



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 146-86

To adopt Amendment Number 90
and Amendment Number 90 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 90 and Amendment Number 90 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 90 and Amendment Number 90 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 9th day of June, 1986.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON
DATE 6/10/86

KENNETH G. WHILLANS - MAYOR

LEONARD J. MIKULICH - CLERK

ORIGINAL

By law 146-86

AMENDMENT NUMBER 90
to the Official Plan of the
City of Brampton Planning Area
and
Amendment Number 90 A
to the Official Plan of the
City of Brampton Planning Area

21st OP 0031-090-1



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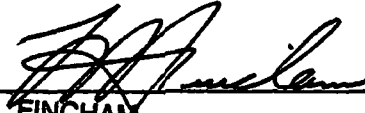

KENNETH G. WHILLANS - MAYOR


LEONARD J. MIKULICH - CLERK

Amendment No. 90A
to the
Consolidated Official Plan for the
City of Brampton Planning Area and
Amendment No. 90 to the
Official Plan for the
City of Brampton Planning Area

This amendment to the Consolidated Official Plan for the City of Brampton and the Official Plan for the City of Brampton, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved in accordance with Section 21 of the Planning Act R.S.O. 1983, as Amendment No. 90A to the Consolidated Official Plan and Amendment No. 90 to the Official Plan for the Brampton Planning Area.

Date *July 29, 1986*


L. J. FINCHAM
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs

AMENDMENT NUMBER 90
AND
AMENDMENT NUMBER 90 A
TO THE OFFICIAL PLAN
OF THE CITY OF BRAMPTON PLANNING AREA

1. Purpose:

The purpose of this amendment is to change the land use designation of 3 blocks of land within a draft approved plan of subdivision from Industrial to Highway and Service Commercial. These lands have a combined frontage of approximately 250.5 metres (822 feet) on Highway Number 10 and an area of approximately 2.89 hectares (7.15 acres).

2. Location:

The lands subject to this amendment, as shown on Schedule A to this amendment, are located on the west side of Highway Number 10 approximately 305 metres (1000 feet) south of Sandalwood Parkway. The lands constitute part of the east half of Lot 13, Concession 1, W.H.S., in the geographic Township of Chinguacousy, in the City of Brampton. The subject lands form part of a draft approved industrial plan of subdivision, Region of Peel File Number 21T-79007B.

3. Amendment and Policies Relative Thereto:

3.1 Amendment Number 90 :

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

- (a) by changing, on Schedule A (General Land Use Designations) thereto, the land use designation of the lands shown outlined on Schedule A to this amendment, from INDUSTRIAL to COMMERCIAL (Site 30);
- (b) by adding to Schedule F (Commercial) thereto, the lands shown outlined on Schedule B to this amendment, as SITE SPECIFIC DESIGNATION (Site 30); and
- (c) by adding, to PART II, CHAPTER 2, SECTION 2.2 thereof, the following as section 2.2.21:

"2.2.21 SITE 30 (Concession 1, W.H.S., Part of Lot 13)

2.2.21.1 Definition

The lands designated "Commercial" and identified by the number 30 on Schedule A may be used for both industrial and commercial purposes. Industrial uses shall be non-obnoxious and of a light manufacturing or light industrial nature. Commercial uses shall be of a highway and service commercial nature but shall

not include uses related to the service or repair of motor vehicles such as a gas bar, service station, motor vehicle repair shop or body shop. Permitted and accessory uses shall be specified by a site specific zoning by-law.

Policies

- 2.2.21.2 No outside storage shall be permitted in conjunction with any uses permitted on the subject lands.
- 2.2.21.3 Direct access shall not be permitted to Highway Number 10 from the subject lands. Access shall be provided by the internal collector road system.
- 2.2.21.4 Development of lots adjacent to the TransCanada Pipeline right-of-way shall be subject to the appropriate setbacks recommended by TransCanada Pipelines.
- 2.2.21.5 The development of the lands shall be of a high standard by virtue of quality site design, landscape amenities and building design and appearance. To ensure the incorporation of these matters, development of the lands shall be subject to site plan control.
- 2.2.21.6 Industrial uses on the subject lands shall be subject to the policies of section 2.3 of this Plan."

3.2 Amendment Number 90 A:

The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Sandalwood Industrial East Secondary Plan (being Chapter C55 of Section C of Part C, and Plate 38 thereto, as amended), is hereby further amended:

- (a) by changing, on Plate 38 thereto (being Schedule A to Amendment Number 4 to the Consolidated Official Plan), the land use designation of the lands outlined on Schedule C to this amendment, from INDUSTRIAL to SPECIAL COMMERCIAL-INDUSTRIAL USE AREA (SITE B):
- (b) by changing, on Plate 38 thereto, the locations and intersection configuration of certain collector road segments located west of Highway Number 10 to the locations and configuration shown on Schedule C to this amendment;

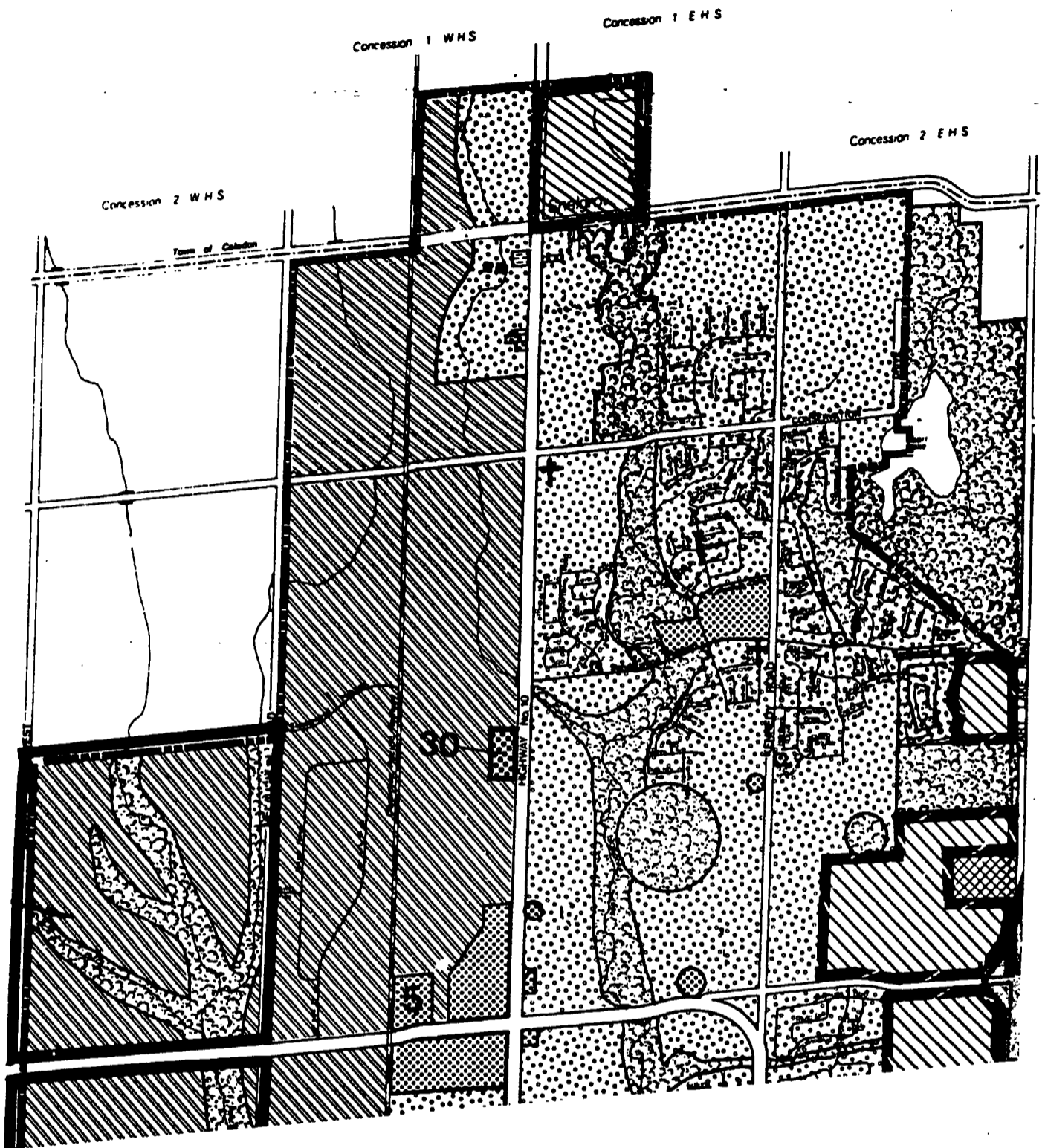
(c) by adding, to Section 2.3(d) of Chapter C55, Part C, Section C thereof, the following as Section 2.3(d)(2):

"(2) The specific commercial uses permitted by the zoning by-law on the lands identified as Site B shall be of a highway and service commercial nature but shall not include uses related to the service or repair of motor vehicles such as a gas bar, service station, motor vehicle repair shop or body shop."; and

(d) by deleting, section 2.7(1) of Chapter C55, Part C, Section C thereof, and substituting therefor the following:

"(1) As shown on Plate No. 38, the number of access points permitted are limited to two (2) access points to both Highway No. 7 and to Fifteen Sideroad, one (1) access point to McLaughlin Road, and two (2) access points to Highway Number 10. Should additional future access be required from the subject lands to Highway No. 10, such additional access shall be limited to two (2) access points, one located south of the major east-west arterial, and one located north of the major east-west arterial. One additional access point may also be permitted to McLaughlin Road, south of the major east-west arterial.

