



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 259-92

To adopt Amendment Number 224
and Amendment Number 224 A
to the Official Plan of the City
of Brampton Planning Area

The council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, R.S.O. 1990 cP 13, hereby ENACTS as follows:

1. Amendment Number 224 and Amendment Number 224 A to the 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 Municipal Affairs for approval of Amendment Number 224 and Amendment Number 224 A to the Official Plan of the City of Brampton Planning Area.

READ a FIRST, SECOND AND THIRD TIME, and PASSED, in OPEN COUNCIL, this 23rd day of November, 1992 .

PETER ROBERTSON - MAYOR

LEONARD J. MIKULICH -
CITY CLERK

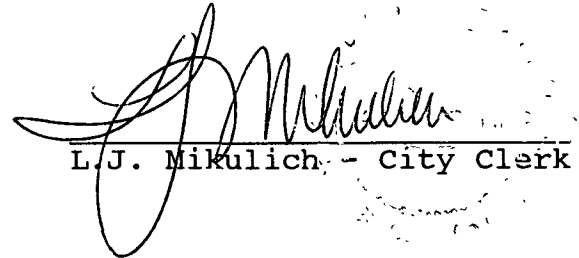
APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

DATE

07-92/OPAMARK

I, LEONARD J. MIKULICH, Clerk of the City of Brampton do hereby certify that the attached Amendment Number 224 and 224A to the Official Plan for the City of Brampton Planning Area is a true copy as approved by the Ministry of Municipal Affairs on February 5, 1993.

Dated at the City of Brampton this 12th day of February, 1993.



L.J. Mikulich - City Clerk

ORIGINAL

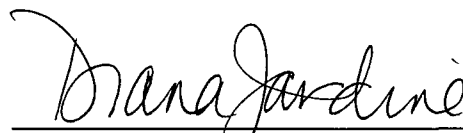
AMENDMENT NUMBER 224
and AMENDMENT NUMBER 224 A
to the Official Plan of the
City of Brampton Planning Area

21 - OP 0031 - 224 - 1

AMENDMENT NO. 224
AND
AMENDMENT NO. 224A
TO THE
OFFICIAL PLAN FOR THE
CITY OF BRAMPTON PLANNING AREA

These Amendment Nos. 224 and 224A to the Official Plan for the City of Brampton which were adopted by the Council of the Corporation of the City of Brampton are hereby approved under Sections 17 and 21 of the Planning Act.

Date: 1993-02-05



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



THE CORPORATION OF THE CITY OF BRAMPTON

CERTIFIED A TRUE COPY

Deputy Clerk
City of Brampton

DEC 04 1992

19

BY-LAW

ORIGINAL

Number 259-92

To adopt Amendment Number 224
and Amendment Number 224 A
to the Official Plan of the City
of Brampton Planning Area

The council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, R.S.O. 1990 cP 13, hereby ENACTS as follows:

1. Amendment Number 224 and Amendment Number 224 A to the 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 Municipal Affairs for approval of Amendment Number 224 and Amendment Number 224 A to the Official Plan of the City of Brampton Planning Area.

READ a FIRST, SECOND AND THIRD TIME, and PASSED, in OPEN COUNCIL, this 23rd day of November, 1992.

PETER ROBERTSON - MAYOR

LEONARD J. MIKULICH -
CITY CLERK

DATE

07-92/OPAMARK

AMENDMENT NUMBER 224
and
AMENDMENT NUMBER 224 A
TO THE OFFICIAL PLAN OF THE CITY
OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this Official Plan Amendment is to redesignate a 4.4 hectare (10.9 acre) parcel of land on the east side of West Drive, North of Orenda Road. Specifically, the amendment establishes a "Mixed Industrial/Commercial" designation within the applicable secondary plan. This will permit the development of the subject lands for a broad range of industrial uses and specific retail/commercial uses, including motor vehicle repair.

2.0 Location

The lands subject to this amendment are located at the north-east corner of the intersection of Orenda Road and West Drive, being part of Lot 3, Concession 3, East of Hurontario Street, in the geographic Township of Chinguacousy. The subject property is also described as part of Block A, Plan 640 and consists of part of Part 8 and Part 10 as shown on Reference Plan 43R-13595. The area of the property is approximately 4.4 hectares.

3.0 Amendment and Policies Relative Thereto:

3.1 Amendment Number : 224

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

- (1) by adding to the list of amendments to Secondary Plan Area Number 19 and set out in subsection 7.2.7.19, Amendment 224 A.

3.2 Amendment Number 224 A:

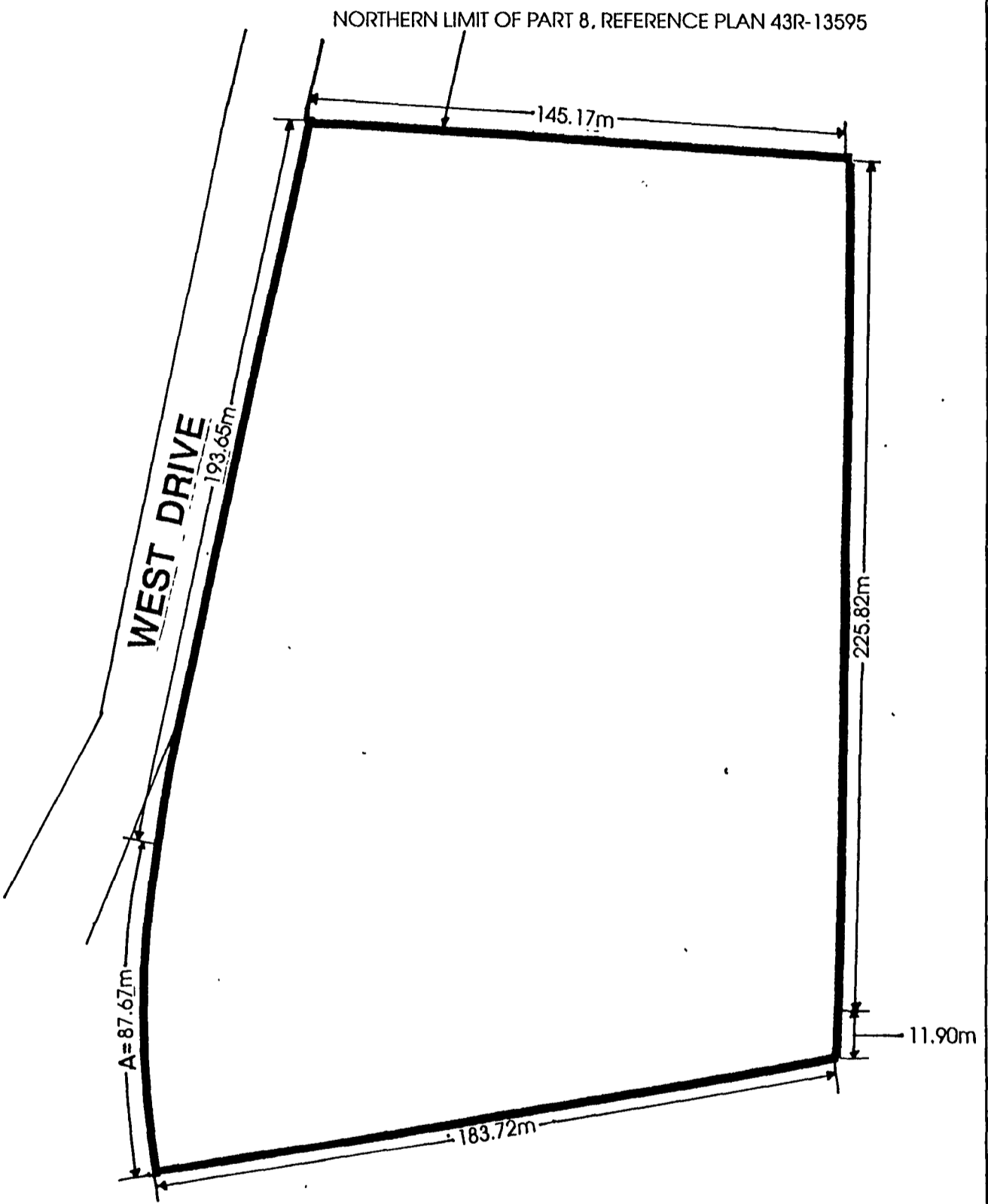
The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Bramalea West Industrial Secondary Plan (being Chapter C34 of Section C of Part C, and Plate Number 12, of the Consolidated Official Plan of the City of Brampton Planning Area, as they apply to Secondary Plan Area 19, as amended) is hereby amended;

