



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

146-91

Number _____

To adopt Amendment Number 204
and Amendment Number 204 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 204 and Amendment Number 204 A to the Official Plan of the City of Brampton Planning Area, is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of Amendment Number 204 and Amendment Number 204 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 15th day of July, 1991.

PAUL BEISEL - MAYOR

LEONARD J. MIKULICH -
CITY CLERK

APPROVED TO FORM AW DEPT. BRAMPTON
DATE

02/91

ORIGINAL

AMENDMENT NUMBER 204
and Amendment Number 204 A
to the Official Plan of the
City of Brampton Planning Area

21 OP 0031 204 - 1

AMENDMENT NO. 204 and 204A

TO THE
OFFICIAL PLAN FOR THE
CITY OF BRAMPTON


This Amendment No. 204 and 204A to the Official Plan for the City of Brampton which was adopted by the Council of the Corporation of the City of Brampton is hereby modified as follows:

1. The following section is added to section 3.2 (b):

"Prior to the issuance of a building permit, the site clean-up plan proposed by Trow Consulting Engineers Limited shall be carried out, the consultant shall verify that soils meet the Ministry of the Environment's decommissioning guidelines for residential use and the completion of the clean-up plan shall be certified by the consultant."

As thus modified, this amendment is hereby approved pursuant to Sections 17 and 21 of the Planning Act, 1983.

Date: 1992-03-13



Diana L. Jardine, M.C.I.P.
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

146-91

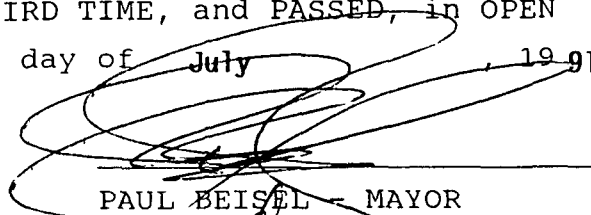
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READ a FIRST, SECOND AND THIRD TIME, and PASSED, in OPEN COUNCIL, this 15th day of July, 1991.



PAUL BEISEL - MAYOR



LEONARD J. MIKULICH -
CITY CLERK

APPROVED TO FORM BY DEPT. OF BRAMPTON
DATE 11/11/91

02/91

AMENDMENT NUMBER 204
and
AMENDMENT NUMBER 204 A
TO THE OFFICIAL PLAN OF THE CITY
OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to redesignate a parcel of land from "Medium Density Residential" and "Service Commercial", as shown on the applicable secondary plan, to "High Density Residential".

2.0 Location

The land subject to this amendment comprises an area of approximately 1.48 hectares (3.6 acres) and is located on the west side of McMurchy Avenue north of Corby Crescent, being part of Lot 5, Concession 1, West of Hurontario Street, in the geographic Township of Chinguacousy and is outlined on Schedule A to this amendment.

3.0 Amendment and Policies Relative Thereto:

3.1 Amendment Number : 204

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

- (a) by adding to the list of amendments pertaining to Secondary Plan Area Number 16 and set out in the first paragraph of subsection 7.2.7.16, Amendment Number 204 A.

3.2 Amendment Number 204 A:

The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Brampton South Secondary Plan (being Subsection B2.4 of Chapter B1 of Section B of Part C, and Plate Number 7 thereto, as amended), is hereby further amended:

- (a) by changing, on Plate Number 7 thereto, the land use designation of the lands shown outlined on Schedule A to this amendment from "SERVICE COMMERCIAL" and "RESIDENTIAL MEDIUM DENSITY" to "RESIDENTIAL HIGH DENSITY".

(b) by adding to Part C, Section B, Chapter B1, Subsection B2.4, Paragraph 3.0 thereof, the following:

"3.6 The residential high density designation of the land on the west side of McMurchy Avenue, abutting the property municipally known as 57 McMurchy Avenue and east of the Canadian Pacific Railway right-of-way, is intended to permit a non-profit housing development. A density up to 100.0 dwelling units per hectare shall be permitted. The apartment dwelling component shall be located in the north-west portion of the property. Development of the lands shall be subject to site development plan approval and a site specific zoning by-law amendment to minimize the impact of the project on the surrounding neighbourhood."

MODIFICATION

No. 1 ———→
UNDER SECTION 17(9) OF
THE PLANNING ACT, 1983

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 204
AND
AMENDMENT NUMBER 204 A

Attached is a copy of a planning report, dated February 12, 1991, and a copy of a report dated April 9, 1991, forwarding the notes of a Public Meeting held on March 20, 1991, after notification in the local newspapers and the mailing of notices to assessed owners of properties within 120 metres of the subject lands, and a copy of all written submissions received.

The Dufferin-Peel Roman Catholic
Separate School Board.....October 29, 1990

The Peel Board of Education.....November 9, 1990

Mr. Jas Stapleton.....December 5, 1990

The Canadian Pacific Railway.....December 6, 1990

The Regional Municipality of Peel.....December 17, 1990

Ministry of the Environment.....January 18, 1991

Credit Valley Conservation Authority.....February 21, 1991

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 204
AND
AMENDMENT NUMBER 204 A

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The Dufferin-Peel Roman Catholic
Separate School Board.....October 29, 1990

The Peel Board of Education.....November 9, 1990

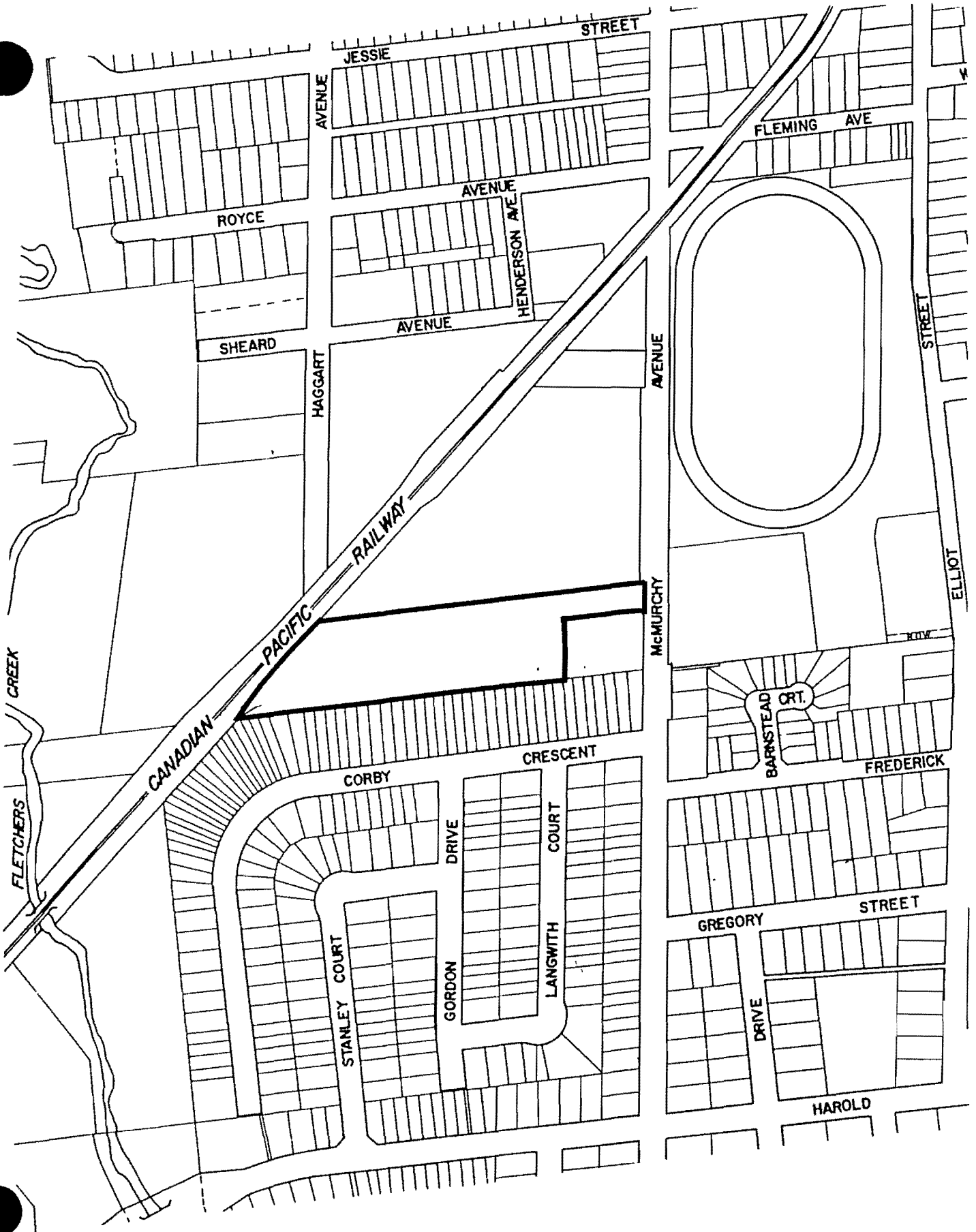
Mr. Jas Stapleton.....December 5, 1990

The Canadian Pacific Railway.....December 6, 1990


The Regional Municipality of Peel.....December 17, 1990

Ministry of the Environment.....January 18, 1991

Credit Valley Conservation Authority.....February 21, 1991



LEGEND

 Lands Subject to This Amendment

OFFICIAL PLAN AMENDMENT No. 204

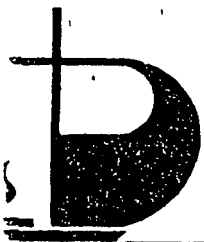
Schedule A By-law 146-91



1:4000

CITY OF BRAMPTON
Planning and Development

Date: 1991 03 14 Drawn by: CJK
File no. CIW4.13 Map no. 59-60E



THE DUFFERIN-PEEL ROMAN CATHOLIC SEPARATE SCHOOL BOARD
LE CONSEIL DES ECOLES SEPARÉES CATHOLIQUES ROMAINES DE DUFFERIN ET PEEL

40 Matheson Blvd. West, Mississauga, Ontario L5R 1C5 • Tel: (416) 890-1221

October 29, 1990

City of Brampton
PLANNING DEPT.

Date: NOV 14 1990 Rec'd

File No.
.....C1W4.13

Kathy Ash
Development Planner
City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Dear K. Ash:

**Re: Application to Amend the Official
Plan and Zoning By-law
Part of Lot 4, Conc. 1, W.H.S.
834884 Ontario Limited
(Peel Non-Profit) -- C1W4.13**

The Dufferin-Peel Roman Catholic Separate School Board is in receipt of the above noted application to amend the official plan.

Elementary separate school students generated from the application shall attend St. Mary, and secondary students shall attend Cardinal Leger in Brampton. The student yield generated from the 127 apartment, and 22 Townhouse units would produce approximately 29 Junior Kindergarten to Grade 8, and 9 Grades 9-12/OAC separate school students.

Please be advised that since this proposal is for affordable housing units, (Peel Non-profit), the separate school Board has no comments or objections to the finalization of this official plan amendment.

Yours truly,

Carbyn Byrne
Junior Planner

CB/is

cc: Mayor, P. Beisel
Councillors F. Russell and F. Andrews, Ward 3 -- Brampton
Trustees J. K. Adamson, J. J. Doran, and L. A. Reid
R. Callahan, MPP -- Brampton South
J. Marshall, City of Brampton
J. Greeniaus, Peel Board of Education



November 9, 1990

City of Brampton
PLANNING DEPT.
Date NOV 14 1990 Rec'd
File No. C1604.13

JK

TRUSTEES
Carolyn Parrish
(Chairman)
Gary Heighington
(Vice-Chairman)

Roger Barrett
Cathrine Campbell
George Carlson
Karen Carstensen
Beryl Ford
Gail Green
Dr Ralph Greene
L Cliff Gyles
Alex Jupp
William Kent
Robert Lagerquist
Thomas McAulliffe
Janet McDougald
Elaine Moore
Marolyn Morrison
Sandy Ransom
Rosemary Taylor
Ruth Thompson
Carolyne Wedgbury

Director of Education
and Secretary
Robert J Lee, B.A., M.Ed

Associate Director
of Education
W. Wayne Hulley, B.A., M.Ed.

Associate Director of
Education/Business
and Treasurer
Michael D Roy, C.A

Ms. Kathy Ash
Development Planner
City of Brampton
150 Central Park Drive,
Brampton, Ontario
L6T 2T9

Dear Ms. Ash:

RE: Application to Amend the Official Plan and
Zoning By-Law 834884 Ontario Ltd.
Part of Lot 4, Concession 1, W.H.S.
City of Brampton

The Peel Board of Education has no objection to the further
processing of the above noted applications.

The anticipated yield from this plan is as follows:

41	JK-5
16	6-8
23	9-OAC

The students generated are presently within the following
attendance areas:

	<u>Enrol.</u>	<u>OME</u> <u>-10%</u>
McHugh P. S. JK-5	310	278
Centennial Sr. 6-8	546	400
Brampton Centennial S.S. 9-12/OAC	1503	1484

The foregoing comments apply for a two year period, at which
time updated comments will be supplied upon request.