The provision of such additional access points shall be based upon future user needs, and further, the location of such access points shall be subject to further study, to determine the most appropriate location of such access points."



LEGEND

- URBAN BOUNDARY
- RESIDENTIAL
- OPEN SPACE
- COMMERCIAL
- INDUSTRIAL
- INSTITUTIONAL
- PRIVATE COMMERCIAL RECREATION
- AGRICULTURAL
- RURAL SETTLEMENTS (EXPANSION)
- RURAL SETTLEMENTS (INFILLING)

- Lands Subject To This Amendment
- RURAL SETTLEMENTS (MAINTENANCE)
- PARKWAY BELT WEST
- PROVINCIAL FREEWAY (HWY. 410)
- RURAL ESTATE
- RURAL ESTATE EXPANSION
- RURAL-COMMERCIAL
- OPEN SPACE - CEMETERIES
- SPECIAL STUDY AREA
- SPECIALTY AGRICULTURAL

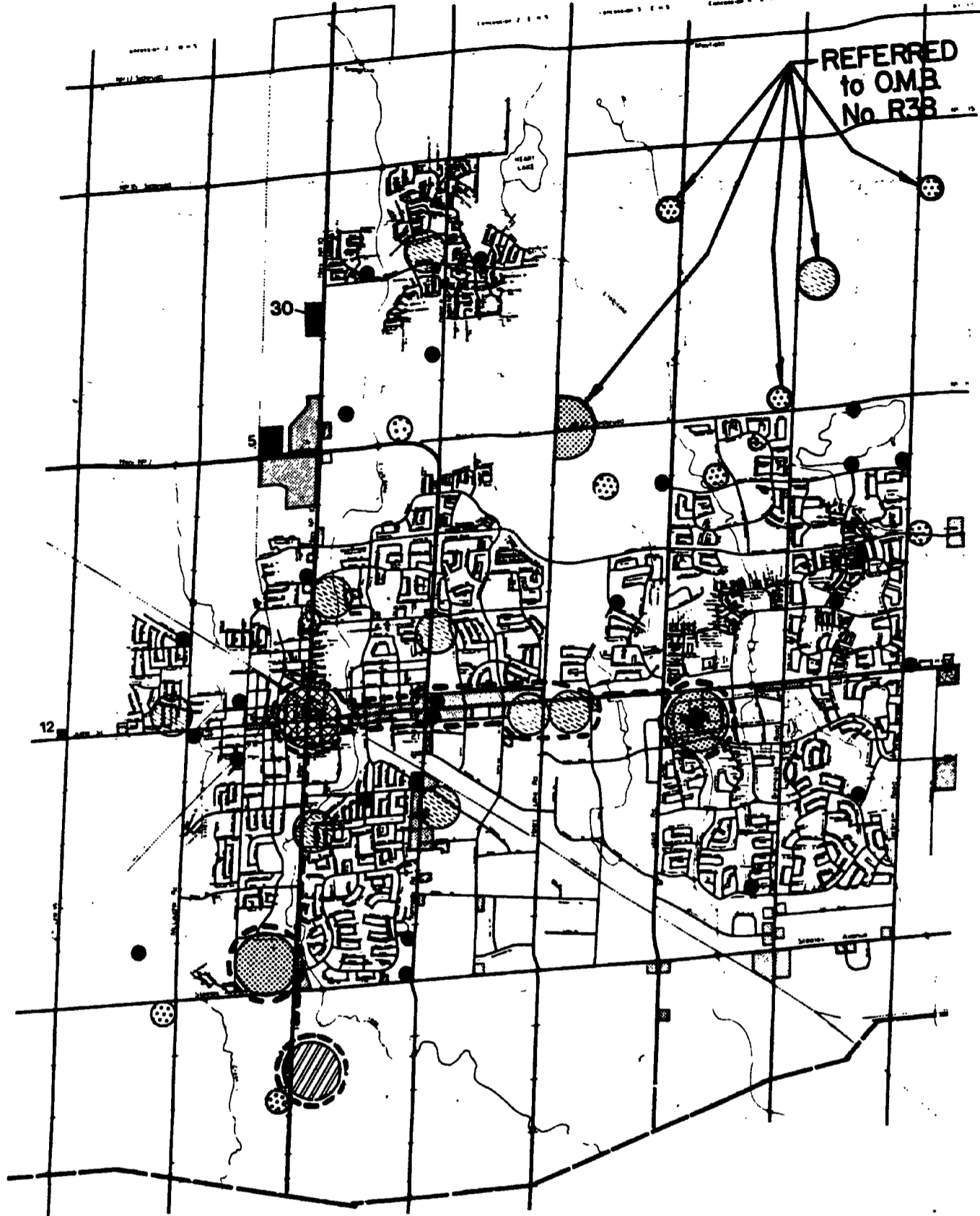
OFFICIAL PLAN AMENDMENT NO. 90
 Schedule A



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





CITY OF BRAMPTON
 Planning and Development

Date: 86 04 09 Drawn by: K.L.
 File no. CIW13.3 Map no. 24-24G



REFERRED to OMB No R3B

LEGEND.

-  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

30  Lands Subject To This Amendment

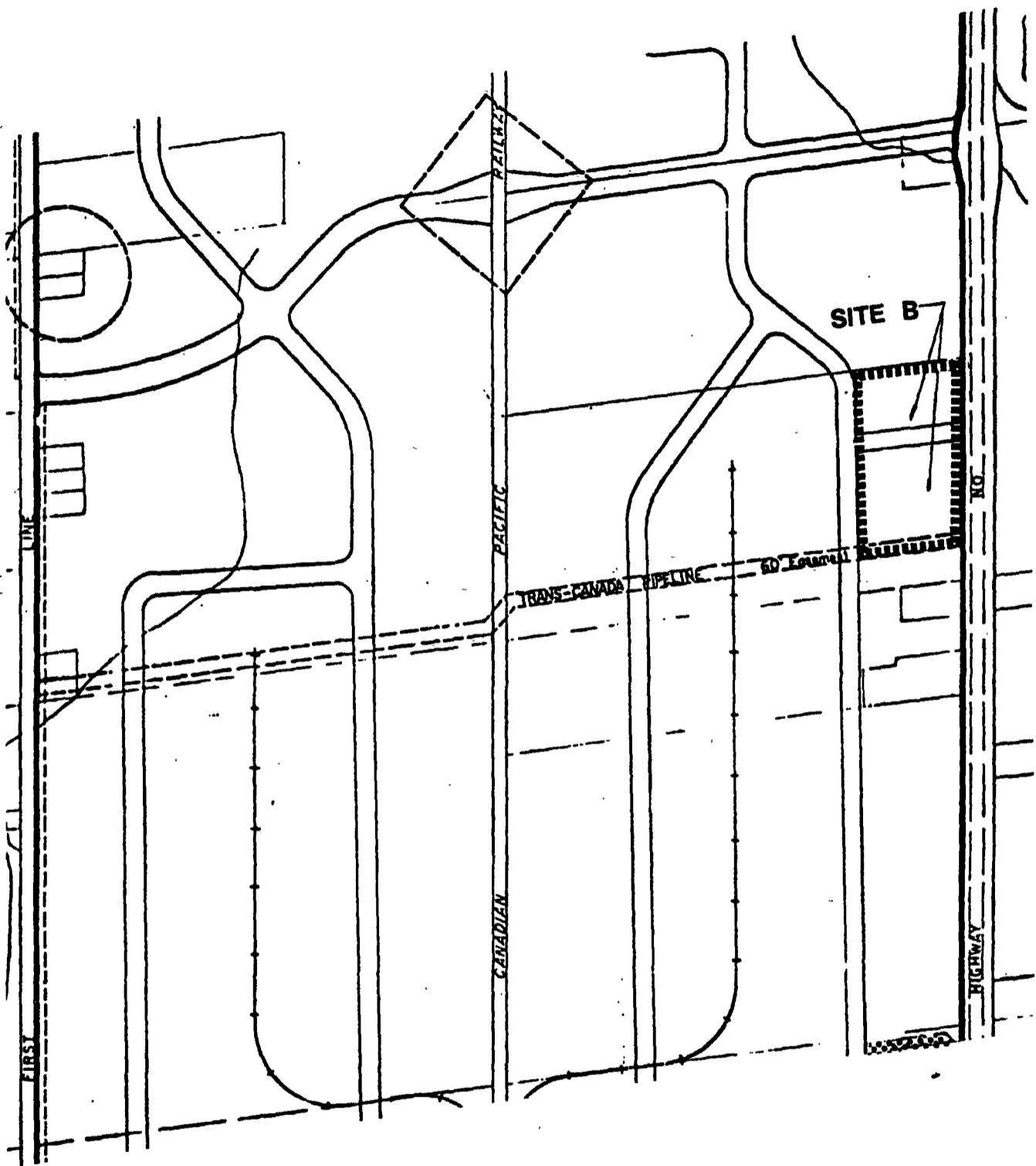
OFFICIAL PLAN AMEDMENT NO. 90
Schedule B



