

OFFICE CONSOLIDATION

SECONDARY PLAN AREA 3

THE HEART LAKE WEST

SECONDARY PLAN

February 2010

EXPLANATORY NOTES

Office Consolidation The Heart Lake West Secondary Plan (Secondary Plan Area 3)

General (pertaining to all secondary plan office consolidations)

- i. Secondary plan office consolidations are provided for convenience only, but have no *Planning Act* status. For official reference, recourse should be had to the original documents pertaining to each secondary plan.
- ii. As noted in the Official Plan (policy 5.4.10 in the current 1993 Official Plan) the documentation that constitutes a specific secondary plan may consist of a Chapter in Part II of the current Official Plan, or a retained Chapter in Part IV of the 1984 Official Plan, or an amendment to or chapter of the 1978 Consolidated Official Plan.
- iii. Secondary plans form part of the Official Plan and are to be read in conjunction with all policies of the Official Plan, including interpretation and implementation provisions.
- iv. Where there is conflict or inconsistency between a provision in the current Official Plan and a provision in a secondary plan (whether directly in the text or included by reference) the current Official Plan shall prevail. When such a conflict is identified, efforts shall be made to revise the plans to correct the conflict.
- v. Reference to any provision of an Official Plan or a secondary plan (whether directly in the text or included by reference) that is superseded by a more recently adopted equivalent provision shall be deemed to be a reference to the more recently adopted equivalent provision.
- vi. When provisions in a secondary plan refer to an apparently repealed provision in a repealed Official Plan (e.g. the 1984 Official Plan or the 1978 Consolidated Official Plan), the referenced provisions shall be considered to be an active and applicable part of the secondary plan, unless:
 - (a) the referenced provision is in conflict with the current Official Plan;
 - (b) the referenced provision is superseded by a more recently adopted equivalent provision; or,
 - (c) it is evident that it was the intention of Council at the time of the repeal of the predecessor Official Plan that the referenced provision was not to be considered active and applicable for such secondary plan purposes in the future.
- vii. The Council of the City of Brampton is responsible for interpreting any provision within the Official Plan and secondary plans.

Specific (Secondary Plan 3, Heart Lake West Secondary Plan)

This office consolidation of the Heart Lake West Secondary Plan consists of two parts, being Chapters C35 and C53 and Plate Numbers 2 and 45 of Section C of Part C of the document known as the Consolidated Official Plan as they apply to Secondary Plan Area Number 3.

Chapter C35 of Section C of Part C and Plate Number 2 of the document known as the Consolidated Official Plan, as they apply to Secondary Plan Area Number 3 has been included. The following Official Plan Amendments as approved by the Province, have also been incorporated:

76	13A	21A
33A	135A	

Chapter C53 of Section C of Part C and Plate Number 45 of the document known as the Consolidated Official Plan, as they apply to Secondary Plan Area Number 3 is based on Official Plan Amendment 76 to the document known as the Consolidated Official Plan as approved by City Council on August 17, 1981 and by the Minister of Municipal Affairs on July 8, 1983. All modifications and the following Official Plan Amendments as approved by the Province or City of Brampton have also been incorporated:

25A	52A	80A	91A
93A	103A	119A	226A
OP93-180	OP93-280		

This office consolidation has been prepared without the following original documents:

OPA 23	OPA 80	OPA 97	OPA 101
OPA 103	OPA 120	OPA 229	OPA 263
OP93-167			

This office consolidation is provided for convenience only. For official reference, resource should be had to the original documents noted above.

February 2010

**Chapter C35 of Section C of
Part C and Plate 2
of the document known as the
Consolidated Official Plan**

CHAPTER C35

The policies contained in this Chapter should be read having reference to Plate 1 and 2.

1.0 GENERAL POLICY

1.1 Land Use Concept

The land use concept recognizes the following major elements:

- (a) The Etobicoke Creek Valley as a significant local open space system.
- (b) The new Heart Lake community comprising 4 sub-areas, creating recognizable urban entities with a full complement of facilities for people.
- (c) The Heart Lake Town Centre.
- (d) The "rounding out" of North Brampton.
- (e) The South Peel Servicing Scheme.
- (f) The Agreement between the former Township and the former Town of Brampton, pursuant to which the Etobicoke Creek trunk sanitary sewer was extended to the north limit of the former Town of Brampton.
- (g) The existing Mains Creek trunk sanitary sewer extending from the Etobicoke Creek trunk sewer to Highway Number 7.

OPA 76

1.2 (Deleted by OPA 76)

1.3 Financial

Subdivision and other agreements between the Region, the City and the developers of land shall contain provisions designed to recognize the financial impact of each area of land proposed for development and to protect the existing stable financial position of the City and Region while

meeting the social, educational, environmental and financial needs of a rapidly growing urban area.

Where the municipality requires developers to make contribution in consideration of specific expense incurred, or to be incurred by the municipality within the lands shown, and such contribution is made for a specific purpose, it may be used only to meet expenditures for such purpose. In this connection it is recognized that agreements exist between developers and the former Township of Chinguacousy and these agreements shall be considered.

1.4 Servicing and Staging

Urbanization is to be permitted in stages within the areas as shown on Plate 1 and 2 implementing the land uses as shown. It shall be the responsibility of the developers of the lands to be released for development to construct the major trunk sewers and water distribution systems as a condition of any subdivision release or the Region and/or the City may elect to enact a servicing policy for the purpose of imposing and collecting levies for the construction of major trunk services. In this connection it is recognized that agreements exist between developers and the former Township of Chinguacousy and these agreements shall be considered.

Development shall be staged so that urbanization takes place in a systematic and orderly manner according to an overall program wherein roads, water supply, sewers, schools, recreation and community services shall, as nearly as possible, be provided at the time of development. Piecemeal and premature development shall not be permitted. However, it is specifically provided that development of the Heart Lake Community-Sub-areas, and North Brampton area may proceed immediately and coincidentally subject to development agreements including existing agreements as called for herein.

OPA 76

It is intended that trunk sewer and water distribution systems be adequate in size to accommodate the development of all of the lands within the boundaries of Official Plan Amendment Number 52 of the former Township of Chinguacousy Planning Area.

1.5 Open Space

1.5.1 The lands use policy reflected herein establishes urban public open space lands which are deemed to be a part of the active urbanization of

the area. It shall be the responsibility of the developer developing any area within the Heart Lake Community or the North Brampton Area to dedicate the public open space areas or at the discretion of the municipality to pay a levy to be used by the municipality in the provision of public open space areas. This policy is necessary to ensure that the ultimate population obtains a meaningful community environment, concurrent with residential development. A policy of public acquisition of other than flood plain and valley lands shall be established to ensure that economic hardship does not result where lands within any area released for development are designated for public open space. Where lands designated as public open space are under private ownership, it shall not be construed as implying that such lands are free and open to the general public.

1.5.2 The City hereby establishes an urban open space requirement of a minimum of 7 acres per 1,000 people inclusive of:

- (a) Neighbourhood children's play parks and tot lots,
- (b) public parkettes and ornamental gardens,
- (c) public community parks and organized game areas,
- (d) field paths, pathways, natural water courses and bridle paths,
- (e) public golf courses,
- (f) natural or artificial lake areas.

1.5.3 It is intended that the Etobicoke Creek Valley area, dedicated or conveyed to the City may be allowed as a partial credit toward this standard on the basis that the valley lands can be substantially utilized for public recreation facilities. However, no permanent buildings or structures of any kind, nor the placing nor removing of fill of any kind whether originating on the site or elsewhere, shall be permitted in areas subject to flooding or physical limitations of any kind without the written consent of the Metropolitan Toronto and Region Conservation Authority.

The City shall require at least 50% of the urban public open space requirement of 7 acres per 1,000 persons to be comprised of table land outside of the flood plain and valley land in locations acceptable to the City. No public open space credit shall be given for any landscaped buffer areas.

1.5.4 It is recognized that there may be variations from this open space policy to provide a better total system depending on the density and environmental character of each area. Wherever feasible, school and park sites shall be adjacent.

