



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 184-81

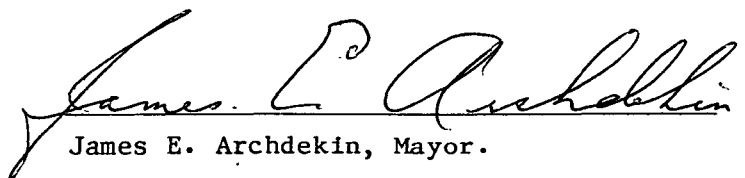
To adopt Amendment Number 76 to the Consolidated Official Plan of the City of Brampton Planning Area.

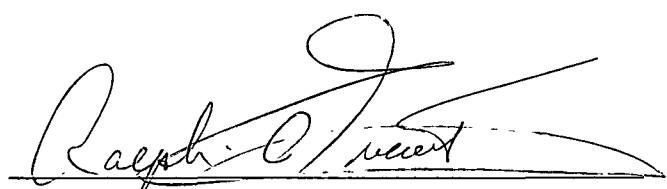
The Council of The Corporation of the City of Brampton, in accordance with the provisions of The Regional Municipality of Peel Act, 1973 and The Planning Act, hereby ENACTS as follows:

1. Amendment Number 76 to the Consolidated Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number 76 to the Consolidated Official Plan of the City of Brampton Planning Area.

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

this 17th day of August, 1981.


James E. Archdekin, Mayor.


Ralph A. Everett, Clerk.

PASSED August 17th 19 81



BY-LAW

No. 184-81

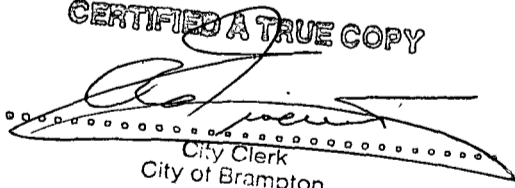
To adopt Amendment Number 76 to the
Consolidated Official Plan of the
City of Brampton Planning Area.


21 - OP - 0006 - 76

- 6 -

AMENDMENT NUMBER 76
to the Consolidated Official Plan
of the City of Brampton Planning Area

CERTIFIED A TRUE COPY


.....
City Clerk
City of Brampton

 10 83

Amendment No. 76
to the
Official Plan for the
City of Brampton Planning Area

I hereby approve, in accordance with sections 17 and 52 of the Planning Act, this amendment to the Official Plan for the City of Brampton Planning Area, which has been adopted by the Council of the Corporation of the City of Brampton subject to the following modifications:

1. Section 3.5.4, page 7, is hereby modified by the addition of the following new section at the end:

"3.6 All new development permitted by the policies of this plan shall have regard for heritage resources and shall, wherever possible, incorporate these resources into any site plan, design or secondary plan that may be prepared for such new development. Encouragement shall be given to conservation, protection, renovation, rehabilitation and re-use of heritage resources."

2. Section 4.9, page 8, is hereby modified by deleting the first sentence and replacing it with the following:

"Schools: It is estimated that five single school sites and a combined school campus will be required in the Bovaird-Kennedy area in the locations indicated on Plate 45."

3. Sections 7.2.1(i) and (ii), pages 18-19, are hereby deleted in their entirety.

4. Section 8.1.3 page 19, is hereby deleted and replaced with the following:

"8.1.3 To enable the City to control surface water runoff and to maintain the receiving watercourses in a more healthy, natural condition, Council may require, where it deems necessary, measures such as water retention and siltation ponds."

5. Section 8.1.6, page 20, is hereby deleted and replaced with the following:

"8.1.6 A comprehensive storm water management study will be undertaken for the Bovaird/Kennedy Area and be subject to the approval of the Metropolitan Toronto and Region Conservation Authority and the Ministry of Natural Resources prior to the registration of individual subdivisions. This study would investigate the use of alternative storm water management devices and it would recommend a storm water management plan for the study area."

6. Section 9.7.3, page 24, is hereby deleted in its entirety.

7. Schedule "A" is hereby modified:

- (a) by redesignating the site outlined in "blue" from "Low and Medium Density Residential" to "School Site",
- (b) by redesignating the site outlined in "green" from "Convenience Commercial" to "Low and Medium Density Residential", and
- (c) by redesignating the site outlined in "yellow" from "Low and Medium Density Residential" to "Convenience Commercial".

As thus modified, this amendment is hereby approved pursuant to sections 17 and 52 of the Planning Act as Amendment 76 to the Official Plan for the City of Brampton Planning Area, save and except the following which have been referred to the Ontario Municipal Board under section 15(1) of the Planning Act:

1. Sections 3.2.1 - 3.2.3, inclusive, pages 4 - 5, only insofar as they apply to lands outlined in "red" on Schedule "A".

2. Section 3.2.5, page 5, only insofar as it applies to those lands outlined in "red" on Schedule "A".
3. Sections 6.2 - 6.3, page 11, only insofar as they apply to those lands outlined in "red" on Schedule "A".
4. Sections 6.6 - 6.7, page 11, only insofar as they apply to those lands outlined in "red" on Schedule "A".
5. Sections 6.10 - 6.17, inclusive, pages 12 - 15, only insofar as they apply to those lands outlined in "red" on Schedule "A".
6. Section 9.7, pages 23 - 24 in its entirety, only insofar as it applies to those lands outlined in "red" on Schedule "A".
7. Schedule "A", those lands outlined in "red".

Date *July 8, 1983*

ORIGINAL SIGNED BY
CLARENCE BLANCHET

Minister of Municipal Affairs and Housing



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 184-81

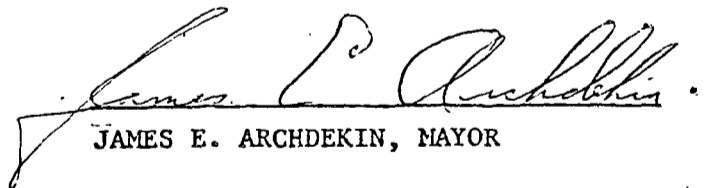
To adopt Amendment Number 76 to the Consolidated Official Plan of the City of Brampton Planning Area.

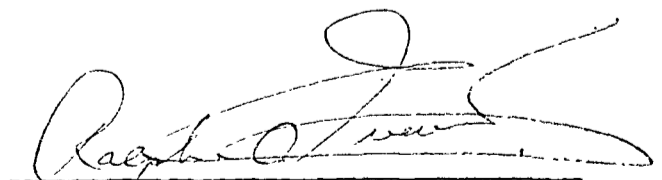
The Council of The Corporation of the City of Brampton, in accordance with the provisions of The Regional Municipality of Peel Act, 1973 and The Planning Act, hereby ENACTS as follows:

1. Amendment Number 76 to the Consolidated Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number 76 to the Consolidated Official Plan of the City of Brampton Planning Area.