Yours truly,

Stephen Hare
Stephen Hare
Assistant Chief Planning Officer
Planning Department

SH:jp
plannrec442

c: M. Hiscott

H J A Brown Education Centre
5650 Hurontario Street
Mississauga, Ontario L5R 1C6
Telephone (416) 890-1099
Fax (416) 890-6747

An Equal Opportunity Employer

City of Brampton
PLANNING DEPT.
Date DEC 07 1990 Rec'd
File No. ? C1104.13

Dec. 5/90
5 Long with Cmts.
Brampton, Ont.
L6Y 1Z9

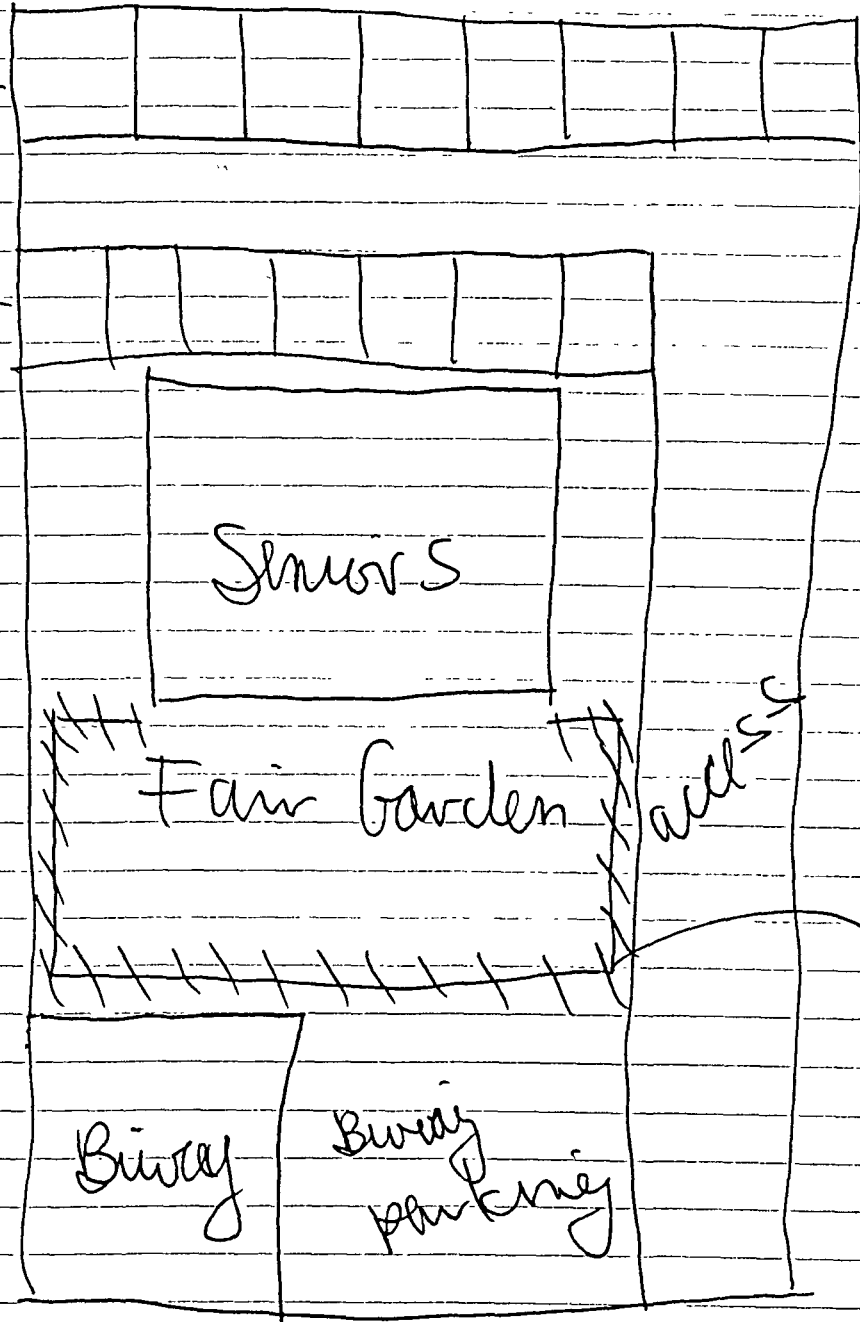
John Marshall
City of Brampton
Planning Dept.
150 Central Park Dr.
Brampton, Ont.
L6T 2T9

Dear Mr. Marshall

I submit this drawing for
consideration in the development
of property off of Mc Murchy,
north of Cerby, and opposite
the Fairgrounds.

Yours truly
Jas Stapleton

townhouse
units



access

iron
fence

McMurphy.

CP Rail

**Intermodal
Freight Systems**

Office of the Superintendent
on Division
Superintendent
K. J. O'Brien
Deputy Superintendent
W. Stekman
Division Engineer

City of Brampton PLANNING DEPT.	
Date	DEC 27 1990 Rec'd
File No.	C1W4.13

File: 620.4.05.9.7

PA
RFO
KA
9/10/02

December 6, 1990

The Corporation Of The City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Attention: Ms. Kathy Ash, M.C.I.P.
Development Planner

Dear Ms. Ash


Re: Application to Amend The Official Plan
and Zoning By-Law
Part of Lot 4, Concession 1, W.H.S.
Ward Number 4
834884 Ontario Limited (Peel Non- Profit)
Your File C1W4.13
Mileage 7.7 Owen Sound Subdivision

We have reviewed the plan submitted with your letter of Oct. 16/90 concerning the above noted proposed Official Plan Amendment and Zoning By-Law and have no objection providing the following conditions are met:

940 ELIAS STREET, LONDON, ONTARIO N5W 3P2

1. Berm adjoining and parallel to the railway right-of-way:
 - a) minimum height of 2 meters and side slopes not steeper than 2.5 to 1.
2. A six-foot high chain link fence be constructed and maintained along the common property line of the Railway and Development by the developer, at his expense.
3. Setback of dwellings from the Railway right-of-way to be a minimum of 15 meters from the property line. Unoccupied buildings, such as garages may be exempted.
4. Dwellings must be constructed such that interior noise levels meet the criteria of the appropriate Ministry (Ministry of the Environment).
5. There shall be no increase or change in direction of the flow of natural drainage without written permission from the Railway.
6. Clauses to be registered on and run with the title of all properties within 300 metres of our right-of-way warning prospective purchasers of the Railway's presence and also that the Railway will not take responsibility for complaints as a result of noise, vibration, air quality, etc., generated by present and/or future operations.
7. Any proposed utilities under or over Railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement.

To ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, your assurance that the above conditions will be carried out would be appreciated.



L. A. Clarke
Superintendent
jrn

December 17, 1990

City of Brampton
Planning and Development Department
150 Central Park Drive
Brampton, Ontario

City of Brampton PLANNING DEPT.	
Date	DEC 20 1990 Rec'd
File No.	C1W4.13

Attention: Ms. Kathy Ash
Development Planner

Re: Official Plan Amendment and
Rezoning Application
834884 Ontario Ltd.
(Peel Non-Profit)
Your file: C1W4.13
Our file: R421W101B

KA

Dear Ms. Ash:

In response to your letter dated October 16, 1990, concerning the above noted application, our Public Works Department have examined the proposal and with regard to site servicing indicate:

Sanitary: 300 mm sanitary sewer located on McMurchy Avenue.

Water: 300 mm watermain located on McMurchy Avenue.

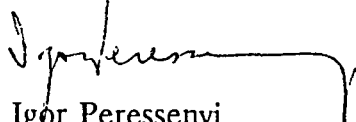
Roads: Regional roads not directly affected.

With regard to integrity of the site soil conditions, attached are comments dated December 11, 1990 as received from our Public Works Department, Waste Management Division, summarizing their position on this matter.

In addition, it is presumed that a detailed noise study which also incorporates berm safety requirements, not reflected on the site plan we reviewed, will be undertaken to the satisfaction of the City of Brampton and the Ministry of the Environment concerning the adjacent C.P. Rail line.

We trust that this information is of assistance.

Yours truly,




Igor Peressenyi
Senior Planner
Development Review

VZ/dh

attach.

10 Peel Centre Drive, Brampton, Ontario L6T 4B9 - (416) 791-9400

The Region of Peel had no records, to date, indicating that the subject lands had been used for the disposal of wastes. The MOE letter of November 14, 1990, clearly indicates that wastes have been deposited onsite. We have no objection to this application, provided that requirements of Section 45 of the Environmental Protection Act have satisfied the MOE and further that the clean-up operations as identified in the "Trow Report, Project MS-00014/G4557 - S/G, October 31, 1990; and as subsequently commented upon in the MOE letter dated November 14, 1990 to Ronto Development Corporation, have been complied with.


R.M. Moskal, M.C.I.P.
Manager
Master Plan Policy and Promotion
Waste Management Division

cc: J. Bennett, Trow Geotechnical Ltd.

Attach:

MH/bn



Ministry
of the
Environment

Ministère
de
l'Environnement

Cent.
Region

Région du
Centre

Suite 401
1235 Trafalgar Road
Oakville, Ontario
L6H 3P1
416/844-5747
416/822-2566

Bureau 401
1235, chemin Trafalgar
Oakville (Ontario)
L6H 3P1
416/844-5747

City of Brampton PLANNING DEPT.	
Date	JAN 29 1991 Rec'd
File No. 410129

1991 01 18

Mr. John Marshall
Commissioner of Planning
City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Dear Mr. Marshall

We have reviewed the clean-up for the site at 57 McMurchy Avenue as proposed by Ronto Development in November of 1990. We are satisfied with the proposal at this time and will continue to monitor the project till the clean up measures are complete.

Should you have any further questions do not hesitate to contact me.

Yours truly,

R. Adcock, CET
Area Supervisor
Halton-Peel District

RA:bb

Handwritten: Keshay KA
910129



City of Brampton
PLANNING DEPT.
Date FEB 26 1991 Rec'd
File No. C1W4.13
PHONE (416) 670-1615 FAX (416) 670-2210 1-800-668-8557

Our File #

sent to R. Rose: *K.A.*
this should go into the per response. if not ready in all conditions.

February 21, 1991

The City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

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

Dear Ms. Ash:

RE: Application to Amend the Official Plan
and Zoning By-law OPA 13/90 (SP90-19)
57 McMurphy Avenue
Part of Lot 4, Concession 1
834884 Ontario Ltd. (Peel Non-Profit/
Ronto Development Corporation)

We have now had the opportunity to review the above application and provide the following comments.

The subject property is characterized primarily by relatively flat open tableland and is traversed by a small swale which drains to Fletcher's Creek.

This Authority has concerns relating to erosion and sedimentation problems currently being experienced on the lower reaches of the Fletcher's Creek, due to increases in stormwater runoff as a result of upstream urban development. A comprehensive Stormwater Management Study prepared for this Authority in 1983 for the Fletcher's Creek South Secondary Plan District, identified that stormwater management would have to be implemented in the upstream areas, to mitigate post-development flows to pre-development levels within the newly developing areas North of Steeles Avenue.

In this regard, the Authority has adopted a policy, that requires the implementation of stormwater detention techniques, for storms up to and including the level of the 10 year, for all new development or redevelopment North of Steeles Avenue. This can be most appropriately dealt with at this site plan approval stage.

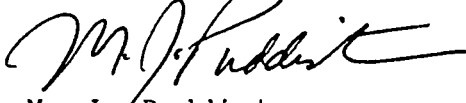
It should be noted that it is the general policy of this Authority to recommend that lands required for formal stormwater management facilities be appropriately zoned as 'Open Space' or 'Greenbelt', with dedication to the Municipality. On this basis, a further rezoning of a portion of the lands maybe required following the review and approval of the stormwater management submissions.

We are aware that de-commissioning of the site is required prior to development proceeding. As the site drains to the Fletcher's Creek, which is a short distance to the southwest, the Authority is concerned about the contaminants and/or sediments entering the Creek. It appears that the de-commissioning will occur in the near future and prior to formal site plan circulation.

On this basis, we would not object to the approval of the subject amendment and Rezoning subject to the following condition:

1. That a detailed plan and report on the de-commissioning of the subject site be provided to the Authority for our review and approval. In this regard, the plan should indicate the means whereby contaminants and/or sediments shall be contained on-site during the de-commissioning process.

Yours very truly,

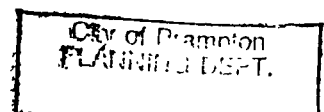


M. J. Puddister
Senior Resource Planner
MJP/jh

cc: City of Brampton
Attention: Mr. L. T. Koehle
Commissioner Public Works & Bldg.

Peel Non-Profit Housing
Attention: Mr. Bruce Laird

Ministry of the Environment
Halton-Peel District Office
Attention: Mr. R. Adcock



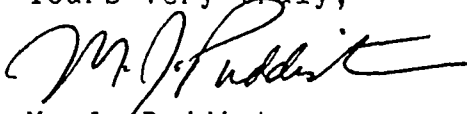
CITY OF BRAMPTON
PLANNING DEPT.

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Yours very truly,



M. J. Puddister
Senior Resource Planner
MJP/jh

cc: City of Brampton
Attention: Mr. L. T. Koehle
Commissioner Public Works & Bldg.