1:59000

CITY OF BRAMPTON
Planning and Development

Date: 86 05 12 Drawn by: K.L.
File no. CIW13.3 Map no. 24-24F



LEGEND



Lands Subject To This Amendment



Industrial



Vicinity Of Special Land Reserve



Future Grade Separation



Highway Commercial



Special Commercial Industrial

OFFICIAL PLAN AMENDMENT NO. 90
 Schedule C



1:8330

CITY OF BRAMPTON
 Planning and Development

Date: 86 05 12 Drawn by: K.L.
 File no. CIWI3.3 Map no. 24-24H

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 90
AND
AMENDMENT NUMBER 90 A

Attached is a copy of a report of the Director, Planning and Development Services Division, dated January 8, 1986 and a copy of a report from the Director, Planning and Development Services Division, forwarding the notes of a public meeting held on April 9, 1986.

INTER-OFFICE MEMORANDUM

E2

Office of the Commissioner of Planning & Development

January 8, 1986

TO: Chairman of the Development Team

FROM: Planning and Development Department

RE: Revised Draft Plan of Subdivision
Application to Amend the Official Plan
and the Zoning By-law
Part of Lot 13, Concession 1, W.H.S.
(former Township of Chinguacousy)
Ward Number 2
CENTRAL PEEL HOLDINGS (1982) LTD.
(BERSAMAC INDUSTRIAL PARK)
Region of Peel File: 21T-79007B Revised
Our File Number (Subdivision): C1W13.1
Our File Number (Rezoning): C1W13.3

1.0 Introduction

A revised draft plan of subdivision has been circulated by the Region of Peel. An application to amend the Official Plan and Zoning By-law has been submitted to the City Clerk and referred to staff for a report and recommendation.

2.0 Property Description and Surrounding Land Uses

The subject property is located on the west side of Highway Number 10 approximately 305 metres (1,000 feet) south of the intersection of Highway Number 10 and Sandalwood Parkway. The parcel is situated opposite the temporary "T" intersection of Luminous Court and Highway Number 10. Lot frontage is 308.25 metres (1011 feet) on Highway Number 10 and total lot area is 20.14 hectares (49.8 acres).

The subject property is relatively flat and contains no buildings, its current use is agricultural (cash crop). There is a gentle

E2-2

slope from the rear of the property, which falls 3 metres (9.8 feet) to the front of the property at Highway Number 10. The lands are generally clear of natural vegetation with the exception of a number of mature trees located within the northerly and southerly fence rows, defining the side lot lines of the subject parcel.

The following uses surround the subject property:

- to the north is an agricultural parcel containing farm buildings and an automotive repair business;
- to the northeast, on the east side of Highway Number 10 is a vacant parcel and an agricultural parcel with farm buildings;
- to the east, directly across Highway Number 10, is a subdivision of single family dwellings with access to Highway Number 10 via the temporary intersection of Luminous Court;
- to the southeast, on the east side of Highway Number 10, is a single family dwelling and an agricultural parcel;
- to the south, is an agricultural parcel and two commercial parcels, one accommodating a landscaping business and the other a gas bar and gasoline depot - in addition, the TransCanada Pipeline and associated right-of-way traverses the southerly limit of the subject property; and
- to the west, are vacant lands zoned for industrial use and a Canadian Pacific Railway right-of-way which abuts the westerly (rear) lot line of the subject property.

3.0 Official Plan and Zoning By-law Status

The City of Brampton Official Plan designates the subject property as Industrial on Schedule "A", General Land Use Designations. The subject property is also located within the Sandalwood Industrial

East Secondary Plan Area and designated Industrial by Amendment Number 4 to the Consolidated Official Plan.

Comprehensive By-law 861, as amended by By-law 40-80, zones the subject parcel for industrial uses. The portion of the property which fronts onto Highway Number 10 (Block 26 and Lots 1, 2 and 3 on the attached reduced copy of the subdivision plan) and which is the subject of this application for a commercial designation and zoning, is zoned M4-Section 255. This zone permits the following uses:

255.1(a) Industrial

- (1) the manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building but not including a motor vehicle repair shop or a motor vehicle body shop as a principal or accessory use;
- (2) a printing establishment;
- (3) a warehouse; and
- (4) a parking lot but not including a motor vehicle terminal.

255.1(b) Non-Industrial

- (1) a radio or television broadcasting and transmission establishment;
- (2) a recreational facility or structure operated by a public authority;
- (3) a private club;
- (4) an associated educational use;

- (5) an associated office; and
- (6) a retail outlet operated in connection with a particular use permitted in Sections 255.1(a)(1) and 255.1(a)(3) provided that the total gross floor area of the retail outlet is not more than 15 percent of the total gross floor area of the particular industrial use; and

255.1(c) Accessory

- (1) accessory purposes and buildings.

The M4 - Section 255 zone also prohibits obnoxious industrial uses and requires that any industrial emissions must comply with Ministry of Environment standards.

Lots 4, 5 and 15, and part of Block 25, as shown on the attached reduced copy of the subdivision plan, are zoned M3 - Section 254. This zone abuts the M4 - Section 255 zone (the lands subject to the commercial proposal) and permits the same uses as the M4 - Section 255 zone except that open storage of goods and materials is permitted in conjunction with industrial uses.

The rear portion of the property (Lots 6 to 14, Block 24 and part of Block 25 on the attached plan of subdivision) is zoned M2 - Section 253. This zone is similar to the M4 - Section 255 zone but permits motor vehicle repair or body shops, non-obnoxious industrial uses with open storage including a bulk storage yard, concrete and asphalt manufacturing, heavy equipment storage and rental, transport terminal, contractor's yard, a freight classification yard and a building supplies establishment.

It is clear from the industrial zoning in place on the property, that the uses visible from Highway No. 10 were to be "clean" industrial uses with no outside storage. Industrial lots to the

rear of the subject property are permitted outside storage and potentially more disruptive industrial uses such as asphalt manufacturing and motor vehicle body shops.

As the entire property is designated and zoned for industrial purposes, the development of commercial uses abutting Highway Number 10 requires Official Plan and Zoning By-law amendments.

4.0 Proposal

As previously noted, the submission involves revisions to a draft approved plan of subdivision (Bersamac Industrial Park - Region of Peel File Number 21T-79007B, City of Brampton File Number C1W13.1). The applicant has also applied for amendments to the Official Plan and Zoning By-law to permit the development of the parcels abutting Highway Number 10 for commercial purposes.

The plan of subdivision (Bersamac Industrial Park) on the subject property was given draft approval by the Region on August 31, 1979. Draft approval was subsequently reinstated on August 26, 1985. The revised draft plan, subject to this application, differs from the draft approved plan of subdivision as follows:

- (1) a permanent access road (Street A) intersecting with Highway Number 10 as opposed to a temporary road access in the draft approved plan of subdivision;
- (2) the east-west road intersecting with Highway Number 10 (Street A) has a road allowance width of 26 metres (85.3 feet) as opposed to a width of 23 metres (75.5 feet), as revised in red on the draft approved plan of subdivision;
- (3) turning radii of 4.5 metres (14.8 feet) on internal intersections as opposed to 7.5 metres (24.6 feet), as redlined on the draft approved plan of subdivision;

- (4) three lots (1 to 3) and a block (26) for future development are to be designated and zoned for Highway Commercial uses abutting Highway Number 10 as opposed to the five lots and a block for industrial uses in the draft approved plan of subdivision; and,
- (5) the draft approved plan of subdivision has a redline revision indicating that the road widening along the frontage of the property is to provide for a distance of 22.5 metres (73.8 feet) between the center line of Highway Number 10 and the front lot line of the subject property.

The applicant's agent, in submitting the application to amend the Official Plan and Zoning By-law, requested that the following uses be permitted on the lots which abut Highway Number 10:

- gas bar,
- service station,
- motor vehicle washing establishment,
- a retail establishment in conjunction with a gas bar or service station,
- a motor vehicle sales, rental or leasing establishment,
- a motor vehicle repair shop,
- dining room restaurant,
- banquet facilities,
- hotel or motel,
- an office,
- a bank,
- personal service shop,
- a cleaning plant,
- a custom workshop,
- garden centre sales establishment, and
- the industrial uses contained within the M1 zone of By-law 200-82.

