

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number184-90	
To adopt Amendment Number	185
and Amendment Number 185	A
to the Official Plan of the	e City
of Brampton Planning Area	-
-	

The Council of the Corporation of the City of Brampton, in accordance with the provisions of the <u>Planning Act, 1983</u>, hereby ENACTS as follows:

- 1. Amendment Number 185 and Amendment Number 185 A to the Official Plan of the City of Brampton Planning Area, are hereby adopted and made part of this By-law.
- 2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of Amendment Number 185 and Amendment Number 185 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 22nd

day of August

, 1990 .

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

DATE FOR

LEONARD J. MIKULICH - CLERK

13/90/jo

amendment number 185
to the Official Plan of the
City of Brampton Planning Area
and

AMENDMENT NUMBER 185 A
to the Consolidated Official Plan of the
City of Brampton Planning Area

21-0P 0031 185-1

Amendment Number 185 and 185A

to the

Official Plan

for the

City of Brampton

This amendment to the Official Plan for the City of Brampton Planning Area which has been adopted by the Council of the Corporation of the City of Brampton, is hereby modified under the provisions of Section 17 of The Planning Act as follows:

- 1. Section 3.0 Amendment and Policies Relative Thereto, Sub-section 3.2 Amendment Number 185A, Paragraph (2) is amended by modifying policies 3.7.1, 3.7.2 and 3.7.3 to read as follows:
 - "3.7 1. Prior to site plan approval, City
 Council will require that a noise
 study be prepared, by a qualified
 acoustical consultant, to the
 satisfaction of the Ministry of
 Environment, the Regional
 Municipality of Peel and the City of
 Brampton in consultation with the
 Canadian National Railways;
 - 2. City Council will require that the recommendations of the noise study, as approved by the Ministry of the Environment, the Regional Municipality of Peel and the City of Brampton in consultation with the Canadian National Railways shall be implemented by the development agreement between the City of Brampton and the proponent;

- 3(a) Prior to site plan approval, City
 Council will require that a
 Decommissioning and Site Clean-up
 study be completed to the
 satisfaction of the City of Brampton
 and the Ministry of the Environment,
 and that the site plan agreement
 contain provisions for the
 implementation of the recommendations
 of the approved study,
 - (b) Prior to the issuance of building permits, the City and the Ministry of the Environment shall be satisfied through notification in writing by the consultant that the site has been cleaned up in accordance with the approved Decommissioning and Clean-up Study, and
- (c) Prior to site plan approval, City Council will require that a Geotechnical Investigation Report be approved by the City of Brampton;".

As thus modified this amendment is hereby approved pursuant to Section 17 of The Planning Act, as

Amendment 185 and 185A to the Official Plan for the City of Brampton Planning Area.

Date: //9//02-//

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

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

this 22nd

day of August

, 1990 .

APPROVED AS TO FORM LAW DEPT. BRAMPTON

FRANK RUSSELL ACTING MAYOR

LEONARD J. MIKULICH - CLERK

13/90/jo

CERTIFIED A TRUE COPY

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AUG 2 9 1990

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AMENDMENT NUMBER 185

AND

AMENDMENT NUMBER 185 A TO THE OFFICIAL PLAN OF THE CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to redesignate certain industrial lands for multi-family residential purposes and to establish the appropriate development principles for the development of the lands.

2.0 Location

The land subject to this amendment comprises an area of approximately 0.89 hectares (2.2 acres) and is located on the north side of Railroad Street, 108 metres (354.3 feet) west of McMurchy Avenue North, being part of Lot 7, Concession 1, West of Hurontario Street, in the former town of Brampton and is outlined on Schedule A to these amendments.

3.0 Amendment and Policies Relative Thereto:

3.1 Amendment Number 185:

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

- (1) by modifying Schedule A, <u>General Land Use</u>

 <u>Designations</u>, in the Official Plan to show a change in the designation for the subject property from "INDUSTRIAL" to "RESIDENTIAL".
 - (2) by adding, to the list of amendments pertaining to Secondary Plan Area Number 6 set out in the first paragraph of subsection 7.2.7.6, Amendment Number 185 A.

3.2 Amendment Number 185 A:

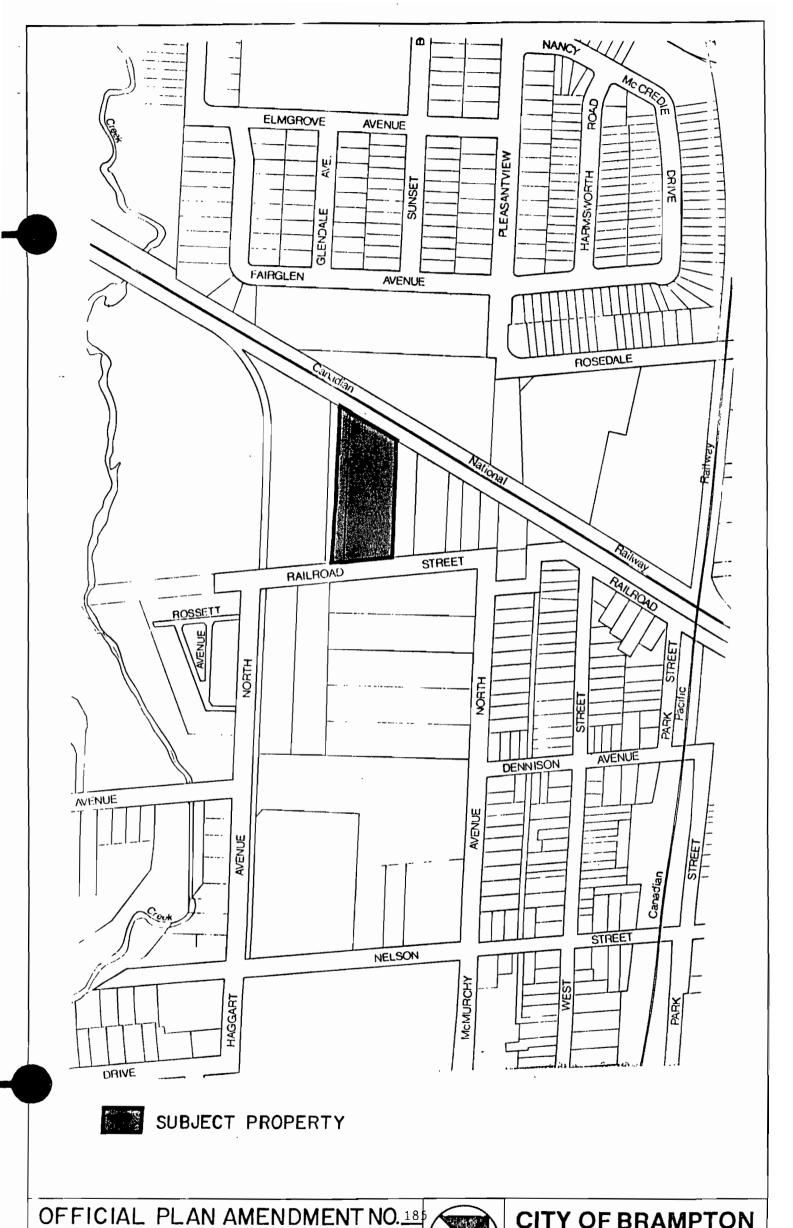
The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Brampton West Secondary Plan (being Subsection B2.3 of Chapter B1 of Section B of Part C, and Chapter C35 of Section C of Part C, and Plate Numbers 2 and 6 thereof, as amended), is hereby further amended:

- (1) by changing on Plate Number 6, the land use designation of the land shown outlined on Schedule A to this amendment from INDUSTRIAL to RESIDENTIAL HIGH DENSITY.
- (2) by adding to Part C, Section B, Chapter B1, Subsection B2.3, Paragraph 3.0 thereof, the following:
 - "3.7 The residential high density designation of the land on the north side of Railroad Street, 108 metres (354.3 feet) west of McMurchy Avenue North, known municipally as 116 Railroad Street, is intended to recognize a non-profit housing use of the property. A density of up to 60 units per acre and floor space index of up to 1.56 shall be permitted in recognition of the non-profit and affordable housing nature of the project. The development shall conform to the following policies:
 - 1. Prior to site plan approval, City Council will require an Environmental Noise Analysis and Vibration Report to be approved by the Ministry of Environment, Canadian National Railway, City of Brampton and Regional Municipality of Peel;
 - ⇒2. City Council will require that suitable noise and vibration attenuation features be incorporated into the development of the property, to the satisfaction of the City and the Ministry of the Environment in consultation with the Canadian National Railway;
 - →3. Prior to site plan approval, City Council will require that a Geotechnical Investigation Report be approved by the City of Brampton and Ministry of Environment;

MODIFICATION

UNDER SECTION 17(9) OF
THE PLANNING ACT, 1983

- 4. City Council will require that tenants be advised that despite the inclusion of noise and vibration control features within this development, noise or vibration levels in excess of the Ministry of Environment guidelines may exist and occasionally interfere with some activities of the dwelling occupants; and
- 5. City Council will require adequate screening in the form of a fence or wall and landscaping be used to buffer the property from surrounding industrial uses."



SCHEDULE A



CITY OF BRAMPTON

Planning and Development

Date: 1990-08 | 5 Drawn by: CJK 1:4000 Map no.42-116E File no. CIW7.45

BACKGROUND MATERIAL TO AMENDMENT NUMBER 185 AND

AMENDMENT NUMBER ___185 A

Attached is a copy of a Planning report dated June 29, 1990 as well as a report dated August 8, 1990 forwarding the notes of a Public Meeting held on August 1, 1990, after notification in the local newspaper and the mailing of notices to assessed owners of properties within 120 metres of the subject lands.

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

Paul SchmidtAugust 1, 1990
Mrs. G. CopelandJuly 30, 1990
R.S. WylieAugust 2, 1990
Peel Board of Education
The Dufferin Peel Roman Catholic
Separate School Board
The Regional Municipality of PeelApril 20, 1990 & June 27, 1990
The Credit Valley Conservation AuthorityJune 14, 1990
Canadian National Railway

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

June 29, 1990

The

The Chairman and Members of the Development Team

From:

The Planning and Development Department

RE:

Application to Amend the Official Plan and

Zoning By-law

Lot 7, Concession 1, W.H.S. (former Town of Brampton)

Part of Block C and Part of Industrial Street

Registered Plan 452 116 Railroad Street

Ward Number 5

ANDRIN BUILDING CORPORATION

Our file: ClW7.45

1.0 Introduction

An application to amend the Official Plan and Zoning By-law to permit a multiple family non-profit housing development to be known as "Union Village", has been referred by City Council on June 11, 1990 to staff for a report and recommendation.

2.0 Site Description

The subject property:

- is located on the north side of Railroad Street 108 metres (354.3 feet) east of McMurchy Avenue North;
- has a 63.45 metre (208.1 foot) frontage on Railroad Street;
- has an average depth of 142.7 metres (468.1 feet);
- has an area of 0.89 hectares (2.2 acres);
- the property is primarily vacant except for a small vacant brick garage and storage building;
- has no significant slopes or drainage features;
- has no significant vegetation except for a few bushes along the Canadian National Railway.

The surrounding land uses are as follows:

Canadian National Railway, beyond which is vacant City owned land, beyond which is industrial (Coe NORTH:

Manufacturing)

Railway Street, beyond which are mult.i-family dwellings (7 six floor apartment buildings) SOUTH:

EAST: Industrial (Wilie Construction Limited)

Industrial (Hillsborough Resources Limited) WEST:

3.0 Official Plan and Zoning Status

- "Industrial", Official Plan Schedule 'A', General Land Use Designation.
- "Industrial", Brampton West Secondary Plan, Plate #6.
- "Industrial One" (M1), By-law 200-82.

, 4.0 Proposal

The applicant requests an Official Plan Amendment and rezoning to permit the following:

- 11 storey residential building having a gross floor area of 14,619 square metres (157,362 square feet) accommodating 133 rental dwelling units, with the following characteristics:
 - 38 one bedroom units
 - 82 two bedroom units
 - 13 three bedroom units
 - 17 metre setback to Railroad Street
 - 18 metre west side yard setback
 - 18 metre east side yard setback
- 144 underground parking spaces
- 43 surface level parking spaces consisting of 37 visitor parking spaces and 6 recreational vehicle spaces
- two driveways from Railway Street
- a landscaped area of 4,937 square metres (53,143 square feet) or 55% of the site area

The proposal is intended for the purposes of the Canadian Automobile Workers.

5.0 Comments

The Law Department; Community Services Department, Transit; Public Works and Building Department and Metropolitan Toronto and Region Conservation Authority have no comments.

External agency comments are provided in Appendix 1.

The Planning and Development Department, <u>Urban Design and</u> Zoning Section advises:

- 1. The proposal does not meet the standard 60% landscaped open space requirement in apartment zoning categories (R4A or R4B).
- 2. From the concept plan it appears that the waste disposal facilities will be stored outside which is contrary to general city policies.
- 3. The parking requirements for rental apartments are based on the number of bedrooms in each unit. At least 200 parking spaces should be provided (not 187 as shown).
- 4. A preliminary noise and vibration study shall be submitted for review prior to the presentation of a report to the Planning Committee.