Open space, both public and private, shall be grouped systematically to provide:

- (a) A network of linked and related open spaces connected by pathways, pedestrian underpasses and bridges,
- (b) large integrated usable public open space areas capable of development,
- (c) a methodical and balance distribution of various kinds of recreation so that all neighbourhoods and all housing areas are well-served by a broad range of local facilities,
- (d) a public pathway system linking the main social facilities and key local centres to main open space areas.

1.6 School and Church Sites

The subdivision agreements for each stage of development shall require that the area being released shall designate suitable sites for elementary and secondary schools as may be required by the Peel Board of Education and the Dufferin-Peel Roman Catholic Separate School Board.

School or church sites, if not needed in the measure or location indicated on Plate 2 can be redistributed or relocated in line with neighbourhood design principles or may be allocated for compatible residential use without an Official Plan Amendment, providing the social need for church and school sites is met. Additional sites may also be required and, if so, will be selected at the time of detailed consideration of related plans of subdivision.

1.7 Recreation and Community Facilities

The development of recreation and community facilities will be based upon an equitable sharing of costs for such facilities related to residential population generated by any proposed development.

1.8 Landscaping Policy

The municipality shall establish requirements for the provision of comprehensive landscaping concurrent with urban development in order to improve the environmental quality of such development.

1.9 Gravel Pits

In areas where gravel pits were or are now in operation, before building permits are issued, appropriate engineering studies will be undertaken to determine the suitability of pit areas to support structures that may be developed in accordance with the land use designations.

2.0 HEART LAKE AREA POLICIES

2.1 Concept

OPA 76

The Concept for the Heart Lake Area is characterized by:

- (a) four sub-areas focusing on a town centre and connected to it by a collector road system;
- (b) a lake linked in with the town centre;
- (c) lower density residential development in the portions of the sub-areas adjacent to 15th Sideroad;
- (d) landscaped buffers adjacent to Highway Number 10; and
- (e) extensive tree covered tableland in the west half of Lot 15, Concession 1 E.H.S. to be preserved in public parkland.

2.2 Town Centre

OPA 76

The Town Centre is centrally located within the community and relates to north-south arterial and Sandalwood Parkway, the collector ring road and pathways linking the four sub-areas.

An area of approximately 37 acres has been set aside for such uses as:

- (a) Sub-regional retail and service commercial facilities serving the community
- (b) public and private offices,
- (c) hotel facilities,
- (d) social and cultural facilities,
- (e) high density residential development,
- (f) transportation and automotive service facilities

It is recommended that the westerly portion of the Town Centre will be related to a proposed lake creating a pedestrian precinct.

As the Town Centre cannot be planned in detail at this time, the City shall require a Town Centre study setting out the ultimate general organization of land uses and densities, proposed staging and related pedestrian and vehicular access policies to ensure that development in the Town Centre relates properly to surrounding areas. No development will be permitted in the Town Centre until the municipality approves a Town Centre Plan and the policies contained therein are implemented by appropriate zoning, site plan(s) and agreements(s).

Grade separated pedestrian crossings of road abutting the Town Centre shall be constructed by the developer where required by the municipality. The City shall require one-foot reserve dedications around the perimeter of the Town Centre to control access point and protect the proper functioning of adjacent main roads.

It is intended that the Town Centre will receive a comprehensive urban design and architectural and landscaping treatment.

2.3

High Pressure Gas Line

OPA 76

There is a high pressure gas line which traverses the area and crosses the lands to be occupied by the two southerly sub-areas in the Heart Lake Community. The open space system and the public rights-of-way may be designed to coincide with the gas line. Care will be taken in the subdivision design to ensure that there is adequate setback from the gas line to nearby residential properties and to provide access to the right-of-

way for inspection purposes. Recognition will be given to the appropriate Federal and Provincial safety standards.

2.4 Housing Stock

The City recognizes its social responsibility to provide for housing development which meets the different needs and incomes of people within a low density residential character established for the Heart Lake Community.

OPA 76

The gross residential density shall not exceed 24.4 persons per acre.

The following general housing mix is envisaged in major developments:

<u>TYPE</u>	<u>PROPORTION OF HOUSING UNITS</u>
High Density (50 units per net acre)	5%
Medium Density (21-25 units per net acre)	5%
Medium Density (15-20 units per net acre)	15%
Low Density (not exceeding an average of 12 units per net acre)	75%

The term "units per net acre" refers to the number of dwelling units permitted on lands used for residential purposes exclusive of roads, pathways, buffer areas, public open space, schools, churches, and other such uses.

Within low density residential areas the City may permit, under appropriate zoning and other controls, the mixture of various dwelling types in clusters according to the following proportions:

Street Town Houses Link Housing, and	25%
Semi-Detached Houses and Single-Family Detached Houses)	75%

The areas within which such mixture may be permitted and the nature of such mixture shall be specifically defined in agreements with developers and in restricted area by-laws, provided that the resultant average dwelling density per net acre within each such defined area shall not exceed 12 units per net acre.

The City also recognizes the possibility of devising innovative housing forms and sitings on blocks set aside for this purposes, to be implemented by site plan restricted area by-laws. These would include so called link housing, zero lot line housing, town and terrace housing and similar forms. In each case, careful consideration shall be given to:

- (i) height relationship between buildings,
- (ii) relation to enclosed and open space both public and private,
- (iii) daylighting,
- (iv) relation to internal and external road patterns,
- (v) relation to adjacent land uses, and
- (vi) landscaping

2.5

Local Commercial

OPA 76

Within the sub-areas, small scale commercial areas are provided as shown on Plate Number 2 to serve the convenience shopping needs to local residents. Such areas are located adjacent to medium density residential blocks and each has a maximum floor area of 10,000 square feet. Additional convenience commercial facilities may be directly incorporated in medium and high density residential blocks at ground floor level providing they are related comprehensively on site plans and, as a guide their floor area does not exceed approximately 1.0 square feet per person within the block.

2.6 Roads

2.6.1 All of the Main Roads as shown on Plate 2 are to developed as reversed residential frontage and/or controlled access routes as key elements in the traffic circulation system for the entire Heart Lake Area. To this end, the City shall require one-foot reserve dedications and fencing at locations determined by the City at the time of development release for lands abutting these roads.

OPA 76 For the purposes of the area under consideration, the minimum width for 1st Line East shall be 100 feet together with a 30' buffer strip on both sides to be dedicated to the appropriate municipality. The minimum width for Sandalwood Parkway through the Heart Lake Area shall be 120 feet. All other road widths within the area of Plate 2 shall be determined at the time of subdivision processing.

OPA 76 The collector ring road linking the 4 Heart Lake Sub-areas shall be developed as a controlled access route. Within this requirement limited single family dwelling frontage on the collector ring road may be permitted in areas to be determined by the City.

2.6.2 No new residential development should be permitted in any area where it is anticipated that the noise level received by the resident will be excessive. In particular, the City will consult with the Ministry of Transportation and Communications regarding specific locations where residential development should not be permitted. The Ministry of Transportation and Communications will recommend against residential development where it is anticipated that transportation noises will exceed a level of 56 dBA for more than 10% of the time during peak hours of the day.

3.0 "North Brampton" Area Policies

3.1 Areas abutting the north limit of the former Town of Brampton have been designated as residential for the purposes of "rounding out" existing and committed residential areas. Notwithstanding Plate 2 the precise design and final population assignment for these residential areas are to be developed by the City at the subdivision stage at a gross density not exceeding 24.4 persons per acre, and further, notwithstanding the Low Density designation on Plate 2 some Medium Density development will be permitted within Area A providing the overall density of Area A does not exceed 24.4 persons per acre.

3.2

OPA 76

It is envisaged that this area will be served by Sandalwood Parkway road with a minimum width of 100' - as shown schematically on Plate 2. Notwithstanding Plate 2 it is understood that there will be significant flexibility in the location of this arterial road. All other road widths within the area of Plate 2 shall be determined at the time of subdivision processing.

3.3

Two small scale commercial areas may be provided in the "North Brampton" area to serve the convenience shopping needs of local residents. One area is to be located in Concession 1, E.H.S. and one is to be located in Concession 2, E.H.S. and they are to be located adjacent to medium density residential blocks and each will have a maximum floor area of 10,000 square feet.

