



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 313-81

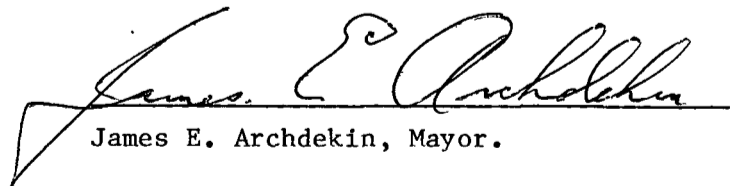
To adopt Amendment Number 89 to
the Consolidated Official Plan of the
City of Brampton Planning Area.

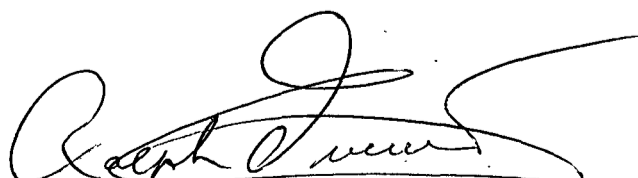
The Council of The Corporation of the City of Brampton, in accordance with the provisions of The Regional Municipality of Peel Act, 1973 and The Planning Act, hereby ENACTS as follows:

1. Amendment Number 89 to the Consolidated 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 and Housing for approval of Amendment Number 89 to the Consolidated 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, 1981.


James E. Archdekin, Mayor.


Ralph A. Everett, Clerk.

PASSED December 14th 19 81



BY-LAW

No. 313-81

To adopt Amendment Number 89 to the
Consolidated Official Plan of the
City of Brampton Planning Area.
(WINTER GARDEN HOLDINGS)

1982 APR 26 PM 12 56

DUPLICATE ORIGINAL

1982 APR 26 PM 12 56

21-0P-0006-89

-3

AMENDMENT NUMBER 89

to the Consolidated Official Plan
of the City of Brampton Planning Area

USE PLAN NO. 661

LODGED IN THE REGISTRY OFFICE

FOR THE COUNTY OF PEEL

1982 Apr 26 PM 12:56

Gloria J. Smuck

Asst Deputy

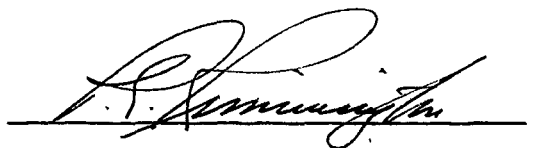
REGISTRAR OF DEEDS, COUNTY OF PEEL

Amendment No. 89
to the
Official Plan for the
City of Brampton Planning Area

This Amendment No. 89 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 in accordance with section 17 of the Planning Act as Amendment No. 89 to the Official Plan for the City of Brampton Planning Area.

Date

April 7/82



P. G. RIMMINGTON
Acting Executive Director
Plans Administration Division
Ministry of Municipal Affairs and Housing



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 313-81

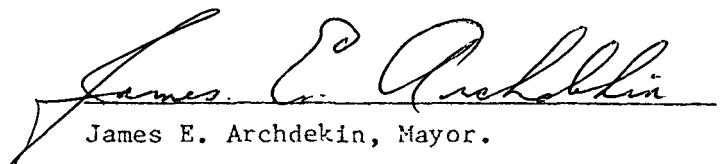
To adopt Amendment Number 89 to
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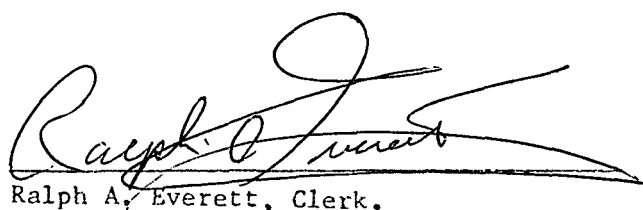
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READ a FIRST, SECOND and THIRD TIME and Passed in Open Council

this 14th day of December, 1981.


James E. Archdekin, Mayor.


Ralph A. Everett, Clerk.

