

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

_ ⊇ 200–85 Number____

To adopt Amendment Number 62 -62A A to and Amendment Number 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, 1983, hereby ENACTS as follows:

- Amendment Number 62 and Amendment Number 62 A to the Official Plan 1. of the City of Brampton Planning Area are hereby adopted and made part of this by-law.
- The Clerk is hereby authorized and directed to make application to the 2. Minister of Municipal Affairs and Housing for approval of Amendment Number <u>62</u> and Amendment Number <u>62</u> A to the Official Plan of the City of Brampton Planning Area.

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

August

This

12th day of , 1985.

KENNETH G. WHILLANS MAYOR

ROBERT D. TUFTS

CLERK

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AMENDMENT NUMBER <u>62</u> TO THE OFFICIAL PLAN OF THE CITY OF BRAMPTON PLANNING AREA AND AMENDMENT NUMBER <u>62</u> A TO THE CONSOLIDATED OFFICIAL PLAN OF THE CITY OF BRAMPTON PLANNING AREA

21-0P 0031-062-/

Amendment No. 62A to the Consolidated Official Plan for the City of Brampton Planning Area and Amendment No. 62 to the Official Plan for the City of Brampton Planning Area

This amendment to the Consolidated Official Plan for the City of Brampton and the Official Plan for the City of Brampton, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved in accordance with Section 21 of the Planning Act, R.S.O. 1983 as Amendment No. 62A to the Consolidated Official Plan and Amendment No. 62 to the Official Plan for the Brampton Planning Area.

Date ... No.4. 22, 19.85 ..

L. J. FINCHAM Director Plans Administration Branch Central and Southwest Ministry of Municipal Affairs





THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ 200-85

To adopt Amendment Number <u>62</u> and Amendment Number <u>62A</u> 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 <u>Planning Act</u>, 1983, hereby ENACTS as follows:

- Amendment Number <u>62</u> and Amendment Number <u>62</u> A to the Official Plan of the City of Brampton Planning Area are hereby adopted and made part of this by-law.
- 2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Amendment Number <u>62</u> and Amendment Number <u>62</u> A to the Official Plan of the City of Brampton Planning Area.

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

August .

This

day of

12th

, 1985-

KENNETH G. WHILLANS - MAYOR

ROBERT D. TUFTS ACTING- - CLERK

AMENDMENT NUMBER 62 TO THE OFFICIAL PLAN AND AMENDMENT NUMBER 62 A TO THE CONSOLIDATED OFFICIAL PLAN _ {

1. Purpose:

The purpose of this amendment is to change the land use designation of lands shown outlined on Schedule A to this amendment from Industrial to Highway Commercial, and to provide guidelines for the development of the subject lands.

2. Location:

The lands subject to this amendment are located on the north side of Highway Number 7, approximately 350 metres east of Torbram Road, being part of Lot 6, Concession 6, E.H.S. (geographic Township of Chinguacousy) in the City of Brampton.

3. Details of the Amendments and Policies Relative Thereto:

- (1) The Official Plan for the City of Brampton is hereby amended:
 - (a) by changing, on Schedule "A" thereto, the land use designation of lands shown outlined on Schedule A to this amendment, from Industrial to Commercial;
 - (b) by changing Schedule "F" to designate as Highway and Service Commercial the lands shown outlined on Schedule A to this amendment, and
 - (c) by deleting therefrom subsection 7.2.7.13, and substituting therefor the following:

"7.2.7.13 Area 13: Bramalea North Industrial

Amendment Number 6 to the Consolidated Official Plan of the City of Brampton Planning Area, as it applies to Secondary Plan Area Number 13, as amended by Amendment Numbers 74, 7A and A to the Consolidated Official Plan, are combined, and shall constitute the Bramalea North Industrial Secondary Plan."

(2) The Consolidated Official Plan of the City of Brampton Planning Area, as amended by Amendment Number 6, as it relates to the Bramalea North Industrial Secondary Plan, is hereby amended:

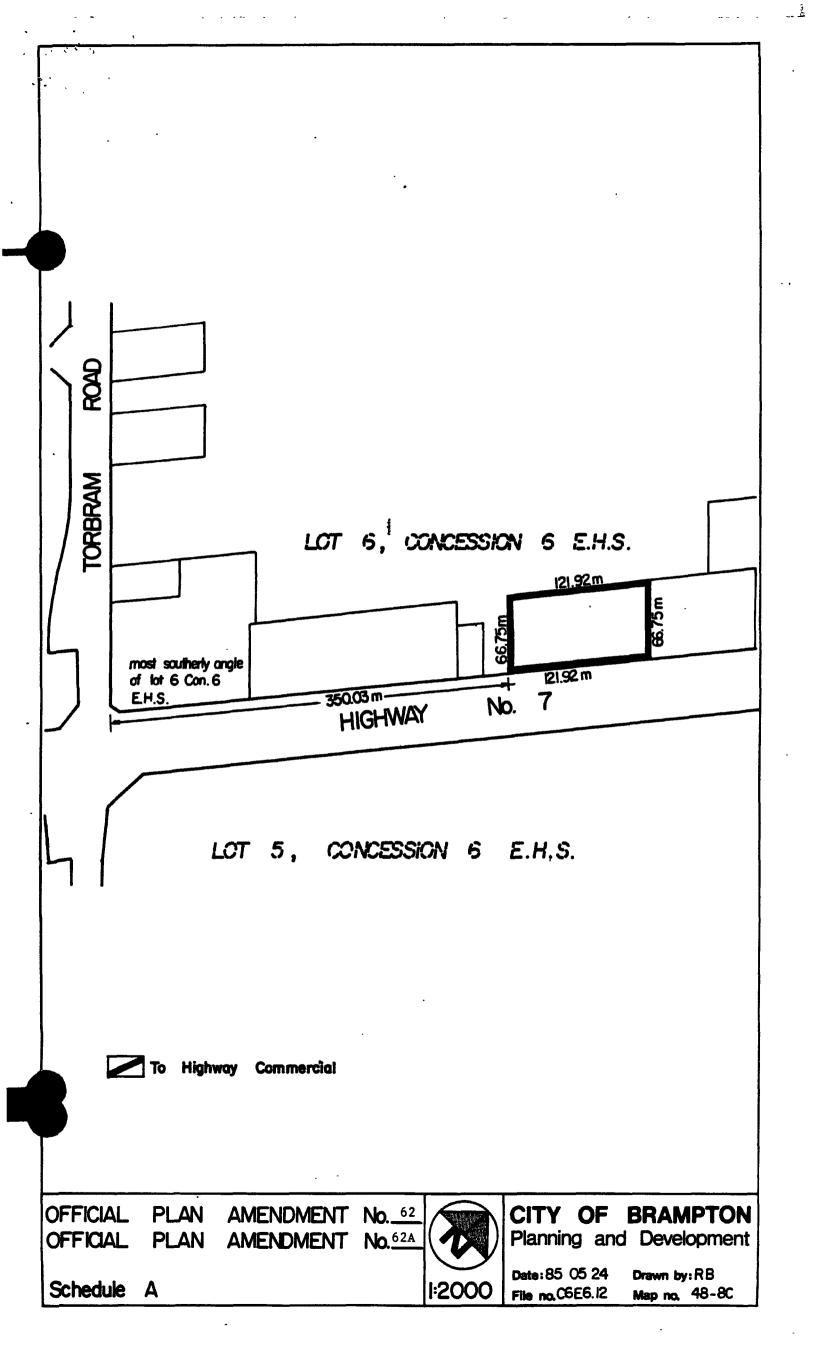
 by changing, on Schedule "A" to Amendment Number 6, the land use designation of the lands subject to this amendment, as shown outlined on Schedule A to this amendment, from INDUSTRIAL to HIGHWAY COMMERCIAL;

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- (2) by adding to section 3.3 (Development Principles Commercial Use Area) of Amendment Number 6, the following, as subsection 3.3.8:
- "3.3.8 The Highway Commercial designation of lands located on the north side of Highway Number 7, approximately 350 metres east of Torbram Road, is intended to permit only a tool and equipment rental establishment with no outside storage, a motor vehicle parts retail outlet, a automobile service and sales establishment and a fast food restaurant with drive-through facilities, provided that only one common driveway facility is used for access purposes to Highway Number 7."



BACKGROUND MATERIAL TO AMENDMENT NUMBER <u>62</u> AND AMENDMENT NUMBER <u>62</u> A

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Attached are one copy of reports dated September 12, 1984 and 1985 01 15, including the notes of a special meeting of Planning Committee held on April 3, 1985, after publication of notices in the local newspapers and mailing of notices to assessed owners of property within 120 metres of the subject site.

INTER-OFFICE MEMORANDUM

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Office of the Commissioner of Planning & Development

January 15, 1985

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 TO: Chairman of the Development Team
 FROM: Planning and Development Department
 RE: Application for Amendment to the Official Plan and Zoning By-law Part Lot 6, Concession 6, E.H.S. Ward Number 11 McDONALD'S RESTAURANT OF CANADA LIMITED Our File Number C6E6.12

1.0 Background

A staff report pertaining to the above mentioned application was considered by Planning Committee on September 17th, 1984. A recommendation of the Committee "that the matter be deferred" was affirmed by Council at its meeting held on September 24th, 1984.