Alternatively convenience commercial facilities may be directly incorporated in medium density residential blocks at ground floor level providing they are related comprehensively on site plans and as a guide their floor area does not exceed approximately 1.0 square feet per person within the block.

3.4

No new residential development should be permitted in any area where it is anticipated that the noise level received by the resident will be excessive. In particular, the City will consult with the Ministry of Transportation and Communications regarding specific locations where residential development should not be permitted. The Ministry of Transportation and Communications will recommend against residential development where it is anticipated that transportation noises will exceed a level of 56 dBA for more than 10% of the time during the peak hours of the day.

4.0

GENERAL POLICY - LOW DENSITY ESTATES AREA

4.1

Land Use Concept

The Low Density Estate designation in the area shown on Plate 1 and 2 reflects the desire to accommodate residential land use at a low density in part of Lot 16, Concession 1, E.H.S.

This Low Density Estate area has been designated because of the area's amenity for this type of development in view of the complex topography and drainage characteristics, the location adjacent to a

major conservation area-the future Snelgrove Dam, and the existing estate residential development to the east immediately north of the 15th Sideroad.

It is recognized that these lands are suitable for residential development if set carefully in the landscape at low densities. To this end the maximum population density for this area shall be 3.3 units per gross acre with the density decreasing gradually from the 15th Sideroad to the northern limits of Lot 16.

4.2 Main Roads

The main roads serving the estate residential area will be the 1st Line East and the 15th Sideroad. These roads are to be developed with reversed residential frontage and/or controlled access routes as key elements in the traffic circulation system. To this end, the City shall require one-foot reserve dedications and fencing at locations determined by the City at the time of development release for lands abutting these roads.

For the purpose of the area under consideration, the minimum right-of-way width for the 1st Line East shall be 100' together with a 30' buffer strip on both sides to be dedicated to the appropriate authority. All other road widths within the area shown on Plate 2 shall be determined at the time of subdivision processing.

4.3 Financial

Subdivisions and other agreements between the Region, the City and the developer of land shall contain provisions designed to recognize the financial impact of land proposed for development and to protect the existing stable financial position of the City and Region while meeting the social, educational, environment and financial needs of a rapidly growing urban area.

Where the municipality requires developers to make a contribution in consideration of specific expenses incurred, or to be incurred by the municipality within the lands shown, and such contribution is made for a specific purpose, it may be used only to meet expenditures for such purpose.

4.4 Servicing and Staging

Development of the lands within the area shown on Plate 2 shall be carefully staged. It shall be the responsibility of the developers of the lands to be released for development to construct the major trunk sewers and water distribution systems as condition of any subdivision release or the Region and/or the City may elect to enact a servicing policy for the purposes of imposing and collecting levies for the construction of major trunk services.

Development shall be staged so that urbanization takes place in a systematic and orderly manner according to an overall program wherein roads, water supply, sewers, schools, recreation and community services shall, as nearly as possible, be provided at the time of development.

4.5 Landscaping Policy

The municipality shall establish requirements for the provision of comprehensive landscaping concurrent with residential development in order to improve the environment quality of such development.

4.6 Gravel Pits

In areas where gravel pits were or are now in operation, before building permits are issued, appropriate engineering studies will be undertaken to determine the suitability of pit access to support structures that may be developed in accordance with the land use designation.

5.0 **INTERPRETATION**

The terms boundaries, uses, lines, figures and policies set out herein are not to be rigidly interpreted. The principle of flexibility is to apply. Where minor variations and modifications occur they are deemed to be in accordance with the polices covering the area shown on Plate 1 and 2. Major variations or modifications will require a further amendment. A minor variation or modification is one which fulfills the basic intent and the general principles set out. A major variation is one which varies those so as to fundamentally change the intent and general principles.

6.0 **IMPLEMENTATION**

The policies covering the area shown on Plate 1 and 2 are to be implemented by:

- (a) Approval of plans of subdivision,
- (b) subdivision agreements including existing agreements and any other agreements required between developers, the Region and the City and other public authorities and agencies,
- (c) restricted area by-laws,
- (d) restricted area by-laws which may:
 - (i) be of a detailed site plan nature, or
 - (ii) be of a "Holding Zone" nature.
- (e) by further Official Plan Amendment(s) if required.

**Chapter C53 of Section C of
Part C and Plate 45
of the document known as the
Consolidated Official Plan**

CHAPTER C53

BOVAIRD-KENNEDY AREA

1.0 PURPOSE AND LOCATION

The following definitions and policies, and the designations on Plate 45 constitute the Official Plan for the approximately 360 hectare (880 acre) Bovaird-Kennedy Area outlined on Plate 45. This Plan is intended to establish land use and related policies for the orderly development of the Bovaird-Kennedy area.

2.0 DEFINITIONS

"Gross Leasable Area" means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors.

"Gross Residential Area" means an area consisting of one or more surveyed and registered lots, blocks or parcels, the principal use of which is for dwellings, together with abutting buffer strips and walkways, plus those portions of all abutting Local and Collector roads that are contained between the boundaries of the lot or lots extended and the centre-line of the roads.

"Net Residential Area" means an area consisting of one or more surveyed and registered lots, blocks, or parcels, the principal use of which is for dwellings.

"Single Family Density" means a density of up to 25 dwelling units per net residential hectare (10 units per net acre) which is typically associated with the single family detached housing type.

"Semi-Detached Density" means a density of 26 to 35 dwelling units per net residential hectare (11-14 units per net acre) which is typically associated with the semi-detached, link townhouses or very small lot single housing types.

"Low Density" means a density in the range of "Single Family Density" and "Semi-Detached Density" as defined herein.

"Townhouse Density" or "Medium Density" means a density of 36 to 50 dwelling units per net residential hectare (15-20 units per net acre) which is typically associated with zero lot line, block townhouse or street townhouse housing types.

3.0 GENERAL PROVISIONS

3.1 Hazard Lands

3.1.1 Definition: Hazard Lands associated with the Etobicoke Creek valley as indicated on Plate 45, are those which have inherent physical hazards such as flood or erosion susceptibility, steep slopes or other physical limitations to development. These Hazard Lands shall become part of the Public Open Space system to be used for passive recreational activities, as an amenity in association with adjacent schools, as an open space link between parkland nodes and as an associated component of abutting Neighbourhood or District scale park development. Specific boundaries of these Hazard Lands will be determined on a site specific basis in consultation with the Metropolitan Toronto and Region Conservation Authority.

3.1.2 Any alteration to a watercourse or valley, including the placement of buildings, structures or fill, whether originating on the site or elsewhere, or removal of fill, or the provision of access to a valley, is subject to Conservation Authority approval pursuant to the appropriate Ontario Regulation and in the case of alteration to a watercourse, to the approval of the Ministry of Natural Resources pursuant to The Lakes and Rivers Improvement Act.

3.1.3 Where new development is proposed on a site, part of which is designated Hazard Lands, such lands shall not necessarily be acceptable as part of the dedication for Public Open Space purposes required under The Planning Act. All lands conveyed to the municipality shall be conveyed in a physical condition satisfactory to the municipality. Where an open watercourse is involved, adequate space shall be provided for maintenance and other such operations.

3.1.4 Building and property line setbacks shall be imposed from the margin of Hazard Lands so as to have regard for the extent and severity of existing and potential hazards. The setbacks shall be determined, in conjunction

with the responsible Conservation Authority, on a site specific basis.

3.2 Environmentally Sensitive Area

3.2.1 The remaining woodlots in the Bovaird-Kennedy Area which are labeled X, Y and Z on Plate 45 have been included in Public Open Space designations to ensure their preservation and to take advantage of their potential for passive recreational use.

3.2.2 The bog area in the portion of Woodlot 'Z' in the southeast corner of registered plan M-112 shall be dedicated to the City as public open space for conservation purposes in conjunction with any redesign of the subdivision in the vicinity of Woodlot 'Z' (shown on Plate 45).