The Planning and Development Department, <u>Planning Policy and Research Section advises:</u>

"The lands subject to this application are located within an approximately 6 ha (15 ac) Industrial designation bounded by Railroad Street on the south, the Fletchers Creek valley on the west, the Canadian National Railway line on the north and McMurchy Avenue on the east. The Andrin Building Corporation land and the majority of the other land within this Industrial designation are presently being used for industrial purposes.

The subject proposal would be compatible with the existing High Density Residential uses of the lands on the opposite side of Railroad Street, but would not be compatible with the continued designation and use of the abutting lands on the north side of Railroad Street for Industrial uses.

Accordingly, it is appropriate to consider the Andrin Building Corporation application for a High Density Residential designation of its property, as <u>implying</u> a High Density Residential redesignation of that portion of the Industrial designation referred to above, that lies between the easterly limit of Chris Gibson Park (i.e. the railroad spur line) and the proposed future right-of-way of the McMurchy Avenue overpass at the CNR line.

The preceding observation is not intended to pre-judge the question of the overall suitability of a High Density Residential use adjacent to a very busy railroad line. However, if the technical input and information that you receive leads you to the conclusion that the Andrin Building Corporation proposal can be made compatible with the abutting railway line, it is presumed that the abutting lands could be used for High Density Residential purposes in a way that would achieve a similar degree of compatibility.

Certainly, from a planning policy perspective, a redesignation of this area from Industrial to High Density Residential would improve the land use compatibility in the immediate area without detrimentally affecting the industrial or employment base of the City. The approximately 3.0 ha (7.4ac) of existing industrial uses could be readily relocated to a number of well serviced and well located industrial use areas in the City."

The Public Works and Building Department, <u>Traffic Engineering</u> <u>Services Division</u> advise:

"Review/approval by the CNR is required as the subject lands abutt property to the north under the jurisdiction of this authority.

Access to the subject lands will be addressed by this department at the time of formal site plan review."

The Public Works and Building Department, <u>Development and Engineering Services Division advise:</u>

- 1. We require cash-in-lieu of sidewalk construction on Railroad Street where abutting this plan.
- 2. We require a site plan agreement addressing grading drainage and access prior to the issuance of any building permits.

Community Services Department, Parks and Recreation advise:

- a) That the applicant prepare a landscape plan for the development of the property which includes a 1.8 metre (6 foot) high solid masonry screen wall on the west and east perimeters of the site.
- b) That the applicant provide cash-in-lieu of parkland in accordance with the City's Capital Contribution Policy for the required tableland park dedication of .40 ha (.988 ac) based on the following calculations:

 $\frac{133 \text{ units}}{300} = .443 \text{ ha} (1.09 \text{ ac})$

c) That the applicant provide street trees along Railroad Street.

Community Services Department, Fire advise:

This Department has no objections to this proposed amendment to the Official Plan and Zoning By-law. In order to supply an adequate water supply for firefighting purposes, the existing 150mm watermain may require replacement or expansion.

6.0 <u>Discussion</u>

Both the Official Plan and Secondary Plan do not allow for residential use on the subject property. The abutting land to the west, north and east are also designated industrial. The Official Plan and Secondary Plan do not contain policies which promote or guide the conversion of industrial land to residential use. The physical location of the property abutting a Canadian National Railway main line and industrial area further to the north, would suggest that the property be maintained for industrial use. Also, the subject property buffers the multi-family dwelling located on the south side of Railroad Street from the Canadian National Railway.

The Planning and Development Department, <u>Planning Policy and Research Section</u> advise that the area bounded by Railroad Street, Fletchers Creek valley, the Canadian National Railway and McMurchy Avenue North be studied by staff to determine if an Official Plan amendment is suitable for the entire area. Although an Official Plan amendment for the subject property alone is clearly not supportable, an Official Plan amendment for the area may be supportable if measures are taken to adequately buffer the area from the Canadian National Railway.

While staff have several major concerns regarding the suitability of housing on this site, the property has limited potential for industrial use. The existing industrial establishments in the area are not dependent on rail facilities. The properties are small for industrial uses, ranging in size from 0.127 hectares (0.31 acres) to 1.5 hectares (3.83 acres). There is a limited area to accommodate new rail siding facilities. Railroad Street is a local street with several acute angle turns and is not suited to handle heavy trucks. A number of excellent opportunities for industrial growth and development within planned industrial parks with access to arterial roads exist within the City. The removal of these industrial sites from the overall inventory of industrial land will have a minimal impact on the provision of serviced industrial land.

The development of multi-family housing in this area has several merits:

- the area is well serviced by local bus routes and the GO Train Station;
- McLaughlin Road Park is located nearby;
- shopping facilities are within walking distance of the site;
- the proposed development would be a logical extension of the existing multi-family housing to the south.

The proposed density of the development is a major concern. The applicant proposes 148.1 units per hectare (59.9 units per acre). The Official Plan and Secondary Plan both provide policies regarding permitted densities. In this regard, the Official Plan outlines the following density policies:

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

The Secondary Plan for the subject property indicates the following density restrictions:

"7.2.7.6 (a) High density development will not exceed 40 dwelling units per net residential acre (98.8 units per net hectare)."

Although the proposed building would exceed the density specified in the Secondary Plan it would be in keeping with the apartment densities to the south of the subject property. There are 7 six storey apartment buildings located south of Railroad Street between McMurchy Avenue North and Haggert Avenue North. The gross residential densities for these buildings range from 35.67 units per acre (u.p.a.) to 54.5 u.p.a. The average gross density for this entire multi-family area is 46 u.p.a.

The subject development would implement the following Brampton Strategic Plan objectives for attractive housing alternatives:

- "• to develop an average of 300 public and private nonprofit housing units per year in Brampton until 1992;
- to achieve a 10-20 percent reduction in the waiting list for Peel Non-Profit Housing Corporation units by 1992; and

 to achieve a significant increase in housing intensification by realizing a 5-10 percent rise in the issuance of residential building permits for infill/redevelopment projects.

Initiating a Brampton West Secondary Plan amendment for the area bordered by the Canadian National Railway, McMurchy Avenue North, Railroad Street and the Fletchers Creek valleyland would implement the following strategic initiative:

"Undertake the revision of residential secondary plans to provide for additional housing through intensification or redevelopment for higher density use."