1. Purpose:

The purposes of this amendment are to change the land use designation of lands shown on the attached Schedule A and to outline the appropriate development principles for the development of the subject lands.

2. Location:

The lands subject to this amendment are located at the north-west corner of the intersection of Torbram Road and Highway Number 7, being part of Lot 6, Concession 5, E.H.S., (geographic Township of Chinguacousy, County of Peel) in the City of Brampton.

3. Amendment and Policies Relative Thereto:

The Consolidated Official Plan of the City of Brampton Planning Area is hereby amended:

- (1) by changing, on Plate No. 23, the chapter reference of the lands subject to this amendment, as shown on Schedule A, from Chapter C13 and Chapter C17 to Chapter C61;
- (2) by changing, on Plate No. 24, the land use designation of the lands subject to this amendment, as shown on Schedule A, from HC-8 and LOW DENSITY RESIDENTIAL - Single Family and Semi-detached to COMMERCIAL AREA;
- (3) by deleting, from the legend for Plate No. 24, the symbol, numerics and words, "HC-8 Furniture Store";
- (4) by amending Part C, Section C, Chapter C13 as follows:
 - a) delete subsection 3.1 and replace it with the following:

"3.1 Parcels HC 1, 3, 4, 6, 9, and 11 shown on Plates 14, 16 and 26 shall be designated as "Special Policy Areas", subject to the provisions indicated below:
 - b) delete subsection 3.1.5 in its entirety and renumber the subsequent parts of subsection 3.1 accordingly.
 - c) delete the first line of subsection 3.2 in its entirety and replace it with the following:

"All 6 parcels described above and shown on Plates 14, 16 and 26 which form".
- (5) by adding thereto, as Plate No. 61, Schedule A to this amendment.

- (6) by adding the following text to the Consolidated Official Plan as Chapter C61:

"CHAPTER C61

1.0 PURPOSE:

The purpose of this chapter, together with Plate No. 61, is to outline development principles for lands to be developed for commercial purposes.

2.0 LOCATION:

The subject lands are located in part of Lot 6, Concession 5, E.H.S., in the City of Brampton as outlined on Plate No. 61.

3.0 DEVELOPMENT PRINCIPLES:

3.1 The lands shown outlined on Plate No. 61 shall be used only for the purposes of a Convenience Commercial Area.

3.2 A Convenience Commercial Area shall mean a small shopping centre consisting of a number of retail, service and office establishments serving the daily and essential needs of a population within the immediately adjacent area. Dwellings as an accessory use will not normally be permitted in the plaza form of development. Convenience Commercial Areas are generally less than 0.8 hectares in size and less than 2,000 square metres in terms of gross leasable area.

3.3 The Convenience Commercial Area shall be developed in accordance with the following principles:

3.3.1 The design of buildings on the subject lands shall ensure compatibility with surrounding residences with respect to height, massing and visual appearance.

3.3.2 Provision shall be made for adequate landscaping, fencing, and buffering to minimize the adverse influence of development upon adjacent residential uses and to enhance the appearance of the subject lands.

3.3.3 Adequate off-street parking spaces shall be provided in accordance with acceptable standards to satisfy the requirements of employees and customers and the design of parking facilities shall have regard to the convenience of customers and employees.

3.3.4 The location and design of access ramps shall be to the satisfaction of the road authority having jurisdiction.

- 3.3.5 Appropriate setback distances shall be imposed to permit the widening of Torbram Road and Highway Number 7 as may be required by the road authority having jurisdiction.
- 3.3.6 Development on the subject lands shall adhere to the applicable criteria of the Land Use Policy Near Airports of the Ministry of Municipal Affairs and Housing.
- 3.3.7 The illumination of parking and ancillary areas and the illumination of signs shall be directed away from abutting residences to minimize visual intrusion and glare upon the residences.
- 3.3.8 Activities and accessory facilities that are likely to generate noise shall be located away from residences and the level of noise shall be minimized by the provision of acoustical techniques such as barrier walls and appropriate building materials.