- (1) by changing, on Plate Number 12 the designation of lands shown outlined on Schedule A to this amendment, from "INDUSTRIAL LAND USE" to "MIXED INDUSTRIAL AND COMMERCIAL";
- (2) by adding to the legend of Plate Number 12, the land use category "MIXED INDUSTRIAL AND COMMERCIAL";
- (3) by adding to Part C, Section C, Chapter C34, Section 2.6 thereof, the following:

"3.5 The lands located at the north-east corner of the intersection of West Drive and Orenda Road, designated for Mixed Industrial and Commercial" use, may be used for a broad range of industrial uses and limited retail/commercial uses, subject to the following:

- (a) permitted purposes shall include a broad range of industrial purposes, and a restricted range of commercial uses including but not limited to non-food related retail uses, restaurants a banquet hall and/or a veterinary clinic;
- (b) Motor vehicle repair uses, excluding a motor vehicle body shop, shall also be permitted, provided that generous front yard setback requirements are established in the implementing zoning by-law, including appropriate restrictions with respect to outdoor storage;
- (c) Only two access driveways from West Drive shall be permitted in locations satisfactory to the City of Brampton;
- (d) Service and loading areas shall be incorporated into building designs, or effectively screened from view through appropriate fencing or landscaping;

- (e) Common access arrangements and linked parking areas shall be employed; to ensure comprehensive development on the site; and,
- (f) Parking facilities, where provided in the front yard, shall be provided with landscaping for screening purposes to improve the visual amenity of the development.



LEGEND

— LIMIT OF PROPERTY TO BE REDESIGNATED
 m METRES

OFFICIAL PLAN AMENDMENT No. 224
 OFFICIAL PLAN AMENDMENT No. 224 A

SCHEDULE A



CITY OF BRAMPTON
 Planning and Development

Date: 1991 04 16 Drawn by: CJK
 File no. C3E3.2 Map no. 62-36E

1:1520

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 224
AND
AMENDMENT NUMBER 224 A

Attached are copies of planning reports, dated February 12, 1990 and November 8, 1990 and a further planning report dated January 15, 1991 together with notes of a Public Meeting held on Wednesday, December 5, 1990 after notification in the local newspaper and the mailing of notices to assessed owners of properties within 120 metres of the subject lands.

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

Region of Peel.....December 14, 1990
.....and June 22, 1990

INTER-OFFICE MEMORANDUM

PC- Feb. 19

Office of the Commissioner of Planning & Development

February 12, 1990

TO: Chairman of Development Team
FROM: Planning and Development Department
RE: Application to Amend the Zoning By-law
Part of Lot 3, Concession 3, E.H.S.
Part of Block 8, 43R-13595
Ward Number 8
MARKBOROUGH PROPERTIES LIMITED
Our File Number: C3E3.2

1.0 Background

An application to amend the zoning by-law to permit the development of land located on West Drive for mixed industrial/commercial and office uses was referred to staff by City Council on (1989 03 13) for a report to Council in accordance with adopted Council procedures.

2.0 Property Characteristics

The property, currently occupied by 4 soccer fields and bleachers, is located on the east side of West Drive, north of Orenda Road. The frontage is 280.895 metres (921.571 feet) and the depth varies from 145.47 metres (477.264 feet) at the north property line to 185.01 metres (606.888 feet) at the south property line. The area is 4.374 hectares (10.81 acres)

Abutting the site to the north, east, south and to the west on the west side of West Drive are industrial uses.

The subject property is bordered by a chain link fence on the north and east property limits.

No significant vegetation in the form of trees or shrubs exist on the subject property.

3.0 Official Plan and Zoning By-law Status

The subject land is designated Industrial on Schedule 'A', General Land Use Designations, and by the secondary plan, Bramalea West Industrial Secondary Plan. By-law 151-88 designates the property Industrial One A (M1A).

4.0 Proposal

The applicant proposes that the zoning by-law be amended to permit:

- (i) all the Industrial One (M1) purposes with the percentage of the permitted retail sales to be increased from 15 per cent to 60 per cent;
- (ii) office purposes, including medical practitioners and real estate offices;
- (iii) commercial school (business, secretarial, driving etc.);
- (iv) printing or copy centre;
- (v) restaurants including dining room, standard and take-out or tavern;
- (vi) banquet hall, dining theatre;
- (vii) dry cleaning and laundry distribution;
- (viii) service shop, convenience (store);
- (ix) bank, trust company or financial institution;
- (x) community centre, social club or health centre;
- (xi) dairy bar;
- (xii) day care;
- (xiii) veterinary clinic;
- (xiv) art gallery, and
- (xv) automotive service.

A concept site plan has been submitted showing a 6 building complex including:

- 2 mixed industrial/commercial one storey buildings containing a gross floor area of 3600 square metres (38,751.3 square feet) and 1659.84 square metres (17,866.95 square feet) respectively;
- 2 office buildings, one being one storey in height with a gross floor area of 1378.5 square metres (14,838.54 square feet) and other, two storeys in height with a gross floor area of 2880.0 square metres (31001.08 square feet);
- a banquet hall with gross floor area of 801.5 square metres (8627.6 square feet), and
- a restaurant building comprising a gross floor area of 626 square metres (6738.4 square metres).

A total of 576 parking spaces are distributed amongst the 6 buildings.

Proposed "unit" boundaries for each of the six buildings has been outlined in anticipation of a future condominium application.

5.0 Comments

Circulation of the proposal has generated the following response.

The Regional Municipality of Peel, Public Works Department indicates no objection as full municipal services are available; however, the applicant must enter into an agreement for payment of Regional Development Levies.

The Community Services Department - Parks and Recreation note that if the proposal were to be approved the following are required:

- a) cash in lieu of parkland is to be obtained based on 2 per cent of the appraised land market value prior to the issuance of the building permit;
- b) a landscape plan shall be prepared by the applicant for the internal and exterior landscape site development features, and
- c) applicant is required to provide boulevard street planting along West Drive.

The Public Works and Building Department - Traffic Engineering Services Division advised as follows:

- a) the proposed southerly entrance, aligned with the existing driveway on the west side of West Drive, must intersect perpendicular to West Drive;
- b) the illustrated configuration of West Drive near the southerly limit of the subject lands has been incorrectly depicted;
- c) the applicant shall revise the drawing to align the northerly entrance proposal with the existing access on the west side of West Drive, and
- d) detailed comments pertaining to on-site traffic circulation will be addressed at the time of formal site plan review.

Zoning and By-law Enforcement Division advise that the property is zoned M1A, which requires a minimum front yard depth of 24 metres of which 50 per cent shall be landscaped, and existing regulations require a minimum side yard (width) of 15 per cent of the lot width to a maximum of 30.5 metres of which 50 per cent shall be landscaped.

Development and Engineering Services Division require a site plan agreement prior to issuance of building permits addressing grading, drainage and access, and construction of a concrete sidewalk along the east side of West Drive abutting the subject property.

Building Division advise that in order for each building to have frontage for emergency vehicle access and to satisfy the requirements of the Building Code, the road as shown must be under condominium corporation control to ensure continuous accessibility with the access road designated as common element under the responsibility of the condominium corporations.

Planning and Development Department - Community Design Section requests that:

1. existing on-site vegetation should be shown and a plan should be developed to save as many trees as possible;
2. the rear side of Building F will be exposed to West Drive, and

3. the site plan layout is not satisfactory.

No objections were raised by Community Services Department - Fire and Transit, and Law Department.

6.0 Discussion and Summary

The Official Plan, within an industrial area, would permit non-industrial uses, provided the uses do not interfere with nor are detrimental to the development of the area for primarily industrial uses. Such non-industrial uses may include community services, educational uses, and limited free standing service and office uses. However, the free standing service and office uses are to be permitted only if the areas to be used for such purposes are designated for commercial development in the secondary plan. The service commercial development that may be permitted will be subject to locational criteria namely:

- a) the site is peripheral to the industrial area, and
- b) commercial development along arterial roads interior to industrial areas, is to be discouraged.

