



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 111-90

To adopt Amendment Number 179
and Amendment Number 179 A
to the Official Plan of the City
of Brampton Planning Area

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

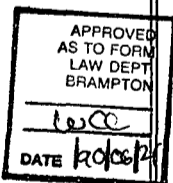
1. Amendment Number 179 and 179 A to the Official Plan of the City of Brampton Planning Area are hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of Amendment Number 179 and Amendment Number 179 A to the Official Plan of the City of Brampton Planning Area.

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

this 25th day of June, 1990.

KENNETH G. WHILLANS - MAYOR

LEONARD J. MIKULICH - CLERK



ORIGINAL

AMENDMENT NUMBER 179
AND AMENDMENT NUMBER 179 A
to the Official Plan of the
City of Brampton Planning Area

21·0P 0031-179-1

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| DB # | 88 | FOLIO # | 139 |
| ORDFR ISSUE DATE | | | |
| JUL - 3 1991 | | | |
| DB # | 089- | FOLIO # | 109 |



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| O 890153 | Z 890196 |
| O 900158 | O 900159 |
| R 900499 | R 900500 |
| M 890113 | M 900059 |

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 22(1) of
the Planning Act, 1983

AND IN THE MATTER OF a referral to
this Board by the Honourable
Minister of Municipal Affairs on a
request by Graywood Developments
Ltd. for consideration of a proposed
amendment to the Official Plan for
the City of Brampton to redesignate
the lands comprised of Block C, Plan
636, known municipally as 70
Bramalea Road, from Industrial to
Commercial to permit a neighbourhood
commercial plaza
Minister's File No. 21-OP-0031-A11
OMB File No. O 890153

IN THE MATTER OF Section 34(11) of
the Planning Act, 1983

AND IN THE MATTER OF an appeal by
Graywood Developments Limited for an
order amending By-law 861 of the
Corporation of the City of Brampton
to rezone from "M5S" Industrial to
"C5A" Commercial the lands
comprising Block C, Plan 636,
municipally known as 70 Bramalea
Road to permit the construction of a
neighbourhood shopping centre
OMB File No. Z 890196

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
Graywood Developments Limited for
consideration of Amendment Nos. 179
and 179A to the Official Plan for
the City of Brampton
Minister's File No. 21-OP-0031-179
OMB File No. O 900158

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

AND IN THE MATTER OF a referral to
this Board by the Honourable
Minister of Municipal Affairs, on a
request by Graywood Developments
Limited for consideration of
Amendment No. 180 to the Official
Plan for the City of Brampton
Minister's File No. 21-OP-0031-180
OMB File No. O 900159

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IN THE MATTER OF Section 34(18) of
the Planning Act, 1983

AND IN THE MATTER OF an appeal by
Graywood Developments Limited and
S. J. Pilat against Zoning By-law
112-90 of the Corporation of the
City of Brampton
OMB File No. R 900499

IN THE MATTER OF Section 34(18) of
the Planning Act, 1983

AND IN THE MATTER OF an appeal by
Graywood Developments Limited
against Zoning By-law 115-90 of the
Corporation of the City of Brampton
OMB File No. R 900500

IN THE MATTER OF Section 40(12) of
the Planning Act, 1983

AND IN THE MATTER OF an appeal by
Graywood Developments Ltd. to settle
the terms and conditions of a site
plan with respect to the development
of an automotive service centre on
lands composed of Block C, Plan 636,
known municipally as 70 Bramalea
Road, in the City of Brampton
OMB File No. M 890113

IN THE MATTER OF Section 40(12) of
the Planning Act, 1983

AND IN THE MATTER OF a referral by
Graywood Developments Ltd. to settle
and determine terms and conditions
of a site plan and agreement with
respect to the development of lands
comprising of Block C, Registered
Plan 636, known municipally as 70
Bramalea Road, in the City of
Brampton
OMB File No. M 900059

C O U N S E L :

| | | |
|------------------------------------|-------|--|
| R. R. MacDougall & J. A. Matera | - for | The Corporation of the City of Brampton |
| R. D. Cheeseman | - for | S. J. Pilat and Oshawa Group Limited |
| L. F. Longo & K. Yerxa | - for | Alliance Developments |
| L. Schwartz | - for | Anclase Holdings |
| M. H. Chusid | - for | Graywood Developments Limited |

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MEMORANDUM OF ORAL DECISION delivered by R. W. RODMAN
on May 16, 1991 AND ORDER OF THE BOARD

This hearing relates to a number of matters for proposed neighbourhood shopping centres in the City of Brampton. The first application, by Graywood Developments Limited, relates to a proposed new shopping centre on the west side of Bramalea Road just south of Avondale Boulevard. The second application relates to an existing shopping centre located on the north side of Avondale Boulevard about 700 feet west of Bramalea Road. The third application is for the enlargement of an existing shopping centre known as the Southgate Shopping Centre, which centre is located at the northwest corner of two collector roads - Balmoral Drive and Eastbourne Drive.

The hearing commenced in October of 1990 and after six days of hearing it was determined that additional official plan documentation was necessary to allow the Graywood application to be heard. The hearing, therefore, was adjourned until May 13 of 1991 as a result of an earlier October 9, 1990 decision of this panel. At that time the Board was advised that an application was being made to City Council which might considerably shorten the hearing. As a result, the Board adjourned the proceedings and reconvened on May 16, 1991 to consider the various matters.

The application of Graywood involved official plan amendments to permit the proposed shopping centre, as well as a by-law amendment to implement the proposed official plan amendments. Two site plan matters also were before the Board. City Council had refused the Graywood applications and subsequently the matters were referred and/or appealed to the Board. In essence, four Board files dealt with this application.

The Avondale Plaza application is, in the words of the City's planner, Mr. Corbett, "a housekeeping matter to more properly depict the existing Avondale Plaza." That matter originally was appealed by Graywood. The Avondale application included two files; one relating to Official Plan Amendment 180 and the second relating to proposed By-law 115-90.

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The third shopping centre, the Southgate Plaza, relates to a proposed extension and enlargement of an existing shopping centre. Official Plan Amendments 179 and 179A, as well as the proposed implementing By-law 112-90, would implement the proposal for this area. That shopping centre also was under appeal by Graywood.]

The latter two shopping plaza matters are supported by the City of Brampton.

When the Board reconvened on May 16, 1991, we were advised of considerable changes to the positions originally taken. Graywood Developments has submitted a new application to City Council for a mixed use development involving 360 apartment dwelling units and a single story retail component of 30,000 square feet of gross floor area, excluding any supermarket use.

Graywood's new proposal was considered by City Council on May 13, 1991. A draft official plan amendment and implementing zoning by-law was approved unanimously by Council. On the basis of Council's action, there are revised positions with respect to the matters before this Board.

Firstly, Mr. Chusid representing Graywood Developments has abandoned his original application for a neighbourhood shopping plaza and consented to an order dismissing his four applications. He also withdrew any appeals or objections to the Avondale and Southgate shopping centre proposals.

Mr. Cheeseman, (on behalf of the Oshawa Group Limited and S. J. Pilat) originally opposed to the Southgate Plaza by-law as well as the Graywood Plaza matters, withdrew his appeals to these matters and indicated his clients will not oppose the aforementioned most recent application of Mr. Chusid's clients, subject to minor changes being made to the draft by-law which was considered by Council. Mr. Chusid advised the Board that his client agrees to the requested minor changes. The same position was taken by Mr. Vickery and Mr. Longo as it relates to their concerns with respect to the Graywood application and any concerns they may have had with respect to any competing plazas.

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The Board hastens to note that we are making no decision with respect to the new proposal by Graywood, in that the process required by the Planning Act obviously will follow. The Board does note, however, the revised positions of the various parties with respect to the matters under consideration. In that regard, the Board heard evidence from the City's planner on the various matters. The Board's decision relating to the various matters is as follows:

1. Since the Graywood applications (Board File Nos. O 890153, Z 890196, M 890113, and M 90059) have been withdrawn, the Board rejects Graywood Developments Limited's proposed official plan amendment and dismisses Graywood's appeal for an order amending By-law 861. The Board allows the appeals of the other parties with respect to Graywood's proposed official plan amendment and proposed by-law. As such, the Board rejects the Official Plan Amendment and refuses the proposed by-law. In addition, the Board dismisses the appeals for consideration of the Site Plan Agreement matters as proposed by Graywood Developments Limited. The Board so orders.
2. The Southgate Shopping Plaza proposal - Official Plan Amendments 179 and 179 A (Board File No. O 900158) and proposed By-law 112-90 (Board File No. R 900499) - involves the demolition of part of an existing shopping centre of some 29,271 square feet. The intention is to rebuild the plaza to a total of 57,369 square feet, including a 24,000 square foot supermarket. The proposal also will include a partial second storey development for office uses.

The site is located on 4.59 acres of a basically rectangular parcel of land, with 261 feet of frontage on Balmoral Drive and 620 feet flankage on Eastbourne Drive. The proposal is located in the Southgate Secondary Plan which extends southerly from Highway 7 to Steeles Avenue and is located between Bramalea Road and Torbram Road. Both flanking roadways are four lane collector roadways.

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Mr. Corbett went into some detail in explaining to the Board his professional opinion that the application is appropriate. He made particular reference to Table 2 of the Official Plan under Section 2.2. That table describes various requirements for the hierarchy of shopping centres in the City of Brampton - the hierarchy being regional, district, neighbourhood and convenience shopping centres. He considers that the application is appropriate for a neighbourhood shopping centre.

Schedule A of the Official Plan now designates the Southgate Plaza as Commercial and no change is necessary to that designation. The Official Plan Schedule F, however, designates the subject as convenience commercial and the proposal is for a neighbourhood commercial designation. With respect to the Secondary Plan aspect of the City's plan, Chapter C10 and Plate 16 of the Consolidated Official Plan designates the subject as a local shopping centre and Mr. Corbett feels the designation should be Neighbourhood Commercial.

At the present time, the City's Comprehensive Zoning By-law 151-88 zones the subject as Commercial One (C1 on sheet 64c of Schedule A). The proposal is for a Commercial Two, Section 505 (C2 - Section 505) to allow the proposed neighbourhood shopping centre. Exhibit 9 is the proposed site plan. It shows the footprint of the existing shopping centre, part of which is to be demolished to allow the proposal now under consideration, as well as the proposal.

Mr. Corbett reviewed his planning criteria relating to site characteristics and feels that the site is already zoned Commercial and the site is appropriate to serve the Southgate Secondary Plan area. Consequently he feels it more appropriate that the area be served by a neighbourhood shopping centre at the location under consideration. He feels the application is compatible with the mixed uses in this area which include apartments,

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recreation services and other facilities immediately adjacent and/or near the subject. It is his opinion that the development capacity of the site is underused at this time and the site use should be expanded to the limits now under consideration. In consultation with his traffic experts, he advised the Board that there is no concern with respect to traffic on the collector roads which type of roadway is a requirement for neighbourhood shopping centres under Table 2. He feels the proposal is good planning for the municipality and that Official Plan Amendments 179 and 179A as well as the proposed by-law amendment (By-law 112-90) are appropriate.

There is no evidence to contradict the planner's position on this matter with the new positions being taken by the various parties. Based on the only evidence now before the Board, that of the City planner, the Board agrees that the proposal is appropriate. In view of the above, the Board approves Official Plan Amendments 179 and 179A as proposed by the City. In addition, the Board dismisses any appeals with respect to the proposed Southgate Shopping Centre By-law 112-90. The Board so orders.

3. The Avondale Shopping Centre - Official Plan Amendment 180 (Board File No. O 900159) and proposed By-law 115-90 (Board File R 900500) is on a local collector roadway known as Avondale Boulevard. At the present time the gross floor area of commercial use is 43,300 square feet, with a full range of retail units including an I.G.A. supermarket of about 11,500 square feet. The other major tenant in the existing complex is a Shopper's Drug Mart having a gross floor area of about 6,400 square feet. It is Mr. Corbett's opinion that the shopping centre is appropriate for use as a neighbourhood commercial shopping centre in terms of the City's shopping centre hierarchy. He feels that the proposed official plan matters, as well as the proposed by-law, are basically housekeeping matters to more properly characterize the existing shopping centre. Table 2 is his main guidance in determining the

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most appropriate designation and use for the Avondale Shopping Centre.

At the present time, the Schedule A official plan designation is commercial and that designation is not to be changed. Schedule F, however, designates the site as Convenience Commercial and Official Plan Amendment 180 would designate the subject as neighbourhood commercial.

The Secondary Plan (Plate 14, Chapter C40 of the Consolidated Official Plan) designates the subject as Community Commercial and it is his evidence that there is no definition for a Community Commercial designation. It is Mr. Corbett's opinion that there is no need to change that Community Commercial designation, as it properly characterizes the existing Avondale Shopping Centre.

The Board is satisfied, on Mr. Corbett's evidence, that the proper designation for the subject is Neighbourhood Commercial. It meets the tests of Table 2 other than for the site size requirement. Table 2 indicates a need of 4 to 8 acres, whereas the subject is 3.62 acres in size. The next lower shopping centre category on Table 2 is the convenience shopping centre which requires a 1 to 2 acre size. Obviously there is a missing link between the two. It is Mr. Corbett's evidence that the policies of the official plan are not inflexible. It is his opinion that the flexibility would allow the Avondale Shopping Centre to be placed in the Neighbourhood Shopping Centre designation. The Board agrees.

The City's Comprehensive Zoning By-law 151-88, Schedule A, being Sheet 63F, zones the subject as Commercial One (C1). The proposal is for a zoning of C1 Special Section 502. It is Mr. Corbett's opinion that it is good planning for the Municipality to more appropriately designate and zone the proposal to more accurately reflect the use which now exists. The Board agrees that the proposed zoning is appropriate and is, in fact, more of a housekeeping matter.

The Board approves Official Plan Amendment 180 as proposed by the City. In addition, the Board dismisses any appeals with respect

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to the proposed Avondale Shopping Centre By-law 115-90. The Board
so orders.



R. W. RODMAN
MEMBER

"J. A. Fraser"

J. A. FRASER
MEMBER



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 111-90

To adopt Amendment Number 179
and Amendment Number 179 A
to the Official Plan of the City
of Brampton Planning Area

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

1. Amendment Number 179 and 179 A to the Official Plan of the City of Brampton Planning Area are hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of Amendment Number 179 and Amendment Number 179 A to the Official Plan of the City of Brampton Planning Area.

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

this 25th day of June, 1990.

KENNETH G. WHILLANS - MAYOR

LEONARD J. MIKULICH - CLERK

CERTIFIED A TRUE COPY

City Clerk
City of Brampton

JUL 20 1990

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APPROVED
AS TO FORM
LAW DEPT
BRAMPTON
WCC
DATE 7/20/90

AMENDMENT NUMBER 179
AND AMENDMENT NUMBER 179 A
TO THE OFFICIAL PLAN OF
THE CITY OF BRAMPTON
PLANNING AREA

1.0 Purpose

This official plan amendment implements a proposal to redevelop an existing convenience commercial shopping centre (Southgate Plaza) located at the north-west corner of Balmoral Drive and Eastbourne Drive. In particular, the redevelopment consists of:

- an expansion of the retail floor space up to a maximum of approximately 5,329 square metres (57,369 square feet); and,
- the addition of a supermarket use as a principal tenant.

The redeveloped shopping centre will reflect the characteristics of a "Neighbourhood Commercial" shopping centre as set out in section 2.2.3.19 of the Brampton Official Plan. Accordingly, it is necessary to amend Schedule F (Commercial) of the Official Plan to change the designation of the subject lands from "Convenience Commercial" to "Neighbourhood Commercial".

2.0 Location

The lands subject to this amendment

- are located at the north-west corner of Balmoral Drive and Eastbourne Drive within the area known as the Southgate Secondary Planning Area;
- are more particularly described as part of Lot 3, Concession 5, E.H.S. in the geographic Township of Chinguacousy; and,
- have an area of approximately 1.86 hectares (4.59 acres).

3.0 Amendment and Policies Relative Thereto

3.1 Official Plan Amendment Number 179

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

- (1) by changing on Schedule "F", (Commercial) thereto, the land use designation of the lands shown outlined on Schedule 'A' to this amendment from "Convenience Commercial" to "Neighbourhood Commercial", as shown on Schedule 'A' to this amendment;
- (2) by adding, to the list of amendments pertaining to Secondary Plan Area Number 20 as set out in the first paragraph of section 7.2.7.21, Amendment Number 179 A.