4.0 IMPLEMENTATION:

- 4.1 This chapter will be implemented by an appropriate amendment to the Restricted Area By-law to impose the appropriate zone classifications and regulations in conformity with the development principles outlined in section 3.0.
- 4.2 The Corporation of the City of Brampton may require the owners of the lands to enter into one or more agreements incorporating various aspects of site plan control pursuant to section 35a of The Planning Act."

REGISTERED PLAN NO. 858

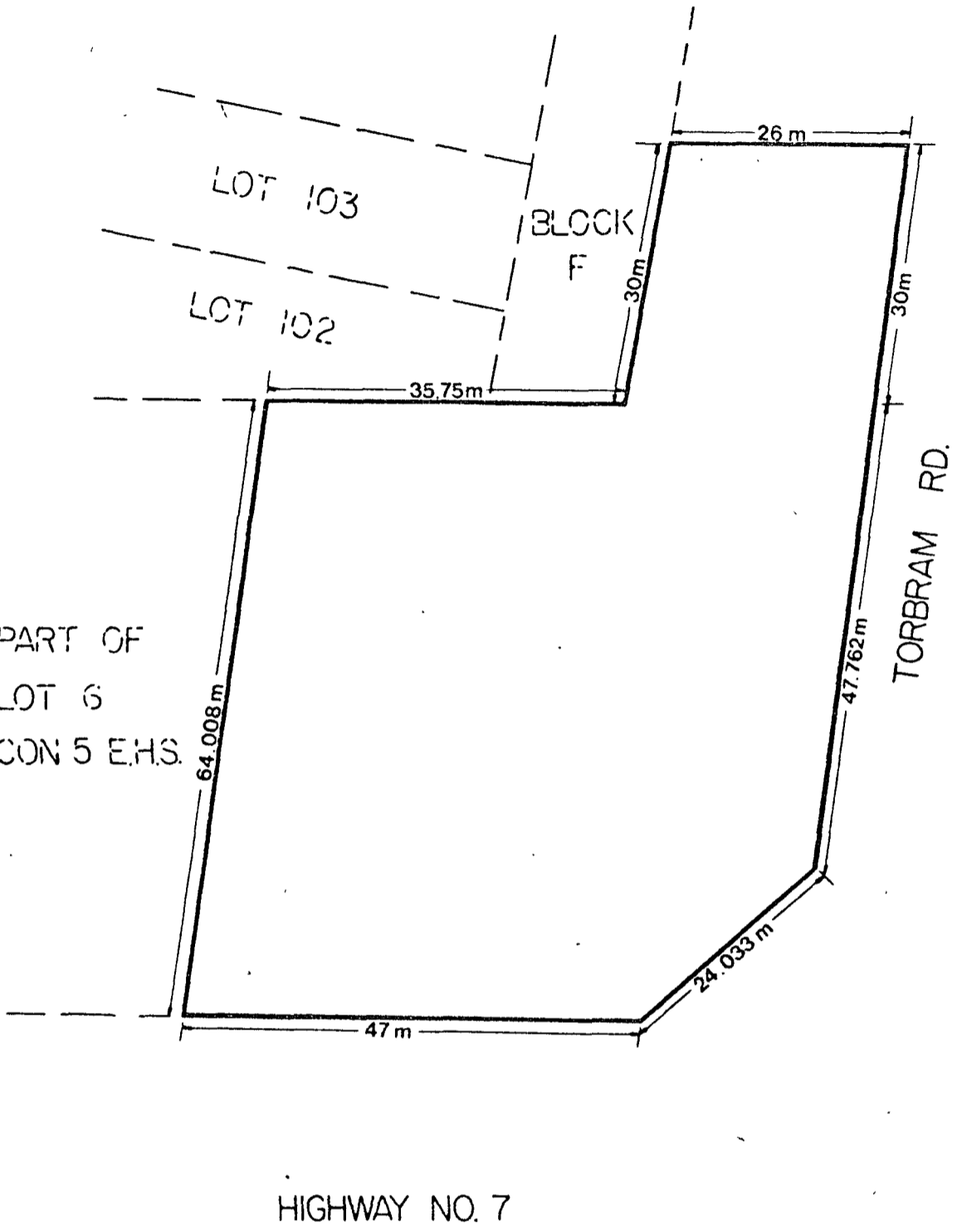


PLATE 61

CONSOLIDATED OFFICIAL PLAN

SCHEDULE A OPA NO. 89



1:62

CITY OF BRAMPTON
Planning and Development

Date: 81. 11. 17 Drawn by: J.K.
File no. C5E6.6 Map no. 47-41

Background Material to Amendment Number

89

Attached is a copy of a Report of the Director, Planning and Development Services dated August 27, 1981 and a copy of a report from the Director, Planning and Development Services respecting a meeting held with representatives of the local property owners on Tuesday, October 23, 1981.

INTER-OFFICE MEMORANDUM

C3

Office of the Commissioner of Planning and Development

1981 08 27

TO: Chairman of the Development Team

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Restricted Area By-law
Part of Lot 6, Concession 5, E.H.S.
WINTER GARDEN HOLDINGS LIMITED
Ward 11
Our File: C5E6.6

1.0 BACKGROUND:

An application has been filed to amend the Official Plan and Restricted Area By-law to permit the development of land located at the north-west corner of the intersection of Torbram Road and Highway Number 7 as a retail plaza.

A previous application was refused by City Council at its meeting held on September 22, 1980.

2.0 PROPERTY CHARACTERISTICS:

The subject property has frontages, excluding a 15.24 metres (50 feet) visibility triangle, on Highway Number 7 of about 47.46 metres (155.71 feet) and on Torbram Road of 47.76 metres (156.7 feet) and comprises an area of almost 0.35 hectares (0.87 acres).

A row of poplar trees borders the north property line and the northerly portion of the west property line.

On the property is a furniture store and a vacant residential building.

Abutting the site to the west are a service station, and a parkette, and to the north, single family residences and road widening. To the east is Torbram Road and a commercial centre whilst to the south is Highway Number 7.

3.0 OFFICIAL PLAN AND ZONING STATUS:

The Consolidated Official Plan designates the subject site as Highway Commercial-Furniture Store (HC-8).