Subsequently, the applicant has submitted a revised site plan.

2.0 Proposal

A statistical comparison of the proposal considered at the September 17th, 1984 Planning Committee meeting and the latest proposal is shown on the next page.

F2-2

	Existing	Sept/84 Report	Jan/85 Report
Site Area	8086 m ²	8086 m ²	8086 m ²
Building Area McDonald's above grade below grade Total	286.82 m ² <u>186.75 m²</u> 473.57 m ²	470.68 m ² <u>186.75 m²</u> 657.43 m ²	
Commercial		635.6 m ²	557.48 m ²
Parking McDonald's Commercial Total	71 	79 <u>38</u> 117	79 <u>36</u> 115
Landscaped Area (Percent)		1821.02 m ² (21.27%)	1382 m ² (17%)

STATISTICAL SUMMARY OF SUBMISSIONS

- 2 -

The more recent site plan makes no change to the restaurant The size of the proposed commercial building has been facility. decreased from a gross floor area of 635.6 square metres (6841.77 square feet) to 557.48 square metres (6000.86 square feet) or by about 78 square metres (840 square feet) and the number of offstreet parking spaces has been decreased from 38 to 36. The quantity of landscaped open space has been decreased with the proportion dropping from 21.27 percent to 17 percent. However, the depth of the front yard landscaped area in front of the proposed commercial building has been increased from 3 metres (9.8 feet) to 7.62 metres (25 feet). The circulation pattern has been altered by establishing a more complete separation of the restaurant drive-thru route and by providing a complete circular route around the proposed commercial building. A suggested location of a future access road on the north boundary has been identified.

3.0 Discussion

The planning report considered by Planning Committee at its



- 3 -

September 17th, 1984 meeting did not recommend that the additional commercial building ought to be permitted noting that:

- existing McDonald's parking facilities are fully utilized at peak periods;
- 2. staff could support an addition to McDonald's up to 190 square metres (2045.2 square feet);
- a 15 metre wide landscaped strip along Highway Number 7 ought to be provided;
- 4. internal parking and circulation system ought to be revised to accommodate the expanded restaurant facility and the enlarged landscaped area along Highway Number 7;
- 5. provision for internal access (to the north) be made, and
- 6. other conditions be imposed pertaining to:

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- (i) cash-in-lieu payment for a sidewalk across the full frontage of Highway Number 7,
- (ii) conveyance of a 0.3 metre reserve to the Ministry of Transportation and Communications,
- (111) entering into a suitable development agreement(s) to include provision for securities to ensure completion of landscaping of the site and the boulevard, and the improved entrance driveway as may be required by the Ministry of Transportation and Communications.

While some minor changes have been made to the site plan, the applicant's principal thrust involving the additional commercial building and supplemental uses has not been addressed. Planning Committee should consider the suitability of another building on the

F2-3

F2-4

McDonald's site accommodating a potentially broad range of uses. The uses noted below, as requested by the applicant's consultant are sufficiently broad to permit the establishment of a convenience commercial plaza.

- animal hospital
- trust company or finance company
- building supplies sales establishment
- home related services
- automobile related services
- motor vehicle parts retail outlet
- offices
- radio or television broadcasting establishment
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- retail establishment having no outside storage
- a service shop
- a personal service shop
- a dry cleaning and laundry distribution station
- a printing or copying establishment
- a custom workshop
- a retail establishment not specifically mentioned
- a tool and equipment rental establishment

4.0 <u>Conculsion</u>

It is recommended that Planning Committee consider the proposal of the applicant with respect to the commercial building and additional uses and after having made a determination, direct that a Public Meeting be held to deal with the proposal in the form determined by Planning Committee.

AGREED:

R. Dalzel1

Commissioner of Planning and Development

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



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INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

September 12, 1984

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TO: The Chairman of the Development Team
FRUM: Planning and Development Department
RE: Application for Amendment to the Official Plan and Restricted Area By-law Part Lot 6, Concession 6, E.H.S. Ward 11 MCUONALD'S RESTAURANTS OF CANADA LIMITED Our File: C6E6.12

1.0 BACKGROUND:

The application by McDonald's Restaurants of Canada Limited to amend the Official Plan and Restricted Area By-law pertaining to the subject property was received by City Council and referred to staff for a report and recommendation.

