



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 292-86

To adopt Amendment Number 104 and Amendment Number 104 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, 1983, hereby ENACTS as follows:

1. Amendment Number 104 and Amendment Number 104 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 104 and Amendment Number 104 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 10th day of November, 1986.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

[Signature]

DATE

[Signature of Kenneth G. Whillans]

KENNETH G. WHILLANS - MAYOR

[Signature of Leonard J. Mikulich]

LEONARD J. MIKULICH - CLERK

PASSED November 10 19 86



BY-LAW

No. 292-86

To adopt Amendment Number 104
and Amendment Number 104A to
the Official Plan of the
City of Brampton Planning
Area.


AMENDMENT NUMBER 104
and Amendment Number 104 A
to the Official Plan of the
City of Brampton Planning Area

21' OP 0031-104-1

Amendment No. 104A
to the
Consolidated
Official Plan for the
City of Brampton Planning Area
and Amendment No. 104 to the Official Plan
for the City of Brampton Planning Area

This Amendment No. 104A to the Consolidated Official Plan for the City of Brampton Planning Area and this Amendment No. 104 to the Official Plan for the City of Brampton Planning Area, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved under sections 17 and 21 of the Planning Act, 1983, as Amendment No. 104A to the Consolidated Official Plan for the City of Brampton Planning Area and Amendment No. 104 to the Official Plan for the City of Brampton Planning Area.

Date ..*Dec. 18, 1986*..


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



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 292-86

To adopt Amendment Number 104 and Amendment Number 104 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, 1983, hereby ENACTS as follows:

1. Amendment Number 104 and Amendment Number 104 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 104 and Amendment Number 104 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 10th day of November, 1986.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

[Signature]

DATE: *[Signature]*

[Signature of Kenneth G. Whillans]

KENNETH G. WHILLANS - MAYOR

CERTIFIED A TRUE COPY

[Signature of Leonard J. Mikulich]

by Clerk
City of Brampton

NOV 14 1986

[Signature of Leonard J. Mikulich]

LEONARD J. MIKULICH - CLERK

AMENDMENT NUMBER 104
AND AMENDMENT NUMBER 104 A
TO THE OFFICIAL PLAN
OF THE CITY OF BRAMPTON PLANNING AREA

1. Purpose

The purpose of this amendment is to permit the lands shown outlined on Schedule A to this amendment to be used for a real estate office.

2. Location

The lands subject to this amendment are located on the south side of Orenda Road, immediately east of Highway Number 410, 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 C, Plan 640.

3. Amendment and Policies Relative Thereto:

3.1 Amendment Number 104 :

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

- (1) by changing, on Schedule A thereto, the land use designation of the lands shown outlined on Schedule A to this amendment, from INDUSTRIAL to COMMERCIAL;
- (2) by adding, to Schedule F thereto, the land use designation of HIGHWAY and SERVICE COMMERCIAL, for the lands shown outlined on Schedule A to this amendment; and
- (3) by adding to the list of amendments pertaining to Secondary Plan Area Number 19 and set out in subsection 7.2.7.19, Amendment 104 A.