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

- buffering from the Canadian National Railway
- buffering from industrial property
- parking
- floor space index and landscaping
- former industrial use of the property

Buffering from the Canadian National Railway

Although residential development is not encouraged along the Canadian National Railway, the proposed building would be setback 51 metres (167 feet) from the Canadian National Railway. The site plan illustrates the Canadian National Railway's minimum 30 metre building setback requirement but does not meet other standards such as a 2.5 metre safety berm and 1.83 metre high chain link security fence along the mutual property line. The provision of these buffering elements may require the relocation of the northern parking area and play area. Staff require that these Canadian National Railway requirements be met.

Buffering from the Surrounding Industrial Property

Staff note that there will be an interim period during which the existing industry is located in close proximity to the proposed apartment building. The industrial building to the east of the subject property has a 1.2 metre (4 foot) setback from the subject property. The industrial land to the west has office and storage buildings setback 38.4 metres (125 feet) from the subject property and a storage shed setback 21.3 metres (70 feet) from the subject property. The applicant has not depicted any buffering elements on the site plan. Staff require that a 1.8 metre (6 foot) high solid masonry screen

wall be located on the west and east perimeters of the site. In addition, staff require that trees be planted along the masonry wall to provide additional buffering from the abutting industrial land uses. This will require a minimum 3 metre wide landscaped area along the east and west property line. The applicant is proposing a 2 metre wide strip in these areas. Staff require that the driveway be shifted closer to the building to allow adequate room for a masonry wall and trees along the east and west property line.

Parking

The applicant is proposing 187 parking spaces at a standard of 1.4 parking spaces per unit. Parking would be provided with 1.2 parking spaces per unit for residents and 0.2 parking spaces per unit for visitors. Zoning By-law 200-82 establishes parking standards based on the number of bedrooms per rental apartment. The following parking standards apply to this development application:

Туре	Resident Spaces	Visitor Spaces	Recreation Equip.Spaces	Total Space	Units <u>Proposed</u>	Total for Site
1-Bedroom	1.18	0.20	0.03	1.41	38	54.58
2-Bedroom	1.36	0.20	0.03	1.59	82	130.38
3-Bedroom	1.50	0.20	0.03	1.73	13	22.49
					133	208

Peel Non-Profit Housing has submitted a report supporting the use of the 1.4 parking spaces per unit standard (1.2 resident and 0.2 visitor) which has subsequently been applied to other Peel Non-Profit housing developments such as the Beech Street apartment building. Although the subject property is not being developed by Peel Non-Profit Housing, it will be used for non-profit housing purposes and therefore the 1.4 parking spaces per unit standard will apply for this development.

The applicant is proposing 37 visitor surface parking spaces. The visitor parking represents 0.27 spaces per unit which is greater than the required 0.20 spaces per unit.

Floor Space Index and Landscaping

The floor space index proposed is 1.56, whereas a maximum floor space index of 1.0 is generally the standard. Staff can support higher floor space index because the proposed building would implement several affordable housing objectives contained in the Brampton Strategic Plan. The minimum landscaped open space area for the proposal should be 60 percent of the lot area, whereas 55 percent is provided. Staff suggest that the surface level parking be redesigned to increase the landscaped open space area. For example, the parking area located in the

parking area located in the 30 metre setback area from the Canadian National Railway could be located closer to the building. Staff note that the lot coverage of 14.8 percent is in the acceptable range but this has been obtained at the expense of a higher than average floor space index.

Former Industrial Use of the Property

The applicant has submitted a preliminary geotechnical investigation for the subject property. The report suggests that former uses may have included a foundry, concrete bridge manufacturing, woodworking shop, and auto repair and painting. The conversion of this industrial land to residential use raises the question of soil suitability. The report concludes the following:

"The implications of these test results indicate that in general the soils are suitable for reuse on site, subject to geotechnical considerations. The exceptions to this are the odorous soils, the oil and grease contaminated soils and the miscellaneous debris (eg. wood, ceiling tiles, dishes, auto and other miscellaneous mechanical parts) that are found at the site. These exceptions make up a small portion of the total volume of fill, on site, but will still require additional costs to clean up."

Staff require that prior to site plan approval, the Ministry of Environment review the final geotechnical investigation.

In summary, Planning Staff can support the subject application. Although the property abuts a Canadian National Railway main line and was formerly used for industrial purposes, the development would be conveniently located to community services and would implement several affordable housing objectives contained in the Brampton Strategic Plan. Specific concerns regarding buffering from the Canadian National Railway and landscaping will be addressed during site plan review.

7.0 Recommendation

In view of the foregoing, it is recommended that Planning Committee recommend to City Council that the Official Plan and Zoning By-law be amended to permit the high rise apartment building be approved subject to the following conditions:

- A. Staff be directed to prepare an Official Plan Amendment for the remaining land north of Railroad Street, south of the Canadian National Railway, west of McMurchy Avenue and east of Fletchers Creek valley.
- B. A Public Meeting be held with respect to amending the Official Plan and Zoning By-law for the subject property, and

- C. Subject to the results of the Public Meeting, staff be directed to prepare the appropriate documents subject to the following conditions:
 - 1. the 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
 - ii) Non-Residential purposes accessory to the other permitted purposes.
 - b) Requirements and Restrictions

shall be subject to the following requirements and restrictions:

- (a) Minimum Lot Width 33 metres
- (b) Minimum Front Yard Depth 7.5 metres
- (c) Minimum Side Yard Width 12 metres
- (d) Minimum Rear Yard Depth 12 metres
- (e) Maximum Building Height 11 storeys
- (f) Maximum Lot Coverage by Principal Building(s) 15 per cent
- (g) Maximum Floor Space Index 1.56
- (h) Minimum Landscaped Open Space 55 percent of the lot area
- (i) Maximum number of dwelling units:
 - 38 1 bedroom
 - 82 2 bedrooms
 - 13 3 bedrooms
 - 133 TOTAL
- (j) Minimum number of on site parking spaces 187.
- That the applicant enter into a development agreement, which shall insure the following:

- (a) prior to the issuance of a building permit, a site development plan, a landscape and fencing plan, elevation cross section drawings, a grading and drainage 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 to meet the Canadian National Railway's 30 metre setback, 2.5 metre high safety berm and 1.83 metre high chain link security fence requirements;
- (d) prior to site plan approval, the Environmental Noise Analysis and Vibration Report shall be approved by the Canadian National Railway, City of Brampton and Regional Municipality of Peel;
- (e) prior to site plan approval, the Geotechnical Investigation Report shall be approved by the Ministry of Environment;
- (f) the following clause should be inserted in all offers to purchase, agreements of sale and purchase or lease and in the title deed or lease of each dwelling unit;

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way";

(g) the applicant shall agree to pay cash-in-lieu of sidewalk construction along Railroad Street;

- (h) the applicant shall agree to pay cash-in-lieu of parkland in accordance with City policy;
- (i) the applicant shall agree to provide a 1.8 metre (6 foot) high solid masonry screen wall on the west and east perimeter of the site;
- (j) the applicant shall agree to provide street trees along Railroad Street;
- (k) the applicant shall agree to meet the following Dufferin-Peel Roman Catholic Separate School Board requirements;
 - i) the applicant shall agree that the following clause be inserted in the Development Agreement until the permanent school for the area has been completed;

"Whereas, despite the best efforts of The Dufferin-Peel Roman Catholic Separate School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the area, and further, that students may later be transferred to the neighbourhood school."

ii) the applicant shall agree to erect information signs at all major entrances to the proposed development advising that:

"Due to overcrowding in neighbourhood schools, students may be accommodated in temporary facilities or bussed to alternate facilities."