5.0 Comments

The Planning and Development Department circulated the revised draft plan of subdivision and rezoning proposal to other City Departments. The Region of Peel also conducted a limited recirculation of the revised draft plan to Provincial Ministries and other agencies which may have an interest in the proposed changes to the draft approved plan of subdivision. The following comments were received in response to the circulation of the proposal:

The Public Works Division has advised:

It is understood that there will be no direct access from any of the proposed lots to Highway Number 10.

We believe that this plan should not proceed any further until the matter of a permanent intersection at this location has been approved by the M.T.C. This would turn Luminous Court east of Highway Number 10 into a through road instead of the cul-de-sac configuration it was intended to be, which might result in strong objection from the residents presently living on Luminous Court.

The Building Division has advised:

No comment.

The Community Services Department has advised:

The previously approved draft plan of industrial subdivision for which there is an agreement provided no access onto Highway Number 10 and the lots abutting Highway Number 10 required a 3 metre landscaped buffer strip parallel and adjacent to Highway Number 10. It would appear that if the applicant wants Lots 1 to 3 and Block 26 to be developed for highway commercial uses then it would follow that they would expect such frontage and access onto Highway Number

10 which would result in both access by proposed Street A and commercial driveways. This department supports the previous designation and zoning for industrial uses and further supports the previously approved plan and agreement that was entered into, therefore, we would recommend that the application be denied.

The Policy Division of the Planning and Development Department has advised:

A permanent access to Highway Number 10 in this location, opposite a temporary access on the east side of Highway Number 10, cannot be justified, in our view. If additional access is provided to this industrial area, it should be properly spaced from Sandalwood Parkway and Highway Number 7. The Region and/or our Public Works Department may have some views in this regard.

With no permanent access to Highway Number 10 in the proposed location, the proposed commercial uses are not appropriate. Such uses should be in reasonable proximity of an access to Highway Number 10.

Any development on the lots abutting Highway Number 10 should be "prestigious" in nature, with no outside storage and stringent requirements for yards and landscaping. By-law 40-80 achieved this objective.

The Region of Peel Public Works Department has advised:

That the previous draft plan conditions, as related to our jurisdiction, should continue to apply.

The Region of Peel Transportation Policy Section has advised:

That we have reviewed the proposed land use change for the above noted plan of subdivision and would have no objections, however, we

would reiterate the comments made by Mr. A. Zembal, Head, Corridor Control Section of the Provincial Road Planning Office (MTC), February 2, 1979, which stated that "to facilitate this development, we are prepared to allow an entrance on a temporary basis at the indicated location". This access was to be removed once access to Sandalwood Parkway, through Streets "B" and "C" was available. With this traffic signal removed, signal progression can be obtained with spacing between signalized intersections of 600 metres and with an operating speed of approximately 70Km/hr between Bovaird Drive and 17th Sideroad.

The Ministry of Municipal Affairs has advised:

That they have no comments.

The Ministry of the Environment has advised:

That they have no objections.

The Ministry of Transportation and Communications has advised:

The revised plan has been reviewed by this Ministry and our requirements remain as follows:

1. Conveyance of a 0.3 metre reserve across the entire highway frontage of Lots 1, 2 and 3;
2. Provision of a drainage plan and report outlining the developer's intended treatment of the calculated runoff which must be cleared prior to final approval; and
3. Dedication of Blocks 16 and 17 in the owner's certificate on the final plan.

With respect to Street "A", our Planning and Design Office advise this is an existing signalized intersection.

Our building setback distance is 13.7 metres from the highway property line.

As these comments imply, M.T.C. did not seem to realize that Luminous Court is a temporary intersection and that this application proposed a permanent intersection opposite to Luminous Court. Therefore, staff requested additional input from M.T.C. on the issue of establishing a permanent intersection, resulting in the following comments:

This Ministry prefers public roads to enter Provincial highways at a suitable distance. A minimum distance between intersecting roads of 360.0 metres (1200 feet) is recommended. The introduction of staggered intersections is not recommended by this Ministry.

In the eventuality that Street "A" would become a permanent intersection with Highway Number 10, there would be no other public road access permitted on either side of Highway Number 10 between this public road (Street "A"/Luminous Court) and Sandalwood Drive. Proper intersection spacing could not be maintained.

TransCanada Pipelines has advised:

The changes to the draft plan will not affect the requests made in our letter dated March 5, 1979. These requests have been included in the conditions of draft plan approval as condition numbers 8 and 18. We therefore have no further comments on the revised plan of subdivision.

6.0 Discussion

In conjunction with a permanent street intersection to Highway Number 10, the applicant requests the redesignation and rezoning of

the portion of the subject property which abutts Highway Number 10 to Highway Commercial. The subject property is currently designated and zoned for Industrial uses and is subject to a draft approved plan of subdivision (Bersamac Industrial Park - Region of Peel File Number 21T-79007B, City of Brampton File Number C1W13.1).

The permanent intersection of Street A with Highway Number 10 is proposed directly opposite to the existing intersection of Luminous Court and Highway Number 10. The Luminous Court intersection is a temporary arrangement only as the subdivision agreement with Lakeview Estates provides that the developer shall remove the temporary intersection (Luminous Court) once permanent access to the subject subdivision is established through the development of the lands to the south (517737 Ontario Limited - Region of Peel File Number 21T-79075B, City of Brampton File Number C1E12.2). Staff note that the current status of Street A proposed on the subject property is also as a temporary access, provided for in the draft approval of the Bersamac Industrial Park.

Given that Luminous Court has a temporary status and a permanent intersection may be established at Street A and Highway Number 10, a relevant concern is the fate of the temporary access at Luminous Court. Staff contacted Lakeview Estates in this regard and they indicate that they still intend to close the Luminous Court intersection in accordance with subdivision agreement. Lakeview also indicates that if the City and the residents of Luminous Court were to agree that Luminous Court would remain as a permanent intersection, then Lakeview Estates would have no difficulty with such a development provided there was adequate compensation for the residential lots (3) which would be lost to the company for development. Staff note that Lakeview would incur some costs to close Luminous Court in that the existing pavement would need to be removed and the noise wall abutting the plan of subdivision would need to be closed in and completed. As it now stands, Luminous Court will be closed and any variance from this occurrence would need

to be resolved through discussions involving M.T.C., the City, Lakeview Estates, Central Peel Holdings and the affected property owners within the Lakeview subdivision.

Amendment Number 4 to the Consolidated Official Plan, as amended by Amendment Number 48, designates a substantial area of Highway Commercial at the northwest corner of Highway Numbers 7 and 10. The policies state that the development of the Highway Commercial Use Area will proceed in consideration of the following:

1. the recognition of the existing mixed industrial-commercial, highway commercial uses located along both Highway Number 7 and Highway Number 10;
2. the need to restrict direct access to both Highway Number 7 and Highway Number 10; and,
3. the need to provide for a limited variety of highway commercial uses along both Highway Number 7 and Highway Number 10 which will primarily serve the needs of the industrial area.

The Consolidated Official Plan and the Brampton Official Plan also contain policies regarding the establishment of access points to provincial highways. Amendment Number 4 covers an area bounded by McLaughlin Road to the west, 15th Sideroad to the north, Highway Number 10 to the east and Highway Number 7 to the south. The policies state that access to streets from the west side of Highway Number 10 will be limited to one access point (shown as Sandalwood Parkway on the Schedule to Amendment Number 4). The policy also states that:

"Should additional future access be required from the subject lands to Highway Number 10, such additional access shall be limited to two access points, one located south of the major east-west arterial (Sandalwood Parkway), and one located north of the major east-west

arterial ... The provision of such additional access points shall be based upon future user needs, and further, the location of such access points shall be subject to further study, to determine the most appropriate location of such access points."

The following policies contained in Section 4.2.1.10 of the Brampton Official Plan are also noted for their relevancy to the subject application:

"The traffic carrying function of the provincial highway, arterial and major collector system will be protected and improved by:

- (i) discouraging intersections of local streets with arterials and provincial highways in the design of new subdivisions;
- (ii) controlling the number of collector street intersections with arterial streets and provincial highways through the regulation of subdivision design; and,
- (iii) selectively reducing the number of local street intersections with arterial streets and provincial highways in developed areas by means of street closings where feasible;"

Even though M.T.C. is willing to permit the permanent intersection proposed at Street A and Highway Number 10, City staff cannot support the establishment of a permanent intersection at this location. In their supplementary comments to City staff, M.T.C. indicates that they do not recommend staggered intersections (T intersections in succession on opposing sides of a highway). This proposal would create such a situation when Luminous Court is closed; therefore, M.T.C. acceptance of a permanent T intersection at Street A and Highway Number 10 is inconsistent with the design principles they recommend.

City staff are of the opinion that a permanent intersection at Street A of the subject subdivision plan and Highway Number 10 is not justified. The primary justification for the permanent intersection is to create a viable market situation for the Highway Commercial uses and not to provide additional access for the industrial park. The draft approved plan of subdivision currently recognizes a temporary intersection at Street A and Highway Number 10 so the applicant has no obstacles to developing the subject property for industrial purposes. Staff note that there are existing Highway Commercial designations in the immediate vicinity of the subject proposal which have already been identified as appropriate areas for this type of use. There are substantial designations on the northwest and southwest corners of Highway Number 10 and Highway Number 7 as well as a 1.2 hectare (3.0 acre) site at the southwest corner of Highway Number 10 and Sandalwood Parkway. There are also four existing gas bars along this section of Highway Number 10 from the intersection of Highway Number 7 and Highway Number 10 to the intersection of Highway Number 10 and Conservation Drive (15 Sideroad).

