



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 10-90

To adopt Amendment Number 175
to the Official Plan of the City
of Brampton Planning Area

The council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, 1983, hereby ENACTS as follows:

1. Amendment Number 175 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of Amendment Number 175 to the Official Plan of the City of Brampton Planning Area.

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

this 22nd day of January, 1990.

Gael Miles
~~KENNETH G. WILLIAMS~~ MAYOR
 GAEL MILES ACTING MAYOR

Leonard J. Mikulich
 LEONARD J. MIKULICH - CLERK

APPROVED
 AS TO FORM
 1/1/90
 [Signature]
 DATE 1/10/90

AMENDMENT NUMBER 175
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

OB / 94	FOLIO / 51
ORDER ISSUE DATE	
AUG 29 1990	
OB / 090-1	FOLIO / 10



R 900261
O 900104

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 17(11) of
the Planning Act, 1983

AND IN THE MATTER OF a referral to
this Board by the Minister of
Municipal Affairs on a request by
Colleen I. Armstrong of approximately
1.37 acres of land located north of
Queen Street East, between Beech
Street and June Avenue, Part of Lot
6, Concession 1, E.H.S. in the
Municipality of Brampton for
consideration of Amendment No. 175 to
the Official Plan of the City of
Brampton
Minister's File No. 21-OP-0031-175
OMB File No. O 900104

- and -

IN THE MATTER OF Section 34 of the
Planning Act, 1983

AND IN THE MATTER OF an appeal by
Colleen Armstrong against Zoning
By-law 42-90 of the Corporation of
the City of Brampton
OMB File No. R900261

C O U N S E L :

R. Paskar	for Colleen J. Armstrong
J. Atwood Petkovski	for the City of Brampton
M. E. Bench	for the Regional Municipality of Peel
R. K. Webb, Q.C.	for Tornat Construction Inc.

DECISION delivered by D. H. McROBB and ORDER OF THE BOARD

Official Plan Amendment No. 175 and Zoning By-law 42-90 if
implemented would permit the development of a 122 unit 12 storey
apartment building. This site is a "through lot" with 182 feet on
Beech Street, 163 feet on June Avenue and a depth of 368 feet for a
total area of 1.4 acres.

The development would be owned and operated by Peel Non-Profit
Housing Corporation. Mr. Keith Ward, the Director of Policy

Development for the Corporation, explained that the site acquisition and construction would be undertaken by a private company and would be purchased by the Corporation which would receive Provincial funds under a 35 year operating agreement. The Corporation presently has some 3,400 housing units under management in Peel and is an experienced and successful property manager.

The project would have 72 one bedroom units and 50 two bedroom units with 12 of the one bedroom units being specially outfitted for handicapped residents. It was his evidence that due to recent changes, eligibility for assisted housing has been extended to singles. There are now some 200 singles on the waiting list. Thus one bedroom units are needed. Also, two bedroom units are required mostly for single mothers. The policy is to allow only one child in a two bedroom unit and none in the one bedroom units. If more children are found in these units it would only be for a year or so until the family can be relocated to larger quarters. He estimated that total residents might be 180 or so including 55 children. There was no issue as to the need for the development nor any objection to the assisted housing by the area residents.

Mr. David Butler, a planning consultant reviewed the proposal. He pointed out that this block at the north west corner of Queen Street and Kennedy Road and bounded by Church Street on the north and Beech Street on the west was recently the subject of planning studies which culminated in the adoption of Official Plan Amendments 145 and 145A. The lands were designated High Density Residential and Commercial. The High Density Residential designation permits a density up to 60 units per acre. The subject site is so designated. There are about 25 older homes in the area, six of which abut the subject site on the Beech Street frontage northward to Church Street.

In order to develop the building at 89 units per acre, as is proposed, an Official Plan amendment is necessary. Also an amendment to the zoning by-law is necessary as the present zoning is R1B. The amendment is to R4A with certain special provisions. The R4A zoning permits 12 storeys whereas this zoning would permit 13 storeys. As well some of the R4A standards with respect to side yard setbacks, floor space index and open space have been reduced and some of the standards such as minimum lot width, and front yard depth have been increased. Also the by-law provides for reduced parking for tenants. Visitor parking is the same standard as presently exists in the comprehensive zoning by-law.

The neighbours to the north are concerned with the density and height of the building. They are also concerned that this will permit more people and more children and more traffic and more on-street parking in an already busy area. They consider on-site and off-site amenities inadequate, particularly for children's play space. They think that the building is just too big for the site and for the area. There is presently a three storey and a seven storey apartment building to the east of the six single family homes. The residents' expectation, when Official Plan Amendments 145 and 145A were adopted, was that buildings of a similar size would be permitted. They considered that Brampton planning staff may have held a similar view as the staff did not recommend this development to Council for approval. Some of the staff's original objections have been addressed in the most recent site plan, however their main objection which was to density remains.

It was Mr. Butler's evidence and that of Ms. Lynda Newman, a planner with the Ministry of Housing, that the main consideration in assessing densities permitted should be impact on surrounding land uses. Units per acre density disadvantages affordable housing units as they are generally smaller. At the present density permitted of

60 units per acre 84 units could be developed on this site. If it were a condominium or private rental project, there would be no control on tenant population as can be exercised by Peel Non-Profit Housing Corporation, thus using 2.5 persons per unit, a total population of 210 persons could live in the development. Also the number of children could not be restricted. The Board finds that the subject proposal is thus unlikely to result in more people or more children than a building at a density of 60 units to the acre.

The height of 13 stories rather than 12 was considered by Mr. Butler in his review of shadow diagrams, Exhibit 23. There is no doubt that the building will cause shadows, however the main shadow effect on the residences to the north is in the winter morning hours. The difference with the added storey would, in Mr. Butler's opinion, be insignificant. Where the property abuts the residences to the north the side yard has been increased, thus reducing the increased height effect on the residential uses. Mr. Butler was also of the opinion that one more storey than the 12 permitted would not even be noticed. Apparently, the residents were unaware of the possibility that apartments might be developed to at least 12 storeys under an R4A zoning. Thus, it really is not the extra storey that is their main concern but the fact that they expected apartments up to seven storeys as presently exist in the area. The Board finds that the additional one storey will have no adverse impact on the residents.

The residents suggested that the number of units and the building size were only at the density and height proposed so that the developer could make more profit. It was the evidence of Mr. Ward and Mrs. Newman that their respective architectural and financial staff have reviewed the plans and the cost estimates and they both agreed that the proposal was costed accurately and that any significant changes might jeopardize the undertaking. Also, Mr. Ward

pointed out that the Corporation considers 120 to 130 residential units to be the ideal size development to efficiently manage.

Ms. Newman also referred the Board to the Provincial Policy for Housing (Exhibit 12). The development would, in her view, provide a range of housing for low income households and would therefore support the Provincial Policy.

The parking requirements for tenants as would be provided under the zoning now in force would be 150 spaces whereas 140 spaces are to be provided. It was Mr. Ward's evidence that the experience of the Corporation, as supported by the parking statistics of managed buildings (Exhibit 7), indicate a parking requirement for tenants much less than the by-law requires and even much less than is being provided. He pointed out that this project is close to public transportation and that low income tenants and seniors are less likely to have cars. He indicated that where buildings were built with parking provided in accordance with the by-law, the Corporation was now managing half empty underground garages. He considered the cost of this waste space not to be in the best interests of the taxpayers. The Board finds the parking provisions proposed to be more than sufficient. Further, the Board finds the visitor parking is not only sufficient but is in compliance with the by-law requirements. The neighbours' concern for on-street parking was, by their own evidence, not related to tenants or visitors of the existing apartments but to commercial users. Likely the tenants and visitors to this development will be no different than present residents of the area, that is, they will park on-site where there is to be plenty of space.

Concern was expressed with respect to on-site open space and enclosed amenities and off-site parks and play grounds for children. Mr. Butler explained that the Secondary Plan for the area contains

policies which recognize that this area is old and built up and that the sites that will be redeveloped will be relatively small. Thus, all redevelopment is to be assessed as cash-in-lieu payment to provide parks, and each site should have on-site amenities. There is to be a tot lot, landscaped open space, and an interior recreation room. As well, although not immediately adjacent to the site, there is a school yard a few blocks away and a park in conjunction with the Etobicoke Creek. It was suggested that these latter facilities would not be appropriate for young children as sports activities are generally organized. The Board recognises that there just can't be enough park land and recreation space in every community. The children in this development, according to Mr. Ward, are likely to be young and will thus likely use the on-site play areas for the most part. If there are older children surely there is no reason that they can't participate in the organized activities at the school and park. The Board does not consider any deficiency in amenities and parks to be sufficient to make this proposal unacceptable.

Increased traffic from the site was also of concern to the area residents. A traffic study was commissioned which concluded that this proposal, as well as full development of the area in accordance with Official Plan Amendments 145 and 145A, could be undertaken without undue traffic problems.