3.2.3 Prior to draft approval of any plans of subdivision in the vicinity of Woodlot 'Z' on Plate 45, a satisfactory environmental sensitivity report shall be submitted to the City which identifies the characteristics and limits of the bog area within and extending southward from that woodlot, and which recommends appropriate development procedures designed to avoid impairment of the woodlot area, including the portion extending into Registered Plan M-112, and to avoid unforeseen construction problems.

3.2.4 Woodlot fragments and hedge-rows shall be retained and incorporated into development within urbanizing areas wherever practicable.

3.2.5 The City may require the builder of a proposed development of one or more structures on all or part of a woodlot, woodlot fragment or hedge-row to submit a Tree Protection Plan to be approved by the City prior to the issuance of a building permit. The Tree Protection Plan shall identify the exact location of any trees that will be cut or affected and state the specific measures that will be taken to protect the remainder.

3.3 Energy Conservation

3.3.1 Council shall require the design of residential, commercial and industrial subdivisions and siting of buildings for proper sun and wind orientation to the extent practicable.

3.3.2 Council shall encourage the use of appropriately selected and located vegetation that will reduce the energy consumption of buildings.

3.3.3 Council shall ensure, where practicable, access to direct sunlight during

winter daylight hours for all potential solar collector panel locations and solar oriented glass on all existing and future buildings in the Bovaird-Kennedy Area.

3.4 Road Noise

3.4.1 Development which includes outdoor, passive, recreation areas (i.e. private and shared outdoor areas accessory to residential dwellings, and schools, will not be permitted in locations where the outdoor noise levels are forecast to exceed the limits specified in Appendix A to this Chapter, which are specified in Publication NPC-131, Guidelines for Noise Control in Land Use Planning, Ontario Ministry of The Environment. Amendments to these standards will automatically be incorporated into Appendix A to this Chapter without the necessity of amending the Plan.

3.4.2 Development with a residential component within which bedrooms, living rooms, or reading rooms will be subject to high levels of traffic noise, will only be permitted if it includes noise insulating features which result in interior noise levels that comply with the indoor standards specified in The Ontario Ministry of The Environment Publication NPC-131, Guidelines for Noise Control in Land Use Planning (which are contained in Appendix A to this Chapter).

3.4.3 The proponents of development within any area which is likely to be adversely affected by excessive noise levels shall submit a Noise Pollution Report using recognized noise measurement and prediction techniques. The report shall contain a statement and assessment of noise levels, before and after proposed abatement devices are installed, for the existing and anticipated situation during both evening and daytime hours. Where acceptable noise levels are predicted, the report shall review the merits of various abatement measures such as distance setback, buffer zones, orientation of outdoor recreation areas, berms, acoustic barriers, etc. Appendix A (which is not part of this Plan) gives an indication of those areas which are likely to be adversely affected by excessive noise levels.

3.5 Gravel Pits and the Brampton Esker

3.5.1 Introduction: The Brampton Esker area which contains active, inactive and potential gravel extraction uses as well as public and private

recreational uses extends eastward from Eastern edge of the Bovaird-Kennedy Areas as shown on Plate 45. This esker area is particularly significant for its recreational and open space potential.

3.5.2 Draft approvals for subdivision plans adjacent to the Brampton Esker shall provide for:

- (i) adequate buffer strips between existing or potential gravel extraction operations and residential lots or school sites; and
- (ii) adequate future walkway connections to the Brampton Esker Area.

3.5.3 In areas where gravel pits were or are now in operation, before building permits are issued, appropriate engineering studies will be undertaken to determine the suitability of pit areas to support structures that may be developed in accordance with the land use designations.

3.5.4 The portion of excavated gravel pit that falls within the Bovaird-Kennedy Area in the southeast corner of the west half of Lot 12, Concession 2, E.H.S., shall be rendered safe from erosion and other hazards, and rehabilitated for recreational use prior to being conveyed to the City as Public Open Space.

3.6 All new development permitted by the policies of this plan shall have regard for heritage resources and shall, wherever possible, incorporate these resources into any site plan, design or secondary plan that may be prepared for such new development. Encouragement shall be given to conservation, protection, renovation, rehabilitation and re-use of heritage resources.

MOD 1

4.0 **RESIDENTIAL AND RELATED USES**

4.1 The overall housing mix target ranges shall be as indicated in the Table below. Minor variations in these ratios (i.e. $\pm 3\%$) which do not alter the intent of the original mix shall be considered without amendment to this Chapter.

OPA 25A

HOUSING MIX

<u>Housing Types</u>	<u>Percentage of Total Dwelling Units</u>
"Single Family Density" Types	45-50%
"Semi-Detached Density" Types	35-40%
"Townhouse Density" Types	10-20%

4.2

OPA 25A

The maximum density for the Bovaird-Kennedy Area is 18.3 units per gross residential hectare (7.4 per acre).

4.3

The City shall give consideration to innovative housing designs, particularly those which offer improved efficiency or alternative forms of heating, reduced municipal expenditures or lower costs to purchasers.

4.4

Phasing of New Development Areas shall be established on the basis of economical efficiency in terms of capital and operating costs for necessary physical and community services and the degree of compliance of proposals with the policies of this Chapter.

4.5

In approving new residential developments, the City shall take into consideration an appropriate mixture of housing for low income, medium income and upper income households according to substantiated need and demand for the City as a whole.

4.6

Senior citizen residential development will be permitted on suitable sites in the medium density areas. Non-profit family housing projects will be permitted on suitable sites within the lower density designations. Group homes will be permitted on appropriate sites in the lower density designations according to the distance and other criteria in the City of Brampton Policy on Group Homes.

4.7

The City shall endeavor to ensure the orderly provisions of community services in conjunction with new residential development.

4.8 Churches: It has been determined that a total of four church sites, excluding the Roman Catholic Church site abutting the west side of Kennedy Road in Lot 13 and excluding the Baptist church site abutting the east side of Kennedy Road in Lot 12, may be required to serve the future population. Accordingly, each developer of 400 or more residential units will be required to reserve for an appropriate length of time a group of residential lots amounting to at least 0.4 hectares (1.0 acre) in area as a potential church block in an appropriate location fronting on or easily accessible to a Collector or Minor Collector road in a plan of subdivision.

4.9

MOD 2
OPA 52A
OPA 80A

Schools: It is estimated that four single school sites and a combined school campus will be required in the Bovaird-Kennedy area in the locations indicated on Plate 45. Accordingly, a master agreement satisfactory to the school boards containing a suitable cost equalization mechanism respecting the provision of these school sites shall be signed by all relevant landowners prior to draft approval of their subdivisions. The master agreement and any specific agreements between a school board and a subdivider shall specify that all school sites are assignable to either school board.

Notwithstanding the specific designation of any school site on Plate 45, it may be used by either of the Peel Board of Education or the Dufferin Peel Roman Catholic Separate School Board and used as either a junior or a senior or a high school without amendment to this Plan.

In the event that one or more of these school sites is not required for school purposes, then the appropriate residential density or alternative use for the site will be determined by an amendment to this Plan.

4.10 Day Care Centres may be located on a church site or any other area of the Bovaird-Kennedy Area provided that the following conditions of safety, service and accessibility are met:

- (i) primary access to a Collector or Minor Collector road and accessible by public transit;
- (ii) adequate ingress/egress and parking so as to eliminate conflict with through traffic;
- (iii) siting and landscaping to minimize any adverse impact on adjacent residential uses; and

- (iv) minimal air and noise pollution.

4.11

OPA 91A

Institutional: The lands on the west side of Kennedy Road north of Wexford Road that are designed as Institutional may be used for the purposes of a retirement home. The following development principles shall be adhered to:

- (i) the site design shall have adequate entrances and parking to minimize conflict with through traffic, and
- (ii) appropriate siting of buildings and adequate landscaping shall be required to minimize any adverse impacts on adjacent residential uses.

4.12

OP93-180

The lands designated "Institutional" located at the north-east corner of Sunforest Drive and Bovaird Drive shall be developed for a private elementary school only.

