



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 295-87

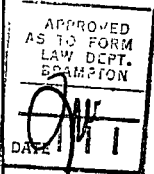
To adopt Amendment Number 132
and Amendment Number 132 A
to the Official Plan of the
City of Brampton Planning
Area.

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 132 and Amendment Number 132 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 for approval of Amendment Number 132 and Amendment Number 132 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 14th day of December, 1987.



KENNETH G. WHILLANS - MAYOR

R.D. TUETS - ACTING CLERK

ORIGINAL

Revised 205-81

AMENDMENT NUMBER 132
to the Official Plan of the
City of Brampton Planning Area
and


AMENDMENT NUMBER 132 A
to the Consolidated Official Plan of the
City of Brampton Planning Area

21-0P 0031-132

Amendment No. 132
to the
Official Plan for the
City of Brampton Planning Area

This Amendment No. 132 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 section 17 of the Planning Act, 1983, as Amendment No. 132 to the Official Plan for the City of Brampton Planning Area.

Date ... *Feb. 16, 1988* ...



L. J. FINCHAM
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs 1



THE CORPORATION OF THE CITY OF BRAMPTON

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this 14th day of December, 1987.

AMT

KENNETH G. WHILLANS - MAYOR

CERTIFIED A TRUE COPY

City Clerk
City of Brampton

R.D. TUFTS - ACTING CLERK

DECEMBER 17th 19 87

AMENDMENT NUMBER 132
and
AMENDMENT NUMBER 132 A
TO THE OFFICIAL PLAN
OF THE CITY OF BRAMPTON

1.0 Purpose:

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

2.0 Location:

The lands subject to this amendment are located at the southwest corner of Steeles Avenue and Torbram Road, being part of Lot 15, Concession 5, E.H.S., in the geographic Township of Toronto, in the City of Brampton.

3.0 Amendment and Policies Relative Thereto:

3.1 Amendment Number 132 :

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;
- (3) by adding to the list of amendments pertaining to Secondary Plan Area Number 25 set out in subsection 7.2.7.25, Amendment 132 A.

3.2 Amendment Number 132 A:

The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Steeles Industrial Secondary Plan (being Amendment Number 1 to the Consolidated Official Plan of the City of Brampton Planning Area, as amended), is hereby amended:

- (1) by changing, on Schedule A to Amendment Number 1, to the document known as the Consolidated Official Plan, the

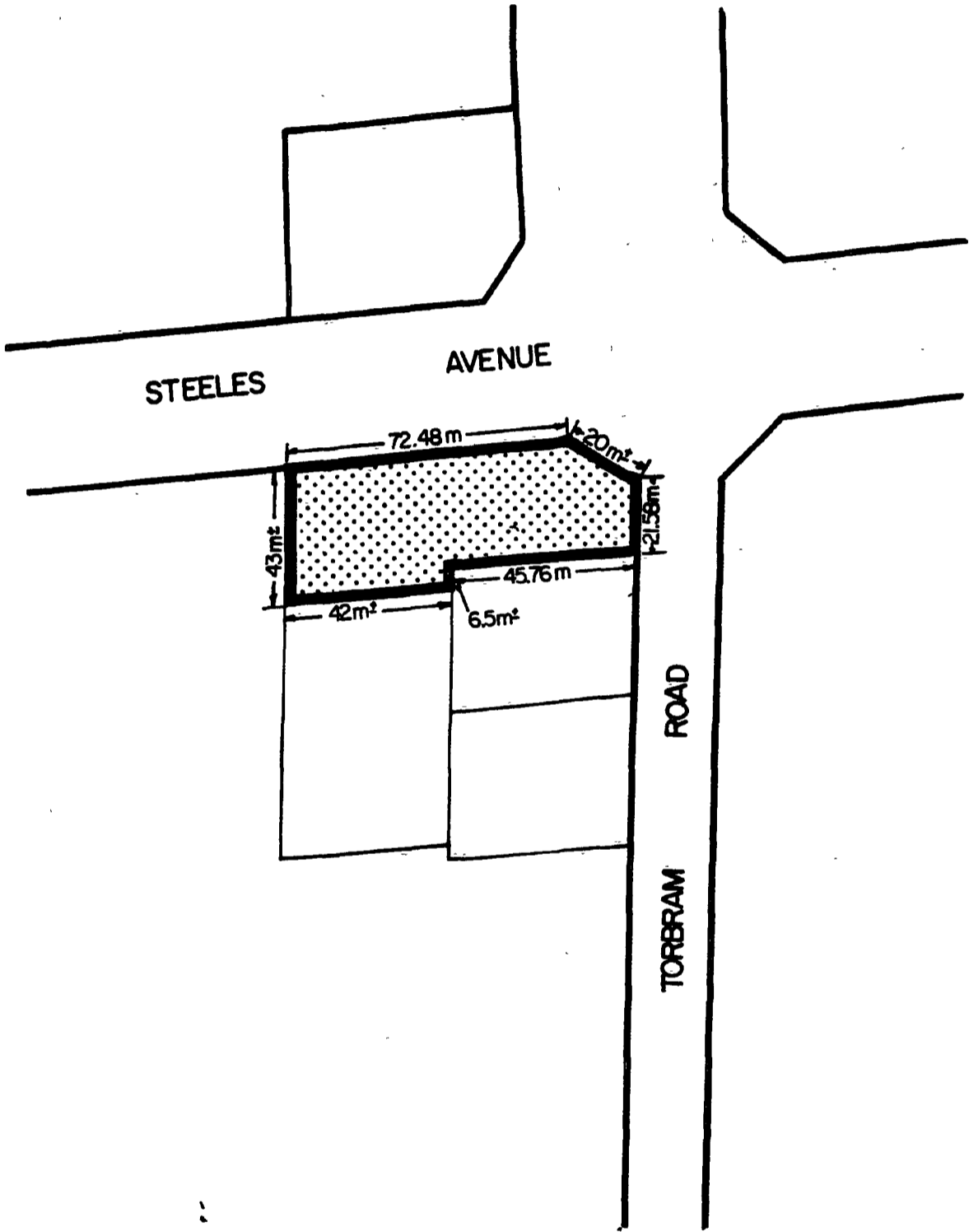
designation of lands shown outlined on Schedule A to this amendment, from INDUSTRIAL to HIGHWAY COMMERCIAL;


- (2) by deleting Section 3.6 of Amendment Number 1, to the document known as the Consolidated Official Plan and replacing it with the following:

"3.6 Development Principles - Highway Commercial Use Area

The Highway Commercial designations are intended to permit existing service stations at the southwest and southeast corners of Steeles Avenue and Dixie Road and a proposed gas bar and a restaurant at the southwest corner of Steeles Avenue and Torbram Road.

A site specific zoning by-law amendment shall determine the size of the proposed gas bar and restaurant at the southwest corner of Steeles Avenue and Torbram Road and shall impose appropriate development standards dealing with matters such as parking, landscaping, yard widths and depths, and access ramps."