The Official Plan envisages industrial uses with a large proportion of floor area used for retail purposes would be acceptable in a Highway and Service Commercial designation (section 2.2.4.1). Therefore, industrial uses having a high ratio of floor area devoted to retail sales, such as 60 per cent, should be located on land that has a Highway and Service Commercial designation.

The existing zoning designation (M1A) permits

- (1) a retail outlet, operated in connection with an industrial purpose, to occupy a maximum of 15 per cent of the gross industrial floor area, and
- (2) in the case of an industrial mall, ancillary commercial uses of a standard restaurant, banquet hall, and offices, excluding offices for medical, health care or dental practitioners. Using a liberal interpretation of the definition of an Industrial Mall, which means

"premises upon which a group of at least five separate industrial uses have been developed and are managed as a unit by a single owner or tenant, or by a group of owners or tenants",

there is no objection to the development of a single unified project. However, a difficulty arises when the size of the commercial establishments appear to exceed their ancillary role in an industrial mall. Though no standard exists to measure quantitatively the extent of ancillary in the context of an industrial mall, a subjective assessment would tend to indicate that the industrial purpose is subordinate to the commercial development.

The applicant wishes to include specifically the additional uses not permitted in the MIA zone of:

- (i) offices, including medical practitioners and real estate personnel,
- (ii) commercial school,
- (iii) take-out restaurant, tavern,
- (iv) dining theatre,
- (v) dry cleaning and laundry distribution establishment,
- (vi) service shop, convenience store,
- (vii) social club or health centre,
- (viii) dairy bar;
- (ix) day care,
- (x) veterinary clinic;
- (xi) art gallery;
- (xii) automotive service.

It is noted that several uses, namely medical practitioner offices, tavern, dining theatre, convenience store, social club, health centre, dairy bar, veterinary clinic, and art gallery are more closely related to residential purposes than to industrial purposes and thus, should be located in proximity to residential areas.

Suitable locations for commercial schools, take-out restaurants, service shops, day care centres and automotive service establishments can vary depending upon the specific purpose. A welding school would be better located in a

suitable industrial area whilst a secretarial or computer operator school would be acceptable in a commercial area. A take-out restaurant, as a specific or specialized form of restaurants, can be appropriate serving either industry or residential areas. However, a standard restaurant, which is permitted in an industrial mall, can provide take-out facilities. The take-out restaurant would be more desirable in a highway commercial location. A service shop if oriented towards a repair function would be appropriate, as MIA zone purposes do permit the repairing of goods in an enclosed building. A day (care) nursery, licensed by the Province, could be a necessary and useful adjunct to an industrial firm where its employees have children requiring day nursery facilities. In the case of a large industrial firm, the licensed day nursery facility would be considered as an accessory use to the principal purpose. On the other hand, if the day nursery were intended to be operated as an independent commercial undertaking serving several industrial firms, a specific application for this purpose would be in order to ensure that environmental concerns will not become a source of future problems because of the proximity of inappropriate firms. Automotive service, could conflict with the exclusionary clause of the industrial purposes where motor vehicle repair shop and motor vehicle body shop are excluded.

The concept site plan is flawed insofar as the location of the existing driveways on the west side of West Drive is depicted. The southerly existing driveway on the west side of West Drive is located about 70 to 80 metres (230 to 260 feet) north of the location shown on the concept site plan. Accordingly, the property, if developed as a single unified project, must be provided with access driveway locations satisfactory to the Public Works and Building Department.

Approximately 22.2 per cent of the site has been allocated for landscaped open space purposes according to the concept site plan. Since no significant vegetation exist on the site, the applicant is not constrained by existing trees to devise an acceptable site plan. Towards this end there is no justification to expose to view from the abutting street an insensitive rear elevation design of a building whether industrial or otherwise.

The quantity of parking shown on the concept site plan is consistent with a high proportion of retail sales, and non-health care office purposes. However, a large floor area of health care office use will deplete the available parking facilities quickly thereby contributing to future parking deficiency.

The majority of the proposed uses would not serve the adjacent industrial uses and a more appropriate location for these uses would be in a residentially oriented shopping centre or in a highway or service commercial development. The subject site is not suitable for a Highway and Service Commercial designation because of its interior location in the midst of an industrial area, rather than on the periphery of the industrial area, and because of the location on an arterial road interior to the industrial area.

7.0 Recommendation

It is recommended that Planning Committee recommend to City Council that the application by Markborough Properties Limited, File Number C3E3.2, not be approved,

Respectfully submitted,



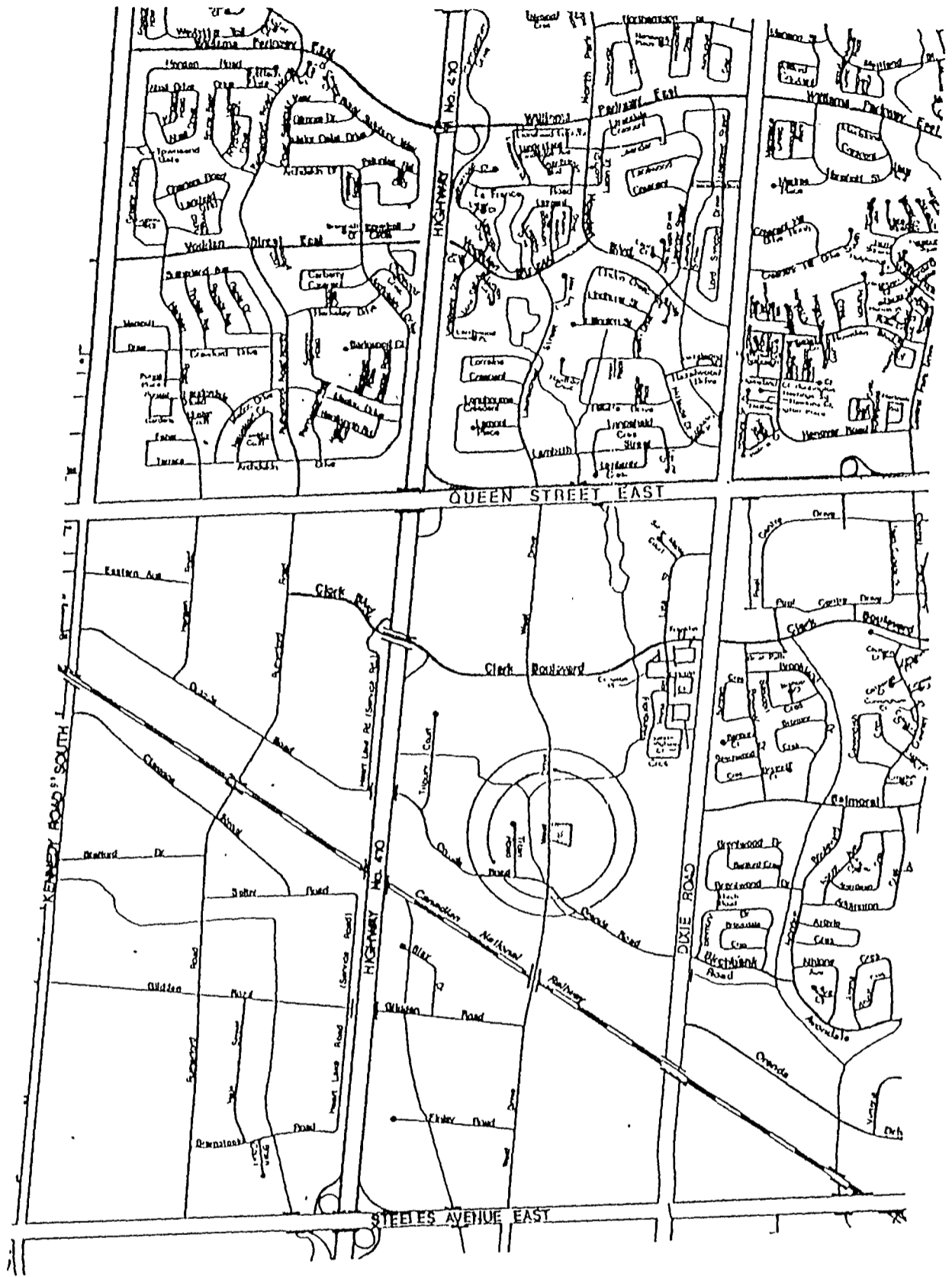
L.W.H. Laine, Director,
Planning and Development
Services Division