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

this 17th day of August, 1981.


JAMES E. ARCHDEKIN, MAYOR


RALPH A. EVERETT, CLERK

TEXT OF OFFICIAL PLAN

AMENDMENT NUMBER 76

1. The purpose of this amendment is to alter the designation of the lands in the Bovaird-Kennedy area as shown on Schedule A to this amendment in accordance with an up-to-date and comprehensive development Concept which is consistent with overall plans for the City of Brampton as well as with abutting registered plans of subdivision.
2. The Consolidated Official Plan of the City of Brampton Planning Area is hereby amended:
 - (i) by changing the chapter reference of the lands subject to this amendment on Plate Number 1 from Chapter C2, C4 and C35 to Chapter C53,
 - (ii) by replacing the designations of the lands subject to this amendment on Plate Number 2 with an outlining of the said lands and with the notation "See Plate-45", and
 - (iii) by adding Schedule A of this Amendment to the said Consolidated Plan as Plate 45.
3. The Consolidated Official Plan of the City of Brampton Planning Area is hereby further amended by making the following changes to Chapter C35:
 - (i) Substitute the words "sub-area" and "sub-areas" for the words "village" and "villages" throughout this Chapter.
 - (ii) Delete subsection 1.2.
 - (iii) Delete Subsection 2.1 and replace it with the following:

"2.1 Concept

The Concept for the Heart Lake Area is characterized by:

 - (a) four sub-areas focussing on a town centre and connected to it by a collector road system;
 - (b) a lake linked in with the town centre;
 - (c) lower density residential development in the portions of the sub-areas adjacent to 15th Sideroad;

- (d) landscaped buffers adjacent to Highway Number 10; and
- (e) extensive tree covered tableland in the west half of Lot 15, Concession 1 E.H.S. to be preserved in public parkland".

(iv) Add the following as a second paragraph to subsection 2.4:

"The gross residential density shall not exceed 24.4 persons per acre".

(v) Delete the number "4" from the first sentence in subsection 2.5.

(vi) Substitute the words "Sandalwood Parkway" for the words "the east-west arterial" throughout this Chapter.

4. The Consolidated Official Plan of the City of Brampton Planning Area is hereby further amended by adding the text set out below as Chapter C53:

CHAPTER C53

BOVAIRD-KENNEDY AREA

1.0 PURPOSE AND LOCATION

The following definitions and policies, and the designations on Plate 45 constitute the Official Plan for the approximately 360 hectare (880 acre) Bovaird-Kennedy Area outlined on Plate 45. This Plan is intended to establish land use and related policies for the orderly development of the Bovaird-Kennedy area.

2.0 DEFINITIONS

"Gross Leasable Area" means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors.

"Gross Residential Area" means an area consisting of one or more surveyed and registered lots, blocks or parcels, the principal use of which is for dwellings, together with abutting buffer strips and walkways, plus those portions of all abutting Local and Collector roads that are contained between the boundaries of the lot or lots extended and the centre-line of the roads.

"Net Residential Area" means an area consisting of one or more surveyed and registered lots, blocks or parcels, the principal use of which is for dwellings.

"Single Family Density" means a density of up to 25 dwelling units per net residential hectare (10 units per net acre) which is typically associated with the single family detached housing type.

"Semi-Detached Density" means a density of 26 to 35 dwelling units per net residential hectare (11-14 units per net acre) which is typically associated with the semi-detached, link townhouses or very small lot single housing types.

"Low Density" means a density in the range of "Single Family Density" and "Semi-Detached Density" as defined herein.

"Townhouse Density" or "Medium Density" means a density of 36 to 50 dwelling units per net residential hectare (15-20 units per net acre) which is typically associated with zero lot line, block townhouse or street townhouse housing types.

GENERAL PROVISIONS

3.1 Hazard Lands

3.1.1 Definition: Hazard Lands associated with the Etobicoke Creek valley as indicated on Plate 45, are those which have inherent physical hazards such as flood or erosion susceptibility, steep slopes or other physical limitations to development. These Hazard Lands shall become part of the Public Open Space system to be used for passive recreational activities, as an amenity in association with adjacent schools, as an open space link between parkland nodes and as an associated component of abutting Neighbourhood or District scale park development. Specific boundaries of these Hazard Lands will be determined on a site specific basis in consultation with the Metropolitan Toronto and Region Conservation Authority.

3.1.2 Any alteration to a watercourse or valley, including the placement of buildings, structures or fill, whether originating on the site or elsewhere, or removal of fill, or the provision of access to a valley, is subject to Conservation Authority approval pursuant to the appropriate Ontario Regulation and in the case of alteration to a watercourse, to the approval of the Ministry of Natural Resources pursuant to The Lakes and Rivers Improvement Act.

3.1.3 Where new development is proposed on a site, part of which is designated Hazard Lands, such lands shall not necessarily be acceptable as part of the dedication for Public Open Space purposes required under The Planning Act. All lands conveyed to the municipality shall be conveyed in a physical condition satisfactory to the municipality. Where an open watercourse is involved, adequate space shall be provided for maintenance and other such operations.

3.1.4 Building and property line setbacks shall be imposed from the margin of Hazard Lands so as to have regard for the extent and severity of existing and potential hazards. The setbacks shall be determined, in conjunction with the responsible Conservation Authority, on a site specific basis.

3.2 Environmentally Sensitive Area

3.2.1 The remaining woodlots in the Bovaird-Kennedy Area which are labelled X, Y and Z on Plate 45 have been included in Public Open Space designations to ensure their preservation and to take advantage of their potential for passive recreational use.

REFERRED #
TO O.M.B.

3.2.2 The bog area in the portion of Woodlot 'Z' in the southeast corner of registered plan M112 shall be dedicated to the City as public open space for conservation purposes in conjunction with any redesign of the subdivision in the vicinity of Woodlot 'Z' (shown on Plate 45).

3.2.3 Prior to draft approval of any plans of subdivision in the vicinity of Woodlot 'Z' on Plate 45, a satisfactory environmental sensitivity report shall be submitted to the City which identifies the characteristics and limits of the bog area within and extending southward from that woodlot, and which recommends appropriate development procedures designed to avoid impairment of the woodlot area, including the portion extending into Registered Plan M-112, and to avoid unforeseen construction problems.