In order to protect the traffic carrying function of Highway Number 10, both the Brampton Official Plan and Consolidated Official Plan convey the basic principle of limited and restricted access to Highway Number 10 by access driveways and by intersecting streets. The optimum spacing distance for intersecting streets along this section of Highway Number 10, given traffic volume and operating speeds, is approximately 610 metres (2,000 feet). The minimum separation distance acceptable to M.T.C. is 366 metres (1,200 feet). Although the proposed intersection of Street A with Highway Number 10 would just meet the minimum standard, this in itself does not justify the creation of the intersection. This particular section of Highway Number 10 will, for some time, constitute the leg of Highway Number 410 north of Bovaird Drive. Therefore, it will have a very important traffic function which dictates that the protection of the road's capacity is a worthwhile objective.

Since the Consolidated Official Plan (Amendment Number 4) only recognizes one additional access to the west side of Highway Number 10 between Highway Number 7 and Sandalwood Parkway, staff are of the opinion that such additional access should be opposite to a permanent intersection which has already been committed on the east side of Highway Number 10. This would include two locations, one opposite to Wexford Road approximately 610 metres (2,000 feet) north of the intersection of Highway Number 10 and Highway Number 7 (Bovaird Drive) and the second being an entrance to the Coventry subdivision (517737 Ontario Limited) - our file number C1E12.2, Region file number 21T-79075B, located approximately 760 metres (2,500 feet) south of Sandalwood Parkway. Staff note that the intersection spacing between Wexford Road and the Coventry entrance is not optimum in that the separation is approximately 410 metres (1,350 feet). This situation was dictated by the location of the TransCanada Pipeline which is 610 metres (2,000 feet) north of Wexford Drive.


In conclusion, staff are of the opinion that the introduction of Street A as a permanent intersection with Highway Number 10 will be detrimental to the traffic carrying function of Highway Number 10. The proposed permanent intersection is not justified for the sole purpose of creating a viable market situation for the proposed Highway Commercial designation. The one intersecting street permitted by the secondary plan on the west side of Highway Number 10 should be located opposite to a permanent intersection which is already committed on the east side of Highway Number 10. As the proposed intersection is not justified and the Highway Commercial designation requested would not be viable without the permanent intersection, staff recommend that the subject proposal to amend the Official Plan and Zoning By-law be denied.

7.0 Conclusion

It is recommended that Planning Committee recommend to City Council that:


"The application by Central Peel Holdings (1982) Ltd. (City of Brampton File Number C1W13.3) to revise a draft approved plan of subdivision (Bersamac Industrial Park - Peel File Number 21T-79007B, City of Brampton C1W13.1) and for amendments to the Official Plan and Zoning By-law for Highway Commercial uses be denied."

Respectfully submitted,

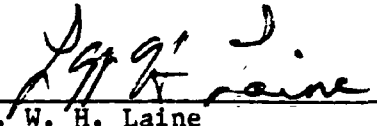


Carl Brawley
Development Planner

AGREED:

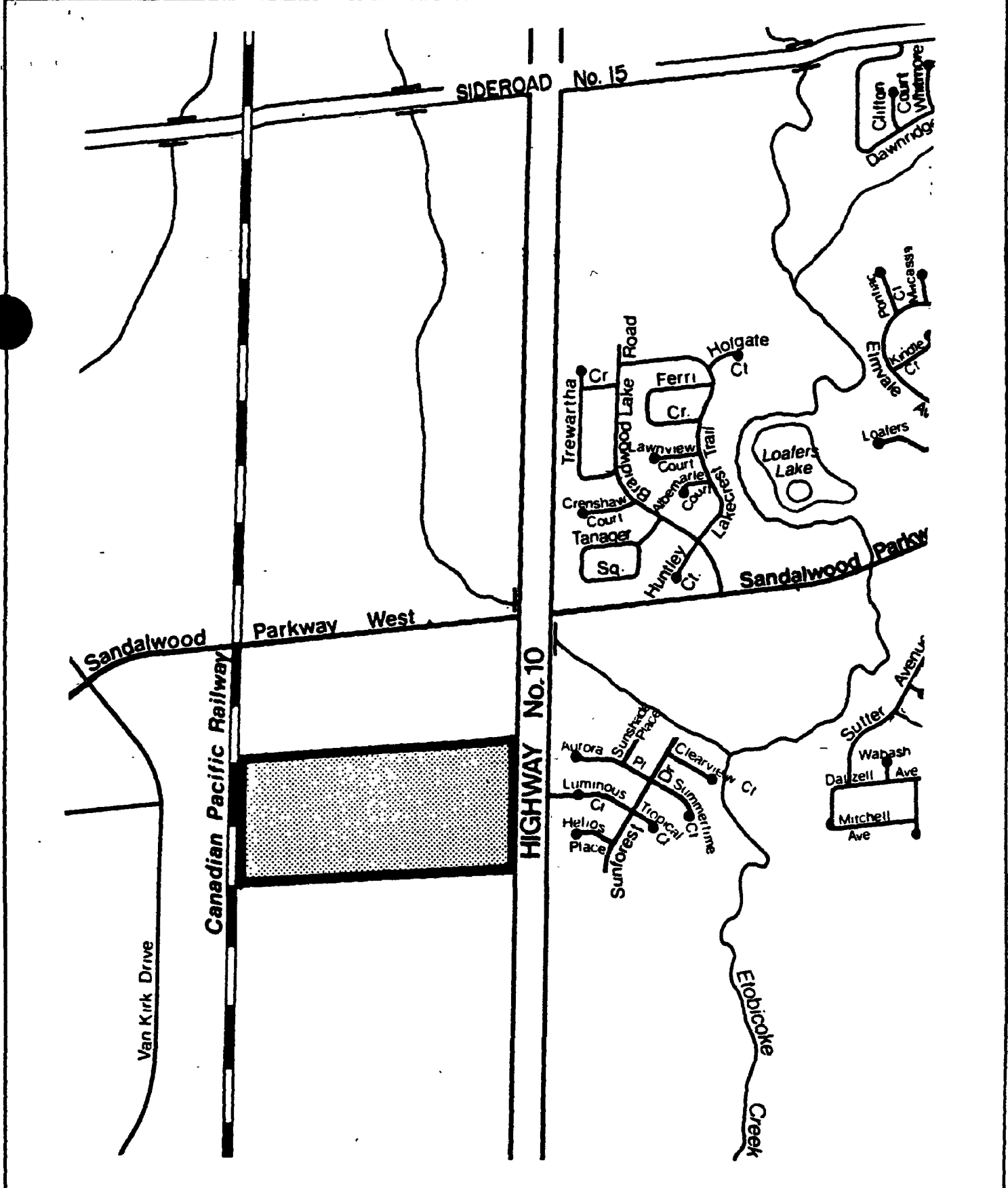


F. R. Dalzell
Commissioner of Planning
and Development



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

CB/thk/2



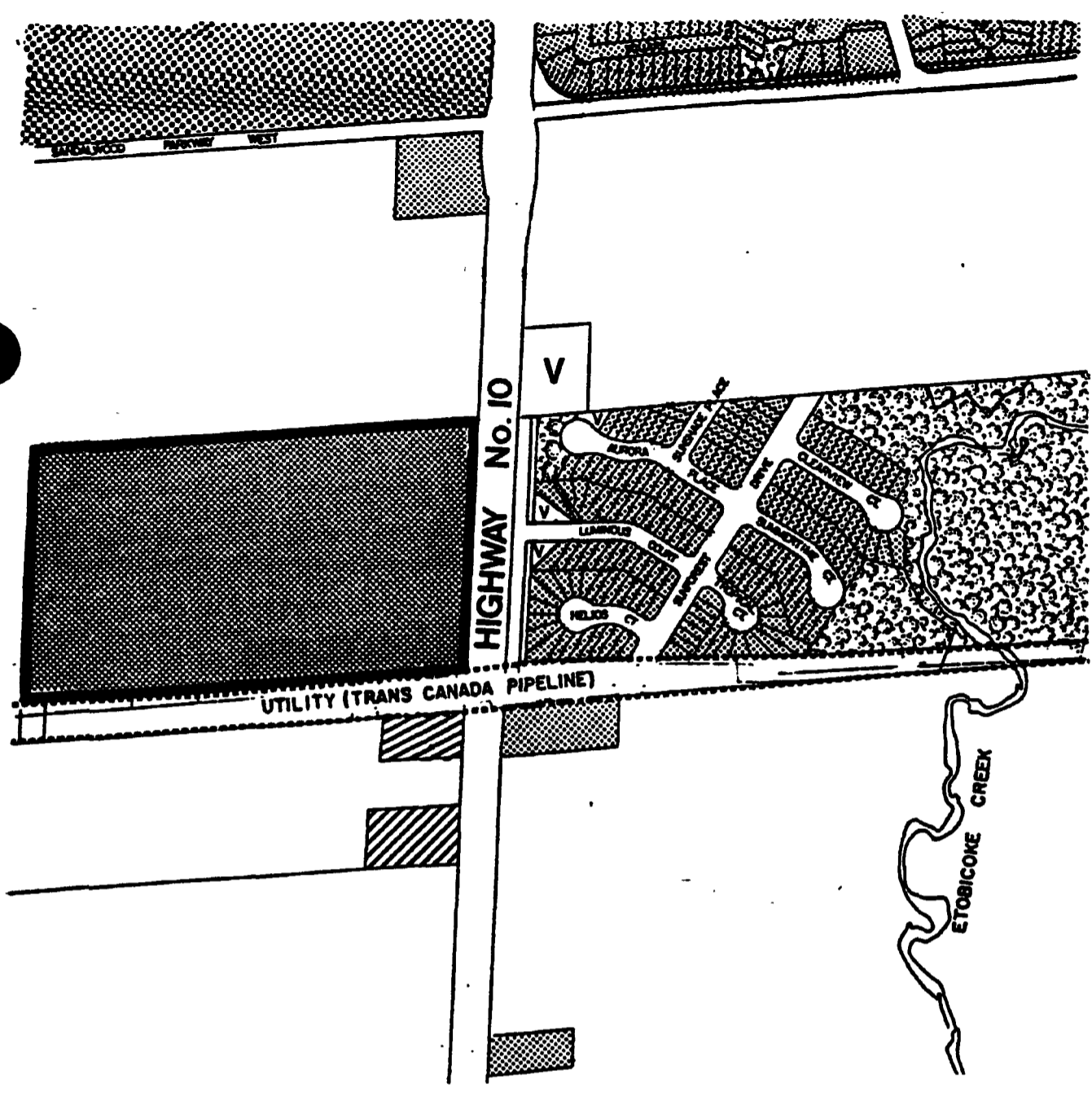
CENTRAL PEEL HOLDINGS(1982) LTD.
(BERSAMAC INDUSTRIAL PARK)
LOCATION MAP










1:2000

CITY OF BRAMPTON
 Planning and Development
 Date: 85 09 13 Drawn by: K.L.
 File no. CIW13.3 Map no. 24-24A

E2-18



LEGEND

-  SUBJECT PROPERTY
-  RESIDENTIAL
-  COMMERCIAL
-  AGRICULTURE
-  INDUSTRIAL
-  OPEN SPACE
-  VACANT

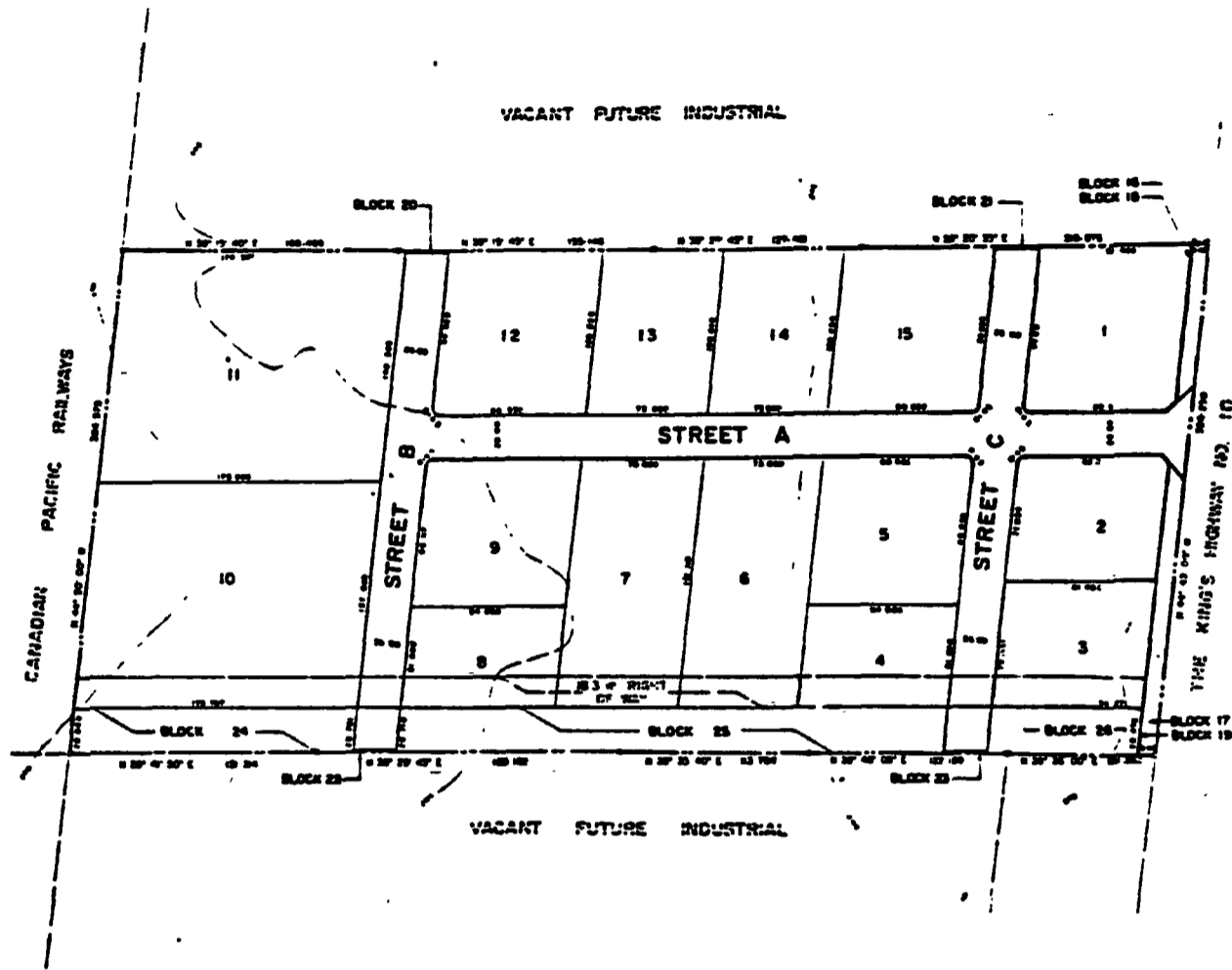
**CENTRAL PEEL HOLDINGS(1982) LTD.
 (BERSAMAC INDUSTRIAL PARK)
 LAND USE MAP**



1:9000

CITY OF BRAMPTON
 Planning and Development

Date: 85 09 13 Drawn by: K.L.
 File no. CIW13.3 Map no. 24-24B



CENTRAL PEEL HOLDINGS (1982) LTD.
REVISED DRAFT PLAN (2IT-79007B)



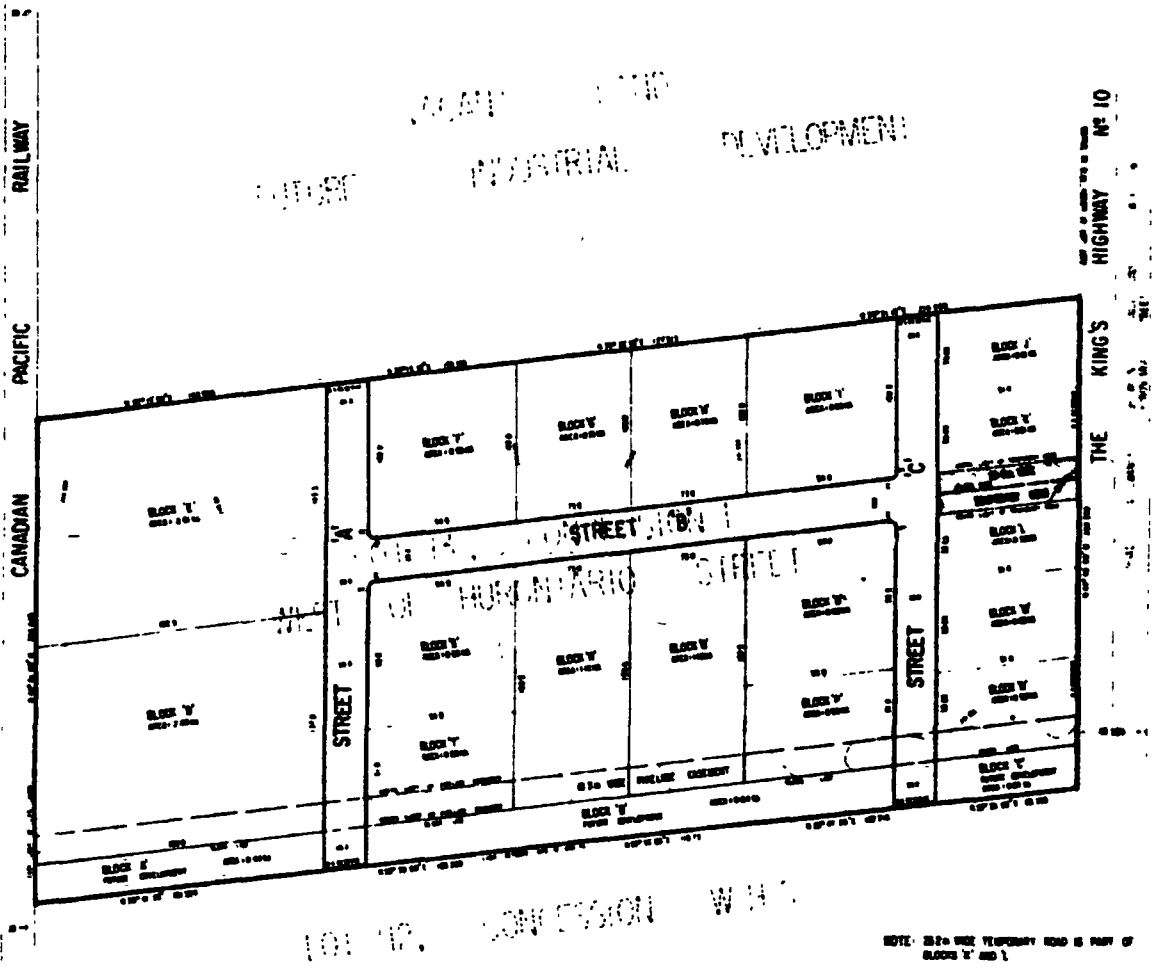
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CITY OF BRAMPTON
 Planning and Development