3.2 Amendment Number 104 A:

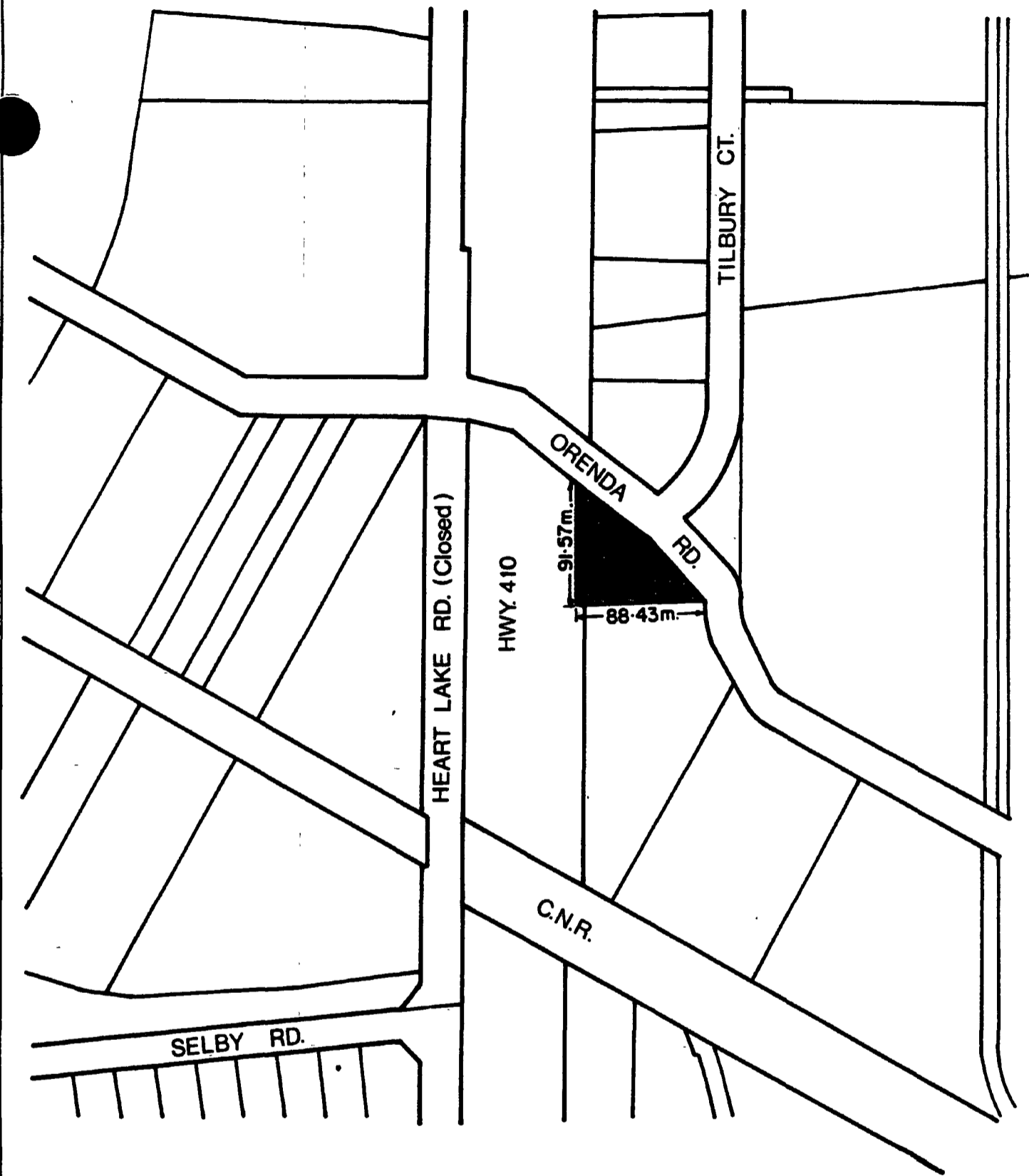
The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Bramalea West Industrial Secondary Plan (being Chapter C34 of Section C of Part C, and Plate Number 12, of the Consolidated Official Plan of the City of Brampton Planning Area, as they apply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

(2) by adding, to the legend of Plate 12, the land use category "SERVICE COMMERCIAL";

(3) by adding to Part C, Section C, Chapter C34, Section 2.6 thereof, the following:

"2.6.4 The lands located on the south side of Orenda Road, immediately east of Highway Number 410 (formerly Heart Lake Road), which are designated for Service Commercial uses, shall only be used for office purposes, other than the office of a health care practitioner. Development of the lands shall be controlled by an appropriate zoning by-law amendment and the exercise of site plan control pursuant to Section 40 of the Planning Act, 1983."



 LANDS SUBJECT TO THIS AMENDMENT

OFFICIAL PLAN AMENDMENT No. 104
 OFFICIAL PLAN AMENDMENT No. 104 A



1:4000

CITY OF BRAMPTON
 Planning and Development

Date: 1986 10 01 Drawn by: C.R.E.
 File no. C3E4-15 Map no. 62-30E

SCHEDULE A

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 104

AND

AMENDMENT NUMBER 104 A

Attached is a copy of a report from the Director, Planning and Development Services, dated August 13, 1986 and a copy of a report from the Director, Planning and Development Services, forwarding notes of a public meeting held on October 8, 1986.

15/86/3

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INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

August 13, 1986

TO: The Chairman of the Development Team
FROM: Planning and Development Department
RE: Application to Amend the Zoning By-law
Part of Block C, Plan 640
Ward Number 8
E. A. MITCHELL LIMITED
Our File Number: C3E4.15

1.0 Introduction

An application to amend the zoning by-law to permit an office building on the above noted property has been submitted to the City Clerk and referred to staff for a report and recommendation.