REFERRED #1
TO O.M.B.

3.2.4 Woodlot fragments and hedge-rows shall be retained and incorporated into development within urbanizing areas wherever practicable.

3.2.5 The City may require the builder of a proposed development of one or more structures on all or part of a woodlot, woodlot fragment or hedge-row to submit a Tree Protection Plan to be approved by the City prior to the issuance of a building permit. The Tree Protection Plan shall identify the exact location of any trees that will be cut or affected and state the specific measures that will be taken to protect the remainder.

REFERRED #2
TO O.M.B.

3.3 Energy Conservation

3.3.1 Council shall require the design of residential, commercial and industrial subdivisions and siting of buildings for proper sun and wind orientation to the extent practicable.

3.3.2 Council shall encourage the use of appropriately selected and located vegetation that will reduce the energy consumption of buildings.

3.3.3 Council shall ensure, where practicable, access to direct sunlight during winter daylight hours for all potential solar collector panel locations and solar oriented glass on all existing and future buildings in the Bovaird-Kennedy Area.

3.4 Road Noise

3.4.1 Development which includes outdoor, passive, recreation areas (i.e. private and shared outdoor areas accessory to residential dwellings, and schools, will not be permitted in locations where the outdoor noise levels are forecast to exceed the limits specified in Appendix A to this Chapter, which are specified in Publication NPC-131, Guidelines for Noise Control in Land Use Planning, Ontario Ministry of The Environ-

ment. Amendments to these standards will automatically be incorporated into Appendix A to this Chapter without the necessity of amending the Plan.

3.4.2 Development with a residential component within which bedrooms, living rooms, or reading rooms will be subject to high levels of traffic noise, will only be permitted if it includes noise insulating features which result in interior noise levels that comply with the indoor standards specified in The Ontario Ministry of The Environment Publication NPC-131, Guidelines for Noise Control in Land Use Planning (which are contained in Appendix A to this Chapter).

3.4.3 The proponents of development within any area which is likely to be adversely affected by excessive noise levels shall submit a Noise Pollution Report using recognized noise measurement and prediction techniques. The report shall contain a statement and assessment of noise levels, before and after proposed abatement devices are installed, for the existing and anticipated situation during both evening and daytime hours. Where unacceptable noise levels are predicted, the report shall review the merits of various abatement measures such as distance setback, buffer zones, orientation of outdoor recreation areas, berms, acoustic barriers, etc. Appendix A (which is not part of this Plan) gives an indication of those areas which are likely to be adversely affected by excessive noise levels.

3.5 Gravel Pits and the Brampton Esker

3.5.1 Introduction: The Brampton Esker area which contains active, inactive and potential gravel extraction uses as well as public and private recreational uses extends eastward from the Eastern edge of the Bovaird-Kennedy Area as shown on Plate 45. This esker area is particularly significant for its recreational and open space potential.

3.5.2 Draft approvals for subdivision plans adjacent to the Brampton Esker shall provide for:

(i) adequate buffer strips between existing or potential gravel extraction operations and residential lots or school sites; and

(ii) adequate future walkway connections to the Brampton Esker Area.

3.5.3 In areas where gravel pits were or are now in operation, before building permits are issued, appropriate engineering studies will be undertaken to determine the suitability of pit areas to support structures that may be developed in accordance with the land use designations.

3.5.4 The portion of excavated gravel pit that falls within the Bovaird-Kennedy Area in the southeast corner of the west half of Lot 12, Concession 2, E.H.S., shall be rendered safe from erosion and other hazards, and rehabilitated for recreational use prior to being conveyed to the City as Public Open Space.

MODIFICATION
NO. 1
UNDER SECTION 149
OF THE PLANNING ACT

4.0 RESIDENTIAL AND RELATED USES

4.1 The overall housing mix targets shall be as indicated in the Table below. Minor variations in these ratios (i.e ± 3%) which do not alter the intent of the original mix shall be considered without amendment to this Chapter.

HOUSING MIX

<u>Housing Types</u>	<u>Percentage of Total Dwelling Units</u>
"Single Family Density" Types	45%
"Semi-Detached Density" Types	35%
"Townhouse Density" Types	20%

4.2 The Density target for the Bovaird-Kennedy Area is 18.3 units per gross residential hectare (7.4 per acre).

4.3 The City shall give consideration to innovative housing designs, particularly those which offer improved efficiency or alternative forms of heating, reduced municipal expenditures or lower costs to purchasers.

4.4 Phasing of New Development Areas shall be established on the basis of economical efficiency in terms of capital and operating costs for necessary physical and community services and the degree of compliance of proposals with the policies of this Chapter.

4.5 In approving new residential developments, the City shall take into consideration an appropriate mixture of housing for low income, medium income and upper income households according to substantiated need and demand for the City as a whole.

4.6 Senior citizen residential development will be permitted on suitable sites in the medium density areas. Non-profit family housing projects will be permitted on suitable sites within the lower density designations. Group homes will be permitted on appropriate sites in the lower density designations according to the distance and other criteria in the City of Brampton Policy on Group Homes.

4.7 The City shall endeavor to ensure the orderly provision of community services in conjunction with new residential development.

4.8 Churches: It has been determined that a total of four church sites, excluding the Roman Catholic church site abutting the west side of Kennedy Road in Lot 13 and excluding the Baptist church site abutting the east side of Kennedy Road in Lot 12, may be required to serve the future population. Accordingly, each developer of 400 or more residential units will be required to reserve for an appropriate length of time a group of residential lots amounting to at least 0.4 hectares (1.0 acre) in area as a potential church block in an appropriate location fronting on or easily accessible to a Collector or Minor Collector road in a plan of subdivision.

4.9 ~~Schools: It is estimated that four single school sites and a combined school campus will be required in the Bovaird-Kennedy area in the locations indicated on Plate 43.~~ Accordingly, a master agreement satisfactory to the school boards containing a suitable cost equalization mechanism respecting the provision of these school sites shall be signed by all relevant landowners prior to draft approval of their subdivisions. The master agreement and any specific agreements between a school board and a subdivider shall specify that all school sites are assignable to either school board.

Notwithstanding the specific designation of any school site on Plate 45, it may be used by either of the Peel Board of Education or the Dufferin Peel Roman Catholic Separate School Board and used as either a junior or a senior or a high school without amendment to this Plan.

In the event that one or more of these school sites is not required for school purposes, then the appropriate residential density or alternative use for the site will be determined by an amendment to this Plan.