Date: 85 10 14 Drawn by: K.L.
 File no. CIW13.3 Map no. 24-24C

E2-20

DRAFT PLAN OF SUBDIVISION OF
PART OF LOT 13, CONCESSION 1 W.H.S
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL



BERSAMAC INDUSTRIAL PARK
DRAFT APPROVED PLAN (2IT-79007B)



1:4700

CITY OF BRAMPTON
Planning and Development

Date: 85 10 14 Drawn by: K.L.
File no. CIW13.1 Map no. 24-10G

INTER-OFFICE MEMORANDUM

E11

Office of the Commissioner of Planning & Development

April 17, 1986

TO: The Chairman and Members of
Planning Committee

FROM: Planning and Development Department

RE: Revised Draft Plan of Subdivision
Application to Amend the Official Plan
and Zoning By-law
Part of Lot 13, Concession 1, W.H.S.
(former Township of Chinguacousy)
Ward Number 2
CENTRAL PEEL HOLDINGS (1982) LIMITED
(BERSAMAC INDUSTRIAL PARK)
Region of Peel File Number: 21T-79007B (Revised)
Our File Number: CIW13.1 (Subdivision)
Our File Number: CIW13.3 (Rezoning)

The notes of the Public Meeting held on April 9, 1986 for the above noted application are attached for the Committee's consideration.

Two members of the public were in attendance but they did not voice any objections. Staff have received several phone inquiries although no letters of support or objection have been received to date. A letter from TransCanada Pipelines, a copy of which is attached, has been received requesting certain revisions to the existing conditions of draft approval for the subject subdivision plan. This letter will be forwarded to the Region of Peel.

The applicant proposed a highway commercial designation for the lands abutting Highway Number 10. These lands are identified as Lots 1, 2, 3 and Block 26 on the attached copy of the revised subdivision plan. Block 26, located south of the TransCanada Pipeline, is to be reserved for development in conjunction with abutting lands. If Block 26 is redesignated highway commercial, this would essentially be an endorsement by the City for further commercial development abutting Highway Number 10 to the south of the subject property. Planning Committee should consider leaving Block 26 in its current industrial designation.

.../2

Although the planning report dated January 8, 1986 did not support the subject proposal, Council endorsed a Planning Committee recommendation to approve the proposal and delete the following uses; gas bar, service station and motor vehicle washing establishment. On this basis, the list of uses requested by the applicant are now as follows:

- a retail establishment,
- motor vehicle sales, rental or leasing establishment,
- motor vehicle repair shop,
- a dining room restaurant,
- banquet facilities,
- hotel or motel,
- an office,
- a bank,
- personal service shop,
- cleaning plant,
- custom workshop,
- garden centre sales establishment, and
- the industrial uses permitted within the M1 zone of By-law 200-82.

In addition to not redesignating Block 26 for commercial purposes, Planning Committee should consider deleting the following uses; motor vehicle repair shop, cleaning plant, garden centre sales establishment and the industrial uses permitted within the M1 zone. These uses would be undesirable on this section of Highway Number 10 given high visual exposure and potential land use conflicts. A cleaning plant is potentially obnoxious given chemicals used in cleaning processes and is more appropriate for industrial areas. Garden centre sales establishments generally have considerable outdoor storage which is not visually attractive. The M1 industrial uses, although having no outside storage, would present a very real possibility for land use conflicts with a number of the commercial uses such as a dining room restaurant and a hotel or motel.

As the subdivision plan submitted with the application varies slightly in lotting and road patterns from the draft approved plan of subdivision, the draft approved plan will require redline changes and the subdivision agreement will require updating.

It is recommended that Planning Committee recommend to City Council that:

1. The notes of the public meeting be received;
2. The application to amend the Official Plan and Zoning By-law be approved subject to the following conditions:
 - (a) that the approval be based on the draft plan dated August 7, 1985 by F. J. Reinders and Associates Canada Limited (drawing


number 4337), red line revised as follows:


- (1) Street A, between Street B and Street C shall be 23.0 metres in width,
 - (2) corner roundings shall have a radius of 7.5 metres,
 - (3) the highway widening abutting Highway Number 10 shall ensure a highway right-of-way of 22.5 metres (73.8 feet) from the existing Highway Number 10 centre line.
3. That lots 1, 2 and 3 will be designated for commercial purposes and Block 26 shall remain designated for industrial purposes.
 4. In addition to the proposed uses deleted by Council at their meeting of March 24, 1986, the following additional uses shall be omitted:
 - (1) a motor vehicle repair shop unless it is in conjunction with a motor vehicle sales establishment,
 - (2) a cleaning plant,
 - (3) a garden centre sales establishment, and
 - (4) the industrial uses permitted within the M1 zone of By-law 200-82.
 5. The applicant shall enter into a revised subdivision agreement, updated to the satisfaction of the City Solicitor.
 6. Staff be directed to prepare the appropriate official plan amendment, zoning by-law amendment and revised agreement.

Respectfully submitted,


 Carl Brawley
 Development Planner

AGREED:


 F. R. Dalzell, Commissioner
 of Planning and Development


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

Attachment
CB/hg/0

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, April 9, 1986, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:56 p.m. with respect to an application by CENTRAL PEEL HOLDINGS (1982) LIMITED (File: C1W13.3 - Ward 2) to amend both the Official Plan and the Zoning By-law to permit the development of 3 parcels along Highway Number 10 for highway commercial purposes. The lands proposed for commercial uses have a total area of 1.88 hectares (4.6 acres).

Members Present: Councillor F. Russell - Chairman
 Councillor N. Porteous
 Alderman J. Hutton
 Alderman H. Chadwick
 Alderman A. Gibson
 Alderman J. Shadrach
 Alderman L. Bissell
 Alderman S. DiMarco

Staff Present: F. R. Dalzell, Commissioner of Planning
 and Development
 L.W.H. Laine, Director, Planning and
 Development Services
 J. Robinson, Development Planner
 D. Ross, Development Planner
 J. Corbett, Policy Planner
 C. Brawley, Development Planner
 E. Coulson, Secretary

There were approximately 2 interested members of the public in attendance.

The Chairman enquired 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.

- cont'd. -

Mr. Brawley 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.

There were no questions or comments and the meeting adjourned at 8:57 p.m.

E11-6



TransCanada Pipelines

P.O. BOX 54 COMMERCE COURT WEST TORONTO CANADA M5E 0Z
416 969 2111

April 2, 1986

RECEIVED
CLERK'S DEPT.

APR 04 1986

1862

C1W13.3

Mr. Leonard J. Mikulich
Clerk
City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

REG. No.:
FILE No.:

Dear Mr. Mikulich:

Proposed Official Plan Amendment
and Rezoning - Central Peel Holdings
Part of Lot 13, Concession I, WHS
City of Brampton
Your file: C1W13.3 - Ward 2
Our file: SD 22

Thank you for your notice dated March 26, 1986 regarding the subject proposals. We note that the lands in question are those formerly proposed for development under subdivision file 21T-79007B and known as the "Bersamac Industrial Park".

TransCanada's concerns over the Bersamac proposal were addressed through clauses 8 and 19 of the July 5, 1984 conditions of approval for subdivision 21T-79007B (copy of clause 8 and 19 attached). Basically, the requirements of those conditions still address our concerns, subject to the following comments.

