



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 209-2004

To Adopt Amendment Number OP93-235

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 OP93-235 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law:

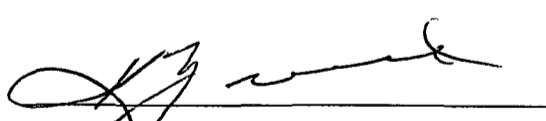
READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL,

this, 14th day of July, 2004.



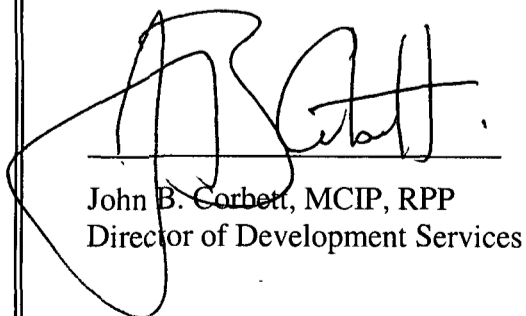
SUSAN FENNESS - MAYOR

APPROVED AS TO FORM LAW DEPT. BRAMPTON

DATE <u>07/15/04</u>



~~LEONARD MIKULICH - CITY CLERK~~
KATHRYN ZAMMIT, ACTING CITY CLERK

Approved as to Content:



John B. Corbett, MCIP, RPP
Director of Development Services

AMENDMENT NUMBER OP93-235
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is:

- ❖ To amend the Official Plan's Land Use Schedule "A" to reflect a revision to the land use designation to redesignate the subject property from "Industrial" to "Business Industrial".
- ❖ To amend the Bramalea West Industrial Secondary Plan (Secondary Plan Area 19) Land Use Schedule to redesignate the subject lands from "Industrial" to "Business Industrial".
- ❖ To amend the Bramalea West Industrial Secondary Plan's policies by introducing site specific policies to the lands known as 8200, 8300 Dixie Road and 45 West Drive.
- ❖ To implement the appropriate restrictions within the official plan policies to ensure that the uses being considered are appropriate and compatible with the adjacent land uses.
- ❖ To ensure that the goals and the objectives of the City of Brampton Strategic Plan 2003 (6 Pillars) are not being compromised. As such, municipal and regional office uses are not permitted in this facility. They should be located within the Central Area.
- ❖ To ensure that the permissions granted to this facility are not transferred or allowed to migrate into the adjacent industrial area. The permissions granted through this amendment are site specific and do not constitute a progression or change in land use permissions for the adjacent industrial lands. This unique situation within the GTA (1 million square feet of existing space) will provide the City with a strategic opportunity to enhance its office market share within the GTA and achieve a critical office mass within the regional office market for a limited number of office uses.
- ❖ To implement policies that establish minimum gross floor areas for office uses and to ensure that these minimums are not reduced over time.

- ❖ The purpose of the high level of regulation on this property is to ensure that the redesignation of the subject property for office purposes does not interfere with the goals, function or viability of the office nodes currently identified in the Official Plan. This new designation is intended to supplement the existing office nodes and is not intended to compete with them. The minimum floor areas will ensure that only large regional office users will be accommodated in this facility.

2.0 Location:

The lands subject to this amendment are located on the west side of Dixie Road, north of Steeles Avenue East. The lands have extensive frontage on Dixie Road with additional frontage on both West Drive and Orenda Road. The lands represent approximately 27.65 hectares (68.3 acres) and are described as Part of Block A, Registered Plan 640 in the City of Brampton.

3.0 Amendments and Policies Relative Thereto:

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

- (1) by changing on General Land Use Designations Schedule "A" thereto, the land use designation of lands from "Industrial" to "Business Industrial" as shown outlined on Schedule "A" to this amendment;
- (2) by adding to the list of amendments pertaining to Secondary Plan Area Number 19, Bramalea West Industrial Secondary Plan as set out in Part II: Secondary Plans, Area 19: Bramalea West Industrial, Amendment Number OP93-235;
- (3) by adding to the Legend of Plate 12, SP19 of Chapters C34, C51 and C76 Section C of Part C thereto of the Consolidated Official Plan of the City of Brampton, the land use destination "Business Industrial" as shown on Schedule B to this amendment;
- (4) by changing on Plate 12, Schedule SP, 19, of Chapters C34, C51 and C76 of Section C of Part C thereto of the Consolidated Official Plan of the City of Brampton, the land use designation from "Industrial" to "Business Industrial" on lands as shown on Schedule B to this amendment;
- (5) by amending Chapter 34 of Part II: Secondary Plans of the Consolidated Official Plan of the City of Brampton, by adding thereto Section 2.6.11 as follows:

2.6.11 Lands within the Business Industrial designation located within Part of the East Half of Lot 3, Concession 3, E.H.S. (Ching.) shall be subject to the following site specific policies. The objective of the high level of regulation on this property is to ensure that the redesignation of the subject property for office purposes does not interfere with the goals, function or viability of the office nodes currently identified in the Official Plan. This new designation is intended to supplement the existing office nodes and is not intended to compete with them or set a precedent for further expansion of office uses within the Bramalea West Industrial Secondary Plan Area. These policies are intended to protect the planned function of the office nodes as identified in Section 4.2 of the City of Brampton Official Plan. In order to ensure that these areas are protected as planned and that the subject lands are developed as a prestige office complex, minimum gross floor areas have been implemented.