 Lands subject to these amendments

OFFICIAL PLAN AMENDMENT No. 132
 OFFICIAL PLAN AMENDMENT No. 132A
 Schedule A



CITY OF BRAMPTON
 Planning and Development
 Date: 87 08 26 Drawn by: RB
 File no. T5E15.14 Map no. 80-12G

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 132
AND
AMENDMENT NUMBER 132A

Attached is a copy of a report from the Director, Planning and Development Services Division, dated August 26, 1987, and a copy of a report from the Director, Planning and Development Services Division, dated October 13, 1987, forwarding the notes of a public meeting held on October 7, 1987, after notification in the local newspapers and the mailing of notices to assessed owners of properties within 120 metres of the subject lands.

The following submissions also relate to the formulation of this amendment, copies of which are attached:

Ministry of Transportation and Communications:	December 9, 1986
The Metropolitan Toronto and Region Conservation Authority:	December 1, 1986
The Regional Municipality of Peel:	December 12, 1986, June 3, 1987, and August 12, 1987.

25/87/6

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

August 26, 1987

TO: Chairman of the Development Team

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and the Zoning By-law
Part of Lot 15, Concession 5, E.H.S.
Ward Number 9
PENNY FUELS INC.
Our File Number: T5E15.14

1.0 INTRODUCTION

An application to amend the Official Plan and the Zoning By-law to permit a full service gas bar with a free-standing kiosk, and a free-standing structure to house a standard restaurant (doughnut shop) has been filed with the City Clerk and referred to staff for a report and recommendation.

2.0 PROPERTY DESCRIPTION

The property subject to this application consists of the northerly 0.334 hectares (0.83 acres) of a 0.5628 hectare (1.39 acre) Irregular shaped holding located at the south-west corner of Steeles Avenue and Torbran Road. It has frontages of 72.48 metres (238 feet) and 21.58 metres (71 feet) on Steeles Avenue and Torbram Road, respectively, and a frontage of 20 metres (65.6 feet) along the hypotenuse of the daylighting triangle at the intersection of these two roads, and a depth of approximately 45 metres (147.6 feet) when measured from Steeles Avenue.

The north-east corner of the subject property is occupied by a large metal clad garage surrounded by a gravelled yard. This portion of the site is being used for a transport business. The balance of the site is vacant and contains no significant vegetation. The entire property with the exception of the frontages along Steeles Avenue, Torbram Road, and the daylighting triangle is enclosed by a post and wire fence in poor condition, approximately 1.2 metre (4.0 feet) in height. The south-west corner of the property, which is not part of this application, but also owned by the applicant, is lower in grade than the balance of the site and shows signs of standing water. The surrounding uses are as follows:

- . to the north, on the opposite side of Steeles Avenue, lands are developed for industrial purposes, except for the north-west corner of Steeles Avenue and Torbram Road which is occupied by an automobile service station. To the north of Steeles Avenue, east of Torbram Road lands are presently vacant however, are zoned for industrial purposes.
- . lands to the east on the opposite side of Torbram Road are primarily vacant, except for a gas regulating station. These vacant lands have recently been rezoned for industrial purposes.
- . the abutting properties to the south, are occupied by two detached dwellings fronting on the west side of Torbram Road, and vacant lands also owned by the applicant. Farther south, lands are being developed for industrial purposes.
- . to the west, lands are being developed for industrial purposes, while further west, lands fronting on Melanie Drive are developed primarily for industrial purposes with the exception of a restaurant within an industrial structure and a commercial style structure at the south-east corner of Melanie Drive and Steeles Avenue occupied by various commercial uses including a number of restaurants, a dry cleaner, a banquet hall, auto repairs and offices.

3.0 OFFICIAL PLAN AND ZONING STATUS

The lands subject to this application are designated in the Official Plan as "Industrial". The secondary plan for the area, which in the case of the subject lands, consists of Amendment Number 1 to the document known as the Consolidated Official Plan, also designates the site as "Industrial".

By-law 139-84, as amended, zones the site as Industrial One (M1).

4.0 PROPOSAL

The applicant is requesting that the Official Plan and the Zoning By-law be amended to permit a full service gas bar with a free-standing kiosk, and a free-standing standard restaurant (doughnut shop).

The preliminary site plan submitted in support of this application indicates two separate single storey structures having a total floor area of 103 square metres (1,108.7 square feet). The first structure is an 11 square metre (118.4 square feet) kiosk associated with the proposed gas bar located on the easterly portion of the site.

The second structure is proposed to have a floor area of 92 square metres (990.3 square feet) and to be located on the westerly portion of the site. The applicant has proposed that a standard restaurant (doughnut shop) be contained within this structure.

A total of 25 parking spaces are proposed on the site, the majority of which are located on the westerly portion of the site. Access to the site is proposed via two 8.0 metre (26.2 feet) wide driveways, one from Steeles Avenue and one from Torbram Road.

Approximately 23.5 percent of the lands subject to this application are proposed as landscaped open space, the majority of which consists of a 3 metre strip around the periphery of the site, expanding to an 8 metre strip along the daylighting triangle. A refuse storage area has been illustrated near the south-west corner of the site. This refuse storage area is proposed to be enclosed with gates, and screened by fencing and shrubbery. Loading spaces for the restaurant are provided along the south wall of the restaurant structure. The applicant has also proposed to erect a 2 metre (6.6 feet) high masonry wall along the south and east property lines where the subject site abuts the existing residential property to the south.

In addition, the applicant has provided the following rationale in support of the subject proposal:

- . only the northerly portion of the property is proposed for development at this time, while the southerly portion is proposed to remain unchanged to facilitate a future comprehensive development with the existing residential properties to the east.
- . the site has a high level of accessibility due to its location at the intersection of two major arterial roads.
- . the proposed site plan accommodates the need for efficient ingress and egress to and from the site.
- . the proposal is the best use for the northerly portion of the property due to its limited size and shape.

5.0 COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

The Public Works and Building Department, Development and Engineering Services Section has advised that the division concurs with the proposed restricted right-in right-out only access from Steeles Avenue and Torbram Road. The division also notes that:

1. the final site plan must show exactly how the right-in right-out restriction on the entrance from Steeles Avenue is to be achieved;
2. a grading and drainage plan showing existing and proposed elevations and the proposed drainage system is required; and,
3. cash-in-lieu of sidewalks along Steeles Avenue and Torbram Road where they abut the subject site is required.

The Community Services Department

The Recreation and Parks Division have no comments.

The Transit Division requires that the developer install a 12 foot by 24 foot bus stop pad or \$1,800.00 cash-in-lieu of the same on the south side of Steeles Avenue immediately east of the entrance to the subject property.

The Division also requests that the entrance to the subject property from Steeles Avenue be located as close to the westerly property boundary as possible.

The Fire Division has no comments.