Peel Non-Profit Housing
Attention: Mr. Bruce Laird

Ministry of the Environment
Halton-Peel District Office
Attention: Mr. R. Adcock

INTER-OFFICE MEMORANDUM

PC-2618

Office of the Commissioner of Planning & Development

February 12, 1991

TO: The Chairman and Members of Planning Committee

From: Planning and Development Development

RE: **EXECUTIVE SUMMARY**
Application to Amend the Official Plan
and Zoning By-law
Part of Lot 4, Concession 1, W.H.S.
Ward Number 4
834884 ONTARIO LIMITED (Peel Non-Profit)
Our file: C1W4.13

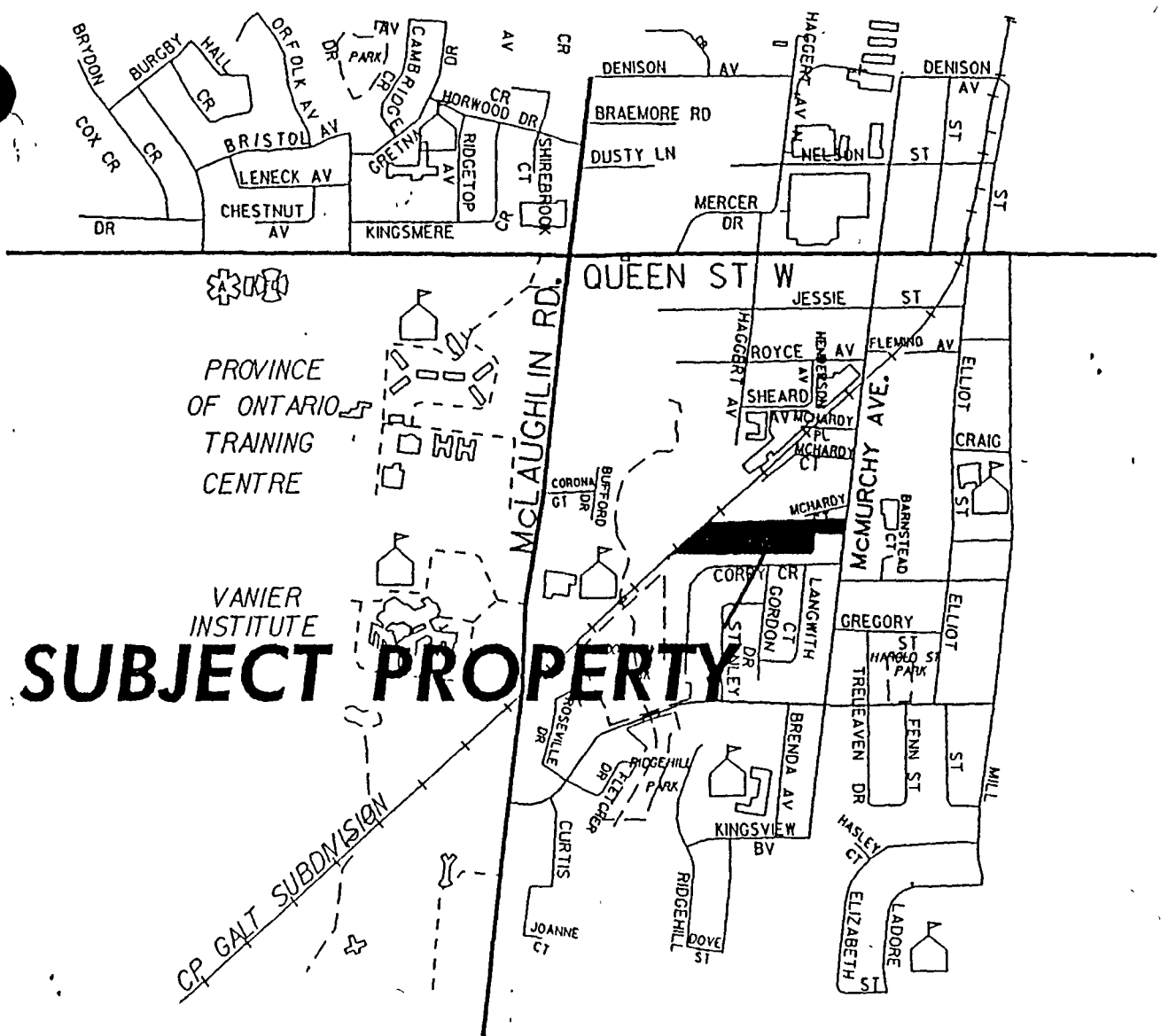
The attached staff report reviews and analyzes an application to amend the Official Plan and zoning by-law involving approximately 1.48 hectares (3.6 acres) of land located on the west side of McMurphy Avenue, north of Corby Crescent behind the newly constructed Bi-Way store.

A total of 148 dwelling units has been proposed for the purpose of Peel Non-Profit Housing. The proposal includes the following:

- an 8 storey apartment dwelling accommodating 126 dwelling units with the following characteristics:
 - 27 - 1 bedroom units
 - 79 - 2 bedroom units
 - 20 - 3 bedroom units
- 22 townhouse dwelling units as follows:
 - 18 - 3 bedroom units
 - 4 - 4 bedroom units
- 249 parking spaces

After reviewing the subject proposal, staff concluded that the application fulfills the locational requirements contained in the Official Plan for apartments and that the scale and character of the new residential dwellings is compatible with the surrounding area.

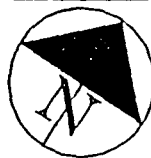
In view of the foregoing, the attached staff report recommends the approval of the proposed development subject to applicable development conditions.



SUBJECT PROPERTY

LOCATION MAP

834884 ONTARIO LTD.



CITY OF BRAMPTON
Planning and Development

Date: 9/10/30

Drawn by: JK

File no. C1W4.13

Map no. 59-60A

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

February 12, 1991

To: The Chairman of the Development Team
From: Planning and Development Department
Re: Application to Amend the Official Plan and Zoning By-law
Part of Lot 4, Concession 1, W.H.S.,
Ward Number 4
834884 ONTARIO LIMITED (Peel Non-Profit)
Our File: C1W4.13

1.0 INTRODUCTION

An application to amend the Official Plan and Zoning By-law to permit an eight storey, 126 unit apartment complex and a 22 unit townhouse development for Peel Non-Profit Housing, has been submitted to the City Clerk and referred to staff for a report and recommendation by City Council on September 10th, 1990.

2.0 PROPERTY DESCRIPTION AND SURROUNDING LAND USE

The subject property:

- is located on the west side of McMurphy Avenue behind the newly constructed Bi-Way Store north of Corby Crescent (Part of Parts 1 and 2, 43R-17643).
- has an area of 1.484 hectares (3.667 acres) with a frontage of approximately 15.6 metres (51.18 feet) along McMurphy Avenue, which also serves as access to the Bi-Way store
- drains to the west towards the Canadian Pacific rail line but is relatively flat
- has a row of mature trees along the south property boundary

The surrounding land uses are as follows:

NORTH: townhouse dwellings and an apartment dwelling (an Ontario Housing corporation project managed by the Peel Regional Housing Authority)

SOUTH: semi-detached dwellings on Corby Crescent;

EAST: on the east side of McMurchy Avenue is the Brampton Fair Grounds, and

WEST: C.P. rail line beyond which are valleylands of Fletchers Creek.

3.0 Official Plan and Zoning Status

- the majority of the lands are designated "Residential", except for the access from McMurchy Avenue which is designated "Commercial", on Schedule 'A', General Land Use Designations of the Official Plan;
- the majority of the lands are designated "Residential Medium Density", except for the access from McMurchy Avenue which is designated "Service Commercial", in the Brampton South Secondary Plan; and
- By-law 200-82, as amended, zones the property "Residential Holding (RH)", and "Service Commercial (SC)".

4.0 Proposal

The applicant is proposing:

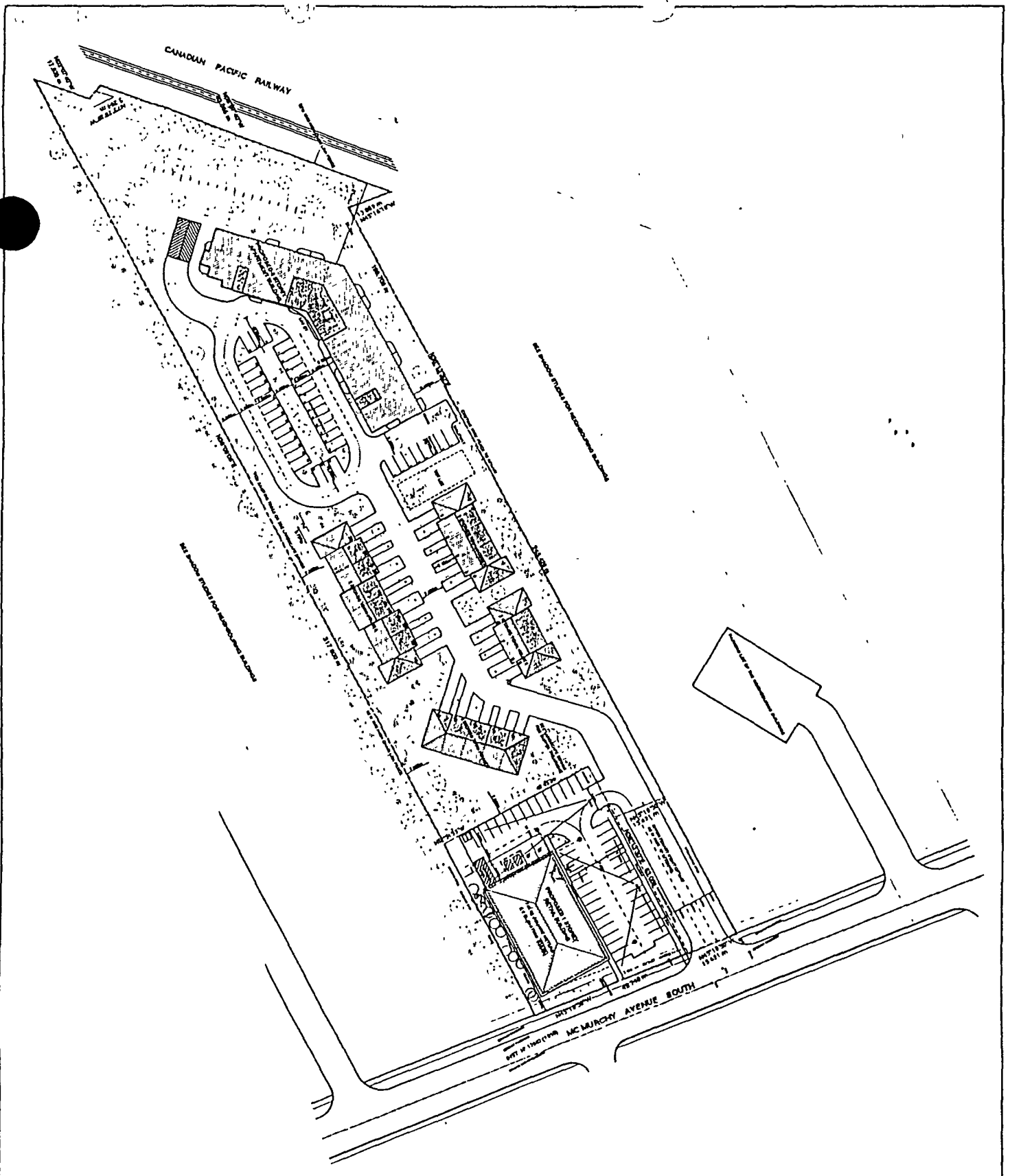
- an 8 storey apartment dwelling towards the western property boundary to accommodate 126 dwelling units with the following composition:
 - 27 - 1 bedroom units
 - 79 - 2 bedroom units
 - 20 - 3 bedroom units
- 22 townhouse dwelling units as follows:
 - 18 - 3 bedroom units
 - 4 - 4 bedroom units

Parking for this development is proposed in the following manner:

- 40 visitor surface spaces
- 165 underground spaces for occupants of the apartment
- 44 townhouse parking spaces consisting of 22 spaces provided in attached garages and 22 on individual driveways

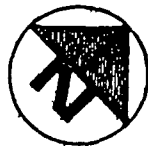
Access to the property is proposed to the north of the Bi-Way Store which will also serve as access to the Bi-Way store.

The applicant has identified that 59% of the site area will be landscaped open space.



834884 ONTARIO LTD.

CONCEPT SITE PLAN I



1:1534

CITY OF BRAMPTON
 Planning and Development

Date: 1991 02 11 Drawn by: K.M.H.
 File no. CIW4.13 Map no. 59-60C

The applicant has advised that the proposed development is for the purpose of Peel Non-Profit Housing Corporation.

5.0 Comments

Public Works and Building Department

The Development and Engineering Services Division has advised as follows:

- "1) We require a site plan agreement and site plan showing existing and proposed elevations, grading and storm drainage system to drain the property.
- 2) An agreement is required between the applicant and Bi-Way stores addressing access across the mutual driveway.
- 3) We require a 3.05 metre road widening along the full frontage of this property for the streetline to coincide with the streetline to the north of this property."

Traffic Engineering Services Division has indicated:

"The applicant is to make the necessary legal arrangements to grant the Ronto Development Corporation (Bi-Way store owner situated adjacent to the subject lands) unencumbered access to McMurchy Avenue via the existing right-of-way identified as Part 2, on plan 43R-17643. Proper registration of this mutual use should be ensured as a condition of zoning approval for the subject property. We note, although contrary to the above mentioned reference plan, the limits of the mutual right-of-way needs to be extended to the west to permit the existing driveway from the Bi-Way store, proper entry to said right-of-way. Revisions, in this regard, will be required.

- review/approval by the C.P.R. is required as the site abuts lands to the west under jurisdiction of this authority.
- the configuration of townhouse units 8,9, 13 and 14 should be redesigned in such a manner as to allow the proposed driveways to intersect perpendicular to the internal street.
- the majority of the high rise apartment traffic will be utilizing the underground parking facility. In this regard, the applicant should explore a more suitable location for the underground entry/exit to provide a more direct, less disruptive route to such."

Community Services Department

The department has advised as follows:

"Parks and Recreation:

- a) That the applicant prepare a landscape and fencing plan for the development of the property.
- b) That 1.6m high solid screen masonry fence be provided along the area immediately adjacent to the C.P.R.
- c) That the applicant pay cash-in-lieu of parkland in accordance with the City's Capital Contribution Policy for 0.49 ha calculated as follows:

Based on 1 ha per 300 dwelling units:

$$\frac{148}{300} = 0.49\text{ha (1.2 acres)}$$

Fire:

No comment

Transit:

No objection."

