



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 316-79

To adopt Official Plan Amendment Number 40  
to the Consolidated Official Plan of the City  
of Brampton Planning Area


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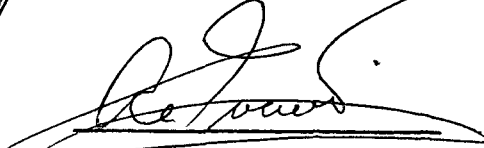
The Council of the Corporation of the City of Brampton, in accordance with the provisions of The Regional Municipality of Peel Act, 1973 and The Planning Act, hereby ENACTS AS FOLLOWS:

1. Amendment Number 40 to the Consolidated Official Plan of the City of Brampton Planning Area, consisting of the text and the map attached as Schedule B, is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number 40 to the Consolidated Official Plan of the City of Brampton Planning Area.
3. Upon the approval of the Minister of Housing, the Consolidated Official Plan of the City of Brampton Planning Area shall be amended in accordance with the directions set out in Amendment Number 40 and the modifications thereto by the Minister of Housing.

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

This 12th day of November 1979

  
J.E. Archdekin, Mayor

  
R.A. Everett, Clerk

DUPLICATE ORIGINAL

OPC 0006 40

-3

AMENDMENT NUMBER 40  
TO THE  
OFFICIAL PLAN  
OF THE  
CITY OF BRAMPTON PLANNING AREA

MISC. PLAN NO. 568  
LODGED IN THE REGISTRY OFFICE  
FOR THE COUNTY OF PEEL

1980 APR 1 P.M. 4:18  
*Katherine Bayle D.L.R.*  
REGISTRAR OF DEEDS, COUNTY OF PEEL

1980 APR 1 PM 4 18

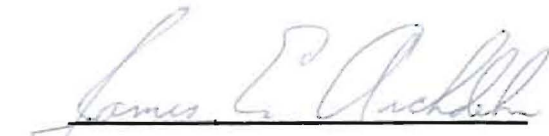
CONSOLIDATED OFFICIAL PLAN

OF

THE CITY OF BRAMPTON PLANNING AREA

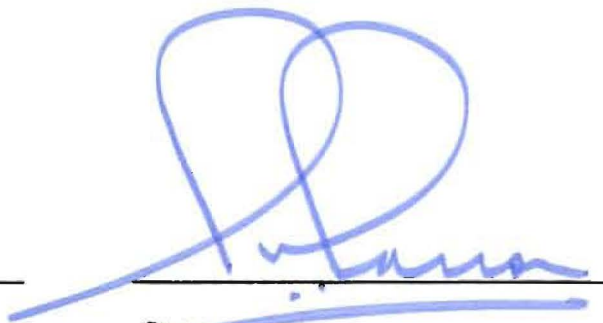
AMENDMENT NUMBER 40

The attached map Schedule 'A' and explanatory text, constituting Amendment Number 40 to the Consolidated Official Plan of the City of Brampton Planning Area, was prepared and adopted by the Council of the City of Brampton by By-law No. 316-79, in accordance with Section 54 (4) of the Regional Municipality of Peel Act, 1973, and Sections 13, 14 and 17 of The Planning Act (R.S.O. 1970, Chapter 349, as amended) on the 12th day of November, 1979.

  
Clerk  
Mayor

This amendment to the Consolidated 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. 40 to the Consolidated Official Plan for the City of Brampton Planning Area.

Date: Mar 4/80



**G. M. FARROW, Executive Director**  
Plans Administration Division  
Ministry of Housing



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 316-79

To adopt Official Plan Amendment Number 40  
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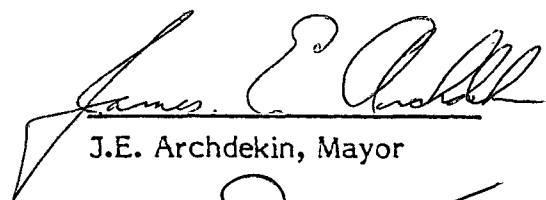
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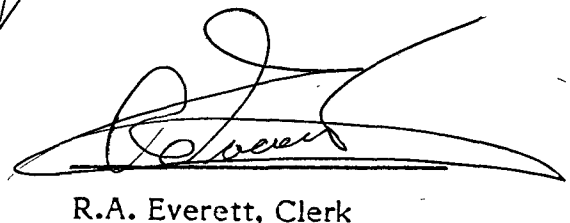
READ a FIRST, SECOND and THIRD TIME and PASSED IN OPEN COUNCIL

This 12th day of

November

1979

  
J.E. Archdekin, Mayor

  
R.A. Everett, Clerk

AMENDMENT NUMBER 40

TO THE CONSOLIDATED OFFICIAL PLAN

OF THE CITY OF BRAMPTON PLANNING AREA

PART A - PREAMBLE

1.0 Title

The title of this Amendment is Amendment Number 40 to the Consolidated Official Plan of the City of Brampton Planning Area, hereafter referred to as Amendment Number 40.