2.0 Description of Property

The property is located on the north side of Highway Number 7, approximately 350 metres (1,150 feet) east of Torbram Road. The subject property is a rectangular parcel with a frontage of 121.92 metres (400 feet) on Highway Number 7 and a depth of 66.75 metres (218 feet). The area of the land is 0.81 hectares (2.0 acres).

The easterly part of the property is occupied by McDonald's fast-food restaurant with a building area of 287 square metres (3,090 square feet) and parking for 71 automobiles. The westerly part of the land, having an area of approximately 0.25 hectares (0.6 acres) is presently vacant.

F2-6

To the immediate east of the site, the land is occupied by Imperial Fruit Market and further east by Malton Flowers.

- 2 -

To the west, the vacant land with a frontage of 20 metres on Highway Number 7, is part of the proposed industrial development, owned by Bramalea Limited. further west, is a residential dwelling for which an application for a Pizza Take-out Establishment has been made on behalf of the owner.

A map showing the location of the subject property is attached.

3.0 Official Plan and Zoning Status

This property together with the lands to the east, west and north was designated Industrial under Amendment Number 6 to the Consolidated Official Plan of the City of Brampton Planning Area. The new Official Plan of the City, as approved, designates the subject land as Industrial.

The existing zoning, as per By-law 861, amended by By-law 172-71 of the former Township of Chinguacousy, is "Commercial Special -Drive-in Food Restaurant Centre". The development of the subject land for the permitted use is restricted by a site plan which forms part of By-law 172-71. The Committee of Adjustment of the City of Brampton has permitted a slightly larger building area than what is allowed in the by-law.

4.0 Proposal

The applicant's original proposal was to expand the existing fast-food restaurant building towards the east by approximately 280 square metres (3,014 square feet) and to build an additional commercial building with an area of 670 square metres (7,200 square feet) in the westerly part of the subject land. A total number of 98 parking spaces for all commercial buildings were proposed to be provided on the subject property. The proposal has since been revised by reducing the extension of the existing restaurant building to the east to 184 square metres (1,980 square feet). The gross floor area of the additional commercial building has also been reduced to 636 square metres (6,845 square feet). The revised site plan, as submitted, provides for 79 parking spaces for the extended restaurant use and 38 parking spaces for the additional commercial uses.

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The consultant for the applicant has submitted the following list of uses for the additional commercial building:

- animal hospital
- trust company or finance company
- building supplies sales establishment
- home related services
- automobile related services
- motor vehicle parts retail outlet
- offices
- radio or television broadcasting establishment
- retail establishment having no outside storage
- a service shop
- a personal service shop
- a dry cleaning and laundry distribution station
- a printing or copying establishment
- a custom workshop
- a retail establishment not specifically mentioned
- a tool and equipment rental establishment

A reduced version of the revised site plan, as submitted by the applicant, is attached.

5.0 Comment

The subject proposal was circulated to the concerned City Departments and other agencies. Following is a summary of their comments:





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Building:

The property is subject to the provisions of By-law 172-71 and the proposed plan shows a side yard of 3 metres minimum for the commercial building. Although there are no specific side yard requirements in the above by-law, the side yard as shown would be the minimum requirement for a Cl zone whereas the subject property is zoned CS.

Public Works:

The parking area containing 11 spaces located in front of the proposed commercial building, in the revised plan, should be relocated. The 3.0 metre side yard provided along the westerly property line should be increased to locate a driveway access to the garbage pick-up area.

The proposed commercial building may be shifted towards the front and east. The driveway access located east of the commercial building can be reduced to provide one-way circulation around the building.

The turning radii of the driveway around the building provided for the movement of garbage pick-up and delivery vehicles, should be in accordance with the City standards.

Cash-in-lieu for the sidewalk on Highway Number 7 for the full frontage of the property should be paid by the applicant.

Community Services:

The proposed uses for the additional commercial area do not appear to be compatible with a fast-food sit down/take-out service outlet.

Recognizing the problems of traffic flow, parking etc., it seems questionnable as to whether this site should include any additional commercial uses.

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There is very little landscaped space being proposed. It is recommended that landscaped area be increased.

Fire Department:

No objection. The fire hydrant to service this complex be shown on the proposal.

Region of Peel:

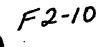
No comments or objections.

Ministry of Transportation and Communications:

While the Ministry has no objection to the proposed addition and the proposed commercial building, following modifications to the entrance is recommended:

- (1) For right turns in from the east, a 30 metre parallel lane and 30 metre taper per standard C.S. 20 should be built.
- (2) 15 metre radii should be used on the entrance.
- (3) In order to properly accommodate left turns into this site, and others in the vicinity, M.T.C. anticipates the need for future widening by approximately 1.0 metres on each side of Highway Number 7. Therefore, the entrance be built to the into the future edge of the pavement. The future widening will be done by the M.T.C. when warranted.