5.0

COMMERCIAL

5.1

Neighbourhood Commercial: The Neighbourhood Commercial category on Plate 45 of this chapter is defined as a group of commercial establishments planned and developed as a unit. Neighbourhood Commercial Areas are usually 2,000 to 9,000 square metres (21,500 to 96,000 square feet) of Gross Leasable Area in size and the principal tenants are major supermarkets greater than 1,400 square metres (15,100 square feet) in size. The site area will be in the range of 1.6 -3.2 hectares (4 - 8 acres). Primary permitted uses include retail stores, service establishments catering to personal or household needs, and local offices. Complementary uses such as automobile service stations, and car washes, may be permitted.

5.2

Shopping Centre Impact Studies: Every application for the development of a Neighbourhood Commercial area shall contain supporting information indicating the economic, physical, and transportation impact of the proposed development. The economic impact study must provide information regarding the market feasibility of the proposed centre and whether or not it will affect the viability of any existing nearby centres, Such information will form a basis for the size and timing of construction of a Neighbourhood Commercial area.

5.3 Convenience Commercial: Convenience Commercial areas, shall consist of one or more retail or service establishments planned and developed as a unit. Although Convenience Commercial areas may range in size from 500 to 2,000 square metres (5,400 to 21,500 square feet) in gross leasable areas, such areas are generally less than 1,000 square metres (10,700 square feet) in size. The site area will be in the range of 0.4 - 0.8 hectares (1 - 2 acres). A Convenience Commercial area will generally be anchored by a jug milk or small grocery store.

5.3.1 The lands on the west side of Kennedy Road north of Wexford Road that are designated as Convenience Commercial shall be developed as a shopping plaza which may contain a veterinary clinic, retail uses and a financial institution.

OPA 93

5.4 Each shopping centre shall be developed as an integrated unit with a consistent architectural theme.

Notwithstanding separate property ownerships, the convenience commercial designation on the west side of Kennedy Road, South of the TransCanada Pipeline shall be developed as an integral unit in terms of buildings, parking areas and internal driveways with access to the development being gained only from the Minor Collector road.

5.5 Highway Commercial: Highway Commercial uses include those commercial uses and industrial uses that have the following characteristics:

- (i) cater primarily to persons coming to the premises to do business by automobile, rather than to pedestrian shopping trade, and therefore do not require a shopping centre location;
- (ii) rely on business from the travelling public or on considerable public exposure, thereby requiring a location in proximity to a highway or arterial road; and
- (iii) have physical requirements in terms of size and shape of site or buildings or the requirements of outside storage such that incorporation into a shopping centre is not appropriate. The main permitted uses include motels, hotels, restaurants,

automobile service stations and repair facilities, car washes, automobile sales and service establishments, building supplies outlets, produce outlets, and industrial uses that have ancillary retail or service functions.

5.6 When Commercial uses are proposed to be developed adjacent to residential areas, consideration shall be given to the following:

- (i) that structures and traffic, parking and service areas are screened and buffered to a degree that noise, light and undesirable visual effects emanating from the commercial uses are minimized, and
- (ii) that traffic, parking and service areas do not adversely affect adjacent residential uses.

5.7 Approval of additional commercial development within the Highway Commercial designation on the east side of Highway 10 north of Highway 7 is subject to the requirement for an integrated access design (with the existing highway commercial use) acceptable to the Ministry of Transportation and Communications.

5.7.1 The lands designated "Service Commercial" on the north east corner of Bovaird Drive and Hurontario Street are intended to permit a range of commercial uses including retail establishments, service shops, financial institutions, personal service shops, commercial schools, dine-in and take-out restaurants, convenience stores, specialty stores and medical offices.

5.7.2 That prior to site plan approval, a development agreement shall contain the requirements for the orderly development of the lands to a high standard or design and to ensure that the character of the development complements the "Internal Focal Point" identification of the Bovaird Drive and Hurontario Street intersection as well as the adjacent residential community, in accordance with the approved Commercial Design Brief by Petroff Partnership and SBK Landscape Architect.

5.7.3 That prior to site plan approval, arrangements be made with the City for additional securities for infrastructure and streetscape improvements for the intersection of Hurontario Street and Bovaird Drive, in accordance

with the City's Street Corridor Master Plan and Design Standards.

5.8 In processing plans for commercial development under Section 35a of the Planning Act, control shall be enforced regarding the following elements among others to achieve high quality design and visual harmony with adjacent areas:

- (i) the siting and design of buildings;
- (ii) pedestrian areas;
- (iii) location, lighting, and screening of parking areas;
- (iv) landscaping and fencing;
- (v) design and type of signs; and
- (vi) storage and garbage disposal facilities.

5.9

OPA 80A

The lands on the east side of Kennedy Road that are designated as Highway Commercial may only be used for the purposes of a gas bar or service station.

5.10

OPA 119A

Service Commercial: Service Commercial uses include small scale retail, service and office uses which are moderately space-intensive and are moderate generators of vehicular traffic, such as personal services, convenience retail, restaurants and small offices.

5.10.1

OPA 119A

The land on the east side of Highway Number 10, approximately 168.5 metres north of Highway Number 7 that is designated Service Commercial, shall be developed in the form of a shopping plaza which may contain an eating facility; retail stores; offices (excluding offices of health care practitioners); personal service shops and dry cleaning and laundry distribution station.

6.0

PUBLIC OPEN SPACE

6.1

Definition: Lands designated "Public Open Space" on Plate 45 will eventually be used for public outdoor and indoor recreation areas and

facilities of neighbourhood, community, district and city-wide significance.

- 6.2 Where land designated Public Open Space is under private ownership, it shall not be construed that such areas are free and open to the general public or will be purchased by the municipality or any other public agency.
- 6.3 The minimum tableland area required by the City for public open space use is 1.6 hectares (4.0 acres) per 1,000 population. Conservation Authority lands, school lands, private commercial recreation areas, connecting walkways and pedestrian grade separations, valleylands and channelized storm drainage systems, and protective buffer areas between conflicting land uses will not be credited as part of this public open space tableland requirement or as part of the dedication of land required under the Planning Act.
- 6.4 Notwithstanding policy 6.3, tableland portions of utility easements or rights-of-way including associated buffers may, at the discretion of the City, be credited for parkland purposes where they are incorporated into a major park such as a District or Community park which would otherwise have to include an equivalent additional amount of space to accommodate required internal buffers or active park facilities.
- 6.5 Notwithstanding policy 6.3, it is recognized that connecting walkways and pedestrian grade separations, valleylands and channelized storm drainage systems, and protective buffer areas between conflicting land uses will provide opportunities for passive and for selected active recreational pursuits and to achieve an overall connected public open space system. Accordingly, it shall be the policy of the City of Brampton that all such areas shall be conveyed to the City or, in appropriate circumstances, to the relevant conservation authority in connection with all forms of development.
- 6.6 All lands dedicated to the City shall be conveyed in a physical condition satisfactory to the City. The City may accept cash-in-lieu of the land conveyance requirement, or the City may accept a park dedication on lands other than those contained in the particular subdivision or development plan.

- 6.7 In recognition of the importance of valleylands and other hazard lands in the total open space system and of the fact that such lands will be used and enjoyed by all residents of Brampton, capital contributions will be required in conjunction with all development and redevelopment to fairly apportion the cost of the required erosion control and landscaping in such valleys or on such hazard lands.
- 6.8 It is the intent of the City to co-operate with the Region of Peel Board of Education and the Dufferin-Peel Roman Catholic Separate School Board in coordinating the planning, acquisition, development, maintenance and activity programming of school and recreation sites and facilities.
- 6.9 Since planned school sites are an integral component of the overall open space and recreation system and they have been accounted for in the determination of City public open space requirements, the City will require options to purchase a reasonable portion of any such sites which are subsequently released by the school boards so that such lands can be used to provide some of the recreation facilities which would otherwise have been provided on the school lands.
- 6.10 Park Hierarchy: The requirement and development of public parks and recreation facilities shall be based where feasible on the parkette, neighbourhood, community and district service level polices and standards contained hereunder.
- 6.11 Parkettes: Land shall be acquired and developed where appropriate for passive parkettes to provide visual relief in the urban area and sitting areas for shoppers, workers, and neighbouring residents and for parkettes/play areas to provide young children, especially pre-schoolers, with opportunities for active play according to the following criteria:
- (a) Spaces and Facilities

Parkettes may include sitting areas, lighting and landscaped areas, floral displays and/or playgrounds for young children.
 - (b) Size of Parks

Passive parkettes shall be of varying sizes and shall be located

to preserve significant groups of trees, or located in medium and high density areas, commercial areas, and industrial areas, and along major traffic routes (particularly at intersections) for aesthetic, and resting purposes. Active parkettes catering primarily to the play needs of the young should be a minimum of 0.2 hectares (0.5 acres) in size.