2.0 Relative Parts

Part B of this Amendment constitutes Amendment Number 40, Part A - Preamble, and Part C - Appendices, are included to provide background for Part B and should not themselves be construed as a statement of policy.

3.0 Location

This Amendment is concerned with land situated on Part of Lot 5, Concession 6, East of Hurontario Street in the City of Brampton, Regional Municipality of Peel. Located at the southwest corner of Highway Number 7 and Gateway Boulevard, the subject property consists of Blocks C and X of Registered Plan 977.

4.0 Purpose

The purpose of this Amendment is to change the present designation of the lands from Industrial to Commercial and to establish principles for the development of the property for restaurant and bank uses.

5.0 Background

The 4.3 hectare (10.63 acres) site is presently designated Industrial in the Consolidated Official Plan of the City of Brampton Planning Area and zoned Industrial M5S by By-law 21-73 of the former Township of Chinguacousy. Further, under the present Official Plan policy, no direct access except Gateway Boulevard is permitted onto Highway 7 in this area. An application was submitted to amend the Official Plan and Restricted Area By-law to develop the subject property for a restaurant campus including restaurants and banks and to permit a proposed access from Highway Number 7 to the site.

Subsequent to a public meeting held on March 6, 1979, City Council directed staff to prepare the Amendment.

PART B - THE AMENDMENT

- 1.0 Part C, Section C, Chapter C23, Subsection 2.0, Clause (b) is hereby deleted and replaced with the following:

"Other than Road N1, direct access onto Highway Number 7 will be discouraged and, if granted, must be approved by the authority having jurisdiction and the City."

- 2.0 Part C, Section C, Chapter C23, Subsection 2.0, is hereby amended by adding the following paragraph after paragraph (iii):

"(iv) Block C3 is designated for restaurant commercial use to provide a choice of dining and eating facilities for the employees of the adjacent industrial area and residents of the City. The use designated may include bank uses. The development of the site shall be of high quality urban design and shall provide interesting, convenient, aesthetic and functional treatment including landscaping and the provision of sufficient off-street parking facilities."

- 3.0 Part C, Section C, Chapter C23, Subsection 4.0, Clause (ii) is hereby deleted and replaced with the following:

"subdivision or development agreements between the developer(s), the former Township and the City, and".

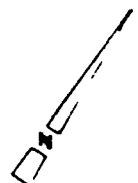
- 4.0 Plate Number 18 of the Consolidated Official Plan shall be amended to the extent and in accordance with Schedule A hereto attached.