3.2 Amendment Number 179 A:

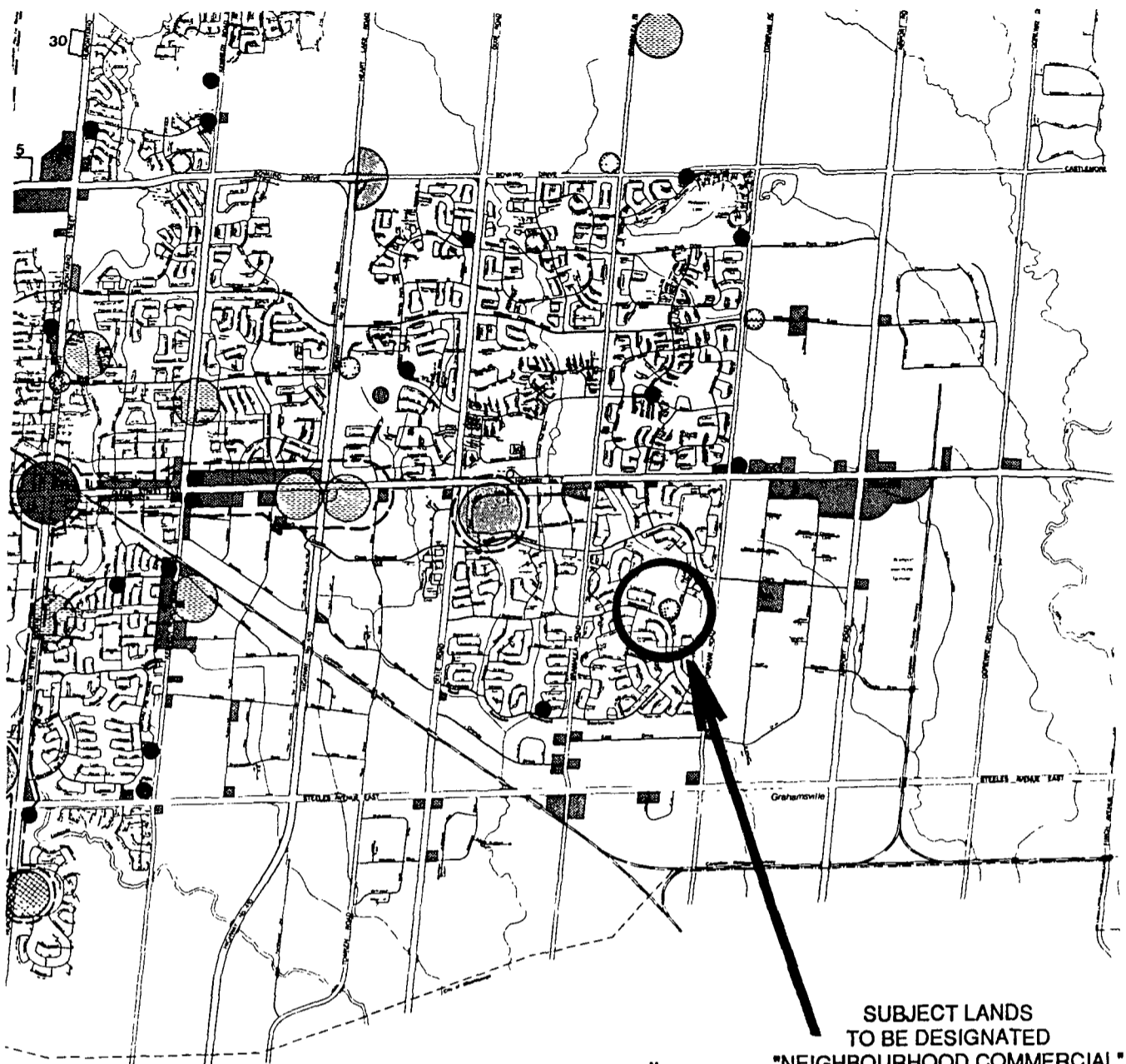
The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Southgate Secondary Plan Area, is hereby further amended:

- (1) by changing, on Plate Number 16 thereto, the land use designation of the lands shown outlined on Schedule "B" to this amendment, from "Local Shopping Centre" to "Neighbourhood Commercial";
- (2) by adding to the LEGEND of Plate Number 16 thereto, the land use category of "NEIGHBOURHOOD COMMERCIAL";
- (3) by deleting therefrom, the fifth paragraph of section 3.0 (Basis) Chapter C10, and substituting therefor the following:

"Plate Number 16 designates lands at the north-west corner of Balmoral Drive and Eastbourne Drive as "Neighbourhood











Commercial". These lands are to be developed in accordance with the criteria set out in section 2.2.3.19 of the Brampton Official Plan."

05/90/C5E3.100PA



SUBJECT LANDS
TO BE DESIGNATED
"NEIGHBOURHOOD COMMERCIAL"

COMMERCIAL*
SCHEDULE 'F'

-  CENTRAL COMMERCIAL CORRIDOR
-  FOUR CORNERS COMMERCIAL
-  SPECIALTY OFFICE SERVICE COMMERCIAL
-  REGIONAL COMMERCIAL
-  DISTRICT COMMERCIAL
-  NEIGHBOURHOOD COMMERCIAL
-  CONVENIENCE COMMERCIAL
-  HIGHWAY & SERVICE COMMERCIAL
-  SITE SPECIFIC DESIGNATIONS
-  RURAL COMMERCIAL



Date MAY 1987

City of Brampton
Planning and Development Department

OFFICIAL PLAN AMENDMENT
NUMBER 179

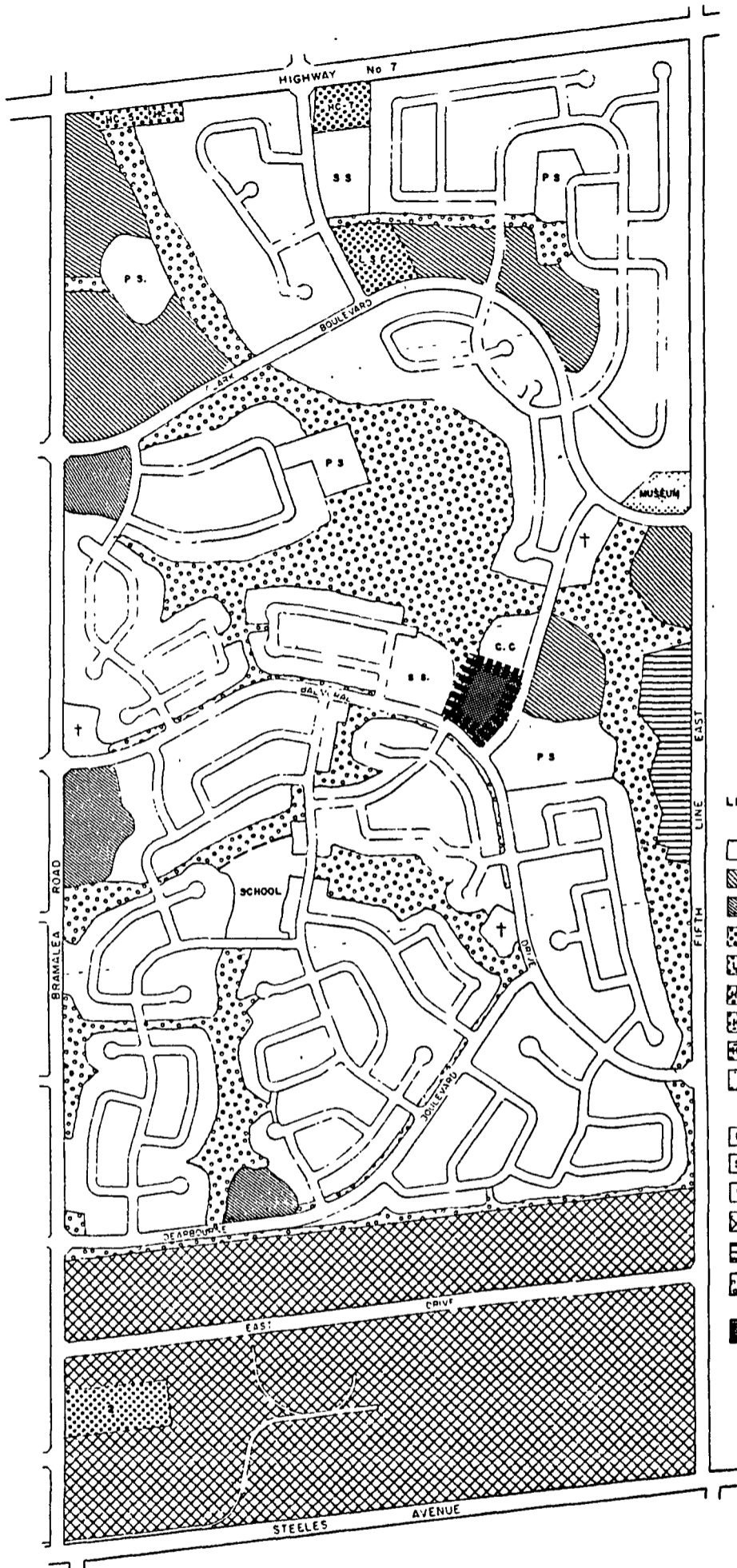
SCHEDULE A



1:63 000

CITY OF BRAMPTON
Planning and Development

Date: 1990 05 04 Drawn by: K.M.H.
File no. C5E3.10 Map no. 64-20E



LEGEND

- SINGLE & SEMI-DETACHED
- MULTIPLE DWELLINGS - SITE PLAN CONTROL
- MULTIPLE DWELLINGS
- COMMERCIAL
- LOCAL SHOPPING CENTRE
- SERVICE STATION & CONVENIENCE GROCERY STORE
- MOTEL
- MEDICAL CENTRE - OFFICE & PROFESSIONAL SERVICES
- INSTITUTIONAL
- CHURCH
- PUBLIC SCHOOL
- SEPARATE SCHOOL
- COMMUNITY CENTRE
- INDUSTRIAL LAND-USE
- SPECIAL INDUSTRIAL
- PARKS & OPEN SPACE
- NEIGHBOURHOOD COMMERCIAL



LANDS SUBJECT TO THIS AMENDMENT TO BE REDESIGNATED FROM "LOCAL SHOPPING CENTRE" TO "NEIGHBOURHOOD COMMERCIAL"

PLATE NUMBER 16 TO THE CONSOLIDATED OFFICIAL PLAN

OFFICIAL PLAN AMENDMENT NO. 179
 OFFICIAL PLAN AMENDMENT NO. 179 A
 SCHEDULE B



1:12000

CITY OF BRAMPTON
 Planning and Development

Date: 1990 05 07 Drawn by: K.M.H.
 File no. C5E3.10 Map no. 64-20G

BACKGROUND MATERIAL

AMENDMENT NUMBER 179

AND AMENDMENT NUMBER 179A

1. A report from the Office of the Commissioner of Planning and Development, dated February 28, 1990, to the Chairman and Members of Planning Committee.
2. A report from the Commissioner of Planning and Development dated April 6, 1990, forwarding the notes of the Public Meeting, held on April 14, 1990, to Planning Committee.
3. A copy of a decision of the Ontario Municipal Board dated February 5, 1990.

05/90/C5E3.100PA

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

February 28, 1990

TO: THE CHAIRMAN AND MEMBERS OF PLANNING COMMITTEE

FROM: PLANNING AND DEVELOPMENT DEPARTMENT

RE: AVONDALE/SOUTHGATE SECONDARY PLAN COMMERCIAL
STRUCTURE REVIEW

APPLICATIONS TO AMEND THE OFFICIAL PLAN AND ZONING
BY-LAW
GRAYWOOD DEVELOPMENTS (70 BRAMALEA ROAD) AND
ANCLARE HOLDINGS (SOUTHGATE PLAZA)
OUR FILE: C4E1.4A AND C5E3.10

EXECUTIVE SUMMARY:

The City is currently considering the merits of two proposals for neighbourhood shopping centres in the Avondale/Southgate Secondary Planning Areas (Refer to Map 1). One proposal, by Graywood Developments:

- entails the rezoning of a vacant industrial property to permit a 61,527 square foot shopping centre including a 32,354 square foot supermarket; and,
- was originally considered on its planning merits, and subsequently refused by City Council in 1987.

Graywood Developments subsequently referred this decision to the Ontario Municipal Board for a hearing.

The other application was submitted by Anclare Holdings to permit the redevelopment of the existing Southgate Plaza for neighbourhood commercial purposes including a 30,000 square foot supermarket.

The Metrontario Group, who owns the existing Avondale Plaza, and the operator of the IGA supermarket at this location, have expressed their objections to both of these proposals on the basis of anticipated economic impact.

Market studies have been submitted by the development proponents and the objectors to substantiate their positions. The common conclusion from each of these studies is that there is market support for only one additional supermarket of limited size.

These matters have been scheduled for a consolidated Ontario Municipal Board hearing commencing on October 1, 1990.

Accordingly, this report:

- undertakes a market assessment of the commercial structure within the secondary plan areas;
- analyses the findings of the market studies; and,
- undertakes a detailed planning assessment of the suitability of the Graywood and Southgate sites for neighbourhood commercial development.

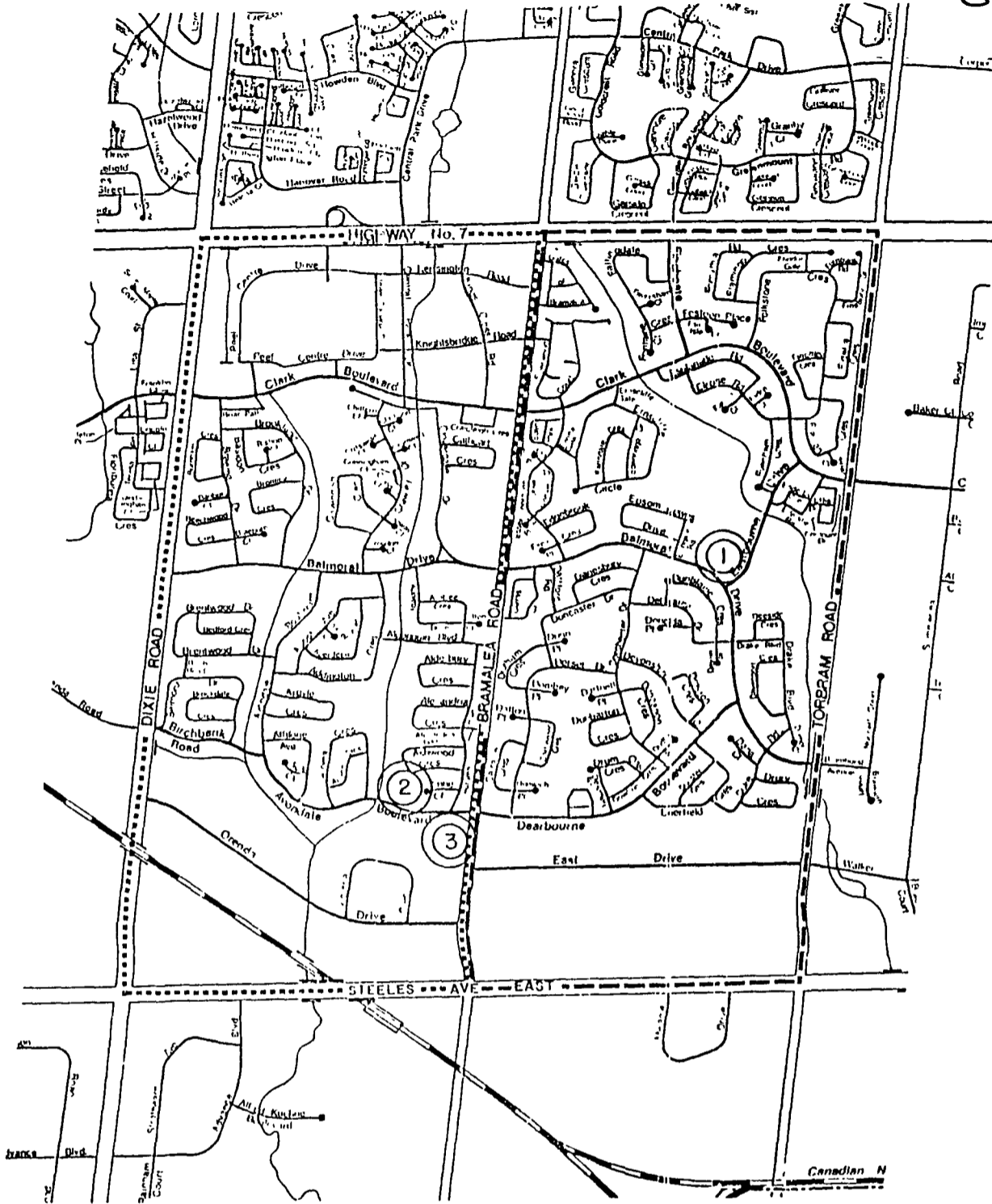
A recommendation is made in favour of an expansion to the Southgate Plaza, including a supermarket with a maximum gross commercial floor area of 24,000 square feet.

ORIGIN:

On February 5, 1990 an Ontario Municipal Board Hearing was convened regarding the proposed development of a neighbourhood shopping centre at 70 Bramalea Road (west side of Bramalea Road, south of Avondale Boulevard). This hearing originated from an appeal brought against the City's refusal of this proposal submitted by Graywood Developments in 1987.

The Board hearing also involved other property and development interests in this section of the City (referred to herein as the Avondale/Southgate Secondary Plan Areas-See Map 1); in particular:

- another official plan and zoning by-law amendment application submitted by Anclare Holdings (Our File: C5E3.10) to expand the existing convenience commercial plaza at Eastbourne and Balmoral Drive (Southgate Plaza) to a neighbourhood commercial centre (including a supermarket component); and,
- objections to the introduction of further commercial development in the Avondale/Southgate Secondary Planning Areas by the Metrontario Group (owners of the existing Avondale convenience commercial centre) and the owners of the I.G.A. food store at the Avondale Plaza.



..... Avondale Secondary Plan Area
 --- Southgate Secondary Plan Area

- ① Southgate Plaza
- ② Avondale Plaza
- ③ Graywood Developments Site

**MAP 1 - AVONDALE / SOUTHGATE
 SECONDARY PLAN
 AREAS**
 LOCATION MAP



1:25 000

CITY OF BRAMPTON
 Planning and Development

Date:
 File no.

Drawn by:
 Map no.

The application submitted by Anclare Holdings was received only in June of 1989, and has not yet been dealt with by City Council. It is important to note that the market studies submitted in support of both the Graywood and Anclare proposals indicate that only one additional supermarket is warranted in the the market area within which the subject properties are located.

Thus, Anclare Holdings made representations at the February 5, 1990 Ontario Municipal Board Hearing, and brought a motion for adjournment on the basis that:

- a decision by the Board with respect to the Graywood application would prejudice the eventual disposition of the Anclare proposal;
- there has been insufficient time for Anclare Holdings to prepare and make appropriate representations at the hearing on the Graywood proposal; and,
- the public interest would be better served if a consolidated hearing was convened to consider the merits of both the Graywood and Anclare proposals, since both are located in the same market area.

The City, representatives for Avondale Plaza and the IGA supermarket, as well as several residents who were in attendance at the hearing submitted that they would support the adjournment as requested.

Accordingly, the Board consented to the adjournment, and the consolidation of both the Graywood and Anclare matters. This hearing has been scheduled for a five week period, commencing October 1, 1990.

Thus, in preparation for this hearing, it is necessary to:

- review relevant background information with respect to the development applications submitted by Graywood Developments and Anclare Holdings, and the nature of the objections by the Metrontario Group;
- undertake a market assessment of the Avondale/Southgate Planning Areas with respect to the appropriateness of further commercial development;

- undertake a site analysis of the Graywood and Southgate properties with respect to their suitability for further commercial development, if warranted;
- recommend an appropriate course of action with respect to the outstanding official plan and zoning by-law amendment application by Anclare Holdings; and,
- recommend an appropriate position for the City to assume at the up-coming Ontario Municipal Board hearing with respect to the Graywood Developments appeal.

PART I-BACKGROUND

To isolate the issues pertinent to the Ontario Municipal Board hearing, it is necessary to:

- review the background and nature of the official plan and zoning by-law amendment applications submitted by Graywood Developments and Anclare Holdings; and,
- outline the nature of the objections to these applications by the Metrontario Group and the IGA Supermarket at Avondale Plaza.