2.0 Property Description and Surrounding Land Use

The triangular-shaped parcel subject to this application is located on the south side of re-aligned Orenda Road, immediately east of the overpass for the future Highway Number 410. The subject property is also located opposite the intersection of Orenda Road and Tilbury Court.

The property has a frontage of approximately 125.96 metres (413.25 feet) on Orenda Road and a lot area of 0.516 hectares (1.27 acres). The property abuts the Highway Number 410 right-of-way for a distance of 91.57 metres (300.43 feet) and is at a substantially lower grade than Highway Number 410. There is no significant vegetation evident on the property.

The parcel is located within an industrial area and is surrounded by the following uses:

- to the north, at the northwest corner of Orenda Road and Tilbury Court is a vacant parcel and an industrial building (Trophy Foods);
- to the east, at the northeast corner of Orenda Road and Tilbury Court are two industrial buildings (Zochem and Hudson Bay Diecasting Limited);
- to the south, on the south side of Orenda Road are three industrial buildings (Lorlea Steels, Nudex Colourtrend Limited and NCH Canada Limited) and a baseball diamond; and
- to the west is Highway Number 410 which is currently under construction while further west on Orenda Road are industrial uses.

3.0 Proposal

The applicant proposes to develop the subject property for office uses. The site plan submitted in support of the application provides for the following basic features:

1. a proposed 2 storey office building with a ground floor area of 870 square metres (9365 square feet) and a gross floor area of 18,730 square feet).
2. a front yard setback of 18 metres (59.1 feet) with 48.5 percent (1100 square metres) of the front yard being landscaped.
3. a 13.7 metre (44.9 foot) setback from the Highway Number 410 right-of-way with a 0.9 metre (2.95 foot) wide landscaping strip at the limit of the subject property.
4. a 15 metre (49.2 foot) building setback from the side lot line abutting an industrial lot (Lorlea Steels) with a 0.9 metre (2.95 foot) wide landscaping strip at the limit of the subject property.

C1-3

- 3 -

5. a total of 87 parking spaces provided at a rate of 1 space for every 20 square metres of office floor area and 1 loading space.

The application proposes an M5S Industrial Zone which is a zoning category in Comprehensive Zoning By-law 861, as amended, that permits business offices.

4.0 Official Plan and Zoning By-law Status

Schedule A, (General Land Use Designations) to the Brampton Official Plan designates the subject property for Industrial purposes. The Bramalea West Industrial Secondary Plan (Area 19 - Chapter C34 and Plate 12 to the Consolidated Official Plan) also designates the subject property for Industrial purposes.

Comprehensive Zoning By-law 861, as amended by By-laws 13-61 and 26-70, zones the subject property Industrial One (M1) zone with a side yard exemption for properties which directly abut a railway right-of-way.

When reviewing the subject proposal to amend the zoning by-law, staff formulated the opinion that the proposal also requires an official plan amendment. Section 2.3.5.5 of the Official Plan states as follows:

"2.3.5.5 Free-standing service and office uses will be permitted in an area designated Industrial in this Plan, only if the areas proposed for such uses are designated for commercial development in a secondary plan."

Based on this very definite policy and the fact that the subject property is not designated for commercial development in the Bramalea West Industrial Secondary Plan, the proposal requires an official plan amendment as well as the zoning by-law amendment which was applied for.

5.0 Circulation Comments

Upon receipt of the proposed zoning by-law amendment, the Planning and Development Department conducted the customary circulation to various government agencies and city departments. The following comments have resulted:

5.1 The Ministry of Transportation and Communications has advised that:

building/land use and sign permits must be obtained from our District Signs and Permits Inspector prior to construction being undertaken. A site and drainage plan should accompany the request for the above-mentioned permits.

5.2 The Region of Peel Public Works Department has advised that:

sanitary and water facilities are available on Orenda Road. Regional roads are not directly affected.

5.3 The Development and Engineering Services Section of the Public Works Division has advised:

no objections from an engineering point of view. A satisfactory agreement dealing with grading, drainage and the construction of a sidewalk (or cash-in-lieu thereof) along the Orenda Road frontage of the property will be required.