(c) Service Radius and Population

Active Parkettes will generally be provided to serve areas containing 500 to 1,000 residents who would otherwise be further than 0.4 kilometres (1/4 mile) from a Neighbourhood park or elementary school playground.

6.12 Neighbourhood Parks

Neighbourhood parks and recreation facilities may be acquired and developed according to the following criteria.

(a) Activity Spaces and Facilities

Neighbourhood parks may include but are not limited to the following activity spaces and facilities:

- (i) a junior and senior playground area with play equipment and other special facilities;
- (ii) an open grassed area for running and active play;
- (iii) a multi-use paved area;
- (iv) a pair of tennis courts;
- (v) a junior toboggan slope;
- (vi) a shade or treed area for quiet activities such as reading, sitting and supervision of children; and
- (vii) miscellaneous elements, including landscaping, benches, walks and other paved areas.

(b) Size of Parks

Neighbourhood parks will range in size according to population

served and facilities to be accommodated, however a minimum size of 1.1 hectares (2.7 acres) is desirable to accommodate essential activity spaces.

(c) Service Radius and Population

Neighbourhood parks will generally be located to serve 4,000 to 5,000 people within a 0.8 to 1.2 kilometre (1/2 to 3/4 mile) radius.

6.13 Community Parks

Community parks and recreation facilities shall be acquired and developed according to the following criteria.

(a) Activity Spaces and Facilities

The following activity spaces and facilities may be provided, where appropriate, in Community Parks:

- (i) regulation fields for baseball, soccer and softball;
- (ii) courts for tennis, basketball, bocce, volleyball, racquetball, and squash;
- (ii) an arena or indoor pool;
- (iv) recreation centre containing an auditorium, fitness rooms, multi-purpose rooms for meeting and craft programmes;
- (v) bermed areas for tobogganing and skiing;
- (vi) landscaped and natural areas for picnicking and other passive activities;
- (vii) hard-surface multi-sport box;
- (viii) outdoor wading pool; and
- (ix) park landscaping, furniture and equipment including benches, walkways, trees and shrub planting, fencing, trash containers.

(b) Size of Parks

In order to accommodate the spaces and facilities noted above, community parks shall contain a minimum of 6 hectares (15 acres) of tableland and will preferably be located to include woodlots or valleyland so that the total park area ranges from 12 to 18 hectares (30 to 45 acres). The size of a community park in a specific location will depend on its relationship to valleys and other natural areas, and on the facilities required to serve the recreation needs of the specific community.

(c) Service Radius and Population

Community Parks will generally be located to serve approximately 15,000 people within a 2.4 kilometre (1 1/2 mile) radius.

6.14 District Parks

District parks and recreation facilities shall be acquired and developed according to the following criteria.

(a) Activity Spaces and Facilities

The following activity spaces and facilities may be provided, where appropriate, in District Parks:

- (i) picnic areas and nature areas;
- (ii) animal farm;
- (iii) horseshoe pitch;
- (iv) mini-golf facilities;
- (v) senior baseball diamond and perhaps other specialized limited-interest sports fields (e.g. cricket pitches);
- (vi) multi-use recreation building containing curling rinks, a cultural centre, etc.;
- (vii) outdoor artificial rink;

- (viii) bandshell or outdoor theatre;
- (ix) tennis club (6 courts); and
- (x) ski and toboggan slopes.

(b) Size of Parks

In order to accommodate the spaces and facilities appropriate to a particular service area and location, district parks should generally contain a minimum of 11 hectares (27.5 acres) of tableland and will be located to include woodlots or valleyland so that the total park area ranges from 20 to 30 hectares (50 to 75 acres).

The specific design of a district park depends on the nature of the site and type of facilities contained in community and specialized parks and areas in the particular service area. In most cases, some facilities primarily associated with another park in the hierarchy will be included in a District park.

(c) Service Radius and Population

District Parks will generally be located to serve approximately 85,000 people within a 6.4 kilometres (4 mile) radius.

6.15 All parks indicated on Plate 45 shall be provided in the general location shown and shall be sized in accordance with policies 6.11 to 6.14.

6.16 Although public parks are to be planned on the basis of the park hierarchy, it is recognized that it may be desirable, in specific circumstances, to combine two or more levels of the hierarchy into one park; to split one level of the hierarchy into separate parks or obtain additional parkland, where deemed appropriate, to facilitate connections and access to open space areas and to enhance natural features such as valleylands.

6.17 Only the tableland components of Parkettes and of Neighbourhood, Community and District Parks are designated on Plate 45. However, where these designations about other open space designations such as Hazard Lands, Woodlot and Gravel Pit, it is understood with respect to policies 6.11, 6.12, 6.13 and 6.14 that the public park will include some portion of these other open space lands.

- 6.18 Whenever practical, indoor and outdoor recreation facilities shall be designed or improved in a manner that will allow physically handicapped persons to have access to the facilities and enable them to participate in recreation programs.
- 6.19 Walkways which can accommodate two-way pedestrian and bicycle traffic shall be provided where necessary to provide safe and convenient access from the road system to parks and open space links.
- 6.20 The City may develop a system of pedestrian and bicycle trails along open space links for recreational walking, jogging and cycling and to provide safe and convenient access to parks, schools and other facilities.
- 6.21 Pedestrian bridges shall be provided over the Etobicoke Creek according to identified need and in appropriate locations.
- 6.22 While the TransCanada Pipeline right-of-way and abutting buffer strips (see policy 8.2.1) constrain the use of lands in the study area, they also provide an opportunity to develop an open space link between the Etobicoke Creek, the Neighbourhood and District parks, the residential lands, and the Brampton Esker. Accordingly, one of the buffer strips should accommodate a paved walkway for bicycles and pedestrians. The walkway and portions of the remaining grass or shrubbery areas could be maintained by the City in return for the right of public use.

7.0 TRANSPORTATION

7.1 Roads

- 7.1.1 Road facilities in the Bovaird-Kennedy Area are intended to function in accordance with the following general guidelines and classifications.
- (a) Provincial Highways (Highway 7 and 10) are to be planned, designed, constructed and designated to accommodate medium to high volumes of long distance and inter-regional traffic travelling at medium to high speeds. At grade intersections are desirable with other provincial highways, arterials and collector streets only. Direct access to abutting properties is to be controlled or not permitted where alternatives exist so as not to interfere with the primary highway function of moving through

traffic.

- (b) Minor Arterials are to be planned, designed, constructed and designated to inter-connect with and augment the major arterial road system and to carry moderate volumes of medium distance intra-municipal traffic at medium speeds and to serve traffic flows between more localized principal areas of traffic generation. At grade intersections are desirable with provincial highways, other arterials and collector streets only. Direct access to abutting properties is to be discouraged where practical alternatives exist so as not to interfere with the primary minor arterial street function of moving through traffic.
- (c) Collectors are to be planned, designed, constructed and designated to accommodate moderate volumes of short to medium distance traffic travelling at moderate speeds between residential or industrial communities or areas, or to and from the arterial system. Through traffic will be discouraged from using these roadways. All intersections will be at grade. Direct access from abutting residential properties will not be permitted near intersections with arterials and limited access will be generally encouraged elsewhere along residential sections of collector roads. Direct access from abutting industrial and commercial properties will be permitted.
- (d) Minor Collectors are to be planned, designed, constructed and designated to accommodate light to moderate volumes of short distance traffic at low speeds between neighbourhoods or to or from the collector and arterial street system. Through traffic will be strongly discouraged from using these roadways. All intersections will be at grade. Direct access from abutting properties would be permitted.
- (e) Local roadways are to be planned, designed, constructed and designated to accommodate low volumes of traffic travelling at low speeds between points of origin and the collector road system. Intersections will be at grade. Direct access from abutting properties will be permitted.
- (f) Minor Local roadways are to be planned, designed, constructed and designated to accommodate very light volumes of traffic travelling at low speeds between points of origin and the local road system. These roadways will be designed to serve only the properties which abut the roadways. Intersections will be at

grade. Direct access from abutting properties is permitted.