Schedule A  
Amendment 40

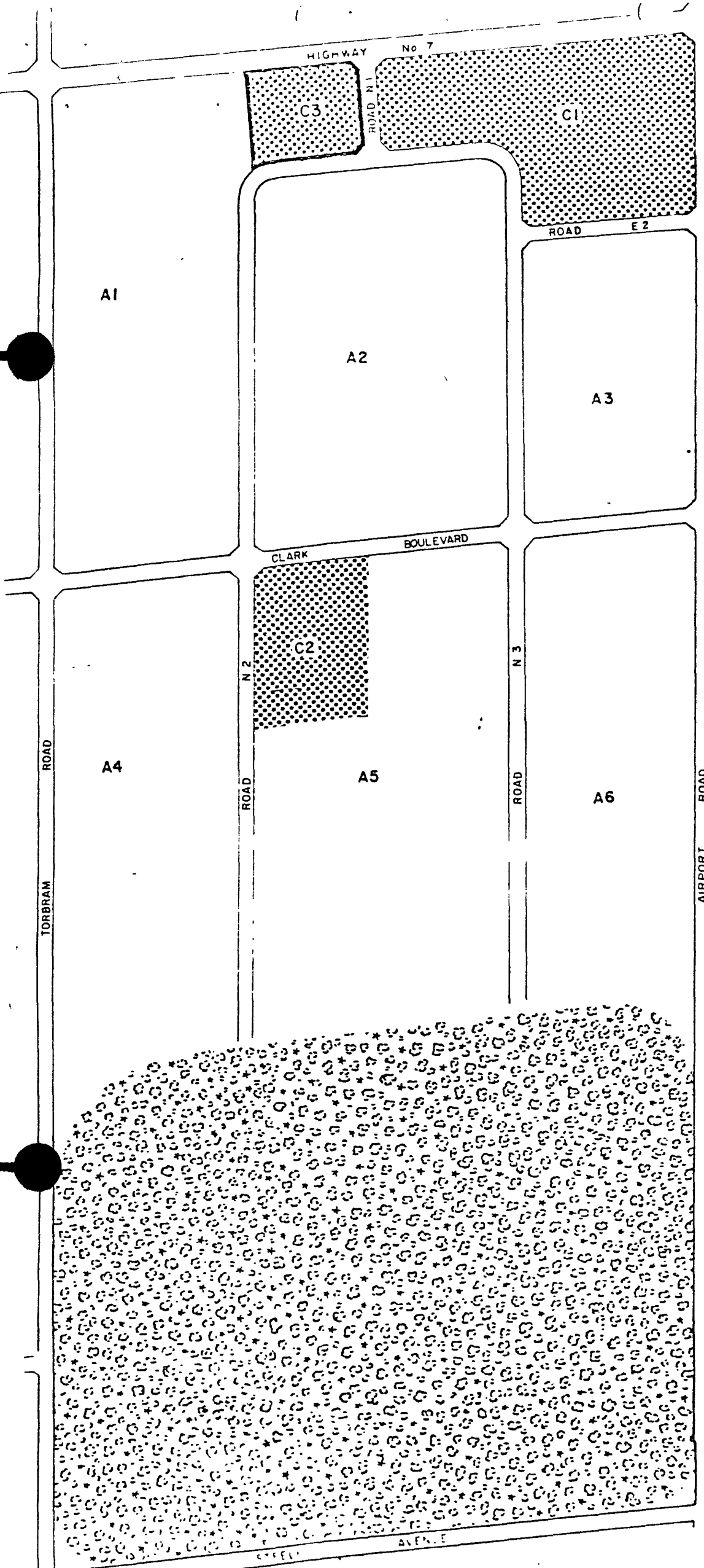
□ Area of Amendment

LEGEND

- A1-A6 INDUSTRIAL AREAS
- ▤ C1 SERVICE COMMERCIAL & AUTOMOTIVE CENTRE
- ▤ C2 SERVICE COMMERCIAL
- ▤ \* AGRICULTURAL
- ▤ C3 RESTAURANT COMMERCIAL



LAND USE



1979 03 07

To: Chairman and Members of Planning Committee

From: Planning and Development Department

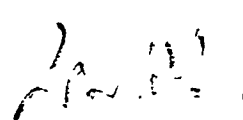
Re: Application to Amend the Official  
Plan and Restricted Area By-law  
Blocks "C" and "X", RP-977  
Bramalca Limited (Restaurant Campus)  
Our File: C6E5.1✓

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Attached is a copy of the notes of the public meeting held on March 6th, 1979 with respect to the above noted application.

No objection was raised at the meeting.

It is recommended that staff be directed to prepare draft amendments to the Official Plan and Restricted Area By-law, as well as Agreement for Council's consideration.

  
L. W. H. Laine  
Planning Director

NOTED: F. R. Dalzell  
Commissioner of Planning  
and Development

LWHL/ec  
attachment



PUBLIC MEETING

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A Special Meeting of Planning Committee was held on TUESDAY, MARCH 6, 1979, in the Williams Parkway Senior Public School, 1285 Williams Parkway, Bramalea, Brampton, Ontario, commencing at 7:30 p.m. with respect to an application by Bramalea Limited to amend the Official Plan and Restricted Area Zoning By-law, to permit the subject land to be developed for a group of restaurants. It is also proposed that several banks be included in the development.

Members Present: Councillor D. Sutter, Chairman  
Alderman B. Brown  
Alderman N. Porteous  
Alderman B. Crowley

Staff Present: F. R. Dalzell - Commissioner of Planning and Development  
L.W.H. Laine - Planning Director  
W. Lee - Planner  
E. Coulson - Secretary

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The applicants and approximately 6 members of the public were present.

The Chairman enquired if all the notices to the property owners within 400 feet of the site were sent and whether the notification was placed in the local newspaper. Mr. Laine replied in the affirmative.

Mr. Laine stated that there were no inquiries received.

William Lee outlined the proposal and explained the intent of the applicant. After the close of the presentation, the Chairman invited questions and comments from the members of the public in attendance.

- Cont'd -

Mr: C. J. Engel enquired as to the type of restaurants.

Mr. M. Smith, of Bramalea Limited, said that there were no commitments at the present time, but they would include dining room restaurants and fast-food restaurants, and would probably be national chains.

Mr. C. J. Engel asked if there was a site plan.

Mr. Smith replied that there was no site plan as yet, but the buildings would be of standard design similiar to those located along Airport Road.

Mr. Hewson enquired if there were to be any further discussions pertaining to the proposal, and was informed that the minutes of this meeting would be presented to the next Planning Committee meeting on March 12th.

Chairman Sutter asked that comments or objections be sent to the Planning Committee, as soon as possible.

There were no further comments and the meeting was adjourned at 7:45 p.m.