Graywood Developments:

On March 21, 1986 Graywood Developments Limited submitted an application to amend the City's Official Plan and Zoning By-law to permit a neighbourhood shopping centre on property located at 70 Bramalea Road (west side of Bramalea Road, approximately 167 feet south of Avondale Boulevard). The subject property has a frontage of 550 feet along Bramalea Road, and comprises an area of 4.48 acres.

The proposed neighbourhood shopping centre, with a total gross commercial floor area of 5853.7 square metres (63,010 square feet) consisted of:

- a supermarket with a gross commercial floor area of approximately 3139.2 square metres (33,791 square feet); and,
- a number of retail commercial units comprising approximately 2714.5 square metres (29,219 square feet) of floor area.

Subsequent to Planning Committee's initial review of this proposal and a public meeting, Graywood Developments withdrew the application.

A second application for a neighbourhood shopping centre affecting the same property, was submitted by Graywood on February 6 of 1987. The nature of this proposal was similar to that of the first application, except that certain site plan modifications were incorporated to address traffic access concerns. In particular, this proposal entailed:

- a total gross commercial floor area of 5715.9 square metres (61,526 square feet);
- a supermarket as the principal tenant with a gross floor area of 3005.7 square metres (32,354 square feet);
- a number of retail commercial units comprising a gross floor area of 2710.2 square metres (29,172 square feet); and,
- parking for 308 vehicles, 2 truck loading bays and 3 access driveways from Bramalea Road.

To comply with official plan, and other city requirements, market and traffic impact studies were submitted in support of this proposal.

This application was eventually refused by City Council in August of 1987.

A site plan application was then filed by Graywood in October of 1987 to permit an automotive services mall. This application was not approved by the city since the use did not conform to the prevailing industrial zoning of the subject lands.

On September 7, 1989 Graywood Developments submitted an appeal to the Ontario Municipal Board with respect to the City's refusal of the second neighbourhood commercial application. As noted previously, this appeal is scheduled to be re-convened by the Ontario Municipal Board commencing on October 1, 1990. With respect to this hearing, City Council has previously directed staff to:

- re-evaluate the Graywood Shopping Centre proposal on the basis of revised and up-dated market and traffic impact studies; and,
- prepare a comprehensive report to Council, and recommend an appropriate course of action prior to the hearing.

Anclare Holdings:

An application to amend the City's Official Plan and Zoning By-law was submitted by Anclare Holdings in June of 1989. The lands subject to this application:

- is located at the north-west corner of Balmoral Drive and Eastbourne Drive;
- has a frontage of approximately 79.6 metres (261 feet) along the northerly limit of Balmoral Drive;
- has flankage of approximately 189.2 metres (620 feet) along the westerly limit of Eastbourne Drive; and,
- has an area of approximately 1.86 hectares (4.59 acres)

Currently, the subject lands are occupied by a predominately one storey commercial plaza (known as the Southgate Plaza) having a gross building area of 2,719 square metres (29,271 square feet, including a large open court yard area in the centre of the structure). The actual gross leaseable area occupied by the retail units is somewhat less as documented later in this report. The applicant proposes to:

- demolish approximately 1581 square metres (17,022 square feet) of existing building area;
- expand the shopping centre to include a 2,787 square metre (30,000 square foot) supermarket;
- provide new ground floor retail space of 702.3 square metres (7,560 square feet); and,
- provide 702.3 square metres (7,560 square feet) of second storey office space, over a small portion of the building.

The resulting gross floor area would be 5329.5 square metres (57,369 square feet).

The applicant has submitted a commercial market impact study in support of the proposal.

The Metrontario Group :

Avondale Plaza is an existing convenience commercial shopping centre located on the north side of Avondale Boulevard, to the east of Bramalea Road. This development was the original shopping centre in the Bramalea community (circa 1963-1964) and is comprised of:

- a total gross commercial floor area of 4,022.5 square metres (43,300 square feet); and,
- a range of convenience retail units including an IGA supermarket (11,500 square feet of gross floor area) and a Shoppers Drug Mart (6,400 square feet of gross floor area) as principal tenants.

The Metrontario Group and the operators of the existing IGA store at Avondale Plaza object to both the Graywood and Southgate proposals, as currently submitted. It is their contention that the introduction of the supermarket facilities associated with these proposals would have a detrimental impact on the sales performance of the Avondale IGA.

A commercial market impact study has also been submitted to substantiate these objections.

PART II-MARKET ASSESSMENT

On the basis of the foregoing review, it appears that the principal issues concerning this matter relate to:

- the extent to which there is market opportunity in the study area to support further commercial development, including a supermarket component; and,
- the potential for impact on the viability and planned function of existing commercial facilities, should either or both of the proposals be approved; and,
- the most appropriate location for further commercial development, if warranted.

To resolve these matters, it is necessary to:

- undertake a planning assessment of the commercial structure within the study areas; and,
- review the results of the market impact studies submitted by the development proponents and objectors.

Avondale/Southgate Secondary Plan Areas Commercial Structure Review:

For the purposes of this report, the commercial structure review will be comprised of:

- the delineation of an appropriate trade area;
- a review of demographic characteristics of the trade area;
- a review of the distribution and planned allocation of commercial land uses within and adjacent to the trade area;
- an evaluation of the "planned function" of the commercial structure within the trade area.

Trade Area:

Map 1 identifies the location of the Graywood, Southgate and Avondale properties. To undertake the requisite commercial structure review, it is necessary to delineate a trade area boundary. This is the area from which a commercial development could reasonably expect to derive the major portion of its sales volume. The geographic extent of the study area is normally determined by such factors as:

- natural or man-made barriers;
- accessibility patterns provided by the road network;
- patterns of land use; and,
- the location of competing retail centres.

Based on these factors, a trade area has been delineated on Map 2 (located after Page 11 of this report) in which the Graywood, Southgate and Avondale sites could have the greatest sales impact. This area is bounded by:

- Queen Street to the north;
- Airport Road to the east;
- the industrial area generally to the south of Steeles Avenue; and,
- Highway 410 to the west.

Demographic Characteristics:

The trade area is comprised predominately of low density residential development, and industrial precincts to the east, south and west. In this regard, the need for further commercial development is normally predicated, to some extent, on population and employment growth. In this regard, Table One, below, exhibits population growth within the market area to the year 2001:

TABLE ONE
POPULATION PROJECTIONS
AVONDALE/SOUTHGATE/GRAYWOOD MARKET AREAS

| | 1985 | 1991 | 1996 | 2001 |
|----------------|--------|--------|--------|--------|
| POPULATION | 34,569 | 34,810 | 34,314 | 34,070 |
| PERCENT CHANGE | - | 0.7 | -1.4 | -0.7 |

SOURCE: City of Brampton Planning and Development Dept.

=====

From this analysis it is clear that the market area will experience a slight decline in population over the projection period. This may be attributed to:

- the fact that there is very little vacant land in the market area that could be developed for residential purposes; and,
- the decline in the number of persons per dwelling unit in this old and stable portion of the city.

Thus, justification for further commercial development cannot be developed only on the basis of population growth in the market area.

Table 2 below sets out employment projections within the market area to the year 2001.

TABLE TWO
EMPLOYMENT GROWTH
AVONDALE/SOUTHGATE/GRAYWOOD MARKET AREA

| | 1986 | 1991 | 1996 | 2001 |
|----------------|--------|--------|--------|--------|
| EMPLOYMENT | 30,652 | 35,135 | 39,487 | 42,427 |
| PERCENT CHANGE | - | 14.6 | 12.4 | 7.4 |

Note: These figures are unadjusted to account for employees living in the study area.

SOURCE: City of Brampton Planning and Development Dept.

=====

It appears that the market area will experience considerable employment growth over the projection period. Most of this growth will occur in the developing industrial precincts east of Torbram Road and south of Steeles Avenue. However, this employment growth will have only marginal significance in terms of market support for additional food store facilities. In this regard, employees normally spend a only a small proportion of food related expenditures on work related trips (estimated at 5 to 10 percent). The limited local expenditures of market area employees reflects the fact that employees still make a substantial portion of their supermarket expenditures in stores located closer to their residence. Further conclusions will be reached in subsequent sections of this report regarding the limited market support for additional commercial facilities which reasonably can be derived from employment in the study area.

On the basis of the foregoing demographic analysis, it is apparent that the opportunity for new commercial development is constrained by:

- limited prospects for increased expenditures from those employed in the market area; and,
- resident population declines beyond 1991.

Therefore, support for additional commercial facilities must be demonstrated primarily on the basis of a current deficiency of floor space (based on residual opportunities from real expenditures) in the market area.

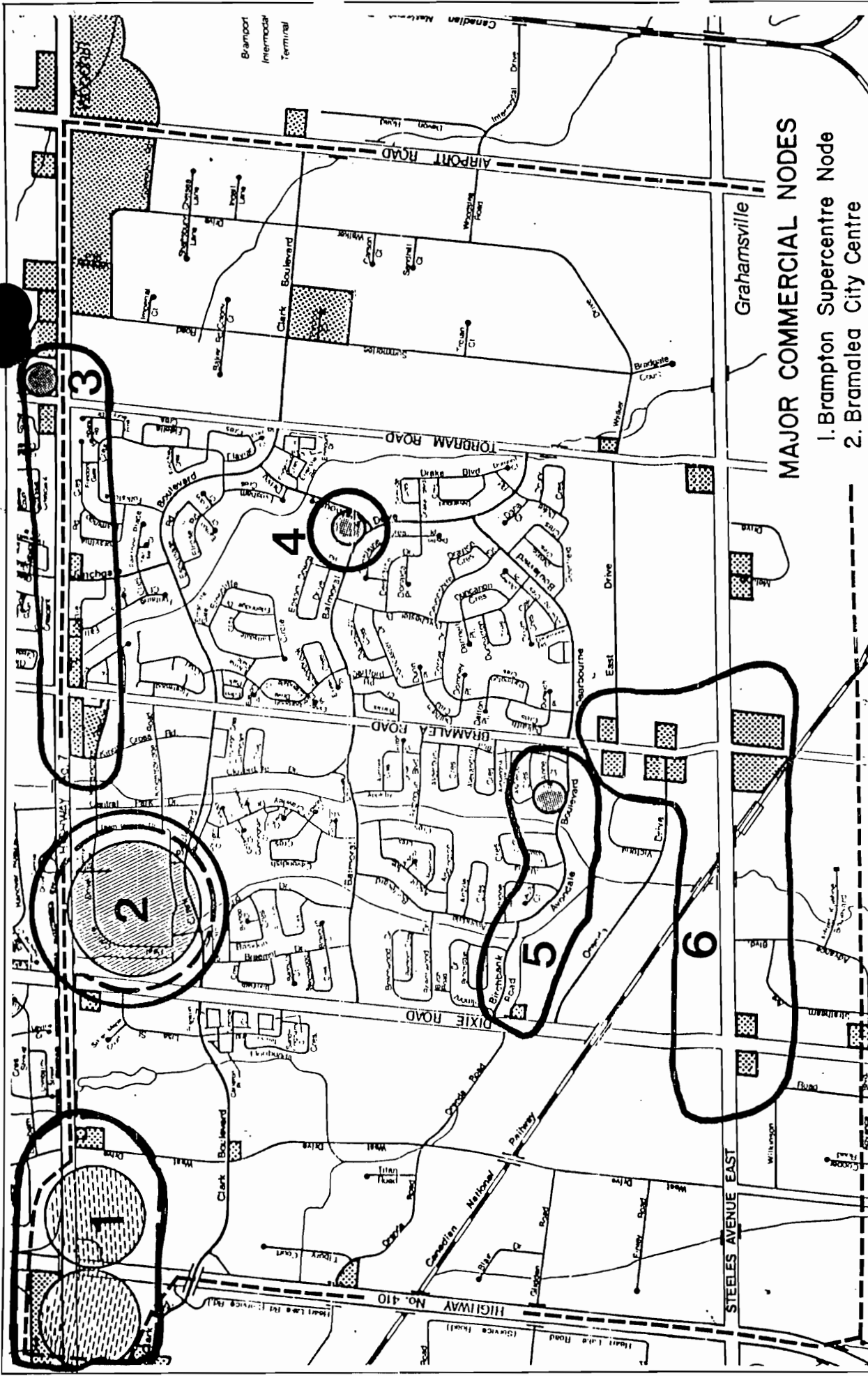
EXISTING COMMERCIAL STRUCTURE:

To accurately assess the need for additional retail facilities, it is necessary to inventory the existing commercial structure in the market area. In this regard, Map 2 indicates the geographic distribution of existing facilities, and Table 3 provides the corresponding floor space allocation. In this regard, the market area contains a full range of competitive retail-commercial uses with a total gross floor area in excess of 610,300 square feet (excludes department store type merchandise which is not in direct competition with the proposed developments). The most significant centres that serve the market area include:

- the Brampton Supercentre area containing 102,000 square feet of supermarket floor area;
- the Bramalea City Centre area containing a 55,000 square foot Miracle Food Mart and a 26,000 square foot Food City supermarket;
- the Southgate Plaza including a 3,500 square foot Macs Milk Store; and,
- the Avondale Plaza containing a 11,500 square foot IGA store.

PLANNED FUNCTION:

The Brampton Official Plan sets out a hierarchy of commercial land use for the City. This hierarchy is intended to provide for the development of a commercial structure appropriate to serve the needs of residents. Map 3 reflects the commercial hierarchy for the market area as prescribed on Schedule "F" of the Official Plan. Table 4 describes the hierarchy as it applies to the market area, relative to specific criteria set out in the official plan. Each of the shopping centres existing within the market area fulfils a specific function as follows:



MAJOR COMMERCIAL NODES

- 1. Brampton Supercentre Node
 - 2. Bramalea City Centre
 - 3. Highway 7 Strip
 - 4. Southgate Plaza
 - 5. Avondale Area
 - 6. Steeles Avenue Area
- Trade Area



1:30000

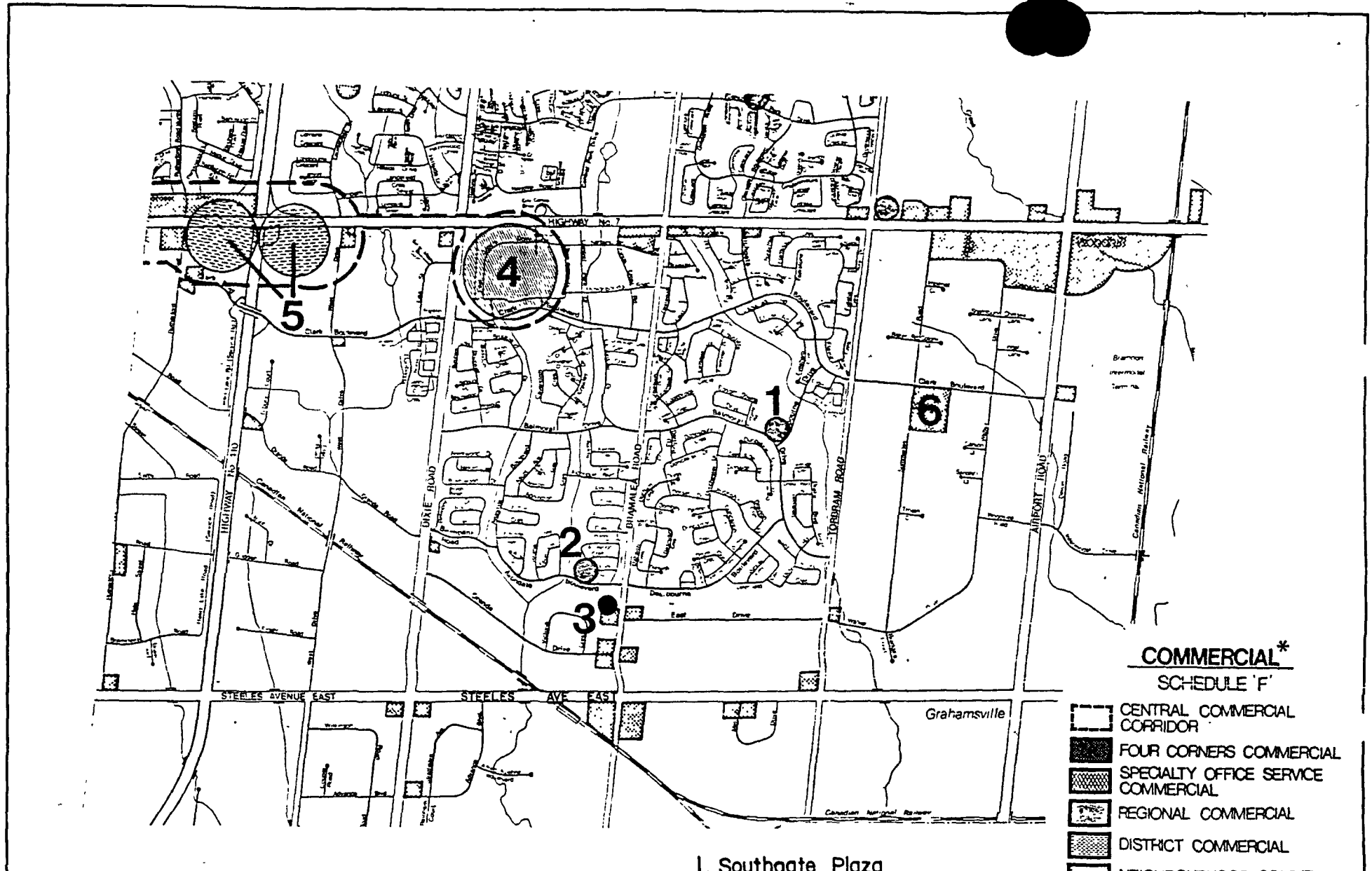
**MAP 2 - GRAYWOOD/SOUTHGATE/
AVONDALE TRADE AREA
AND COMMERCIAL
INVENTORY**

62-14

TABLE 3
INVENTORY OF COMPETITIVE SPACE
(square feet GLA)

| STORE TYPE | CLUSTER | | | | | | Total |
|------------------------|------------------------------|--|-------------------------|-------------------------|-------------------------|-------------------------------|----------------|
| | 1 Brampton SuperCentre | 2 Bramalea City Centre and Area | 3 Highway 7 Strip | 4 Southgate Plaza | 5 Avondale & Area | 6 Steeles Ave. and Area | |
| Supermarket | 102,000 | 96,000 | - | - | 11,500 | - | 209,500 |
| Other Food | 5,600 | <u>6,900</u> | <u>23,100</u> | <u>3,500</u> | <u>1,000</u> | - | <u>40,100</u> |
| Total Food | 107,600 | 102,900 | 23,100 | 3,500 | 12,500 | - | 249,600 |
| Hardware | 1,900 | 3,400 | 1,000 | - | 4,300 | 1,400 | 12,000 |
| Drugs | 27,800 | 13,900 | 7,000 | - | 6,400 | - | 55,100 |
| Eating/Drinking | 37,800 | 40,900 | 57,400 | 5,100 | 8,700 | 26,400 | 176,300 |
| Barber/Beauty | 2,000 | 8,400 | 3,200 | 1,700 | 1,500 | - | 16,800 |
| Dry Cleaning | 900 | 2,900 | 2,400 | 2,100 | 2,100 | 3,600 | 14,000 |
| Financial Institutions | <u>3,600</u> | <u>33,800</u> | <u>3,100</u> | <u>2,800</u> | <u>12,100</u> | <u>4,400</u> | <u>59,800</u> |
| Total Services | 44,300 | 86,600 | 66,100 | 11,700 | 24,400 | 34,400 | 266,900 |
| Liquor/Beer/Wine | | 11,700 | 6,800 | | | - | 18,500 |
| Vacant or otherSpace | <u>900</u> | <u>1,300</u> | | <u>3,800</u> | | <u>2,200</u> | <u>8,200</u> |
| TOTAL | <u>182,500</u> | <u>219,200</u> | <u>104,000</u> | <u>19,000</u> | <u>47,600</u> | <u>38,000</u> | <u>610,300</u> |