5.4 The Traffic Engineering Services Section of the Public Works Division has advised that:

the driveway access should be relocated to a point approximately 25 metres from the east property line.

5.5 The Parks and Recreation Division of the Community Services Department has advised that:

C1-5

the application should be denied and the existing industrial zoning remain in place.

5.6 The Fire Division of the Community Services Department has advised that:

it may be necessary for the applicant to provide a street hydrant for required protection in the event that the locations of existing hydrants are unacceptable to this Department.

5.7 The Community Design Section of the Planning and Development Department has advised that:

a 3.0 metre wide landscaped strip shall be provided along Highway Number 410 by shifting the development further north. We also require the on-site landscaping area.

One handicap parking space shall be provided as well as an access ramp for the handicapped. The ability of trucks to manoeuver in the receiving area is questionable and requires some study.

5.8 The following agencies or departments have no comments or have not submitted comments:

- the City Law Department,
- the Zoning and By-law Enforcement Section of the Building Division,
- the Transit Division of the Community Services Department, and
- the Planning Policy and Research Division of the Planning and Development Department.

6.0 Discussion

As previously noted, Section 2.3.5.5 of the Brampton Official Plan precludes the development of free-standing service and office uses in the industrial designation unless the site proposed for such uses

C1-6

is designated for commercial development in the applicable secondary plan. As the subject proposal is a free-standing office use and the site is designated Industrial in the Bramalea West Industrial Secondary Plan, the proposal requires an amendment to the Official Plan.

Although the Secondary Plan provides little direction on the establishment of service commercial uses in industrial areas, the policies of the Brampton Official Plan contain considerable content regarding the subject.

The Industrial designation permits non-industrial uses provided they do not interfere with nor are detrimental to the development of the area for primarily industrial uses. Included in the list of examples of non-industrial uses are office uses ancillary to an industrial use and limited free-standing service and office uses (subject to Section 2.3.5.5).

Section 2.3.5.5 which requires a proposed office site to be designated commercial in the Secondary Plan and Section 2.3.5.6 which encourages offices in industrial areas to locate in industrial malls or in conjunction with existing commercial development, serve to establish a clear intent within the Official Plan to discourage free-standing office uses in industrial areas.

Section 2.3.5.7 of the Official Plan also establishes the following criteria for the evaluation and establishment of service commercial and office uses in industrial areas:

- "(1) 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;

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- (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."

In conflict with criteria (i) above, the subject site is located within the central core of the surrounding industrial area and not peripheral to it. Criteria (ii) above discourages commercial development along arterial roads interior to industrial areas. Although Orenda Road is designated as a collector road in the Official Plan, it virtually functions as a minor arterial road. Orenda Road is the only major east-west route through the subject industrial area and consequently carries considerable traffic. In light of this, the proposed commercial use and the volume of traffic it would generate may be of detriment to traffic movement along Orenda Road. The Highway Number 410 overpass will also restrict, to a degree, sight lines for east bound traffic along Orenda Road and may create concern for turning movements at the access driveway for the proposed office use.

In conclusion, the policies of the Official Plan do not recognize the subject site as appropriate for the office building proposal. The Official Plan clearly discourages the establishment of free-standing service commercial and office uses in industrial areas so that those areas may function effectively for primarily industrial purposes. The establishment of a commercial use on the

C1-8

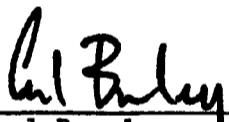
subject property will lead to further commercial proposals on remaining vacant parcels in the area, a development which would be to the detriment of the industrial area.

7.0 Conclusion

That Planning Committee recommend to City Council:

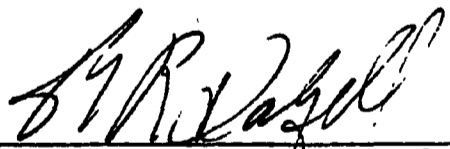
that the application by E.A. Mitchell Limited (File Number: C3E4.15) to amend the Zoning By-law to permit an office building on Orenda Road, east of Highway Number 410, not be approved.