TO: Mayor and Members of City Council

FROM: Planning and Development Department

RE: Application to Amend the Official Plan and Restricted Area By-law Blocks C and X, Registered Plan 977 BRAMALEA LIMITED (Restaurant Campus) Our File C6E5.1

At the Planning Committee meeting held on February 19th, 1979, staff was directed to provide additional information with respect to the landscaped open space ratio of various restaurant projects in the City.

According to the recently passed By-law 25-79, "landscaped open space" shall mean an unoccupied area of land open to the sky on a lot which is used for growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation and may include a surfaced walk, patio, screening, pool or similar visual amenity, but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall or any covered space beneath or within any building or structure.

Following is a list of approximately landscaped ratio as a percentage of site area for various restaurants or projects:

Mother's restaurant to be located on Queen Street East.	15.9%
Mother's restaurant, Burger King restaurant, together with a commercial plaza on Main Street South.	21%
McDonald's restaurant on Queen Street East.	12%

Proposed Fire Pit restaurant to be 14%  
located at the intersection of Kennedy  
Road North and Queen Street east.

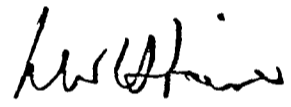
Frank Vetere's Pizzeria (Foodex Limited) 44.5%  
on Main Street South at Bartley Bull  
Boulevard.

Commercial Plaza of Jurian Investments 14.5%  
Ltd. at the intersection of Rutherford  
Road and Steeles Avenue which contains  
a restaurant.

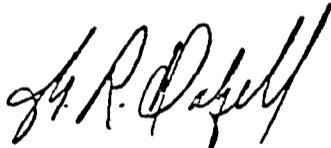
In view of the above information and the definition of  
the landscaped open space which has the flexibility to include  
surfaced walk such as walkway, side walk abutting the building,  
sodded area, we believe that 15% landscaped area in addition to  
Block X is appropriate for the restaurant campus.

It is recommended that City Council approve that a minimum  
of 15% landscaped ratio in addition to Block X, a utility block,  
shall be standard for this application.

LWHL/FRD/WL/am



L.W.H. Laine,  
Planning Director



Noted: F.R. Dalzell,  
Commissioner of Planning  
and Development

c.c. J. Galway  
D. Gordon  
J. Curran  
L. Koehle

TO: Chairman of the Development Team

FROM: Planning Director

RE: Application to Amend the Official Plan and  
Restricted Area By-law  
BRAMALEA LIMITED (Restaurant Campus)  
Blocks C and X, Registered Plan 977  
Part Lot 5, Concession 6, E.H.S.  
Our File C6E5.1

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1.0 Background

Bramalea Limited proposes to develop the subject site as a restaurant campus incorporating groups of dining room restaurants, quick service restaurants and a major family restaurant to provide a choice of dining facilities for the employees of the adjacent industrial area and residents of the City. Accordingly, the above noted application was submitted for the development of a restaurant campus as well as for two banks. This application was presented to the January 1979 Planning Committee for consideration and was deferred for the further discussion between staff and the applicant.

2.0 Site Description

Being Blocks C and X of Registered Plan 977 located southwest to the intersection of Highway 7 and Gateway Boulevard as shown on the attached location map, the site comprises an area of 4.3 hectares (10.630 acres) including the 0.28 hectare (0.699 acre) Block X which is a 12 metre (40 foot) wide services easement located as shown on the attached property map. A one foot reserve separates the property from Highway 7 and is owned by the applicant whereas the reserve block is owned by the Province.

The site has approximately 152 metre (500 foot) and 213 metre (700 foot) frontage onto Gateway Boulevard and Summerlea Road respectively. To the east of the property on the other side of Gateway Boulevard, the lands are occupied by a car dealer use and a Bell Canada building. the land abutting the subject

...2/

2.0 Site Description (cont'd)

site to the west is owned by S.S. Kresge Limited where an existing warehouse is situated and a head office building of the company is being built. To the south across Summerlea Road is a vacant site whereas to the southeast is an industrial mall. A garden centre, a dwelling, and a variety store are located on the north side of the Highway opposite the subject site.

The site is relatively flat with no significant vegetation. The surface of Highway Number 7 is higher than that of the site.

3.0 Official Plan and Zoning Status

The site is designated as an Industrial Area in the Official Plan. A specific access policy is incorporated in the Official Plan to prevent direct access onto Highway 7 except at Gateway Boulevard.

The site is zoned Industrial M5S by By-law 21-73 of the former Township of Chinguacousy. Under this zoning category, manufacturing, storage, distribution, repair of small goods, laundries and dry-cleaning plants, dairies, bakeries and business offices are permitted.

4.0 Proposal

The applicant wishes to develop the site for a group of restaurants including dining room restaurants, family restaurants and fast-food restaurants, and several banks. The site plan attached to the application indicates a site for future automotive related uses which the applicant has agreed to delete. due to the uncertainty of different requirements in various potential tenants, the applicant indicates that it is not practical to provide a site plan that could be the subject of a specific site plan zoning by-law. Accordingly, the applicant wishes to process the

4.0 Proposal (cont'd)

application for a general commercial zone category rather than a site plan specific by-law and to permit control of the site development through the development control approval process.