Counsel for the objectors suggested that original by-law standards should not be relaxed just because this development is for Peel Non-Profit Housing Corporation. The Board agrees that that would not in itself be a legitimate reason to relax by-law standards. However, the Board is able to find that the development, no matter who is to own and manage it, is appropriate as the reduced standards in this case will have no adverse impact either on the site or the

area. The Board therefore dismisses the appeals against By-law 42-90 and approves Official Plan Amendment No. 175, and the Board so orders.

DATED at TORONTO this 29th day of August, 1990.

"D.H. McRobb"

D. H. McROBB
VICE-CHAIRMAN

"A. Delfino"

A. DELFINO
MEMBER

AMENDMENT NUMBER 175
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose

The purpose of this amendment is to establish a special policy area provision to permit the use of lands located north of Queen Street East and situated between Beech Street and June Avenue for high density residential uses.

2.0 Location

The land subject to this amendment comprises an area of approximately 0.555 hectares (1.37 acres) and is located approximately 145 metres north of Queen Street East and situated between Beech Street and June Avenue, being part of Lot 6, Concession 1, E.H.S., in the former geographic Township of Chinguacousy, now in the City of Brampton.

3.0 Amendment and Policies Relative Thereto

3.1 Amendment Number 175 :

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

- (1) by adding, to the list of amendments and chapters pertaining to Secondary Plan Area Number 8 and set out in the first paragraph of Section 7.2.7.8:

"Amendment Number 175 "

- (2) by adding to the legend of Schedule SP8(a), Brampton North Secondary Plan, thereto, the following:

"Special Policy Area 1, (Refer to Policy 3.5.1)"

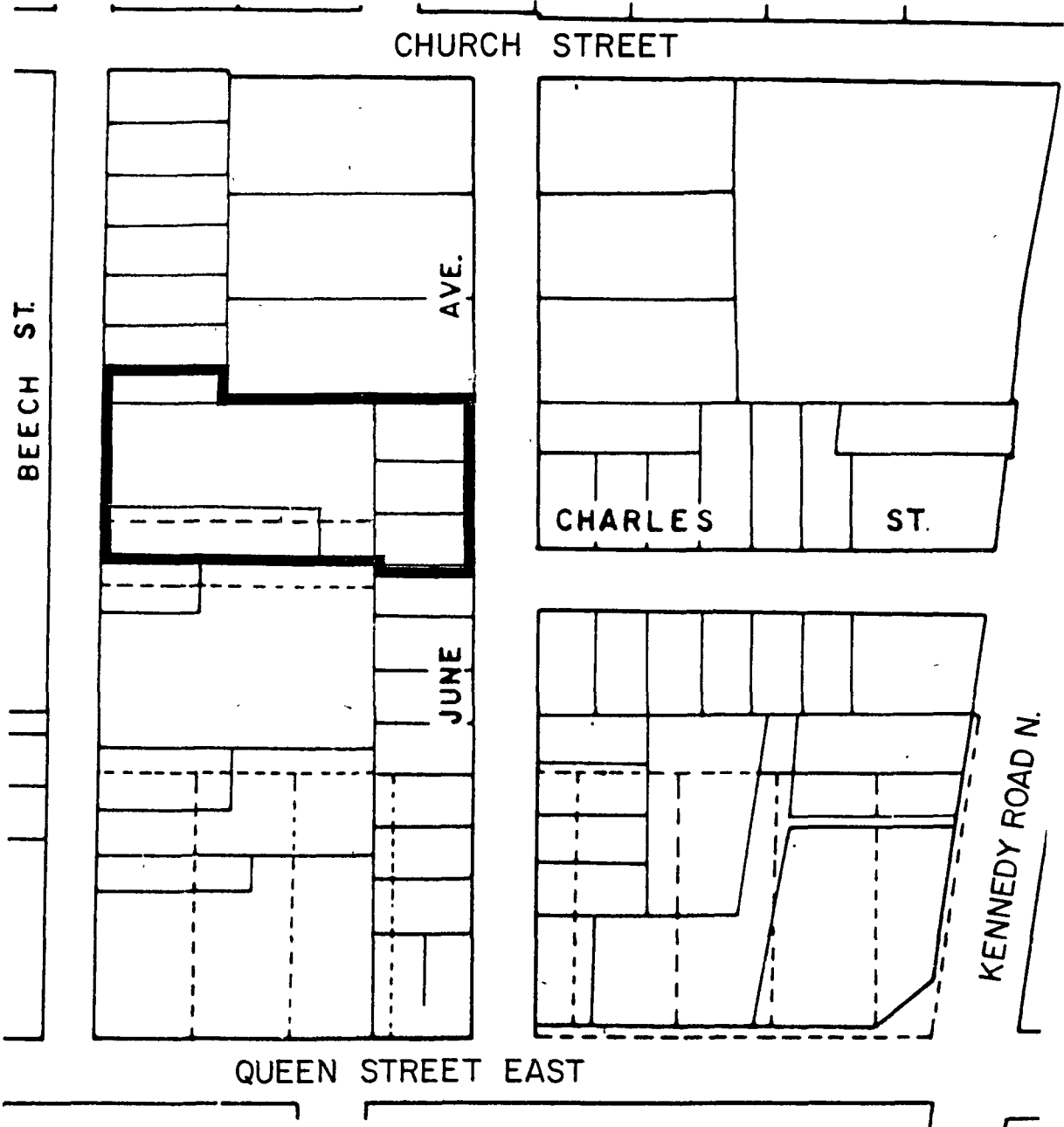
- (3) by identifying on Schedule SP8(a), Brampton North Secondary Plan, thereto, the lands shown outlined on Schedule A to this amendment as Special Policy Area 1;

- (4) by adding to section 3.0 of Chapter 8 of Part IV thereof, the following:

"3.5 Special Policy Areas

3.5.1 The lands shown outlined as Special Policy Area 1 on Schedule SP8(a), shall be used for high density residential development which shall not exceed a net residential density of 217 units per net residential hectare. On-site recreational amenities shall be provided in conjunction with residential uses."

01/90/icl/jo



 SUBJECT PROPERTY

OFFICIAL PLAN AMENDMENT NO. 175



CITY OF BRAMPTON
 Planning and Development

SCHEDULE A

1:2000

Date: 1990 01 03 Drawn by: CJK
 File no. CIE6.40 Map no. 43-85F

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 175

Attached are copies of planning reports, dated June 15, 1989, July 6, 1989 and August 10, 1989; and the notes of Public Meeting held on September 6, 1989, report dated September 11, 1989, after notification in the local newspapers and the mailing of notices to assessed owners of properties within 120 metres of the subject lands.

The following written submissions were also received with respect to the subject official plan amendment and are attached:

William and Eileen Cook	October 28, 1988
Gerald Labonte	November 27, 1988
Mrs. L. Calvert	August 29, 1989
Adam and Marge Smith	January 17, 1989
Al Downey	September 6, 1989
Region of Peel	March 28, 1989 August 1, 1989 August 10, 1989 September 18, 1989
Peel Non-Profit Housing Corporation	July 21, 1989
The Dufferin Peel Roman Catholic Separate School Board	August 17, 1989
Peel Board of Education	July 20, 1989

01/90/icl/jo

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

June 15, 1989

TO: The Chairman of the Development Team
FROM: Planning and Development Department
RE: Application to Amend the Official Plan
and Zoning By-law
Part of Lot 6, Concession 1, E.H.S.
Ward Number 5
637254 ONTARIO LIMITED
Our file: C1E6.40

1.0 INTRODUCTION

The application was submitted to the City Clerk and referred to staff by City Council on December 19, 1988 for a report and recommendation. The attached concept site plan represents the third version submitted to staff.

2.0 PROPERTY DESCRIPTION AND SURROUNDING LAND USE

The subject property:

- is situated between Beech Street and June Avenue approximately 145 metres (475.72 feet) north of Queen Street East
- has a 55.693 metre (182.72 foot) frontage onto Beech Street and a 49.631 metre (162.83 foot) frontage onto June Avenue
- is rectangular in shape
- has a depth of 112.2 metres (368.11 feet)
- has an area of 0.566 hectares (1.4 acres)

- is occupied by 3 single family detached dwelling units fronting on June Avenue and 2 dwelling units fronting on Beech Street. The middle portion of the Beech Street frontage is vacant.

