified by Table 2(a) have been fully attained. The applicant will have to support the additional F.C.T.M. space by submitting a population study.

Both the consultant's market impact study and his letter of May 15, 1992 clearly indicate that if additional F.C.T.M. space is released before sufficient population level are present, those supermarkets within the subject site's trade area will be severely impacted, especially the Westbram food store.

Site Planning:

Section 3.2.2 (iii) of OPA 123 states the following policy:

"Commercial development shall only be permitted which is compatible with adjacent residential development. Provision shall be made to minimize impacts on abutting and adjacent residential uses, through landscaping and the erection of a masonry wall and other methods of screening satisfactory to the City."

In addition, City Council's recommendation of June 19, 1987 reads as follows:

"That Lakeview accommodate the residents of Bates Court by grading, fencing and plantings to staff's satisfaction."

Policy staff are of the opinion that the submitted site plan does not adequately address both section 3.2.2. (iii) of OPA 123 and City Council's recommendation of June 19, 1987. In order for the application to proceed staff would like to see detailed site plan drawings that implement both the policies of OPA 123 and the City Council recommendation.

Urban Design and Zoning Division has advised:

The list regarding uses, provided by the applicant, should be subject to detailed review. We do not believe that uses such as drive-in restaurant, fast food restaurant, amusement arcade and billiard parlour (commercial recreation) should be permitted here. Some of the proposed uses belong to a general category, e.g., a drug store and a sporting goods store are a retail establishment. These uses will be reviewed when a by-law amendment is under preparation. The applicant should respect the hierarchy of commercial zoning and concept in the by-law and Official Plan. A distance separation should be required between food use and residential.

The street names of Queen Street and Chinguacousy Road are incorrectly shown on the key map.

The future access connection from this commercial development to the gas station should be deleted. A 3.0 metre wide landscaped open space shall be provided along the gas bar to the north-west. Due to the road widening requirements the gas bar site was significantly reduced. Therefore most of the land use separation function will have to be provided by this site. We presume that this is part of the reason that this commercial site is extra-large for its designation when the draft plan was reviewed and approved.

The service area for Building 'D' should be indicated. It is questionable as to whether there is sufficient area to accommodate required stacking spaces for the drive through facilities.

A 4.5 metre landscaped open space shall be provided along Queen Street.

It is not desirable to have service areas so close to single family development. While there is some merit in the proposal to provide a 3.0 metre landscaped buffer on the residential side of the property line, as the residents might maintain the landscaping better than the owner of the commercial block, there are concerns about timing and implementation. The buffer planting should be completed prior to occupancy of the houses. The subdivision landscaping has been previously approved and is now under revision for other matters. As the subdivision will likely be registered in the near future, we conclude that it is not in the best interest

of the City to have buffer planting on residential lands for this project. Therefore the 3.0 metre wide landscaping should be shown on the commercial lands. Perhaps the owner of the commercial land can obtain a 3.0 metre wide strip from the residential subdivision for this purpose.

In response to submissions from the applicant regarding Region of Peel Police recommendations regarding safety and policing obstacles the following comments have been provided:

1. The proposed loading at the rear of the proposed supermarket is a noise source. The garbage compacting activities, the refrigerated delivery trucks, the wasting collecting activities, etc. usually take place at early hours and have generated numerous complaints from residents in some old plazas where the location of these facilities were not sensitively considered.

In accordance with the City's comprehensive zoning by-laws, a commercial development with a supermarket (where these noise generating activities are most intense), the minimum setback distance from a residentially zoned property is 18.0 metres which is not provided by the proposed development.

A screen wall at the loading area is an unsatisfactory arrangement to protect future residents. An alternative solution is to redesign the plaza so that these noise generating activities are not in the vicinity of the residential properties or at least provide the required minimum 18.0 metre setback.

2. The "L" shaped plaza, due to its narrow rear sides, does not encourage natural supervision of the site. Should the plaza be designed to have minimum setbacks from Queen Street and Chinguacousy Road, the natural supervision aspects could be improved. Nevertheless, such a design may cause marketing or other problems.
3. The argument that a 3.0 metre wide landscaped area on the plaza site along the residential properties being a sight obstruction is incorrect. The only planting that would be required in this strip is a row of high branch deciduous trees which would not obstruct views at ground level but provide visual relief to the residents from the plaza building beyond the 2.0 metre high masonry wall.
4. The suggestion that landscaped planters and benches along streets are the potential cause of criminal activities is to underestimate the citizenship of the community and disregard the needs of the elderly to congregate and people to interact with society. The urban design of a city can be measured in the ability to attract its residents to a site where interaction can occur in a socially acceptable manner. Good urban design examples all over the world and the results of the City's Cityscape 2000 workshop emphasize a pedestrian oriented approach.

Generally speaking, staff endeavour to accommodate the commercial proposal submitted by the applicant yet consider the interests of the future residents to avoid problems later on. After all, the houses will be built prior to the plaza thus future residents will not have a chance to voice their concerns but can not assess the overall impact of the commercial

development prior to their purchasing of the houses.

APPENDIX B

The applicant is now seeking approval for the following uses:

Commercial

1. a retail establishment having no outside storage;
2. a supermarket;
3. a service shop;
4. a personal service shop;
5. a bank, trust company and finance company;
6. an office;
7. a dry cleaning and laundry distribution station;
8. a laundromat;
9. a dining room restaurant, a standard restaurant, a take-out restaurant, drive-in restaurant, fast food restaurant with drive-through facility;
10. a parking lot;
11. a printing or copying establishment;
12. a commercial school;
13. a garden centre sales establishment;
14. a temporary open market;
15. a place of commercial recreation;
16. a community club;
17. a health centre;
18. a tavern;
19. a custom workshop;
20. a convenience store;
21. a swimming pool sales and service establishment;
22. an art gallery;
23. a dairy bar;
24. home furnishings and improvement retail warehouses;

25. a drug store;
26. a wine, liquor or beer outlet;
27. a hardware store, paint and wallpaper sales establishment;
28. a video rental and sales store;
29. a sporting goods store;
30. a gift, craft and hobby shop;
31. an optical store;
32. a pharmacy; and
33. an optometrist.

Non-Commercial

1. a library; and
2. a day nursery.

Accessory

1. purposes accessory to the other permitted purposes.