5.0 Comments

In the 283 hectare (700 acre) industrial area located between Torbram Road and Airport Road south of Highway Number 7, there are two areas designated and zoned for commercial use: one about 16.2 hectares (40 acres) in size located at the southwest corner of Highway Number 7 and Airport Road and the other about 3.6 hectares (9 acres) in size located at southeast corner of Clark Boulevard and Summerlea Road in the middle of the industrial area. According to the Official Plan, the 16.2 hectare site is for the combined automotive centre and service commercial use, whereas the 3.6 hectare site is a service commercial area to serve the surrounding development. The subject proposal is a use of highway commercial nature which requires a high extent of exposure to major arterial road traffic and easy accessibility. In view of these requirements, the subject site is considered adequate for that purpose. Further, the proposal is a different concept than scattered isolated development of individual restaurants. Through adequate control, the proposal can be developed as a quite interesting project. However, if there is no adequate design concept or appropriate control, the development of these unrelated restaurants will not likely be better than any piecemeal development due to the possible internal traffic confusion, unrelated signs, different interests of various restaurants and possible incompatible building aspects.

From the information shown on the preliminary site plan attached to the application the applicant proposed to have three accesses to the site, one each at approximately the

5.0 - Comments (cont'd)

mid-point of the frontages on Gateway Boulevard and Summerleas Road and one right turn in and right turn out access from Highway Number 7.

The Ministry of Transportation and Communications has indicated acceptance to an entrance for "right turns in" only at the northwest corner of the site with a separate right turn lane to be constructed at the expense of the applicant and the geometric design of the access and deceleration lane to be approved by the Ministry. The Regional Transportation planning staff has recommended no access on Highway Number 7 for an unimpeded flow of traffic on the arterial road.

A right turn deceleration lane will reduce the impact on the proposed access off Highway Number 7 and help the traffic distribution to the site. However, we have to note the possibility of an additional access to the 16.2 hectare site to the east. One access may not have great impact, several will reduce the general traffic flow. Further, the approval of a commercial use in this location may add pressure to convert the industrial designation to commercial use for properties on the other side of Highway 7. From land use and traffic points of view, the proposal probably should be located on the 16.2 hectare commercial site and the subject site be retained for industrial use.

The Regional Public Works Department has indicated no objection to the proposal from a servicing point of view. The City Public Works Department requests the construction of a sidewalk along Highway Number 7 from Torbram Road to Gateway Boulevard subject to the approval of the Ministry of Transportation and Communications and along Gateway Boulevard and Summerlea Road. Further, the applicant should finance the installation of traffic signals at the intersection of Gateway Boulevard and Highway 7 and enclose the open ditch along Highway 7 from where box culvert crosses to Gateway Boulevard.

...5/



As the applicant is unable to provide an overall conceptual site plan, the development of the site will be assessed from time to time on an individual building basis. The applicant agrees that the development of the site will be subject to development control and site plan approval prior to the issuance of building permits. The review of each application will consider the parking facility, internal traffic, landscaping provision, and aesthetics of the development on an overall integrated basis.

Nevertheless, site plan approval by development control process does not have jurisdiction over use and density. Several criteria were recommended previously with which the applicant does not agree. Following is a comparison of staff's requirement and that of the applicant:

	Staff	Applicant
fast food restaurant as a percentage of total restaurant gross floor area	maximum 15%	maximum 50%
landscaped open space	minimum 15% in addition to Block X, a utility easement block	minimum 15% including Block X
parking space	minimum - 1 per 323 sq. ft. of bank gross floor area. - 1 per 54 sq. ft. of fast food gross floor area. - 1 per about 108 sq.ft. of other restaurant gross floor area.	minimum 10 spaces per 1000 square feet of gross floor area of any use

5.0 Comments (cont'd)

The applicant has suggested the definition for fast-food restaurant to mean a restaurant whose principal business is the preparation, sale, and serving food with no table service by restaurant employee. Staff agrees with the definition provided that fast food restaurant shall include drive-in restaurants but exclude cafeteria restaurants.

The differences between staff and the applicant are elaborated as follows:

Fast-food Restaurant Ratio

The applicant believes that the 'market' should determine the ratio while staff is concerned with the provision of a variety of eating services rather than a fair of fast-food restaurants. Assuming the lot coverage is 0.15 and that banks and financial institutions will require 8000 square feet of gross floor area and according to the applicant's suggestion of a 50-50 split, the site could have approximately 34725 square feet of fast food restaurants, equivalent to more than 7 times the size of McDonald's Restaurant on Queen Street East. The kitchen area for fast-food restaurants is relatively smaller than that of other types of restaurants and if the total gross floor area of fast-food restaurants is the same as that of non-fast-food restaurants, the area devoted for patron use in fast-food restaurants is larger than that of non-fast-food restaurants.