The Traffic Division advise the proposed access to Torbram Road is satisfactory and the Region should deal with the means of controlling right-in right-out turns only at the proposed access from Steeles Avenue.

The Region of Peel, Public Works Department has advised that municipal water and sanitary sewer facilities are available along Steeles Avenue. Storm sewer facilities are not available along Steeles Avenue and the storm outlet for this development is the watercourse to the west. A storm drainage study will be required.

The Region will permit one (1) access from Steeles Avenue to the site. This access will be restricted to right turns in and right turns out only. The applicant will be required to provide funds for the construction of a centre median on Steeles Avenue which will restrict the turning movements to right turns only.

The building setback shall be 14 metres from street line including the daylight corner as widened. With respect to widening, the Region requires the reinstatement of the daylight corner based on the City's widening requirements on Torbram Road.

The Planning and Development Community Design Section note that access onto Steeles Avenue from the subject proposal shall be approved by the Region of Peel, and detailed site plan matters will be addressed during the site plan approval stage.

The following have advised that they have no comments:

The Ministry of Transportation and Communications; the Metropolitan Toronto and Region Conservation Authority; the Law Department; the Zoning and By-law Enforcement Division; and the Planning Policy and Research Division.

6.0 DISCUSSION

As noted earlier the subject lands are designated "Industrial" in the Official Plan and are located within a recognized industrial area known as the Steeles Industrial Planning District. In order to properly review the subject proposal in relation to the policies contained in the Official Plan relating to industrial areas, the two basic land uses of the proposal, namely the proposed gas bar and the proposed restaurant, should be considered separately.

With respect to the proposed gas bar, the Official Plan permits such uses in all land use categories of the Official Plan provided that such uses are designated Highway Commercial in the appropriate secondary plan. The plan also states that consideration shall be given to such a use only in the following locations:

- i) at or adjacent to the intersections of arterial roads or highways; and
- ii) incorporated into planned shopping centres having a site area of greater than 0.8 hectares (2 acres) or into planned highway commercial areas.

The subject site complies with this first criterion for locating uses such as gas bars. The site is located at the intersection of a minor arterial road (Torbram Road) and an arterial road (Steeles Avenue) and the applicant has submitted the appropriate amendment to the Official Plan to designate the subject site 'Highway Commercial'.

Concerning the proposed standard restaurant (Doughnut Shop), the Official Plan permits non-industrial uses in industrial areas provided they do not interfere with, nor are detrimental to, the development of the area for primarily industrial use. The following

criteria regarding the establishment of service commercial uses in industrial areas, as contained in section 2.3.5.7 of the Official Plan, should be considered in determining the appropriateness of the proposed restaurant:

- 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, and
- 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.

With respect to the policies contained within section 2.3.5.7 of the Official Plan, the subject property will have satisfactory access to the arterial road system which separates the Steeles Industrial Area and the existing industrial uses to the north and is currently served by public transit. The subject site is peripheral to the Steeles Industrial Area and although it fronts on designated arterial roads and is proposed to have access to these arterial roads, the Official Plan policies are more suited to larger commercial uses and not to a 92 square metre restaurant associated with a gas bar operation. It is noted that the policies contained in the Official Plan regarding the establishment of service commercial uses, such as a restaurant, were developed to retain the integrity of industrial areas and to discourage the encroachment of commercial uses which are not ancillary to permitted industrial uses, which in the long term could disrupt the ability of the area to function efficiently for primarily industrial uses.

Staff are of the opinion that the proposed 92 square metres (990 square feet) standard restaurant (Doughnut Shop) in association with a gas bar operation, will not interfere with or be detrimental to the use of the overall area for primarily industrial purposes and could be viewed as a positive feature in the long term use of the overall area for industrial purposes. In this regard it is noted that the gas bar and restaurant site will occupy the northerly 0.334 hectares of the applicant's total 0.5628 hectare holding. The balance of the applicant's property is proposed to be retained for development in conjunction with the existing residential properties fronting on Torbram Road and abutting the applicant's lands. The southerly portion of the applicant's property when combined with these abutting residential properties will afford sufficient land to facilitate a future redevelopment in accordance with the Official Plan and Secondary Plan for the area.

Although the use of the northerly portion of the applicant's property at this time, independent of the balance of property and the abutting residential properties, is not ideal, staff recognize the applicant's current inability to assemble these residential properties. Staff further acknowledge that the locational criteria and the size of the site required for the uses proposed is met by the northerly portion of the applicant's holding. In view of this, staff are of the opinion that the development of the northerly portion of the applicant's total holding, independent of the balance of the property and the existing abutting residential properties, can be tolerated in this instance.

Considering the foregoing, staff are of the opinion that a gas bar and a restaurant of a limited scale, providing a service to the surrounding industries and their employees, would not have a negative impact on the integrity of the industrial area. The proposal to permit a standard restaurant having a floor area not

exceeding 92 square metres in association with a gas bar operation can be supported from a planning perspective provided the development is designed to ensure it is functional both now and in the future.

With regard to the design of the subject proposal, staff note that the site plan submitted by the applicant indicates two physically, and to some degree functionally, separated components. The first is the proposed gas bar located in the easterly half of the site facing the intersection of Steeles Avenue and Torbram Road. This component consists of two pump islands and an 11 square metre (118 square feet) kiosk to house the gas bar cashier. The second component is a 92 square metre (990 square feet) irregular shaped structure located in the westerly half of the site. Within this structure the applicant proposes a standard restaurant (doughnut shop). Based on the City's latest parking requirements, as contained in By-law 139-84, for the type and size of the uses proposed by the applicant, a total of 17 parking spaces are required. A total of 25 parking spaces are illustrated on the site plan submitted by the applicant.

Vehicular access to the site is proposed via two 8.0 metre (26 feet) wide driveways, one to Steeles Avenue in approximately the centre of the site and one to Torbram Road in the south-east corner of the site. Although the City Traffic Section and the Region of Peel have indicated that the location and design of these access points are satisfactory, the City Traffic Section has advised that the means by which the right-turns-only restriction on the Steeles Avenue access should be dealt with by the Region. In this respect, the Region of Peel has advised that the applicant will be required to supply the funds for the extension of the centre line median along the Steeles Avenue frontage to restrict the proposed access from Steeles Avenue to right-turns-in and right-turns-out, only. It is recommended that a provision be included in the development agreement in response to this requirement of the Region.

The landscaped open space proposed by the applicant represents approximately 23.5 percent of the area of the site and consists of, primarily, 3 metre wide landscaped strips around the periphery of the property, expanding to 8 metres along the daylighting triangle at the intersection of Steeles Avenue and Torbram Road. The landscaping proposed is in keeping with the City's current practice to require a minimum of 3 metre wide landscaped areas along the frontages of highway commercial sites and the amount of the site devoted to landscaped open space is consistent with other developments of this nature. It is recommended, however, that street trees be provided, where appropriate along Steeles Avenue and Torbram Road where they abut the subject lands.