Planning and Development Department

The Urban Design and Zoning Division has advised as follows:

- "1. In order to retain existing trees, there shall be a minimum 5 metre setback of above ground parking from the southerly property limits and 8.0 metres for the underground parking structures.
2. A tree survey shall be submitted for approval at the site plan approval stage.
3. A brown pre-cast concrete fence shall be provided along the south and north property boundaries, along the top of the 2.0 metre berm required by CP Rail and the area separating the townhouse development from the parking area of the Bi-Way store. The existing concrete fence on the Bi-Way site shall be removed and replaced with the proper fence as specified in the site plan approved drawing for the Bi-Way site prior to enactment of the amending By-law.

4. Sufficient soil depth (85 cm soil plus 15 cm of granular) shall be provided over the underground parking structure to allow tree planting. The underground structure shall be designed to carry these loads.
5. The waste disposal facilities for the apartment shall be shown.
6. A final noise impact study shall be approved at the site plan approval stage."

The division has also commented on the preliminary acoustical report as follows:

- "1. Several warning clauses in respect of the proximity to the railway will be required on all future lease agreements within the project. These will be specified in the Site Plan/Rezoning Agreement.
2. There will also be a requirement in the Site Plan/Rezoning Agreement for apartment units facing the railway to be fitted with sleeves through the exterior wall to receive room air conditioning units if railway noise becomes a problem during night-time hours in the future.
3. Railway vibration will be addressed with the provision of an in-ground styrofoam barrier around the entire building foundation.
4. Through our review we also noted that C.P. Rail requires a 1.8 metre high chain-link fence on top of a 2 metre high berm with 2:5 percent maximum slopes situated entirely within the site. This configuration will occupy a 10 metre wide strip across the west extremities of the site which may have an impact on the proposed underground parking arrangement. We do not feel that this will jeopardize the project but caution the applicant that a redesign of the underground parking arrangement may be necessary prior to site plan approval."

The Law Department and the Planning Policy and Research Division have no comment.

6.0 BACKGROUND

While this site is currently vacant, there is evidence that in the past it was used for various industrial operations. As the Region of Peel has indicated, the lands were first used by a number of rubber manufacturers. From 1937 to the late 1950's, the site housed a tannery operation. An environmental clean-up of the site has been under way since last year in accordance with requirements as set out by the Ministry of the Environment. The Ministry has indicated that wastes have been deposited on-site, and site clean-up is required in accordance with the requirements of Section 45 of the Environmental Protection Act. In this regard, the Ministry also requires documentation that the site has not been used for the disposal of wastes within a 25 year period from the year in which the land ceased to be used. The Ministry of the Environment is continuing their monitoring of the site's clean-up, and are satisfied with the proposal.

7.0 DISCUSSION

The Official Plan designates the property as Residential, with the exception of the access portion from McMurphy Avenue which is designated Commercial. The residential designation recognizes a full range of dwelling types from single family dwellings to high rise apartments. The Brampton South Secondary Plan designates the subject property as Residential Medium Density and Service Commercial. The former designation restricts development to an average of 15 dwelling units per residential acre (Policy 7.2.7.16). Recognizing a net site area of 1.434 hectares (3.656 acres), the number of units permitted on the site, under current policies, is 54. The applicant is requesting an amendment to the secondary plan to permit high density development. In this regard, 148 units are proposed yielding a density of 40.47 residential dwelling units per net acre. The secondary plan further recognizes that for high density development, the density is not to exceed 40 dwelling units per net acre which would only yield a total of 146 dwelling units. Since all figures, numbers and quantities contained in the Official Plan and Secondary Plan are approximate and not absolute, staff is satisfied that the high density development of 148 units, proposed by the applicant, will meet the high density provision of the secondary plan. However, from a planning perspective, the appropriateness of this density increase must be reviewed in conjunction with Official Plan policies and impacts on surrounding land uses.

In reviewing proposals where apartments are proposed, policy 2.1.1.4.10 of the Official Plan states:

"Apartments shall have primary access to an Arterial, Collector or Minor Collector Road and shall be limited to the following locations:

- (i) either within or adjacent to major concentrations of commercial or institutional uses; or
- (ii) adjacent to significant topographic features (e.g. river valleys, rehabilitated gravel pits, woodlots) or
- (iii) in proximity to major public transportation facilities e.g. GO TRANSIT."

In this regard, staff notes that the apartment dwelling has access to McMurphy Avenue South; a collector as identified in the Official Plan. Respecting further locational requirements, the property is located adjacent to Fletchers Creek and its valleylands; a significant topographic feature which traverses the central-western portion of the City from north to south. In addition, the subject property is located west of the Brampton Fairgrounds; a sizeable area of open space. The area is also well serviced by local transit on McMurphy Avenue and the Brampton "GO" station is within close proximity. Therefore, it is staff's opinion that the proposal meets the locational requirements for apartment dwellings as identified in the Official Plan.

Policy 2.1.1.4.12 of the Official Plan addresses density increases in older residential areas:

"In older residential areas an increase in residential density may be considered where the scale and character of new residential buildings is compatible with the surrounding area and physical and community services are adequate."

The existing residential development surrounding the subject property is considered a well established residential area characterized by tall, mature trees. In this regard, Corby Crescent, the residential subdivision abutting the subject property to the south, was established through a plan of subdivision, Plan 622, registered in July, 1959. Therefore, the residential dwellings in the area are approximately 30 years old, indicating a relatively established residential area.

An important consideration in reviewing the proposal to increase the residential density, is the compatibility of new development with the surrounding land uses. In staff's opinion, the siting/orientation of these dwellings, particularly the apartment, is a factor in determining the compatibility with surrounding land uses. Staff believes that the siting and orientation of the apartment dwelling in the north-western portion of the site is the most suitable in minimizing impacts on surrounding properties for the following reasons:

- in recognition of the apartment's proximity to the CP Rail line, the south-westerly arm of the eight storey, 126 unit apartment dwelling functions, in part, as a noise abatement feature to the semi-detached dwelling units on Corby Crescent. This would not be achieved to the same extent, should the apartment dwelling be shifted eastward.
- the majority of the apartment dwelling is situated 38.0 metres (124.7 feet) from the mutual property line abutting the rear yards of approximately 10 semi-detached dwelling units to the south. This is considered as a significant setback.
- the 38.0 metre separation distance of the apartment dwelling from the southerly property line will enable appropriate tree preservation measures to be implemented for trees in this location. These existing trees can also act as a visual buffer.
- the shadow studies demonstrate that the apartment dwelling's orientation will have minimal impact on abutting residential properties.
- the townhouse dwellings located on lands to the north of the subject property are situated east of the proposed apartment dwelling and are therefore not directly impacted.

Since the 22 proposed townhouse dwellings will be 2 storeys high, and have standard 7.6 metre setbacks to the property lines, the impact of these units on abutting properties is expected to be negligible. It is therefore concluded that from the perspective of impacts on surrounding land uses, the scale and character of the dwellings can be supported in accordance with policy 2.1.1.4.12 of the Official Plan. Similarly, community services appear to be adequate in light of the comments made by the Community Services Department. In this respect, the proposal can be supported in principle from a land use planning perspective, provided appropriate development conditions are imposed.

Access to the subject property, regardless of scale or development type, is restricted to the existing 15.62 metre (51 foot) wide driveway at the north-east corner of the property to be shared with the Bi-Way site. This driveway is currently zoned "Service Commercial" by By-law 200-82, as amended and designated "Service Commercial" by the appropriate secondary plan. Since the driveway is part of the residential development proposal, and not the commercial Bi-Way site, the driveway should be zoned and designated accordingly. If the Bi-Way store is to continue to use the existing access in conjunction with the proposed residential development,

arrangements must be made to grant to Bi-Way, unencumbered access to McMurchy Avenue via the existing right-of-way identified as Part 2 on plan 43R-17643. In this regard, the limits of the mutual right-of-way must be extended westward to permit the existing driveway from the Bi-Way store, proper entry from said right-of-way.

In September 1990, the applicant applied to have the Bi-Way site severed from the remainder of the property (Land Division application "B"28/90B). Therefore, the retained land is the subject of this official plan amendment and zoning by-law amendment application while the severed land refers to the Bi-Way site. One of the conditions of severance approval pertained to the conveyance of a 3.05 metre road widening, to the City, along the McMurchy Avenue frontage for the severed and retained lands. As a result, the road widening off the access driveway is subject to the Land Division Committee condition.

With respect to internal circulation of pedestrians and vehicles, the Traffic Engineering Services Division suggests that the applicant explore a more suitable location for the underground access ramp recognizing that the majority of occupants in the apartment will be using the underground parking facility and much of the traffic could interfere with pedestrian movements. In this regard, details of the underground parking facility including the access ramp will be dealt with at the site plan approval stage. However, it is recommended that an on-site sidewalk be provided from McMurchy Avenue to the front entrance of the apartment dwelling to minimize any potential conflict between pedestrian and vehicular movements on the site.

Concerning parking, the applicant is proposing 249 spaces with the following characteristics:

- 40 visitor surface spaces (apartment and townhouse);
- 165 resident, apartment underground spaces, and
- 44 resident parking spaces for the 22 townhouses (1 in the garage and 1 on the private driveway).

Current parking standards for rental apartments and townhouses, including those spaces provided for visitors and recreation equipment spaces, as per By-law 200-82, as amended, requires a total of 239 parking spaces. Under these parking standards, the parking composition would be as follows:

- 36 visitor spaces (apartment and townhouse)
- 170 resident apartment spaces, and
- 34 resident townhouse parking spaces.

Under current rental parking standards, it is noted from the above, that the resident apartment parking spaces falls short by 5 spaces, whereas there is a surplus of 4 visitor spaces and 10 resident townhouse spaces . In accordance with Peel Non-Profit Housing's standard for resident parking spaces, which has been applied elsewhere in the City, only 152 spaces would be required for the resident apartment component (1.2 spaces per dwelling unit). Under this scenario, a surplus of 13 underground resident spaces are evident. Considering an overall surplus of 10 parking spaces for the proposal, staff is satisfied that the proposed number of parking spaces and distribution of spaces are adequate. As suggested by the Traffic Engineering Services Division, the driveway orientation of 4 of the townhouse dwelling units (8,9, 13 and 14) should be redesigned to allow a perpendicular intersection with the internal street. This redesign and the geometric parking layout can be further reviewed at the site plan approval stage.

The applicant has submitted a preliminary noise report in recognition of the proximity of the CP Rail line abutting the property to the west. In this respect, both staff and CP Rail have advised that warning clauses will be required in future lease agreements advising tenants of the railway's presence. While the applicant has indicated a 1.5 metre high chain link fence along the mutual property line with CP Rail, this provision does not meet the railway's or City's requirements. CP Rail requires a 2.0 metre high berm with side slopes not steeper than 2.5 to 1.0, to be situated entirely within the site and that a 1.8 metre high chain link fence be provided on the mutual property line. The Urban Design and Zoning Division requires a 1.8 metre high acoustical precast concrete fence on top of the berm. Therefore, the precast concrete fence shall be provided on top of the 2.0 metre high berm and a 1.8 metre high chain link fence along the mutual property line with CP Rail. Dwelling units must also be constructed to meet noise level criteria of the Ministry of the Environment.

The 2.0 metre high berm at the recommended slope occupies a 10.0 metre wide strip from the common boundary with CP Rail. While there is sufficient area to accommodate the berm, staff questions whether the proposed underground parking structure could withhold the carrying load associated with the berm feature recognizing the close proximity of the underground parking structure to the mutual property line. In this respect, details of the underground parking structure will be reviewed at the site plan approval stage and revisions can be made accordingly. In any event, the underground parking structure should be located at least 1.5 metres from all property lines. Where parking facilities abut the southerly property boundary, surface parking and paved areas shall be setback a minimum of 5.0 metres and underground parking, a minimum of 8.0 metres. Consequently, a landscaped open space

area will be created along the south property boundary and the rear yards of the dwellings on the north side of Corby Crescent will abut the rear yards of the proposed townhouse dwellings. This landscaped open space area along the south property line will also assist in tree preservation features.

Concerning fencing of the property, it has already been determined by the Urban Design and Zoning Division that a brown precast concrete fence be provided on top of the berm. The south and north property boundaries shall also contain this type of fence in addition to the area where the townhouses abut the parking area of the Bi-Way site. It has been further recommended by the Urban Design and Zoning Division that the existing concrete fence on the Bi-Way site be removed and replaced with a brown precast concrete fence as specified on the approved site plan (File: SP90-19). The fence replacement shall occur prior to the enactment of the zoning by-law for the subject property, to the satisfaction of the Commissioner of Planning and Development.

The amount of landscaped area proposed, (59%), is generally consistent with the zoning standard of 60%. Consistent with other zoning standards, the proposed lot coverage, based on the concept site plan, is 20.6 percent whereas the maximum permitted in the zoning by-law is 25 percent and the maximum floor space index is 1.0 whereas 0.89 is proposed. The applicant will be required to submit landscape and fencing plans to the satisfaction of the City, prior to site plan approval. The approved site plan shall also identify the waste disposal facilities.

In light of the foregoing, the subject proposal can be supported from a land use planning perspective subject to appropriate development conditions.