AGREED:



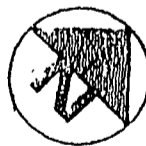
John A. Marshall, M.C.I.P.,
Commissioner, Planning and
Development

LWHL/am/icl



MARKBOROUGH PROPERTIES

LOCATION MAP



1:25000

CITY OF BRAMPTON

Planning and Development

Date: 1989 03 20 Drawn by: C J K

File no. C3E3-2 Map no. 62-36A

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

November 8, 1990

To: The Chairman of the Development Team
From: Planning and Development Department
RE: Application to Amend the Zoning By-law
Part of Lot 3, Concession 3, E.H.S.
Part of Block 8, 43R-13595
Ward Number 8
MARKBOROUGH PROPERTIES LIMITED
Our file: C3E3.2

1.0 BACKGROUND

A Planning Report, dated February 12, 1990, submitted to Planning Committee at its February 19, 1990 meeting was deferred at the request of the applicant. The applicant, subsequently has submitted a revised concept site plan and an amendment submission of proposed uses. A review of the application has been completed.

2. PROPERTY CHARACTERISTICS

The property, currently occupied by 4 soccer fields and bleachers, is located on the east side of West Drive, north of Orenda Road. The frontage is 280.895 metres (921.571 feet) and the depth varies from 145.47 metres (477.264 feet) at the north property line to 185.01 metres (606.888 feet) at the south property line. The area is 4.374 hectares (10.81 acres).

Abutting the site to the north, east, south and to the west on the west side of West Drive are industrial uses.

The subject property is bordered by a chain link fence on the north and east property limits.

No significant vegetation in the form of trees or shrubs exist on the subject property.

3.0 OFFICIAL PLAN AND ZONING BY-LAW STATUS

The subject land is designated Industrial on Schedule 'A', General Land Use Designations, and by the secondary plan, Bramalea West Industrial Secondary Plan. By-law 151-88 designates the property Industrial One A (M1A).

4.0 PROPOSAL

The previous proposal envisaged a six building condominium complex with a total of 576 parking spaces distributed amongst the buildings. The gross floor of 10,945.84 square metres (117,823.89 square feet) was allotted as follows:

- o 2 mixed industrial/commercial one storey buildings containing a gross floor area of 3600 square metres (38,751.3 square feet) and 1659.84 square metres (17,866.95 square feet) respectively;
- o 2 office buildings, one being one storey in height with a gross floor area of 1378.5 square metres (14,838.54 square feet) and the other, two storeys in height with a gross floor area of 2880.0 square metres (31,001.08 square feet), and
- o a restaurant building comprising a gross floor area of 626 square metres (6738.4 square metres).

The revised proposal comprises a 5 building project with a gross floor area of 14531.70 square metres (156,423 square feet) and a parking supply of 577 spaces based on a ratio of 3.69 spaces per 1000 square feet.

The desired uses include the following purposes:

- o dining room, standard and take-out restaurant, with no drive-through facility in a free standing building
- o banquet hall in a free standing building
- o veterinary clinic
- o autoplex centre including tire repair and sales; tune-up facilities; muffler repair and sales; glass repair and sales; customizing facilities but excluding a motor vehicle body shop. The autoplex centre would be patterned on the facility located at Meadowvale Town Centre on Winston Churchill Boulevard
- o all the Industrial One (M1) purposes, with the percentage of retail sales to be increased from 15 per cent to 60 per cent
- o non-food retail uses with an aggregate gross floor area of about 1500 square metres (16146.4 square feet) to be restricted to a specific building or area of a larger building.

The Industrial One (M1) purposes include the following purposes:

- o the manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building, including a motor vehicle repair shop, but excluding a motor vehicle body shop as a principal or accessory use
- o a printing establishment
- o a warehouse
- o a radio or television broadcasting and transmission establishment
- o a home furnishings and improvement retail warehouse
- o a recreational facility or structure
- o a community club

Further, banks and offices, excluding offices for medical, health care or dental practitioners, would be permitted in the industrial zone if the uses are located in an industrial mall and if the purposes are ancillary commercial uses with respect to the size of the industrial mall.

5.0 COMMENTS

Circulation of the proposal has generated the following response.

Law Department and Public Works and Building Department, Building Division, has no comment. Community Services Department, Fire has no objection.

The Regional Municipality of Peel, Public Works Department indicates no objection as full municipal services are available; however, the applicant must enter into an agreement for payment of Regional Development Levies.

The Community Services Department - Parks and Recreation responded as follows:

- o the applicant shall prepare a landscape and fencing plan for the interior site development of building complex
- o the applicant shall provide street tree planting along West Drive
- o the applicant shall pay cash-in-lieu of parkland in accordance with the City's Capital Contribution Policy prior to the issuance of the building permit.

- o the 60 percent retail floor area creates, in essence, a commercial development

Planning Policy and Research Division have responded as follows:

"From the information supplied, it appears that the applicant is proposing 156,400 square feet of development consisting of 46,100 square feet of highway and service commercial uses (i.e. restaurant and automotive centre) and 66,200 square feet of retail and service commercial uses together with 44,100 square feet of industrial uses.

Thus, up to 70% of the proposed uses are non-industrial. The Official Plan states that such non-industrial uses may be permitted:

- o "provided they do not interfere with nor are detrimental to the development of the area for primarily industrial uses", and
- o provided such areas "are designated for commercial development in a secondary plan".

The Official Plan also sets out a number of criteria including the following one that should be satisfied before non-industrial uses such as, service commercial uses, offices and retail warehouses are permitted in an industrial area:

- o "The site is peripheral to the industrial area in which it is located and is in proximity to an arterial road".

It seems apparent, given the extent of the commercial uses proposed, that these uses are not ancillary to industrial uses, that they would prevent the development of the area for primarily industrial uses and that they are not peripheral to the industrial area. The application should therefore be refused."

6.0 DISCUSSION

An analysis of the revised proposal now presented by the applicant and the former proposal previously submitted for consideration with respect to uses and the design of the concept site plan has brought forth some changes. From a land use perspective, the revised proposal differs in that many uses previously requested have been withdrawn. The uses not included in the revised proposal are as follows:

- (i) offices for medical practitioners

- (ii) commercial school (business, secretarial, driving, etc.)
- (iii) copy centre (permitted as a printing establishment within the industrial category)
- (iv) dining theatre
- (v) dry cleaning and laundry distribution
- (vi) service shop, convenience store
- (vii) social club or health centre
- (viii) day care
- (ix) art gallery
- (x) automotive service (replaced by an autoplex centre).

On the other hand, the requested uses that have remained unchanged are as follows:

- (i) all Industrial One (M1) purposes with the percentage of permitted retail sales floor area to be increased from 15 percent to 60 percent
- (ii) veterinary clinic
- (iii) take-out restaurant
- (iv) banquet hall as a free standing facility , and

the following are the new uses:

- (i) autoplex centre - tire, muffler and glass repair and sales; tune-up facilities; customizing facilities excluding a motor vehicle body shop
- (ii) non-food retail uses, maximum floor area of 1500 square metres (16,146.4 square feet).

The physical attributes of the revised proposal differs in many respects. Firstly, the size of the development represented by the revised concept site plan, having a gross floor area of 14,531.7 square metres (156,423 square feet), is 32.7 per cent larger than the earlier proposal of 10,945.84 square metres (117,823.85 square feet). Secondly, the lot coverage proposed by the revised concept site plan is equal to 33.2 per cent with all the buildings being one storey in height. The lot coverage for the original submission, which involved one building with two storeys and 5 one-storey buildings, amounted to 21.7 per cent. Thirdly,

the earlier proposal had a higher proportion of landscaped open space, approximately 22 per cent. The revised proposal is provided with less landscaping consisting of 3.05 metre (10 feet) wide area along West Drive, a continuous 1.5 metre (5 foot) wide area along the north, east and south properties limits, parking lot traffic islands and sidewalks in front of each building. Finally, the circulation pattern of the original concept site plan offered a more efficient system and had the greater likelihood of satisfying the driveway alignment requirement of the Traffic Engineering Services Division.