2.6.11.1 The permissions granted to this facility shall not be transferred or allowed to migrate into the adjacent industrial area and do not constitute a progression or change in land use permissions for the adjacent industrial lands.

2.6.11.2 Primary permitted uses include, office uses, research and development facilities, a manufacturing, cleaning, packaging, processing, repairing or assembly facility (excluding a motor vehicle repair and motor vehicle body shop as a principal or accessory use) and a radio or television broadcasting and transmission establishment. A training facility as a primary permitted use shall only be allowed at 45 West Drive. Neither outdoor storage nor outdoor activities as part of the regular operation of a training facility shall be permitted.

In addition, lands within the Business Industrial designation shall also permit the following uses as accessory uses: a conference center, a bank, trust company or financial institution, a dry cleaning and laundry depot, a dining room restaurant, a cafeteria, a take-out restaurant, a personal service shop, a printing or copying establishment, a fitness club and a day nursery.

2.6.11.3 Accessory uses (up to 4% of the total gross floor area of an office building to a maximum of 40,000 square feet) shall be permitted in association with the industrial and office uses of this designation. These retail uses shall only service the users of the industrial or office

building in which they reside.

2.6.11.4 Individual office uses within this designation, whether it is by way of ownership, tenancy or sub-tenancy, shall have a minimum gross floor area (GFA) of 9290 square metres (100,000 square feet) within the main building, 8361 square metres (90,000 square feet) in the south building and 1672 square metres (18,000 square feet) in the building which fronts onto West Drive.

2.6.11.5

Any reduction in the minimum space requirements identified in this section shall require an Amendment to this Plan. In this requirement, Section 5.1.2 of the City of Brampton Official Plan does not apply.

2.6.11.6

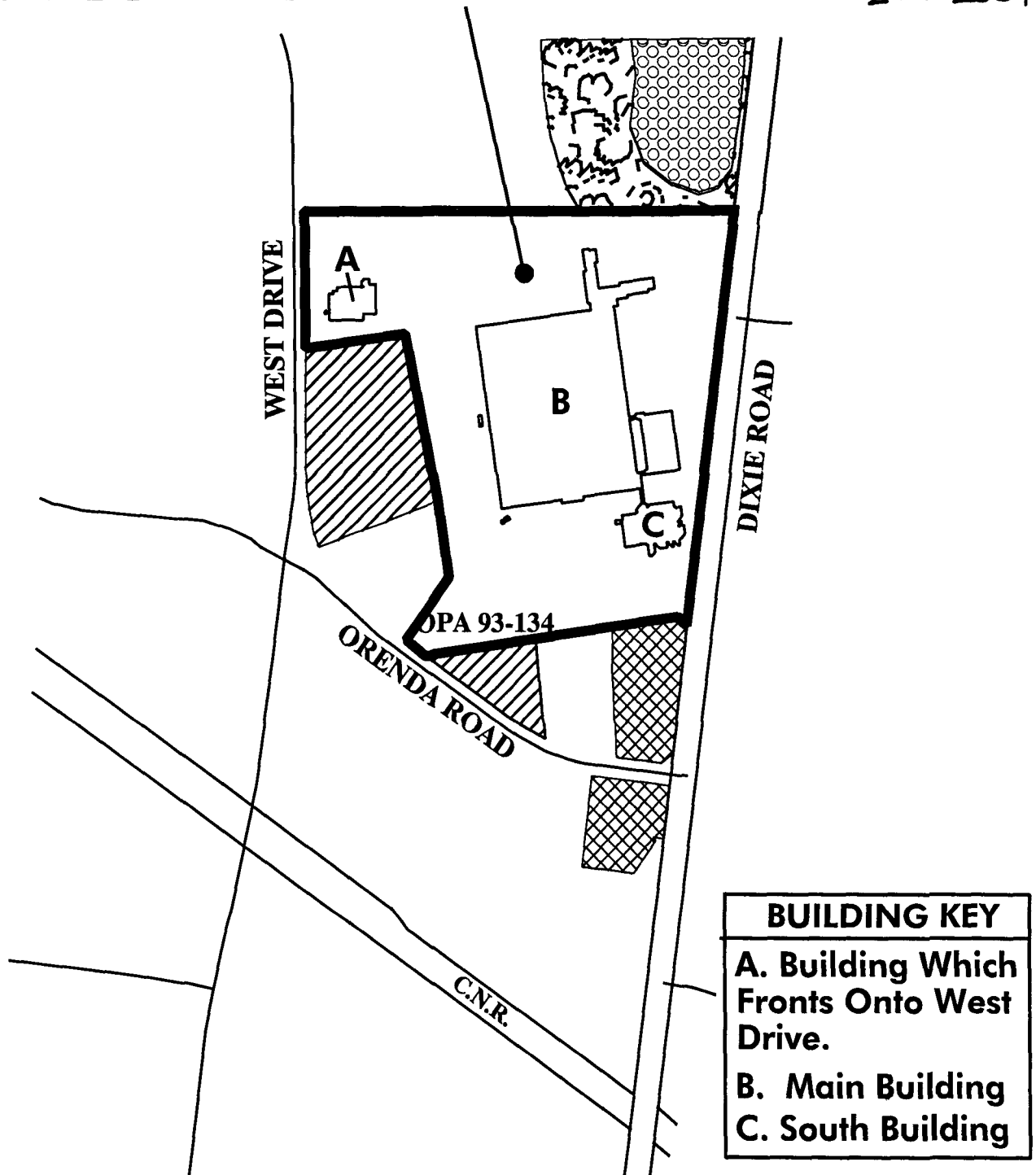
Administrative offices of a municipal and regional government or school board shall not be permitted.