8.0 RECOMMENDATION

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

- A. A Public Meeting be held in accordance with City Council procedures.
- B. Subject to the results of the Public Meeting, staff be directed to prepare the appropriate documents for the consideration of City Council, subject to the following conditions:
 1. An amendment to the secondary plan will designate the subject lands "High Density Residential" and shall include the establishment of appropriate development policies in recognition of the surrounding land uses. The existing definition of "High Density Residential" as contained in the secondary plan will be maintained.

2. Prior to the enactment of the site specific zoning by-law, the applicant shall replace the existing grey precast concrete fence abutting the Bi-Way site with a brown precast concrete fence to the satisfaction of the Commissioner of Planning and Development.
3. The site specific zoning by-law shall contain the following:
 - (a) The property shall only be used for the following purposes:
 - i) Residential
 - a non-profit apartment dwelling;
 - non-profit townhouse dwellings;
 - ii) Non Residential
 - purposes accessory to the other permitted purposes.
 - (b) The minimum lot width shall be 15.0 metres.
 - (c) The minimum front yard depth shall be:
 - i) 170 metres for an apartment dwelling; and
 - ii) 70 metres for a townhouse dwelling.
 - (d) The minimum side yard width shall be:
 - i) 7.6 metres for a townhouse dwelling; and
 - ii) 18.0 metres for an apartment dwelling abutting an R2A zone and 9.0 metres where it abuts an R4A zone.
 - (e) The minimum rear yard depth shall be 15.0 metres.
 - (f) The maximum building height shall be:
 - i) 8 storeys for an apartment dwelling; and
 - ii) 2 storeys for a townhouse dwelling.
 - (g) The maximum lot coverage shall be 21 per cent of the lot area.
 - (h) The maximum floor space index shall be 0.9.

- (i) The minimum landscaped open space shall be 59 per cent of the lot area including a continuous 5.0 metre wide landscaped open space area along the south property line.
 - (j) The maximum number of dwelling units for an apartment dwelling shall be as follows:
 - 27 - 1 bedrooms
 - 79 - 2 bedrooms
 - 20 - 3 bedrooms
 - (j) The maximum number of dwelling units per townhouse dwelling shall not exceed 8.
 - (k) The maximum number of townhouse dwelling units shall be as follows:
 - 18 - 3 bedrooms
 - 4 - 4 bedrooms
 - (l) The minimum number of on-site parking spaces shall be 249 including a minimum of 40 surface spaces for visitors and a minimum of 2 parking spaces for each townhouse dwelling unit.
 - (m) The underground parking garage shall be located no closer than 1.5 metres from any property line and 8.0 metres from the south property line.
4. Development of the site shall be subject to a development agreement and the development agreement shall contain the following:
- (a) prior to the issuance of a building permit, a site development plan, a landscape and fencing plan including a tree survey, elevation cross section drawings, a grading and drainage plan, an engineering and servicing plan, a road work, parking areas and access ramp plan and a fire protection plan shall be approved by the City and appropriate securities shall be deposited with the City to ensure implementation of these plans in accordance with the City's site plan review process;
 - (b) the applicant shall agree to use the property for non-profit housing purposes only;

- (c) the applicant shall agree that all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and properties;
- (d) the applicant shall make satisfactory arrangements with the City, including the payment of all costs, to obtain the necessary land to facilitate access to the subject site and shall agree to grant to the Bi-Way store owner, unencumbered access to McMurchy Avenue to the satisfaction of the Commissioner of Public Works and Building prior to the issuance of building permits;
- (e) the applicant shall agree to pay cash-in-lieu of parkland conveyance in accordance with City policy in an amount applicable for the development;
- (f) the applicant shall agree to provide a brown precast concrete fence along the north and south property boundaries and the area separating the westerly limit of the Bi-Way site from the subject property to the satisfaction of the Commissioner of Planning and Development;
- (g) the applicant shall agree to provide sufficient soil depth over the underground parking structure to facilitate tree planting to the satisfaction of the Commissioner of Planning and Development;
- (h) the applicant shall agree to insert warning clauses on all future lease agreements within the project warning of the Railway's presence and that the Railway will not take responsibility for complaints as a result of noise, vibration, air quality etc.
- (i) the applicant shall agree that any proposed utilities under or over CP Rail property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement;
- (j) the applicant shall agree that there shall be no increase or change in the direction of natural drainage affecting CP Rail property without first obtaining written consent from the Railway;
- (k) the applicant shall agree that dwellings must be constructed such that interior noise levels meet the criteria of the appropriate Ministry;

- (l) the applicant shall agree to construct and maintain, a 1.8 metre high chain link fence along the common property line of the Railway and development, at the developer's expense, to the satisfaction of the Railway;
- (m) the applicant shall agree to construct and maintain a 2.0 metre high berm with side slopes not steeper than 2.5 to 1 on the applicant's property, parallel to the railway right-of-way to the satisfaction of the Railway and the City;
- (n) the applicant shall agree to construct and maintain a 1.8 metre high, brown, precast concrete fence on top of the berm referred to in condition B.4(m) above to the satisfaction of the City;
- (o) the applicant shall agree to finalize the noise impact study prior to site plan approval;
- (p) the applicant shall agree that apartment dwelling units facing the railway be fitted with sleeves through the exterior wall to receive room air conditioning units to the satisfaction of the City, if railway noise becomes a problem during night-time hours in the future;
- (q) the applicant shall agree to convey a 3.05 metre road widening along the McMurphy Avenue frontage where it abuts the site in accordance with the Land Division Committee's decision dated September 11, 1990 respecting application "B"28/90B;
- (r) the applicant shall agree to obtain all necessary clean-up approvals from the Ministry of the Environment under Section 45 of the Environmental Protection Act and further that the clean-up operations as identified in the "Trow Report, Project MS-00014/G4557-S/G, October 31, 1990 and as commented upon in a letter by the Ministry of the Environment dated November 14, 1990 have been complied with, prior to the issuance of building permits;
- (s) the applicant shall agree that the site plan shall illustrate a 1.5 metre wide sidewalk from the McMurphy Avenue frontage to the main entrance of the apartment dwelling;

- (t) the applicant shall agree to pay all applicable City and Regional levies in accordance with the City's and Region's Capital Contribution policies.

Respectfully submitted,

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

AGREED:

John A. Marshall
John A. Marshall, M.C.I.P.
Commissioner of Planning
and Development

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

KA/834884ontario

A P P E N D I X A

The Peel Board of Education has advised they have no objection to the further processing of the application.

"The anticipated yield from this plan is as follows:

41	JK-5
16	6-8
23	9-OAC

The students generated are presently within the following attendance areas:

	<u>Enrol.</u>	OME <u>-10%</u>
McHugh P.S. JK-5	310	278
Centennial Sr. 6-8	546	400
Brampton Centennial S.S. 9-12/OAC	1503	1484

The foregoing comments apply for a two year period, at which time updated comments will be supplied upon request."

The Dufferin-Peel Roman Catholic Separate School Board advises:

"Elementary separate school students generated from the application shall attend St. Mary and secondary students shall attend Cardinal Leger in Brampton. The student yield generated from the 126 apartment, and 22 townhouse units would produce approximately 29 Junior Kindergarten to Grade 8 and 9 Grades 9-12/OAC separate school students.

Please be advised that since this proposal is for affordable housing units (Peel Non-Profit), the separate school board has no comments or objections to the finalization of this official plan amendment."

The Public Works Department of the Region of Peel has advised as follows:

"Sanitary: 300mm sanitary sewer located on McMurchy Avenue.

Water: 300mm watermain located on McMurchy Avenue

Roads: Regional roads not directly affected."

With regard to soil conditions, the following comments have been received from the Waste Management Division:

"We have received the "Environmental Assessment and Clean-Up Program" report prepared by Trow Geotechnical Limited, dated October 31, 1990. We have reviewed this document and the following is a summary on the status of the subject lands as of October 31, 1990.

From spring of this year to the present, Trow Geotechnical Limited has performed an Environmental Assessment on 57 McMurchy Avenue in Brampton. It was found that the lands were first used by various rubber manufacturers; and from 1937 to the late 1950's was used for tannery operations.

There are two main areas of concern:

- 1) Lands occupied by the former tannery and building additions:
 - o consisting of fill contaminated with organics, tar, ash, wood, asphalt, brick and concrete rubble
 - o depth of fill approximately .6m to 1.2m.
- 2) Lands containing sediment basins for tannery effluents
 - o containing shallow basins with a black malodorous sludge (manure/sewage smell)
 - o limited areas with a grey/white by product

Transition between sludge and natural soils is easily identified. Total contaminated fill is approximately 4500m³.

A clean-up protocol has been recommended and the Ministry of the Environment (MOE) has provided their comments (see attached letter of November 14, 1990). They have indicated that they are in general agreement with the proposed clean-up procedures.

The Region of Peel had no records, to date, indicating that the subject lands had been used for the disposal of wastes. The MOE letter of November 14, 1990, clearly indicates that wastes have been deposited on site. We have no objection to this application, provided that requirements of Section 45 of the Environmental Protection Act have satisfied the MOE and further that the clean-up operations as identified in the "Trow Report, Project MS-00014/G4557 - S/G, October 31, 1990; and as subsequently commented upon in the MOE letter dated November 14, 1990 to Ronto Development Corporation, have been complied with."

The Ministry of the Environment's letter dated November 14, 1990, as identified above, reads as follows:

"This will acknowledge receipt of your report dated October 31, 1990, entitled "Environmental Assessment and Clean-up Program, 57 McMurchy Avenue, Brampton, Ontario."

We have reviewed this document and request the following information:

Specific details, prior to the removal of the sediment sludges as referenced on Page 11 Section C Item 6, on the "Special Protocols" which will be used to handle this odorous material. In addition to submitting this information, we recommend that the residents of the nearby homes which could potentially be affected by odours from this clean-up, be advised that slight odours may be experienced during designated hours. This may eliminate any problems that could be associated with an unexpected presence of unidentified odours. Also, all activity should cease if odour complaints are received.

Confirmation that arrangements have been made with Peel's Britannia Road landfill to receive this waste.

Documentation that the site has not been used for the disposal of wastes within a period of twenty-five (25) years from the year in which the land ceased to be used. This is required in accordance with the requirements of Section 45 of the Environmental Protection Act, since wastes have been deposited on site at this property.

We agree with the direction proposed in the report for the cleanup measures should the above concerns be addressed to our satisfaction. Furthermore, we also request that a schedule be provided with information on the date and time of the activities to take place during the cleanup. This will allow for inspections from our office throughout the cleanup stages."

A further letter dated January 18, 1991 from the Ministry of the Environment reveals the Ministry is satisfied with the proposal and will continue to monitor the project till the clean-up measures are complete.

CP Rail has commented as follows:

"We have reviewed the plan submitted with your letter of October 16, 1990 concerning the above noted proposed Official Plan Amendment and Zoning By-law and have no objection providing the following conditions are met:

1. Berm adjoining and parallel to the railway right-of-way:
 - a) minimum height of 2 metres and side slopes not steeper than 2.5 to 1.

2. A six foot high chain link fence be constructed and maintained along the common property line of the Railway and development by the developer, at his expense.
3. Setback of dwellings from the Railway right-of-way to be a minimum of 15 metres from the property line. Unoccupied buildings, such as garages may be exempted.
4. Dwellings must be constructed such that interior noise levels meet the criteria of the appropriate Ministry (Ministry of the Environment).
5. There shall be no increase or change in direction of the flow of natural drainage without written permission from the Railway.
6. Clauses to be registered on and run with the title of all properties within 300 metres of our right-of-way warning prospective purchasers of the Railway's presence and also that the Railway will not take responsibility for complaints as a result of noise, vibration, air quality, etc., generated by present and/or future operations.
7. Any proposed utilities under or over Railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement."

Credit Valley Conservation Authority

No comments have yet been received.

INTER-OFFICE MEMORANDUM

PC - April 15

Office of the Commissioner of Planning & Development

April 9, 1991

TO: The Chairman and Members of Planning Committee

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law
Part of Lot 4, Concession 1, W.H.S.,
Ward Number 4
834884 ONTARIO LIMITED (Peel Non-Profit)
Our File: C1W4.13

The notes of the Public Meeting held on Wednesday, March 20, 1991 with respect to the above noted application are attached for the information of Planning Committee.