SOURCE: Larry Smith and Associates Limited
City of Brampton, Planning and Development



**MAP 3 - COMMERCIAL
HIERARCHY
AVONDALE/SOUTHGATE
SECONDARY PLAN AREAS**



1:35 000

1. Southgate Plaza
2. Avondale Plaza
3. Graywood Site
4. Bramalea City Centre
5. Brampton Supercentre Node
6. Bramalea Industrial Park Service
Commercial Zone

COMMERCIAL*
SCHEDULE 'F'

- CENTRAL COMMERCIAL CORRIDOR
- FOUR CORNERS COMMERCIAL
- SPECIALTY OFFICE SERVICE COMMERCIAL
- REGIONAL COMMERCIAL
- DISTRICT COMMERCIAL
- NEIGHBOURHOOD COMMERCIAL
- CONVENIENCE COMMERCIAL
- HIGHWAY & SERVICE COMMERCIAL
- SITE SPECIFIC DESIGNATIONS
- RURAL COMMERCIAL

S-15

Bramalea City Centre (Miracle Ultra Mart and Food City):

These two supermarkets are situated in the Bramalea City Centre which is designated in the Official Plan as a Regional Centre. As such, these supermarkets not only serve the subject market area, but also draw customers on a regional (i.e. City wide or larger) basis. For example recent consumer surveys indicate that approximately 28 to 31 percent of the market area residents' food expenditures are captured by the Miracle Ultra Mart, and 21 to 24 percent by the Food City store.

Brampton Supercentre:

This commercial node actually is comprised of two district centres as designated on Schedule "F" to the Brampton Official Plan. One is located at the south-east corner of Highway Number 410 and Queen Street which is comprised of:

- several large retail outlets including Toys R Us, Beaver Lumber, and other speciality stores; and,
- a Pay Less Drug Store which includes some food/grocery related retailing.

The other district centre is located at the south-west corner of this same intersection and contains:

- a K-Mart Department Store, and other specialty retail outlets; and,
- a Loblaws Superstore

Together these two district nodes contain a total of 107,600 square feet of food related retailing. A significant amount of the market area residents' food expenditures are attracted to these district centres (estimated at approximately 20 percent by recent consumer surveys). However, these stores also serve a larger market including other communities adjacent to the Avondale/Southgate Secondary Plan Areas.

Southgate Plaza:

Southgate Plaza is designated as "Convenience Commercial" on Schedule "F" to the Brampton Official Plan. As such, this centre is intended to fulfill the convenience retail needs of

TABLE 4
AVONDALE/SOUTHGATE MARKET AREA
COMMERCIAL HIERARCHY

| EXISTING CONDITIONS | | | | | OFFICIAL PLAN CRITERIA | | | |
|---|--------------------------|-------------------------------|----------------------------|--|----------------------------|-------------------|---|--|
| NAME OF CENTRE | LEVEL IN HIERARCHY | EXISTING FLOOR SPACE (Sq.Ft.) | EXISTING SITE AREA (Acres) | MAIN TENANTS | FLOOR SPACE RANGE (Sq Ft) | SITE AREA (Acres) | MAIN TENANTS | FUNCTIONAL/LOCATIONAL CRITERIA |
| AVONDALE PLAZA | CONVENIENCE COMMERCIAL | 43,300 | 3.62 (Acres) | I.G.A. SHOPPERS DRUG MART | 5,400 - 15,100 | 1 - 2 | GROCERY STORE or JUG MILK | o Location preferably on collector roads; |
| SOUTHGATE PLAZA | CONVENIENCE COMMERCIAL | 19,000 | 4.59 | MAC'S MILK | 5,400 - 15,100 | 1 - 2 | GROCERY STORE or JUG MILK | o Location preferably on collector roads; |
| NO NEIGHBOURHOOD COMMERCIAL CENTRE PRESENT IN MARKET AREA | NEIGHBOURHOOD COMMERCIAL | - | - | - | 21,500 - 80,700 | 4 - 8 | SUPERMARKET DRUG STORE | o Location on arterial roads or collector roads; |
| BRAMPTON SUPER CENTRE | DISTRICT CENTRES | 107,600 (FOODSTORES ONLY) | - | LOBLAWS SUPER-CENTRE PAYLESS TOTAL FOOD | 96,900 - 301,400 | 10-30 | 1 - 2 DEPARTMENT STORES and a SUPERMARKET | o Intersection on arterial roads or highways |
| BRAMALEA CITY CENTRE | REGIONAL CENTRE | 908,400 | - | FOOD CITY (26,000sq.ft.) MIRACLE FOODMART (55,000sq.ft.) | 301,400 - 1,076,400 | 30-90 | 2 or MORE DEPARTMENT STORES, 1 or MORE SUPERMARKETS | o Intersection of Highways |

predominately local area residents. Currently, Southgate is effectively fulfilling this function for the community east of Bramalea Road generally in accordance with the criteria highlighted in Table 4.

It should be noted that the applicable secondary plan for this site (Plate Number 16 and Chapter C10 to the Consolidated Official Plan) designates the Southgate Plaza as "Local Shopping Centre." Although there is no accompanying definition for this designation, it is reasonable to interpret this as a planned local or convenience commercial function.

It is noted that the site area of 4.6 acres is in excess of the 1 to 2 acre size range prescribed for convenience commercial development in the official plan. Considering the limited building area existing on the site, it is apparent the property is under-utilized.

The current proposal to increase the retail floor space on this site, including a supermarket component, would expand the centre's function to that of a neighbourhood commercial facility.

Avondale Plaza:

Schedule "F" of the Brampton Official Plan also designates the Avondale Plaza as "Convenience Commercial". However, as indicated on Table 4, the tenant mix, floor space and locational characteristics of this facility actually comply with the neighbourhood commercial criteria set out in the official plan. It is clear that the Avondale facility currently functions as a neighbourhood commercial centre for market area residents.

The applicable secondary plan for the Avondale area designates the property as "Community Commercial" (Plate Number 14, and Chapter C40 of the Consolidated Official Plan). While there is no accompanying definition provided in the secondary plan, it is reasonable to interpret that the Avondale Plaza was planned to function beyond the local or convenience level (note the distinction between the "Community Commercial" designation

applied to Avondale, and the "Local Shopping Centre" designation applied to the Southgate Plaza in the respective secondary plans).

The only rationale for the existing convenience commercial designation of the Avondale Plaza is:

- the slightly substandard site area (3.62 acres) compared to the minimum criteria of 4 acres established in the official plan for neighbourhood commercial development; and,
- the marginally smaller floor area of the IGA supermarket (11,500 square feet) relative to the minimum size prescribed for supermarket tenants (15,100 square feet) as required by the official plan (policy 2.2.3.19) for neighbourhood commercial developments.

Given:

- that the official plan is intended to be interpreted flexibly and that quantified measures are not to be considered absolute; and,
- the evidence that the Avondale Plaza functions on a Neighbourhood Commercial level,

then it is concluded that the current convenience commercial designation does not accurately reflect the established neighbourhood function of this centre.

Thus, it is evident that there is a well established commercial structure within the market area, incorporating all levels of the retail hierarchy prescribed by the official plan.

Market Opportunity Impact Studies:

As noted previously, both development proponents within the market area (Graywood Developments and Anclare Holdings) have submitted commercial market opportunity and impact studies to support their respective proposals. In addition, the Metrontario Group (Avondale Plaza) has submitted a market impact study to substantiate their objections to both the Graywood and Anclare Holdings (Southgate) proposals. It is not intended to undertake an exhaustive analysis of these studies, however, it is appropriate for the purposes of this report to:

- summarize the purpose and content of the studies;
- analyse the study findings; and,
- identify an appropriate recommendation regarding the potential market opportunity for further commercial development in the Avondale and Southgate Secondary Plan Areas.

The major conclusions which are common to each of the reports are that:

- the subject sites are within an identical market area;
- there is market support for only one additional food store in this market area (although the amount of supportable floor space is at variance).

Graywood Developments:

Larry Smith and Associates prepared an initial study for Graywood Developments to support their proposals submitted in 1986 and 1987. This study was updated in October 1989 to reflect more recent demographic and market conditions. The conclusion of this study is that the market area can absorb one additional neighbourhood shopping centre, including a supermarket component, without significant impact on the sales performance of the existing stores, and specifically the Avondale IGA. Table 5 indicates the distribution of retail/service space for the Graywood site as recommended by Larry Smith and Associates.

TABLE 5

RECOMMENDED RETAIL/SERVICE SPACE

GRAYWOOD DEVELOPMENTS-70 BRAMALEA ROAD

| Type of Activity | Gross Leasable Area (Square Feet) |
|--------------------------|-----------------------------------|
| Retail Goods: | |
| Supermarket..... | 30,000 |
| Specialty Food..... | 3,000-4,000 |
| Hardware..... | 2,000-4,000 |
| Other Retail..... | 3,000-4,000 |
| TOTAL RETAIL..... | 38,000-42,000 |

TABLE 5 CONT'D

SERVICES:

| | |
|-----------------------------------|----------------------|
| Eating and Drinking..... | 3,000-5,000 |
| Personal Services..... | 3,000-4,000 |
| Bank/Trust Co. etc..... | 2,000-4,000 |
| Other Services..... | 4,000-5,000 |
| TOTAL SERVICES..... | 12,000-18,000 |
| TOTAL SHOPPING CENTRE..... | 50,000-60,000 |

Source: Larry Smith and Associates

The Larry Smith report also recognizes the submission of the Anclare Holdings (Southgate Plaza) proposal, and recommends that the Graywood property is the preferred site for neighbourhood commercial development.

The following factors are identified in the study to support these recommendations:

- market support for the centre is derived principally from residual opportunity in the market area;
- additional market support can be derived from employment growth, predominately in the industrial park east of Torbram Road;
- potential market support can also be derived from transient trade originating from traffic along Bramalea Road, and commuters using the GO-Train Station just south of the site;
- the Graywood site is well positioned to function as a neighbourhood commercial centre in the market area due to its visibility and accessibility from Bramalea Road which is a major arterial facility;

- §
- in terms of planned function, the proposed retail and service facilities will not serve on a regular basis residents living outside the study area, since more convenient opportunities will be available locally for these persons;
 - the impact on the adjacent Avondale IGA supermarket will be minimized since;
 - The IGA store has developed a loyal local customer base (e.g. Only 18.5 percent of its sales are derived from outside the study area);
 - The IGA store is currently performing at sales levels in excess of industry standards, and therefore sales transfers after the introduction of the Graywood centre, will not result in "terminal impact." The Larry Smith report estimates that the IGA store is currently achieving sales of approximately \$735 per square foot. Sales after the market entry of the Graywood facility would fall to \$540 per square foot which is well above industry standards.
 - Potential food store tenants include A&P, Sunkist, or Longos which are not currently represented in this portion of the Brampton market. Therefore impact on existing centres will be avoided.

It is accepted on the strength of the market analysis contained in the Larry Smith report, that there is sufficient market opportunity in the trade area to support an additional neighbourhood commercial development, with a supermarket as a main tenant. However, the principal concerns with respect to the Graywood proposal from a market perspective, relate to:

- the geographic positioning of the subject property to effectively function as a neighbourhood commercial centre in the Avondale/Southgate Secondary Plan Areas; and,
- the potential impact on the viability and planned function of existing commercial uses in the trade area.

Significant support for the Graywood proposal is developed on the strength of its location along a major arterial road, and proximity to the Bramalea Road, Steeles Avenue GO Train Station. It is suggested that this provides the necessary visibility and accessibility to serve the trade area effectively. However, these locational attributes are more supportive of a facility which is intended to serve a much larger transient trade area based on the regional commuter traffic associated with the arterial road function of Bramalea Road, and the adjacent GO Station. It is submitted in the Larry Smith report that neighbourhood commercial developments require locations preferably on arterial roads to provide trade area accessibility. In this regard, it is noted on Table 4 to this report, that the Brampton Official Plan prescribes either an arterial or collector road location for neighbourhood commercial uses. Certainly, an arterial road location is not a prerequisite, and in fact could be detrimental if the arterial road carries a predominate regional function (such as Bramalea Road). In this case, accessibility to the neighbourhood commercial centre, particularly for the residents east of Bramalea Road, could be significantly impeded by regional traffic.

It is also claimed in the Larry Smith study that the Graywood site is well positioned to serve the growing employment in the industrial precincts east of Torbram Road. Market support from this area would be derived principally from food expenditures made on work related trips.

Given that:

- the predominant traffic flow to/from the industrial area east of Torbram Road is to the south and east along Torbram and Airport Roads, for work related trips;
- there is considerable separation distance between the Graywood site and this industrial area, including a large intervening residential area; and,
- there are other intervening commercial sites in closer proximity to this industrial precinct (notably the Southgate Plaza, and a zoned Service Commercial site in the heart of the industrial area, at the south-east corner of Clark Boulevard and Summerlea Road-Refer to Site 6 on Map 3),

then it is clear that the Graywood site is actually very poorly positioned to fulfill a commercial function for the growing industrial precinct east of Torbram Road.

On the basis of the foregoing, it is questionable whether the Graywood property is the most appropriate location to fulfill the demonstrated market need for neighbourhood commercial facilities oriented to the Avondale/Southgate Secondary Plan Areas, and adjacent industrial environs.

In terms of planned function, the introduction of the Graywood facility on Bramalea Road would result in the duplication of neighbourhood commercial centres in close proximity in the same trade area. Further, it is obvious that the Graywood facility would have a significant impact on the established neighbourhood commercial function of the Avondale Plaza, which is located just 122 metres (400 feet) to the west. From a municipal planning perspective, the resulting fragmentation of the commercial function in this segment of the trade area is not acceptable. The most significant consequence of this fragmentation is of course, impact on the viability of existing centres.

The Larry Smith report does address the matter of impact on existing centres, and in particular the Avondale Plaza. It appears that the Larry Smith study does not recognize the neighbourhood commercial function of Avondale Plaza. For analytical purposes the Larry Smith report considers Avondale as a convenience commercial centre in accordance with the official plan, which as noted earlier, does not reflect its established function as a neighbourhood centre. It is believed that this omission seriously prejudices the report's conclusions regarding the potential impact on the planned function of Avondale Plaza.

With respect to economic viability, the Larry Smith study indicates that the sales performance of the Avondale Plaza will not be terminally impacted by the introduction of the Graywood facility. The study includes a supermarket sales impact analysis summarized as Table 6 to this report. This analysis concludes that the post-development sales of the Avondale Plaza should fall to approximately \$540 per square foot of gross leasable floor area, which is above current industry standards (approximately \$350 to \$400 per square foot). These sales performance levels are based on:

- the gross leasable floor area of the Avondale IGA supermarket; and,
- estimates of total sales accruing to the supermarket.

TABLE 6
SUPERMARKET IMPACT ANALYSIS

| | 1989 | | | | | | 1991 | | | Percent Change | |
|--------------------------------------|------------------|--------------------|--------------|----------------|------------------|--------------------|----------------------------------|----------------------|----------------|-------------------|------------------|
| | Size (Sq.Ft.) | Effective Sales | Inflow | Total Sales | Sales/ Sq.Ft. | Effective Sales | Decline In Effective Sales | Decline In Inflow | Total Sales | | Sales/ Sq.Ft. |
| Existing Study Area Supermarkets: | | | | | | | | | | | |
| Super Centre | 102,000 | \$ 7.9M | 82.0% | \$43.9M | \$430 | \$6.3M | \$1.6M | \$0.4M | \$41.9M | \$410 | - 4.7% |
| Miracle Ultra Mart | 70,000 | \$12.2 | 61.0% | \$31.3 | \$445 | \$9.6 | \$2.6 | \$0.7 | \$28.0 | \$400 | -10.1% |
| Food City | 26,000 | \$ 8.2 | 51.0% | \$16.7 | \$640 | \$6.3 | \$1.9 | \$0.5 | \$14.3 | \$550 | -14.1% |
| I.G.A. | <u>7,200</u> | <u>\$ 4.2</u> | <u>20.0%</u> | <u>\$ 5.3</u> | <u>\$735</u> | <u>\$3.1</u> | <u>\$1.1</u> | <u>\$0.3</u> | <u>\$ 3.9</u> | <u>\$540</u> | <u>-26.5%</u> |
| Total Existing Supermarkets | 205,200 | \$32.5 | 66.5% | \$97.2 | \$475 | \$25.3 | \$7.2 | \$1.9 | \$88.1 | \$430 | - 9.5% |
| Proposed Study Area Supermarkets: | | | | | | | | | | | |
| Site: | <u>30,000</u> | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>\$10.1</u> | <u>N/A</u> | <u>N/A</u> | <u>\$12.8</u> | <u>\$425</u> | <u>N/A</u> |
| TOTAL STUDY AREA | 235,200 | \$32.5 | 66.6% | \$97.2 | \$475 | <u>\$35.4</u> | <u>\$7.2</u> | <u>\$1.9</u> | <u>\$100.9</u> | <u>\$430</u> | <u>N/A</u> |

SOURCE: Larry Smith and Associates
Neighbourhood Shopping Centre Market Demand
Analysis - Graywood Developments Limited
October 16, 1989 - Up-dated January 1990

However, the Larry Smith report identifies that the gross leasable floor area of the IGA supermarket is only 7,200 square feet. The actual floor area is 11,500 square feet if the basement storage area is included in the calculation of the gross leasable area. The basement storage includes frozen food and produce coolers, meat and ice cream freezers, product storage and a conveyor system leading to the main floor. It is believed that the basement storage should be included in the gross leasable area since it is integral to the sales productivity of the supermarket. In addition, the official plan provides a definition for gross leasable area that includes basements, as noted below:

"GROSS LEASABLE AREA: means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors."