APPENDIX C

TABLE 2(a)

TRADE AREA POPULATION PROJECTIONS BY TRAFFIC ZONE

TRAFFIC ZONE	1991	1994	1995	1996	2001
<u>Primary Trade Area</u>					
146*	7,070	8,105	8,450	8,795	8,832
147*	3,890	3,984	4,015	4,047	4,125
165**	245	4,021	5,113	6,155	6,155
Total	11,905	16,160	17,578	18,997	19,112
<u>Secondary Trade Area</u>					
144	4,286	4,416	4,459	4,502	4,654
148	3,909	4,016	4,051	4,087	4,175
166	4,909	5,774	6,063	6,351	7,310
167	7,722	7,850	7,891	7,921	8,030
Total	20,833	22,056	22,464	22,871	24,169
TOTAL	32,738	38,216	40,042	41,868	43,281

* Prorated projections for Traffic Zones 146 & 147 are derived from "Population and Dwelling Unit Projections By Traffic Zone", Brantford Planning & Development Department, September 8, 1989.

** Traffic Zone 165 is projected to reach full occupancy by 1996:

Subdivision 21T-86058 B @ 474 units (low density @ 3.2 ppu= 1,517 persons)
Note: 394 units constructed by 1991.

Subdivision 21T-86056 B @ 225 units (very low density)
@ 184 units (low density)
@ 119 units (medium density)
528 units (@ 3.2 ppu=1,689 persons)

Subdivision 21T-88076 B @ 69 units (low density @ 3.2 ppu)
@ 96 units (medium density @ 3.2 ppu)
@ 71 units (medium to high density @ 2.1 ppu)
@ 236 units (@ 2.87 ppu=677 persons)

Subdivision 21T-86019 B @ 315 units (very low density)
@ 254 units (low density)
@ 141 units (medium density)
@ 710 units (@ 3.2 ppu=2,272 persons)

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

November 6, 1992

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

NOTES OF THE PUBLIC MEETING

RE: Application to Amend the Official Plan and Zoning By-law
574971 ONTARIO LIMITED
Part of Lot 5, Concession 2, W.H.S.
South-east Quadrant of Queens Street West and Chinguacousy Road
Ward Number 4
Our File: C2W5.4

The notes of the public meeting, held on Wednesday, November 4, 1992, are attached for the information of Planning Committee.

The subject property is located at the south-east quadrant of Queen Street West and Chinguacousy Road. The applicant is proposing that the site be developed with a 7,148.4 square metres (76,947.26 square feet) neighbourhood shopping centre.

One member of the public was present and asked a number of questions regarding the application, all of which were answered at the meeting. No objection to the application was raised and no correspondence has been received.

It is noted that on October 26, 1992, City Council, in approving the application subject to a public meeting, agreed with the applicant's proposal that landscaping along the east and south property boundaries be provided in the rear yards of the future detached dwellings to the east and south and setbacks and landscaping in these locations be provided as proposed by the applicant. In approving this approach to buffering, Council required that:

- the subdivision agreement for the abutting future detached dwelling lots to the east and south (Draft Approved Plan 21T-86056B - 574971 Ontario Limited) make provision for the appropriate warning clauses identifying the required 3.0 metre wide landscape buffer strip in the rear yards of the lots abutting the plaza and a copy of the commercial site plan showing the proposed development, including the plan for the landscape buffer strip, be posted in the sales office; and,
- the zoning of the abutting future detached dwelling lots to the east and south be amended to ensure the proper lot depth and rear yard setback to accommodate the landscaped strip.

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
574971 ONTARIO LIMITED

The applicant has proposed that the rezoning of the abutting residential lands, to make provision for proper lot depth and rear yard setback, be included in the by-law amendment for the subject lands and as such would not be subject another application to amend the zoning by-law and that another public meeting is not necessary. However, the Legal Department advises that, since the suggested rezoning of the residential lands was not part of the public meeting notice with respect to the subject application, another public meeting should be convened to ensure compliance with Planning Act requirements. Staff have no objection to this approach proposed by the applicant provided that another public meeting be held.

The residential lots which will be rezoned to incorporate the 3.0 wide landscape buffer area are indicated on the attached map. It should be noted that the applicant has advised that lots 191 and 192 have insufficient depth to provide the 33.0 metre minimum lot depth and the applicant requests that they be rezoned to permit a minimum lot depth of 31.3 metres. The remaining lots have sufficient depth to provide a 33.0 metre minimum lot depth and all lots can be rezoned to require 10.5 metre minimum rear yard setbacks.

Although staff remain of the opinion that the 3.0 metre wide landscaping should be provided on the subject lands, in keeping with the intent of Council's approval of the application, dated October 26, 1992, it is recommended that Planning Committee recommend to City Council that:

- A. The notes of the public meeting be received.
- B. The applicant amend the application, and pay the applicable fees to include a request that the zoning for lots 161-173 and 177-194, as shown on draft approved plan 21T-86056B, be amended to require a minimum lot depth of 33.0 metres, except lots 191 and 192 which shall be 31.3 metres, and a minimum rear yard depth of 10.5 metres.

A further public meeting be held to ensure compliance with Planning Act requirements.

- D. That the application be approved subject to the following conditions:

- 1. That prior to the enactment of the amending zoning by-law the applicant shall request and secure the following amendments to the conditions of draft approval for draft plan of subdivision 21T-86056B:

- i) deletion of condition 43 which requires the applicant to agree that the gross floor area on Block 435 (the subject site) shall not exceed 5,300 square metres
- ii) inclusion of a provision that the applicant shall provide a landscape buffer to the satisfaction of the City having a minimum width of 3.0 metres along the rear property boundaries of lots 161-173 and 177-194 as shown on draft approved plan 21T-86056B

- iii) inclusion of a provision that the applicant shall include a warning clause in all offers of purchase and sale for lots 161-173 and 177-194 identifying the location of the 3.0 metre wide landscape strip on said lots and the purpose of the landscaping to buffer said residential properties from the neighbourhood commercial development to the north and west
 - iv) inclusion of a provision that the applicant agree prior to offering any units for sale, to place on the wall of the sales offices, in a place readily available to the public, the approved site development plan for the neighbourhood commercial development, Block 435 of draft approved plan 21T-86056B, and the 3.0 metre wide landscape buffer along lots 161-173 and 177-194, as shown of draft approved plan 21T-86056B
 - v) revision to condition number 37 regarding the sales office display map to include the location of the 3.0 metre landscape buffer strip along lots 161-173 and 177-194 as shown of draft approved plan 21T-86056B
 - vi) revision to condition number 42 to include a warning in all offers of purchase and sale for lots 161-173 and 177-194, as shown of draft approved plan 21T-86056B, of the potential noise source related to neighbourhood commercial and supermarket use
2. An amendment to the appropriate secondary plan to permit a maximum gross leasable area of 7,148.4 square metres (76,947.26 square feet) and a maximum gross leasable area of 3,056.51 square metres (32,901.08 square feet) for the supermarket use when sufficient population in the trade area is achieved.
3. The site specific by-law shall include amendments to the zoning for lots 161-173 and 177-194 as shown on draft approved plan 21T-86056B to require:
- i) minimum lot depth of lots 161-173, 177-190, 193 and 194 - 33.0 metres
 - ii) minimum lot depth of lots 191 and 192 - 31.3 metres
 - iii) minimum rear yard depth - 10.5 metres

and the following provisions as they apply to the commercial component:

(a) the site shall only be used for the following:

- a retail establishment, including a wine, liquor and beer outlet, having no outside storage;
- a supermarket;
- a service shop;
- a personal service shop;
- a bank, trust company and finance company, with or without a drive through facility;
- a dry cleaning and laundry distribution station;
- a laundromat;
- a parking lot;
- a dining room restaurant, a standard restaurant, a take out restaurant, a drive-in restaurant and a fast food restaurant, with or without a drive through facility;
- a printing or copying establishment;
- a commercial school;
- a garden centre sales establishment;
- a community club;
- a health centre;
- a tavern;
- a custom workshop;
- a library;
- a day nursery;
- an office;
- a fitness centre;
- a convenience store; and,

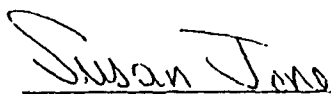
- *purposes accessory to the other permitted purposes.*
- (b) *a place of commercial recreation, adult entertainment parlours, billiard parlours, pool halls, adult video stores, amusement arcades and temporary open air markets shall not be permitted;*
- (c) *minimum interior side yard width: 9.0 metres;*
- (d) *minimum rear yard depth: 9.0 metres;*
- (e) *minimum front yard depth: 25.0 metres;*
- (f) *minimum exterior side yard depth: 20.0 metres;*
- (g) *maximum building height: 1 storey;*
- (h) *maximum gross floor area: 7,148.4 square metres;*
- (i) *maximum gross floor area for a supermarket: 3,056.51 square metres;*
- (j) *restaurant refuse storage shall be enclosed in a climate controlled area within a building;*
- (k) *all garbage and refuse storage, other than restaurant refuse storage, but including any containers for the storage of recyclable materials, shall be enclosed within a building;*
- (l) *parking shall be provided in accordance with the provision of By-law 151-88, as amended;*
- (m) *landscaped buffers shall be provided as follows:*
 - *a minimum 1.0 metre width along the south and east property lines;*
 - *a minimum 1.5 metre width along the property lines abutting the proposed gas station;*
 - *a minimum 4.5 metre width abutting Queen Street West; and,*
 - *a minimum 3.0 metre width abutting Chinguacousy Road.*
- (n) *shall be subject to the requirements and restrictions relating to the C2 Zone, and all the general provisions of By-law 151-88, which are not in conflict with the above.*

4. *Development of the subject lands shall be subject to a development agreement and shall contain the following:*
- (a) *prior to the issuance of a building permit, a site development plan, an access plan, a landscape and fencing plan, a grading and drainage plan, an engineering and servicing plan, a fire protection plan and elevation and cross-section drawings shall be approved by the City and appropriate securities shall be deposited with the City to ensure implementation of these plans in accordance with the City's site plan review process;*
 - (b) *the site plan and landscape plan shall reflect a landscape entry feature to the satisfaction of the Commissioner of Planning and Development;*
 - (c) *the applicant shall agree that all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and properties;*
 - (d) *the applicant shall agree to pay all applicable City and Regional development charges in accordance with their respective Development Charges By-laws;*
 - (e) *the applicant shall pay cash-in-lieu of parkland conveyance in accordance with City policy;*
 - (f) *the site plan shall reflect, in accordance with the Zoning By-law, any drive through facility in a manner as not to interfere with the adjacent parking area;*
 - (g) *the applicant shall agree to provide a 0.3 metre reserve along Queen Street West and Chinguacousy Road except at approved access locations;*
 - (h) *the applicant shall agree that full access will be permitted to Chinguacousy Road on a temporary basis and agree not to object or claim damages against the Region or the City when a centre median is constructed on Chinguacousy Road in the future, which will restrict access to right-in/right-out only;*
 - (i) *the applicant shall submit grading and drainage plans to the Regional Public Works Department for approval prior to the issuance of a building permit;*
 - (j) *the applicant shall agree to construct a west bound left turn lane at the Queen Street West entrance to the site and provide one entrance and two exit lanes at the Queen Street West access to the satisfaction of the Region and when required by the Region;*

- (k) the applicant shall agree to submit for approval to the Region of Peel the site plan which shall illustrate the west bound right turn lane on Queen Street, the west bound left turn lane at the entrance to the site from Queen Street West and two exit and one entrance lane at the Queen Street access;
- (l) the applicant shall agree to install a 2.0 metre high masonry fence along the south and east property lines of a design and in a location satisfactory to the City;
- (m) the site plan shall reflect no future connections from the subject lands to the proposed gas bar at the corner of Chinguacousy Road and Queen Street West;
- (n) the applicant shall agree that the maximum gross leasable area of the supermarket shall be 2322.5 square metres (25,000 square feet) until the population in the trade area contained in the revision to the Retail Demand and Impact Study, dated May 15, 1992, prepared by W. Scott Morgan, Consultant Land Development and Planning, is reached and further population information is submitted, to the satisfaction of the Commissioner of Planning and Development, which supports a 3,056.51 square metre (32,901.08 square foot) supermarket on the site;
- (o) the elevation and cross-section drawings shall reflect a pitched roof, brick detailing dormers and a public arcade; and,
- (p) the applicant shall agree that all signs shall conform to the provisions of the sign by-law.