The members of the public in attendance expressed concern over the following matters:

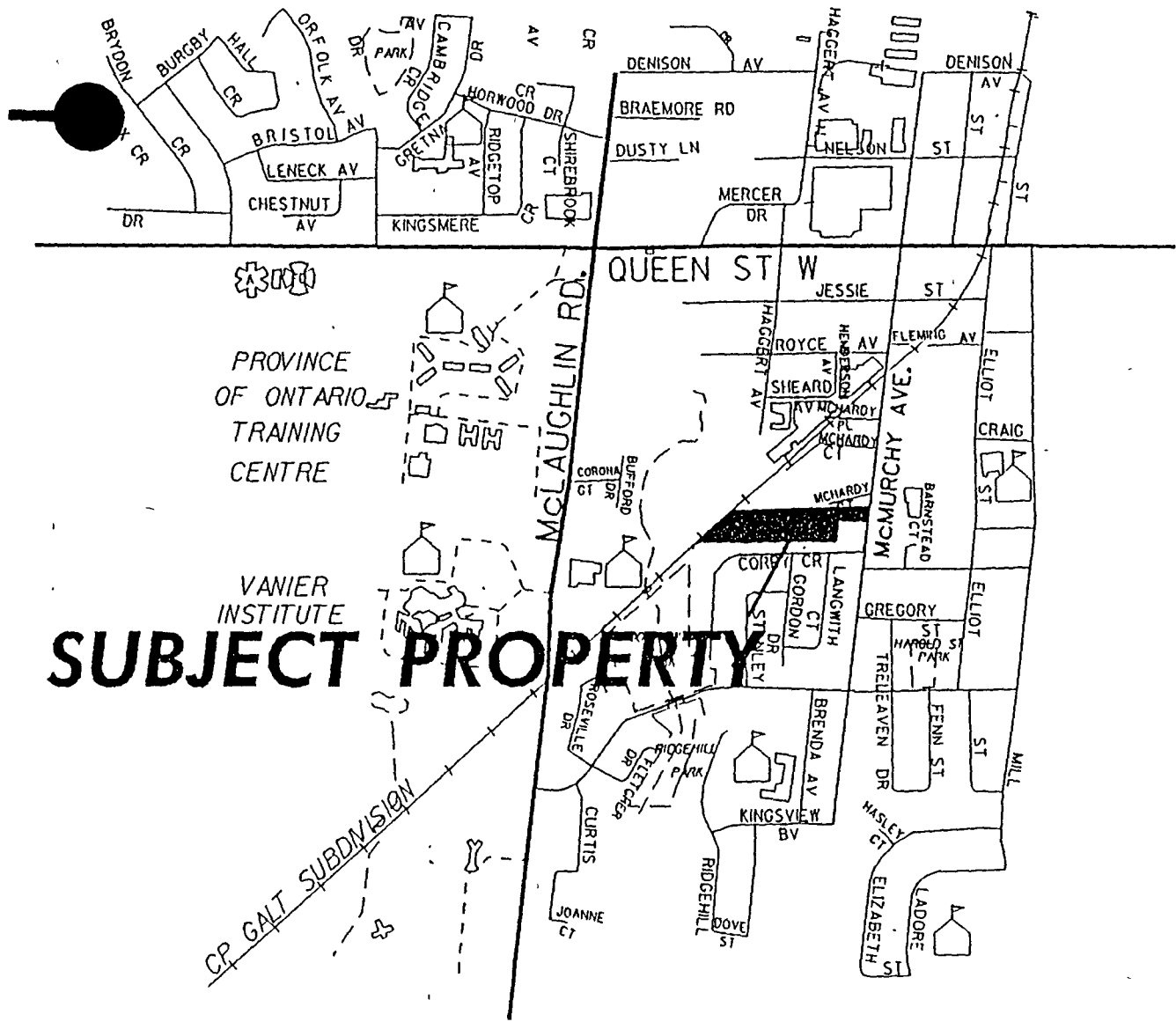
- the building height of 8 storeys is excessive and 6 storeys is more suitable;
- the proposed density is too high;
- the impact on existing schools;
- a traffic survey should be undertaken prior to approval, and
- a lack of recreational facilities in the area to support the development.

One letter has been received from an area resident. In addition, comments have now been received from the Credit Valley Conservation Authority, and the applicant has requested a number of adjustments to the conditions contained in the previous planning report (copies attached).

Staff have reviewed the concerns raised, at the meeting, and have commented on each as follows:

Building Height/Density

In reviewing the appropriateness of the apartment dwelling's height and density, staff considered the proposal's compatibility with the surrounding residential land uses, in accordance with policy 2.1.1.4.12 of the Official Plan. This policy addresses density increases in older residential areas as follows:



SUBJECT PROPERTY

LOCATION MAP

834884 ONTARIO LTD.



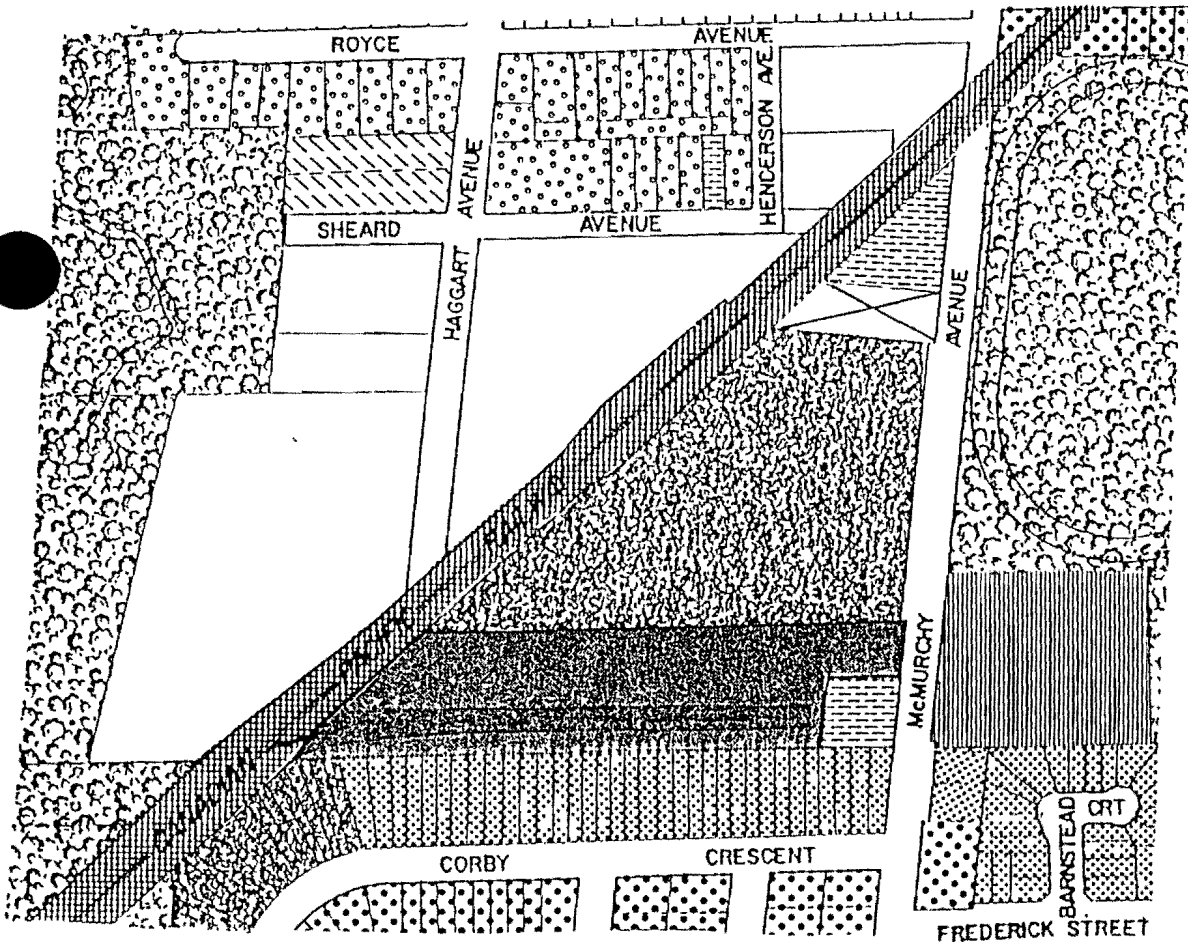
CITY OF BRAMPTON
Planning and Development

Date: 9/10/30












Drawn by: JK

File no. CIW4.13

Map no. 59-60A



LEGEND

- | | |
|---|---|
|  SUBJECT PROPERTY |  TOWNHOUSES |
|  INDUSTRIAL |  SINGLE FAMILY/MULTIPLE UNIT RESIDENTIAL |
|  COMMERCIAL |  SEMI-DETACHED RESIDENTIAL |
|  RECREATIONAL COMMERCIAL |  SINGLE FAMILY RESIDENTIAL |
|  INSTITUTIONAL |  APARTMENTS |
|  TRANSPORTATION | |

334884 ONTARIO LIMITED



CITY OF BRAMPTON

Planning and Development

Date: 1991 03 28 Drawn by: CJK

File no. CIW4.13 Map no. 59-60F

Land Use Map

1:4000

"In older residential areas an increase in residential density may be considered where the scale and character of new residential buildings is compatible with the surrounding area and physical and community services are adequate."

The characteristics of the neighbourhood are indicators of an older residential area. The residential subdivision abutting the property to the south on Corby Crescent is comprised of semi-detached dwellings and townhouses and have been in existence for approximately 30 years. Few of the residential units contain garages and those that do, have detached garages. The area is further characterized by large mature trees and above ground telephone wires, typically associated with older residential areas.

While staff acknowledges that a 8 storey building height will be the highest in the area, height is not the only factor that must be used to review the suitability of the subject proposal in relation to compatibility with the surrounding area. In this regard, the term compatible was defined in a relatively recent Ontario Municipal Board Hearing (OMB File: C890523) as:

"being mutually tolerant and capable of existing together in the same area. Being compatible is not the same thing as being the same as. Being compatible is not even the same thing as being similar to. Being similar to means having a resemblance to another thing; they are like one another, but not identical. Being compatible with means nothing more than being capable of coexisting in harmony...A new proposal is compatible with an existing area when the character traits of the proposal do not cause unacceptable adverse impact on the prevailing character of the area...the impact assessment should involve the consideration of the effect of the proposal on nearby properties in terms of privacy, views, shadow, noise and the intensity of activities."

In light of the above, staff believes that the apartment's building height of 8 storeys and the overall density of the proposal at 40.0 units per acre is compatible with the surrounding land uses for the following reasons:

Firstly, while the proposed building height is 8 storeys, considerable privacy will be afforded to the abutting semi-detached and townhouse properties without obstructing views to a significant degree. The majority of the apartment dwelling is situated 38.0 metres (124.7 feet) from the mutual property line abutting the rear yards of approximately 10 semi-detached dwelling units to the south. This is considered a significant setback affording privacy by virtue of building separation between the apartment dwelling and the semi-detached dwellings. Furthermore, the 38.0 metre separation distance will enable appropriate tree preservation measures to be implemented for the tall trees located along the south property boundary, thereby providing privacy in the form of a visual screen. An opportunity for

further landscaping and screen fencing also exists in this location. Eliminating two storeys and 30 dwelling units, will not affect this separation distance. Consequently, staff are of the opinion that the removal of two storeys or 30 dwelling units will not have a significant impact on improving privacy to the residential area to the south. Since the abutting townhouse project to the north is sited primarily to the east of the proposed apartment dwelling, these units will not be directly impacted, and therefore, reduction of privacy and obstruction of views are not considered to be significant. In addition, the overall character of the area will be maintained if the siting of the apartment dwelling, as proposed, is directed towards the rear of the property, approximately 170.0 metres (557.7 feet) from McMurchy Avenue as it will not dominate the streetscape. In terms of both privacy and views, the building height and density of the proposal, in the opinion of staff, will not alter the character of the area and is therefore considered compatible with the surrounding area.

Secondly, with respect to shadows, the shadow study undertaken by the applicant demonstrates that the apartment dwelling's orientation on the property and the configuration, or design, of the structure will have minimal impact on abutting properties, even with a building height of 8 storeys and at the proposed density. Any shadows cast on the semi-detached dwellings, as a result of the apartment dwelling, will be negligible due to their location south of the subject land and as the existing trees along the mutual property boundary also cast shadows. Reducing the apartment's building height and the density, will not have a significant impact on the shadowing aspect from a compatibility viewpoint.

Thirdly, concerning noise pertaining to building height and density, staff note that residential developments, from a noise abatement perspective, are not considered noise generators. The potential noise source relating to the proposed development is rail or road noise. In terms of potential adverse impacts on surrounding properties, the apartment dwelling itself will facilitate, in part, in mitigating noise problems of abutting residential properties due to its proximity to the C.P. Rail line. The association of building height and density with noise concerns is irrelevant in this case.

Fourthly, the proposal must consider the intensity of activities on the site as it affects the surrounding area. Staff has carefully evaluated the applicant's request to redesignate the lands from medium density residential to high density residential. Staff is satisfied that the higher form (8 storey) development is not expected to be any more obtrusive than a lower (6 storey) development. In this regard, the 8 storey apartment, with the townhouse component, can provide a significant amount of on-site landscaped open space (59% of the lot area) which would not necessarily be associated with a lower form of development, such as additional townhouses. In addition, the provision of underground parking for the residents of the apartment component assists in maintaining a large area of landscaped open space and minimizes the visual impact of vehicles parked on the site.

In response to the suggestion made at the Public Meeting, the applicant has reviewed the possibility of redistributing approximately 30 dwelling units from the upper two storeys of the apartment to other floors which would expand the building envelope or building's footprint. If this approach is followed, the applicant has indicated that the units will not fit on the site and that significant amounts of landscaping would be lost as a result. From the applicant's point of view, to completely eliminate 30 dwelling units (ie. build 118 units instead of the proposed 148) would make the project economically unviable due to the financial aspects associated with the environmental clean up of the property as required by the Ministry of the Environment. It is staff's opinion that there are no inherent advantages in reducing the height and number of units at the expense of decreased landscaped open space areas.

The intensity of use (40.4 dwelling units per acre) can be further supported, recognizing the various characteristics of the subject property. Since the site is long and narrow, the design and siting of the apartment component on the site will not be obtrusive, or overpower the neighbourhood. Any further applications in the area for residential density increases must be reviewed on their own merits in the context of policies contained in the approved secondary plan for the area and the Official Plan. Each proposal's characteristics must be evaluated in the context of compatibility with surrounding land uses. In this case, it is staff's opinion that the subject proposal is capable of coexisting in harmony with the existing uses in the surrounding area.