The surrounding land uses are as follows:

NORTH: residential

SOUTH: commercial

EAST: residential

WEST: open space - cemetery

3.0 OFFICIAL PLAN AND ZONING STATUS

- "Residential" (Schedule A)
- "High Density Residential" (Brampton North Secondary Plan, Amendment Number 145)
- designated "Residential Single-Family B (RIB)" (By-law 200-82, as amended)

4.0 PROPOSAL

The applicant is proposing:

- one, 11 storey apartment building having a gross floor area of 9,214.0 square metres accommodating 106 dwelling units with the following characteristics:
 - 12 bachelor units
 - 25 one bedroom units
 - 69 two bedroom units
 - a 8.0 metre setback to Beech Street
 - a 10.0 metre north side yard setback
 - a 2.0 metre south side yard setback to the transformer vault
 - 91 below grade resident parking spaces
 - 16 below grade visitor parking spaces

- two accesses to Beech Street
- 16, three storey, three bedroom townhouse dwelling units with the following characteristics:
 - each townhouse dwelling unit has an attached garage and parking space in front of the garage
 - the minimum proposed rear yard setback is 2.0 metres while the largest is 5.0 metres.
 - access proposed via a 7.6 metre driveway from June Avenue
 - a setback of 7.5 metres from June Avenue
 - a gross floor area of 2048 square metres

The proposal is intended for purposes of the Peel Non-Profit Housing Corporation.

5.0 COMMENTS

Public Works and Building Department

The Development and Engineering Services Division has advised as follows:

- 1) Above ground visitor parking is non-existent and must be provided.
- 2) A site plan agreement is required addressing grading, drainage and access prior to the issuance of a building permit;
- 3) A stormwater drainage/management study and a traffic study are required to assess sewer and road capacity and the improvements required to accommodate this and other future proposals for redevelopment, and
- 4) A minimum right of way widening along Beech Street is required to 2.0 metres to establish a right-of-way to 10.0 metres from the centreline and other widenings as identified by the traffic study.

Traffic Engineering Services Division advises a traffic study is required to assess road capacity and the necessary improvements required to support this development proposal and other future proposals in the area.

The Building and By-law Enforcement Division advised the proposal should be zoned R4A. The provisions of the R4A zone require a minimum side yard of 10 metres or half the height of the building. The side yards as shown are less than required. The rezoning, if approved, should also deal with the height regulation and the maximum floor space index. The parking spaces shown are less than required for rental units, or for condominiums. It is assumed that this application will be dealt with as one site only and that severances will not be granted.

Planning and Development Department

The Community Design Section has indicated that the setbacks for the apartment building do not conform to City standards of half the building height. The landscaped area of the apartment development does not meet the general requirement of 60%. The parking provision is substandard. The apartment density is about 89 units per acre which is more than the density of the apartment east of the Civic Centre. There is no justification for such a substandard overdevelopment on the site. Major modifications to the site plan will be required subsequent to the resolving of density aspects.

The Planning Policy and Research Division advises the subject property is designated High Density Residential in the Brampton North Secondary Plan (Official Plan Amendment Number 145) which was recently approved by the Minister of Municipal Affairs. The applicant proposes townhouses on the site and this is a housing form which would be permitted in the high density residential designation, provided the overall density of development falls within the 31 to 80 dwelling units per acre range specified in Part II of the Brampton Official Plan.

With a yield of 122 dwelling units from the subject property, a development density of 219.8 units per hectare (88.9 units per acre) would be realized. Such a density is far in excess of the limit specified by the secondary plan which is 150 units per hectare (60.7 units per acre). The secondary plan also states that the City "shall encourage redevelopment proposals in the high density residential designation to contain bachelor and 1 bedroom dwelling units". The reasoning for this policy being the deficiency of public open space and recreation areas in the general area. The subject development only proposes 30% (37 units) of the 122 units as bachelor and 1 bedroom dwelling units. Parking for the apartment component of this project would not meet current by-law standards.

It is the Division's understanding that Tornat has approached the Peel Non-Profit Housing Corporation regarding the assumption of this project for assisted housing. The interest of the Peel Non-Profit Housing Corporation in the subject development does not justify a development which far exceeds the densities permitted in the Official Plan and any other recently approved high rise developments in the City.

Community Services Department

Parks and Recreation have commented as follows:

- "1. We note that the density is in the vicinity of 89 units per acre. Confirmation as to whether or not this density complies with Brampton North Secondary Plan Amendment No. 145 should be indicated; however in any event, given the fact that there is insufficient area to provide an adequate conveyance of parkland, we recommend that the apartment building include a reasonable amount of indoor and outdoor recreation facilities and these should be indicated by the applicant and viewed by staff for acceptability.
2. Based on the foregoing, we are prepared to accept cash-in-lieu of parkland based on the formula of one hectare for 300 dwelling units.
3. Fencing - side yards of the entire property should be screened from abutting residents by a solid screen fence of at least 1.8 metres high. A 1.8 metre high solid screen fence is required at the rear lot line of the townhouse units and also along the side lot line where the townhouse units abut the entrance driveway.
4. A landscape plan for the entire property is required and it should be noted that there appears to be a minimum of landscaped area for this site, therefore the landscaping to be submitted should be of a high quality. Additionally, boulevard trees will be required on the Beech Street and June Avenue frontage.

5. There are not any visitor parking spaces indicated on the surface and this will likely result in visitors parking on Beech Street and June Avenue.
6. The Transit Department has no comments or concerns.
7. The Fire Department has no comments or concerns."

The following comments were based on the second submission due to the late hour upon which the third submission was received.

The Dufferin-Peel Roman Catholic Separate School Board has no objection to the application. Approximately 18 Junior Kindergarten to Grade 8 and 5 Grade 9 to 12/OAC pupils are projected.

The Peel Board of Education anticipates 19 Junior Kindergarten to Grade 5, 8 Grade 6 to 8 and 13 Grades 9 to OAC pupils are expected. The Board has no objection to the application.

The Region of Peel Public Works Department has replied that sanitary sewers and water are available on June Avenue and Beech Street and Regional Roads are not affected. The Transportation Policy Division has no comments.

6.0 Discussion and Summary

Considering policies contained in the Official Plan and appropriate secondary plan, density is the principal concern, with respect to the proposed development. In this regard, the Official Plan outlines the following density policies:

"The City may permit a variety of residential densities to a maximum of 173 units per net residential hectare (70 units per net residential acre)...the City may consider an increase in residential densities above 173 units per net residential hectare (70 units per acre) in or adjacent to the Four Corners area as shown on Schedule "F" or in the vicinity of the Bramalea City Centre in accordance with the policies in the relevant secondary plan."

Similarly, the secondary plan for the subject property indicates the following development criteria also pertaining to density:

"(i) residential development shall not exceed a net residential density of 150 units per net residential hectare."

The applicant's primary argument in support of the application at the density proposed is that the project is scheduled for development as non-profit housing. In addition, the project:

- would provide a much needed opportunity to develop a mix of uses including seniors, singles and small families
- is well served by public transit

For the purpose of this application, the density should be considered in light of the Official Plan and Secondary plan density policies noted above.

The 122 unit development is situated on 5550.8 square metres of net residential land area (1.372 acres) which yields:

- a density of 219.8 units per net hectare (89 units per net acre)
- a floor space index of 2.02

Since the property is removed from the Four Corners area and the Bramalea City Centre, a consideration to increase the density beyond 70 units per acre is inappropriate and inconsistent with Official Plan policies. In addition, the secondary plan for the area is specific regarding the permitted density of 60 units per acre, whereas the applicant is proposing a density which is one and a half times this amount. The interest in the property by the Peel Non-Profit Housing Corporation does not justify a density exceeding the densities permitted by the Official Plan and other recently approved high rise developments in the City. From a planning perspective there is no reason to utilize this small site and impose an excessive number of dwelling units resulting in a sizable departure from the intent of the secondary plan.

The applicant has been advised of the density requirements contained in the Official Plan and secondary plan for the area. The concept site plan is the third plan submitted by the applicant after staff had expressed concerns particularly with respect to excessive density in the first and second submissions. The second submission proposed a total density of 99 units per acre with a floor space index

of 2.7. Since the second proposal was to be developed partially for the Peel Non-Profit Housing Corporation and in part as freehold tenure, the density for the Peel Non-Profit lands was 120 units per acre. The attached concept site plan, while an improvement over the two previous, still has a density in excess of Official Plan standards. In this respect, the 5550.8 square metre parcel is capable of supporting a high density development up to 83 dwelling units (60 units per acre; 150 units per hectare).

Another argument, presented by the applicant addresses the mix of uses including seniors, singles and small families, which is not appropriate in light of the following secondary plan policy:

"The City shall encourage redevelopment proposals in the high density residential designation to contain bachelor and one bedroom dwelling units."

The reasoning behind the bachelor and one bedroom units was to encourage "non-family" type dwelling units and therefore minimize the number of children in light of the recognized deficiency of public open space and recreational facilities in the area. The two and three bedroom units may aggravate this situation particularly since the Peel Non-Profit Housing Corporation anticipates 116 children (based on the second submission of 25 one bedroom units, 99 two bedroom and 14 townhouse units). At the same time, it is noted that the concept site plan illustrates only 20 percent of the dwelling units as one bedroom units and only 10 percent for bachelor type units. Consequently, the unit mix, recognized by the secondary plan, has not been considered. For the purpose of the Peel Non-Profit Housing Corporation, the applicant contends the proposed project represents the right mix of one and two bedroom units for this area of Brampton. Staff is not questioning the Corporation's unit mix, but it is evident that the secondary plan policies were established in an attempt to discourage or limit the number of families, recognizing the lack of amenities in the area. In further recognition of deficient open space and recreational facilities, the secondary plan also maintains that, "proponents of redevelopment schemes shall be required to provide on-site recreational amenities in conjunction with residential uses."