The applicants are required to contact the Dufferin-Peel Roman Catholic Separate School Board's Planning Department for sign specifications.

 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,

Al Rezoski, A.I.C.P., Development Planner

ÆED:

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

Development

AR/Jo/Andrin

APPENDIX A EXTERNAL COMMENTS

The Peel Board of Education advises:

The anticipated yield from this plan is as follows:

13 6, 7, 8 13 9-OAC

The students generated are presently within the following attendance areas:

	Enrol. Mar. '90	OME - 10%
McIlugh P.S. JK-6	296	357
Beatty-Flemming Sr.	404	344
Brampton Centennial S.	S.	
9-12 / OAC	1356	1499

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 advise:

The above-noted application proposes 133 apartment units, which will generate approximately 26 Junior Kindergarten to Grade 8 students and approximately 5 Grades 9 to $12/O\Lambda C$ students.

Elementary separate school students generated by the above application will attend St. Joseph and secondary separate school students will attend St. Augustine.

The Dufferin-Peel Roman Catholic Separate School Board requires that the following conditions be fulfilled prior to approval of the above-noted application:

1. That the following clause be inserted in the Financial Agreement and in all offers of purchase and sale of residential lots until the permanent school for the area has been completed:

"Whereas, despite the best efforts of The Dufferin-Peel Roman Catholic Separate School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that

students may be accommodated in temporary facilities and/or bussed to a school outside of the area, and further, that students may later be transferred to the neighbourhood school."

That the applicants be required to erect information signs at all major entrances to the proposed development advising that:

"Due to overcrowding in neighbourhood schools, students may be accommodated in temporary facilities or bussed to alternate facilities." The applicants are required to contact the Board's Planning Department for sign specifications.

The Regional Municipality of Peel advises:

Sanitary

Sewers: Available in a 300mm diameter sewer on Railroad Street.

Municipal

Water: Available in a 150mm diameter main on Railroad Street. A flow test may be required to verify

supply.

Regional

Roads: No objections.

The Regional Transportation Policy Division has also reviewed the above noted application and has no comments to offer.

In addition, the applicant must enter into agreement with the Region of Peel, prior to the City's adoption of the %oning By-law, for the payment of Regional development levies.

The Ministry of Environment will not comment until the Official Plan Amendment is submitted for their review.

The Credit Valley Conservation Authority advise:

"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 predevelopment 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.

The Authority is generally not accepting stormwater storage on rooftops or parking lots because of concerns regarding long term maintenance of these facilities. It is also the general policy of the Authority to recommend that all lands required for stormwater management purposes be maintained in a single block, zoned in the appropriate 'Open Space' or 'Greenbelt' category, with dedication to the municipality.

On this basis, we request that the subject application be deferred until such time as it is determined whether additional lands are required for stormwater management purposes."

Canadian National Railway advises:

Residential uses are incompatible with our adjacent operated right-of-way.

The proposed residential use or any residential designation permitting residential use adjacent to the Nalton Subdivision a Principal Main Line, would be expected to comply with our standards for noise, vibration and safety as attached.

We are pleased to acknowledge that the site plan illustrates our 30 metre setback requirement, however, it neglects to indicate some of our other standards, such as a 2.5 metre safety berm and fence along the mutual property line.

We specifically request that the proposed re-zoning incorporate our 30 metre setback requirement, in conjunction with the 2.5 metre high safety berm and the 1.83 metre high chain link security fence. Our remaining conditions should be included in the subdivision agreement or in an agreement directly with the Railway.

We request that the City of Brampton adopt a railway policy statement also attached or as a modification to the Official Plan Amendment.

Should the Region decide to approve the Amendment without incorporating the above policy, we have no alternative but to request that this Amendment be referred to the Ontario Municipal Board pursuant to the provisions of the Planning Act, 1983, S.O. 1983, c.1 and in particular, that the

Region refer the designation of any lands within 300 metres of a railway right-of-way which designation permits residential uses.

We would appreciate the opportunity to comment on any proposed modification prior to its adoption, and ultimately, we request receiving Notification of Passing of the implementing By-law and notice of the Official Plan Amendment being approved.

The Noise Report prepared by Jade Acoustics satisfactorily addresses the Railways concerns and indicates that an adequate noise environment can be achieved for this proposal using conventional architectural attenuation measures.

The Vibration Report indicates unfortunately, that measurements taken were during train passbys that were somewhat less than the maximum speed that is allowed for this section of track. Jade Acoustics has been requested to determine what affect increasing the speed would have on their calculations and related conclusions. Nevertheless, the existing information indicates that vibration levels will not likely be an unsurmountable constraint to the viability of this proposal.

Previous discussions with the proponent's Architect, concluded that safety features consisting of a minimum 30 metre setback, a safety berm and chain link fencing would be provided in line with CN's standard requirements for new residential development adjacent to Railway operations in the Brampton area.

In summary, CN does not anticipate any particular problem with this development proceeding, in that adoption of the Railway's standard mitigation measures or appropriate alternatives, will provide an adequate environment for the future residents.

Additional comments are attached.



PRINCIPAL MAIN LINE

- A. Noise berm, or combination berm and acoustic fence, adjoining and parallel to the railway right-of-way and having returns at the ends:
 - (1) Hinimum total height 5.5 metres above top-of-rail.
 - (ii) Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg, per square metre (4 lb./sq. ft.) of surface area.

Note: The Railway may consider other measures recommended by an approved Noise Consultant satisfactory to the Railway.