With respect to the ongoing Queen Street Corridor Study (Brampton Central Commercial Corridor Study Secondary Plan), staff note that the subject proposal, which was submitted in August, 1990, was reviewed and the staff report was prepared on the basis of the May 1990 Queen Street Corridor interim report, in which the subject lands were not included within the study area. Therefore, policies contained in the interim corridor study did not apply to the subject lands. However, the Brampton Central Commercial Corridor Study Secondary Plan final draft dated, February 1, 1991, which will be considered by Planning Committee and City Council concurrently with this proposal, identifies the subject property within the study area as Medium Density Residential which would permit anywhere from 20 to 35 dwelling units per acre. As stated previously, the subject proposal was considered in light of the existing and approved secondary plan and Official Plan. Staff reviewed this application on its own merits and regardless of the designation contained in the final draft of the corridor study, staff continues to be of the opinion that the proposal is suitable for the subject site. In view of this and since the corridor study does not have an approved status, staff recommend that the application be approved at the height and density submitted and that the corridor study, as it relates to the subject property, be amended to reflect a density of 40.44 dwelling units per acre and a maximum building height of 8 storeys for the purposes of Peel Non-Profit Housing.

Schools

Reference has been made by the public that:

- 81 junior elementary students
- 26 senior elementary students
- 30 secondary school students

would result from the project, representing a total of 137 students. Staff's review of the two school boards' comments, reveals that there is an anticipated yield of 86 junior kindergarten to grade 8 and 32 grade 9 to OAC, for a total of 118 students. Despite this difference in number of students, both school boards have no objection to the proposal.

Traffic Survey/Parking

The subject proposal was reviewed by the City's Traffic Engineering Services Division of the Public Works and Building Department and no indication was made that a traffic survey is required. The public has stated that they were advised that a traffic survey would be done. Staff has no knowledge of the source of this information and discussions with the applicant indicate no such study was envisaged.

With respect to parking, the applicant is proposing parking spaces in keeping with the requirements of the zoning by-law for the area. Consequently, a lack of parking spaces is not expected.

Recreational Facilities

There has been no indication by the Parks and Recreation Division of the Community Services Department that there is a problem with the proposal as it relates to recreational facilities in the area. As with all residential developments, where parkland is not being conveyed to the City, a cash-in-lieu of parkland is required.

The letter dealing with the subject proposal is from Jas Stapleton of Langwith Court and includes a sketch for development of the property. A copy of this letter has been forwarded to the applicant. Staff have reviewed the merits of the application as submitted by the applicant and find it satisfactory. The concept submitted with the above noted letter does not appear to reflect the type of uses proposed by the applicant.

The recent correspondence received from the Credit Valley Conservation Authority pertains to decommissioning of the site and requests a specific condition of development approval dealing with the same. The City's Development and Engineering Services Division has also requested an additional condition pertaining to storm drainage. Both of these new conditions have been incorporated into the recommendations to follow.

The applicant has requested amendments to the previous conditions of approval in order to provide a degree of flexibility at the construction stage. These amendments are summarized as follows:

- that the minimum setback of the apartment dwelling be reduced from 170.0 metres to 160.0 metres from McMurchy Avenue and 18.0 metres to 16.0 metres from the south property boundary;
- that the townhouse setbacks be reduced from 7.6 metres to 7.5 metres;
- that the maximum lot coverage be increased from 21% to 23% and that the maximum floor space index be increased from 0.9 to 1.0;
- that the minimum landscaped open space area be reduced from 59% of the lot area to 55% of the lot area;
- that the distribution of dwelling units be represented in terms of percentage ranges rather than fixed numbers as follows:

apartment:

1 bedroom units	15 to 40%
2 bedroom units	40 to 70%
3 bedroom units	10 to 30%

to a maximum of 126 dwelling units;

townhouse

3 bedroom units	20 to 80%
4 bedroom units	20 to 80%

to a maximum of 22 dwelling units;

- that the underground parking garage setback be reduced from 8.0 metres to 7.5 metres.

With respect to the first item, staff has no objection to reducing the apartment's setback to McMurchy Avenue from 170.0 metres to 160.0 metres, provided the integrity of the concept site plan, regarding the siting and orientation of the apartment dwelling, is maintained. The applicant has demonstrated to staff through shadow studies, that shadows cast by the 8 storey apartment on abutting properties will be minimal. The orientation of the apartment dwelling on the

property is a significant factor in minimizing any adverse impact on the surrounding area. Consequently, staff recommend that the site specific zoning by-law contain a schedule which will show a building envelope, for the apartment dwelling, to reflect setbacks as follows:

- 160.0 metres to McMurphy Avenue;
- 16.0 metres to the south property boundary with the majority of the dwelling set back 38.0 metres from this boundary;
- 15.0 metres to the CP rail line, and
- 9.0 metres to the north property boundary.

No significant impact is expected by reducing the townhouse setbacks from 7.6 metres to 7.5 metres and since standard townhouse zones require rear yard setbacks of 7.5 metres, staff has no objection to this request.

In order to provide some flexibility at the construction stage and in order to accommodate dwelling unit sizes to standards of the Peel Non-Profit Housing Corporation, minor adjustments have been requested to the maximum gross floor areas and floor space index. Staff recognizes that standard apartment zones permit a maximum floor space index of 1.0. If these adjustments are approved, they will not increase the unit density or building height of the proposal. On this basis, staff has no objection to these requested amendments.

Regarding landscaped open space, staff has a concern about relaxing the provision from 59 per cent of the lot area to 55 per cent. The standard apartment zone requires a minimum landscaped open space of 60 per cent of the lot area. From a visual and aesthetics point of view, staff sees no justification in reducing this standard further. If the amount of road and parking areas (i.e. asphalt areas) are minimized through the detailed site design, then a minimum landscaped open space area of 59 per cent of the lot area should be achievable. In this regard, staff has maintained that this higher form of density can provide a greater degree of landscaped open space than that associated with a lower form of development. Staff recommend that the minimum landscaped open space area be maintained at 59 per cent of the lot area.

Concerning the distribution of dwelling units for the apartment and townhouse dwellings, staff's concern relates to the number of parking spaces which will be provided for each type of unit. Since the standards of the zoning by-law, respecting parking space requirements, are calculated based on the number of bedrooms contained in each type of dwelling, any alteration to the distribution of bedroom units, alters the number of required parking spaces respectively. Therefore, staff has no objection to deleting the reference to the number of bedrooms contained in each dwelling type, provided the parking standards of By-law 200-82, as amended, are maintained. Accordingly, it

is suggested that the amending by-law be structured to accommodate an apartment dwelling with a maximum of 126 dwelling units and 22 townhouse dwelling units; that all required visitor parking be provided at grade and that resident parking for the apartment component be provided underground.

With respect to the request to reduce the setback of the underground parking structure from the south property boundary from 8.0 metres to 7.5 metres, it is staff's opinion that tree preservation measures could be jeopardized as a result. The Urban Design and Zoning Division have requested the 8.0 metre setback in an attempt to retain existing trees in this location without severing their roots. Staff cannot recommend a reduction to this setback.

IT IS RECOMMENDED THAT Planning Committee recommend to City Council that:

A. The notes of the Public Meeting be received

B. The application be approved subject to the following conditions:

1. An amendment to the secondary plan will designate the subject lands "High Density Residential" and shall include the establishment of appropriate development policies in recognition of the surrounding land uses. The existing definition of "High Density Residential" as contained in the secondary plan will be maintained.
2. Prior to the enactment of the site specific zoning by-law, the applicant shall replace the existing grey precast concrete fence abutting the Bi-Way site with a brown precast concrete fence to the satisfaction of the Commissioner of Planning and Development.
3. The site specific zoning by-law shall contain the following:
 - (a) The property shall only be used for the following purposes:
 - i) Residential
 - a non-profit apartment dwelling;
 - non-profit townhouse dwellings;

ii) Non Residential

- purposes accessory to the other permitted purposes.
- (b) The minimum lot width shall be 15.0 metres.
- (c) A site plan schedule shall be included to show a footprint of the apartment dwelling with the following minimum setbacks:
- 160.0 metres to McMurchy Avenue;
 - 16.0 metres to the south property boundary for a corner of the building with the majority being set back 38.0 metres from this boundary;
 - 15.0 metres to the CP Rail line, and
 - 9.0 metres to the north property boundary.
- (d) The minimum front yard depth shall be 70 metres for a townhouse dwelling.
- (e) The minimum side yard width shall be 7.5 metres for a townhouse dwelling.
- (f) The minimum rear yard depth shall be 15.0 metres.
- (g) The maximum building height shall be:
- i) 8 storeys for an apartment dwelling; and
 - ii) 2 storeys for a townhouse dwelling.
- (h) The maximum lot coverage shall be 23 per cent of the lot area.
- (i) The maximum floor space index shall be 1.0.
- (j) The minimum landscaped open space shall be 59 per cent of the lot area and shall include a continuous 5.0 metre wide landscaped open space area along the south property line.
- (k) The maximum number of dwelling units for an apartment dwelling shall not exceed 126.
- (l) The maximum number of dwelling units per townhouse dwelling shall not exceed 8.
- (m) The maximum number of townhouse dwelling units shall not exceed 22.

- (n) The underground parking garage shall be located no closer than 8.0 metres from the south property line and 1.5 metres from any other property line.
 - (o) All visitor parking spaces for the townhouse dwellings and apartment dwelling shall be located on grade.
 - (p) All resident parking spaces for the apartment dwelling shall be provided underground.
 - (q) All parking shall be provided in accordance with By-law 200-82, as amended.
4. Development of the site shall be subject to a development agreement and the development agreement shall contain the following:
- (a) prior to the issuance of a building permit, a site development plan, a landscape and fencing plan including a tree survey, elevation cross section drawings, a grading and drainage plan, an engineering and servicing plan, a road work, parking areas and access ramp plan and a fire protection plan shall be approved by the City and appropriate securities shall be deposited with the City to ensure implementation of these plans in accordance with the City's site plan review process;
 - (b) the applicant shall agree to use the property for non-profit housing purposes only;
 - (c) the applicant shall agree that all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and properties;
 - (d) the applicant shall make satisfactory arrangements with the City, including the payment of all costs, to obtain the necessary land to facilitate access to the subject site and shall agree to grant to the Bi-Way store owner, unencumbered access to McMurphy Avenue to the satisfaction of the Commissioner of Public Works and Building prior to the issuance of building permits;
 - (e) the applicant shall agree to pay cash-in-lieu of parkland conveyance in accordance with City policy in an amount applicable for the development;

- (f) the applicant shall agree to provide a brown precast concrete fence along the north and south property boundaries and the area separating the westerly limit of the Bi-Way site from the subject property to the satisfaction of the Commissioner of Planning and Development;
- (g) the applicant shall agree to provide sufficient soil depth over the underground parking structure to facilitate tree planting to the satisfaction of the Commissioner of Planning and Development;
- (h) the applicant shall agree to insert warning clauses on all future lease agreements within the project warning of the Railway's presence and that the Railway will not take responsibility for complaints as a result of noise, vibration, air quality etc.
- (i) the applicant shall agree that any proposed utilities under or over CP Rail property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement;
- (j) the applicant shall agree that there shall be no increase or change in the direction of natural drainage affecting CP Rail property without first obtaining written consent from the Railway;
- (k) the applicant shall agree that dwellings must be constructed such that interior noise levels meet the criteria of the appropriate Ministry;
- (l) the applicant shall agree to construct and maintain, a 1.8 metre high chain link fence along the common property line of the Railway and development, at the developer's expense, to the satisfaction of the Railway;
- (m) the applicant shall agree to construct and maintain a 2.0 metre high berm with side slopes not steeper than 2.5 to 1 on the applicant's property, parallel to the railway right-of-way to the satisfaction of the Railway and the City;
- (n) the applicant shall agree to construct and maintain a 1.8 metre high, brown, precast concrete fence on top of the berm referred to in condition B.4(m) above to the satisfaction of the City;

- (o) the applicant shall agree to finalize the noise impact study prior to site plan approval;
- (p) the applicant shall agree that apartment dwelling units facing the railway be fitted with sleeves through the exterior wall to receive room air conditioning units to the satisfaction of the City, if railway noise becomes a problem during night-time hours in the future;
- (q) the applicant shall agree to convey a 3.05 metre road widening along the McMurchy Avenue frontage where it abuts the site in accordance with the Land Division Committee's decision dated September 11, 1990 respecting application "B"28/90B;
- (r) the applicant shall agree to obtain all necessary clean-up approvals from the Ministry of the Environment under Section 45 of the Environmental Protection Act and further that the clean-up operations as identified in the "Trow Report, Project MS-00014/G4557-S/G, October 31, 1990" and as commented upon in a letter by the Ministry of the Environment dated November 14, 1990 have been complied with, prior to the issuance of building permits;
- (s) the applicant shall agree that the site plan shall illustrate a 1.5 metre wide sidewalk from the McMurchy Avenue frontage to the main entrance of the apartment dwelling;
- (t) the applicant shall agree to pay all applicable City and Regional levies in accordance with the City's and Region's Capital Contribution policies.
- (u) the applicant shall agree to provide for the review and approval of the Credit Valley Conservation Authority, a detailed plan and report on the decommissioning of the subject site pursuant to the Ministry of the Environment's document, "Guidelines for the Decommissioning and Clean-up of Sites in Ontario". This report should indicate the means whereby contaminants and/or sediments shall be contained on-site during the decommissioning process.

(v) the applicant shall agree that the storm drainage must be discharged into a satisfactory outlet namely, Fletchers Creek located to the south of the site, and the developer shall grant to the City of Brampton, a 6.0 metre easement along the rear of the property for the construction and maintenance of a storm sewer to the satisfaction of the Commissioner of Public Works and Building.

C. That staff be directed to present the appropriate documents for Council's consideration.

D. That staff be directed to amend the land use designation pertaining to the subject property as contained in the Brampton Central Commercial Corridor Study - Secondary Plan Final Draft, February 1, 1991 from Residential Medium Density to a designation which appropriately recognizes the subject proposal for 148 dwelling units for non-profit housing purposes.