The property is zoned Agricultural Class 1 (A1).

4.0 PROPOSAL:

The new submission proposes a small mall type building with a gross floor area of 1002 square metres (10,786 square feet). Provision is made for 49 spaces equivalent to 1 space for each 20.45 square metres of gross floor space.

The building is proposed to be located 1.5 metres (4.92 feet) from the north property line and 7 metres (22.96 feet) from the west property boundary.

A 2.44 metre (8 feet) high brick wall will be located along the property line abutting the parkette and the residence. The screen is extended along the north lot line for a distance of about 10 metres (32.8 feet) as a 1.82 metres (6 feet) high wood fence.

Access to the site from Highway Number 7 is located at the westerly limit of the property. The access from Torbram Road is by means of a driveway intended to be opposite the driveway of the Gates of Glen plaza, crossing over City owned property. The Torbram Road access driveway is to be screened by earth berming and landscaping.

Provision has been made for a 8.2 metre (26.9 feet) widening of Torbram Road.

5.0 COMMENTS:

The revised proposal has not been circulated to external agencies since the revised proposal does not differ significantly to that previously submitted and it is presumed that the comments would not differ significantly. The Region of Peel Staff had noted that (sanitary) sewer is available; water is available subject to frontage change on Highway Number 7 and Torbram Road and (regional) roads are not affected. The Ministry of Transportation and Communications provided the following comments:

1. the entrance onto Highway Number 7 will be restricted to right turns only by extending the raised median island;
2. the entrance onto Torbram Road must be placed as far north of Highway Number 7 as possible;
3. no trees to be allowed in the daylighting triangles, and
4. all entrance and highway improvements to be borne by the developer.

The Transit Manager advised that numerous complaints have been received regarding the lack of transit service to the existing plaza at Torbram Road and Highway Number 7. Expanding the commercial uses in this vicinity will increase pressure for transit service, a demand which cannot be accommodated now or for the foreseeable future. The applicant and any and all subsequent tenants be advised that transit service may not be available for customers or workers now or for the foreseeable future.