Respectfully submitted,

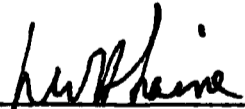


Carl Brawley
Development Planner

AGREED:



F. R. Dalzell, Commissioner of
Planning and Development

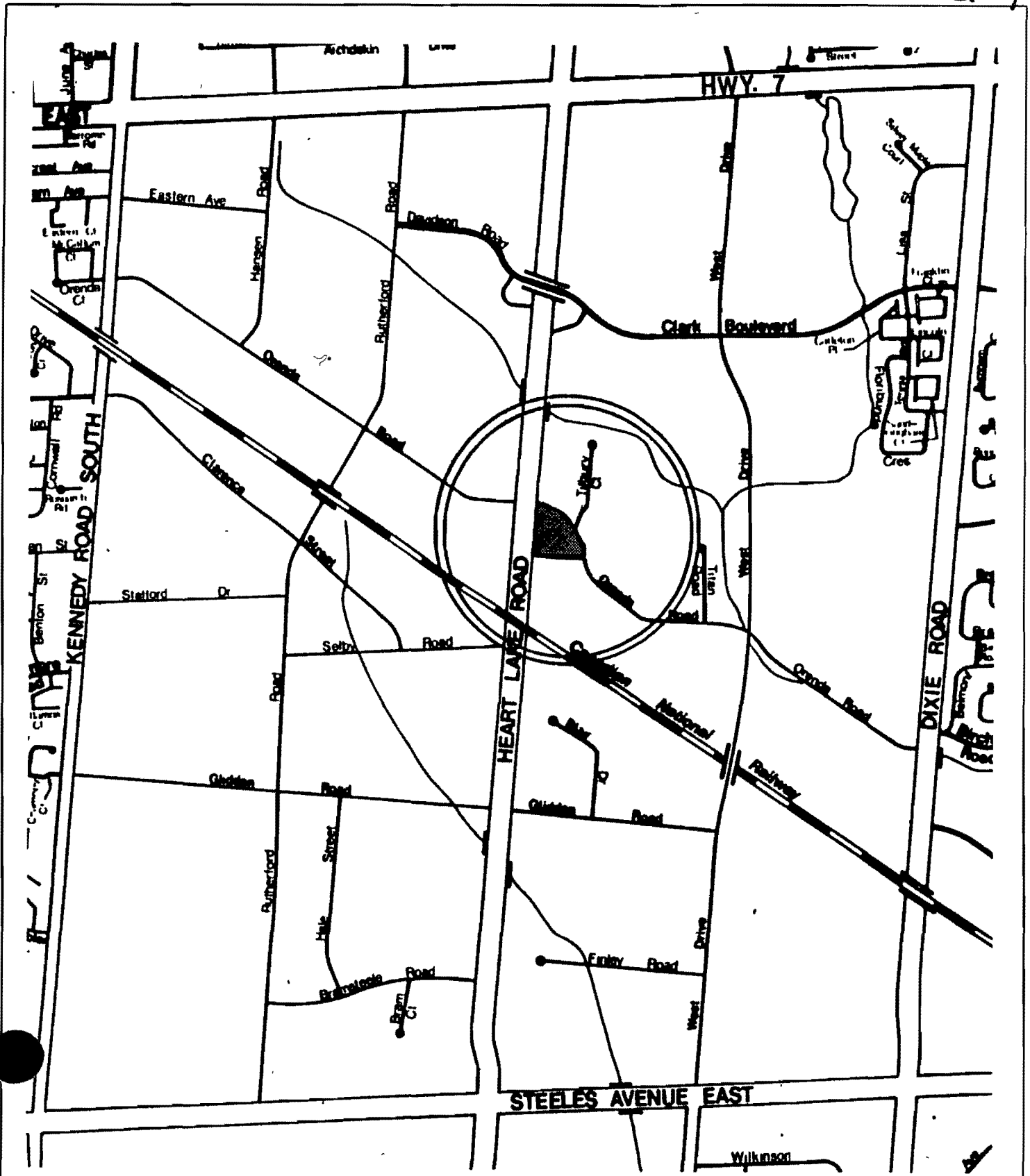


L. W. H. Laine, Director,
Planning and Development