- 7.1.2 Provincial Highways, Minor Arterial, Collectors and Minor Collectors in accordance with the classification in policy 7.1.1 are shown on Plate 45. Local Roads and Minor Local roads are to be planned as part of the subdivision design process.
- 7.1.3 The right-of-way requirement for Highway 7 and 10 will be the responsibility of the Ministry of Transportation and Communications. The minimum right-of-way width for Kennedy Road and for Sandalwood Parkway shall be 35 metres (120 feet). Right-of way width requirements for collector roads will be 23 to 26 metres (76 to 86 feet). Right-of-way width requirements for Minor Collectors, Local roads, and Minor Local roads will typically be 23 to 26 metres (76 to 86 feet), 20 metres (66 feet), and 17 metres (56 feet) respectively.
- 7.1.4 The required right-of-way widths specified in policy 7.1.3 denote only the basic requirement for the section of the road. Additional rights-of-way may be required at intersections to provide for exclusive turning lanes and other special treatments. There may also be additional requirements for rights-of-way to provide lands for the construction of bridges, overpasses, earth filled ramps and depressed sections of roads. Any such additional right-of-way requirements shall be determined at the time of the design of the road facilities and will become part of the total required right-of-way.
- 7.1.5 The traffic carrying function of the provincial highway, arterial and major collector system will be protected and improved by:
- (i) discouraging intersections of local streets with arterial and provincial highways in the design of new subdivisions;
 - (ii) controlling the number of collector street intersections with arterial streets and provincial highways through the regulation of subdivision design;
 - (iii) requiring an internal road access design for low density residential uses adjacent to arterial roads and provincial highways.
- 7.1.6 Council will endeavor to achieve a safe and quiet atmosphere in residential areas by:
- (i) encouraging the use of minor crescent streets and the selective

use of short cul-de-sacs in subdivision design where feasible;

- (ii) using street designs which discourage excessive speeds;
- (iii) encouraging off-street private parking (i.e. private driveways, garages, etc.).

7.1.7 The design of roads shall incorporate design elements such as tree planting, landscaping, pedestrian facilities, bicycle paths, median strips and boulevards where appropriate.

7.1.8 The pattern and design of local and collector streets shall discourage medium and long distance trips from penetrating residential neighbourhoods, thereby protecting such areas from the noise, pollution, and physical danger of excessive vehicular traffic.

MOD 3

7.2 Pedestrians

7.2.1 Pedestrian walkways should generally be provided in subdivision designs to reduce the walking distance from a number of dwelling units to transit, park, elementary school and convenience commercial facilities, and between residential neighbourhoods.

7.2.2 The City shall ensure that all new sidewalks and reconstructed sidewalks be ramped at intersections where safe and practical.

7.3 Impacts

7.3.1 Provisions shall be made in all site plans and plans of subdivisions for future transportation right-of-way requirements, for the proper relationship of buildings to the ultimate physical characteristics of the transportation facility and for the provisions of barriers, berms, screens and landscaping where necessary to buffer residential units from the effects of ultimate traffic volumes.

8.0 MAJOR PUBLIC UTILITIES

8.1 Storm Water Management

8.1.1 Introduction: Urban development in watersheds generally results in substantial increases in run-off rates and siltation loads in receiving watercourses due to the increase in paved surfaces, the widespread use of storm sewers, and the disturbing effects of construction activity. Secondary effects are erosion along the edges of watercourses, increased downstream flooding, increased stream siltation and deleterious effects on the aquatic environment, increased stream management costs, and impairment of natural beauty.

8.1.2 In conjunction with the City's responsibility for the installation and maintenance of storm sewers, Council shall ensure that storm sewer systems be economically designed to operate on a gravity system and to utilize natural watercourses where available.

8.1.3 To enable the City to control surface water runoff and to maintain the receiving watercourses in a more healthy, natural condition, Council may require, where it deems necessary, measures such as water retention and siltation ponds.

MOD 4

8.1.4 Council shall ensure that all construction sites introduce, directly or indirectly, a minimum of silt and debris to natural watercourses through such means as siltation traps and the application of fast growing grass or related seed to earth mounds or bare-earth areas.

8.1.5 Storm water easements shall have minimal detrimental effect on the use of land and enjoyment of property.

8.1.6 A comprehensive storm water management study will be undertaken for the Bovaird-Kennedy Area and be subject to the approval of the Metropolitan Toronto and Region Conservation Authority and the Ministry of Natural Resources prior to the registration of individual subdivisions. This study would investigate the use of a alternative storm water management devices and it would recommend a storm water management plan for the study area.

MOD 5

8.2 TransCanada Pipeline

8.2.1 In the interest of public safety, it is desirable that the TransCanada gas pipeline right-of-way be isolated from the activities of building contractors and private homeowners and that no significant structures or excavations be permitted within a working strip of adequate width abutting either side of the right-of-way. Accordingly 4.6 metre (15 feet) buffer strips shall be provided abutting each side of the pipeline right-of-way.

8.2.2 All occupied buildings shall be setback a minimum of 15 metres (50 feet) from the nearest edge of the TransCanada Pipeline right-of-way, or at Council's discretion, a minimum of 18 metres (60 feet) from the centreline of the nearest existing or potential pipeline.

8.2.3 As a condition of approval of any subdivision plan for lands within 200 metres (660) of the TransCanada Pipeline right-of-way, the developer shall agree to include an appropriate notification of the existence of the high pressure natural gas pipeline and associated risk in each Offer to Purchase for lots within 200 metres of the pipeline easements.

8.3 Cabled Services

8.3.1 The City shall endeavor to have local service power lines, telephone and other cabled services located underground, where feasible.

8.3.2 Council shall endeavor to ensure that utility installations for electric power and telephone services will not be permitted within residential areas if such installations are of a magnitude, function, or character incompatible with the surrounding residential environment.

9.0 IMPLEMENTATION

9.1 Interpretation

9.1.1 In order to provide for flexibility in the interpretation of the text and maps of this Chapter, it is intended that all figures, numbers and quantities be considered to be approximate only and not absolute, and that minor changes may be permitted without amendments to this Chapter, provided that they do not affect the intent of this Chapter.

9.1.2 Although the Plan for the Bovaird-Kennedy Area establishes boundaries of land use designations and road alignments, as well as densities and housing mix, these elements may be varied slightly provided that the intent of the Official Plan is clearly respected.

9.2 Restricted Area By-law

9.2.1 Restricted Area By-laws pursuant to Section 35 of the Planning Act will be used to regulate the use of land and the character, location and use of buildings and structures in accordance with the policies of this Chapter.

9.2.2 Although it is intended that all lands in the Bovaird-Kennedy Area will eventually be rezoned by Restricted Area By-law amendment to conform with the land use designations herein, Council may intentionally retain or make use of interim zoning in certain areas to defer development for the designated use until appropriate standards and adequate services can be assured.

9.2.3 Detailed Restricted Area By-laws incorporating specific plans and conditions agreed to by the City and a developer of medium density residential or non-residential uses may be adopted in conjunction with rezoning as an adjunct to Subdivision Agreements or Site Plan Agreements to achieve good individual property and neighbourhood development and to help realize the policy intent of this Plan.

9.3 Subdivision Control

9.3.1 The Subdivision Plan Approval process and Subdivision Agreements pursuant to Section 33 of the Planning Act will be used by Council to ensure that the policies and land use of this Chapter are complied with and that a high standard of layout and design is maintained in new development areas.

9.3.2 Council will recommend for approval only those plans of subdivision which comply with the policies and land use designations of this Chapter including policies respecting the provision of adequate services and the maintenance of the sound financial position of the City.