With respect to fencing, the applicant has proposed a 2.0 metre high masonry wall along the southerly boundary of the site and along the east boundary where the subject site abuts the existing residential property and along a portion of the north boundary of that portion of the applicant's property which is not subject to this application. Staff are of the opinion that the inclusion of the masonry wall, in addition to the 3 metre wide landscaped area abutting the residential property will provide an effective buffer for the existing residential property abutting the site.

Concerning loading and refuse storage, it is noted that for a facility of this size, one loading space is required. The preliminary site plan submitted by the applicant indicates one loading space located along the south wall of the restaurant structure which will be screened from Steeles Avenue by the structure itself and from Torbram Road by a proposed landscaped area. The location of this loading space, in the opinion of staff is appropriate from both an aesthetic and functional viewpoint.

The refuse storage area for subject development is proposed to be totally enclosed, with the exception of a roof, and located in the south-west corner of the site. The general design concept and the location of the refuse storage area, like the proposed loading space, in the opinion of staff is appropriate from both an aesthetic and functional viewpoint and will have minimal impact on the abutting residential properties to the south and east.

As with any commercial development on-site lighting should be designed so as not to have an adverse impact on neighbouring properties. In this regard, it is recommended that all lighting be designed and oriented so as to minimize glare on adjacent roadways and properties.

RECOMMENDATIONS

In view of the foregoing, it is recommended that:

- A. A public meeting be held in accordance with City Council's procedures;
- B. Subject to the results of the public meeting, staff be instructed to prepare appropriate amendments to the Official Plan and Zoning By-law for the consideration of Council subject to the following conditions:
 1. The site specific zoning by-law contain the following:
 - a) the site shall only be used for a gas bar and standard restaurant.
 - b) the gross commercial floor area of all structures shall not exceed 103 square metres;
 - c) the gross commercial floor area of the standard restaurant shall not exceed 92 square metres.

- d) the gross commercial floor area of the gas bar kiosk shall not exceed 11 square metres.
 - e) building envelopes, landscaped open space, refuse storage, and paved areas shall be identified which are consistent with the preliminary site plan;
 - f) the maximum height of all structures shall not exceed one storey;
 - g) all garbage and refuse containers shall be enclosed with the exception of the roof.
 - h) an adult entertainment parlour shall not be permitted.
2. Development of the 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 cross section drawings, and a road works, parking areas and access ramp plan shall be approved by the City and appropriate securities shall be deposited with the City to ensure implementation of these plans.
 - b) prior to the issuance of a building permit grading and drainage plans and a storm drainage study shall be approved by the City and the Region of Peel and appropriate securities shall be deposited with the City to ensure implementation of these plans.
 - c) prior to the issuance of a building permit arrangements shall be made to the satisfaction of the Region of Peel for the servicing of the subject lands.

- d) the applicant shall, at the City's option, either install sidewalks along Steeles Avenue and Torbram Road where they abut the subject site or prior to the issuance of a building permit, pay the City an amount equal to the estimated cost of constructing said sidewalks, as estimated by the Commissioner of Public Works and Building.
- e) the applicant shall, at his expense construct, a 2.0 metre high masonry wall to screen the site from the residential property to the south and east, in locations and of a design satisfactory to the City;
- f) the landscape plan shall include the provision of street trees to the satisfaction of the City on Steeles Avenue and Torbram Road where they abut the subject site.
- g) that prior to the issuance of a building permit, arrangements shall be made to the satisfaction of the Region of Peel for the extension of the existing centre island on Steeles Avenue to restrict access to the site from Steeles Avenue to right turns in and right turns out only.
- h) that all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and other properties;
- i) that the applicant convey to the City an 8.0 metre road widening along Torbram Road where it abuts the subject property.

- j) that the applicant convey to the appropriate road authority the necessary land for the reinstatement of the existing daylight triangle at the intersection of Steeles Avenue and Torbram Road after the widening of Torbram Road.
- k) that the applicant, at his expense, shall place the abutting lands also owned by the applicant, but not part of this application, in a condition satisfactory to the Commissioner of Public Works and Building and shall agree to maintain these lands in said condition to the satisfaction of the Commissioner of Public Works and Building.
- l) that the applicant, at his expense, shall provide a bus stop pad in a location and of a design satisfactory to the Commissioner of Community Services or shall pay \$1,800.00 in lieu of said bus stop pad, as determined by the Commissioner of Community Services.
- m) the applicant shall agree to pay City levies in accordance with the Capital Contribution Policy prior to the issuance of a building permit.

Respectfully submitted



David Ross, M.C.I.P.
Development Planner

AGREED:



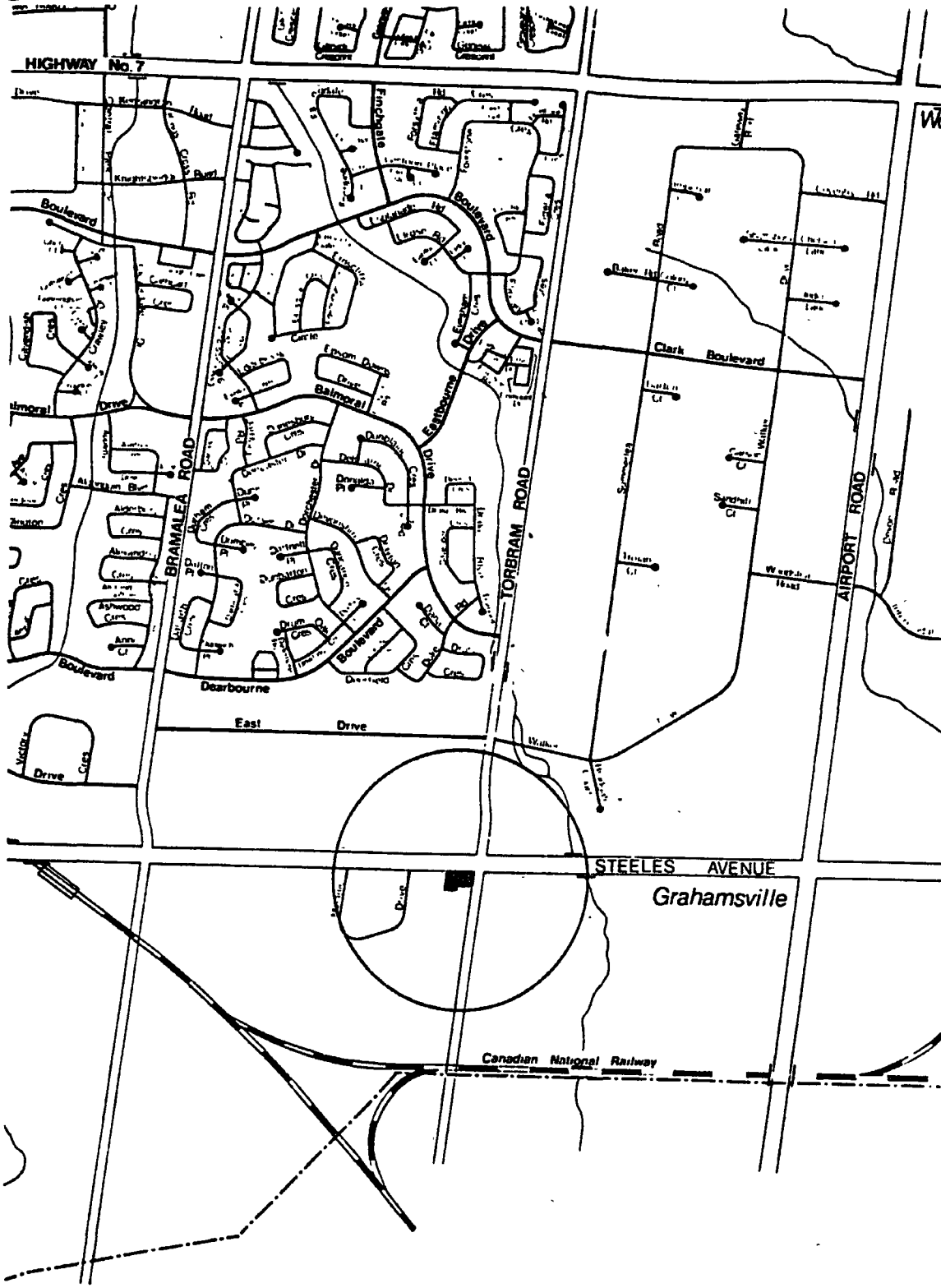
F.R. Dalzell, Commissioner of
Planning and Development