2.6.11.7

This official plan amendment shall be implemented through a development agreement and zoning by-law, which shall also set out land use and floor area restrictions.

LANDS SUBJECT TO THIS AMENDMENT TO BE REDESIGNATED FROM "INDUSTRIAL" TO "BUSINESS INDUSTRIAL"

209-2004

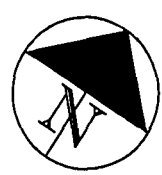


EXTRACT FROM PLATE 12 OF THE DOCUMENT KNOWN AS THE BRAMALEA WEST INDUSTRIAL SECONDARY PLAN

LEGEND

-  PUBLIC OPEN SPACE
-  INDUSTRIAL
-  HIGH DENSITY RESIDENTIAL
-  SERVICE COMMERCIAL
-  MIXED INDUSTRIAL & COMMERCIAL

OFFICIAL PLAN AMENDMENT OP93 #. 235



CITY OF BRAMPTON
Planning, Design and Development

Date: 2004 07 06

Drawn by: CJK

Schedule A

File no C3E2 10

Map no. 62-54J

In the matter of the *Planning Act*, R.S.O. 1990, as amended, sections 17 and 34:

And in the matter of the City of Brampton By-law 209-2004 being a by-law to adopt Official Plan Amendment OP93-235 and By-law 210-2004 to amend Comprehensive Zoning By-law 151-88 as amended (Nortel Networks Corporation - File C3E2.10)

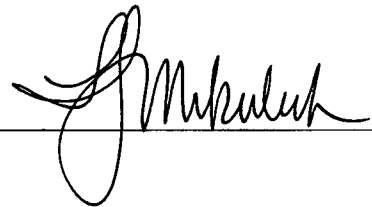
DECLARATION

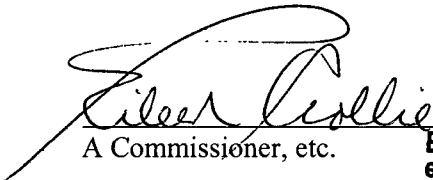
I, Leonard Joseph Mikulich of the Town of Shelburne, in the County of Dufferin, do solemnly declare that:

1. I am the Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 209-2004 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 14th day of July, 2004, to adopt Amendment Number OP93-235 to the 1993 Official Plan of the City of Brampton Planning Area.
3. By-law 210-2004 was passed by the Council of the Corporation of the City of Brampton at its meeting held on the 14th day of July, 2004, to amend Comprehensive Zoning By-law 151-88, as amended.
4. Written notice of By-law 209-2004 as required by section 17(23) and By-law 210-2004 as required by section 34(18) of the *Planning Act* was given on the 16th day of July, 2004, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as amended.
5. No notice of appeal was filed under sections 17(24) and 34(19) of the *Planning Act* on or before the final date for filing objections.
6. In all other respects this Official Plan Amendment has been processed in accordance with all of the *Planning Act* requirements including regulations for notice.
7. OP93-235 is deemed to have come into effect on the 6th day of August, 2004, in accordance with Section 17(27) of the *Planning Act*, R.S.O. 1990, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the)
City of Brampton in the)
Region of Peel this)
6th day of August, 2004.)





A Commissioner, etc.

**EILEEN MARGARET COLLIE, A Commissioner
etc. Regional Municipality of Peel for
The Corporation of The City of Brampton
Expires March 23, 2005.**