Services Division

Attachment

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CH-9



E. A. MITCHELL

Location Map

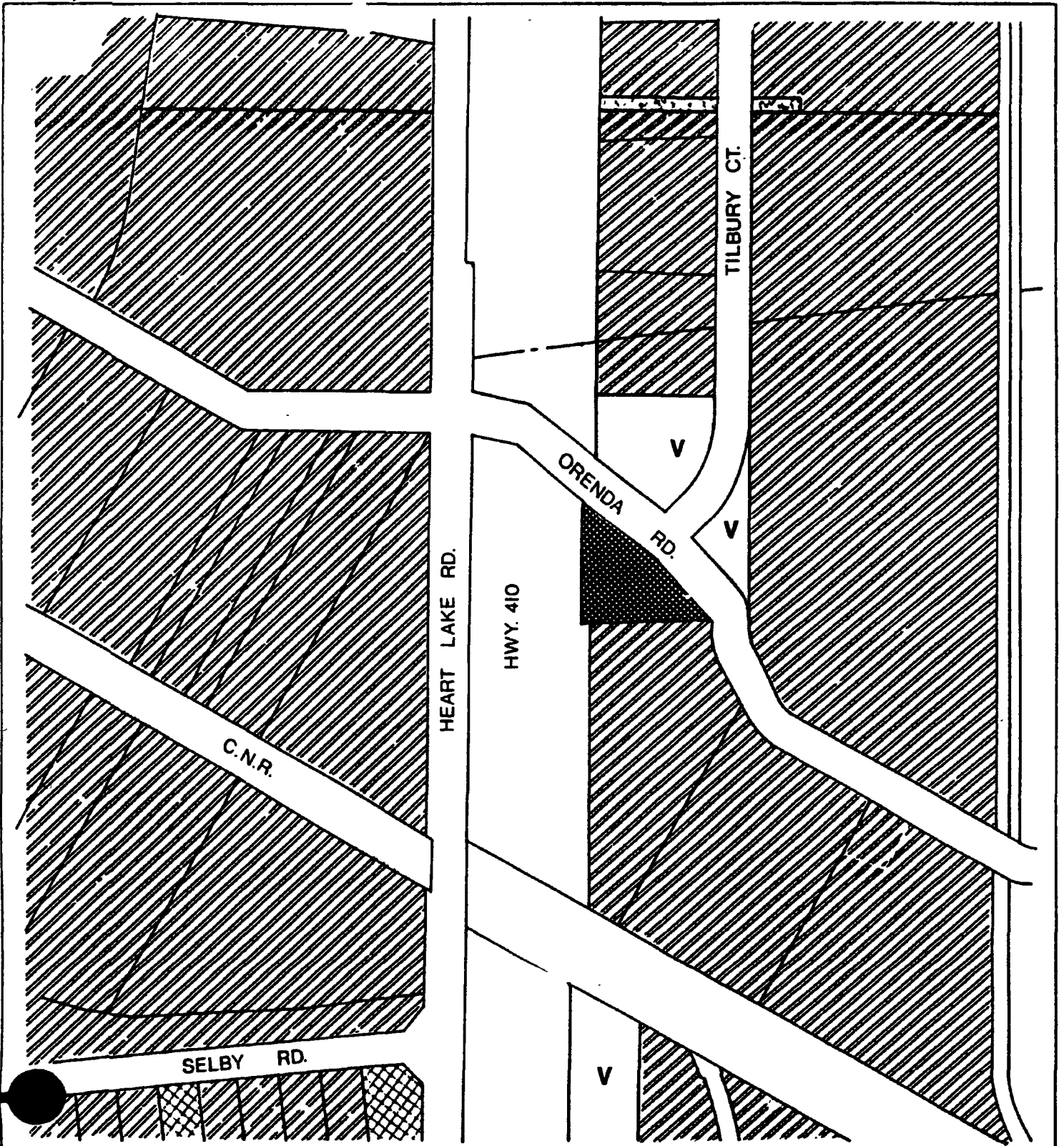


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CITY OF BRAMPTON
Planning and Development