Table 7 revises the supermarket impact analysis using the Larry Smith sales estimates and the up-dated gross leasable floor area to conform with the official plan definition.

TABLE 7
REVISED SUPERMARKET IMPACT ANALYSIS
AVONDALE IGA SUPERMARKET

| | | <u>1989</u> | | | |
|------------------------|---------------------|----------------------|--------------------|-----------------|-------------------|
| TOTAL I.G.A. G.L.A. | EFFECTIVE SALES | INFLOW | TOTAL SALES | SALES Sq.Ft. | |
| 11,500 Sq.Ft. | 4.2 (\$million) | 20.0% | 5.3 (\$million) | \$460 | |
| | | <u>1991</u> | | | |
| Effective Sales | Decline In Sales | Decline In Inflow | Total Sales | Sales Sq.Ft. | Percent Change |
| 3.1 (\$million) | 1.1 (\$million) | 0.3 | 3.9 | \$339 | -26.3% |

SOURCE: All Sales Information
Larry Smith and Associates

On this basis, the revised post development sales performance of the Avondale IGA drops to an estimated \$339, which is well below the industry averages quoted previously. Accordingly, the introduction of the Graywood neighbourhood commercial shopping centre will have a significant impact on the economic viability of the existing Avondale IGA supermarket.

It is also submitted that the Graywood proposal includes a food store tenancy which is not currently represented in this segment of the Brampton market (e.g Longos, Sunkist or A&P). In this manner, the specific market orientation of proposed and existing food stores would not be duplicated, thereby diminishing the potential for economic impact. However, the municipality cannot zone commercial property on the basis of tenancy. Thus, there is no guarantee that such a duplication of food stores would not occur as a result of store turnover, or change in land ownerships. Accordingly, if the Graywood proposal is approved the Avondale IGA store would be vulnerable to unwarranted additions of competitive food space within the identical market orientation.

The Metrontario Group:

The owners of the Avondale Plaza have commissioned a separate market analysis (undertaken by W. Scott Morgan) to substantiate their objections to both the Graywood and Southgate proposals. The specific purpose of this study is to :

- identify the market opportunities and demand for new supermarket facilities in the subject trade area; and,
- address concerns regarding the competitive effects of introducing supermarket facilities at the Graywood or Southgate sites.

This study leads to the following conclusions:

- the trade area is capable of supporting only a limited amount of additional supermarket space without prolonged or detrimental impact on the Avondale Plaza's IGA anchor tenant;
- insufficient market exists to support two additional supermarkets each at 30,000 square feet;
- the proposed Graywood supermarket presents the greatest risk of causing closure of the Avondale IGA;
- the proposed 30,000 square foot supermarket in an expanded Southgate Plaza presents moderately lower risk than does the Graywood proposal of causing the closure of the Avondale IGA; and,

- a marketing recommendation is made in favour of a downscaled supermarket within the expanded Southgate Plaza. A similar downscaled supermarket on Graywood site is not supported by the analysis contained in the Scott Morgan report.

The specific areas of analysis which merit evaluation relate to:

- conclusions regarding the established and planned function of the Avondale Plaza;
- employment assumptions;
- the extent of economic impact on the Avondale IGA supermarket resulting from the Graywood and Southgate proposals; and,
- the implications of the marketing recommendations with respect to the Graywood and Southgate proposals.

The Scott Morgan analysis confirms conclusions reached previously in this report regarding the function of the Avondale Plaza. In this regard, it is stated that its current neighbourhood commercial function relates to scale, anchor tenancy and draw, notwithstanding its convenience commercial designation in the official plan. Accordingly, the study is focused on the potential impact of the proposed supermarkets in the trade area on Avondale's planned and established function as a neighbourhood commercial centre.

The trade area employment estimates included in the Scott Morgan analysis are significantly lower than those previously considered in this report. In fact employment is projected by Scott Morgan to reach only 28,000 by the year 2001, compared to 36,500 estimated by the Larry Smith report. It appears that for analytical purposes, the Scott Morgan Analysis excludes the employment base from northern portions of the trade area in proximity to the supermarket facilities at the Brampton Supercentre and the Bramalea City Centre. It is assumed that the share of employee food related expenditures that can be drawn from this portion of the study area would be marginal considering the more convenient access to supermarket facilities in this locality. From a planning perspective the employment assumptions

contained in the Scott Morgan report appear appropriate. On this basis, it is clear that the potential support for additional supermarket facilities in the trade area is further constrained by diminished employment expenditure potential.

The Scott Morgan analysis concludes that to avoid significant economic impact on the Avondale IGA, sales levels should be maintained above \$400 after the development of competitive facilities at either the Graywood or Southgate sites.

In this regard Table 8 summarizes the supermarket impact analysis contained in the Scott Morgan report. From this it can be seen that the impact on the Avondale IGA is far greater from the introduction of the Graywood proposal, than the Southgate expansion (representing a 21 percent sales decline by Graywood and 15 percent sales decline by Southgate). As stated in the report, the higher impacts imparted by the Graywood supermarket on the Avondale IGA is intuitively correct given its closer proximity. Similarly, the proposed Southgate supermarket at a greater separation distance generates a lower sales impact, which is a reflection of this centre's ability to serve its portion of the trade area (generally east of Bramalea Road) with less overlap on Avondale.

**TABLE 8
SUPERMARKET IMPACT ANALYSIS
OF SOUTHGATE AND GRAYWOOD PROPOSALS**

| FACILITY | 1991 | | 1991 - POST DEVELOPMENTS | |
|--------------------|--------|-----------------------|-------------------------------------|--------------------------------------|
| | SIZE | SALES PER SQUARE FOOT | SALES PER SQUARE FOOT WITH GRAYWOOD | SALES PER SQUARE FOOT WITH SOUTHGATE |
| AVONDALE I.G.A. | 11,500 | 450 | 357 (-21.1%) | 384 (-15.4%) |
| FOOD CITY | 26,700 | 650 | 614 (-5.7%) | 554 (-14.9%) |
| MIRACLE ULTRA MART | 55,000 | 500 | 476 (-4.7%) | 431 (-13.8%) |
| SUPERCENTRE | 75,000 | 450 | 433 (-3.6%) | 419 (-6.8%) |

SOURCE: Scott Morgan, Consultant

It is interesting to note that the post-development sales decline (to \$357 per square foot with the Graywood proposal) noted in Table 8, moves closer to approximating the revised Larry Smith sales levels estimated in Table 7 to this report (\$339 per square foot after adjusting the gross leasable floor area to include that basement storage area). This is reasonable confirmation that, on the basis of the market studies submitted to the city, there will be significant impact on the economic viability of the Avondale IGA from the introduction of the Graywood supermarket. It is also evident that there will be little potential for re-aligned sales potential accruing to Avondale in the long term since there are almost negligible prospects for growth in population, employment or expenditures in the trade area. The overriding concern is that:

- the established and planned function of the Avondale IGA would be significantly impaired; and,
- prolonged impact of this scale could potentially lead to the closure of this centre.

There also remains concern that the Southgate supermarket proposal, as currently proposed, will have a detrimental impact on the viability of Avondale IGA. In fact Table 8 illustrates that the Avondale IGA post development sales level with the Southgate expansion would remain below \$400 per square foot (which is cited by Scott Morgan as the critical level to avoid significant economic impact). The only practical solution is to downsize the size of the Southgate expansion which would result in a reduced sales transfer from the Avondale Plaza. Table 9 provides an analysis of the approximate impact on the sales performance of the Avondale IGA on the basis of alternative supermarket sizes at the Southgate site.

TABLE 9
ESTIMATES OF SALES IMPACT
ON AVONDALE I.G.A.

| IMPACT ON AVONDALE I.G.A. | | | | |
|--------------------------------------|---------------------|----------------------|-----------------------|----|
| Southgate Floor Size Alternatives | Food Sales (\$M) | Sales Per Sq. Ft. | Transfer (\$M) (%) | |
| Pre-Development | 5.2 | \$450 | - | - |
| 30,000 | 4.1 | \$357 | 1.1 | 21 |
| 24,000 | 4.56 | \$396 | 0.64 | 12 |
| 22,000 | 4.61 | \$400 | 0.59 | 11 |
| 20,000 | 4.67 | \$406 | 0.53 | 10 |

Recognizing that these are approximate values, it would appear that an appropriate floor space range for the Southgate Plaza would be 22,000 to 24,000 square feet to maintain the Avondale IGA sales at the critical \$400 per square foot level as suggested by the Scott Morgan report. It is therefore recommended that a maximum floor space of 24,000 square feet be considered for the Southgate Plaza to:

- allow sufficient flexibility in the re-development of the Southgate site; and,
- allow for normal market competition to occur within the trade area.

The recommendation to downsize the floor area of the proposed Southgate supermarket is consistent with previously stated planning objectives to:

- strengthen the existing commercial structure within the trade area; and,
- avoid infringement on the established and planned function of existing shopping centres.

It is concluded that the Southgate and Avondale supermarkets could co-exist in the same market area, within the recommended size ranges, since a reasonable separation distance is maintained. Thus, there should be minimum disruption to the planned function and customer base of the existing Avondale IGA supermarket.

In addition, the introduction of the Southgate supermarket would fulfill the need for additional supermarket facilities in the area east of Bramalea Road. In fact, a consumer survey undertaken as part of the Scott Morgan analysis found that 43.8 percent of respondents in that area stated that they would be likely to frequent a supermarket at the Southgate Plaza.

The introduction of the downsized supermarket at the Southgate site would obviously impact, to some degree, on the customer draw accruing to the existing food stores at the Bramalea City Centre. However it is recognized that these facilities have a planned regional function and as such draw a customer base much beyond the subject trade area. Thus they have a much stronger capacity to avoid prolonged sales impacts from supermarket proposals in the trade area.

Anclare Holdings:

A third market study has been submitted by The Corporate Research Group on behalf of Anclare Holdings in support of their development application. The major conclusions of this study are that:

- the characteristics of the Southgate site, relative to location, size, access, and function make it a highly desirable for neighbourhood commercial development;
- the additional supportable supermarket space in the trade area is estimated at a minimum of 24,500 to 31,500 square feet. A recommendation is made in the study in favour of an expansion to the existing Southgate Plaza to approximately 55,000 square feet, including a 30,000 square foot supermarket;
- the Graywood site is locationally and functionally inferior and undesirable for a supermarket or other types of neighbourhood commercial facilities; and,
- the maximum impact of the recommended Southgate supermarket is estimated to be a possible sales transfer of 12.8 percent from Miracle Ultramart, 7.8 percent from Supercentre, 12.6% from Food City and 9.3 percent from the Avondale IGA. In their view, impact of this magnitude is not considered serious or detrimental, and its effect would be quite temporary.

The significant conclusion of the Corporate Research Group's study is that there is support for a supermarket on the Southgate site with a **minimum** size of 24,500 square feet. This is consistent with earlier findings of this report, and the Scott Morgan study, which supports a downsized Southgate supermarket. At variance, however, is that the Corporate research group recommends that a 30,000 square foot supermarket could be developed at the Southgate site without significant impact on existing commercial centres, including the Avondale IGA. It is noted that this recommendation is made on the basis of:

- post development sales estimates (after the introduction of the Southgate Plaza) for the Avondale IGA in excess of \$5.3 million. This yields a sales performance of \$742 per square foot; and,

- a gross commercial floor area for the Avondale IGA at 7,200 square feet, which does not include the basement storage area. (As noted previously, this basement area contributes significantly to the sales productivity of the supermarket).

The post-development sales estimates of the Corporate Research Group are significantly higher than those provided in the Scott Morgan study (\$4.4 million). This discrepancy results since:

- the existing (pre-development) sales of \$5.76 million estimated in the Corporate Research study are much higher than the actual sales performance of \$5.2 million (reported accurately in the Scott Morgan report since access was provided to the Avondale IGA confidential sales figures); and,
- the level of sales transfer from the Avondale IGA supermarket resulting from the development of the Southgate supermarket, is estimated by the Corporate Research Group at \$0.55 million. This is slightly understated relative to the findings of the Scott Morgan report (\$0.8 million for a Southgate supermarket development of 30,000 square feet).

If the figures in the Corporate Research Group study are adjusted to:

- accurately reflect the current sales performance of the Avondale IGA; and,
- incorporate the actual gross leaseable floor area of the Avondale IGA (i.e. 11,500 square feet),

then, further support could be derived for a downsized Southgate supermarket development. Such a finding would:

- remain consistent with the minimum floor space allocation of 24,500 square feet for the Southgate supermarket recommended by the Corporate Research Group;
- complement the conclusions reached in previous sections of this report in favour of a 24,000 square foot supermarket at the Southgate site; and,
- ensure that a significant negative impact would not result on the viability of the Avondale IGA from the Southgate redevelopment proposal.

PART III-SITE ANALYSIS

The assessment undertaken in the previous section concluded that from a marketing perspective, there is justification for a 24,000 square foot supermarket expansion to the Southgate Plaza. However, recognizing that the City has development applications for two supermarkets in the subject trade area (Graywood and Southgate) the marketing recommendation must be balanced with a land use assessment of each of these sites. Such an assessment is intended to determine the suitability of these sites for neighbourhood commercial development. For the purposes of this report the assessment will consider the following factors:

- site characteristics;
- land use compatibility;
- development capacity; and,
- traffic impacts.

Site Characteristics:

The Graywood Developments' property has:

- an area of 1.8 hectares (4.48 acres); and,
- a frontage of 167.6 metres (550 feet) along the westerly limit of Bramalea Road.

The subject property has previously been used for a variety of purposes including warehousing, industrial operations and offices, but is now vacant as the result of recent building demolition.

The official plan designates the property for industrial purposes, as does the applicable secondary plan (Plate Number 14 and Chapter C40 of the Consolidated Official Plan).

By-law 151-88 (former Township of Chinguacousy Comprehensive Zoning By-law) zones these lands as "Industrial Three A (M3A)-Section 156 which permits:

- a variety of general industrial uses; and,
- business offices.

Accordingly, to permit the proposed neighbourhood commercial development on this site, an official plan and zoning by-law amendment is required.

An acceptable planning approach for this type of application would entail the development of the planning rationale to justify the change of land use from industrial to commercial. Such planning rationale has not been submitted by the applicant.

The Southgate Plaza is situated on a similarly sized property having an area of 1.86 hectares (4.59 acres). These lands have a frontage of approximately 79.5 metres (261 feet) along the north limit of Balmoral Drive.

As noted previously, the subject site is currently occupied by a one storey convenience commercial plaza, having a gross leasable floor area of approximately 19,000 square feet. The existing uses include:

- a Macs convenience store;
- a dining room and a take-out restaurant;
- a discount and variety store;
- a bank;
- a beauty salon and barber shop;
- a dry cleaning outlet;
- a video store and,
- a flower shop.

The official plan designates the subject lands for commercial purposes. In particular, Schedule "F" of the official plan prescribes a convenience commercial designation. The applicable secondary plan (Plate 15 and 16, and Chapter C10 of the Consolidated Official Plan) designates the subject lands as "Local Shopping Centre."

The site is zoned Commercial One (C1) by By-law 151-88 which permits the following uses:

- a retail establishment having no outside storage;
- a convenience store (defined as having a gross commercial floor area of less than 6,458 square feet);
- a service shop;
- a personal service shop;
- a bank, trust company, finance company;
- an office;
- a dry cleaning and laundry distribution station;
- a laundromat;
- a parking lot; and,
- a dining room restaurant, a standard restaurant, and a take out restaurant.

To permit the redevelopment of the Southgate Plaza, an amendment to the zoning by-law is required which would specifically incorporate the supermarket use. In addition, an official plan amendment is necessary to up-grade the status of the site from a convenience to a neighbourhood commercial shopping centre. The increased floor space and the addition of the supermarket warrant this change in status in accordance with official plan criteria (refer to Table 4 of this report).

In view of these site characteristics, planning support may be developed in favour of the Southgate proposal since it:

- involves a site already zoned for commercial purposes; and,
- accommodates long-standing retail activities which have served the Southgate secondary planning area.

Land Use Compatibility:

Since both proposed commercial developments are to be integrated into stable and established communities, particular attention must be given to the issue of land use compatibility.

Map 4 illustrates existing land use surrounding the Graywood property. In this regard, this site is located in the fringes of an industrial community adjacent to extensive residential districts to the north and east. Single family and semi-detached residential development prevails to the north on both sides of Bramalea Road. The residential properties most directly affected by the Graywood proposal are located on the south side of Avondale Boulevard. However, these properties are protected to some extent by an intervening 15 metre (50 foot) open hydro easement. In addition, the site plan submitted by Graywood Developments in support of their application indicates extensive landscaping and a masonry wall along the northerly property boundary, to enhance land use compatibility with adjacent residential uses.