Based upon occupancy rates established through a Housing Mix Study prepared in 1986, a population of 290 people would be expected from the proposed development of 122 units versus a population of 133 people for an 83 unit bachelor and one bedroom development. Considering the

anticipated population on the small site, with the proposed unit mix, it is questionable whether sufficient on-site recreational amenity areas will be available. Many surrounding residents fear that the children will be forced to use the cemetery as their play area.

The applicant also suggested that the density, as proposed, is acceptable on the basis of close proximity to public transit. This argument is irrelevant to density requirements and not a basis upon which to consider development of this intensity.

It is clear from the foregoing discussion regarding the issues of density, unit mix and on-site recreational amenities, that the proposed development does not meet the requirements of the Official Plan and secondary plan. Considerable changes are warranted which involve a significant density reduction. Such changes may dictate that the project is uneconomical from the Peel Non-Profit Housing Corporation's perspective. While staff recognize City's policy to support the efforts of the Peel Non-Profit Housing Corporation, a development of this density is unacceptable in recognition of the above noted Official Plan and secondary plan policies. Therefore, the development, as proposed, cannot be supported from a land use planning perspective.

With regard to the design of the subject proposal, staff have concerns regarding:

- parking
- setbacks
- landscaped open space, coverage and the floor space index

Most of the foregoing aspects of the proposal do not meet current City standards and are further addressed below.

Parking

Recognizing City parking standards, the townhouses have sufficient parking of 2 spaces per dwelling unit, whereas only 1.71 spaces per unit are required for rental townhouse units. The applicant is proposing a total of 106 parking spaces for the high rise apartment. Although not evident on the concept site plan, 16 below grade visitor parking spaces are envisaged. On this basis, the visitor parking equates to 0.15 spaces per unit, whereas a well accepted

visitor parking standard is 0.25. As a result, an additional 11 visitor parking spaces are necessary. Similarly, the resident allocation of 0.85 parking spaces per unit or 91 parking spaces for 106 dwelling units is unacceptable considering the City's standard parking requirements for residential developments. For purposes of rental units, the high rise apartment requires a total of 160 spaces of which 136 would be resident spaces while on the basis of condominium units 212 spaces would be required of which 186 spaces would be for residents. Consequently, on the basis of a rental development, a deficit of 54 parking spaces is realized and if considered for condominium tenure, a parking deficit of 106 results. The applicant has argued the parking allocation is justified given the interest of the property by the Peel Non-Profit Housing Corporation. Staff is concerned that the inability to provide sufficient on-site parking spaces may result in vehicles parking on Beech Street and June Avenue, which is not a suitable arrangement.

Setbacks

Appropriate side yards, front yard and rear yard setbacks have not been applied for this development using current zoning standards respecting apartment buildings or townhouse dwellings.

The 30.6 metre high apartment building requires a 15.3 metre sideyard setback according to a standard R4A zone whereas only 10.0 and 6.5 metres are shown, and the transformer vault appears to be 2.0 metres from the south side lot line. The 8.0 metre front yard setback from Beech Street is acceptable. The varying rear yard setbacks of 2.0, 4.0, 4.5 and 5.0 metres for the townhouses should be increased to 7.5 metres.

Landscaped Open Space, Coverage and Floor Space Index

The minimum landscaped open space area for the proposal should be 60 percent of the lot area, whereas only 46 percent is available. Generally, the maximum lot coverage permitted through current zoning standards is 25 percent whereas 31 percent is proposed. Consideration should also be given to the floor space index which translates to 2.02. A maximum floor space index of 1.0 is generally a well accepted standard.

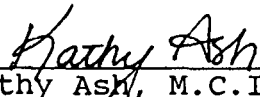
If this application is considered for approval, then a stormwater drainage/management study and a traffic study will be required to assess sewer and road capacity. Staff, however, are of the opinion that the density matter must be resolved, prior to consideration of these studies or consideration of approval.

It is clear from the foregoing discussion, regarding the concept site plan submitted in support of the application, that considerable changes are required, particularly with respect to the excessive density. In this respect, serious consideration would be given to a proposal on this property if the proposal reflected policies contained in the Official Plan and applicable secondary plan. Since it is the City's normal practice to require satisfactory site development plans prior to approving an application to amend the zoning by-law and since the concept site plan submitted by the applicant requires significant revisions, it is recommended that the application not be approved. Should the applicant wish to proceed with the subject proposal on the basis of the recommendations contained in this report, a new application accompanied by an appropriately revised concept site plan should be submitted.

7.0 RECOMMENDATION

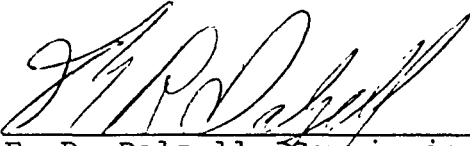
It is recommended that Planning Committee recommend to City Council that the application to amend the Official Plan and the zoning by-law to permit the use of the subject property for high density residential purposes not be approved.

Respectfully submitted,




Kathy Ash, M.C.I.P.
Development Planner

AGREED:

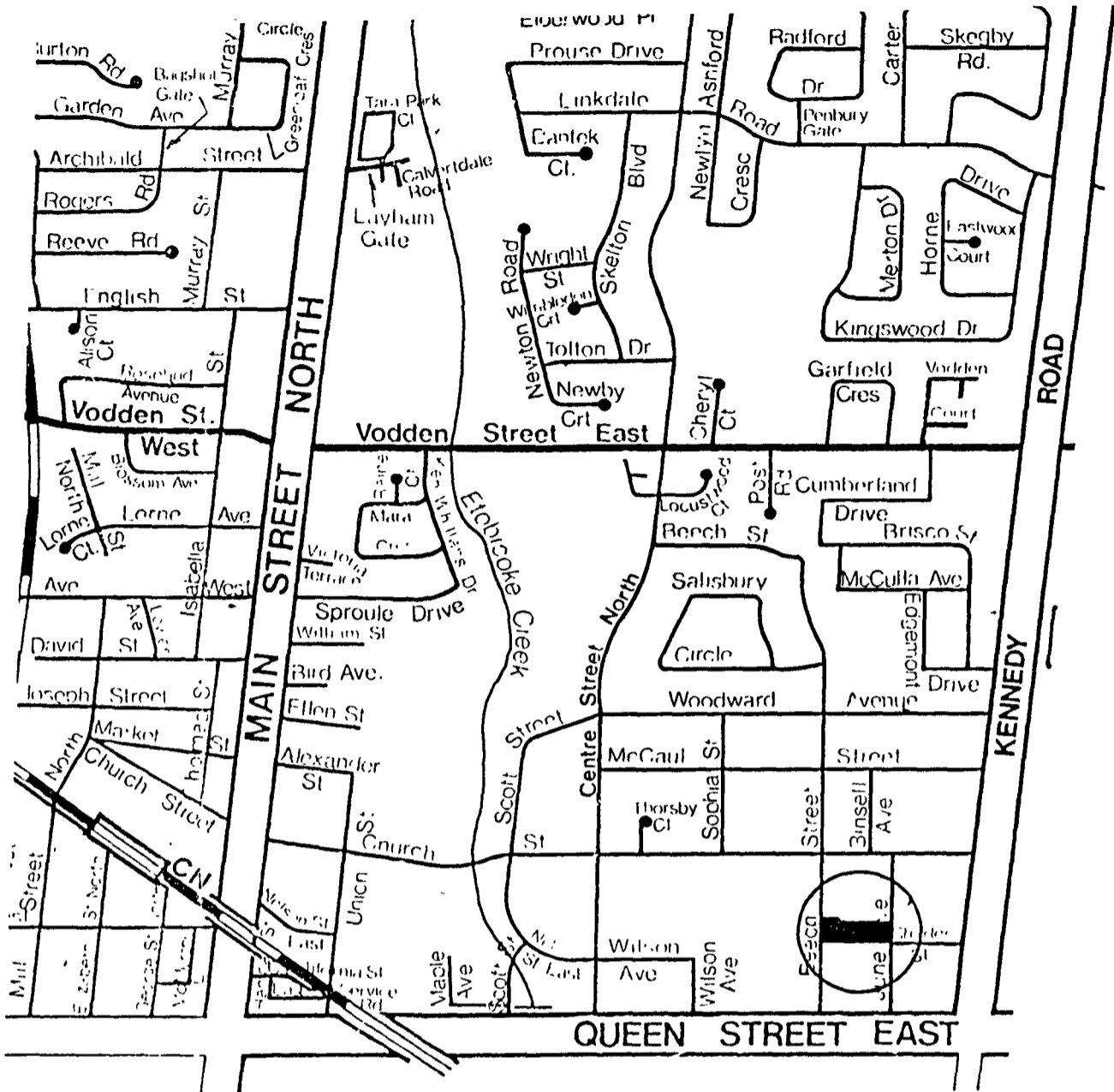


F. R. Dalzell, Commissioner
of Planning and Development



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

KA/bem/icl



LOCATION MAP

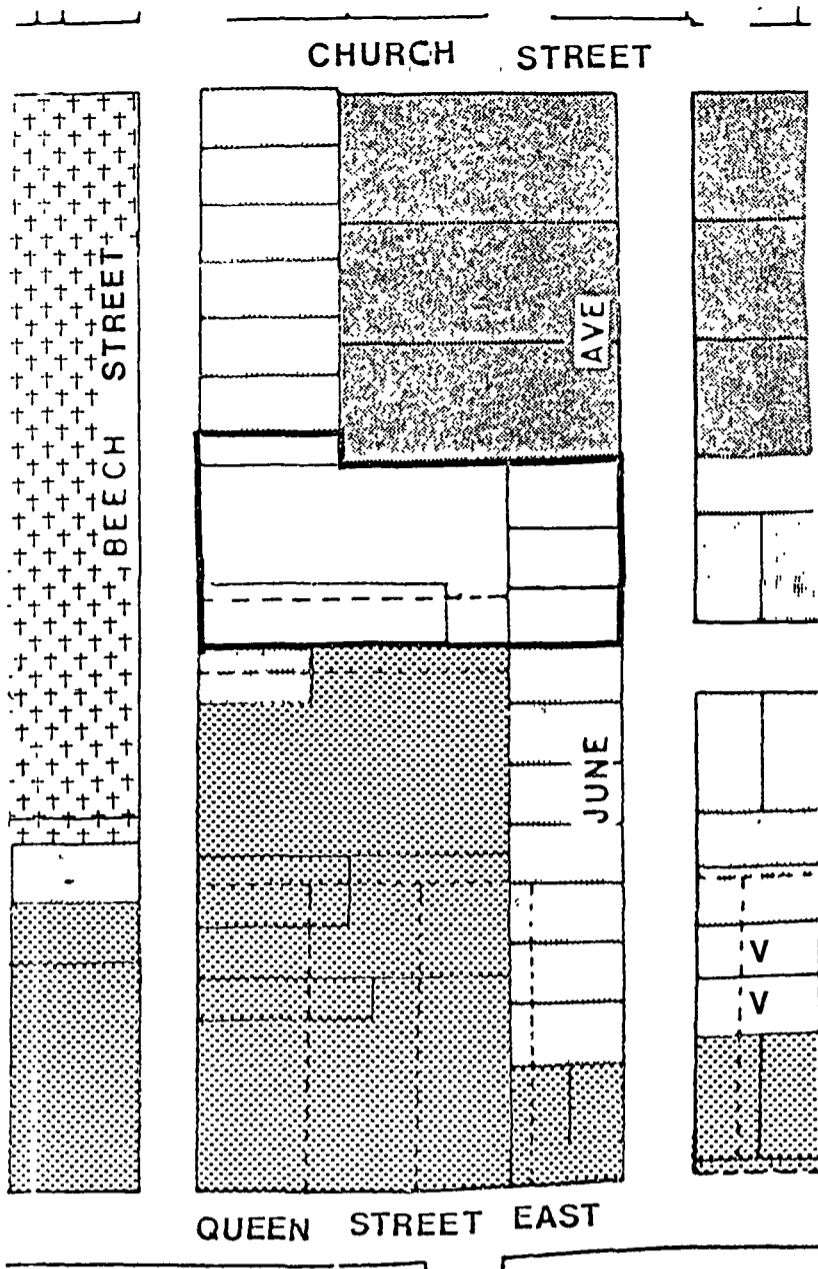
637254 ONTARIO LTD.



CITY OF BRAMPTON
 Planning and Development

Date: 88.10 25 Drawn by: J.K.
 File no. CIE6.40 Map no. 43-85A

1:12000



- LOW DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- COMMERCIAL
- CEMETERY
- VACANT
- SUBJECT PROPERTY

637254 ONTARIO LTD.

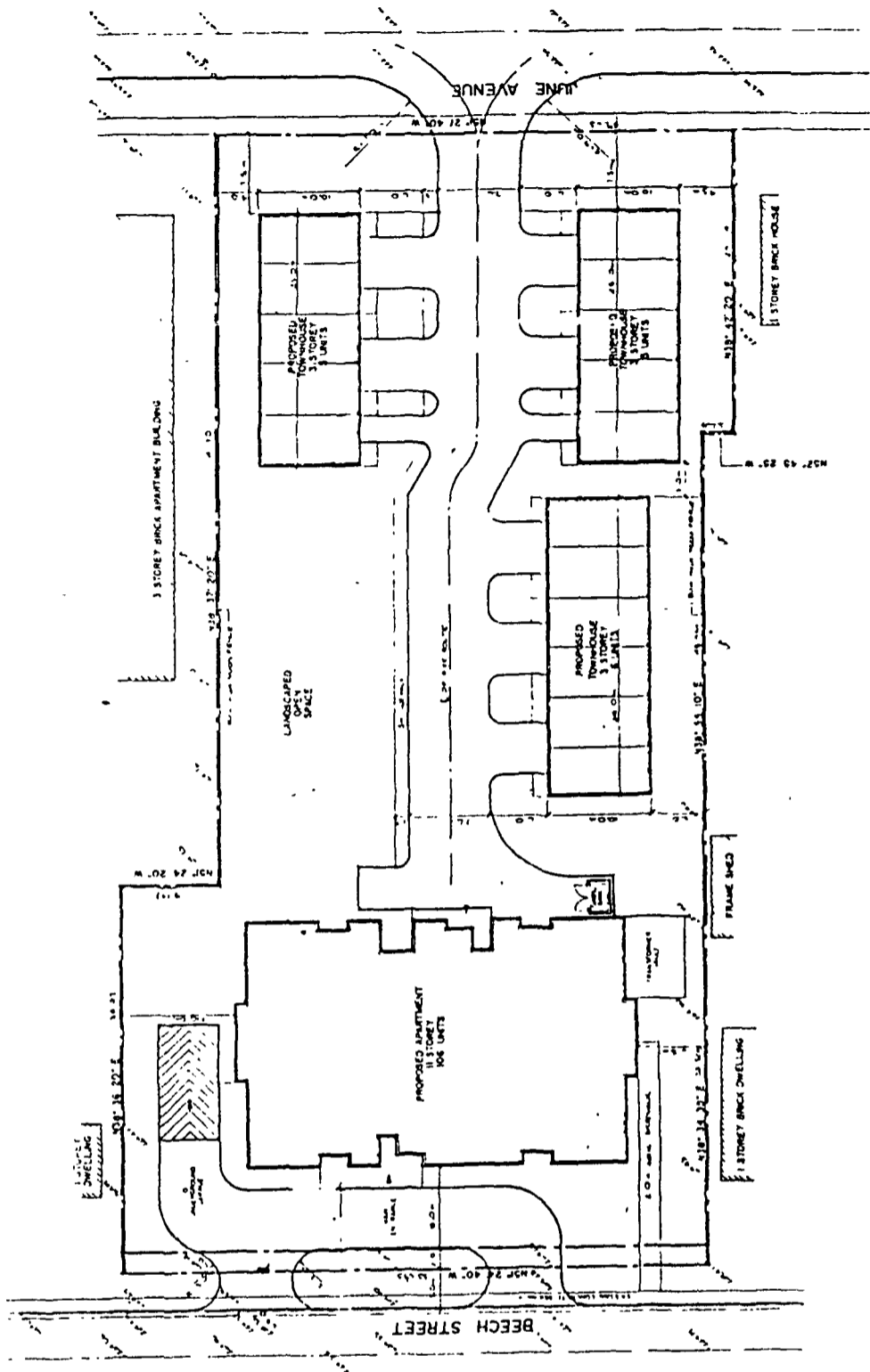
Land Use Map



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CITY OF BRAMPTON
Planning and Development

Date: 1989 05 29 Drawn by: C J K
File no. CIE6.40 Map no. 43-85D



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CONCEPT SITE PLAN



1:6333

CITY OF BRAMPTON
 Planning and Development

Date: 1989 03 31 Drawn by: CJK
 File no. CIE6-40 Map no. 43-85C

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

July 6, 1989

TO: The Chairman of the Development Team

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law
Part of Lot 6, Concession 1, E.H.S.
Ward Number 5
637254 ONTARIO LIMITED
Our file: C1E6.40

1.0 INTRODUCTION

The application was submitted to the City Clerk and referred to staff by City Council on December 19, 1988 for a report and recommendation. Subsequent to a deferral requested by the applicant at the Planning Committee meeting of Monday, June 19, 1989, the applicant has submitted a revised site plan, being the fourth version presented to staff.