C. That staff be directed to prepare the appropriate documents for consideration of City Council.

Respectfully submitted,

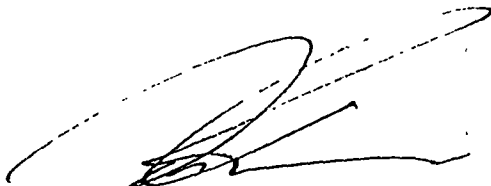


Susan Jones,
Development Planner

AGREED:



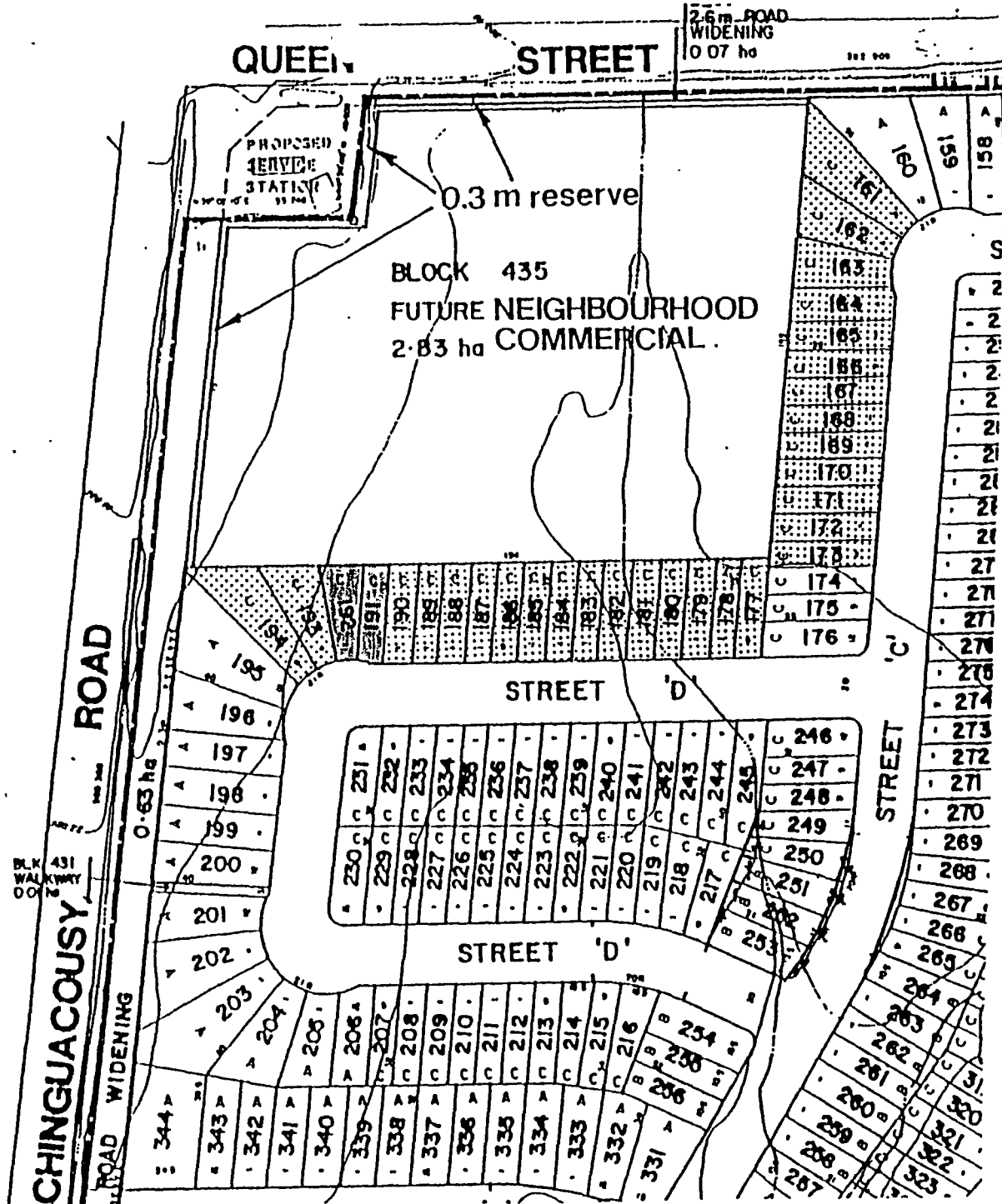
John A. Marshall, M.C.I.P.
Commissioner of Planning and
Development



David Ross, M.C.I.P.
Manager, Development
Services Division

SJ/574971pubmtg

noted:
AP
BZ



LEGEND

-  33.00m minimum lot depth
-  31.30m minimum lot depth

CITY OF BRAMPTON

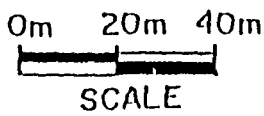
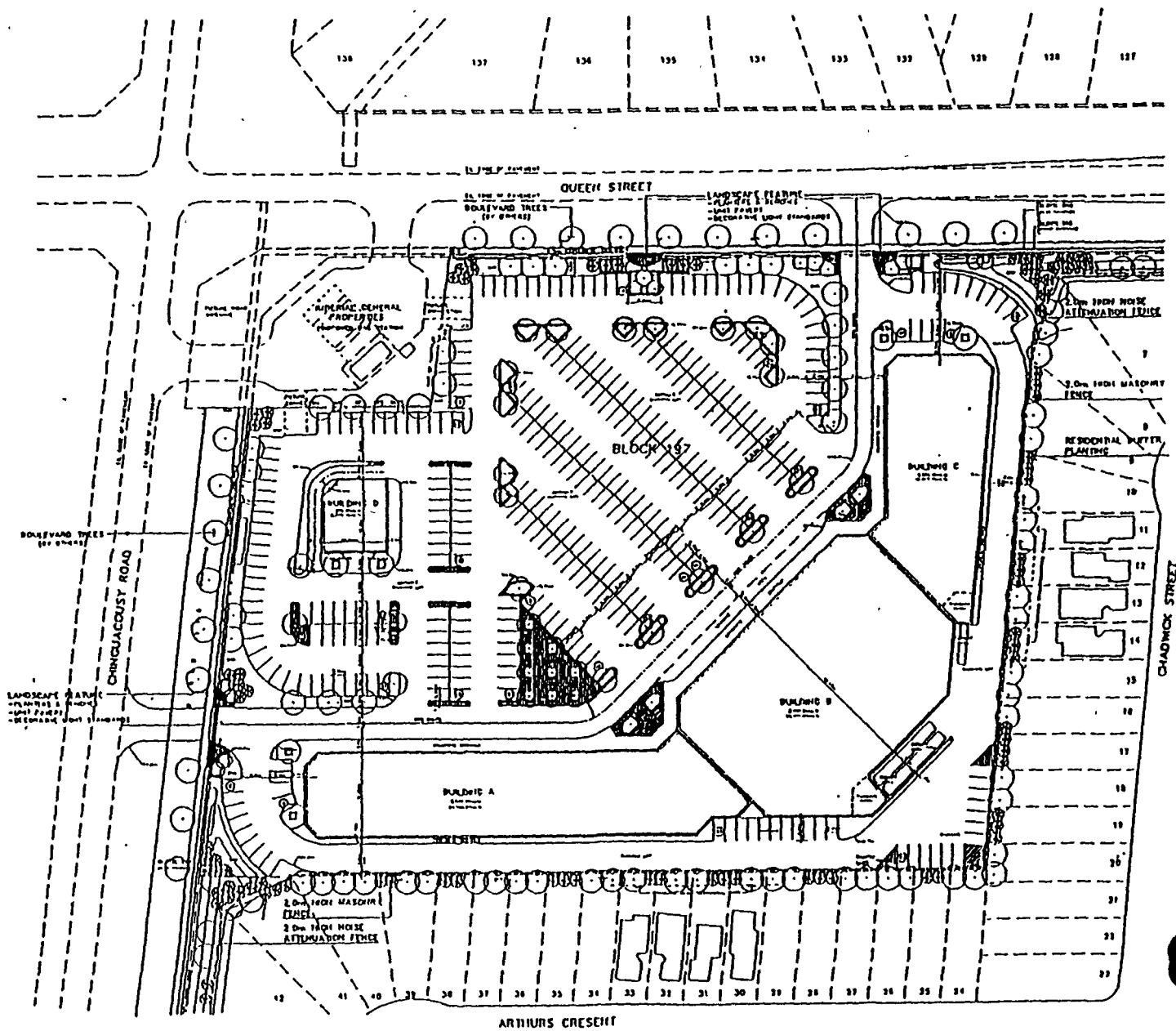
Date: 1992 11 10
File no. C2W5.4