Date: 1986 07 17 Drawn by: C.R.E
File no. C3E4-15 Map no. 62-30A

C1-10



-  SUBJECT PROPERTY
-  INDUSTRIAL
-  COMMERCIAL

-  OPEN SPACE
-  VACANT

E. A. MITCHELL

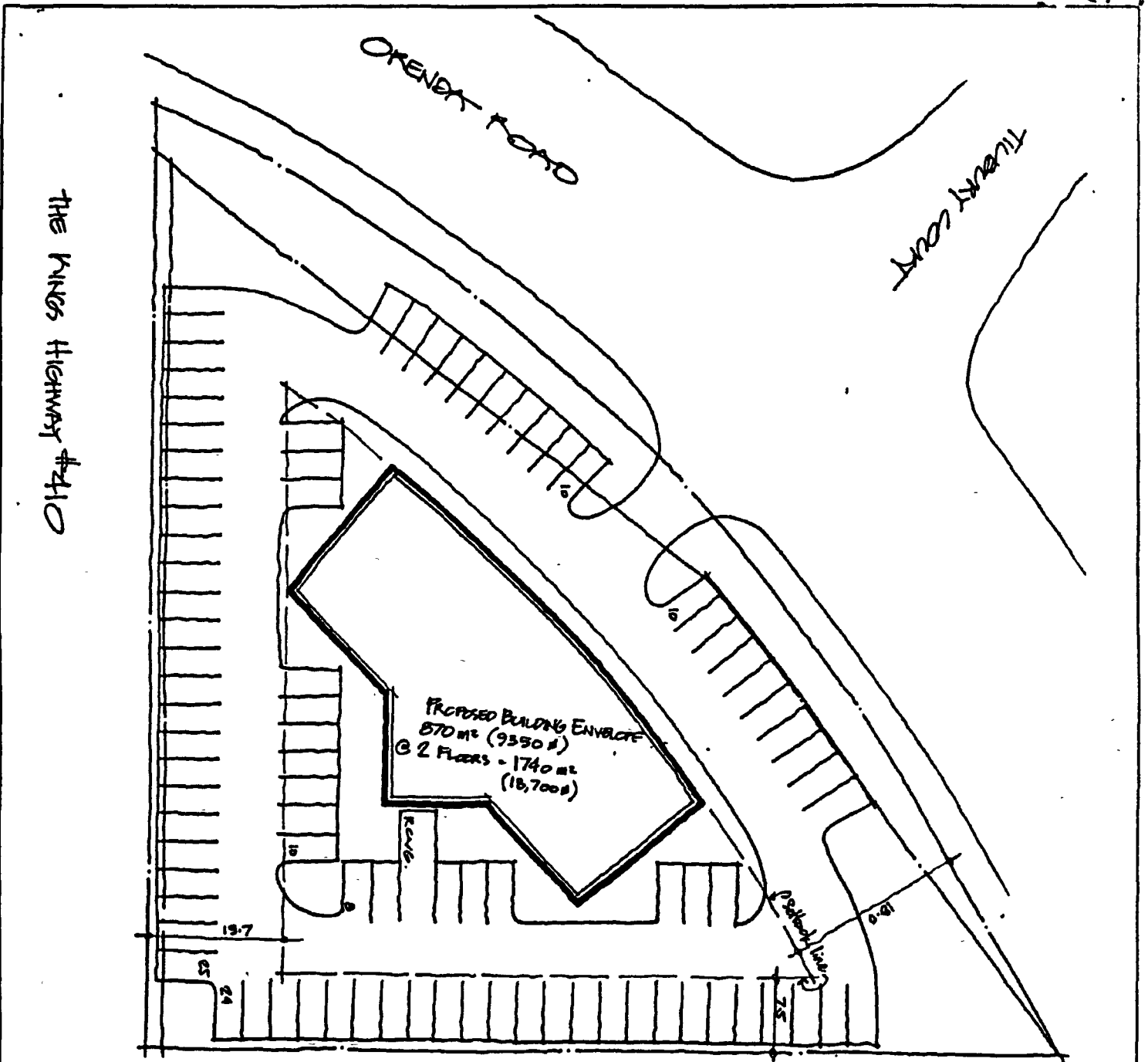
Land Use



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CITY OF BRAMPTON
Planning and Development

Date: 1986 07 17 Drawn by: C.R.E.
File no. C3E4-15 Map no. 62-30C



SITE DATA

OP. INDUSTRIAL
 PRESENT ZONING M2 SBI
 REZONE TO M1S5 TO PERMIT
 OFFICE BUILDING.

SETBACKS FRONT 18m
 REAR/SIDE 7.5m
 ADJ. #410 13.7m

90% of FRONT YARD MUST BE UNDEVELOPED
 YARD RECD 2142m² AREA UNDEVELOPED 1,000m² 46.7%

PARKING REQUIRED
 1740 m² @ 1/20m² = 87
 PARKING PROVIDED = 87 SPACES.