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

LWHL/JA/am/1

E3-16



PENNY FUELS

Location Map

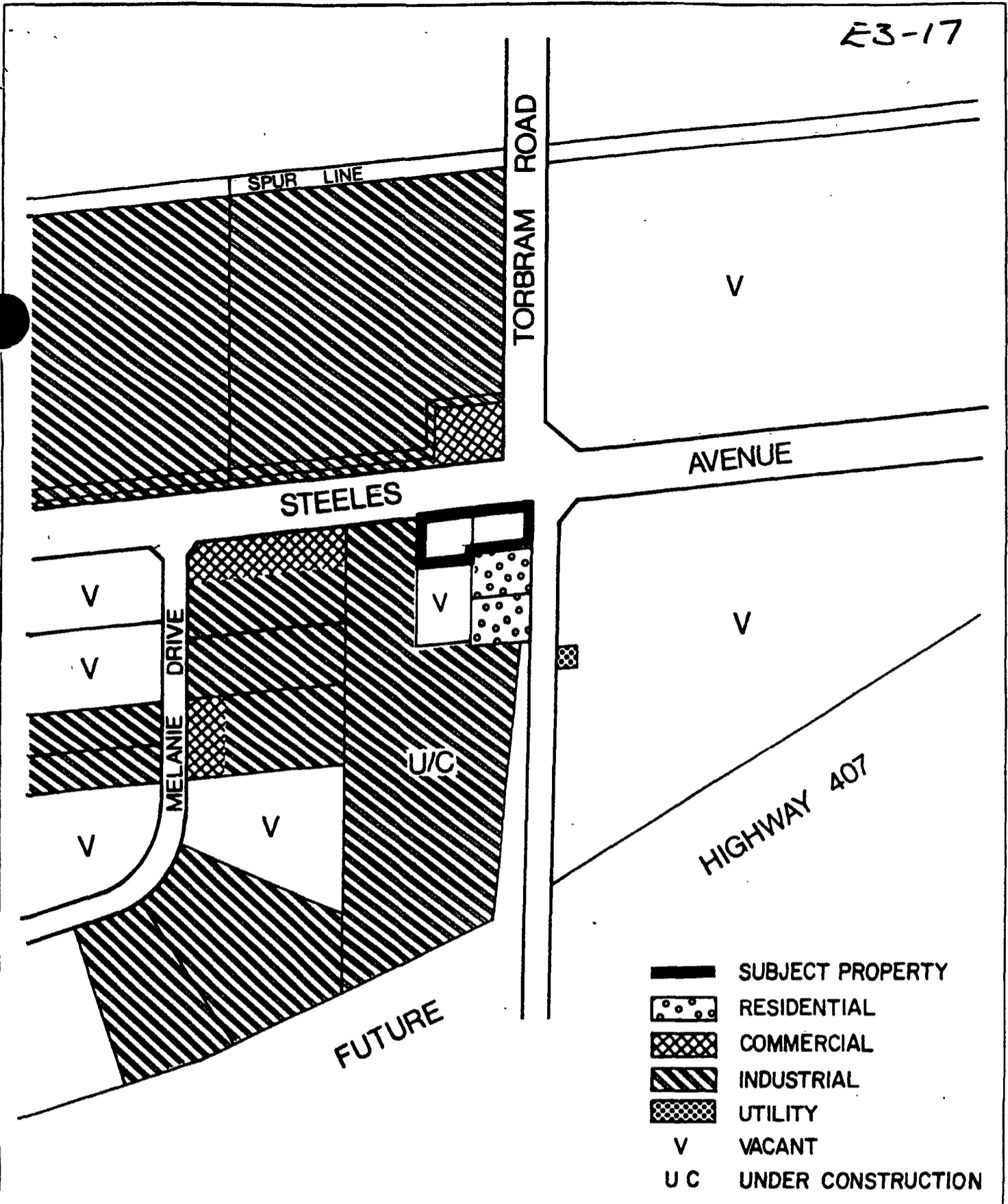


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CITY OF BRAMPTON
Planning and Development

Date: 1986 12 03 Drawn by: C.R.E.