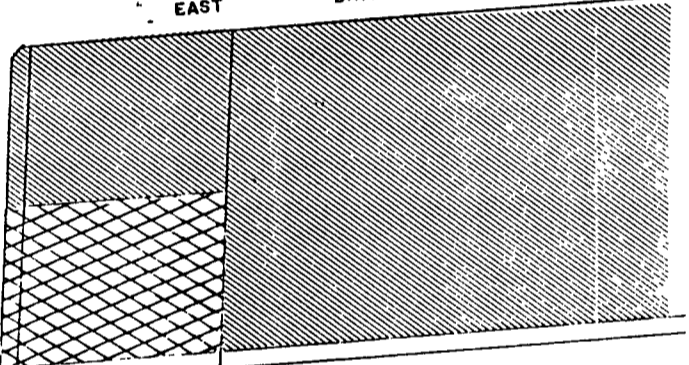
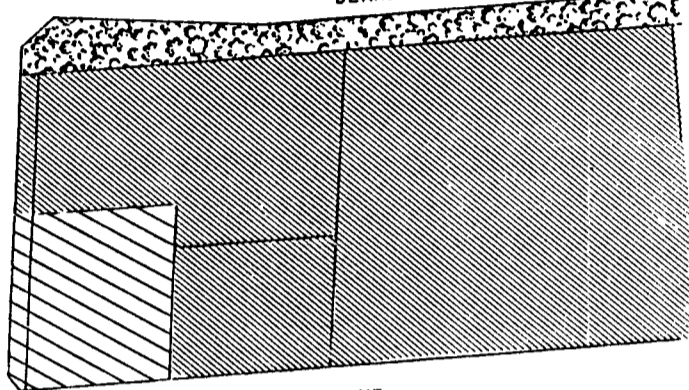
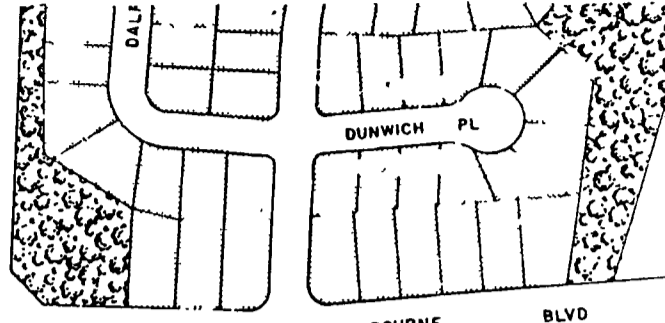
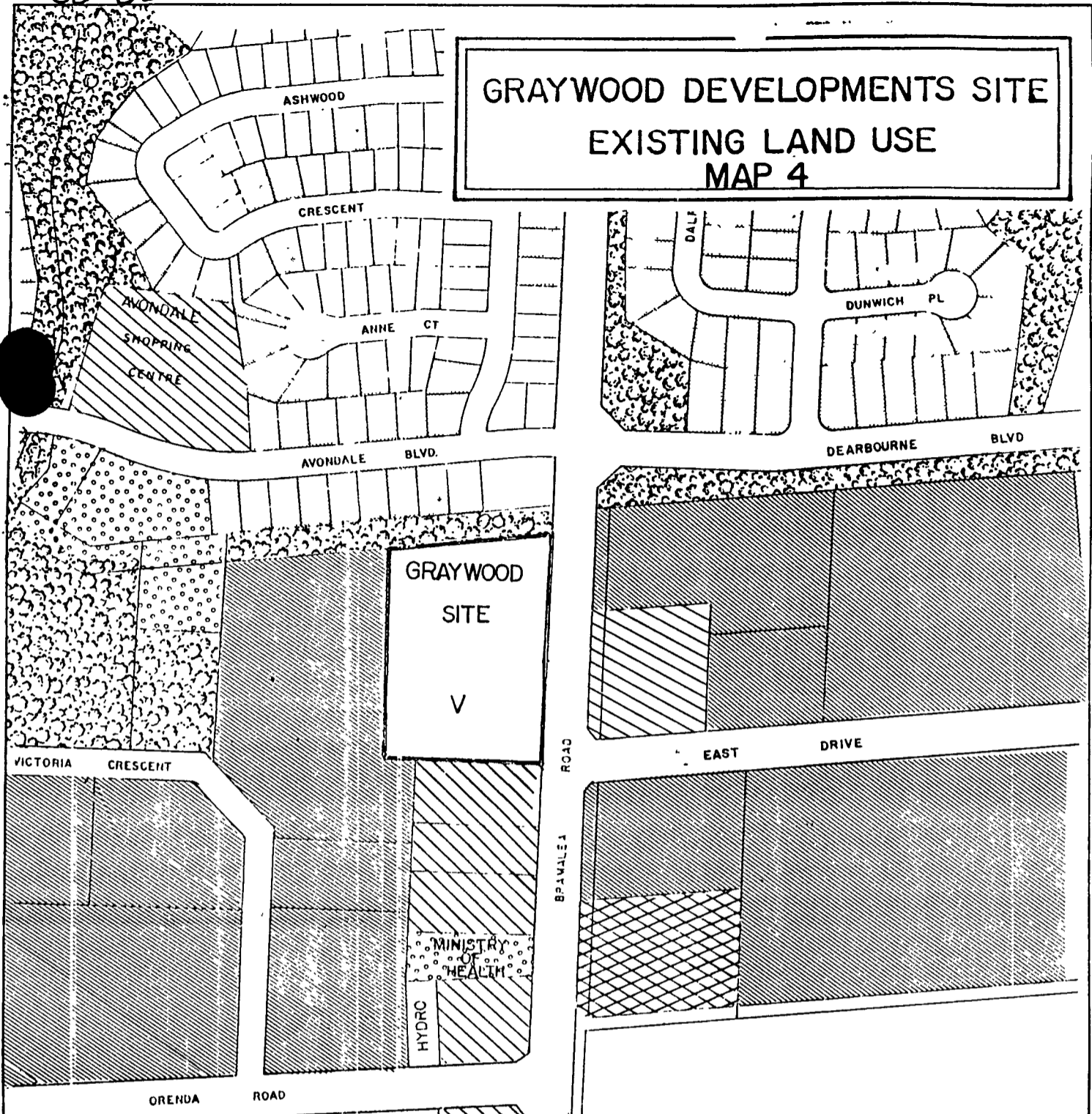
The most directly affected residential properties to the north-east are located on Dearbourne Boulevard. The balance of the surrounding properties to the south and west are predominately industrial in nature, with limited commercial usage.

It should be noted that a number of residents appeared in opposition to the Graywood proposal when it was considered at a public meeting in July of 1987 (the minutes of this public meeting are attached to this report). At the commencement of the Ontario Municipal Board hearing on February 5, 1990, a small number of residents appeared, once again in opposition to the Graywood proposal, predominantly on the basis of land use incompatibility and traffic impact.

The Southgate Plaza has an inboard location within a mixed density residential community. The surrounding land uses are as follows:

- to the north: a gas bar/car wash and a municipal community (recreation) centre;
- to the south: beyond Balmoral Drive is low density residential development;
- to the west: beyond the walkway is a separate elementary school; and,
- to the east: beyond Eastbourne Drive are two nine storey multiple residential buildings and a public elementary school.

GRAYWOOD DEVELOPMENTS SITE EXISTING LAND USE MAP 4



- SINGLE FAMILY
- SEMI DETACHED
- TOWNHOUSE
- APARTMENTS
- COMMERCIAL


1:4000

- COMMERCIAL/INDUSTRIAL
- INDUSTRIAL
- INSTITUTIONAL
- OPEN SPACE
- VACANT

STEELES

Thus, the subject site is situated in a long-standing, commercial institutional and community use node, which serves the surrounding Southgate community. As such, it is reasonable to assume that a significant degree of community tolerance or acceptance has developed in this area for commercial and other non-residential uses. Accordingly, the Southgate expansion should not precipitate any significant land use compatibility issues, since a change in principal land use categories is not implicated. The relatively minor increase in intensity of development may be perceived as innocuous to adjacent single family residential areas, considering the existence of other transitional land uses including commercial activities, institutional and higher density residential uses.

In fact the redevelopment of this site may be viewed as a significant community improvement, since it will up-grade the somewhat obsolescent Southgate Plaza to contemporary planning standards.

On this basis, it appears that the introduction of a supermarket facility on the existing Southgate Plaza site would be more preferable than the Graywood location in terms of land use compatibility.

Development Capacity:

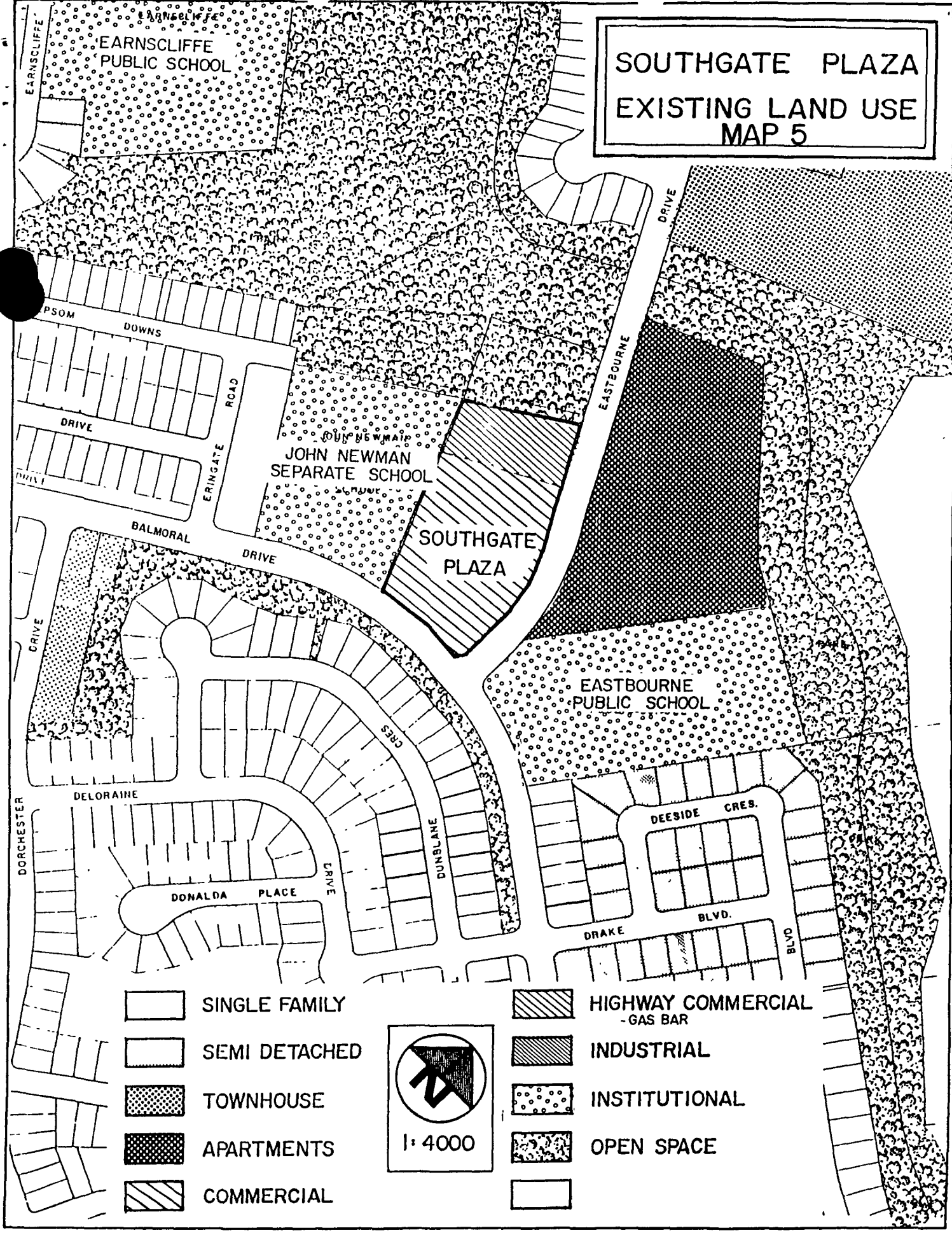
The Graywood proposal considered by City Council in 1987, was comprised of a one storey neighbourhood commercial plaza with a gross commercial floor area of 5715.9 square metres (61,526 square feet). The resulting building coverage on the subject lands is 31.6 percent of the lot area. A total of 301 parking spaces are required under zoning by-law requirements to serve a development of this scale. In compliance with the zoning by-law, the site plan indicates provision of 308 spaces.

A review of the proposal previously undertaken by staff, has identified a number of relatively minor site plan improvements. Otherwise it would appear that the Graywood property has the capacity to accommodate the scale of use proposed.

It was noted previously that the Southgate Plaza site is currently underdeveloped in context of existing zoning by-law requirements. The prevailing Commercial One (C1) zone pertaining to these lands would typically permit a lot coverage of 25 to 30 percent. In comparison, the existing building on the site has a footprint of approximately 2,507 square metres (26,994 square feet, including a large open courtyard area in the

G2-40

SOUTHGATE PLAZA
EXISTING LAND USE
MAP 5



- | | | | |
|--|---------------|--|---------------------------------|
| | SINGLE FAMILY | | HIGHWAY COMMERCIAL - GAS BAR |
| | SEMI DETACHED | | INDUSTRIAL |
| | TOWNHOUSE | | INSTITUTIONAL |
| | APARTMENTS | | OPEN SPACE |
| | COMMERCIAL | | |

1:4000

centre of the structure). The resulting lot coverage is only 13.5 percent. Thus there is significant development capacity remaining on the subject lands.

The proposed expansion would increase the gross commercial floor area to 5329.5 square metres (57,369 square feet). A final lot coverage of approximately 29 percent is attained (assuming the development of a 30,000 square foot supermarket), which is more in keeping with the scale of development normally permitted on a commercial property of this nature.

The zoning by-law requires the provision of 280 parking spaces to serve the proposed development. The site plan submitted in support of the application indicates the provision of 281 spaces. Accordingly, the extent of the proposed expansion is within the development capacity of the subject lands.

From a land use planning perspective it is more efficient to fully utilize the development capacity of existing lands, before contemplating rezoning additional property for commercial purposes. On this basis, it is more appropriate to accommodate the warranted commercial floor space within the remaining capacity on the Southgate Plaza site, than to pursue rezoning the Graywood lands from industrial to commercial.

Traffic Impacts:

The Graywood property has frontage on Bramalea Road which is designated in the Brampton Official Plan as a minor arterial facility, and is defined as follows:

"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."

In conjunction with this planned function, Bramalea Road is an integral link to the Steeles Avenue intersection which is a regional transportation gateway location (including the Bramalea GO Train Station). The importance of Bramalea Road will only

increase as the City continues to grow. In this regard, additional pressures will be placed on Bramalea Road and on other north-south arterials as they accommodate the continued growth of the City and in particular, the Sandringham/Wellington area to the north of Bovaird Drive. Accordingly, any development proposal along Bramalea Road must address the issue of traffic impact.

In 1987, Graywood Developments submitted a traffic impact study, to support their original development applications. This study was updated in late 1989. The results of this study were that:

- the addition of the shopping centre generated traffic to existing background traffic can be satisfactorily accommodated under peak roadway conditions;
- all boundary roads and boundary road intersections will continue to operate at the same or similar levels of service with no noticeable change in traffic operations;
- the proposed neighbourhood commercial development should be served with 3 access driveways (as indicated on the attached site plan submission). The most southerly access driveway should be aligned contiguous to the East Drive intersection with Bramalea Road. In addition, this intersection should be signalized to allow for the distribution of heavy outbound left turn volumes from the Graywood site. This would necessitate a shared driveway with the existing bank immediately to the south of the Graywood property.

The City's Traffic Engineering Services Department reviewed this study and the 1989 up-date and provided the following comments and recommendations:

- Traffic volumes on Bramalea Road have increased by approximately 5.5 percent per year over the past 7 to 8 years, and are now in the region of 23,300 vehicles per weekday, 16,500 on Saturday and 11,000 on Sunday;
- Traffic signals could only be installed at East Drive, which would require geometric improvements to be carried out to provide a three lane cross section, and steps taken to properly line up the East Drive/Graywood Plaza access. In recognition of the predominant right-in movement to this plaza, an exclusive right turn lane on Bramalea Road would be warranted; and,

- The division disagrees with the conclusions of the traffic study that traffic operations on Bramalea Road will not be adversely affected by the signalization of the proposed East Drive/Graywood Plaza intersection. Perfect two way progression is virtually unattainable and thus there will be a negative impact upon Bramalea Road traffic.

On this basis, it is concluded that the introduction of the retail use as proposed, together with signalization and geometric improvements, could be accommodated with the implication of detrimental impacts on the operation of Bramalea Road. However, a less intense usage on the Graywood property would be preferable to avoid the impacts associated with left hand turning movements generated by the development, and the necessity for further signalization on Bramalea Road.

The Southgate site is located at the intersection of two collector roads (Balmoral and Eastbourne Drive). The official plan defines collector roads as follows:

"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 road 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."

It is clear that in terms of planned function, collector roads were designed to accommodate access to/from commercial properties.

In their review of the Southgate expansion proposal the City's Traffic Engineering Services Division did not identify any significant impacts on the abutting collector road network. This Division concludes that it would be preferable to accommodate the additional warranted commercial space in this section of the City on the Southgate site. This would avoid the traffic related impacts on Bramalea Road associated with the Graywood proposal.

To summarize, the site analysis undertaken in this section, there is sufficient planning justification to allocate the additional warranted commercial space in the Avondale/Southgate secondary plan areas to the existing Southgate Plaza. This conclusion has been reached on the basis that:

- the Southgate site is already zoned for commercial purposes and has suitable site characteristics to accommodate the proposed neighbourhood commercial development;
- there are no apparent land use compatibility issues associated with the re-development of the Southgate Plaza;
- there is unutilized development capacity within the Southgate site, which could easily accommodate the additional warranted floor space, without the necessity of rezoning new lands for commercial purposes; and,
- there are no significant traffic related impacts associated with the Southgate expansion proposal. The allocation of the warranted space at this location would avoid the anticipated traffic related impacts on Bramalea Road, that are associated with the Graywood proposal.

PART IV-CONCLUSIONS AND RECOMMENDATIONS

This report includes a comprehensive analysis of:

- the commercial structure within the Avondale/Southgate Secondary Plan Areas; and,
- the potential impact on existing shopping centres from the development of a proposed neighbourhood shopping centre at either the Graywood Developments property on Bramalea Road, or at the existing Southgate Plaza site.

A market assessment of the commercial structure within the secondary plan area identified that there is support for only one supermarket facility of limited size. Accordingly, a recommendation is made in favour of an expansion to the Southgate Plaza, including a supermarket with a maximum gross floor area of 24,000 square feet. A site assessment of both the Graywood and Southgate properties revealed that the Southgate Plaza site is most suitable to accommodate the additional warranted commercial space in the secondary plan areas.

On this, basis it is recommended that City Council approve the application by Anclare Holdings for an official plan and zoning by-law amendment to permit a neighbourhood shopping centre at the Southgate Plaza site. A public meeting will be required in accordance with Council policy. Subject to the results of the public meeting, a complete list of appropriate conditions of approval will be presented for Planning Committee's approval.