Drawn By: CJK
Map no. 58-25J



Proposed rezoning of abutting residential lands to accommodate a 3.0 metre landscaped buffer area

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
574971 ONTARIO LIMITED



CITY OF BRAMPTON

Date: 1992 09 18 Drawn By: C.R.E.
File no. C2W5.4 Map no. 58 - 25B



**REVISED SITE PLAN/
LANDSCAPE CONCEPT**

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
574971 ONTARIO LIMITED

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, November 4, 1992, in the Municipal Council Chambers, 4th Floor, 2 Wellington Street West, Brampton, Ontario, commencing at 7:30 p.m., with respect to an application by 574971 ONTARIO LIMITED (File: C2W5.4 - WARD 4) to amend both the Official Plan and the Zoning By-law to permit the subject lands to be developed for a neighbourhood commercial shopping centre, including a supermarket and a wide range of retail and personal service uses.

Members Present: City Councillor D. Metzak - Chairman
 Regional Councillor L. Bissell
 City Councillor B. Hunter
 City Councillor G. Gibson
 Regional Councillor S. Fennell

Staff Present: J. Corbett, Director, Development Services
 D. Ross, Manager, Development Services
 S. Jones, Development Planner
 E. Coulson, Secretary

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

Mr. Corbett replied in the affirmative.

One interested member of the public was in attendance.

Ms. Jones 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. B. Stephens, 10 Bates Court, referred to a previous Council Resolution dealing with the subject property and asked for clarification regarding: (a) increase in the size of development, and (b) buffer and fencing for residences on the north side of Queen Street.

Mr. Corbett responded that Council had directed extra landscaping and site design features to be imposed on the subject site but cannot require them on private third party property.

Mr. M. Gagnon, representing the applicant, advised of proposed additional landscaping (three rows of material, trees and shrubs) which when mature should block the view of the parking area.

Mr. Stephens asked about the proposed building schedule.

Mr. Gagnon referred to a 1994 opening, with construction starting perhaps in the latter part of 1993.

There were no further questions or comments and the meeting adjourned at 7:45 p.m.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

December 3, 1992

To: The Chairman and Members of Planning Committee

From: Planning and Development Department

NOTES OF THE PUBLIC MEETING

RE: Application to Amend the Official Plan and Zoning By-law
574971 ONTARIO LIMITED
Part of Lot 5, Concession 2, W.H.S.
South-east Quadrant of Queen Street West and Chinguacousy Road
Ward Number 4
Our File: C2W5.4

The notes of the public meeting, held on Wednesday, December 2, 1992, are attached for the information of Planning Committee.

The subject property is located at the south-east quadrant of Queen Street West and Chinguacousy Road, being lots 161-173 and 177-194 of draft approved plan 21T-86056B.

On October 26, 1992 City Council passed a resolution that, subject to a public meeting, the proposed neighbourhood commercial centre which included the provision for landscaping on the abutting residential lands to the south and east, be approved. A public meeting was held on November 4, 1992, at which time the landscaping provision was outlined. However, since the public meeting notice did not mention the rezoning of these residential lands, Council directed that another public meeting should be convened.

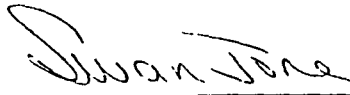
No interested members of the public were in attendance at the public meeting and no correspondence has been received.

Accordingly, IT IS RECOMMENDED THAT PLANNING COMMITTEE RECOMMEND TO CITY COUNCIL THAT:

- A. The notes of the public meeting be received.
- B. The application be approved subject to the conditions approved by City Council on November 23, 1992.
- C. Staff be directed to prepare the appropriate documents for Council's consideration.

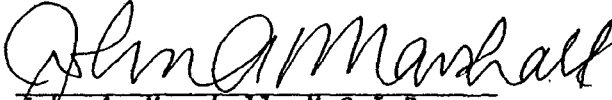
PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
574971 ONTARIO LIMITED

Respectfully submitted,



Susan Jones,
Development Planner


AGREED:



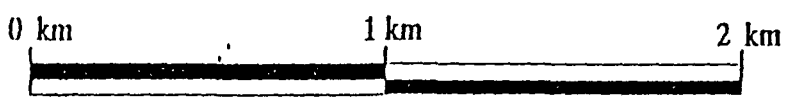
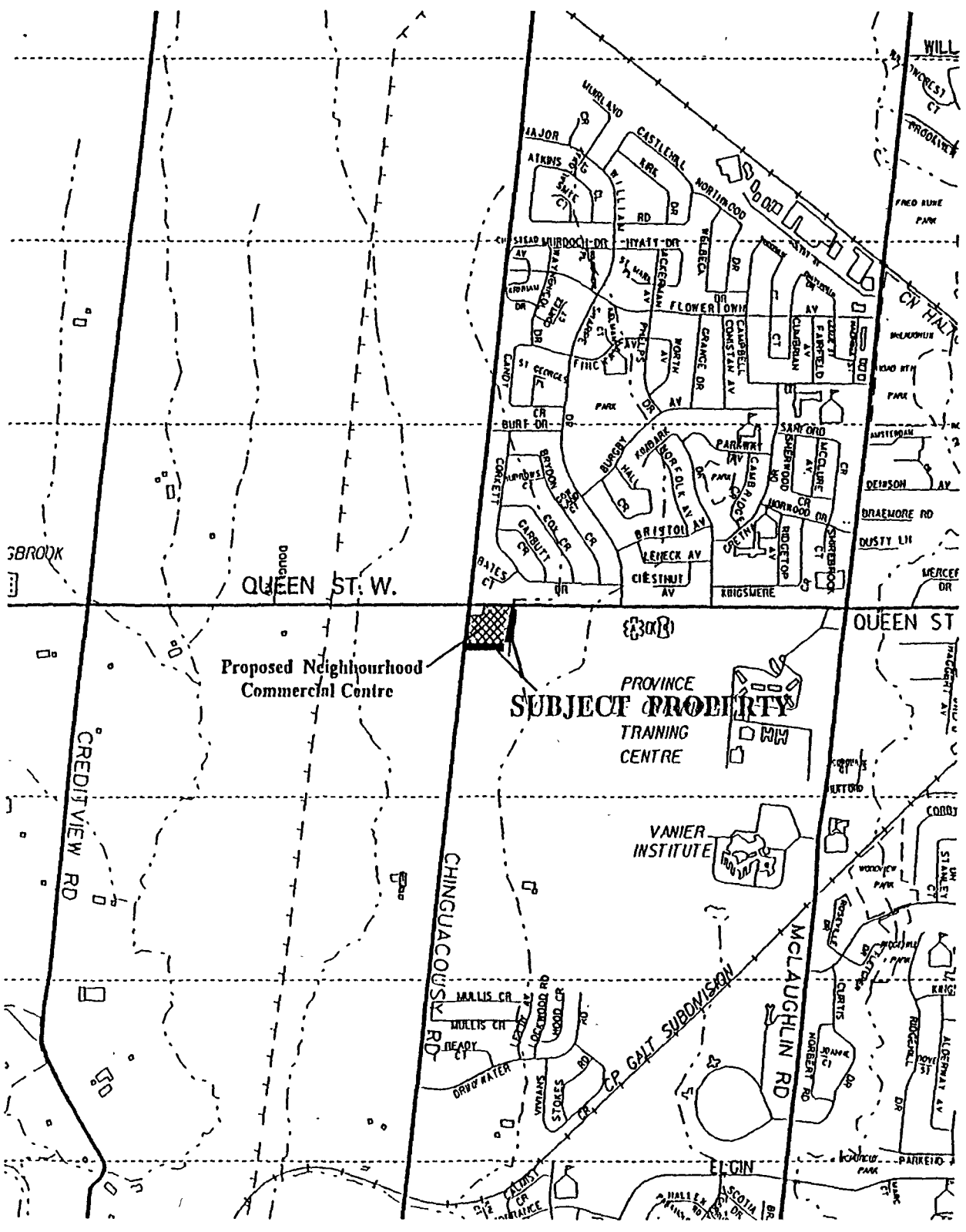
John A. Marshall, M.C.I.P.
Commissioner of Planning and
Development



David Ross, M.C.I.P.
Manager, Development
Services Division



SJ/574971pubmtg2



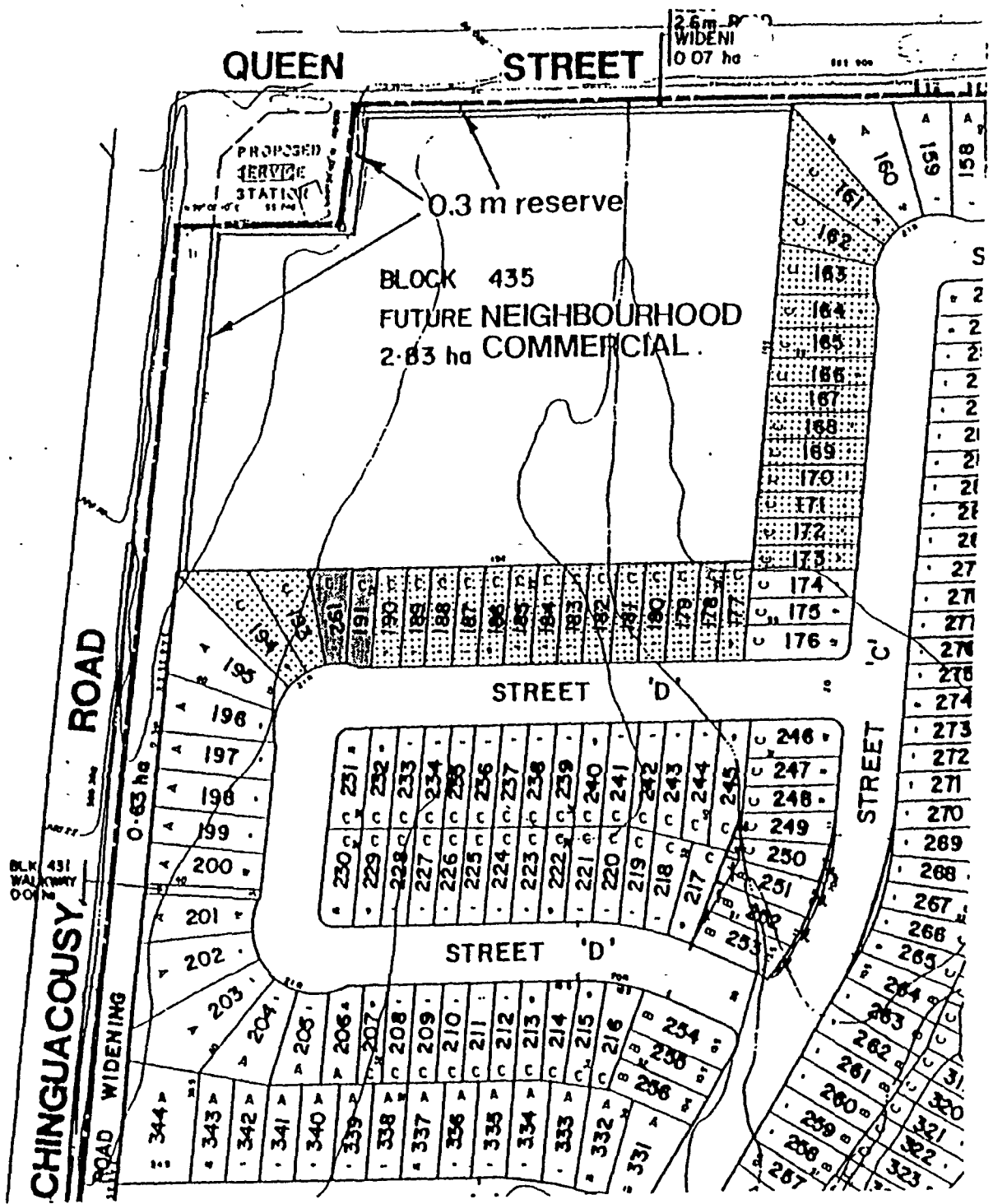
CITY OF BRAMPTON

Date: 1992 09 16 Drawn By: E.R.E.
 File no. C2W5.4 Map no. 58 - 25A



LOCATION MAP

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
 574971 ONTARIO LIMITED



LEGEND

-  33.00m minimum lot depth
-  31.30m minimum lot depth

CITY OF BRAMPTON

Date: 1992 11 10 Drawn By: CJK
 File no. C2W5.4 Map no. 58-25J



Proposed rezoning of abutting residential lands to accommodate a 3.0 metre landscaped buffer area