File no. T5E15-14 Map no. 80-12A



PENNY FUELS

Land Use



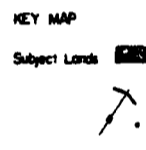
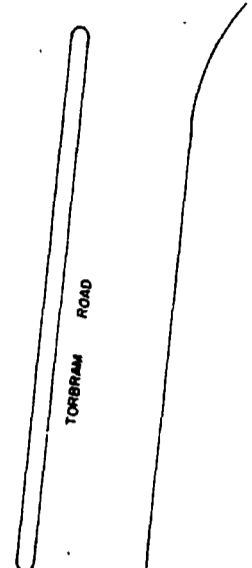
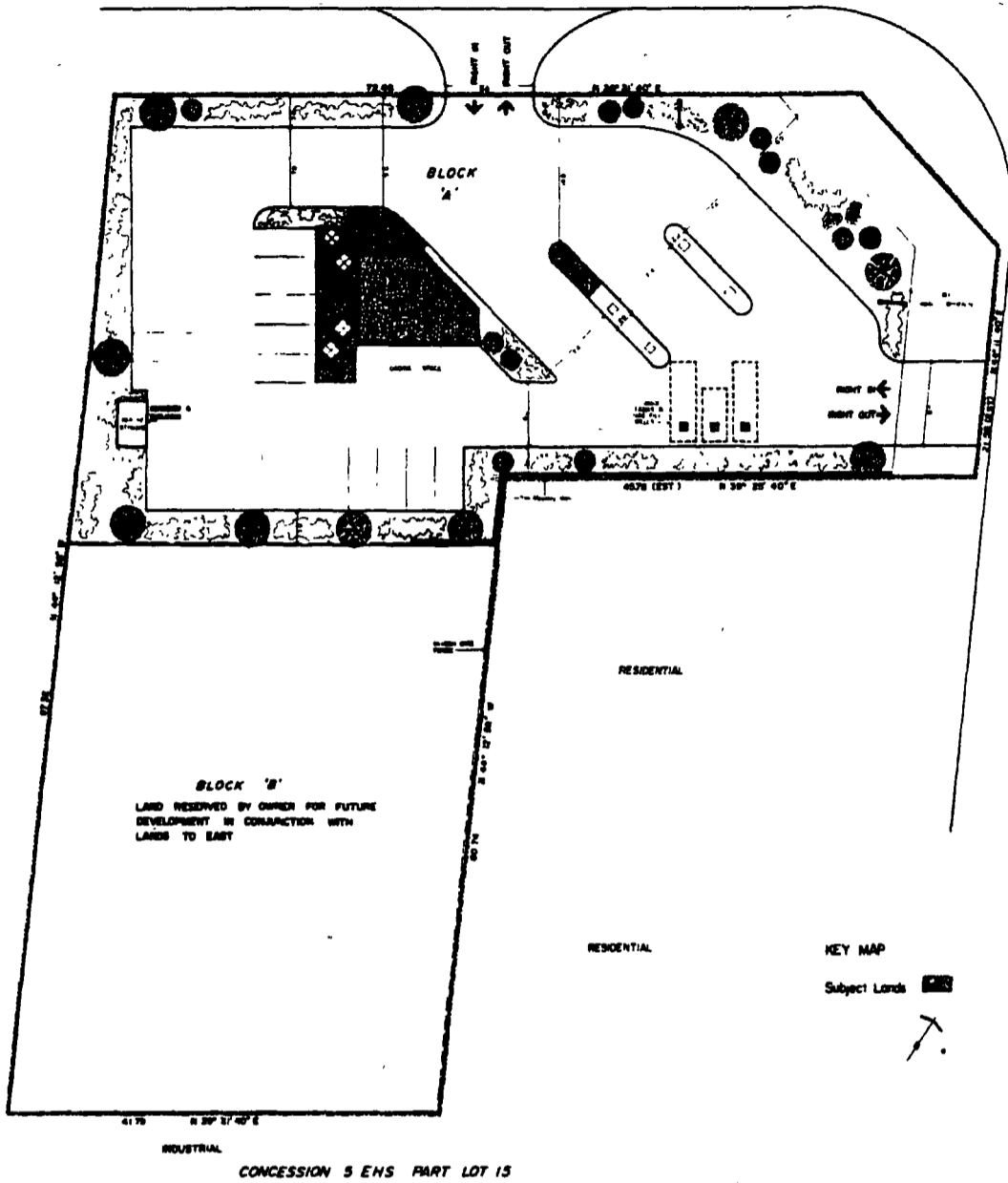
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CITY OF BRAMPTON
Planning and Development

Date: 1986 12 03 Drawn by: C.R.E.
File no. T5E15-14 Map no. 80-12B

E3-18

STEELES AVENUE



LAND USE SCHEDULE

	m ²
BLOCK 'A'	3346
BLOCK 'B'	2282
TOTAL	5628

Road Widening	293
Landscaping	789

Building GFA	m ²	TOTAL
Diesel Shop	92	15
Gas Bar	11	1
TOTAL	103	17

Total Parking Provided 25

Loading Space Required 1 and Provided

PENNY FUELS

Revised Preliminary Site Plan



1:700

CITY OF BRAMPTON
Planning and Development

Date: 87 06 09 Drawn by: RB
File no. T5E15.14 Map no. 80-12D

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

October 13, 1987

TO: The Chairman and Members of Planning Committee

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law
Part of Lot 15, Concession 5, E.H.S.
Ward Number 9
PENNY FUELS INC.
Our File Number: T5E15.14

The notes of the Public Meeting held on October 7, 1987, with respect to the above noted application are attached for the information of Planning Committee.

Two members of the public attended the meeting and no letters of objection or comments have been received. Both people spoke at the meeting, one representing the owner of the abutting residential property, and the other being the owner of the second residential property to the south of the subject lands. Both people indicated they had no objection to the commercial use of the property but objected to the subject lands being developed for commercial purposes independent of their properties.

A similar concern was raised in the staff report on this proposal. It was stated that although the use of the northerly portion of the applicant's property at this time, independent of the balance of the property owned by the applicant, and the two residential properties to the south, is not ideal, staff recognize the applicant's stated inability to assemble these residential properties. The staff report also acknowledged that the locational criteria and the size of the property required for the uses

proposed is met by the northerly portion of the applicant's holding. In view of this, coupled with the fact that the balance of the applicant's holding when combined with the abutting two residential properties will afford sufficient land to facilitate a future redevelopment in accordance with the Official Plan and Secondary Plan for the area, staff are of the opinion that the development of the northerly portion of the applicant's total holding, independent of the balance of the property and the existing abutting residential properties, can be tolerated in this instance.

It is noted that during the Planning Committee Meeting held on September 21, 1987, a concern was raised with regard to the proposed access onto Steeles Avenue East. As a result, Planning Committee moved that a public meeting be held, but that the approval of this application be subject to the Region of Peel reviewing the issue of access arrangements to Steeles Avenue. It is staff's understanding, after further discussions with Regional staff, that Regional staff are not recommending any changes to the Region's comments as previously submitted to the Planning and Development Department. A copy of a Regional Staff report dealing with this matter is not available at this time and therefore cannot be attached to this report. In addition Regional staff has advised that the extension of the median on Steeles Avenue, to restrict the turning movements to right-turns only, will not adversely affect the most westerly entrance to the service station located on the north side of Steeles Avenue.

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 following conditions:
 - 1. The site specific zoning by-law contain the following:
 - a) the site shall only be used for a gas bar and standard restaurant;

- b) the gross commercial floor area of all structures shall not exceed 103 square metres;
 - c) the gross commercial floor area of the standard restaurant shall not exceed 92 square metres;
 - d) the gross commercial floor area of the gas bar kiosk shall not exceed 11 square metres;
 - e) building envelopes, landscaped open space, refuse storage, and paved areas shall be identified which are consistent with the preliminary site plan;
 - f) the maximum height of all structures shall not exceed one storey;
 - g) all garbage and refuse containers shall be enclosed with the exception of a roof;
 - h) an adult entertainment parlour shall not be permitted.
2. Development of the 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 cross section drawings, and a road works, parking areas and access ramp plan shall be approved by the City and appropriate securities shall be deposited with the City to ensure implementation of these plans.