The present proposal has been submitted, subsequent to several meetings with representatives of the local ratepayers association, on the basis that the proponent would agree to accept a limitation of uses if such limitation is acceptable to the municipality, and if Council gives all necessary approvals for the proposed development.

The uses reviewed by the ratepayers representative and evaluated are listed in Table 5.1

Table 5.1

USES CLASSIFIED BY THREE CATEGORIES OF ACCEPTANCE

<u>Acceptable</u>	<u>Tacit Acceptance</u>	<u>Not Acceptable</u>
1. grocery store with a gross floor area of less than 600 square metres.	1. retail establishment with a gross floor area of less than 100 square metres and no outside storage	1. laundromat
2. bank, trust or finance company	2. service shop/vice	2. parking lot
3. office	3. personal service shop	3. supermarket
4. recreation or health centre	4. dry cleaning and laundry distribution station	4. animal hospital
5. theatre	5. dining room restaurant	5. blue printing
6. self-serve station	6. department store	6. building supplies sales
7. swimming pool	7. public garage	7. garden centre sales
8. fruit, vegetable or flower sales		8. cold storage locker
9. banquet facilities		9. open air market
		10. place of commercial entertainment
		11. private club or fraternal organization
		12. tavern
		13. taxi or bus station
		14. motor vehicle or boat sales, rental, repair or service; and motor vehicle or boat parts and accessories sales
		15. motor vehicle washing
		16. place of assembly
		17. custom workshop
		18. hotel or motel
		19. radio or television transmission

The extent to which the various classes of uses would be acceptable only can be tested upon the presentation, approval, interpretation and administration of a zoning by-law. For example, if the office class of use acceptable to the ratepayers representative were to become a medical clinic, the traffic generated could create a parking demand in excess to that provided. Also, a major banquet facility similarly, could generate a parking demand in excess to that available on the site. Accordingly, the size of the potentially major traffic generators should be restricted.

The applicant's solicitor has proposed tentatively that the property required for the location of the Torbram Road access driveway should be conveyed to the applicant in exchange for the proposed road widening of Torbram Road.

Reconstruction of Torbram Road north of Highway Number 7 is presently underway. The road improvement work provides an interim stage to the final stage of 4 through traffic lanes, two side-by-side left turn lanes and right turn lanes as may be warranted. The interim stage provides a reduced width for the westerly southbound lane and the applicant should be required to widen this lane to its full width of 3.5 metres.

The request of the Ministry of Transportation and Communications that the median on Highway Number 7 be extended to restrict left turns may be difficult to implement if turning movements from the adjacent service station are not to be impeded. If turning movement restriction is to be imposed only upon the proposed commercial plaza, the Highway Number 7 access driveway should be located some 15 to 16 metres (49.2 to 52.5 feet) east of the proposed plaza's west property line.

Sidewalks and boulevard landscaping should be installed along the Torbram Road and Highway Number 7 frontages.

Pedestrian access from the west through the parkette is not specifically provided for by the applicant's proposal. However, the location of the brick screen wall does not preclude the establishment of an informal pedestrian route being created.

The current submission proposes the siting of the plaza close to the north property line and hence in proximity to the abutting residential property. Subject to a height restriction on the proposed plaza building; absence of openings, except for emergency exits; the prohibition on the type of uses that might be offensive because of operational odours and noise and signs and construction of the proposed brick wall, the siting may be acceptable.

6.0 CONCLUSION:

An earlier application to amend the Official Plan and zoning by-law to permit the erection of a commercial plaza at the north-west corner of the intersection of Torbram Road and Highway Number 7 was refused by City Council at its meeting held on September 22, 1980.

The current proposal is similar to that refused by City Council though there are several site plan changes. The changes are:

- i) no parking spaces abutting the buffer strip at the rear of residences facing onto Groveland Crescent.
- ii) building site closer to north property line.
- iii) service access located on the west side and limited to a dead-end vehicle movement rather than through movement.