The principal issue that must be addressed is the desire of the applicant to develop the subject lands with a significant portion of building floor space for commercial purposes. The Policy and Research Division has estimated that approximately 70 per cent of the proposed uses would be non-industrial. The revised conceptual site plan illustrates the following distribution of floor space:

Building	Use	Floor Area (square metres)	Percent
A & B	Industrial and commercial	8743.34 (94,116ft ²)	60.17
C	non-food retail	1504.7 (16,197ft ²)	10.35
D	restaurant	1525.79 (16,424ft ²)	10.50
E	Autoplex centre	2757.83 (29,686ft ²)	18.98
TOTAL		14531.7 (156,423 ft ²)	100.00

The commercial uses of non-food retail, restaurant and autoplex purposes would occupy almost 40 per cent (39.83 percent) of the gross floor area. If 60 per cent of the industrial use floor area is used for retail purposes the proportion of commercial purposes increases to 75.93 per cent with industrial floor area amounting to 24.07 per cent. Retaining the proportion of the retail floor area at 15 per cent of the industrial floor area lowers the overall proportion of commercial floor space to less than 50 per cent (48.85 per cent). With a high proportion of commercial floor area proposed to be located in an industrial area, would require, according to the Official Plan policies, a commercial designation in the Secondary Plan. In this regard, the Official Plan requires that the locational criteria of section 2.3.5.7, as follows, be satisfied:

- (i) the site is peripheral to the industrial area in which it is located and is in proximity to an arterial road;
- (ii) commercial development along arterial roads, interior to industrial areas will be discouraged;
- (iii) the site has satisfactory access to the road system and the potential to be served by public transit;
- (iv) where feasible and practicable, access to arterial roads will be restricted and vehicular access will be oriented to collector roads interior to the industrial area;
- (v) off-street parking, outdoor and service areas are located and screened to minimize adverse effects on nearby non-industrial uses; and
- (vi) the uses are provided with yards sufficient to minimize adverse influences on nearby uses.

Criteria (iii) to (vi) are not a deterrent to the designation of an appropriate commercial designation. West Drive is designated by the Official Plan, Schedule 'H' Major Transportation Elements and Major Road Network, as a Minor Arterial Road giving the site a satisfactory access to the road system. Access to West Drive can be limited to clearly defined locations and with an efficient on-site circulation system, the adverse impacts on West Drive as an arterial road will be minimized. Since there are no sensitive non-industrial uses abutting the site, such as residential or institutional uses, the provision of screening facilities should not be a problem. However, it is expected that sufficient landscaped open space will be provided to enhance the quality of the development.

Criteria (i) and (ii), which deal with the need for the site to be located on the periphery of the industrial area in proximity to an arterial road, and the intent to discourage commercial development along interior arterial roads, must be addressed. Since some of the proposed purposes will have an industrial component; a location within an industrial area would be appropriate. However, it is evident that the subject site is not on the periphery of the industrial area, and to lessen the impact of the unusual location, it is appropriate that the entire subject site be designed and constructed on a comprehensive basis, as a mixed industrial/commercial development, subject to suitable design standards. The design standards shall address the following:

- (i) location of access driveway will be regulated through the conveyance of reserves
- (ii) common access arrangements and linked parking areas will be provided
- (iii) parking, where provided in the front yard, will be screened by landscaping to present a high quality visual amenity
- (iv) outdoor display areas shall not be permitted in the front yard
- (v) service and loading areas shall be incorporated into building design or effectively screened from view by appropriate fencing or landscaping
- (vi) the site shall be subject to architectural control to ensure a harmonious and integrated development

Commercial uses shall not be permitted which duplicate or impact on the viability of these uses permitted within the retail hierarchy set out in the Official Plan. Currently, the zoning by-law permits certain ancillary commercial uses within any industrial zone provided the uses are located in an industrial mall as defined in the zoning by-law. These uses include a bank, trust company or financial institution; a dining room restaurant; a standard restaurant; a banquet hall and offices, excluding offices for medical, health care, or dental practitioners. No determination has been as to the size or floor area of ancillary commercial uses that would be appropriate for an industrial mall development. A reasonable quantity of commercial uses as an ancillary function would be 15 percent, which is consistent with the percentage of retail floor area permitted for industrial uses. Since no quantity has been established, it has been assumed that if the commercial uses exceed 50 percent of the gross floor area of an industrial mall, the ancillary status of the commercial uses would no longer apply. If the ancillary commercial floor area were held at 50 percent of the gross floor area of an industrial mall and retail outlets allowed in connection with an industrial use, used the permitted 15 percent of the floor area, the proportion of the floor area occupied by commercial purposes could reach 57.5 percent. Therefore, the intent is to restrict the floor area of commercial development in relation to industrial space to lessen the significance of commercial development. Any increase in the proportion of the floor area to be used for retail sales purposes beyond the 15 percent level should be considered only in the context of a comprehensive review of Official Plan policies and of zoning by-law restrictions and requirements.

To ensure that commercial uses will be subordinate and not unduly impact upon the viability of adjacent commercial uses within designated commercial areas, the proposed commercial uses will be restricted as to type and proportion of the floor area of the development that may be devoted to commercial purposes. Thus, it is proposed that the aggregate floor area of the commercial uses and the non-industrial uses of the Industrial One A (M1A) zone not exceed 50 percent of the industrial floor area.

Automobile repair facilities generate waste material, which to date, has been stored outside in the open, frequently in highly visible locations. The proposed location of the autoplex centre at the south-west corner of the site, with front and rear yards visible from adjacent streets, places the facility in a visually sensitive location. A less visible location should be selected and shown on a revised concept site plan.

It is noted that payments of Region of Peel development levies will be required as well as City of Brampton industrial/commercial capital contributions. Also, the applicant will be required to pay cash-in-lieu of parkland in accordance with the City's policies.

The proposed development that is supportable by staff will accommodate a major quantity of commercial floor area. Therefore, the subject land should be subject to an Official Plan amendment, designating the subject site as a mixed industrial/commercial area having a high standard of landscape open space. The first submission proposed a landscaped open space in excess of 20 percent. The same overall standard should apply for the proposed development with specific elements of the landscape open space to be incorporated into the zoning by-law upon submission and approval of a revised concept site plan. Similarly, minimum front yard depth and side yard widths will be based upon the approved revised concept site plan. Other zoning by-law restrictions and requirements concerned with building height, minimum quantity of parking and outside storage will be in accordance with the provisions of the M1A zone and general provisions of the industrial zones.

7.0 RECOMMENDATION

IT IS RECOMMENDED that Planning Committee recommend to City Council that:

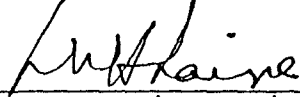
- A. Prior to holding of a Public Meeting, the applicant submit a revised concept site plan incorporating the recommended re-siting of the autoplex centre, satisfactory to the Commissioner of Planning and Development.