All costs involved would be at the owners expense.



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Conveyance of a 0.3 metre reserve across the entire highway frontage excepting the entrance location will be required.

Building/land use and sign permits must be obtained from the Ministry's District Office.

A drainage plan should be submitted for approval at the time the permits are applied for.

6.0 Discussion

As indicated above, the subject property is covered by By-law 172-71 of the former Township of Chinguacousy. The by-law allows the development of the entire site with a "Drive-in-Food Restaurant Centre", subject to a site plan permitting a building size of 15.2 metres x 15.2 metres (50 feet x 50 feet) with a maximum area of 231 square metres (2,500 square feet). Parking for 62 automobiles is shown on the site plan attached to the By-law 172-71.

Prior to the development of the subject site an enlarged building with dimensions of 11.58 x 22.96 metres (38 feet x 75.32 feet) with an area of 265.87 square metres (2862 square feet) was approved by the Committee of Adjustment. The front yard was reduced from the by-law requirement of 30.48 metres (100 feet) to 24.68 metres (81 feet). A parking area containing 50 spaces was submitted as part of the proposal to the Committee of Adjustment. Subsequently, the parking area was extended to the vacant land, west of the existing building to accommodate the increased requirement of the present use.

The current application, as revised, requests permission to increase the size of the existing fast food restaurant by 184 square metres (1,980 square feet) in addition to building a separate commercial structure of 636 square metres (6,845 square feet). The proposed expansion of the restaurant amounts to an increase of approximately 80% over the commercial floor area permitted by By-law 172-71 and an increase of approximately 70% over the enlarged area permitted by the Committee of Adjustment. Together with the proposed additional commercial building and the paved parking, as required, the built-up and asphalted area would be over 77% of the area of the site.

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As noted above, the subject property together with the abutting lands is designated Industrial and the Development Policies of the Plan require a show-case type development of the land with landscaped buffering along Highway Number 7 and adequate landscaping on the site. Taking into consideration that the existing development is permitted under a 1971 by-law, the Official Plan may be amended to permit expension of the commercial development provided the Development Policies of the Plan are implemented. In other words, in order to comply with the Official Plan policies, a landscaped buffer area of a minimum of 15 metres in width is required to be provided along Highway Number 7 in addition to the enhanced landscaping of the subject site.

It should also be pointed out that the south westerly part of the site accommodates a drainage ditch for the lands located north-west of the site. The proposed site plan, as submitted, suggests that the ditch be paved and used for parking. If this application is approved, it would be required that the existing drainage ditch be maintained as part of the storm-water management plan for the site. The grading and storm-water management plan for the site would require City's approval.

In addition to the above, the Official Plan policies for the area require that an internal road system be developed to provide vehicular access to the lands presently fronting on Highway Number 7. As such, the applicant should recognize the possibility of an access to the future road system to the north, and in the Development Agreement, agree to eliminate or restrict the present access to Highway Number 7.

It is noted that Planning Committee has requested staff to investigate the feasibility of a frontage service road being provided F2-12

abutting to and parallel to Highway Number 7. Planning staff have with the Ministry of had discussions Transportation and Communications staff on this subject. The Ministry's staff is of the opinion that in order for the frontage service road to be effective, it requires connections at both extremeties and horizontal alignments sufficient to accommodate tractor trailer units. In this regard, it was felt that a considerable quantity of land external to the frontage road, as such, would be required. Taking into consideration the existing development in the area and the cost of the acquisition of all the land required for the desired connections to Highway Number 7, the frontage service road in this area does not appear to be feasible.

- 8 -

As to the proposed development, the staff is of the view that the expanded use of the restaurant facilities by approximately 70% of the existing area, as requested by the applicant, would require parking over and above the 71 spaces available at present. Although the by-law standards of the City, as expressed under By-law 200-82 pertaining to the former Town of Brampton area, require only 79 spaces for the expanded facility, the actual requirement for the extended use would demand an increase of 70% to 75% over the existing facility of 71 spaces.

In this connection, the staff has made a survey of the existing facility on the site and it has been observed that at the peak business periods, the existing parking is fully utilized and that the parking overflows into the adjacent areas of the site.