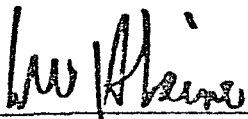
The applicant's proposal does not indicate the provision of sidewalks along the Torbram Road and Highway Number 7 frontages, though some form of landscaping is depicted on a 3 metre (9.8 feet) wide strip on the frontages.

Amendment to the Official Plan and Restricted Area By-law to allow the more intensive redevelopment of the subject lands is reasonable only if adequate measures are assured to (i) minimize the adverse influences of a different class of commercial uses and (ii) replace the existing development with a better quality development. Several significant matters need to be resolved namely:

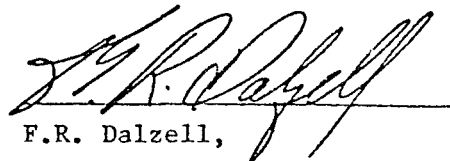
1. Property required for the Torbram Road access driveway must be available and the driveway should be adequately screened;
2. Road improvements must be assured to permit left turns off Torbram Road without affecting existing and future traffic flow on Torbram Road;
3. Access driveway location and design must be acceptable to the appropriate road authority;
4. The necessity of pedestrian access from the west must be determined, and
5. Specific uses, as opposed to general classes of uses, to be permitted and appropriate size limitation to be imposed must be determined.

It is recommended that Planning Committee hold a public meeting to obtain public input and subsequent to the public meeting a further report be submitted.

AGREED:

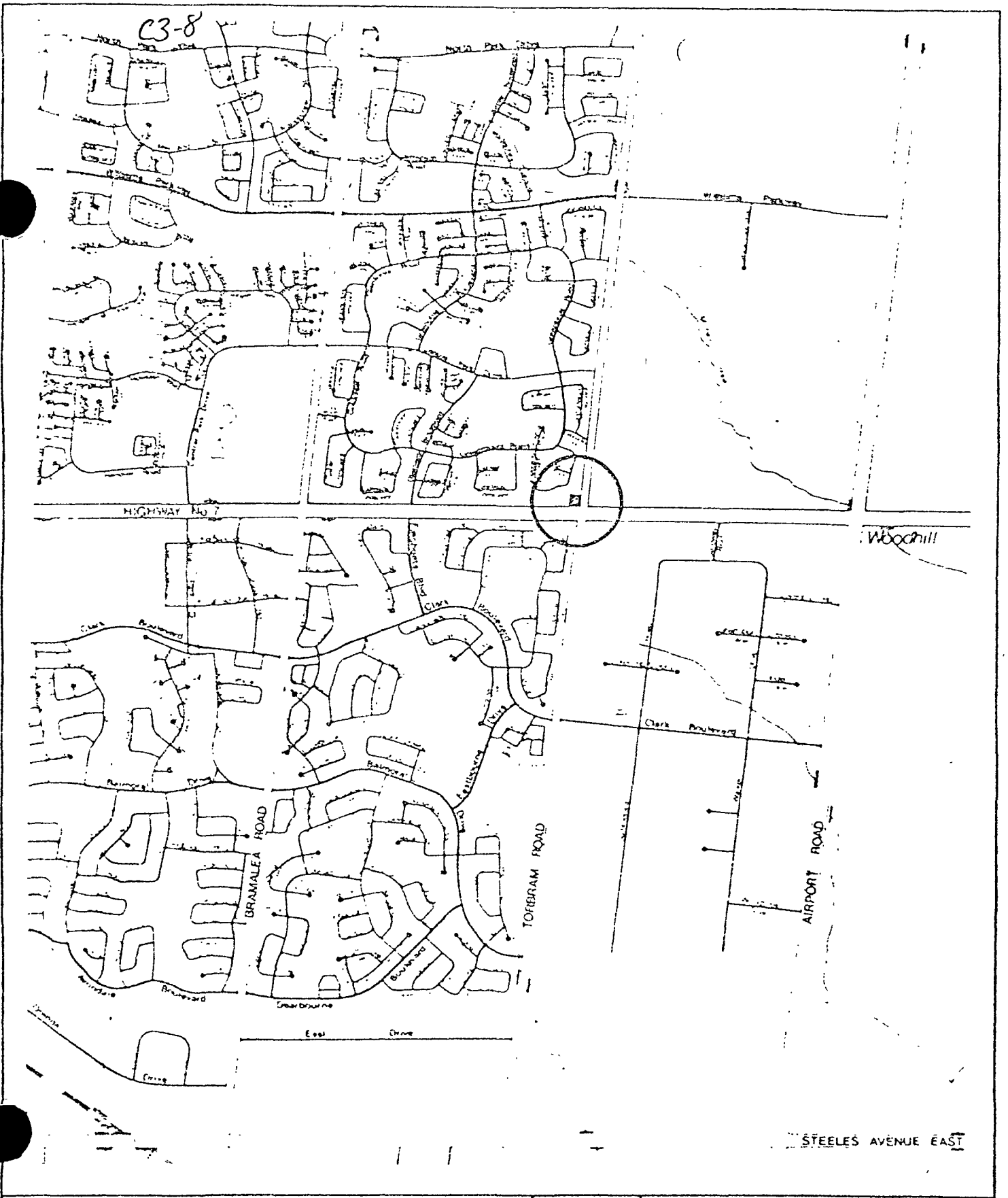


L.W.H. Laine,
Director, Planning and
Development Services.



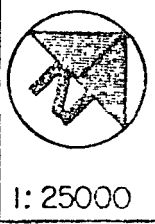
F.R. Dalzell,
Commissioner of Planning
and Development

LWHL/kab
Attach.



KEY PLAN

WINTER GARDEN HOLDINGS LIMITED



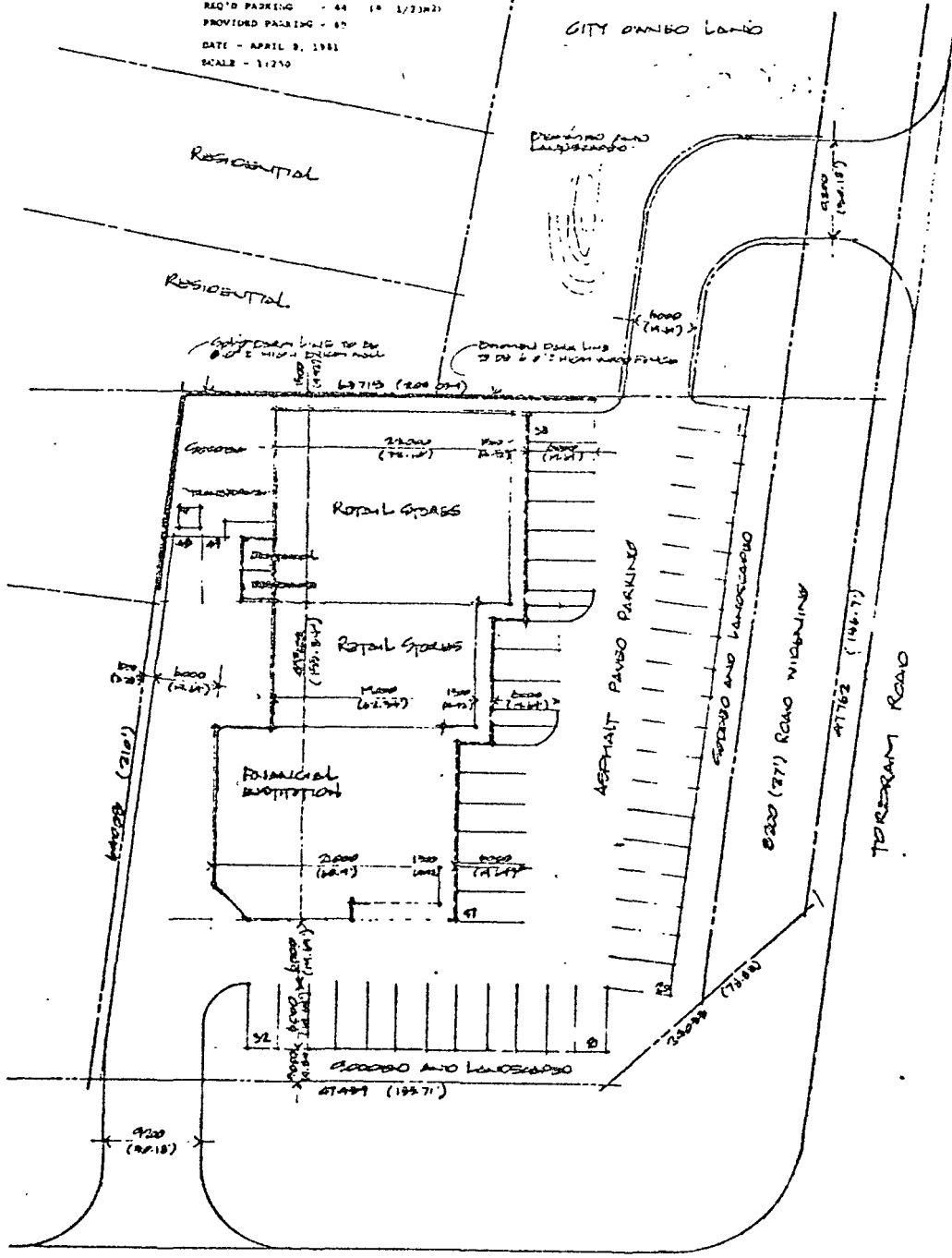
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CITY OF BRAMPTON
 Planning and Development