1. The official plan and zoning amendments could result in land-uses which differ substantially from those proposed under the Bersamac plan of subdivision. We therefore request any site plans or plans of subdivision be circulated to TransCanada so that potential impacts on our operations may be assessed.
2. If possible, we recommend the lands subject to our pipeline right-of-way be fenced and transferred to the City as part of the developer's parkland dedication.

Carl
86.04.0412
UB



Page 2
Mr. Leonard J. Mikulich
April 2, 1986

- 3. In accordance with section 77 of the National Energy Board Act, no services, drains or roads may cross our pipelines without leave from the National Energy Board.
- 4. We would appreciate clause 19(b) of the July 5, 1984 conditions of approval being reworded as follows:
"TransCanada's District Office in Maple, Ontario (telephone 832-2967) must be given two business days advance notice of the need to move heavy equipment along or across the pipeline right-of-way so that a Company inspector can be present and evaluate the need for protective measures to be taken by the machinery operator(s)."
- 5. We recommend that temporary fencing be erected along the pipeline right-of-way limits during construction of the subdivision.

If you have any questions regarding the foregoing, please do not hesitate to contact the writer at 869-2738.

Yours very truly,

Robert D. Waldon
Right-of-Way Co-ordinator

RDW/tp

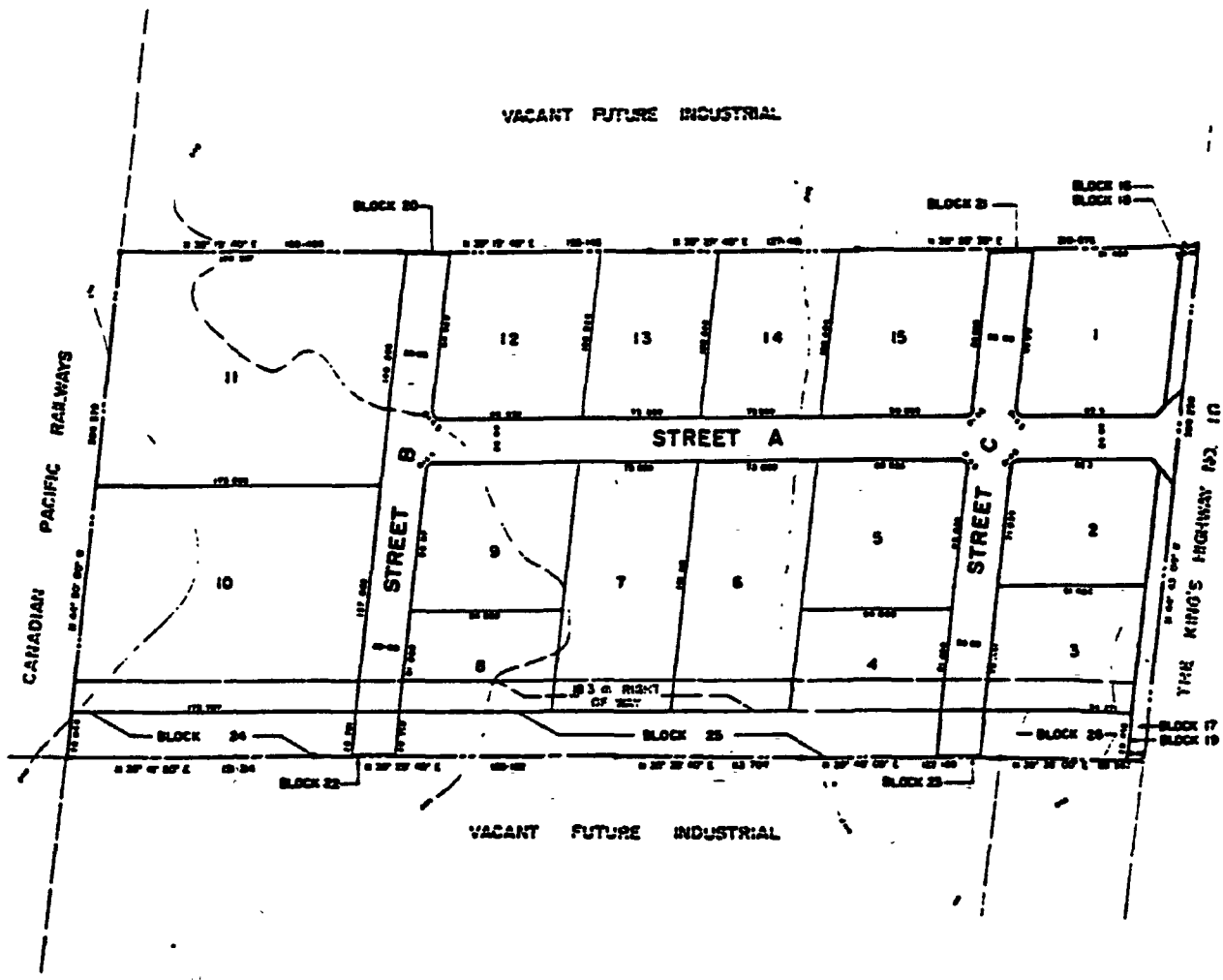
Enclosures

7. That all street names shall be acceptable to the City of Brampton and the Region of Peel.
- ✓ 8. That the developer shall agree, by agreement, to convey all necessary easements for drainage, utility, service and railway purposes as may be required to the appropriate agency or public authority including TransCanada Pipelines and Canadian Pacific Railways.
9. That a temporary road may be located between Whybank Drive and Highway Number 10. The temporary road and intersection be located and constructed to standards satisfactory to the Ministry of Transportation and Communications. The developer shall agree, by agreement, to pay for the removal of the temporary road and intersection and return the private and public property to its original condition upon the direction of the City of Brampton at a time subsequent to the property having a permanent access through abutting properties to Sandalwood Parkway or Highway Number 10.
10. That the developer shall agree, by agreement, to the establishment of an Architectural Control Committee to control the appearance of all buildings constructed on the subject property.
11. That the developer shall agree to support an amendment to the restricted area by-law appropriately zoning the lands for prestige industrial and general industrial use and incorporating suitable requirements and restrictions.
12. That a Financial and Engineering Agreement be entered into by the Region, the City of Brampton and the developer prior to final approval of the plan concerning the installation of services, landscaping, legal and all financial and engineering matters, the payment of Regional and City of Brampton levies and other matters respecting the development of these lands.
13. That the developer shall agree, by agreement, to pay a proportionate share of the cost of oversizing storm sewers as determined by the City.
14. That Blocks 18, 19 and 20 shall be developed in conjunction with the lands to the south.
15. That the subdivision agreement provide for registration on title and on all offers of sale and/or purchase the following statement:

"The installation of any process or combustion equipment is subject to approval from the Ministry of the Environment as per the requirements of Section 8 of the Environmental Protection Act, 1971."
16. That prior to final approval of the plan, the developer shall provide the following to the satisfaction of the Ministry of Transportation and Communications:
 - a) the estimated future traffic volumes and peak hour turning movements in order to determine intersection improvements. The costs of these improvements will be borne by the developer.

- b) a drainage plan indicating the intended treatment of the calculated run-off.
17. That the subdivision agreement make provision for the establishment of railway spur line easements at locations acceptable to the City of Brampton and Canadian Pacific Railway.
 18. That the subdivision agreement contain a clause whereby the applicant is to ensure that there is no increase or change of direction in the flow of natural surface drainage which would adversely affect the railway right-of-way. Further, any modification or addition to the existing drainage pattern would be the responsibility of the developer.
 - ✓ 19. That the subdivision agreement make provision for the following in wording acceptable to the TransCanada Pipelines:
 - a) TransCanada be granted a work room easement ten metres in width, adjacent to each side of the pipeline right-of-way. This easement to TransCanada would prohibit excavations and structures within these areas with the exception of boundary fencing of lots. The easements would be registered on title.
 - b) TransCanada shall be given 48 hours notice prior to commencement of any work on the right-of-way or the moving of heavy equipment across it.
 - c) Prior written consent shall be obtained from TransCanada before any grading operations are carried out on the pipeline right-of-way.
 - d) Within TransCanada's easement no excavation, drilling, installing of any well, pit, pavement structure or installation shall be permitted without prior consent of TransCanada. These are requirements of the registered easement.
 20. That prior to the signing of the final plan by the Regional Chairman, the Region of Peel is to be advised by the City of Brampton that Conditions 1 to 14 inclusive and 17 have been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.
 21. That prior to the signing of the final plan by the Regional Chairman, the Region of Peel is to be advised by the Ministry of Transportation and Communications that conditions 3, 5, 9 and 16 have been carried out to their satisfaction, with a brief but complete statement indicating how each condition has been satisfied.
 22. That prior to the signing of the final plan by the Regional Chairman, he is to be advised by the Regional Clerk that conditions 7, 8, and 12 have been carried out to his satisfaction, with a brief but complete statement indicating how each condition has been satisfied.

E11-10



CENTRAL PEEL HOLDINGS (1982) LTD
REVISED DRAFT PLAN (2IT-79007B)



1:4700

CITY OF BRAMPTON
 Planning and Development

Date: 85 10 14 Drawn by: K.L.
 File no. CIW13.3 Map no. 24-24C