A maximum ratio of 30% for fast food restaurants, therefore is considered adequate.

Landscaped Open Space

Block X comprises an area of 0.699 acres equivalent to 6.5% of the site and no significant size landscaping can be placed upon this easement block except sodding, shrubbery and flowers. A restaurant "campus" should

provide a campus atmosphere with ample landscaped open space and intensive amenity treatment. The applicant's suggestion of a 15% landscaping ratio including Block X is to propose merely 8.5% landscaped area distributed over the site. A 10 foot strip along the east, west, and south property lines will represent about 4% of the total site area. The proposed Mother's Restaurant on Queen Street East will provide a landscaped ratio of 15.9% of the site area.

Therefore, it is felt that the overall landscaped ratio of 15% should be provided with Block X excluded.

#### Off-street Parking

The applicant's parking standard is approximately the same as staff's standard for non-fast-food restaurants. Staff is of the opinion that fast-food restaurants need more parking spaces due to its high turn-over nature of the operation. The 4800 square feet McDonald's Restaurant at Queen Street has about 85 off-street parking spaces, a ratio of 17 spaces per 1000 square feet yet still wants to purchase more land to provide additional 36 parking spaces. Recently approved non-fast-food restaurants, Mother's Restaurant and Foodex Pizza restaurant have a parking ratio of about 9 spaces and 10 spaces per 1000 square feet of gross floor area respectively. On behalf of the Borough of Scarborough, the consulting firm of Marshall, Macklin, Monaghan Limited did a study of off-street parking requirement for various commercial uses in September 1977 and recommended a requirement of 25 parking spaces per 1000 square feet of gross floor area for fast-food restaurants, 20 spaces for non-licenced restaurants, and 15 spaces for licenced restaurant. By-law 861 as amended requires one parking space for each 75 square feet of floor area devoted to patron use. The

parking requirement in recently passed By-law 25-79 for the old Town of Brampton area is the same as staff requested standard.

The possibility of "swing" parking is not feasible in this application as the peak hour of various types of restaurant will be simultaneous and each restaurant should have its parking provision within reasonable walking distance.

The coverage or floor space index is to be controlled by the requirement of parking and landscaping. Therefore, if the development is to be approved in accordance with the applicant's criteria, the anticipated total gross floor area on the site is approximately 7312.8 square metres (78717 square feet) equivalent to 17% of the coverage (assuming all buildings to be one storey in height) whereas according to staff's criteria the gross floor area will be approximately 6511.6 square metres (70093 square feet), a coverage of 15%. Therefore, the differences between the applicant and staff involve not only the opinion of adequate standards but also the outcome of project density. (Appendix A attached shows the calculation).

Accordingly, we strongly recommend that the following criteria be adopted:

- a) no more than 30% of total restaurant gross floor area shall be used for fast-food restaurant use.
- b) a minimum of 15% on-site landscaped open space shall be provided excluding the utility easement block, Block X.
- c) minimum off-street parking facility should be provided on the basis of 1 space per 30 square metres of bank gross floor area, 1

space per 5 square metres of gross floor area of fast food restaurant, and one space per 5 square metres of floor area devoted to patron use for non-fast food restaurants. (For average non-fast-food restaurant, area devoted to patron use is about 50% of the gross floor area).

Further, the following clauses shall be provided in addition to the standard requirements of the agreement:

- a) The access from Highway 7 shall be subject to the approval of the Ministry of Transportation and Communications.
- b) The development of each building shall be subject to site plan approval by City Council.
- c) Each restaurant should be provided with an adequate amount of parking spaces within reasonable walking distance.
- d) Site plan should provide interesting, convenient, aesthetic and functional urban design.
- e) Each building should be accompanied with adequate landscape treatment.
- f) The developer shall agree to construct sidewalks and traffic light as well as the enclosure of open ditch as requested by the Public Works Department.
- g) Notwithstanding the Sign By-law of the City, the developer shall agree to submit the location and design of all signs for approval.

1) According to Bramalea's requested standard:

Total Site: 463042.8 square feet  
 Landscaped Area: 15% 69456.4 square feet

Assuming m square feet of total gross floor area using the standard of 10 parking spaces per 1000 square feet of gross floor area and 400 square feet for each parking space including the area for car parking, aisles, driveway, and service routes.

Therefore

$$m + m \times \frac{10}{1000} \times 400 = 463042.8 - 69456.4$$

$$m = 78717.28 \text{ square feet}$$

equivalent to 17% lot coverage among which 8000 square feet for bank  
 35358.5 square feet of fast-food restaurants and  
 35358.5 square feet of non-fast food restaurants.