9.3.3 As a condition of draft approval of a subdivision plan in the Bovaird-Kennedy Area, the subdivider shall agree to complete the

comprehensive storm water management study referred to in policy 8.1.6 to the satisfaction of Council and he shall agree to make all of the storm water management changes and associated subdivision design changes that are requested by the City pursuant to receipt of the storm water management study.

9.4 Site Plan Control

9.4.1 Council may control the provision and maintenance of certain site related facilities and matters associated with any development or redevelopment through the mechanism of Site Plan Agreements pursuant to Section 35a of the Planning Act.

9.4.2 Approval of site plans and execution of site plan agreements will be required prior to the issuance of building permits for development or redevelopment.

9.5 Parkland Dedication

9.5.1 Lands may be acquired for parks and recreation purposes by means of the land dedication provisions related to plans of subdivision, as a condition of development, redevelopment or consent, through the provisions of agreements between the City and Conservation Authorities, the allocation of funds for this purpose in the municipal budget from general revenue or development capital contributions, and by means of donations, gifts or bequests of individuals or corporations to the City for this purpose.

9.5.2 The City will not necessarily obtain parkland or develop recreation facilities in the vicinity of a development associated with a specific cash-in-lieu or development capital contribution but may apply such funds to park acquisition or development in any area of the City which is serving or will serve the subject development with either parkland or recreation facilities.

9.5.3 Lands required for drainage purposes, lands susceptible to flooding, steep valley slopes, filled-in areas, and other lands unsuitable for development will not necessarily be accepted as part of the parkland dedications referred to in policy 6.3, and development of lands adjacent to such areas will be considered premature unless and until such areas have come into public ownership.

9.6 Provision of School Sites

9.6.1 No additional plans of subdivision in the Bovaird-Kennedy Area will receive draft approval until an agreement containing a cost equalization mechanism satisfactory to the school board has been signed by all relevant landowners guaranteeing the achievement of the Bovaird-Kennedy plan with respect to the provision of school sites.

9.7 Financial and Phasing

9.7.1 The City shall endeavor to phase development in the Bovaird-Kennedy Area in a manner which will permit all major landowners to develop their lands concurrently but which also maximizes the accessibility of residents to services in the Bovaird-Kennedy Area through all phases of the development.

9.7.2 The following criteria will collectively be used as the basis for selecting those residential developments or portions thereof which ought to be given development priority:

- (i) Financial: Developments and development areas will be evaluated in relation to the overall growth rate that can be supported by the City without decreasing service standards or imposing undue increases in taxation.
- (ii) Support to Existing Infrastructure: Favors those developments and areas which infill or round out existing communities, which can make use of existing underutilized facilities, and which will expedite the completion of missing links or components of partially completed facilities.
- (iii) Piped Services (Sewer and Water): Favors those developments and areas which are most economically (to City and Region) provided with piped services in the context of current and planned construction programs.
- (iv) Transportation Services (Road and Transit): Favors those developments and areas which are most readily and economically provided with roadway facilities and with transit service.
- (v) Parkland and Community Services: Favors those developments

and areas which satisfy City and Regional requirements and standards with respect to the provision of parkland and community services.

- (vi) Consistency with Housing Needs: Favors those developments and areas which best support the provision of a housing supply consistent with market demand and with the needs of those who work in Brampton.
- (vii) Environmental Concerns (Noise, etc.): Favors those developments and areas which are likely to have the greatest freedom from noise and air pollution and which would cause the least adverse impact on the natural environment, including environmentally sensitive areas and flood susceptible areas.
- (viii) Social Concerns: Favors those developments and areas which are unlikely to create or aggravate social problems in the community by reason of their undesirable location within Brampton or of their inappropriate design or site plan characteristics.
- (ix) Consistency with other Official Plan Policies: Favors those developments and areas which are most consistent with any relevant Official Plan policies other than those related to the preceding criteria.
- (x) Application Date: Among developments and areas which are rated relatively equally on all of the other criteria, favors the earliest development application in official circulation by the Region or the Province.

MOD 6

9.8 Bovaird-Kennedy Concept Plan

9.8.1 The Bovaird-Kennedy Concept Plan which will be adopted by Council concurrently with this Chapter of the Consolidated Official Plan provides both the conceptual basis for this Chapter as well as a more detailed elaboration of some of the policies and designations contained herein. The Bovaird-Kennedy Concept Plan does not form part of the Consolidated Official Plan and may be amended by resolution of Council.

9.8.2 The sizes of District, Community, Neighbourhood and Parkette Parks shall be indicated in the Bovaird-Kennedy Concept Plan.

APPENDIX A

(to Chapter C53)

A1

ROADWAY

NOISE SOUND LEVEL

LIMITS FOR OUTDOOR RECREATIONAL AREAS

The following are recommended sound level limits for outdoor recreational areas, including residential outdoor privacy areas, to be used for planning land use:

<u>Period of Day</u>	<u>dBA Limits</u>	
	Traffic Noise	
	L _{eq}	L ₅₀
07:00 hours to 23:00 hours	55*	52
23:00 hours to 07:00 hours	50*	47

L_{eq} - "equivalent sound level" - the value of the constant sound level which would result in exposure to the same A-weighted energy as would the specified time-varying sound, if the constant sound level persisted over an equal time interval.

L₅₀ - "fifty percentile sound level" - is the sound level exceeded fifty per cent of a specified time period.

dBA - sound pressure level measured in decibels using the A scale, which is intended to approximate the relative sensitivity of the normal human ear to different frequencies of sound.

* Where a developer has demonstrated that he has done everything economically, technically and administratively feasible to reduce noise levels and the resultant noise level is above 55 dBA and below 60 dBA, the Ministry and the City will

consider approval provided purchasers are advised that there may be a potential noise problem. This provision also applies to situations where a slight noise level excess of 1-5 dBA exists and it is not practical to implement noise measures to deal with this slight excess.

A2

ROADWAY NOISE

INDOOR SOUND LEVEL LIMITS

The following are the indoor sound level limits for planning land use:

<u>Type of Space</u>	<u>Equivalent Sound Level Limit</u> <u>L_{eq} (dBA)</u>
Bedrooms, sleeping quarters, hospitals, etc. (Time period: 23:00 - 07:00 hours)	40
Living rooms, hotels, motels, etc. (Time period: 07:00 - 23:00 hours)	45
Individual or semi-private offices, small conference rooms, reading rooms, classrooms, etc. (Time period: 07:00 - 23:00 hours)	45
General offices, reception areas, retail shops, and stores, etc. (Time period: 07:00 - 23:00 hours)	50

L_{eq} and dBA - defined in Section A-1 above

A3

AREAS REQUIRING NOISE ANALYSIS

Areas requiring noise analysis are considered to be those lying within the following distances of the various roadway types projected to have the following characteristics:

Road Classification	Operating Speed	Projected Number of Lanes	Projected Traffic AADT	Projected Volumes Average Hourly**	Assumed Percent Trucks	Area Requiring Analysis* Distance from Edge of Pavement (Deop) (metres) (ft.)	
Freeway	60	14	260,000	15,600	15%	1,669	5,475
		12	220,000	13,200	15%	1,477	4,847
		10	180,000	10,800	15%	1,276	4,186
		8	145,000	8,700	15%	1,090	3,575
		6	110,000	6,600	15%	891	2,922
		4	73,000	4,400	15%	662	2,173
Provincial Highway	50	6	78,000	4,700	15%	492	1,614
		4	35,000	2,100	15%	273	897
		2	17,000	1,000	15%	159	522
Arterial (Major & Minor)	35	6	60,000	3,600	15%	241	792
		4	27,000	1,600	15%	134	438
Collector & Minor Collector	30	4	20,000	1,200	10%	81	267
		2	10,000	600	10%	49	161

* Calculations are based on the following MTC formula
 $Deop = \text{Antilog} (3.56 + 0.73 \log (Vc + 6Vt) + 0.015 S - 0.072 L_{eq})$
 Areas requiring noise analysis are defined by the distances from the edge of pavement which would be subject to L_{eq} traffic noise levels exceeding 55 dBA for the 07:00 to 23:00 hour time period assuming no intervening development or noise attenuating features.

** 95% of the traffic is assumed to be daytime traffic (i.e. 07:00 to 23:00 hours).