- b) prior to the issuance of a building permit grading and drainage plans and a storm drainage study shall be approved by the City and the Region of Peel and appropriate securities shall be deposited with the City to ensure implementation of these plans.
- c) prior to the issuance of a building permit arrangements shall be made to the satisfaction of the Region of Peel for the servicing of the subject lands.
- d) the applicant shall, at the City's option, either install sidewalks along Steeles Avenue and Torbram Road where they abut the subject site or prior to the issuance of a building permit, pay the City an amount equal to the estimated cost of constructing said sidewalks, as estimated by the Commissioner of Public Works and Building.
- e) the applicant shall, at his expense construct, a 2.0 metre high masonry wall to screen the site from the residential property to the south and east, in locations and of a design satisfactory to the City;
- f) the landscape plan shall include the provision of street trees to the satisfaction of the City on Steeles Avenue and Torbram Road where they abut the subject site.
- g) that prior to the issuance of a building permit, arrangements shall be made to the satisfaction of the Region of Peel for the extension of the existing centre island on Steeles Avenue to restrict access to the site from Steeles Avenue to right turns in and right turns out only.

- h) that all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and other properties;
- i) that the applicant convey to the City an 8.0 metre road widening along Torbram Road where it abuts the subject property.
- j) that the applicant convey to the appropriate road authority the necessary land for the reinstatement of the existing daylight triangle at the intersection of Steeles Avenue and Torbram Road after the widening of Torbram Road.
- k) that the applicant, at his expense, shall place the abutting lands also owned by the applicant, but not part of this application, in a condition satisfactory to the Commissioner of Public Works and Building and shall agree to maintain these lands in said condition to the satisfaction of the Commissioner of Public Works and Building.
- l) that the applicant, at his expense, shall provide a bus stop pad in a location and of a design satisfactory to the Commissioner of Community Services or shall pay \$1,800.00 in lieu of said bus stop pad, as determined by the Commissioner of Community Services.
- m) the applicant shall agree to pay City levies in accordance with the Capital Contribution Policy prior to the issuance of a building permit.

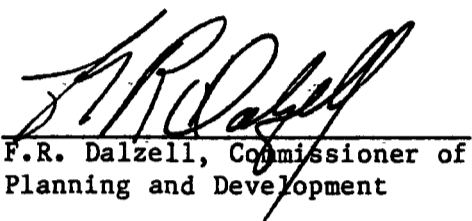
C) staff be directed to prepare the appropriate documents for Council's consideration.

Respectfully submitted,

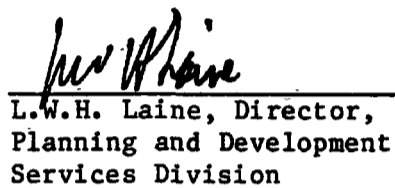


David Ross, M.C.I.P.
Development Planner

AGREED:



F.R. Dalzell, Commissioner of
Planning and Development



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

DR/am/29

PUBLIC MEETING

D2-7

A Special Meeting of Planning Committee was held on Wednesday, October 7, 1987, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:40 p.m., with respect to an application by PENNY FUELS INCORPORATED (File: T5E15.14 - Ward 9) to amend both the Official Plan and the Zoning By-law to permit the development of a full service gas bar with a free-standing kiosk, and a free-standing standard restaurant (doughnut shop).

Members Present: Alderman L. Bissell
Councillor N. Porteous
Alderman A. Gibson
Alderman S. DiMarco
Alderman J. Shadrach

Staff Present: F. R. Dalzell, Commissioner of Planning
and Development
L.W.H. Laine, Director, Planning and
Development Services
G. Speirs, Development Planner
D. Ross, Development Planner
K. Ash, Development Planner
J. Armstrong, Development Planner
J. Corbett, Policy Planner
C. Brawley, Policy Planner
E. Coulson, Secretary

Approximately 2 interested members of the public were present.

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. Dalzell replied in the affirmative.

Mr. Ross outlined the proposal and explained the intent of the application. After the conclusion of the presentation, the Chairman invited questions and comments from members of the public.

- cont'd. -

A representative of the owner of abutting property to the south of the subject site indicated that he had no objection to the commercial use of the property but objected to the subject lands being developed for commercial purposes independent of the abutting property to the south.

He asked that the re-zoning be deferred until the abutting property to the south and the property further south can be rezoned commercial, so that the whole corner (three properties) can be rezoned simultaneously.

Mr. E. Similas, 4 Melanie Drive, owner of property further south, agreed with the previous speaker.

Mr. Similas was asked if he plans to submit a re-zoning application in the near future and he replied in the affirmative.

Mr. Leon Kentridge, representative for the applicant noted that his clients are agreeable to leaving the bottom half of their property as zoned.

Mr. Dalzell cautioned that a commercial rezoning of the subject property does not mean that the rest of the area will be rezoned for commercial use.

There were no further questions or comments and the meeting adjourned at 8:00 p.m.



Ontario

Ministry of
Transportation and
Communications

Telephone No. 248-3658

Corridor Control Section
Room 226, Central Building
1201 Wilson Avenue
Downsview, Ontario
M3M 1J3

December 9, 1986

Your File: T5E15.14

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

Attention: D. Ross

Dear Sir:

Re: Zoning and Official Plan Amendment
"Penny Fuels Inc."
Part Lot 15, Concession 5 E.H.S.
Steels Avenue and Torbram Road
District No. 6, Toronto

Further to our recent telephone conversation on the subject noted application, this will confirm this Ministry has no comments to offer in this instance.

Yours truly,

K. Ainsworth

For: A. Zembal
Section Head

AZ/KA/jh

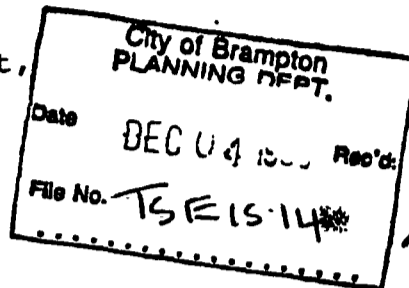
86.12.10

City of Brampton PLANNING DEPT. *	
Date	DEC 16 1986
File No.	T5E15.14
Rec'd.	

the metropolitan toronto and region conservation authority
5 shoreham drive, downsvew, ontario, m3n 1s4 (416) 661-6600

1986.12.01.

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



ATTENTION: Mr. D. Ross

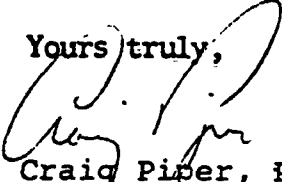
Dear Sirs:

Re: Proposed Official Plan and Zoning By-law Amendment
Part of Lot 15, Concession V, E.H.S.
Steeles Avenue and Torbram Road
Your File No. T5E15.14
(PENNY FUELS INC.)