4.10 Day Care Centres may be located on a church site or any other area of the Bovaird-Kennedy Area provided that the following conditions of safety, service and accessibility are met:

- (i) primary access to a Collector or Minor Collector road and accessible by public transit;
- (ii) adequate ingress/egress and parking so as to eliminate conflict with through traffic;
- (iii) siting and landscaping to minimize any adverse impact on adjacent residential uses; and
- (iv) minimal air and noise pollution.

MODIFICATION

NO. 2
UNDER SECTION 14(1) OF
THE PLANNING ACT

5.0 COMMERCIAL

5.1 Neighbourhood Commercial: The Neighbourhood Commercial category on Plate 45 of this chapter is defined as a group of commercial establishments planned and developed as a unit. Neighbourhood Commercial Areas are usually 2 000 to 9 000 square metres (21 500 to 96 900 square feet) of Gross Leasable Area in size and the principal tenants are major supermarkets greater than 1 400 square metres (15 100 square feet) in size. The site area will be in the range of 1.6 - 3.2 hectares (4 - 8 acres). Primary permitted uses include retail stores, service establishments catering to personal or household needs, and local offices. Complementary uses such as automobile service stations, and car washes, may be permitted.

5.2 Shopping Centre Impact Studies: Every application for the development of a Neighbourhood Commercial area shall contain supporting information indicating the economic, physical, and transportation impact of the proposed development. The economic impact study must provide information regarding the market feasibility of the proposed centre and whether or not it will affect the viability of any existing nearby centres. Such information will form a basis for the size and timing of construction of a Neighbourhood Commercial area.

5.3 Convenience Commercial: Convenience Commercial areas, shall consist of one or more retail or service establishments planned and developed as a unit. Although Convenience Commercial areas may range in size from 500 to 2 000 square metres (5 400 to 21 500 square feet) in gross leasable area, such areas are generally less than 1 000 square metres (10 700 square feet) in size. The site area will be in the range of 0.4 - 0.8 hectares (1 - 2 acres). A convenience Commercial area will generally be anchored by a jug milk or small grocery store.

5.4 Each shopping centre shall be developed as an integrated unit with a consistent architectural theme.

Notwithstanding separate property ownerships, the convenience commercial designation on the west side of Kennedy Road, South of the TransCanada Pipeline shall be developed as an integral unit in terms of building, parking areas and internal driveways with access to the development being gained only from the Minor Collector road.

5.5 Highway Commercial: Highway Commercial uses include those commercial uses and industrial uses that have the following characteristics:

- (1) cater primarily to persons coming to the premises to do business by automobile, rather than to pedestrian shopping trade, and therefore do not require a shopping centre location;

(ii) rely on business from the travelling public or on considerable public exposure, thereby requiring a location in proximity to a highway or arterial road; and

(iii) have physical requirements in terms of size and shape of site or buildings or the requirement of outside storage such that incorporation into a shopping centre is not appropriate. The main permitted uses include motels, hotels, restaurants, automobile service stations and repair facilities, car washes, automobile sales and service establishments, building supplies outlets, produce outlets, and industrial uses that have ancillary retail or service functions.

5.6 When Commercial uses are proposed to be developed adjacent to residential areas, consideration shall be given to the following:

(i) that structures and traffic, parking and service areas are screened and buffered to a degree that noise, light and undesirable visual effects emanating from the commercial uses are minimized, and

(ii) that traffic, parking and service areas do not adversely affect adjacent residential uses.

5.7 Approval of additional commercial development within the Highway Commercial designation on the east side of Highway 10 north of Highway 7 is subject to the requirement for an integrated access design (with the existing highway commercial use) acceptable to the Ministry of Transportation and Communications.

5.8 In processing plans for commercial development under Section 35a of the Planning Act, control shall be enforced regarding the following elements among others to achieve high quality design and visual harmony with adjacent areas:

- (i) the siting and design of buildings;
- (ii) pedestrian areas;
- (iii) location, lighting, and screening of parking areas;
- (iv) landscaping and fencing;
- (v) design and type of signs; and
- (vi) storage and garbage disposal facilities.

6.0 PUBLIC OPEN SPACE

6.1 Definition: Lands designated "Public Open Space" on Plate 45 will eventually be used for public outdoor and indoor recreation areas and facilities of neighbourhood, community, district and city-wide significance.

6.2 Where land designated Public Open Space is under private ownership, it shall not be construed that such areas are free and open to the general public or will be purchased by the municipality or any other public agency.

6.3 The minimum tableland area required by the City for public open space use is 1.6 hectares (4.0 acres) per 1 000 population. Conservation Authority lands, school lands, private commercial recreation areas, connecting walkways and pedestrian grade separations, valleylands and channelized storm drainage systems, and protective buffer areas between conflicting land uses will not be credited as part of this public open space tableland requirement or as part of the dedication of land required under the Planning Act.

6.4 Notwithstanding policy 6.3, tableland portions of utility easements or rights-of-way including associated buffers may, at the discretion of the City, be credited for parkland purposes where they are incorporated into a major park such as a District or Community park which would otherwise have to include an equivalent additional amount of space to accommodate required internal buffers or active park facilities.

6.5 Notwithstanding policy 6.3, it is recognized that connecting walkways and pedestrian grade separations, valleylands and channelized storm drainage systems, and protective buffer areas between conflicting land uses will provide opportunities for passive and for selected active recreational pursuits and to achieve an overall connected public open space system. Accordingly, it shall be the policy of the City of Brampton that all such areas shall be conveyed to the City or, in appropriate circumstances, to the relevant conservation authority in connection with all forms of development.

6.6 All lands dedicated to the City shall be conveyed in a physical condition satisfactory to the City. The City may accept cash in lieu of the land conveyance requirement, or the City may accept a park dedication on lands other than those contained in the particular subdivision or development plan.

6.7 In recognition of the importance of valleylands and other hazard lands in the total open space system and of the fact that such lands will be used and enjoyed by all residents of Brampton, capital contributions will be required in conjunction with all development and redevelopment to fairly apportion the cost of required erosion control and landscaping in such valleys or on such hazard lands.

6.8 It is the intent of the City to co-operate with the Region of Peel Board of Education and the Dufferin-Peel Roman Catholic Separate School Board in coordinating the planning, acquisition, development, maintenance and activity programming of school and recreation sites and facilities.