SITE STUDY FOR PROPOSED OFFICE BUILDING
 #410 @ ORENDA ROAD BRAMPTON ONT.
 ROBERT J. FOSLIFF ARCHITECT INC.
 1:500 m. 11 MARCH/86 SK:3

E. A. MITCHELL

Site Plan



1:600

CITY OF BRAMPTON
 Planning and Development

Date: 1986 07 17 Drawn by: C.R.E.
 File no. C3E4-15 Map no. 62-30B

D 1

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

October 10, 1986

TO: The Chairman and Members of Planning Committee
FROM: Planning and Development Department
RE: Application to Amend the Zoning By-law
Part of Block C, Plan 640
Ward Number 8
E. A. MITCHELL LIMITED
Our File Number: C3E4.15

Attached are the notes of a public meeting held on October 8, 1986. No members of the public appeared at the meeting to voice concern or support for the proposal. Staff did receive a telephone enquiry on September 25, 1986 from a representative of Nudex Colourtrend Limited, a nearby industrial use at 235 Orenda Road. Mr. A. T. McDonald indicated that Nudex had no objections to the proposed office building.

As Planning Committee will recall, the planning report dated August 13, 1986 recommended that the subject application not be approved. The Planning Committee recommendation, which was approved by City Council on September 22, 1986, approved the application subject to the results of a public meeting. Since the planning report did not contain conditions to approval, it would be appropriate to incorporate these conditions in the following resolution.

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

1. the notes of the public meeting held on October 8, 1986 be received;
2. the application of E. A. MITCHELL LIMITED (File Number: C3E4.15) be approved subject to the following conditions:

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- 2 -


- (1) Prior to the enactment of the Official Plan and Zoning By-law Amendments, the applicant shall revise the application to include an amendment to the Official Plan and submit the appropriate application fee (\$250.00) to the City Clerk.
- (2) The site specific by-law shall contain the following provisions:
 - (a) the property shall only be used for an office, other than the offices of a health care practitioner,
 - (b) the ground floor area of the office building shall not exceed 875 square metres (9419 square feet),
 - (c) the gross floor area of the office building shall not exceed 1750 square metres (18837 square feet),
 - (d) the maximum height of the building shall not exceed 2 storeys,
 - (e) a minimum of 1 parking space shall be provided for each 20 square metres of gross commercial floor area or portion thereof,
 - (f) a minimum of 1 loading space shall be provided for the office building,
 - (g) any garbage or refuse container shall be located within the office building, and
 - (h) a site plan schedule identifying the building area, landscape areas and parking areas.
- (3) The applicant shall enter into a development agreement containing a concept site plan whereby the applicant shall agree:
 - (a) to obtain from the Ministry of Transportation and Communications, building/land use and sign permits, the application for

which shall be accompanied by a site plan and drainage plan,

- (b) to submit for the approval of the City, a grading and drainage plan for the subject property,
- (c) to construct a sidewalk along the entire frontage of the property where abutting Orenda Road or to pay the City cash-in-lieu thereof, to the satisfaction of the Commissioner of Public Works and Building,
- (d) to provide a street fire hydrant if required by the City Fire Division, to the satisfaction of the Commissioner of Community Services,
- (e) to provide handicap access to the building and 1 parking space for the handicapped, and
- (f) to ensure that all garbage and refuse containers shall be located within the office building with the exception of times during which the containers are being picked up.


3. staff be directed to prepare the appropriate official plan amendment, zoning by-law amendment and development agreement for the consideration of Council.

Respectfully submitted,




Carl Brawley
Development Planner

AGREED:



F. R. Dalzell, Commissioner of
Planning and Development



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

CB/hg/6

D1-4

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, October 8th, 1986, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:35 p.m., with respect to an application by E.A. MITCHELL (File: C3E4.15 - Ward 8) to amend the Zoning By-law to permit the development of the subject property for office uses.

Members Present: Councillor F. Russell - Chairman
Alderman T. Piane
Alderman H. Chadwick
Alderman S. DiMarco
Alderman P. Palleschi
Alderman J. Shadrach
Councillor P. Robertson

Staff Present: F. R. Dalzell, Commissioner of Planning and Development
L.W.H. Laine, Director, Planning and Development Services
G. Speirs, Development Planner
C. Brawley, Development Planner
J. Robinson, Development Planner
E. Coulson, 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.

There were no interested members of the public in attendance and the meeting adjourned at 7:36 p.m.