2) According to staff's recommended standard:

Total Site: 463042.8 square feet  
 Landscaped Area: 15% in addition to Block X, a utility block  
 69456.4 + 30448.4 = 99904.8 square feet

Assuming 8000 square feet of bank gross floor area, m square feet of fast-food restaurants and n square feet of non-fast-food restaurants, then, the parking requirement will be:

$$\frac{8000}{323} + \frac{m}{54} + \frac{n}{108} \text{ spaces}$$

APPENDIX A (cont'd)

Using 400 square feet for each parking space and permitting no more than 30% non-fast food ratio, then:

$$8000 + m + n + 400 \left( \frac{8000}{323} + \frac{m}{54} + \frac{n}{108} \right)$$

$$= 463042.8 - 99904.8 \text{ and } m = 0.3n$$

$$m = 14329 \text{ square feet}$$

$$n = 47764 \text{ square feet}$$

Therefore, the total gross floor area of the site is to be:

$$14329 + 47764 + 8000 = 70093 \text{ square feet}$$

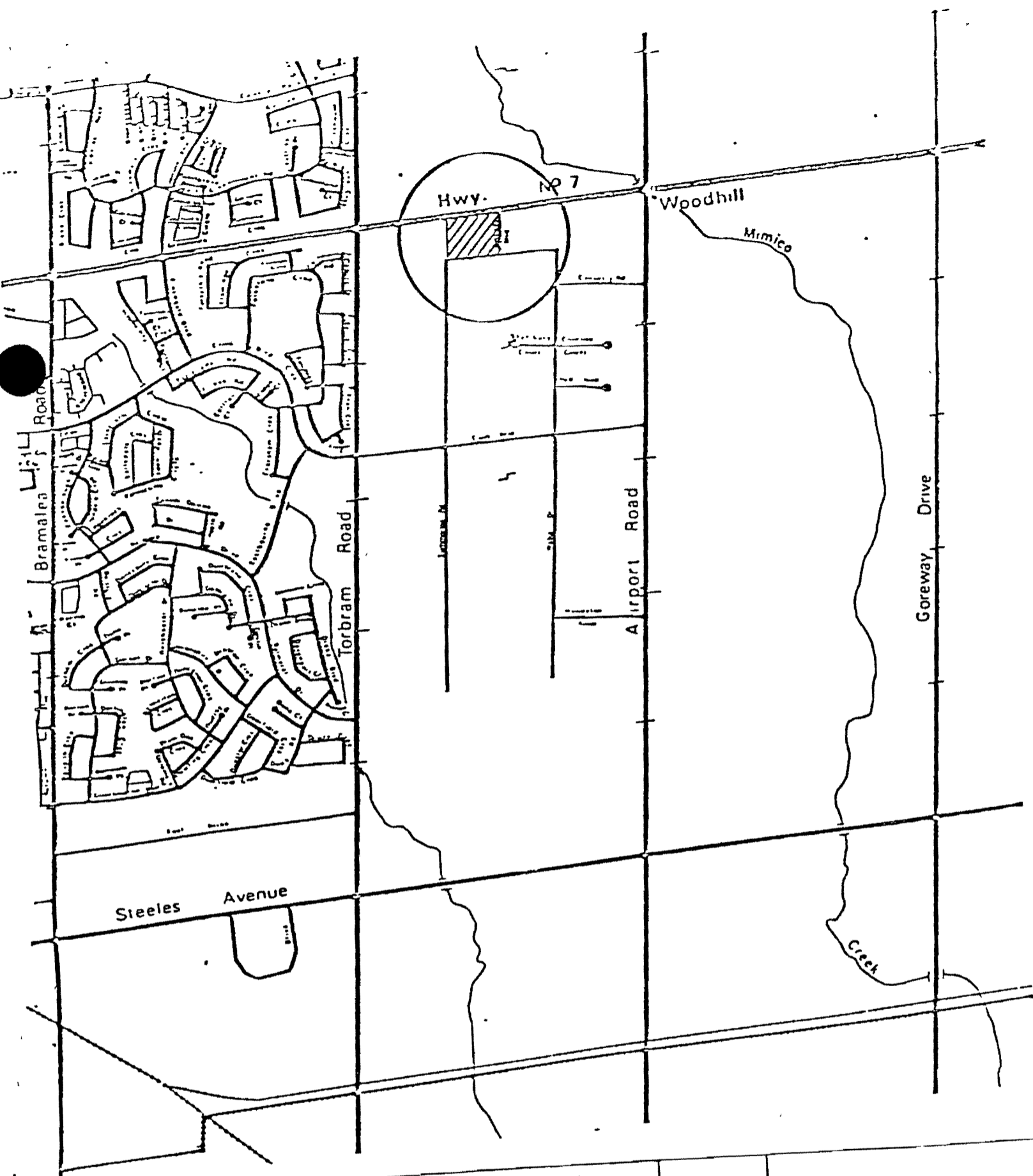
equivalent to 15% coverage

among which, 8000 square feet for bank

14329 square feet of fast-food restaurants

47764 Square feet of non-fast-food

restaurant.