This will acknowledge receipt of your letter dated November 13, 1986,
with respect to the above-noted application.

Our staff has examined the application and would have no objection
to its approval as submitted.

Yours truly,


Craig Piper, Plans Analyst,
Plan Review Section,
Water Resource Division.

CP/ljw

CC: Regional Municipality of Peel,
Planning Department
M.N.R., Maple District
M.O.M.A.

86.12.04



The Regional Municipality of Peel

Planning Department

December 12, 1986

City of Brampton
Planning and Development Dept.,
150 Central Park Drive
Brampton, Ontario

Attention: Mr. D. Ross
Development Planner

City of Brampton PLANNING DEPT.	
Date	1986 Rec'd.
File No.	T5E15.14

[Handwritten signature]

Re: Application to Amend the
Official Plan and Zoning By-Law
Penny Fuels Inc.
Part Lot 15, Con., 5 EHS
Steeles Ave. & Torbram Road
City of Brampton
Your File: T5E15.14
Our File: R42 5E17B

Dear Sir:

Further to our meeting of December 5, 1986, please find enclosed a copy of comments on the above subject received from our Public Works Department. The Planning Department staff support and endorse these comments.

I trust that this information is of assistance.

Yours truly,

D.R. Billett
Director of
Development Control

IAP/dm
Encl.

22
10 Peel Centre Drive, Brampton, Ontario L6T 4B9 - (416) 791-9400



MEMORANDUM

Planning Dept.
RECEIVED

To
D. R. Billett, P. Eng.,
Director, Development Control

Date December 8, 1986.

From

D. J. Kiteley

Subject Penny Fuels Inc., Application
for Amendment to the
Official Plan and Zoning
By-law. Part of Lot 15,
Conc. 5, E.H.S., Southwest
corner of Steeles Avenue
and Torbram Road

File: SS-15052S

The Public Works Department objects to the intensity of the development proposed for this site. The proposal for a gas bar, muffler repair shop, fast food take-out restaurant, one bay quick lub and donut shop is too intense for such a small site. As a result, there is insufficient parking (74 spaces) and there will be on-site traffic circulation problems and conflicts of vehicular stacking for the various proposed uses. This will have a detrimental effect on the traffic operations of the adjacent roads.

If a reduction is made in the proposed uses, the Region will recommend one (1) access from Steeles Avenue for the site. This access will be restricted to right-turns-in and right-turns-out only. The applicant will be required to provide funds for the construction of a centre median on Steeles Avenue, which will restrict the turning movements to right-turns only.

The building set-back shall be 14m from street line, including the daylight corner as widened. With respect to widening, the Region requires the reinstatement of the daylight corner based on the City's widening requirement on Torbram Road.

The applicant is advised that storm sewers are not available on Steeles Avenue. The storm outlet for this development will be the watercourse to the west. A storm drainage study will be required with future applications for this site.

D. J. Kiteley,
Development Supervisor,
Engineering & Construction Division,
Department of Public Works.

MS
DJKsh



The Regional Municipality of Peel

Planning Department

City of Brampton PLANNING DEPT.	
Date	JUN 05 1987 Rec'd.
File No.	T5E15.4

June 3, 1987

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

Attention: Mr. D. Ross
Development Control

Re: Application to Amend the
Official Plan and Zoning By-Law
Penny Fuels Incorporated
Your File: T5E15.4
Our File: R425E17B

Dear Sir:

In reply to your request for comments dated April 27, 1987 concerning the above noted revised application, our Public Works Department has examined the proposal and advise that with regard to sanitary and municipal water servicing and the storm drainage study, their previous comments apply. However, with regard to roads access concerns a copy of their comments dated May 26, 1987 is attached

We trust that this information is of assistance.

Yours truly

D.R. Billett
Director of
Development Control

VZ:lb
Attach

8, 06.4.1

10 Peel Centre Drive, Brampton, Ontario L6T 4B9 - (416) 791-9400

Planning Dept.
RECEIVED

MEMORANDUM



To D.R. Billett

Date May 26, 1987

From M.D. Zamojc

Subject Penny Fuels Inc.
Part Lot 15, Conc. 5, E.H.S.
Southwest Corner of Steeles
Avenue and Torbram Road

FILE: SS-150525

We have reviewed the most recent plan dated April 1987, and Engineering and Construction staff have no objections to the proposal in principle.

Prior to final approval, staff have to respond to the Public Works Committee regarding their request for a joint access between Penny Fuels and the land to the east. The proposal by Penny Fuels does not lend itself to a joint access arrangement, as their parking would be drastically affected with such a proposal.

Therefore, staff cannot provide final comments on the Penny Fuels proposal until such time as we report to Public Works and Council on the joint access question.

Once the access arrangement has been resolved, we will provide more detailed comments on the Penny Fuels application.

A handwritten signature in cursive script that reads 'M.D. Zamojc'.

M.D. Zamojc, P. Eng.
Planning & Development Engineer
Engineering &
Construction Division

DJK/cc

The Regional Municipality of Peel

Planning Department

Jam

August 12, 1987

City of Brampton PLANNING DEPT.	
Date	AUG 13 1987 Rec'd
File No.	T5E15.4

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

Attention: Mr. D. Ross
Development Control

Re: Application to Amend the
Official Plan and Zoning By-Law
Penny Fuels Incorporated
Your File: T5E15.4
Our File: R425E17B

Dear Sir:

In reply to your recent request for comments concerning the above noted revised application, please find enclosed a copy of our Public Works Department's updated comments.

We trust that this information is of assistance.

Yours truly,

D. R. Billett
Director of
Development Control

IAP/rme

L.A. JA 87.08.14
check against original plan
to file

87.08.14

MEMORANDUM



To D.R. Billett

Date July 31, 1987

From M.D. Zamojc

Subject Penny Fuels
S.W. corner
Steeles Avenue at
Torbram Road
City of Brampton
File: SS-15052S
D-15052S

As a result of our report to the Public Works Committee on May 25, 1987, our access requirements for the Penny Fuels site, as described above, shall be as follows:

The Region will permit one(1) access from Steeles Avenue to the site. This access will be restricted to right-turn-ins and right-turns-out only. The applicant will be required to provide funds for the construction of a centre median on Steeles Avenue, which will restrict the turning movements to right-turns only.

The building set-back shall be 14 metres from street line, including the daylight corner as widened. With respect to widening, the Region requires the reinstatement of the daylight corner based on the City's widening requirement on Torbram Road.

The applicant is advised that storm sewers are not available on Steeles Avenue. The storm outlet for this development will be the watrcourse to the west. A storm drainage study will be required with future applications for this site.

Should you have any questions please do not hesitate to contact me.

M.D. Zamojc, P.Eng.
Planning & Development Engineer
Engineering &
Construction Division

MDZ/tc