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT
 574971 ONTARIO LIMITED

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, December 2, 1992, in the Municipal Council Chambers, 4th Floor, 2 Wellington Street West, Brampton, Ontario, commencing at 7:46 p.m., with respect to an application by 574971 ONTARIO LIMITED (File: C2W5.4 - WARD 4) to amend both the Official Plan and the Zoning By-law to permit the rezoning of lots 161-173 and 177-194 of draft approved plan 21T-86056B to increase the minimum rear yard setback and minimum lot depth to facilitate a special landscape treatment to buffer the residential properties from the abutting proposed neighbourhood commercial centre.

Members Present: City Councillor M. Moore - Chairman
 City Councillor D. McMullen
 City Councillor S. Hames
 Regional Councillor S. Fennell

Staff Present: J. Corbett, Director, Development Services
 D. Ross, Manager, Development Services
 S. Jones, Development Planner
 N. Grady, Development Planner
 J. Bender, Technical Services Supervisor
 E. Coulson, Secretary

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

Mr. Corbett replied in the affirmative.

There were no interested members of the public in attendance and the meeting adjourned at 7:46 p.m.



The Regional Municipality of Peel

Planning Department

December 12, 1991

City of Brampton
Planning Department
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

CITY OF PEEL
PLANNING DEPARTMENT
DATE DEC 16 1991 Rec'd
FILE NO. C2W5.4

FA

Attention: Mrs. Kathy Ash, M.C.I.P.
Development Planner

Re: Official Plan Amendment
& Rezoning Application
574971 Ontario Ltd.
Pt. Lot 5, Con. 2, W.H.S.
S/E corner Queen Street West
& Mavis Road
Our File: R42 2W22B
Your File: C2W5.4
City of Brampton

Dear Mrs. Ash:

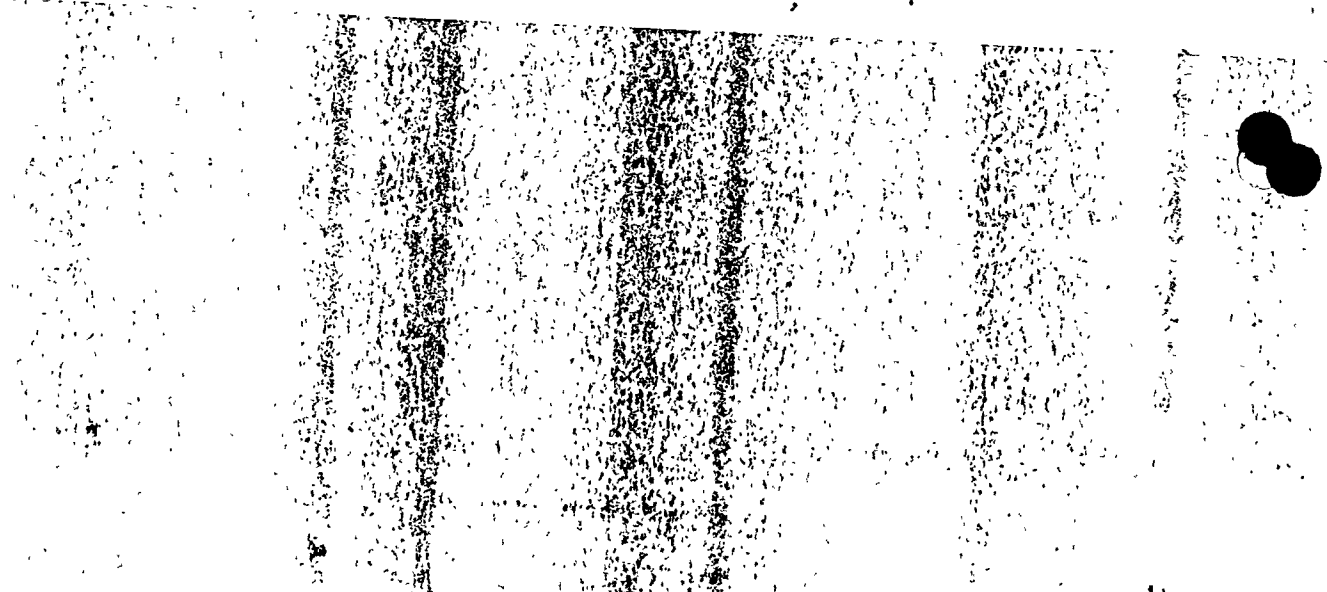
In reply to your letter of October 17, 1991 concerning the above noted application, please be advised that our Public Works Department has examined the above noted proposal and offers the following comments:

Water: Available in a 400mm diameter main on Queen Street. Frontage charges apply at the prevailing rate, presently \$32.50 per metre.

Sanitary
Sewer: Available in a 375mm diameter sewer at the north limit of Lockwood Road. Extension of the sewer through subdivision 21T-86019B and 21T-86056B is required.

Regional
Roads: Access will be permitted from Mavis Road, however access will be restricted to right in/right out. The applicant will have to enter into an agreement with the Region not to oppose or claim damages, if the Region constructs a centre median on Mavis Road.

10 Peel Centre Drive, Brampton, Ontario L6T 4B9 - (416) 791-9400



Full access will be permitted from Queen Street West subject to construction of a westbound left turn lane at the entrance to the site. The access from Queen Street is not expected to be signalized.

We trust that this information is of assistance.