2.0 PROPERTY DESCRIPTION AND SURROUNDING LAND USE

The subject property:

- is situated between Beech Street and June Avenue approximately 145 metres (475.72 feet) north of Queen Street East
- has a 55.693 metre (182.72 foot) frontage onto Beech Street and a 49.631 metre (162.83 foot) frontage onto June Avenue
- is rectangular in shape

- has a depth of 112.2 metres (368.11 feet)
- has an area of 0.566 hectares (1.4 acres)
- is occupied by 3 single family detached dwelling units fronting on June Avenue and 2 dwelling units fronting on Beech Street. The middle portion of the Beech Street frontage is vacant.

The surrounding land uses are as follows:

NORTH: residential

SOUTH: commercial

EAST: residential

WEST: open space - cemetery

3.0 OFFICIAL PLAN AND ZONING STATUS

- "Residential" (Schedule A)
- "High Density Residential" (Brampton North Secondary Plan, Amendment Number 145)
- designated "Residential Single-Family B (RIB)" (By-law 200-82, as amended)

4.0 PROPOSAL

The applicant is proposing:

- one, 13 storey apartment building having a gross floor area of 9,350 square metres accommodating 122 dwelling units with the following characteristics:
 - 61 one bedroom units
 - 61 two bedroom units
 - a 8.0 metre setback to Beech Street
 - a 12.0 metre north side yard setback with a 7.0 metre setback to the transformer vault
 - a 12.0 metre south side yard setback

- o 106 below grade resident parking spaces
- o 41 surface visitor parking spaces located to the rear of the apartment building
- o two accesses to Beech Street
- o 55 percent landscaped open space

The proposal is intended for purposes of the Peel Non-Profit Housing Corporation.

5.0 COMMENTS

Public Works and Building Department

The Development and Engineering Services Division has advised as follows:

"The revised site plan seems acceptable from an engineering point of view, provided all the conditions including a storm drainage study, traffic study, 2.0 metre R.O.W. widening along Beech Street and site plan agreement are incorporated in the approval process.

Traffic Engineering Services Division advises a traffic study is required to assess road capacity and the necessary improvements required to support this development proposal and other future proposals in the area.

The Building and By-law Enforcement Division advised the proposal should be zoned R4A. The provisions of the R4A zone require a minimum side yard of 10 metres or half the height of the building. The side yards as shown are less than required. The rezoning, if approved, should also deal with the height regulation and the maximum floor space index. The parking spaces shown are less than required for rental units, or for condominiums.

Planning and Development Department

The Community Design Section has indicated that the setbacks for the apartment building do not conform to City standards of half the building height. The landscaped area of the apartment development does not meet the general requirement of 60%. The parking provision is substandard. The apartment density is about 89 units per acre which is more than the density of the apartment east of the Civic Centre. There is no justification for such a substandard overdevelopment on the site. Modifications to the site plan will be required subsequent to the resolving of density aspects.

The Planning Policy and Research Division advises the subject property is designated High Density Residential in the Brampton North Secondary Plan (Official Plan Amendment Number 145) which was recently approved by the Minister of Municipal Affairs.

With a yield of 122 dwelling units from the subject property, a development density of 219.8 units per hectare (88.9 units per acre) would be realized. Such a density is far in excess of the limit specified by the secondary plan which is 150 units per hectare (60.7 units per acre). The secondary plan also states that the City "shall encourage redevelopment proposals in the high density residential designation to contain bachelor and 1 bedroom dwelling units". The reasoning for this policy being the deficiency of public open space and recreation areas in the general area. The subject development only proposes 50% (61 units) of the 122 units as 1 bedroom dwelling units while no provision is made for bachelor units. Parking for this project would not meet current by-law standards.

It is the Division's understanding that Tornat has approached the Peel Non-Profit Housing Corporation regarding the assumption of this project for assisted housing. The interest of the Peel Non-Profit Housing Corporation in the subject development does not justify a development which far exceeds the densities permitted in the Official Plan and any other recently approved high rise developments in the City.

Community Services Department

Parks and Recreation have commented as follows:

- "1. We note that the density is in the vicinity of 89 units per acre. Confirmation as to whether or not this density complies with Brampton North Secondary Plan Amendment No. 145 should be indicated; however in any event, given the fact that there is insufficient area to provide an adequate conveyance of parkland, we recommend that the apartment building include a reasonable amount of indoor and outdoor recreation facilities and these should be indicated by the applicant and viewed by staff for acceptability.
2. Based on the foregoing, we are prepared to accept cash-in-lieu of parkland based on the formula of one hectare for 300 dwelling units.

3. Fencing - side yards of the entire property should be screened from abutting residents by a solid screen fence of at least 1.8 metres high. A 1.8 metre high solid screen fence is required at the rear lot line of the townhouse units and also along the side lot line where the townhouse units abut the entrance driveway.
4. A landscape plan for the entire property is required and it is noted that a lower standard of landscaped area has been provided. Therefore, the landscaping to be submitted should be of a high quality. Additionally, boulevard trees will be required on the Beech Street and June Avenue frontage.
5. The Transit Department has no comments or concerns.
6. The Fire Department has no comments or concerns."

The following comments were based on the second submission due to the late hour upon which the third submission was received. The fourth submission, received on June 27, 1989, has been forwarded to the agencies listed below for additional comments.

The Dufferin-Peel Roman Catholic Separate School Board has no objection to the application. Approximately 18 Junior Kindergarten to Grade 8 and 5 Grade 9 to 12/OAC pupils are projected.

The Peel Board of Education anticipates 19 Junior Kindergarten to Grade 5, 8 Grade 6 to 8 and 13 Grades 9 to OAC pupils are expected. The Board has no objection to the application.

The Region of Peel Public Works Department has replied that sanitary sewers and water are available on June Avenue and Beech Street and Regional Roads are not affected. The Transportation Policy Division has no comments.

6.0 Discussion and Summary

Considering policies contained in the Official Plan and appropriate secondary plan, the principal concern, with respect to the proposed development, is density. In this regard, the Official Plan outlines the following density policies:

"The City may permit a variety of residential densities to a maximum of 173 units per net residential hectare (70 units per net residential acre)...the City may consider an increase in residential densities above 173 units per net residential hectare (70 units per acre) in or adjacent to the Four Corners area as shown on Schedule "F" or in the vicinity of the Bramalea City Centre in accordance with the policies in the relevant secondary plan."

Similarly, the secondary plan for the subject property indicates the following development criteria also pertaining to density:

"(i) residential development shall not exceed a net residential density of 150 units per net residential hectare."

The applicant's primary argument in support of the application at the density proposed is that the project is scheduled for development as non-profit housing. In addition, the project:

- o would provide a much needed opportunity to develop a mix of uses including seniors, singles and small families
- o is well served by public transit

For the purpose of this application, the density should be considered in light of the Official Plan and Secondary plan density policies noted above.

The 122 unit development is situated on 5550.8 square metres of net residential land area (1.372 acres) which yields:

- o a density of 219.8 units per net hectare (89 units per net acre)
- o a floor space index of 1.68

Since the property is removed from the Four Corners area and the Bramalea City Centre, a consideration to increase the density beyond 70 units per acre is inappropriate and inconsistent with Official Plan policies. In addition, the secondary plan for the area is specific regarding the permitted density of 60 units per acre, whereas the applicant is proposing a density which is one and a half

times this amount. The interest in the property by the Peel Non-Profit Housing Corporation does not justify a density exceeding the densities permitted by the Official Plan and other recently approved high rise developments in the City. From a planning perspective there is no reason to utilize this small site and impose an excessive number of dwelling units resulting in a sizable departure from the intent of the secondary plan.

The applicant has been advised of the density requirements contained in the Official Plan and secondary plan for the area. The concept site plan is the fourth plan submitted by the applicant after staff had expressed concerns particularly with respect to excessive density in the first, second and third submissions. The second submission proposed a total density of 99 units per acre with a floor space index of 2.7. Since the second proposal was to be developed partially for the Peel Non-Profit Housing Corporation and in part as freehold tenure, the density for the Peel Non-Profit lands was 120 units per acre. The third concept proposed a mixture of bachelor, one bedroom, and two bedroom apartment units and 16, three bedroom townhouse units. The attached concept site plan, the fourth submission, has a density in excess of Official Plan standards, i.e. 89 units per acre which is the same as the third concept submitted. Staff is of the opinion that the 5550.8 square metre parcel is capable of supporting a high density development up to 83 dwelling units (60 units per acre; 150 units per hectare).

Another argument, presented by the applicant addresses the mix of uses including seniors, singles and small families, which is not appropriate in light of the following secondary plan policy:

"The City shall encourage redevelopment proposals in the high density residential designation to contain bachelor and one bedroom dwelling units."