BRAMALEA LIMITED  
 Location Map

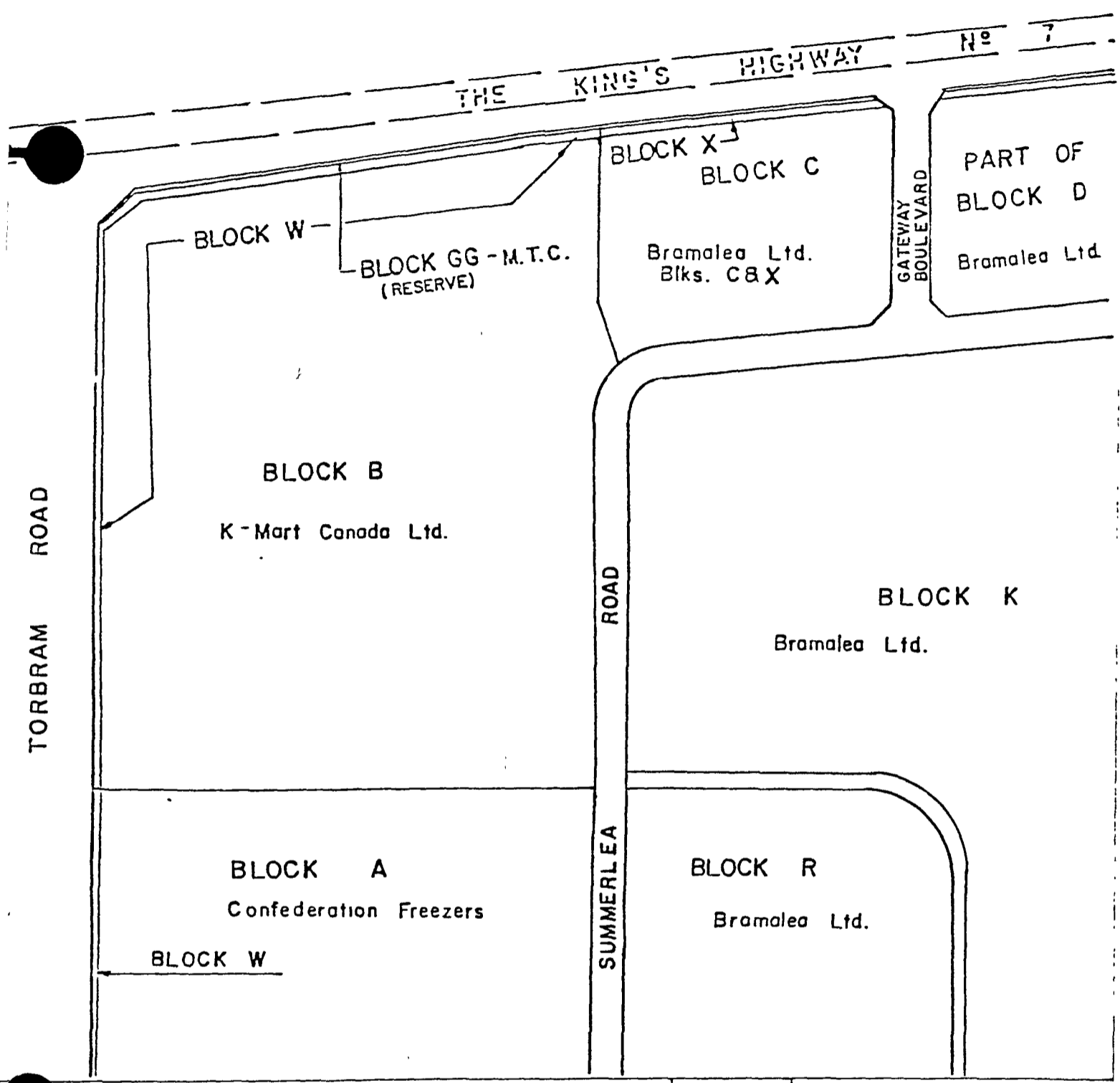


1: 25000  
 City of Brampton  
 Planning Department

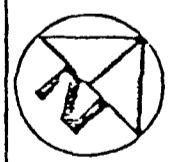
C6E5.1

1078-12-18





PROPERTY OWNERSHIP



1:4800  
 City of Brampton  
 Planning Department

PASSED November 12, 1979

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# BY-LAW

No. 316-79

To adopt Official Plan Amendment  
Number 40 to the Consolidated  
Official Plan of the City of  
Brampton Planning Area.