6.9 Since planned school sites are an integral component of the overall open space and recreation system and they have been accounted for in the determination of City public open space requirements, the City will require options to purchase a reasonable portion of any such sites which are subsequently released by the school boards so that such lands can be used to provide some of the recreation facilities which would otherwise have been provided on the school lands.

6.10 Park Hierarchy: The requirement and development of public parks and recreation facilities shall be based where feasible on the parkette, neighbourhood, community and district service level policies and standards contained hereunder.

6.11 Parkettes: Land shall be acquired and developed where appropriate for passive parkettes to provide visual relief in the urban area and sitting areas for shoppers, workers and neighbouring residents and for parkettes/play areas to provide young children, especially pre-schoolers, with opportunities for active play according to the following criteria:

a) Spaces and Facilities

Parkettes may include sitting areas, lighting and landscaped areas, floral displays and/or playgrounds for young children.

b) Size of Parks

Passive parkettes shall be of varying sizes and shall be located to preserve significant groups of trees, or located in medium and high density areas, commercial areas, and industrial areas, and along major traffic routes (particularly at intersections) for aesthetic, and resting purposes. Active parkettes catering primarily to the play needs of the young should be a minimum of 0.2 hectares (0.5 acres) in size.

c) Service Radius and Population

Active Parkettes will generally be provided to serve areas containing 500 to 1,000 residents who would otherwise be further than 0.4 kilometres (1/4 mile) from a Neighbourhood park or elementary school playground.

6.12 Neighbourhood Parks

Neighbourhood parks and recreation facilities may be acquired and developed according to the following criteria.

(a) Activity Spaces and Facilities

Neighbourhood parks may include but are not limited to the following activity spaces and facilities:

REFERRED
TO O.M.B.

5
TO C.A.M.B.

- (i) a junior and senior playground area with play equipment and other special facilities;
- (ii) an open grassed area for running and active play;
- (iii) a multi-use paved area;
- (iv) a pair of tennis courts;
- (v) a junior toboggan slope;
- (vi) a shade or treed area for quiet activities such as reading, sitting and supervision of children; and
- (vii) miscellaneous elements, including landscaping, benches, walks and other paved areas.

(b) Size of Parks

Neighbourhood parks will range in size according to population served and facilities to be accommodated, however a minimum size of 1.1 hectares (2.7 acres) is desirable to accommodate essential activity spaces.

(c) Service Radius and Population

Neighbourhood parks will generally be located to serve 4,000 to 5,000 people within a 0.8 to 1.2 kilometre (1/2 to 3/4 mile) radius.

6.13 Community Parks

Community parks and recreation facilities shall be acquired and developed according to the following criteria.

(a) Activity Spaces and Facilities

The following activity spaces and facilities may be provided, where appropriate, in Community Parks:

- (i) regulation fields for baseball, soccer and softball;
- (ii) courts for tennis, basketball, bocce, volleyball, racketball, and squash;
- (iii) an arena or indoor pool;
- (iv) recreation centre containing an auditorium, fitness rooms, multi-purpose rooms for meeting and craft programmes;
- (v) bermed areas for tobogganing and skiing;

#5
C.B.
(vi) landscaped and natural areas for picnicking and other passive activities;

(vii) hard-surface multi-sport box;

(viii) outdoor wading pool;

(ix) park landscaping, furniture and equipment including benches, walkways, trees and shrub planting, fencing, trash containers.

(b) Size of Parks

In order to accommodate the spaces and facilities noted above, community parks shall contain a minimum of 6 hectares (15 acres) of tableland and will preferably be located to include woodlots or valleyland so that the total park area ranges from 12 to 18 hectares (30 to 45 acres). The size of a community park in a specific location will depend on its relationship to valleys and other natural areas, and on the facilities required to serve the recreation needs of the specific community.

(c) Service Radius and Population

Community Parks will generally be located to serve approximately 15 000 people within a 2.4 kilometre (1 1/2 mile) radius.

6.14 District Parks

District parks and recreation facilities shall be acquired and developed according to the following criteria.

(a) Activity Spaces and Facilities

The following activity spaces and facilities may be provided, where appropriate, in District Parks:

(i) picnic areas and nature areas;

(ii) animal farm;

(iii) horseshoe pitch;

(iv) mini-golf facilities;

(v) senior baseball diamond and perhaps other specialized limited-interest sports fields (e.g. cricket pitches);

(vi) multi-use recreation building containing curling rinks, a cultural centre, etc.;

(vii) outdoor artificial rink;

RECORDED #5

- (viii) bandshell or outdoor theatre;
- (ix) tennis club (6 courts); and
- (x) ski and toboggan slopes.

(b) Size of Parks

In order to accommodate the spaces and facilities appropriate to a particular service area and location, district parks should generally contain a minimum of 11 hectares (27.5 acres) of tableland and will be located to include woodlots or valleyland so that the total park area ranges from 20 to 30 hectares (50 to 75 acres).

The specific design of a district park depends on the nature of the site and the type of facilities contained in community and specialized parks and areas in the particular service area. In most cases, some facilities primarily associated with another park in the hierarchy will be included in a District Park.

(c) Service Radius and Population

District Parks will generally be located to serve approximately 85,000 people within a 6.4 kilometres (4 mile) radius.

- 6.15 All parks indicated on Plate 45 shall be provided in the general locations shown and shall be sized in accordance with policies 6.11 to 6.14.
- 6.16 Although public parks are to be planned on the basis of the park hierarchy, it is recognized that it may be desirable in specific circumstances to combine two or more levels of the hierarchy into one park or to split one level of the hierarchy into separate parks.
- 6.17 Only the tableland components of Parkettes and of Neighbourhood, Community and District Parks are designated on Plate 45. However, where these designations abut other open space designations such as Hazard Lands, Woodlot and Gravel Pit, it is understood with respect to policies 6.11, 6.12, 6.13 and 6.14 that the public park will include some portion of these other open space lands.
- 6.18 Whenever practical, indoor and outdoor recreation facilities shall be designed or improved in a manner that will allow physically handicapped persons to have access to the facilities and enable them to participate in recreation programs.
- 6.19 Walkways which can accommodate two-way pedestrian and bicycle traffic shall be provided where necessary to provide safe and convenient access from the road system to parks and open space links.