- B. The applicant revise the application to include an amendment to the Official Plan.
- C. A Public Meeting be held in accordance with City Council procedure, to amend the Official Plan and zoning by-law to permit the development of a mixed industrial/commercial project.
- D. Subject to the results of the Public Meeting, the use of the subject property for mixed industrial/commercial purposes be approved, and the staff be instructed to prepare the appropriate documents for the consideration of City Council, subject to the following:
 - 1. The site specific zoning by-law shall zone the subject property with a special section designation of Industrial One A zone incorporating the following:
 - (a) permitted purposes include:
 - (i) M1A zone industrial, non-industrial and accessory purposes with the percentage of retail sales remaining at 15 percent
 - (ii) dining room and standard restaurant, and a take-out restaurant with no drive through facility, in a free standing building
 - (iii) banquet hall in a free standing building
 - (iv) veterinary clinic
 - (v) autoplex centre - including tire, muffler, glass repair and sales; tune-up facilities, and customizing facilities, excluding a motor vehicle body shop
 - (vi) non-food retail uses.
 - (b) restrictions and requirements shall include:
 - (i) a minimum of 50 percent of the building floor area shall be used for industrial purposes and related industrial accessory purposes

- (ii) the total floor area of non-industrial purposes shall not exceed 50 percent of the floor area of the development
 - (iii) a minimum of 20 percent of the site area shall be maintained as landscaped open space
 - (iv) minimum lot area shall be 4.3 hectares
 - (v) minimum lot width shall be 270 metres
2. Development of the subject site shall be subject to a development agreement, and the development agreement shall contain the following provisions:
- (a) prior to the issuance of a building permit, a site development plan, a landscape plan, elevation and cross section drawings, a grading and drainage plan, a road work, parking areas and access ramp plan and a fire protection plan shall be approved by the City and the appropriate securities shall be deposited with the City to ensure implementation of these plans in accordance with the City's site plan review process;
 - (b) the applicant shall provide a bus stop pad, 3.66 metres by 7.62 metres, on the east side of West Drive to the satisfaction of the Commissioner of Community Services;
 - (c) the applicant shall agree to provide a sidewalk across the frontage of the site;
 - (d) prior to the issuance of any building permits, the applicant shall pay to the City 2% cash-in-lieu of parkland in accordance with the City's latest policies;
 - (e) the applicant shall agree that restaurant refuse storage shall be enclosed in a climate controlled area within a building;
 - (f) the applicant shall agree to provide for street tree planting along West Drive, to the satisfaction of the Commissioner of Planning and Development;

- (g) the applicant shall agree to pay all City and Regional lot levies in accordance with the City's and Region's capital contribution policies;
- (h) the applicant shall agree that access to the site shall be controlled by 0.3 metre reserves, except for two permitted driveways.

Respectfully submitted,



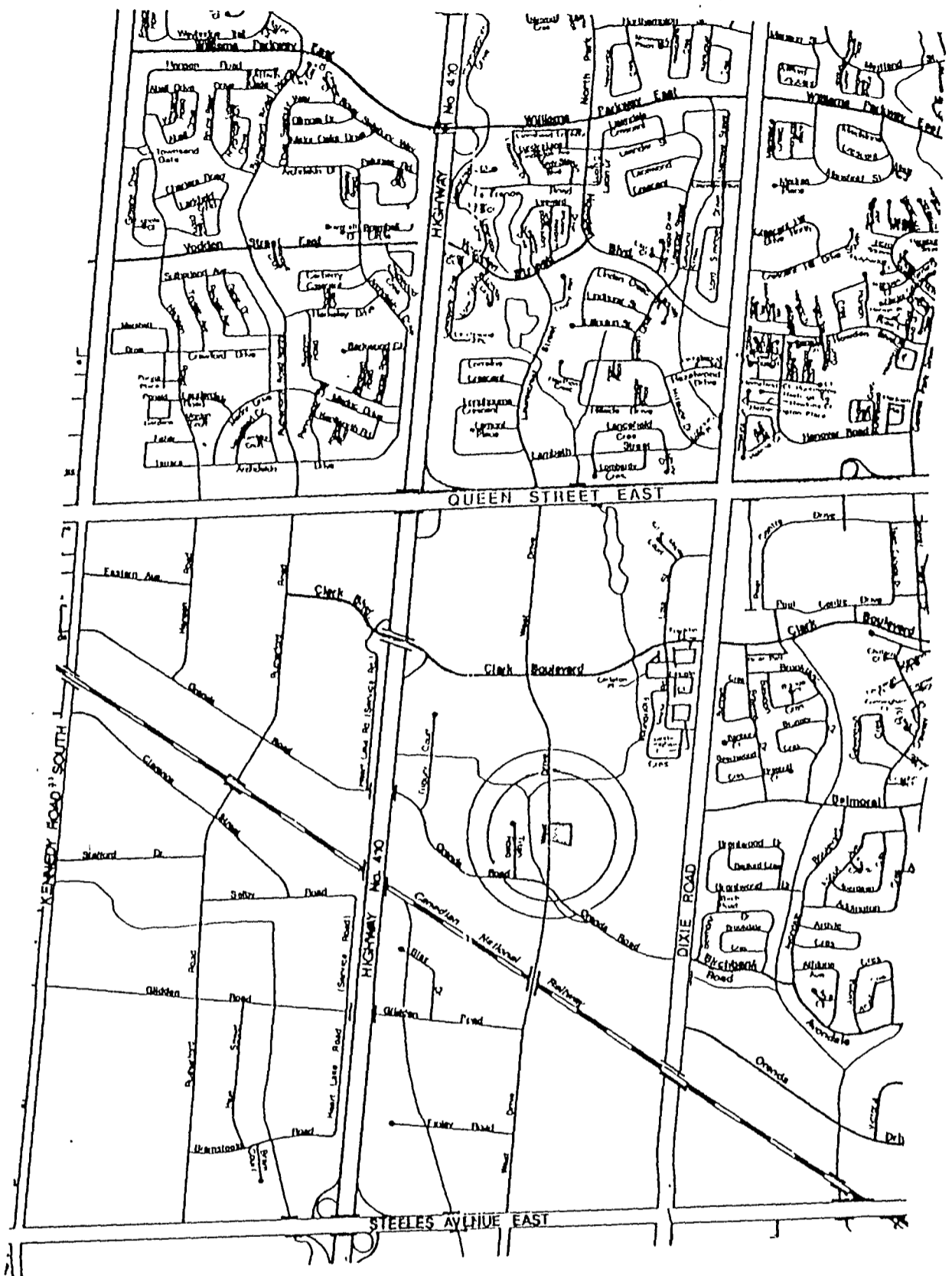
L.W.H. Laine, Director
Planning and Development
Services Division

AGREED:



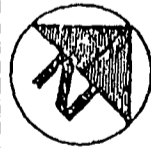
John A. Marshall, M.C.I.P.
Commissioner of Planning
and Development