Consequently, it is appropriate for the City to confirm its refusal of the Graywood Developments neighbourhood commercial proposal at 70 Bramalea Road.

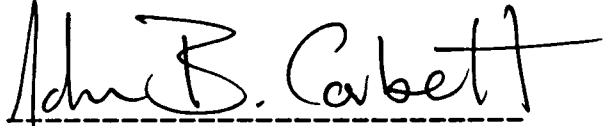
It is also appropriate for the City to initiate an official plan amendment to redesignate the Avondale Plaza from "Convenience Commercial" to "Neighbourhood Commercial" on Schedule "F". This would clarify the inconsistency between its current designation and its established function, as identified in this report.

Accordingly, it is recommended:

1. That the official plan and zoning by-law amendment application by Anclare Holdings to permit a neighbourhood shopping centre at the Southgate Plaza site be approved in principle, including a supermarket with a maximum gross commercial floor area of 24,000 square feet;
2. That a public meeting be convened in accordance with Council policy;
3. That City Council confirm its refusal of the Graywood Developments neighbourhood commercial proposal at 70 Bramalea Road; and,

4. That staff be directed to initiate an official plan amendment to redesignate the Avondale Plaza site from "Convenience Commercial" to "Neighbourhood Commercial."

Respectfully submitted,



JOHN B. CORBETT, M.C.I.P.
POLICY PLANNER

AGREED:

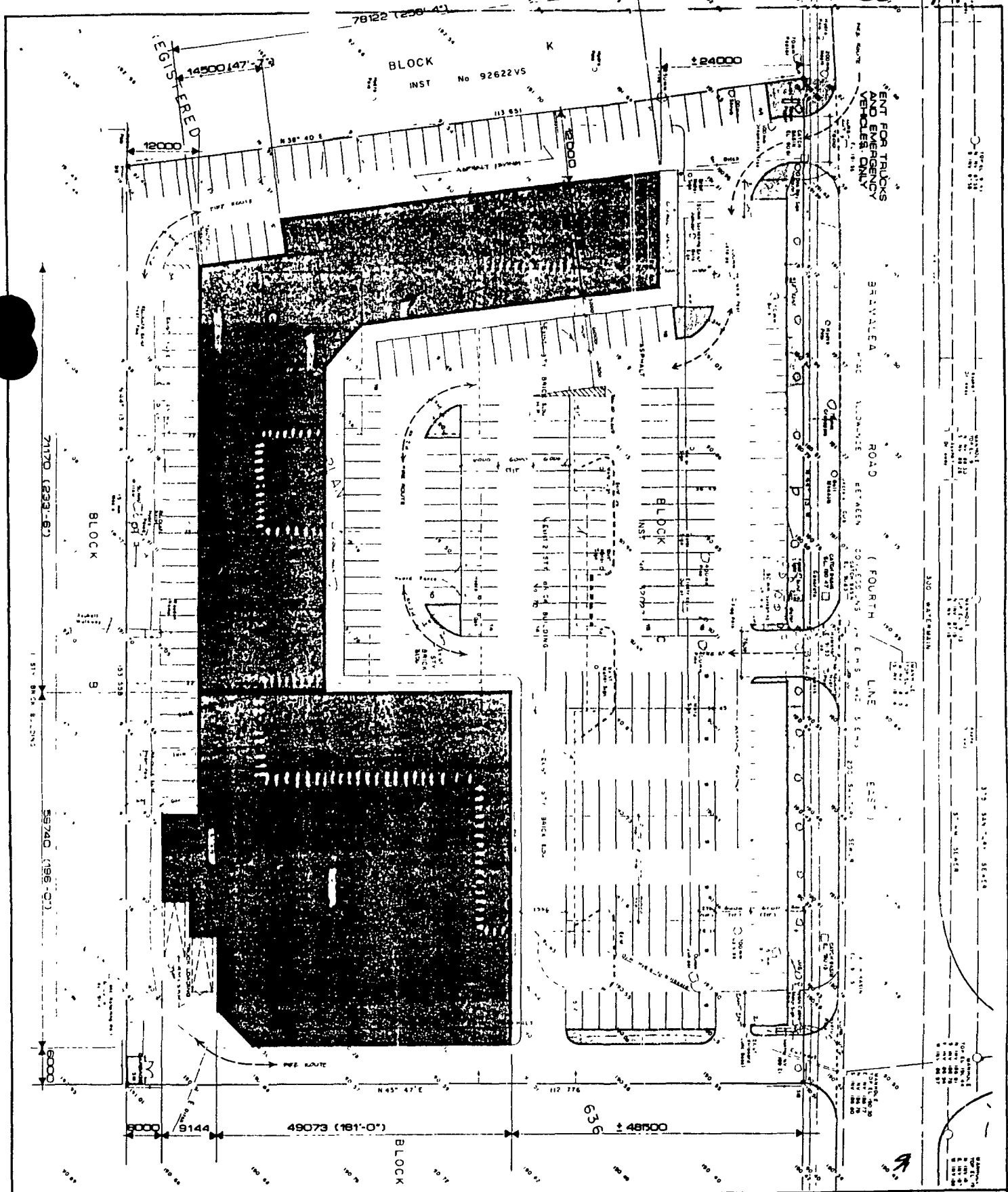


W. WINTERHALT, M.C.I.P.
DIRECTOR OF POLICY PLANNING
AND RESEARCH

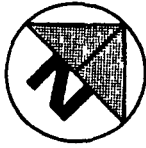


JOHN A. MARSHALL, M.C.I.P.
COMMISSIONER OF PLANNING AND
DEVELOPMENT

62-417



GRAYWOOD DEVELOPMENTS LTD.



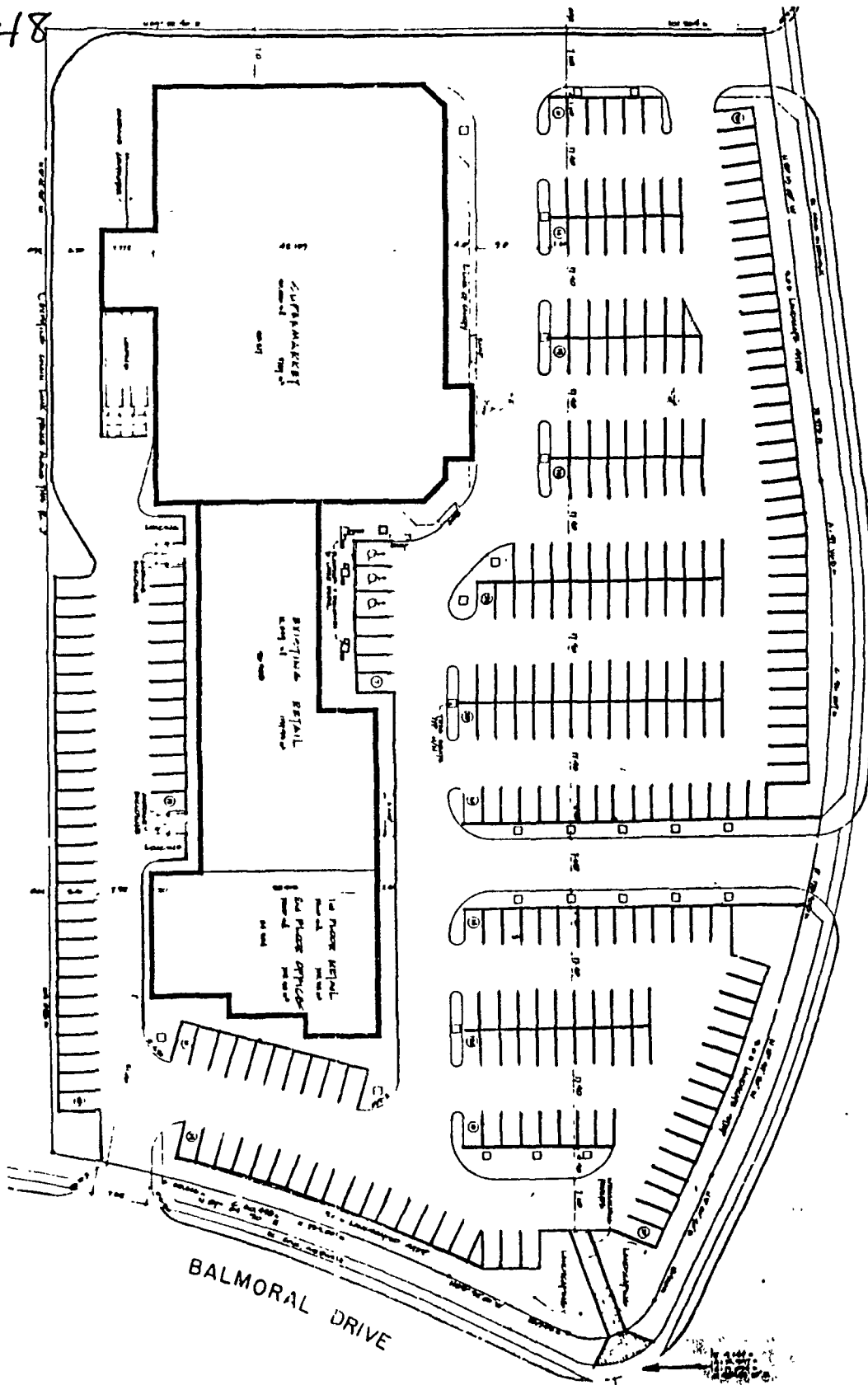
CITY OF BRAMPTON
Planning and Development

Site Plan

1:854

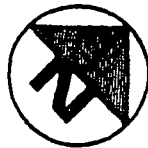
Date: 86 04 21 Drawn by: RB
 File no. C4E1.4 Map no. 63- 25B

62-48



ANCLARE HOLDINGS INC.

SITE PLAN CONCEPT



1: 900

CITY OF BRAMPTON
Planning and Development

Date: 89 10 26 Drawn by: K.M.H.
File no. C5E3.10 Map no. 64-20D

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, July 22, 1987, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:10 p.m. with respect to an application by GRAYWOOD DEVELOPMENTS LIMITED (File: C4E1.4A - Ward 8) to amend both the Official Plan and Zoning By-law to permit the erection of a neighbourhood commercial plaza with a gross floor area of approximately 5716 square metres and 308 car parking spaces.

Members Present: Councillor P. Robertson - Chairman
Alderman L. Bissell
Councillor N. Porteous
Alderman A. Gibson
Alderman H. Chadwick
Alderman D. Metzack
Alderman S. DiMarco

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

Approximately 100 interested members of public were present.

The Chairman inquired if notices to the property owners within 120 metres of the subject site were sent and whether notification of the public meeting was placed in the local newspapers.

Mr. Dalzell replied in the affirmative.

Ms. Speirs outlined the proposal and explained the intent of the application. After the conclusion of the presentation, the Chairman invited questions and comments from members of the public in attendance.

- cont'd. -

Allan Bradley commented on the deletion of the Avondale Plaza from the illustration map, particularly since the subject proposal will seriously affect the business of that plaza. He expressed concern relating to traffic congestion and the probable need for sound barriers for a distance along Bramalea Road.

Michael Loughnan, of Climate Master Inc., 59 Bramalea Road voiced objection to the proposal and submitted a letter of objection (see attached), which outlines his concerns as a resident, and those of Climate Master Inc. He advised that the company may be forced to leave Brampton and requested that the Industrial zoning of the site be retained. Also, he voiced concern relating to setting a precedent for strip commercial development along Bramalea Road, such as exists on other streets in Brampton.

Anthony Scanga, 41 Addington Crescent, presented a letter objecting to the proposal (see attached), which outlines his verbal concerns.

Doreen Carbone, 2A Autumn Blvd., expressed concern relating to traffic congestion, overflow parking on area residential streets, ambulance and fire equipment mobility on Bramalea Road, and excessive competition for area merchants. She noted that the competition from existing commercial establishments in Brampton forced her to give up a business in the Clarence Street Plaza, at a financial loss, and requested consideration be given to the established merchants; another plaza is not needed.

A resident voiced agreement with the previous speaker, another plaza is not needed, and urged Council Members to refuse the application.

Stan Pilat, Bramalea IGA Foodline, objected to the proposal, agreeing with previous speakers. Also, he commented on the size and quantity of delivery trucks required by the IGA store for one week, versus the proposed estimate. He asked what the policy is for differentiating between 'Neighbourhood' and 'Convenience' plazas since the only apparent reason seems to be that one is bigger, and Mr. Laine said that was correct.

- cont'd. -

Mr. Pilat noted that Canadian Tire may be pleased, however, they do not have to contend with the traffic congestion, nor the competition. He urged Council Members to reject the plaza proposal, and presented a petition with approximately 900 signatures.

Mr. D. Lenover, 47 Mansfield, objected to the proposal. He commented on traffic congestion on Bramalea Road, traffic lights not timed properly, backed-up traffic from cars making left turns onto Dearbourne and Steeles, and said he would not classify Bramalea Road as a minor arterial road. Also, he commented on vandalism, particularly on East Drive, the attraction of plazas for children and the consideration being given to relocating the industrial firm, if more problems are added by the acceptance of this proposal.

Barbara Williams said that she hoped that Council, east and west, would unite on this issue for the good of the community.

Jan Mason, 1 Autumn Boulevard, commented that brick fencing for privacy and as a sound barrier, does not work well and will not help with the traffic noise on Bramalea Road. She said that the Avondale Plaza is sufficient for the commercial needs of the area. She listed services provided and said nothing else is needed. Also, she commented on garbage problems.

The Chairman explained further procedures for processing of the application and the meetings involved.

~~There were no further~~ questions or comments and the meeting adjourned at 8:45 p.m.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

April 6, 1990

TO: THE CHAIRMAN AND MEMBERS OF PLANNING COMMITTEE

FROM: PLANNING AND DEVELOPMENT DEPARTMENT

RE: APPLICATION TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW
ANCLARE HOLDINGS (SOUTHGATE PLAZA SITE)
PART OF LOT 3, CONCESSION 5, E.H.S.
OUR FILE: C5E3.10

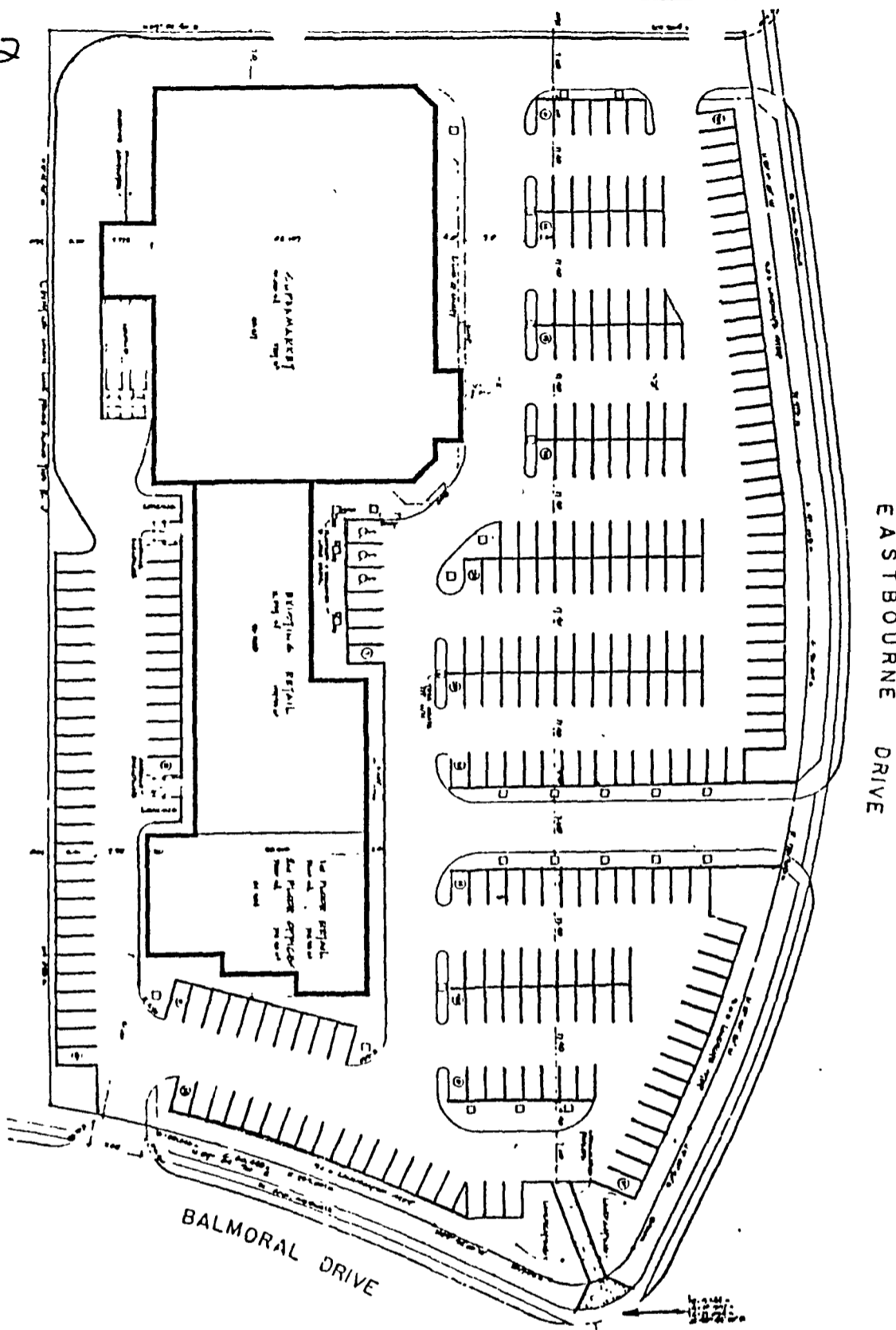
BACKGROUND:

Planning Committee is considering the approval of a proposal to redevelop the existing Southgate convenience plaza located at the north-west corner of Balmoral Drive and Eastbourne Drive. The applicant proposes to (a site plan is attached to this report):

- demolish approximately 1581 square metres (17,022 square feet) of existing building area;
- expand the shopping centre to include a 2,787 square metre (30,000 square foot) supermarket;
- provide new ground floor retail space of 702.3 square metres (7,560 square feet); and,
- provide 702.3 square metres (7,560 square feet) of second storey office space, over a small portion of the building.

The resulting gross floor area would be 5,329 square metres (57,369 square feet).

F3-2



ANCLARE HOLDINGS INC.