The reasoning behind the bachelor and one bedroom units was to encourage "non-family" type dwelling units and therefore minimize the number of children in light of the recognized deficiency of public open space and recreational facilities in the area. The two bedroom units may aggravate this situation, particularly since the Peel Non-Profit Housing Corporation anticipates 77 children based on the proposed unit mix. At the same time, it is noted that the concept site plan illustrates 50 percent of the dwelling units as one bedroom units with no allocation for bachelor type

units. Consequently, the unit mix, recognized by the secondary plan, has not been fully considered. For the purpose of the Peel Non-Profit Housing Corporation, the applicant contends the proposed project represents the right mix of one and two bedroom units for this area of Brampton. Staff is not questioning the Corporation's unit mix, but it is evident that the secondary plan policies were established in an attempt to discourage or limit the number of families, recognizing the lack of amenities in the area. In further recognition of deficient open space and recreational facilities, the secondary plan also maintains that, "proponents of redevelopment schemes shall be required to provide on-site recreational amenities in conjunction with residential uses."

The applicant also suggested that the density, as proposed, is acceptable on the basis of close proximity to public transit. This argument is irrelevant to density requirements and not a basis upon which to consider development of this intensity.

It is clear from the foregoing discussion regarding the issues of density and unit mix, that the proposed development does not meet the requirements of the Official Plan and secondary plan. Considerable changes are warranted which involve a significant density reduction or alternatively that additional land be acquired for the 122 unit apartment building. Such changes may dictate that the project is uneconomical from the Peel Non-Profit Housing Corporation's perspective. While staff recognize City's policy to support the efforts of the Peel Non-Profit Housing Corporation, a development of this density is unacceptable in recognition of the above noted Official Plan and secondary plan policies. Therefore, the development, as proposed, cannot be supported from a land use planning perspective.

With regard to the design of the subject proposal, staff have concerns regarding:

- o parking
- o setbacks
- o landscaped open space, and the floor space index

Most of the foregoing aspects of the proposal do not meet current City standards and are further addressed below.

Parking

The applicant is proposing a total of 147 parking spaces for the high rise apartment. Forty-one visitor surface parking spaces are envisaged. On this basis, the visitor parking equates to 0.34 spaces per unit, whereas a well accepted visitor parking standard is 0.25. As a result, it appears that sufficient visitor parking spaces will be available. The resident allocation of 0.87 parking spaces per dwelling unit or 106 parking spaces for 122 dwelling units is unacceptable considering the City's standard parking requirements for residential developments. For purposes of rental units, the apartment requires a total of 183 spaces of which 155 would be resident spaces while on the basis of condominium units 244 spaces would be required of which 214 spaces would be for residents. Consequently, on the basis of a rental development, a deficit of 77 parking spaces is realized and if considered for condominium tenure, a parking deficit of 138 results. The applicant has argued the parking allocation is justified given the interest of the property by the Peel Non-Profit Housing Corporation. Staff is concerned that the inability to provide sufficient on-site parking spaces, particularly for the residents, may result in vehicles parking on Beech Street and June Avenue, or in unauthorized areas of the property such as the landscaped open space areas, which is not a suitable arrangement.

Setbacks

Appropriate side yards, front yard and rear yard setbacks have not been applied for this development using current zoning standards respecting apartment buildings. The 35 metre high apartment building requires a 17.5 metre sideyard setback according to a standard R4A zone whereas only 12.0 metres are shown, and the transformer vault appears to be 7.0 metres from the north side lot line. The 8.0 metre front yard setback from Beech Street is acceptable, although the access driveway abutting the property line should be redesigned to accommodate a landscaped strip along the Beech Street frontage.

Landscaped Open Space, and Floor Space Index

The minimum landscaped open space area for the proposal should be 60 percent of the lot area, whereas only 55 percent is available. Consideration should also be given to the floor space index which translates to 1.68. A maximum floor space index of 1.0 is generally a well

accepted standard. Staff notes that the lot coverage of 13 percent is acceptable on its own merits but this has been achieved at the expense of inadequate setback requirements, excessive density and a higher than average floor space index.

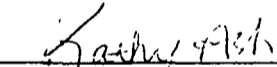
If this application is considered for approval, then a stormwater drainage/management study and a traffic study will be required to assess sewer and road capacity. Staff, however, are of the opinion that the density matter must be resolved, prior to consideration of these studies or consideration of the proposal for approval.

It is clear from the foregoing discussion, regarding the concept site plan submitted in support of the application, that considerable changes are required, particularly with respect to the excessive density. In this respect, serious consideration would be given to a proposal on this property if the proposal reflected policies contained in the Official Plan and applicable secondary plan. Since it is the City's normal practice to require satisfactory site development plans prior to approving an application to amend the zoning by-law and since the concept site plan submitted by the applicant requires significant revisions, it is recommended that the application not be approved. Should the applicant wish to proceed with the subject proposal on the basis of the recommendations contained in this report, an appropriately revised concept site plan should be submitted.

7.0 RECOMMENDATION

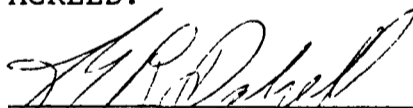
It is recommended that Planning Committee recommend to City Council that the application to amend the Official Plan and the zoning by-law to permit the use of the subject property for high density residential purposes not be approved.

Respectfully submitted,




Kathy Ash, M.C.I.P.
Development Planner

AGREED:

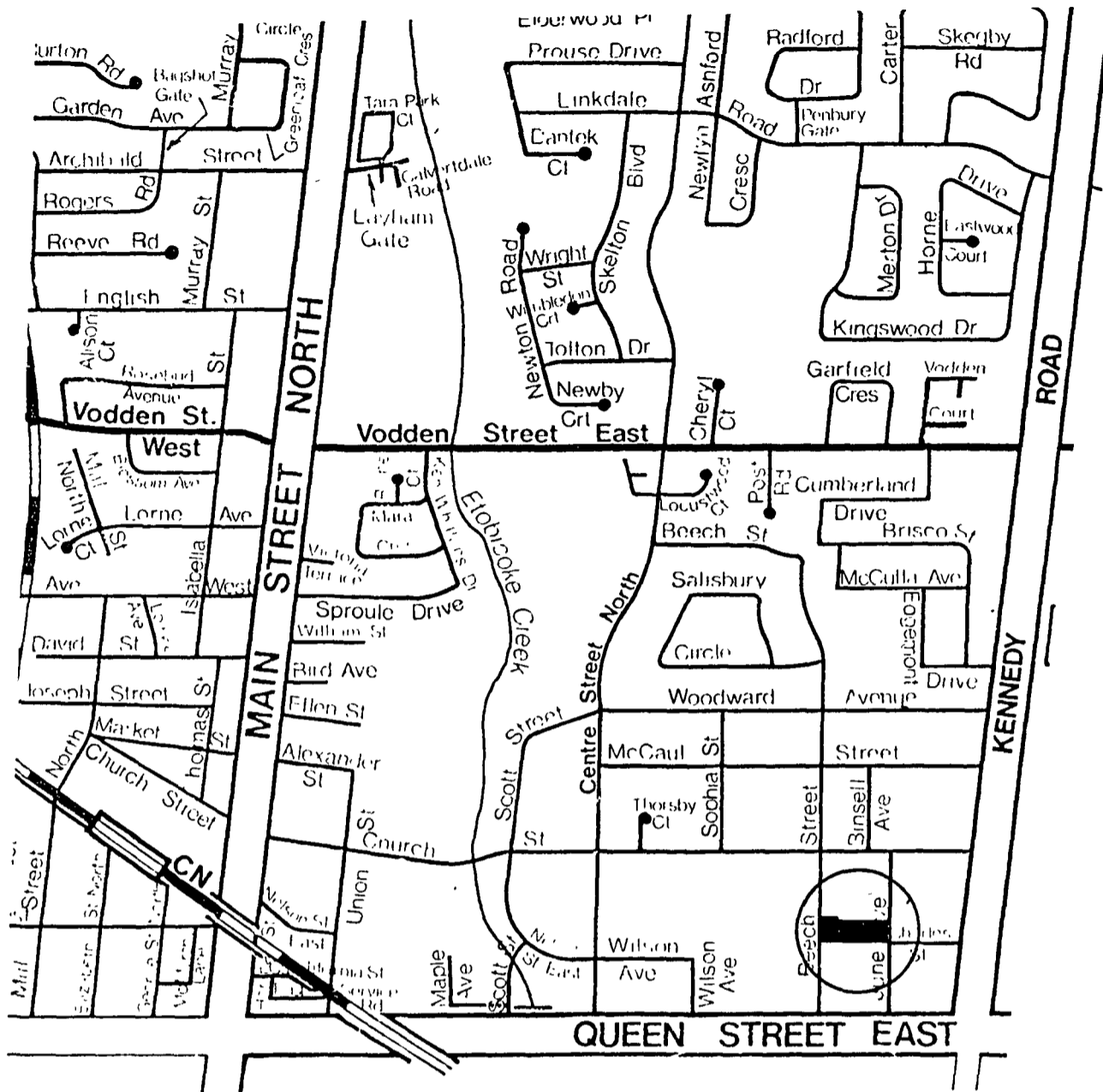


F. R. Dalzell, Commissioner
of Planning and Development



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

KA/bem/icl



LOCATION MAP

637254 ONTARIO LTD.

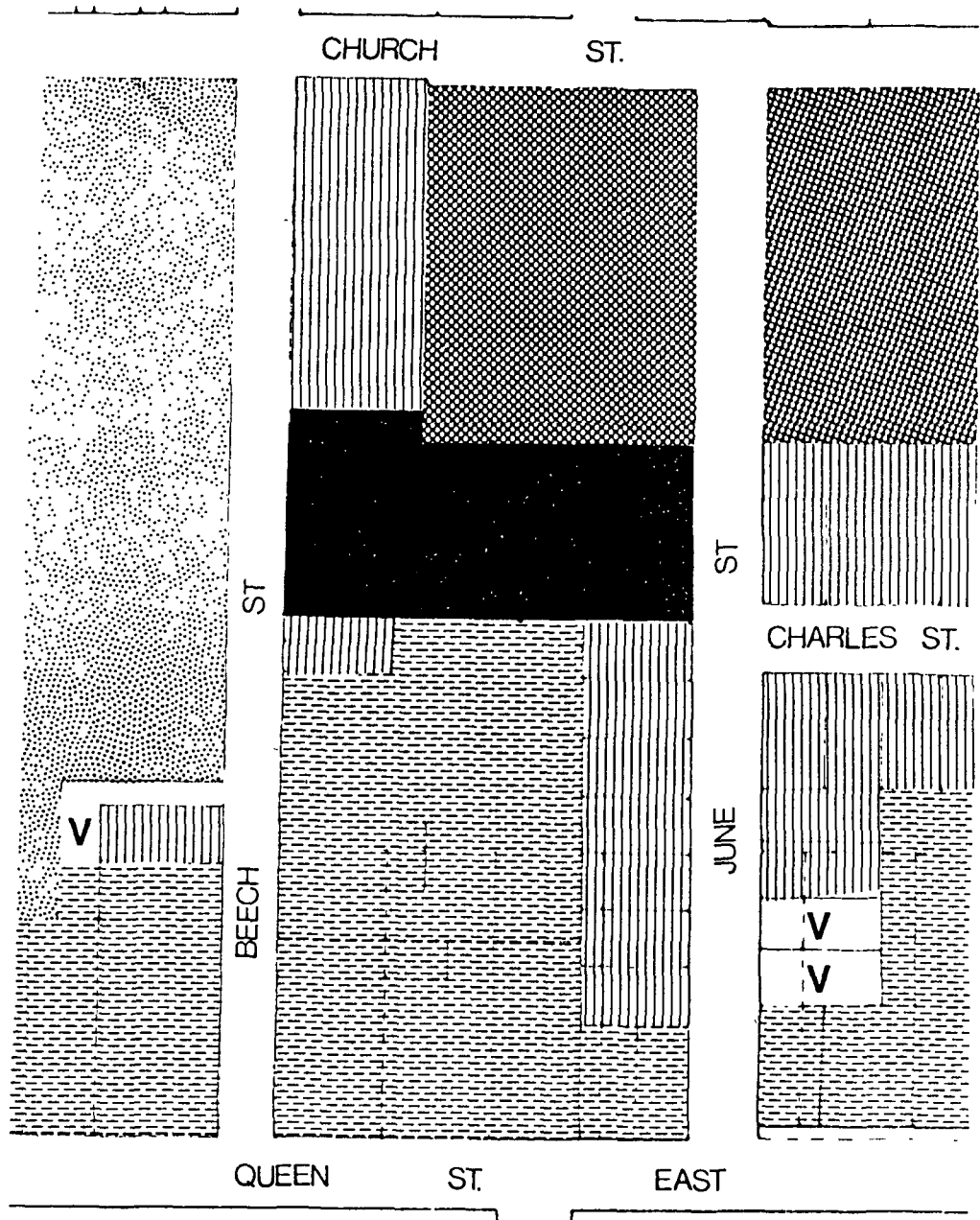








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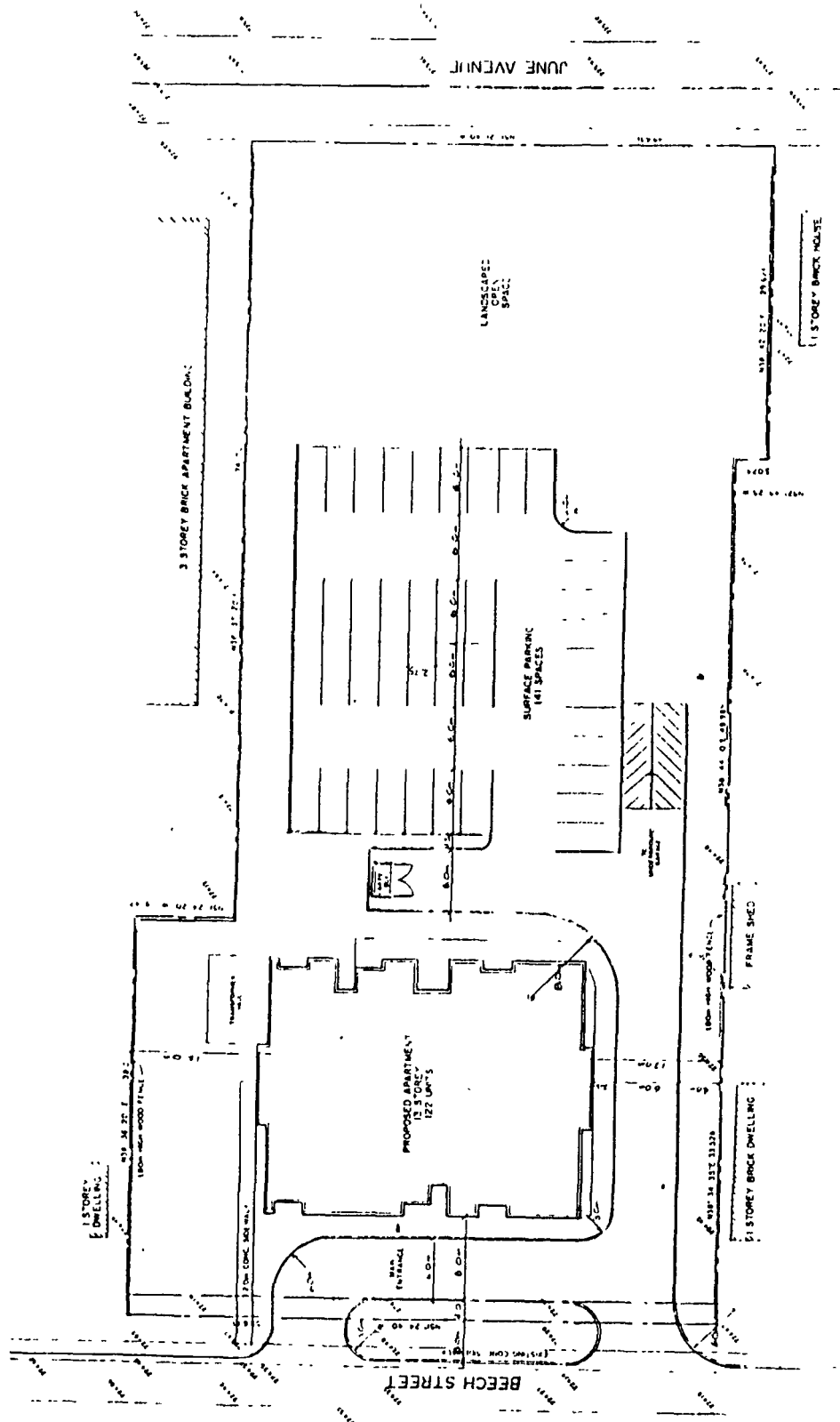
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File no. CIE6.40 Map no. 43-85A



-  CEMETERY
-  LOW DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  COMMERCIAL
-  VACANT
-  SUBJECT PROPERTY

<p>LAND USE</p> <p style="text-align: center; font-size: 1.2em;">637254 ONTARIO LTD.</p>	 <p>1:2000</p>	<p>CITY OF BRAMPTON Planning and Development</p> <p>Date: 88.10.25 Drawn by: J.K. File no. CIE6.40 Map no. 43-85B</p>
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637254 ONTARIO LTD.

CONCEPT SITE PLAN



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CITY OF BRAMPTON
 Planning and Development

Date: 1989 03 31 Drawn by: CJK
 File no. CIE6-40 Map no. 43-85C