- B. Safety setback of dwellings from the railway right-of-way to be a minimum of 30 metres in conjunction with the safety bera noted below. In the absence of a safety berm, we require a dwelling setback of 120 metres.
- G. Ground-borne vibration transmission to be estimated through site testing and evaluation to determine if dwellings, within 75 metres of the Railway right-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec. RMS between 4 Hz. and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz. ±3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec. RMS on and above the first floor of the dwelling.
- D. Safety berm adjoining and parallel to the railway right-of-way with returns at the ends, 2.5 metres above grade is required despite none being required to address the Railway's noise concerns.
- E. The following clause should be inserted in all offers to purchase, agreements of sale and purchase or lease and in the title deed or lease of each dwelling; "Varning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
- F. Any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- G. The Developer shall install and maintain at his own expense, a chain link fence of minimum 1.83 metre (6 feet) height along the mutual property line, which shall be maintained by the Owner.
- II. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have the sole responsibility for and shall maintain these measures to the satisfaction of CN Rall.
- Pursuant to the Planning Act, the Municipality shall provide this office
 of the Railway with written notice of the public meeting, by-law and
 passing of the by-law appropriately zoning the lands hereby proposed for
 subdivision.
- J. The Owner enter into an Agreement stipulating how CN Rail's concerns will be resolved and will pay CN Rail's reasonable costs in preparing and negotiating the agreement.



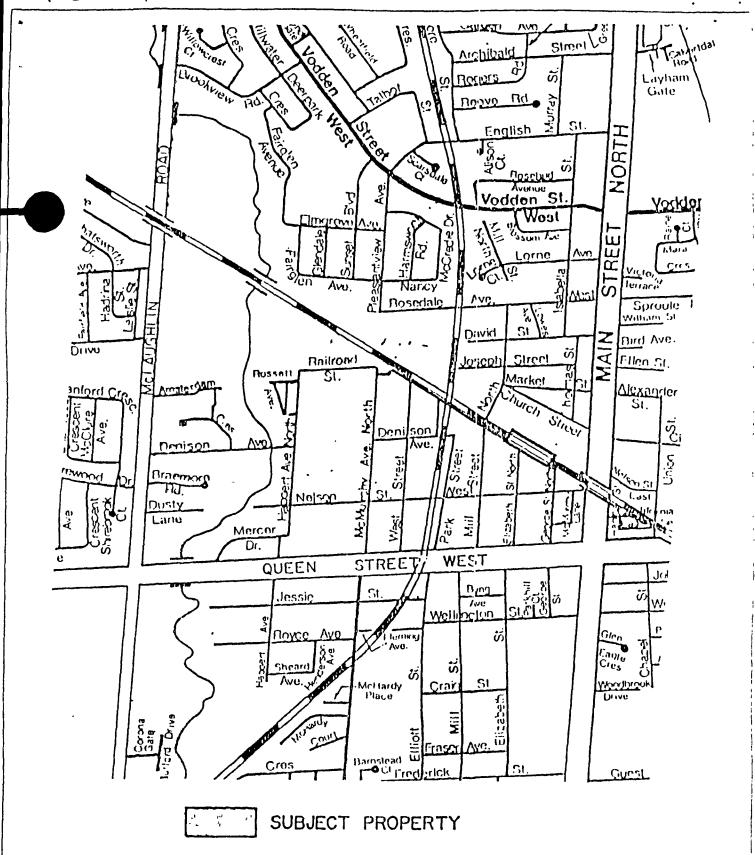
RATL HOISE, VIBRATION AND SAPETY IMPACT POLICY

Noise and vibration sensitive areas may be considered to be those areas of land abutting or adjacent to rail right-of-ways having a passive recreation or residential component. Sensitive areas for noise generally include lands lying within 300 M of rail right-of-ways and for vibration, generally include lands lying within 75 M of rail right-of-ways.

Specific land use controls respecting rail impacts shall be croised on lands abutting or adjacent to rail right-of-ways and the flowing policies shall apply:

- (a) Prior to approval of applications for policy amendments, zoning by-law alterations, or subdivision or condominium control that result in or permit the creation of a new residential unit or lot or the conversion of rental residential units to freehold, cooperative or condominium ownership.
 - (1) said application(s) shall be circulated to the appropriate rail company for comments with regard to the recommended noise, vibration and impact mitigation measures; and
 - (ii) the municipality may require that the owner/developer engage a consultant to undertake an analysis of noise and/or vibration and to recommend abatement measures necessary to achieve the maximum noise level limits set by the Ministry of Environment to the satisfaction of the City and in consultation with the appropriate rail company and the Ministry of the Environment.
- (b) As a condition of approval of applications as detailed in (a) preceding, provision shall be made where possible, for the registration on title and insertion in Agreements of Purchase and Sale or Lease of a warning clause with regard to the existence of and potential impacts of rail use and operations and mechanisms to ensure the ongoing maintenance of the required measures and;
- (c) As a condition of approval of applications as detailed in (a) above preceding and as outlined hereafter, setbacks to address rail <u>safety</u> concerns shall be required for any new residential dwelling or building, an addition to an existing residential structure or a place of public assemblage from the railway right-of-way. The appropriate <u>safety</u> setback will be determined in consultation with the railway company and will take into account provision for safety berms, topography and intervening structures between the railway right-of-way and the new residential dwelling or building, addition to an existing residential structure or place of public assemblage.
- (d) As a condition of approval of applications as detailed in (a) above preceding the developer may be required to install and maintain combined security and acoustical fencing of a minimum height necessary to prevent trespass onto the adjacent railway right-of-way and attenuate noise to acceptable levels. As a minimum requirement, chain link security fencing of 1.83 M height will be required along the common property boundary with the railway right-of-way.

15/04/88



ANDRIN BUILDING CORP



CITY OF BRAMPTON

Planning and Developmen

Date: 90 04 09

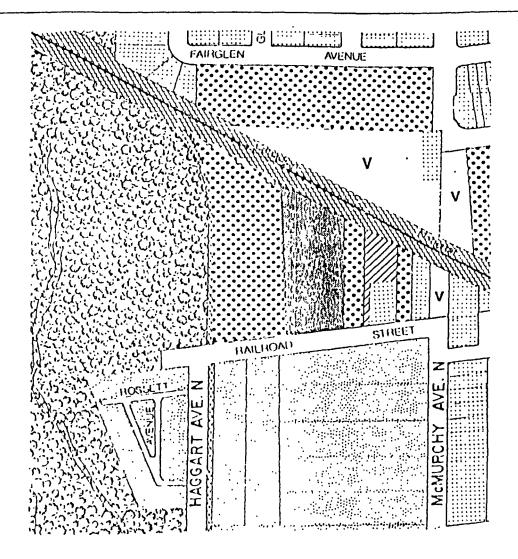
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File no. CIW 7.45

Map no.42-116A

LOCATION MAP

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LEGEND

SUBJECT PROPERTY

V VACANT

INDUSTRIAL

HIGH DENSITY RESIDENTIAL

COMMERCIAL

LOW DENSITY RESIDENTIAL

TRANSPORTATION

OPEN SPACE

ANDRIN BUILDING CORP.