SITE PLAN CONCEPT



1: 900

CITY OF BRAMPTON
Planning and Development

Date: 89 10 26 Drawn by: K.M.H.
File no. C5E3.10 Map no. 64-20D

RESULTS OF THE PUBLIC MEETING:

A public meeting was held regarding the above noted matter on Wednesday April 4, 1990. The notes of this public meeting are attached to this report for the information of Planning Committee.

There were no representations made at the public meeting in complete opposition to the proposed redevelopment. A petition including over 1,000 names was submitted in support of the proposal.

Correspondence has been received on behalf of Graywood Developments (see attached letter dated April 4, 1990 from the law firm of Macaulay, Chusid and Friedman) which indicates that they will submit an appeal to the Ontario Municipal Board against the Anclare Holdings proposal, should it receive the approval of Council.

Representation was made on behalf of Alliance Developments, owners of the existing Avondale shopping centre, located on the north side of Avondale Boulevard, to the east of Bramalea Road. Their concern relates to the potential impact of the development of a new supermarket as part of the Southgate proposal, on the viability of the existing IGA store at Avondale Plaza. To obviate their concerns Alliance Developments requests that the supermarket addition be reduced in size to 1,858 square metres (20,000 square feet). This, in their view, would maintain sales levels of \$400 per square foot at the Avondale IGA, which would ensure continued viability, after the market entry of the proposed Southgate supermarket.

Staff have recommended that the Southgate supermarket should have a maximum gross floor area of 2229.6 square metres (24,000 square feet). This recommendation was made on the basis of:

- a thorough review of the commercial structure within the Avondale and Southgate Secondary Plan Areas; and,
- an assessment of the commercial market impact studies submitted to the city in respect of this matter.

The table below is extracted from the staff report to Planning Committee dated February 28, 1990 dealing with the Anclare proposal, among other related matters. This provides an analysis of the approximate impact on the sales performance of the Avondale IGA on the basis of alternative supermarket sizes at the Southgate site.

ESTIMATES OF SALES IMPACT ON AVONDALE I.G.A.

| IMPACT ON AVONDALE I.G.A. | | | | |
|-----------------------------------|------------------|-------------------|----------------|-----|
| Southgate Floor Size Alternatives | Food Sales (\$m) | Sales Per Sq. Ft. | Transfer (\$m) | (%) |
| Pre-Development | 5.2 | \$450 | - | - |
| 30,000 | 4.1 | \$357 | 1.1 | 21 |
| 24,000 | 4.56 | \$396 | 0.64 | 12 |
| 22,000 | 4.61 | \$400 | 0.59 | 11 |
| 20,000 | 4.67 | \$406 | 0.53 | 10 |

Recognizing that these are approximate values, it would appear that an appropriate floor space range for the Southgate Plaza supermarket would be 22,000 to 24,000 square feet. This would maintain the Avondale IGA sales at the critical \$400 per square foot level as suggested by Alliance Developments. Clearly, a 30,000 square foot supermarket as proposed by Anclare Holdings could be expected to have a detrimental impact on the viability of the Avondale IGA (considering a post development sales performance of \$357 per square foot).

Conversely, the 20,000 square foot supermarket size suggested by Alliance developments would certainly result in a post development sales performance at the Avondale IGA in excess of the \$400 threshold. However, this position may be considered extreme, perhaps unduly constraining the redevelopment opportunity at the Southgate site, and jeopardizing the economic viability of constructing the supermarket use. Land use restrictions imposed by the City must allow for normal market competition to occur within the trade area.

On this basis, staff continue to support a maximum supermarket size of 24,000 square feet for the Southgate site.

CONCLUSIONS AND RECOMMENDATIONS:

On the basis of the foregoing, there is sufficient planning justification to support the proposed official plan and zoning

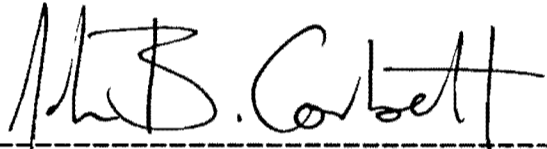
by-law amendment application to permit the redevelopment of the Southgate site as a Neighbourhood Commercial Shopping Centre. However, a specific limitation should be incorporated in the zoning by-law to permit a maximum gross leasable floor area of 24,000 square feet for the supermarket use.

The development of the site will be subject to the City's established zoning by-law requirements related to parking landscaping and building setbacks. Site design aspects will be finalized in accordance with the normal site plan approval process.


Accordingly, it is recommended that:

1. That the official plan and zoning by-law amendment application by Anclare Holdings to permit the redevelopment of the Southgate Plaza for Neighbourhood Commercial purposes be approved;
2. That a supermarket be permitted with a maximum gross leasable floor area of 24,000 square feet; and,
3. Staff be directed to submit the implementing official plan and zoning by-law amendments to City Council for enactment.

Respectfully submitted,



JOHN B. CORBETT, M.C.I.P.
POLICY PLANNER



JOHN A. MARSHALL, M.C.I.P.
COMMISSIONER OF PLANNING
AND DEVELOPMENT.



W. WINTERHALT, DIRECTOR OF
POLICY PLANNING AND RESEARCH

A Special Meeting of Planning Committee was held on Wednesday, April 4, 1990, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:36 p.m. with respect to an application by ANCLARE HOLDINGS (File: C5E3.10 - Ward 9) (Southgate Plaza) to amend both the Official Plan and Zoning By-law to permit the redevelopment of the existing Southgate Plaza as a Neighbourhood Shopping Centre, including a supermarket use, with a total gross commercial area of approximately 57,370 square feet.

Members Present: Councillor F. Andrews, Chairman
Alderman S. DiMarco
Alderman A. Gibson
Councillor F. Russell
Alderman E. Ludlow

Staff Present: J. Marshall, Commissioner of Planning
and Development
L. Laine, Director, Planning and
Development Services
J. Corbett, Policy Planner
C. Brawley, Policy Planner
E. Coulson, Secretary

The Chairman inquired if notices to the property owners within 120 metres of the subject site were sent and whether notification of the public meeting was placed in the local newspapers.

Mr. Marshall replied in the affirmative.

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

Approximately 18 interested members of the public were present.

- cont'd. -

Mr. P. Loescher, 68 Drake Boulevard, asked why the City is going through the process of a rezoning when Dixie Food Market was located in the plaza years ago.

Mr. Corbett responded that a rezoning took place in 1988, which permitted a small convenience store, therefore a rezoning is necessary to allow a supermarket of the size being proposed for the subject site.

Mr. P. Vicary, Solicitor for the applicant, submitted a petition with approximately 1000 signatures indicating support for the proposal.

Kelly Yerxa of Aird and Berlis, spoke on behalf of Alliance Developments, owner of the Avondale Plaza. Her comments referred to the existence in the trade area of the IGA Supermarket which is in the Avondale Plaza. She expressed support for a supermarket of 20,000 square feet rather than 24,000 square feet; the IGA supermarket which is 11,500 square feet can co-exist with a new supermarket of 20,000 square feet, however, a larger store sales would have a detrimental impact on the \$400.00 per square foot sales required by the IGA to stay in business.

Mr. Vicary noted that 30,000 square feet rather than 24,000 is being sought by the applicant; that market surveys indicate a capacity for a 30,000 square feet operation to provide the service required in the area without any detrimental effect on the IGA operation.

Flo Staples, 18 Dunblaine Crescent, expressed concern for the safety of children with access to the plaza so close to the school, as well as increase in traffic volume.

Mr. Corbett noted the circulation of the plans to the Traffic Division with no negative comments received. He said existing traffic is now utilizing these access points with no noticeable negative effects.

There were no further questions or comments and the meeting adjourned at 7:50 p.m.

Macaulay, Chusid & Friedman

BARRISTERS AND SOLICITORS

WILLIAM R. FRIEDMAN *
ARTHUR L. SHAPIRO
CLIFF L. B. PECK
JEFFREY ALPERT
BARBARA A. F. SUZUKI
PHILIP REINSTEIN
JEFFREY M. CITRON
* ALAB OF THE QUEBEC BAR

HARVEY JOSEPH
GARY E. BIBKIND
RONALD H. BIDDALL
JEFFREY P. SILVER
GARY M. GILLMAN *
CHARLOTTE ZIGLER
STEVEN Z. COOPER

J. JOHN O'DONOGHUE
ALAN B. POLSON
NEIL A. KAUFMAN
STEVEN P. JEFFERY
ANN DEVITT-THIEL *
DWAYNE C. BIGGS
MARK E. ROSENBLATT

PETER R. O'DONOGHUE
JACK DITKOPFSKY *
IRVING KLEINER
ALLAN D. J. DICK
THOMAS J. GORSKY
PAUL D. JONES

SUITE 900
30 ST. CLAIR AVENUE WEST
TORONTO, ONTARIO
M4V 3A1

TELEPHONE (416) 963-4990
FACSIMILE (416) 323-7925

COUNSEL: ROBERT W. MACAULAY, Q.C. MURRAY H. CHUSID, Q.C. PHILIP M. EPSTEIN, Q.C.

DIRECT LINE: (416)

FAX - 458-8379

April 4, 1990

*File: Graywood
Developments*

Clerk
Clerk's Department
City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 3Y9

Dear Sir:

Re: Graywood Developments Ltd.,
Brampton

We act for Graywood Developments Ltd. and we have just now been advised by Mr. MacDougall of Gardiner, Roberts, that your Council is today considering a proposal by Anclare Holdings to rezone the Southgate Plaza in order to permit a much expanded retail plaza inclusive of a supermarket.

We are aware that on March 5th last your Planning and Development Committee made a favourable recommendation with respect to this application.

We are also aware that your Planning Department recommended the Anclare application, and at the same time opposed the Official Plan Amendment and rezoning requested by our client with respect to its site.

We should tell you that none of these positions or actions have come as a surprise to our client. It has been evident for some time that the Staff and Council of the City of Brampton have decided to oppose any application made by Graywood and, it now appears, that it is prepared to support another far more recent application which is in direct competition with Graywood's application.

.../2

It is intended that all of these matters will be carefully canvassed at the forthcoming Ontario Municipal Board Hearing.

To that end we have been instructed that it would be purposeless to attend meetings of your Committees or Council in order to present our client's views.

We have also been instructed to appeal the rezoning by-law which your Council will undoubtedly enact on behalf of Anclare, and to ask that same be considered by the Board when our client's application and all other matters are heard this Fall.

We ask to be provided with a copy of all reports which Council now has before it in connection with these matters together with a copy of the by-law to be passed by your Council and the minutes of the meeting. We will be appealing this by-law as soon as it is received by us and we will also be asking the Board to hear these matters together.

Yours very truly,

MACDUGALL, CHUSID & FRIEDMAN

Per: Murray H. Chusid

MHC:cp

cc Mr. R.R. MacDougall

Graywood Developments Ltd.



OD 12
F 296

Z 890196
O 890153
M 890113

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Walter Cooper to

J. Marshall

D. Tufts

J. Welnes

IN THE MATTER OF Section 34(11) of
the Planning Act, 1983

J. Marshall
1990-03-06

AND IN THE MATTER OF an appeal by
Graywood Developments Ltd. for an
order amending By-law 861, as
amended, of the Corporation of the
City of Brampton to rezone "M6S"
Industrial to "C5A" Commercial, the
permitted use of lands comprising
Block C, Plan 636, and municipally
known as 70 Bramalea Road to permit
the construction of a neighbourhood
shopping centre
O.M.B. File No. Z 890196

City of Brampton
PLANNING DEPT.
Date: MAR 7 1990 Rec'd
File No. C4E1.4(a)

- and -

IN THE MATTER OF Section 22(1) of the
Planning Act, 1983

AND IN THE MATTER OF a request by
Graywood Developments Ltd. that the
Minister of Municipal Affairs refer
to the Board a proposed amendment to
the Official Plan of the Corporation
of the City of Brampton as it relates
to Block C, Plan 636, and municipally
known as 70 Bramalea Road to permit
the construction of a neighbourhood
shopping centre
Minister's File No. 21-OP-0031-A11

- and -

IN THE MATTER OF Section 40(12) of
the Planning Act, 1983

AND IN THE MATTER OF an appeal by
Graywood Developments Ltd. to settle
the terms and conditions of a site
plan with respect to the development
of an automotive service centre on
lands composed of Lot C, Plan 636, in
the City of Brampton and known
municipally as 70 Bramalea Road
O.M.B. File No. M 890113

C O U N S E L :

- R. R. MacDougall - for the City of Brampton
- M. H. Chusid, Q.C. - for Graywood Developments Ltd.
- P. B. Vickery - for Anclare Holdings Inc.

L. F. Longo and - for Alliance Developments
K. Yerxa

R. I. Smith - for S. J. Pilat Limited

MEMORANDUM OF ORAL DECISION delivered by M. A. ROSENBERG
on February 5, 1990

The applicant, Graywood Developments Ltd. owns a four and one half acre vacant parcel of land located at 70 Bramalea Road in the City of Brampton. The property is now zoned Industrial. The applicant has applied for an Official Plan Amendment, a zone change and a site plan approval to permit the construction of a neighbourhood shopping centre. The matter came before the Board on February 5, 1990 and was scheduled for a two week hearing.

At the opening of the hearing, Mr. Paul Vickery appeared before the Board representing Anclare Holdings Inc. which is the owner of Southgate Plaza which is an 11,000 square foot convenience plaza located about one mile from the subject site. Mr. Vickery is asking the Board to consider two matter. One, an adjournment of the Graywood Developments' proposal and two, an order consolidating the Graywood application and the Anclare Holdings' application into one hearing.

The Board was informed that Anclare Holdings wishes to expand its 11,000 square foot convenience plaza into a neighbourhood shopping plaza having a size of approximately 56,000 square feet and containing a 30,000 square foot supermarket. Anclare Holdings filed its application with the Planning Department of the City of Brampton in June, 1989 and has only in the last month filed with the City a draft marketing report. The matter still has to go to Planning

Committee, City Council and public meetings pursuant to the Planning Act and will also require an Official Plan amendment and zone change. Mr. Vickery argues that both the Graywood application and the Anclare application should be heard before one panel of the Ontario Municipal Board at one time.

The City of Brampton and lawyers for a neighbouring IGA food store support the application for adjournment and consolidation on the following grounds:

1. Market studies done by both applicants conclude that only one additional supermarket can be supported in the area.
2. All relevant planning matters that would be considered in both applications should be before the Board in one hearing.
3. The public interest dictates that there should only be one hearing relating to both proposals.
4. Anclare Holdings has just recently retained counsel to pursue this appeal and needs more time to perfect their appeal and oppose the Graywood Development application.
5. The two week sitting now scheduled may not be enough time to complete the Graywood matter and continuation of the hearing would have to be adjourned until the fall of 1990.
6. If the Graywood matter proceeded it would prejudice Anclare Holdings' application.

7. If the hearings were consolidated, it could be heard in a four or five week period and the Board has been encouraging parties to have pre-hearing conferences to sort out matters in advance which would hopefully and eventually shorten hearings.
8. The City of Brampton says it can process the Anclare application by the beginning of May, 1990.
9. There is no prejudice to the Graywood application because its application commenced in 1987 and nothing happened for two years until 1989 when the referral was requested.

Mr. Chusid, acting for Graywood Developments Ltd., opposes the request for an adjournment and consolidation for the following reasons:

1. His client did a market study in 1985. The application was filed in 1987 and the referral was made in 1989. He said Anclare has only done a draft market study in the last six months and is not ready to proceed. He said his client is ready to proceed today.
2. The two year delay from 1987 to 1989 resulted in the applicant, Graywood Developments Inc., and the City of Brampton being involved in civil litigation arising out of this matter.
3. As a result of Graywood appealing a City of Brampton comprehensive zoning by-law matter, the City decided to have a second look at the Graywood application last fall.

4. The City is dragging its feet in the Graywood application.
5. What if Anclare Holdings' application is not perfected by the adjourned date, will the hearing still proceed?
6. What if a third party in the area wishes to make a similar application for a neighbourhood supermarket, will that application be consolidated as well?
7. His client's property is four and one half acres of vacant land on an arterial road separated from residential development by a hydro right-of-way. All the background reports and information on the planning aspects of the matter are available. The applicant is ready to proceed today.
8. Mr. Chusid admitted that his marketing report indicated that there is room for only one additional supermarket. The planning issue is where should that be located.

The Board has carefully considered the arguments put forth by all counsel and finds the following:

1. A further delay of six to eight months will not seriously prejudice the applicant, Graywood Developments Ltd.
2. There already was a delay of two years between 1987 and 1989 when the applicant Graywood Developments and the City of Brampton were involved in differences of opinion.

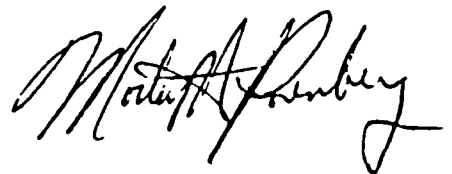
3. There do not appear to be any similar applications that might come forth in the next six months that would complicate the matter further.
4. The City of Brampton has undertaken to process the Anclare Holdings' application as quickly as possible.
5. There is a common element in both applications and that is the marketing evidence. All parties agree only one new supermarket can be supported. The question is what is the best location.

The Board finds that the public interest dictates that both applications should be heard together at one hearing before one panel of the Ontario Municipal Board. The Board does have some concern with regards the delay in the Graywood application and will make an order that if the Anclare application is not perfected by the date set for the new hearing that the Graywood application will proceed in any event and be peremptory for that date.

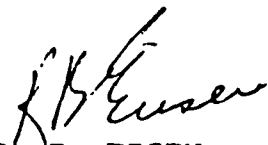
In the result the Board will order the following:

1. The Graywood Developments Ltd. application and the Anclare Holdings Inc. application are consolidated into one hearing.
2. This hearing is adjourned and a new hearing date is set for October 1, 1990 at 10:00 a.m., in Brampton. Five weeks are allowed for the hearing.

3. Graywood Developments Ltd. application will proceed in any event on October 1, 1990.
4. The matter is peremptory for October 1, 1990 at 10:00 a.m.
5. Appropriate notices will be sent out on both applications and filed with the Board at the opening of the hearing.
6. It is recommended by the Board that all parties have a pre-hearing conference on both applications.
7. M. A. Rosenberg and R. B. Eisen are not seized in this matter.



M. A. ROSENBERG
MEMBER



R. B. EISEN
MEMBER

RECEIVED
1990 OCT 1

THE BOARD OF...
1990 OCT 1