- 6.20 The City may develop a system of pedestrian and bicycle trails along open space links for recreational walking, jogging and cycling and to provide safe and convenient access to parks, schools and other facilities.
- 6.21 Pedestrian bridges shall be provided over the Etobicoke Creek according to identified need and in appropriate locations.
- 6.22 While the TransCanada Pipeline right-of-way and abutting buffer strips (see policy 8.2.1) constrain the use of lands in the study area, they also provide an opportunity to develop an open space link between the Etobicoke Creek, the Neighbourhood and District parks, the residential lands, and the Brampton Esker. Accordingly, one of the buffer strips should accommodate a paved walkway for bicycles and pedestrians. The walkway and portions of the remaining grass or shrubbery areas could be maintained by the City in return for the right of public use.

7.0 TRANSPORTATION

7.1 Roads

7.1.1 Road facilities in the Bovaird-Kennedy Area are intended to function in accordance with the following general guidelines and classifications.

- (a) Provincial Highways (Highways 7 and 10) are to be planned, designed, constructed and designated to accommodate medium to high volumes of long distance and inter-regional traffic travelling at medium to high speeds. At grade intersections are desirable with other provincial highways, arterials and collector streets only. Direct access to abutting properties is to be controlled or not permitted where alternatives exist so as not to interfere with the primary highway function of moving through traffic.
- (b) Minor Arterials are to be planned, designed, constructed and designated to inter-connect with and augment the major arterial road system and to carry moderate volumes of medium distance intra-municipal traffic at medium speeds and to serve traffic flows between more localized principal areas of traffic generation. At grade intersections are desirable with provincial highways, other arterials and collector streets only. Direct access to abutting properties is to be discouraged where practical alternatives exist so as not to interfere with the primary minor arterial street function of moving through traffic.
- (c) Collectors are to be planned, designed, constructed and designated to accommodate moderate volumes of short to medium distance traffic travelling at moderate speeds between residential or industrial communities or areas, or to and from the arterial system. Through

traffic will be discouraged from using these roadways. All intersections will be at grade. Direct access from abutting residential properties will not be permitted near intersections with arterials and limited access will be generally encouraged elsewhere along residential sections of collector roads. Direct access from abutting industrial and commercial properties will be permitted.

- (d) Minor Collectors are to be planned, designed, constructed and designated to accommodate light to moderate volumes of short distance traffic at low speeds between neighbourhoods or to or from the collector and arterial street system. Through traffic will be strongly discouraged from using these roadways. All intersections will be at grade. Direct access from abutting properties would be permitted.
- (e) Local roadways are to be planned, designed, constructed and designated to accommodate low volumes of traffic travelling at low speeds between points of origin and the collector road system. Intersections will be at grade. Direct access from abutting properties will be permitted.
- (f) Minor Local roadways are to be planned, designed, constructed and designated to accommodate very light volumes of traffic travelling at low speeds between points of origin and the local road system. These roadways will be designed to serve only the properties which abut the roadways. Intersections will be at grade. Direct access from abutting properties is permitted.

7.1.2 Provincial Highways, Minor Arterials, Collectors and Minor Collectors in accordance with the classification in policy 7.1.1 are shown on Plate 45. Local Roads and Minor Local roads are to be planned as part of the subdivision design process.

7.1.3 The right-of-way requirement for Highways 7 and 10 will be the responsibility of the Ministry of Transportation and Communications. The minimum right-of-way width for Kennedy Road and for Sandalwood Parkway shall be 35 metres (120 feet). Right-of-way width requirements for collector roads will be 23 to 26 metres (76 to 86 feet). Right-of-way width requirements for Minor Collectors, Local roads, and Minor Local roads will typically be 23 to 26 metres (76 to 86 feet), 20 metres (66 feet), and 17 metres (56 feet) respectively.

7.1.4 The required right-of-way widths specified in policy 7.1.3 denote only the basic requirement for the section of the road. Additional rights-of-way may be required at intersections to provide for exclusive turning lanes and other special treatments. There may also be additional requirements for rights-of-way to provide lands for the construction of bridges, overpasses, earth filled ramps and depressed sections of

roads. Any such additional right-of-way requirements shall be determined at the time of the design of the road facilities and will become part of the total required right-of-way.

7.1.5 The traffic carrying function of the provincial highway, arterial and major collector system will be protected and improved by:

- (i) discouraging intersections of local streets with arterials and provincial highways in the design of new subdivisions;
- (ii) controlling the number of collector street intersections with arterial streets and provincial highways through the regulation of subdivision design;
- (iii) requiring an internal road access design for low density residential uses adjacent to arterial roads and provincial highways.

7.1.6 Council will endeavor to achieve a safe and quiet atmosphere in residential areas by:

- (i) encouraging the use of minor crescent streets and the selective use of short culs-de-sac in subdivision design where feasible;
- (ii) using street designs which discourage excessive speeds;
- (iii) encouraging off-street private parking (i.e. private driveways, garages, etc.);

7.1.7 The design of roads shall incorporate design elements such as tree planting, landscaping, pedestrian facilities, bicycle paths, median strips and boulevards where appropriate.

7.1.8 The pattern and design of local and collector streets shall discourage medium and long distance trips from penetrating residential neighbourhoods, thereby protecting such areas from the noise, pollution, and physical danger of excessive vehicular traffic.

7.2 Highway 410

- ~~7.2.1~~ (i) Based on an existing generalized traffic study, it is recognized that there may not be sufficient road capacity to serve additional portions of the Bovaird-Kennedy Area as well as all of the existing and ²presently committed development north of Highway 7/Bovaird Drive until the construction of the Highway 410 Bypass is completed, and accordingly,
- (ii) No additional development will be draft approved in the Bovaird-Kennedy Area until a satisfactory phasing policy has

been adopted by Council to allocate available road capacity to specific development areas.

NOTIFICATION
SECTION 14(1) OF
THE PLANNING ACT

7.3 Pedestrians

7.3.1 Pedestrian walkways should generally be provided in subdivision designs to reduce the walking distance from a number of dwelling units to transit, park, elementary school and convenience commercial facilities, and between residential neighbourhoods.

7.3.2 The City shall ensure that all new sidewalks and reconstructed sidewalks be ramped at intersections where safe and practical.

7.4 Impacts

7.4.1 Provisions shall be made in all site plans and plans of subdivisions for future transportation right-of-way requirements, for the proper relationship of buildings to the ultimate physical characteristics of the transportation facility and for the provision of barriers, berms, screens and landscaping where necessary to buffer residential units from the effects of ultimate traffic volumes.

8.0 MAJOR PUBLIC UTILITIES

8.1 Storm water management

8.1.1 Introduction: Urban development in watersheds generally results in substantial increases in run-off rates and siltation loads in receiving watercourses due to the increase in paved surfaces, the widespread use of storm sewers, and the disturbing effects of construction activity. Secondary effects are erosion along the edges of watercourses, increased downstream flooding, increased stream siltation and deleterious effects on the aquatic environment, increased stream management costs, and impairment of natural beauty.