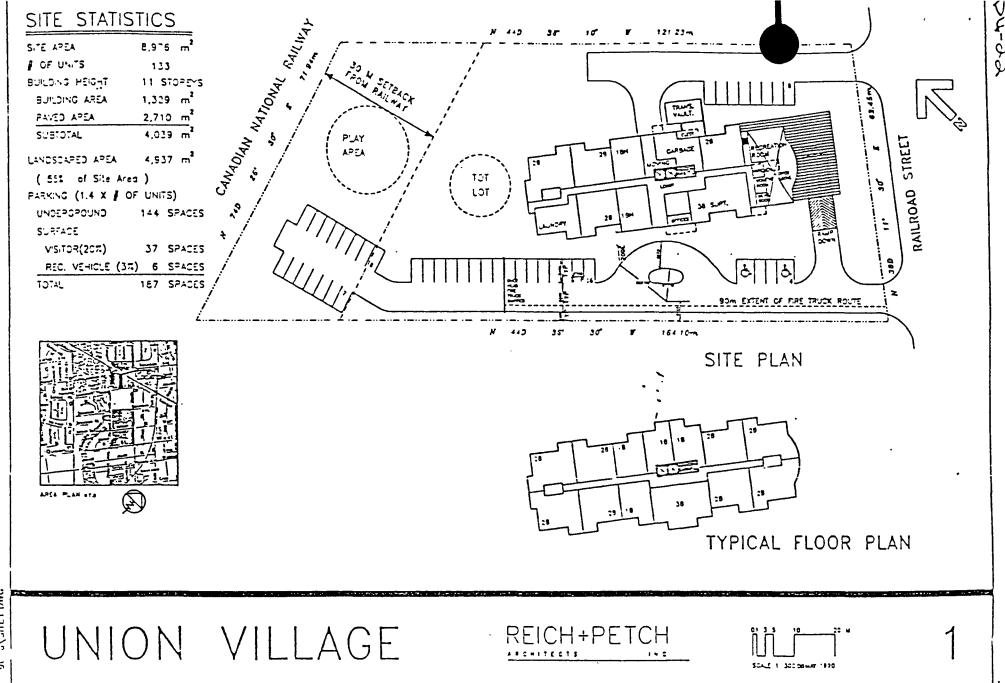
CITY OF BRAMPTON

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EXISTING LAND USE



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BRAMPTON

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SITE PLAN

INTER-OFFICE MEMORANDUM

Sent PCaug. 13

Office of the Commissioner of Planning & Development

ugust 8, 1990

TO: The Chairman and Members of the Planning Committee

FROM: The Planning and Development Department

RE: Application to Amend the Official Plan and

Zoning By-law

Lot 7, Concession 1, W.H.S. (former Town of Brampton)

Part of Block C and Part of Industrial Street

Registered Plan 452 116 Railroad Street

Ward Number 5

ANDRIN BUILDING CORPORATION

Our file: C1W7.45

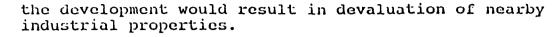
The notes of the public meeting held on Wednesday, August 1, 1990 with respect to the above noted application are attached for the information of Planning Committee.

There were approximately 150 members of the public present at the meeting. There were three speakers for the application (two of which represent the application) and four speakers against the application (two of which represent abutting industrial property). The speakers for the application stated the following reasoning:

- the project would lessen the affordable housing crisis in Brampton;
- the subject neighbourhood is at the edge of downtown Brampton and is in transition to high density residential uses;
- the site meets all criteria for the location of non-profit housing; and
- adequate buffering will be provided for the building.

The speakers against the application noted the following concerns:

- an apartment building would increase traffic in the neighbourhood;
- · schools in the area are already over capacitated;
- a residential development is incompatible with the CNR main line and nearby industrial uses; and



The two abutting industrial land owners voiced concerns about the continued use of their property for industrial use. Staff note that both Wylie Construction Limited and Hillsborough Resources would be able to continue their operations as long as they desire. The proposed Official Plan Amendment and rezoning for the subject property would actually increase the value of the abutting properties since they would be encouraged to develop their land for high density residential use. Mr. Wylie expressed a concern that the existing 1.2 metre (4 foot) setback that applies to the building on his property would not be maintained. Staff recommend that Council consider creating a special zoning section for the Wylie Construction Limited property to recognize the existing 1.2 metre (4 foot) building setback from the western (side) lot line.

Prior to the July 9, 1990 Planning Committee meeting, Staff received a petition opposing the development. The petition was signed by 52 residents in the area, of which 43 of the signatures represent residents on Rosset Crescent. The rationale stated for opposing the development was that services in the area are not capable of sustaining a development of the type being proposed. Subsequent to the petition being submitted, Andrin Building Corporation (the applicant) held a pubic meeting with the residents of Rosset Crescent to address their concerns. The Canadian Automobile Workers also set up a tour of some of their other housing developments. Based on the fact that no speakers from Rosset Court spoke at the public meeting or submitted correspondence after the public meeting, it is Staff's opinion that their concerns have been addressed.

One letter opposing the development has been received by Planning Staff. Mrs. Copeland, 98 Railroad Street opposes the application for the following reasons:

- the property is a poor location for residential use being so close to industrial land use;
- the building height would be twice as high as nearby residential buildings;
- property values in the area would be devaluated;
- train noise and fumes would influence the property;

- children would not be safe so close to the railway; and
- traffic would increase on Railroad Street.

At the July 9, 1990 Planning Committee meeting Alderman Susan DiMarco requested that Planning Staff address the following concerns:

traffic increases on Railroad Street; and

Į.

 school capacities and allocation of anticipated students to schools.

Planning Staff contacted Mr. Koehle, Commissioner of Public Works and Building, regarding traffic concerns on Railroad Street. Public Works has no further comments to submit regarding the application and state that they have no concerns about the ability of Railroad Street to handle the increased traffic.

Both school boards have verified comments which were provided regarding school capacities and allocation of anticipated students, and have no further comments. Staff note that according to data provided by the Peel Board of Education, McNugh Public School and Brampton Centennial Secondary School have extra capacity and Beatty-Flemming Sr. will be required to have extra portables to serve the students generated.