The applicant's proposal to build an additional building of 636 square metres to locate various commercial uses would seriously restrict the parking facility that is considered necessary for the expanded use of the fast-food restaurant. The proposed additional commercial uses are neither complimentary nor compatible to the existing use of the site. Additional buildings, if permitted, would also reduce the available open space for landscaping on the site. This would be contrary to the Development Policies of the Plan which



require that the development along Highway Number 7 and all major arterial roads be located in a park-like environment. It should be noted that the existing by-law permits only a 231 square metres (2,500 square feet) structure on this entire 0.81 hectare (2.00 acre) site.

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In view of the above, staff would support this application only with respect to the additions to the existing fast-food restaurant by a maximum area of 190 square metres (2,045 square feet) subject to the provision of landscaping facilities including 15 metre wide strip along Highway Number 7. The parking arrangements on the site and the driveway access should be redesigned to cater to the needs of the expanded uses of the fast-food restaurant and a possible access to the internal road system to the north.

The existing driveway access on Highway Number 7 should be improved as per the requirements of the Ministry of Transportation and Communications and that the 0.3 metre reserve along Highway Number 7 be conveyed to the Ministry. The proposed development would be subject to the approval of a Site Plan by the City, and a permit by the Ministry of Transportation and Communications.

In accordance with the City policy, the applicant would be required to enter in a Development Agreement and pay cash-in-lieu for the sidewalk fronting the entire property on Highway Number 7.

Prior to making recommendations on this application, a public meeting, in accordance with Council's policy, should be held by the Planning Committee.

7.0 Recommendation

- It is recommended that Planning Committee recommend to Council that:
- A. a public meeting be held with respect to the subject proposal in accordance with Council's procedures, and

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B. subject to the matters raised at the public meeting that may affect the proposal, the application to amend the Official Plan and Kestricted Area By-law, only with respect to the additions to the existing fast-food restaurant, be approved, subject to the following:

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- the maximum area of the addition to the existing building be 190 square metres;
- the applicant pay cash-in-lieu for the sidewalk on Highway Number 7 for full frontage;
- 3. the applicant convey 0.3 metre reserve along Highway Number 7, excepting the driveway access, to the Ministry of Transportation and Communications and
- 4. the applicant enter into a Development Agreement and furnish securities for the landscaping of the site and boulevard areas, improvement of access to the site, as required by the Ministry of Transportation and Communications and for the provision of a vehicular access to the internal road system to the north, when available.

AGREED:

K. Dalzel

Commissioner of Planning and Development

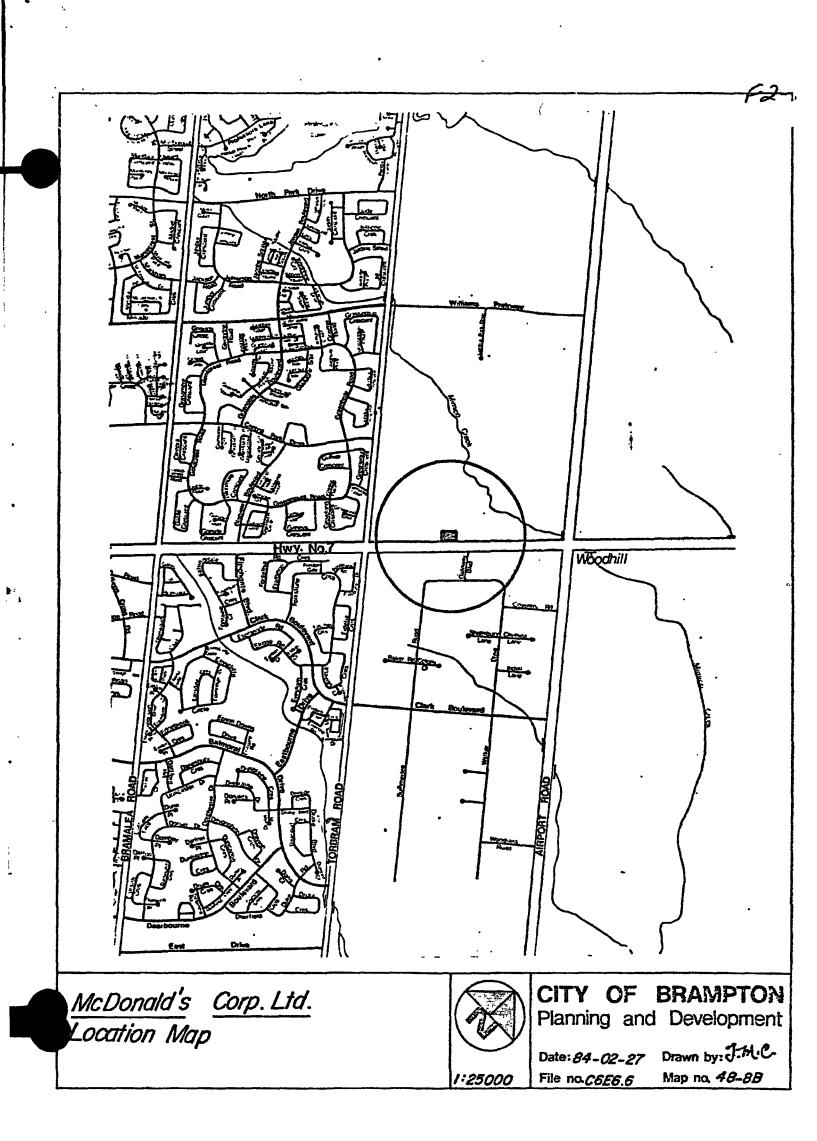
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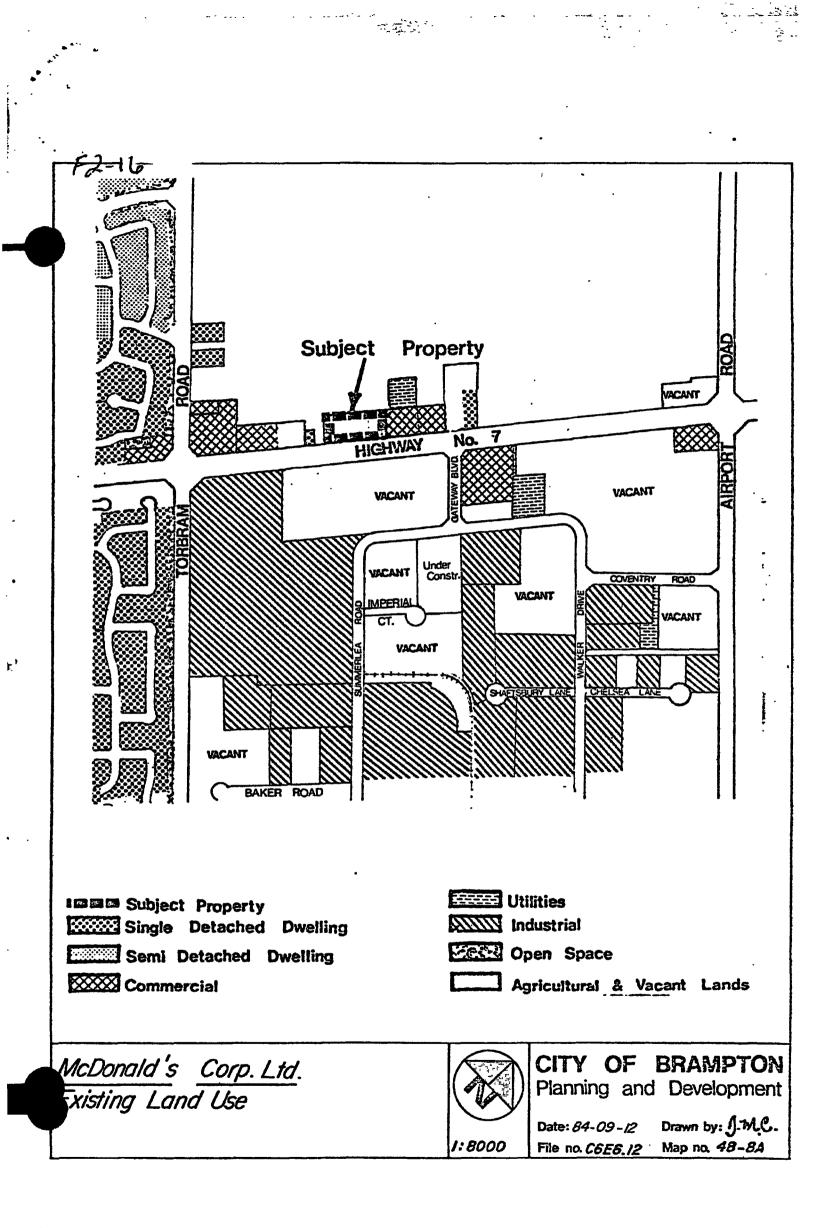
L. W. H. Laine Director, Planning and Development Services Div.