attachments (3)
LWHL/U/jo/markborough



MARKBOROUGH PROPERTIES

LOCATION MAP



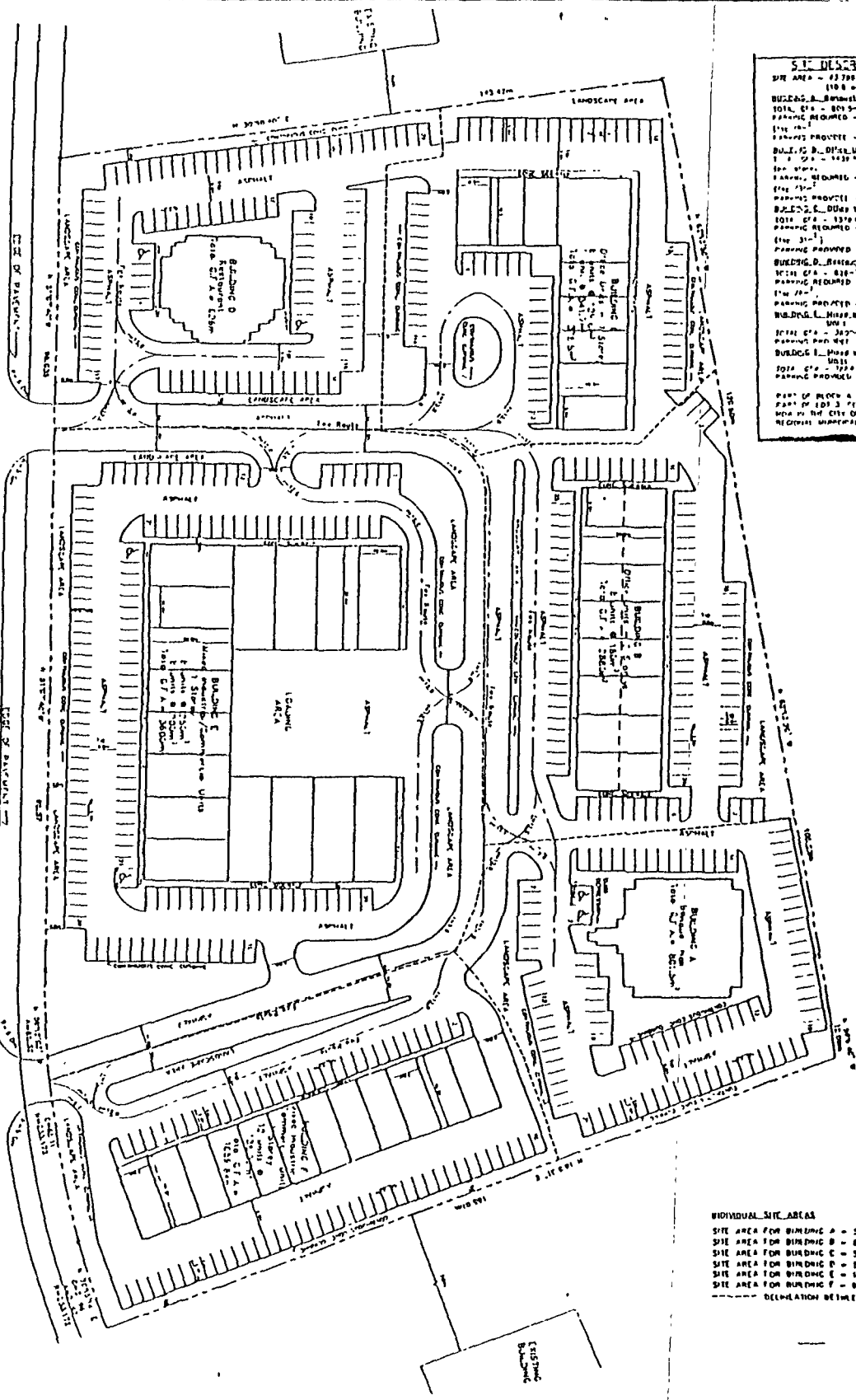
1:25000

CITY OF BRAMPTON

Planning and Development

Date: 1989 03 20 Drawn by: C J K

File no. C3E3.2 Map no. 62-36A



SITE DESCRIPTION

SITE AREA - 62788 sq. ft.
BUILDING A - 5180 sq. ft.
BUILDING B - 8278 sq. ft.
TOTAL GFA - 8058 sq. ft.
PARKING PROVIDED - 894
SITE AREA - 62788 sq. ft.
PARKING PROVIDED - 894
BUILDING B - 8278 sq. ft.
TOTAL GFA - 8058 sq. ft.
PARKING PROVIDED - 894
BUILDING C - 5037 sq. ft.
TOTAL GFA - 3576 sq. ft.
PARKING PROVIDED - 454
SITE AREA - 3576 sq. ft.
PARKING PROVIDED - 364
BUILDING D - 8433 sq. ft.
TOTAL GFA - 818 sq. ft.
PARKING PROVIDED - 1054
SITE AREA - 3576 sq. ft.
PARKING PROVIDED - 1194
BUILDING E - 14304 sq. ft.
TOTAL GFA - 14304 sq. ft.
PARKING PROVIDED - 14304
BUILDING F - 6477 sq. ft.
TOTAL GFA - 14304 sq. ft.
PARKING PROVIDED - 734

PART OF BLOCK A OF SEC 1
PART OF LOT 3 OF SEC 1
MAP AS SHOWN ON THE CITY OF BRAMPTON
REGISTRATION MAP OF P.E.I.

INDIVIDUAL SITE AREAS

SITE AREA FOR BUILDING A - 5180 sq. ft.
SITE AREA FOR BUILDING B - 8278 sq. ft.
SITE AREA FOR BUILDING C - 5037 sq. ft.
SITE AREA FOR BUILDING D - 8433 sq. ft.
SITE AREA FOR BUILDING E - 14304 sq. ft.
SITE AREA FOR BUILDING F - 6477 sq. ft.

--- DELINEATION BETWEEN BUILDINGS

MARKBOROUGH PROPERTIES
CONCEPT SITE PLAN



1:1563

CITY OF BRAMPTON
Planning and Development

Date: 1989 12 13 Drawn by: JRB
File no. C3E3-2 Map no. 62-368

INTER-OFFICE MEMORANDUM

PC-Jan. 2

Office of the Commissioner of Planning & Development

January 15, 1991

To: The Chairman and Members of Planning Committee
From: Planning and Development Department
RE: Application to Amend the Zoning By-law
Part of Lot 3, Concession 3, E.H.S.
Part of Block 8, 43R-13595
Ward Number 8
MARKBOROUGH PROPERTIES LIMITED
Our file: C3E3.2

The notes of the Public Meeting held on Wednesday, December 5, 1990 are attached for the information of Planning Committee. No interested members of the public appeared at the Public Meeting and no communications have been received objecting to or seeking information with respect to the proposal.

In accordance with Recommendation A, approved by City Council at its meeting held on 1990 11 26, regarding a re-siting of the autoplex centre, the applicant has submitted a further revision to the concept's site plan. A copy of the Revised Concept Site Plan, considered by Planning Committee at its November 19, 1990 meeting, and the more recent, Revised Concept Site Plan - November 1990, are attached.

The latest plan was subject to limited re-circulation amongst City Departments with the following results:

- The Community Services Department had no further comments.
- Public Works and Building Department - Development and Engineering Services Division noted the additional comments:
 1. We require the construction of a sidewalk or cash-in-lieu for the full frontage of the plan with sidewalks continuing through the driveways.
 2. There is no need to limit access to right in/right out only as West Drive was constructed to five (5) lanes to accommodate left hand turns.
 3. All driveway entrance and exit radii should meet our minimum requirements of 15.0m.

- Public Works and Building Department - Traffic Engineering Services Division commented on the revised site plan layout as follows:

- "1. All proposed access driveways must align with existing entrances on West Drive opposite the subject lands.
2. The proposed island within the northerly entrance is not acceptable and should be deleted as it would not adequately restrict vehicles to right in/right out movements. Further, as this access proposal will operate primarily as a truck entrance, full turns must be provided to accommodate trucks exiting south bound.
3. The plan shall depict the existing entrance on the west side of West Drive in the vicinity of the northerly entrance proposal to the subject property."

Planning and Development Department - Urban Design and Zoning Division advised that the auto use (autoplex centre) should not be located within 60 metres (196.8 feet) of the front lot line.

The Revised Concept Site Plan - November 1990 provides

- landscaped open space amounting to 20 percent, including a 6.1 metre (20 foot) wide planting area abutting the front lot line.
- a slight reduction in the building gross floor to 13946.4 square metres (150,123 square feet) from the previous total of 14531.7 square metres (156,423 square feet).
- a reduction in the restaurant floor area from 1525.8 square metres (16424 square feet) to 762.9 square metres (8212 square feet).
- a smaller number of parking spaces, 516 spaces compared to 577 spaces, provided on the following standard:
 - restaurant: 1 space per 205 square feet (19.04 square metres) of building floor area
 - industrial: 1 space per 485 square feet (45.05 square metres) of building floor area
 - service/commercial: 1 space per 205 square feet (19.04 square metres) of building floor area
- three driveways providing access to West Drive rather than the former two driveways

- autoplex centre in the same location
- sidewalk along part only of the West Drive frontage

The distribution and quantity of landscaped open space, reduction in building floor area and the number of driveways are satisfactory. However, the quantity of parking to be provided must conform with zoning by-law standards including that for dining room, standard and take-out restaurants.

Since the revised concept site plan illustrates three driveways, and no objection having been raised by the Public Works and Building Department as to the number of driveways, it is recommended that Condition D2(h) be amended to change the number of permitted driveways from two to three.

The extent of the sidewalk along West Drive must cover the full length of the frontage. To ensure that this requirement is clarified, it is recommended that Condition D2(c) be amended to include the full frontage and to provide the optional arrangement, at the discretion of the Commissioner of Public Works and Building, of the City accepting cash-in-lieu of the sidewalk.

The deletion of the traffic island at the northerly entrance to the proposed development, as requested by the Public Works and Building Department, will be enforced at the site plan approval stage.