Date: 81.08.24 Drawn by: J.K.
 File no. C5E6.6 Map no. 47-4G

C3-9

SITE AREA - 1521 m² (137894 S.F.)
 BUILDING AREA - 1502 m² (110,800 S.F.)
 COVERAGE - 28.45%
 REQ'D PARKING - 44 (at 1/2300)
 PROVIDED PARKING - 67
 DATE - APRIL 9, 1981
 SCALE - 1/250

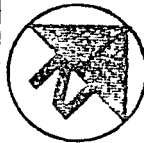


QUEEN ST. EAST (HWY NO 7)

COMMERCIAL SHOPPING CENTRE
 TORBRAM ROAD AND QUEEN ST. E. BRAMPTON
 WILG PROPERTIES LIMITED, TORONTO

SITE PLAN

WINTER GARDEN HOLDINGS LIMITED



1: 25000

CITY OF BRAMPTON
 Planning and Development

Date: 81. 08 24 Drawn by: J. K.
 File no. C5E6.6 Map no. 47-4H

DATE: 1981 11 05
TO: File No. C5E6.6 - Winter Gardens Holdings Limited
FROM: L.W.H. Laine

Notes of a meeting held on Tuesday, October 13, 1981 in the Planning and Development Department Committee Room at 5:00 p.m.

In Attendance Were:

Alderman Bob Crowley
Representatives of The Groveland Residents Association
R.K. Webb, Solicitor for the Applicant
G. Bacchus, Traffic Consultant
Representatives of the Applicant - Winter Gardens Holdings Limited

The purpose of the meeting was to review a revised submission by the applicant with the two principal matters to be discussed (1) Site Plan and (2) Proposed Uses.

(1) Site Plan:


The residents noted that the revised site plan as presented was acceptable as to their principal concerns.

A brief clarification was given of the height and materials of the screen wall and screen fence proposed to be erected by the applicant. It was noted that the Torbram Road access would have to be located opposite the driveway of the existing plaza located on the east side of Torbram Road.

G. Bacchus explained the traffic circulation system noting that the peak hours of the plaza would not conflict with the normal highway traffic peak hours.

(2) Proposed Uses:

A list of uses previously submitted by the applicant was reviewed with discussion on each use proposed by the applicant and a tentative agreement concluded as to the acceptability of the uses selected. It was agreed that pending receipt of a draft zoning by-law for review by the residents and the applicant, the uses so noted would be recognized as tentative.



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