8.1.2 In conjunction with the City's responsibility for the installation and maintenance of storm sewers, Council shall ensure that storm sewer systems be economically designed to operate on a gravity system and to utilize natural watercourses where available.

8.1.3 Council shall encourage measures such as water retention and siltation ponds. These and other related measures would enable the City to control surface water run-off and to maintain the receiving watercourses in a more healthy, natural condition.

NOTIFICATION
SECTION 14(1) OF
THE PLANNING ACT

8.1.4 Council shall ensure that all construction sites introduce, directly or indirectly, a minimum of silt and debris to natural watercourses through, such means as siltation traps and the application of fast growing grass or related seed to earth mounds or bare-earth areas.

8.1.5 Storm water easements shall have minimal detrimental effect on the use of land and enjoyment of property.

8.1.6 A comprehensive storm water management study will be undertaken for the Bovaird-Kennedy Area and be subject to the approval of the Metropolitan Toronto and Region Conservation Authority prior to the registration of individual subdivisions. This study would investigate the use of alternative storm water management devices and it would recommend a storm water management plan for the study area.

8.2 TransCanada Pipeline

8.2.1 In the interest of public safety, it is desirable that the TransCanada gas pipeline right-of-way be isolated from the activities of building contractors and private homeowners and that no significant structures or excavations be permitted within a working strip of adequate width abutting either side of the right-of-way. Accordingly 4.6 metre (15 feet) buffer strips shall be provided abutting each side of the pipeline right-of-way and dedicated to the City.

8.2.2 All occupied buildings shall be setback a minimum of 15 metres (50 feet) from the nearest edge of the TransCanada Pipeline right-of-way, or at Council's discretion, a minimum of 18 metres (60 feet) from the centreline of the nearest existing or potential pipeline.

8.2.3 As a condition of approval of any subdivision plan for lands within 200 metres (660 feet) of the TransCanada Pipeline right-of-way, the developer shall agree to include an appropriate notification of the existence of the high pressure natural gas pipeline and associated risk in each Offer to Purchase for lots within 200 metres of the pipeline easement.

8.3 Cabled Services

8.3.1 The City shall endeavor to have local service power lines, telephone and other cabled services located underground, where feasible.

8.3.2 Council shall endeavor to ensure that utility installations for electric power and telephone services will not be permitted within residential areas if such installations are of a magnitude, function, or character incompatible with the surrounding residential environment.

9.0 IMPLEMENTATION

9.1 Interpretation

9.1.1 In order to provide for flexibility in the interpretation of the text and maps of this Chapter, it is intended that all figures, numbers and quantities be considered to be approximate only and not absolute, and that minor changes may be permitted without amendments to this Chapter, provided that they do not affect the intent of this Chapter.

9.1.2 Although the Plan for the Bovaird-Kennedy Area establishes boundaries of land use designations and road alignments, as well as densities and housing mix, these elements may be varied slightly provided that the intent of the Official Plan is clearly respected.

9.2 Restricted Area By-law

9.2.1 Restricted Area By-laws pursuant to Section 35 of the Planning Act will be used to regulate the use of land and the character, location and use of buildings and structures in accordance with the policies of this Chapter.

9.2.2 Although it is intended that all lands in the Bovaird-Kennedy Area will eventually be rezoned by Restricted Area By-law amendment to conform with the land use designations herein, Council may intentionally retain or make use of interim zoning in certain areas to defer development for the designated use until appropriate standards and adequate services can be assured.

9.2.3 Detailed Restricted Area By-laws incorporating specific plans and conditions agreed to by the City and a developer of medium density residential or non-residential uses may be adopted in conjunction with rezoning as an adjunct to Subdivision Agreements or Site Plan Agreements to achieve good individual property and neighbourhood development and to help realize the policy intent of this Plan.

9.3 Subdivision Control

9.3.1 The Subdivision Plan Approval process and Subdivision Agreements pursuant to Section 33 of the Planning Act will be used by Council to ensure that the policies and land uses of this Chapter are complied with and that a high standard of layout and design is maintained in new development areas.

9.3.2 Council will recommend for approval only those plans of subdivision which comply with the policies and land use designations of this Chapter including policies respecting the provision of adequate services and the maintenance of the sound financial position of the City.

9.3.3 As a condition of draft approval of a subdivision plan in the Bovaird-Kennedy Area, the subdivider shall agree to complete the comprehensive storm water management study referred to in policy 8.1.6 to the satisfaction of Council and he shall agree to make all of the storm water management changes and associated subdivision design changes that are requested by the City pursuant to receipt of the storm water management study.

9.4 Site Plan Control

9.4.1 Council may control the provision and maintenance of certain site related facilities and matters associated with any development or redevelopment through the mechanism of Site Plan Agreements pursuant to Section 35a of the Planning Act.

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

9.5 Parkland Dedication

9.5.1 Lands may be acquired for parks and recreation purposes by means of the land dedication provisions related to plans of subdivisions, as a condition of development, redevelopment or consent, through the provisions of agreements between the City and Conservation Authorities, the allocation of funds for this purpose in the municipal budget from general revenue or development capital contributions, and by means of donations, gifts or bequests of individuals or corporations to the City for this purpose.

9.5.2 The City will not necessarily obtain parkland or develop recreation facilities in the vicinity of a development associated with a specific cash-in-lieu or development capital contribution but may apply such funds to park acquisition or development in any area of the City which is serving or will serve the subject development with either parkland or recreation facilities.

9.5.3 Lands required for drainage purposes, lands susceptible to flooding, steep valley slopes, filled-in areas, and other lands unsuitable for development will not necessarily be accepted as part of the parkland dedications referred to in policy 6.3, and development of lands adjacent to such areas will be considered premature unless and until such areas have come into public ownership.

9.6 Provision of School Sites

9.6.1 No additional plans of subdivision in the Bovaird-Kennedy Area will receive draft approval until an agreement containing a cost equalization mechanism satisfactory to the school boards has been signed by all relevant landowners guaranteeing the achievement of the Bovaird-Kennedy plan with respect to the provision of school sites.