The siting of the autoplex centre has not been resolved satisfactorily as a concept site plan proposal. The proposed buildings are located about 20 to 21 metres (65.6 to 68.9 feet) from the right-of-way of West Drive and approximately 15 metres (50 feet) from the south property limit. To lessen the visual impact of outside storage from West Drive arising from the operation of autoplex centre, the Urban Design and Zoning Division has recommended a building setback distance of 60 metres (196.8 feet) from the front lot line abutting West Drive. Therefore, to ensure that the desired results will be achieved, it is recommended that the zoning by-law include a requirement of a minimum front yard depth of 60 metres for an autoplex centre.

IT IS RECOMMENDED that Planning Committee recommend to City Council that:

- A. the notes of the Public Meeting be received;
- B. the application be approved subject to the conditions approved by City Council on November 26, 1990 subject to the following exceptions:
 - (1) Condition D1(b) be amended by adding after

clause (v) the following new clause (vi)

"(vi) Minimum front yard depth for an autoplex centre shall be 60 metres."

(2) Condition D2(c) be deleted and the following substituted therefor

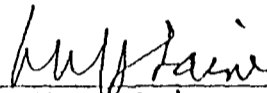
"(c) The applicant shall agree to provide a sidewalk or cash-in-lieu, for the full frontage of the development with sidewalks continuing through the driveways."

(3) Condition D2(h) be deleted and the following substituted therefor

"(h) The applicant shall agree that access to the site shall be controlled 0.3 metre reserves, except for three permitted driveways."

C. Staff be directed to prepare the appropriate documents for Council's consideration.

Respectfully submitted,



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

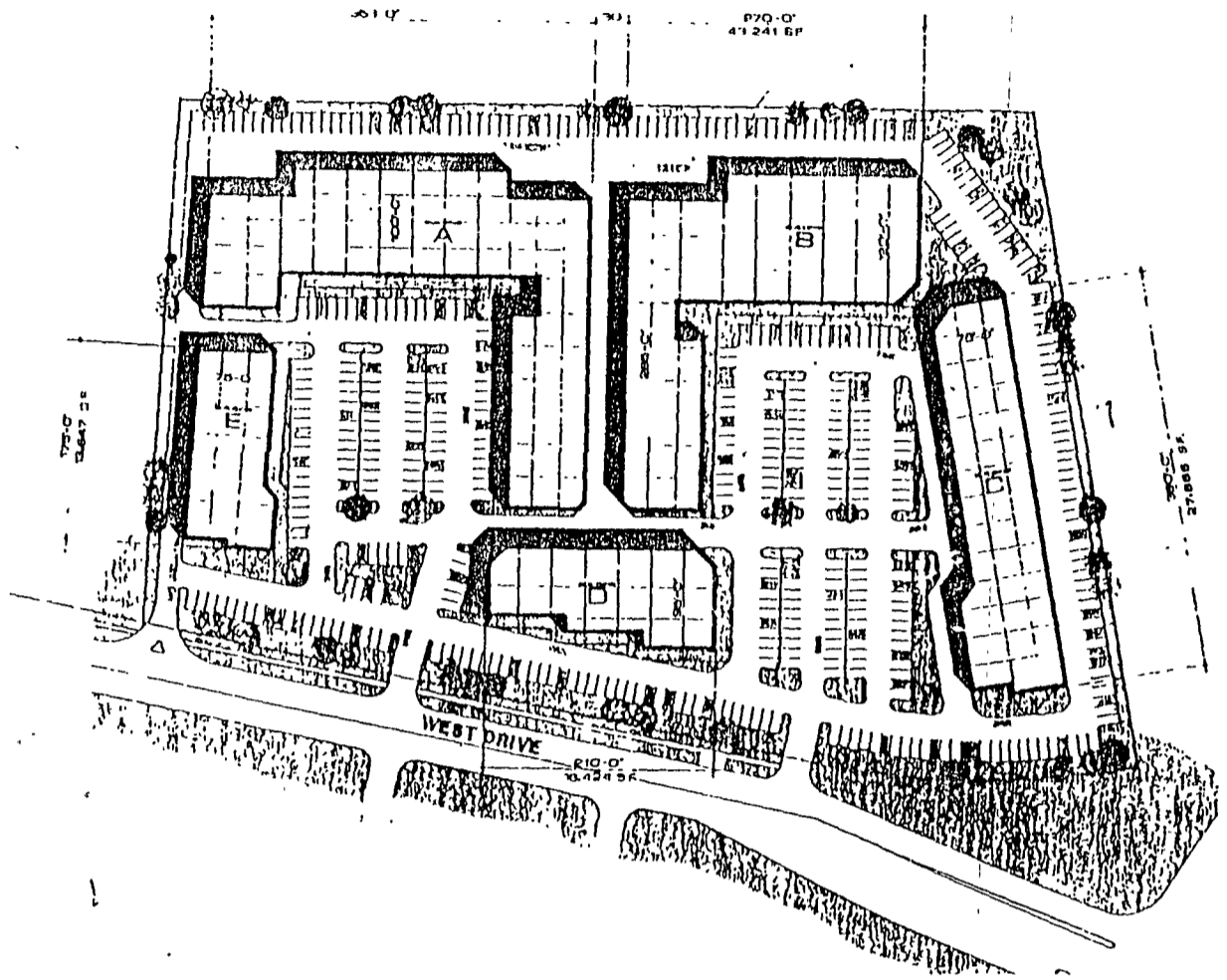
AGREED:



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

attachments (3)

LWHI/Mark



MARKBOROUGH PROPERTIES

Revised Concept Site - November 1990



1:2110

CITY OF BRAMPTON

Planning and Development

Date: 1991 01 16

Drawn by: CJK

File no. C3E3.2

Map no. 62-36D

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, December 5, 1990, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:32 p.m., with respect to an application by MARKBOROUGH PROPERTIES LIMITED (Our File: C3E3.2 - Ward 8) to amend the both the Official Plan and the zoning by-law to permit an increase in the percentage of the gross floor area of an industrial purpose that may be used for related retail sales purposes and to permit a restricted range of commercial purposes.

MEMBERS PRESENT: Alderman A. Gibson - Chairman
Alderman E. Ludlow
Alderman P. Palleschi

STAFF PRESENT; John A. Marshall, Commissioner of Planning
and Development
L.W.H. Laine, Director, Planning and
Development Services
K. Ash, Development Planner
D. Ross, Manager, Development Planning
C. Logan, Development Planner
E. Coulson, Secretary

The Chairman inquired 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. Marshall replied in the affirmative.

There were no interested members of the public in attendance and the meeting adjourned at 7:33 p.m.

City of Brampton
 PLANNING DEPT.
 Date JUN 27 1990 Rec'd
 File No. C.3E3.2

June 22, 1990

City of Brampton
 Planning Department
 150 Central Park Drive
 Brampton, Ontario
 L6T 2T9

Attention: Mr. L. W. H. Laine, Director
 Planning and Development

Re: Application for Rezoning (Revised)
 Markborough Properties Ltd.
 Your File: C3E3.2
 Our File: R42 3E36B

Dear Sir:

In reply to your letter of June 8, 1990 concerning the above noted revised application, please be advised that our comments of December 14, 1989 indicating no objections are still applicable. Please note that the applicant must enter into agreement for the payment of Regional development levies.

We trust that this information is of assistance.

Yours truly,



D. R. Billett
 Director of
 Development Control

IAP:nb

cc: L. Eason, Finance

*T. Eason
 9/5/82*



December 14, 1989

City of Brampton
Planning and Development Department
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Attention: Mr. L. W. H. Laine, Director
Planning and Development

Re: Application for Rezoning
Markborough Properties Ltd.
Your File: C3E3.2
Our File: R42 3E36B

Dear Sir:

In reply to your letter of December 8, 1989 concerning the above noted application, please be advised that our Public Works Department has examined the proposal and indicates no objections as full municipal services are available. In addition the applicant must enter into agreement for the payment of Regional Development Levies.

We trust that this information is of assistance.

Yours truly,

D. R. Billett
Director of
Development Control

VZ:nb

cc: L. Easton, Finance

JAM

RECEIVED
DEC 18 1989
C 3E3.2

*70 file ✓
491220*