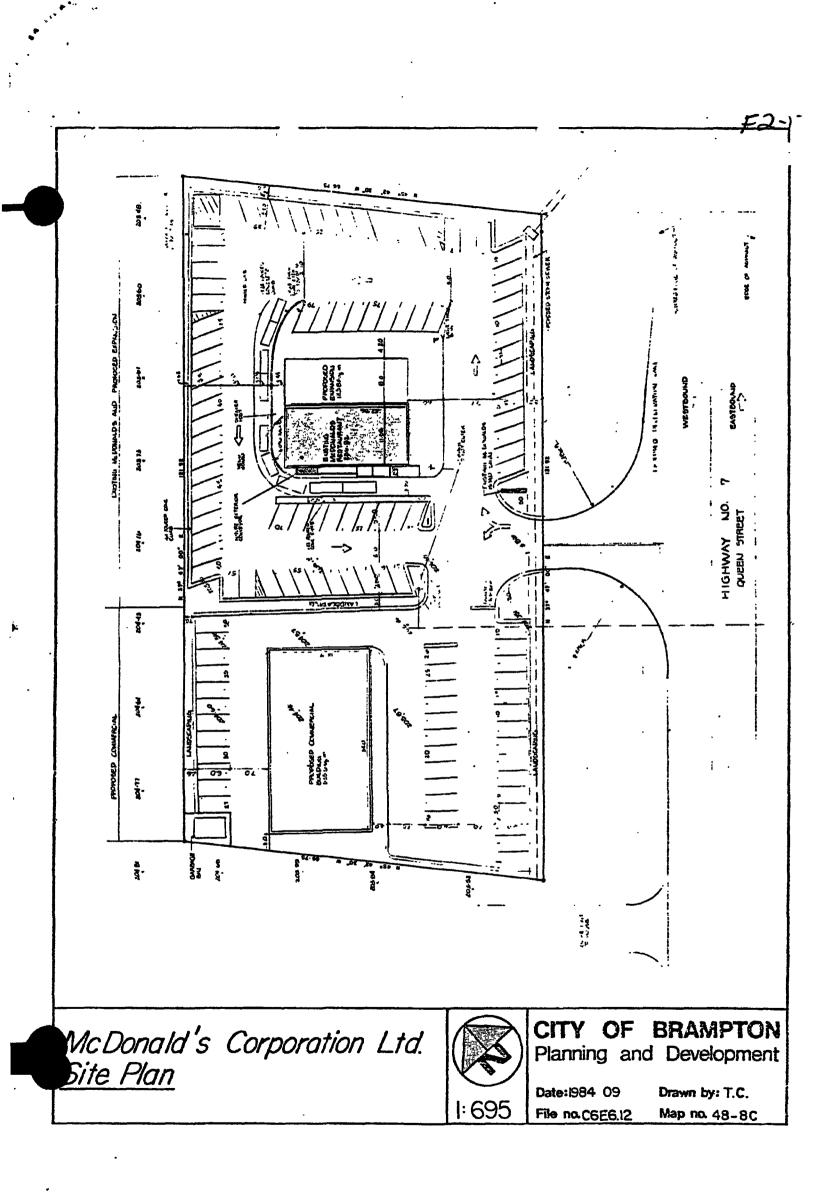


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INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

DATE: April, 4, 1985

The Chairman and Members of Planning Committee TO:

FROM: Planning and Development Department

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Application for Amendment to the Official Plan RE: and Zoning By-law Part Lot 6, Concession 6, E.H.S. Ward 11 McDONALD'S RESTAURANT OF CANADA LIMITED Our File: C6E6.12

The notes of the Public Meeting held on Wednesday, April 3, 1985 with respect to the above noted application are attached for the information of Planning Committee.

No member of the public appeared at the meeting and no letter of objection or comment has been received.

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

- The notes of the Public Meeting be received; The application to amend the Official Plan a) Ъ) and zoning by-law be approved, subject to the conditions approved by Council at its meet-ing of January 28, 1985; and Staff be directed to prepare the appropriate Official Plan zoning by-law amendments and
- c) development agreement.

AGREED

F.R. Dalzell Commissioner of Planning and Development

LWHL: jmw

Attachment

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

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PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, April 3, 1985, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:30 p.m., with respect to an application by McDonald's Restaurant of Canada (File: C6E6.12 - Ward 11) to amend the Official Plan and Zoning By-law to permit the expansion of an existing fast-food restaurant and to permit the additional commerical uses on the subject lands.

Members Present:	Councillor E. Alderman C. G Alderman H. C Alderman F. K Alderman M. A Alderman b. C	hadwick ee nnecchini
Staff Present:	·	Commissioner of Planning and Development Director, Planning and Development Services Manager, Community Design
	J. Robinson, D. Ross, F. Yao, J. Powell,	Section Development Planner Development Planner Policy Planner Secretary

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

Mr. Dalzell replied in the affirmative. No member of the public was in attendance. There were no questions or comments and the meeting adjourned at 7:31 p.m.