Yours truly



Vince Zammit
Senior Planner
Development Review

JL:nb

cc: J. Amodco, Regional Public Works



DEV. PL. & TRNS. P.	DATE	
PL. DEV. & TRNS. P.	MEMORANDUM	
SIT. TRANS. ADVISOR		
COM. SECRETARY		
	VZ	✓
	JL	✓
	BW	✓

Planning Dept. - RECEIVED
MONTH DAY YEAR

December 20, 1991

To: V. Zammit ✓

From: J.P. Amodco

Subject: O P Amendment and Re-zoning Application 574971 Ontario Limited S/E corner of Queen Street and Mavis Road 12 30 91

File: D-06018S

Further to our memo of November 25, 1991, we wish to add the following to our comments:

- 1) The set-back for building "Block A" meets the Region's set back requirements.
- 2) The set back for building "Block D" on Queen Street contravenes our By-law 11-89 and shall be set back 14.0m from street line.
- 3) With respect to the access to Mavis Road, we request that the first internal aisle to the north be closed as we wish to reduce the conflict of turning movements at this location.

Your plan is enclosed.

DJK
DJK/mis

J.P. Amodco

J.P. Amodco, P.Eng.
Planning & Development Engineer
Engineering & Construction Division

TR
The Regional Municipality of Peel

Planning Department

January 8, 1992

City of Brampton
PLANNING AND DEVELOPMENT DEPARTMENT

DATE JAN 10 1992 Rec'd

File No. C2W5.4
[Signature]
[Signature]

City of Brampton
Planning Department
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

Attention: Mrs. Kathy Ash, M.C.I.P.
Development Planner

Re: Official Plan Amendment & Rezoning Application
574971 Ontario Limited
Part Lot 5, Concession 2, W.I.S.
S/E corner of Queen Street & Mavis Road
Your File: C2W5.4
Our File: R42 2W22B
City of Brampton

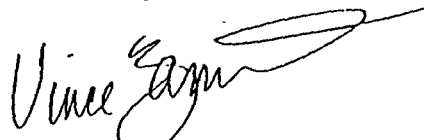
Dear Mrs. Ash:

Further to our letter of December 12, 1991, please be advised that the Regional Public Works Department has additional concerns with respect to the proposed building setbacks and internal aisleways for the development of the above noted property. A copy of their memo dated December 20, 1991 is attached.

We also request that you forward an additional copy of the site plan for our files.

We trust that this information is of assistance.

Yours truly



Vince Zammit
Senior Planner
Development Review

JL/mc
Encl.

10 Peel Centre Drive, Brampton, Ontario L6T 4B9 - (416) 791-9400

KA
92/01/13



TR

July 23, 1992

City of Brampton
PLANNING AND DEVELOPMENT DEPARTMENT

DATE JUL 29 1992 Rec'd

File No. C2W5.4

City of Brampton
Planning Department
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

Attention: Ms. Kathy Ash
Development Planner

Re: Official Plan Amendment and
Rezoning Application
574971 Ontario Limited
Pt. Lot 5 Concession 2 W.H.S.
Your File: C2W5.4
Our File: R42 2W22B
City of Brampton

DEVELOPMENT SERVICES	
J.B.O.	
D.M.	23/23/92
<input checked="" type="checkbox"/> K.A.	
<input type="checkbox"/> N.O.	
<input type="checkbox"/> C.L.	
<input type="checkbox"/> R.N.	
<input type="checkbox"/> M.L.P.	
<input type="checkbox"/> A.P.	
<input type="checkbox"/> R.W.	
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SJ

02/07/29 SJ

Dear Ms. Ash:


Further to your letter dated July 7, 1992, please be advised that we have reviewed the revised concept site plan with our Public Works Department and our Transportation Planning staff and offer the following comments:

- Full access will be permitted to Chinguacousy Road on a temporary basis. The site plan agreement shall include a clause whereby the developer will not object or claim damages against the Region or the City when a centre median is constructed on Chinguacousy Road in the future, which will then restrict access to right-in, right-out only.
- The revised configuration of the aisle on the Mavis Road access point is satisfactory.
- The plan does not reflect the required west bound right - turn lane on Queen Street. The applicant shall construct a west bound left turn lane at the entrance to the site.
- The Region suggests that in order to facilitate traffic movements at the Queen Street access, that the developer provide two exit lanes and one entrance lane.
- The proposed building setbacks comply with the Region's By-law requirements.

- The future connections to the proposed gas bar on the corner of Chinguacousy Road and Queen Street shall be eliminated from the plan.
- In addition, grading and drainage plans shall be submitted to the Regional Public Works Department for approval.

As a result of the above comments, we anticipate that a revised site plan will be submitted for approval. We trust that these comments are of assistance.

Yours truly,


Vince Zammit
Senior Planner
Development Review

JL/dj

cc: J.P. Amodeo, Regional Public Works Dept.
P. Crockett, Regional Public Works Dept.

AMENDMENT NUMBER 231

and

AMENDMENT NUMBER 231 A
to the Official Plan of
City of Brampton Planning Area

AMENDMENT NUMBER 231
and
AMENDMENT NUMBER 231 A
TO THE OFFICIAL PLAN OF THE CITY
OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to make revisions to the policies contained in the secondary plan to permit an increase in gross leasable floor area for the "Neighbourhood Commercial" designation.

2.0 Location

The lands subject to this amendment comprise an area of approximately 2.96 hectares (7.31 acres) and are located in the south-east quadrant of Queen Street West and Chinguacousy Road and are described as Part of Lot 5, Concession 2, W.H.S. in the geographic Township of Chinguacousy, now in the City of Brampton.

3.0 Amendment and Policies Relative Thereto:

3.1 Amendment Number : 231

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

- (1) by adding to the list of amendments pertaining to Secondary Plan Area Number 15 set out in subsection 7.2.7.15, Amendment 231;
- (2) by deleting policy 3.2.1(i) of Chapter 15(b) of Part IV and substituting therefor the following:

"3.2.1 (i) The maximum gross leasable area permitted shall be 7,148.4 square metres (76,947.26 square feet);"
- (3) by deleting policy 3.2.1(ii) of Chapter 15(b) of Part IV and substituting therefor the following:

"3.2.1 (ii) Primary permitted uses include a supermarket, retail stores, service establishments, restaurants and offices. The maximum gross leasable area of a supermarket shall be 2,322.5 square metres (25,000 square feet) which may be increased to 3,056.5 square metres (32,901 square feet), when sufficient population in the trade area bounded by Chinguacousy Road to the west, Steeles Avenue to the south, Main Street to the east and the Canadian National Railway line to the north, is achieved to support the increase;"

Background Material To
Amendment Number 231

Attached are copies of planning report dated October 1, 1992 and notes of the Public Meeting held on November 4, 1992 after notification in the local newspapers and the mailing of notices to assessed owners of properties within 120 metres of the subject lands.

The following written submissions were also received with respect to the proposed development of the subject lands:

Region of Peel

December 12, 1992, December 20, 1991
January 8, 1992, July 23, 1992