Respectfully submitted,

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

AGREED:

John A. Marshall
John A. Marshall, M.C.I.P.
Commissioner, Planning and
Development

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

/mlp/Ont834884Ltd.

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, March 20, 1991, in the Municipal Council Chambers, 4th floor, 2 Wellington Street West, Brampton, Ontario, commencing at 7:44 P.M., with respect to an application by 834884 ONTARIO LIMITED (Peel Non-Profit) (File: 4.13 - Ward 4) to amend both the Official Plan and the Zoning By-law to permit the construction of an 8 storey apartment dwelling and 22 townhouse dwelling units.

Members Present: Councillor Frank Russell (Chairman)
 Alderman Alan Gibson
 Alderman Malcolm Moore

Staff Present: J.A. Marshall, Commissioner
 Planning and Development Department

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

 Dave Ross, Manager, Planning and Development
 Kathy Ash, Development Planner
 Neal Grady, Development Planner
 Joanne Richardson, 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 newspaper.

Mr. Marshall replied in the affirmative, explaining that the originally scheduled meeting of March 6, 1991, had to be cancelled due the move to the New City Hall, thus making the mailing of the notifications late. The meeting had been rescheduled for March 20, 1991, and all notifications were hand delivered within the prescribed time period.

Approximately 28 members of the public were present.

Mrs. Ash 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.

Mr. Paul Graham, 27 Jessie Street, Chairman of the Ward 4 Citizens Advisory Committee approached the Committee with his concerns which were noted as follows:

1. The building height of 8 storeys is too high, and 6 storeys is more suitable to the neighbourhood;
2. The intensity of development with 126 unit apartment building and 22 townhouse units is too high for the size of the property;
3. A traffic survey on McMurphy Avenue should be done before any approval is given to the project; and
4. There is insufficient recreation facilities provided or easily accessible.

With regard to building height, it was noted that the neighbourhood consists mainly of single family dwellings with some townhouse units. On the north side of the McHardy Court complex, the 4 storey seniors building is the only multiple unit residential building in the immediate vicinity. To the north and west is a large amount of industrial land proposed for redevelopment if the Queen Street Corridor plan becomes a reality. An 8 storey apartment building would set a precedent for the lands.

With respect to density and height, it was suggested that reducing the height to 6 storeys, and removing approximately 30 apartments would decrease the density from slightly over 40 units per acre, to approximately 33 units per acre.

Mr. Graham reported that the total number of students had been estimated as 81 junior elementary students, 26 senior elementary students, and 30 secondary school students.

While The Peel Board of Education had advised of no objections, the potential number of students for the area Public Schools would be: McHugh - 41, Centennial - 16 and Brampton Centennial - 23. Details are included in the attached transcript.

Mr. Graham was informed that a traffic survey was not required for this zoning change, but would be done. He recommended that no approval be given to the project until such a survey had been completed and results made available to the Ward 4 residents. Reference was made to residents of McHardy Court using the curling club parking lot.

Concerning playgrounds, a lack of recreational facilities were noted. Particular reference was made to the fairgrounds, which is not public but is owned by the Agricultural Society.

Mr. Graham concluded by recommending that the development be scaled down to preserve the integrity and flavour of the neighbourhood.

Ms. Diana Koczka, 32 Barnstead Court, cited her concerns. One being the height of the apartment building setting a precedence for more in the vicinity. She suggested reducing the height of the building to 6 storeys and to stack the townhouses. Another concern was additional traffic, creating further congestion. She also questioned the inadequate number of visitor parking spaces.

Mrs. Ash explained that 40 surface visitor parking spaces are available for proposed development, consistent with visitor parking requirements for other developments.

presentation adjourned at 7:55 p.m.

The committee is aware that there is an immediate need for Non-Profit housing in the City of Brampton. In view of the present economic climate in Ontario, we realize that a project such as this will bring needed employment to our City. We are also aware of the excellent reputation of the Peel Non-Profit Housing Authority. The developer of Peel Non-Profit have met with the residents at least twice prior to tonight. We appreciate the efforts they have made to inform us of this development. However, there are a number of concerns that the CAC feels have not been adequately addressed; hence our appearance at this meeting tonight.

At our March 7, 1991 CAC meeting, the following motion was made and carried: (read motion)

"That the Ward 4 CAC expresses concern with the following development for the PNPFC housing development on the Bi-Way land, McMurphy Avenue:

1. the building height of 8 storeys is too high, and 6 storeys is more suitable to the neighbourhood;
2. the site density of a 126 units apartment and 22 townhouses is too high for the size of the property;
3. a traffic survey on McMurphy should be done before any approval is given to the project; and
4. there is not enough recreational or playgrounds provided or easily accessible for the proposed density."

I would like to briefly expand on these four points:

1. Building Height: The neighbourhood consists mainly of single family dwellings with some townhouse projects. At the north side of the McHardy Court complex, there is a 4 storey Seniors building. This is the only multiple unit residential building in the immediate vicinity. To the north and west, there is a large amount of Industrial Land that is proposed for redevelopment, when the Queen Street redevelopment plan becomes a reality. Our concern is the precedent that allowing an 8 storey building sets for these lands.

2. Site Density: By reducing the height of the apartment building to 6 storeys, approximately 30 apartments are eliminated reducing the density from slightly over 40 units/acre, to approximately 33 units/acre. This still exceeds the existing density by over 100%.

In regards to the schools, it has been estimated that

81 Junior Elementary Students
26 Senior Elementary Students
30 Secondary School Students

would come from this development. We are aware that The Peel Board of Education has no objections to this development at this time. The potential students for the area Public Schools would be:

McHugh:	41
Centennial:	16
Brampton Centennial:	23

At this time, McHugh has two (2) portables. Forty-one (41) extra students equals approximately 2 more classrooms. Centennial Senior has eight (8) portables and sixteen (16) extra students equals (one half) of a classroom. Brampton Centennial has two (2) portables and (23) students equals almost 1 more classroom space.

3. Traffic: We were informed that a traffic survey is not required for this zoning change, but would be done. At certain times, McMurchy Avenue is extremely busy. It is strongly recommended that no approval to this project be given until such a survey is completed and the results made available to the Ward 4 residents.

Parking is also a concern. At the present time, people from McHardy Court and The Bi-Way use the Curling Club parking lot. With the increased population in the area, we can only see this situation intensifying.

4. Playgrounds: The proposed development includes a small playground (tot lot). The closest public parks are at the end of Corby Crescent or Treleaven Park. Immediately across McMurchy Avenue is the fairgrounds. This land is not public but is owned by the Agricultural Society and as such they are free to do whatever they wish with it.

In closing, I would like to say that Ward 4 welcomes a development of this type but request that it be scaled down to preserve the integrity and flavour of the neighbourhood.



CONSERVATION THROUGH COOPERATION

MEADOWVALE, ONTARIO L0J 1K0

February 21, 1991

The City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

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

Dear Ms. Ash:

RE: Application to Amend the Official Plan
and Zoning By-law OPA 13/90 (SP90-19)
57 McMurphy Avenue
Part of Lot 4, Concession 1
834884 Ontario Ltd. (Peel Non-Profit/
Ronto Development Corporation)

We have now had the opportunity to review the above application and provide the following comments.

The subject property is characterized primarily by relatively flat open tableland and is traversed by a small swale which drains to Fletcher's Creek.

This Authority has concerns relating to erosion and sedimentation problems currently being experienced on the lower reaches of the Fletcher's Creek, due to increases in stormwater runoff as a result of upstream urban development. A comprehensive Stormwater Management Study prepared for this Authority in 1983 for the Fletcher's Creek South Secondary Plan District, identified that stormwater management would have to be implemented in the upstream areas, to mitigate post-development flows to pre-development levels within the newly developing areas North of Steeles Avenue.

In this regard, the Authority has adopted a policy, that requires the implementation of stormwater detention techniques, for storms up to and including the level of the 10 year, for all new development or redevelopment North of Steeles Avenue. This can be most appropriately dealt with at this site plan approval stage.

It should be noted that it is the general policy of this Authority to recommend that lands required for formal stormwater management facilities be appropriately zoned as 'Open Space' or 'Greenbelt', with dedication to the Municipality. On this basis, a further rezoning of a portion of the lands maybe required following the review and approval of the stormwater management submissions.

We are aware that de-commissioning of the site is required prior to development proceeding. As the site drains to the Fletcher's Creek, which is a short distance to the southwest, the Authority is concerned about the contaminants and/or sediments entering the Creek. It appears that the de-commissioning will occur in the near future and prior to final site plan circulation.

On this basis, we would not object to the approval of the subject Amendment and Rezoning subject to the following condition:

1. That a detailed plan and report on the de-commissioning of the subject site be provided to the Authority for our review and approval. In this regard, the plan should indicate the means whereby contaminants and/or sediments shall be contained on-site during the de-commissioning process.

Yours very truly,



M. J. Puddister
Senior Resource Planner
MJP/jh

cc: City of Brampton
Attention: Mr. L. T. Koehle
Commissioner Public Works & Bldg.

Peel Non-Profit Housing
Attention: Mr. Bruce Laird

Ministry of the Environment
Halton-Peel District Office
Attention: Mr. R. Adcock

City of Brampton
PLANNING DEPT.
Date DEC 07 1990 Rec'd
File No. ? C1104.13

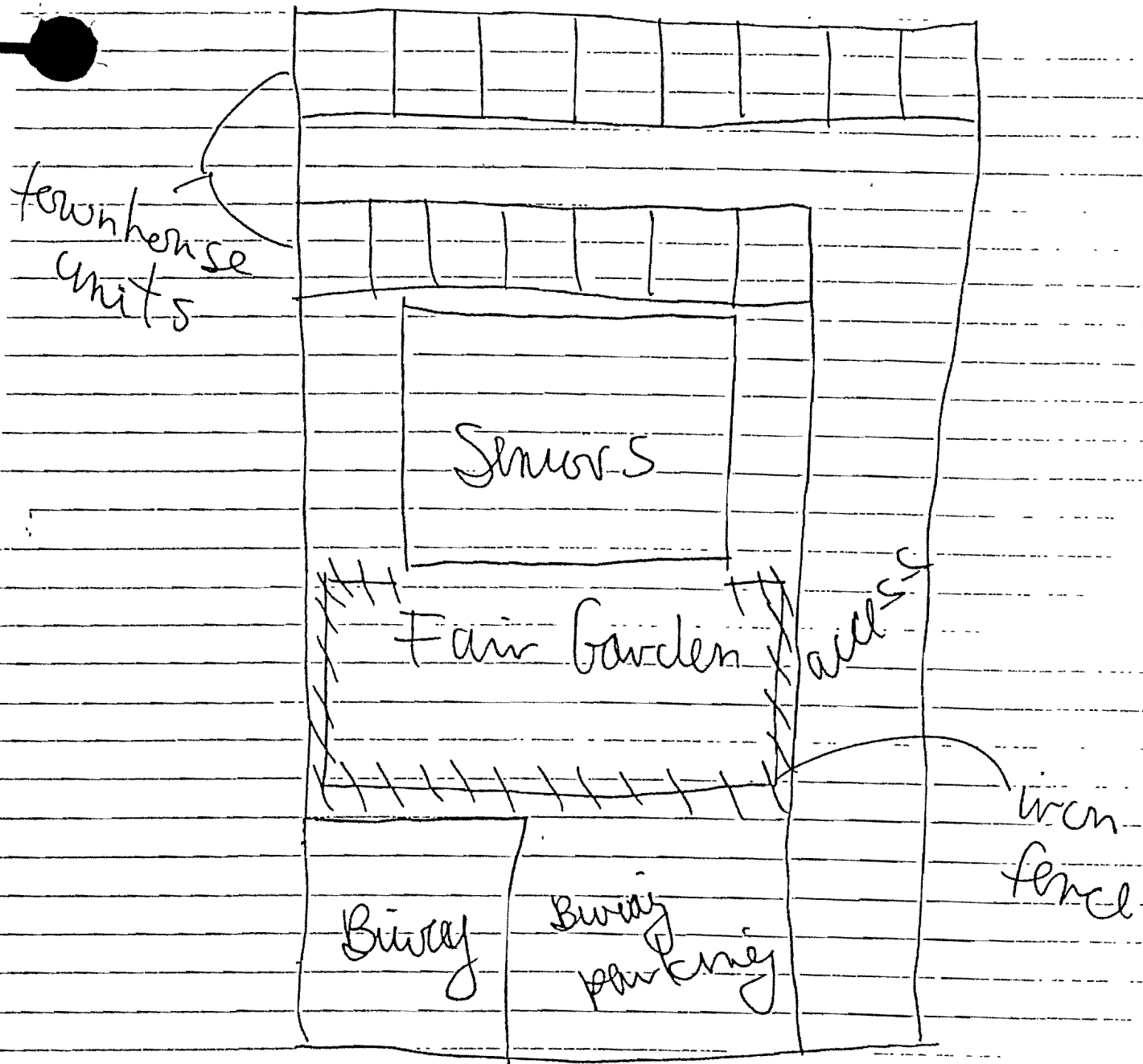
Dec 5/90
5 Leng with Cmts
Brampton, Ont.
L6Y 1Z9

John Marshall
City of Brampton
Planning Dept.
150 Central Park Dr.
Brampton, Ont.
L6T 2T9

Dear Mr. Marshall

I submit this drawing for
consideration in the development
of property off of Mc Murchy,
north of Corby, and opposite
the Fairgrounds.

Yours truly
Jas Stapleton



McMurchy