9.7 Financial and Phasing

9.7.1 The City shall endeavor to phase development in the Bovaird-Kennedy Area in a manner which will permit all major landowners to develop their lands concurrently but which also maximizes the accessibility of residents to services in the Bovaird-Kennedy Area through all phases of the development

9.7.2 The following criteria will collectively be used as the basis for selecting those residential developments or portions thereof which ought to be given development priority:

- (i) Financial: Developments and development areas will be evaluated in relation to the overall growth rate that can be supported by the City without decreasing service standards or imposing undue increases in taxation.
- (ii) Support to Existing Infrastructure: Favors those developments and areas which infill or round out existing communities, which can make use of existing underutilized facilities, and which will expedite the completion of missing links or components of partially completed facilities.
- (iii) Piped Services (Sewer and Water): Favors those developments and areas which are most economically (to City and Region) provided with piped services in the context of current and planned construction programs.
- (iv) Transportation Services (Road and Transit): Favors those developments and areas which are most readily and economically provided with roadway facilities and with transit service.
- (v) Parkland and Community Services: Favors those developments and areas which satisfy City and Regional requirements and standards with respect to the provision of parkland and community services.
- (vi) Consistency with Housing Needs: Favors those developments and areas which best support the provision of a housing supply consistent with market demand and with the needs of those who work in Brampton.

REFERRED #6
TO O.A.L.B.

- (vii) Environmental Concerns (Noise, etc.): Favors those developments and areas which are likely to have the greatest freedom from noise and air pollution and which would cause the least adverse impact on the natural environment, including environmentally sensitive areas and flood susceptible areas.

- (viii) Social Concerns: Favors those developments and areas which are unlikely to create or aggravate social problems in the community by reason of their undesirable location within Brampton or of their inappropriate design or site plan characteristics.

- (ix) Consistency with other Official Plan Policies: Favors those developments and areas which are most consistent with any relevant Official Plan policies other than those related to the preceding criteria.

- (x) Application Date: Among developments and areas which are rated relatively equally on all of the other criteria, favors the earliest development application in official circulation by the Region or the Province.

~~9.7.3 In accordance with policy 7.2.1 and with criterion (iv) of policy 9.7.2, no additional plans of subdivision will be draft approved in the Bovaird-Kennedy Area unless the subdivider agrees that no applications for building permits will be made except in accordance with a phasing policy to be adopted by Council and based on available road capacity.~~

9.8 Bovaird-Kennedy Concept Plan

9.8.1 The Bovaird-Kennedy Concept Plan which will be adopted by Council concurrently with this Chapter of the Consolidated Official Plan provides both the conceptual basis for this Chapter as well as a more detailed elaboration of some of the policies and designations contained herein. The Bovaird-Kennedy Concept Plan does not form part of the Consolidated Official Plan and may be amended by resolution of Council.

9.8.2 The sizes of District, Community, Neighbourhood and Parkette Parks shall be indicated in the Bovaird-Kennedy Concept Plan.

APPENDIX A
(to Chapter C53)

A1

ROADWAY
NOISE SOUND LEVEL
LIMITS FOR OUTDOOR RECREATIONAL AREAS

The following are recommended sound level limits for outdoor recreational areas, including residential outdoor privacy areas, to be used for planning land use:

<u>Period of Day</u>	<u>dBa Limits</u>	
	Traffic Noise	
	<u>L_{eq}</u>	<u>L₅₀</u>
07:00 hours to 23:00 hours	55*	52
23:00 hours to 07:00 hours	50*	47

L_{eq} - "equivalent sound level" - the value of the constant sound level which would result in exposure to the same A-weighted energy as would the specified time-varying sound, if the constant sound level persisted over an equal time interval.

L₅₀ - "fifty percentile sound level" - is the sound level exceeded fifty per cent of a specified time period.

dBa - sound pressure level measured in decibels using the A scale, which is intended to approximate the relative sensitivity of the normal human ear to different frequencies of sound.

* Where a developer has demonstrated that he has done everything economically, technically and administratively feasible to reduce noise levels and the resultant noise level is above 55 dBA and below 60 dBA, the Ministry and the City will consider approval provided purchasers are advised that there may be a potential noise problem. This provision also applies to situations where a slight noise level excess of 1-5 dBA exists and it is not practical to implement noise measures to deal with this slight excess.

A2

ROADWAY NOISE
INDOOR SOUND LEVEL LIMITS

The following are the indoor sound level limits for planning land use:

<u>Type of Space</u>	<u>Equivalent Sound Level Limit Leq (dBA)</u>
Bedrooms, sleeping quarters, hospitals, etc. (Time period: 23:00 ~ 07:00 hours)	40
Living rooms, hotels, motels, etc. (Time period: 07:00 ~ 23:00 hours)	45
Individual or semi-private offices, small conference rooms, reading rooms, classrooms, etc. (Time period: 07:00 ~ 23:00 hours)	45
General offices, reception areas, retail shops, and stores, etc. (Time period: 07:00 ~ 23:00 hours)	50

Leq and dBA - as defined in Section A-1 above

A-3 AREAS REQUIRING NOISE ANALYSIS

Areas requiring noise analysis are considered to be those lying within the following distances of the various roadway types projected to have the following characteristics:

Road Classification	Operating Speed	Projected Number of Lanes	Projected Traffic-Volumes		Assumed Percent Trucks	Area Requiring Analysis*	
			AAADT	Average Hourly**		Distances from Edge of Pavement (Deop) (metres)	(ft.)
Freeway	60	14	260,000	15,600	15%	1,669	5,475
		12	220,000	13,200	15%	1,477	4,847
		10	180,000	10,800	15%	1,276	4,186
		8	145,000	8,700	15%	1,090	3,575
		6	110,000	6,600	15%	891	2,922
		4	73,000	4,400	15%	662	2,173
Provincial Highway	50	6	78,000	4,700	15%	492	1,614
		4	35,000	2,100	15%	273	897
		2	17,000	1,000	15%	159	522
Arterial (Major & Minor)	35	6	60,000	3,600	15%	241	792
		4	27,000	1,600	15%	134	438
		2	13,000	800	10%	72	236
Collector & Minor Collector	30	4	20,000	1,200	10%	81	267
		2	10,000	600	10%	49	161

* Calculations are based on the following MTC formula
 $Deop = \text{Antilog} (3.56 + 0.73 \log (Vc + 6Vt) + 0.015 S - 0.072 Leq)$

Areas requiring noise analysis are defined by the distances from the edge of pavement which would be subject to Leq traffic noise levels exceeding 55 dBA for the 07:00 to 23:00 hour time period assuming no intervening development or noise attenuating features.

** 95% of the traffic is assumed to be daytime traffic (i.e. 07:00 to 23:00 hours).