Regarding the issue of surrounding properties being devaluated because of the development, Staff cannot support this claim. A report entitled "Summary Report for the Evaluation of Property Value Impacts: Non-Profit Housing", completed for the Ontario Ministry of Housing concludes that non-profit housing has no overall negative impact on surrounding property values. Copies of this report are available from the Planning and Development Department.

In summary, Staff continue to support the application. Conditions regarding the buffering of the property from the Canadian National Railway and surrounding industry will be included in a development agreement. The proposal would implement several affordable housing objectives contained in the Brampton Strategic Plan. Community services are adequate to serve the proposed development.

IT IS RECOMMENDED THAT Planning Committee recommend to Council that:

- A. the notes of the Public Meeting be received;
- B. the application be approved subject to the conditions approved by City Council on July 16, 1990 with the following exceptions:
 - 1. The unit mix listed under condition 1(b)(ix) shall be deleted and the 133 unit total shall remain.

- 2. Condition 2(c) shall be deleted and replaced with:
 - "(c) The applicant shall agree to meet the Canadian National Railway's requirements for a 30 metre setback, 2.5 metre high safety berm, and 1.83 metre high fence constructed of a material suitable to the railway."
- 3. Condition 2(i) shall be deleted and replaced with:
 - "(i) The applicant shall agree to provide along the length of the east and west (side) property lines, a 3 metre wide landscaped area, trees to buffer the subject property from the surrounding land uses and a privacy fence which shall be 1.8 metres (6 feet) high from the Canadian National Railway required fence to a location even with the southern (street) corners of the building, and an appropriate height (to be determined by Urban Design and Zoning Division) from the Railroad Street right-of-way to a location even with the southern (street) corners of the building; the fence shall be constructed of a material suitable to meet the specifications of the Urban Design and Zoning Section.
- C. Staff be directed to prepared the appropriate documents for Council's consideration.

Respectfully submitted,

Al Rezoski A.I.C.P.
Development Planner

AGREED:

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

Development

APR/cp/andrin

We the undersigned object to the rezoning of the property under discussion, located on the north side of Railroad St. just west of McMurchy. As residents of the area we contend that the services in the area are not capable of sustaining a development of the type being proposed.

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We the undersigned object to the rezoning of the property under discussion, located on the north side of Railroad St. just west of McMurchy. As residents of the area we contend that the services in the area are not capable of sustaining a development of the type being proposed.

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We the undersigned object to the rezoning of the property under discussion, located on the north side of Railroad St. just west of McMurchy. As residents of the area we contend that the services in the area are not capable of sustaining a development of the type being proposed.

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A Special Meeting of Planning Committee was held on Wednesday, August 1, 1990, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:32 p.m., with respect to an application by ANDRIN BUILDING CORP. (File: ClW7.45 - Ward 5) to amend both the Official Plan and the zoning by-law to permit the construction of an 11 storey residential ling accommodating 133 rental dwelling units.

Members Present: Councillor F. Russell - Chairman

Councillor F. Andrews
Alderman S. DiMarco

Staff Present:

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

A. Rezoski, Development Planner

W. Winterhalt, Director, Planning Policy

and Research

C. Logan, Development Planner

E. Coulson, Secretary

Approximately 150 interested members of the public were present.

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

Mr. Laine replied in the affirmative.

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

Mr. Paul Schmidt, 201 County Court Blvd., Suite 210, representing over 1,000 Secondary School Teachers, employed by the Dufferin Peel Separate School Board, requested Council's approval of the proposal. He noted the magnitude of the affordable housing crisis in Brampton which is forcing many new teachers to go elsewhere for accommodation, and placing excessive pressure on families that require a subsidy to meet the high rental cost (see attached).

- cont'd. -

Councillor Russell noted a letter of objection received from Mrs.

- G. Copeland (see attached). She cited inappropriate locating of the housing in an industrial area, abutting CNR tracks; devaluation of area properties; danger to children; additional traffic problems and incompatibility with surrounding buildings as concerns.

Mr. Robert Wiley, business address: 106 Railroad Street, home address: 19 Chapel Street, opposed the proposal on the following unds:

- incompatibility with surrounding industrial uses and property devaluation. Industrial business will have reservations about operating in an area where residents may complain;
- . limitations on additions or rebuilding due to zoning regulations of 9 metre set-backs as opposed to the current 4 metre requirement. This reduces his potential building area by 25%. His opposition remains effective even if compensation of relaxation of regulations is proposed.
- inappropriate locating of an apartment building abutting double track, CNR main line and the view and atmosphere of an industrial area. Other locations and surroundings would be more appropriate for this worthwhile project undertaken by a good developer. and
- overruling the well-based and valid Official Plan and zoning guide and maps (see attached).

Mr. Tom Dunn of Hillsburgh Resources, 120 Railroad Street, voiced agreement with Mr. Wiley's comments and concerns. He said that the plan is a good one, however, locating in an industrial area with dust and noise would be annoying to residential development, therefore, the site should remain designated industrial. He expressed concern that the current non-conforming use of his property for outside storage will pose a problem, and said such pressure on industrial areas is an injustice.

Mr. Peter Smith, President of Andrin Building Corporation, noted that as a former Commissioner of Peel Non-Profit for the Region of Peel, he has experience with over 40 affordable housing projects (approximately 3,000 units) in Brampton and there are always concerns

expressed relating to non-profit housing. He said that after consultation with various agencies (City Staff, Mr. Sibic of John Rogers Associates, J. Robinson of Kerbel Group, etc.) and consideration of concerns, the conclusion was reached that the subject site is available, affordable and appropriate for the housing proposal and is an important contribution to the need for affordable housing. He noted that the established areas of the Town of Brampton are in a transition period and he is prepared to discuss the proposal with industrial owners in an effort to satisfy their concerns. As to property devaluation, he said that the area will be of more value if zoned residential.

Mr. Grant Payne, 100 Railroad Street, owner of property adjacent to Mr. Wiley's property, supported his comments. He agreed with the need for affordable housing, however, feels it should be confined to residential areas and the subject site should remain designated industrial.

Mr. Jack Wiley, R.R. #10, Brampton, referred to properties at 34 Rosset Crescent and 20 Haggert Avenue and noted traffic congestion and road capacity concerns, in particular a seven minute wait to make a left hand turn from Nelson Street onto McMurchy Avenue. Also, he suggested checking with the Peel Board of Education, particularly since portable classrooms are currently being used at at least three different schools in the surrounding area.

Mr. Don McMullen, C.A.W. Community Development Group, 300 Balmoral Drive, Brampton, L6T 1V6, noted consistent opposition to non-profit housing proposals in all localities. He sympathized with points raised by Mr. Wiley, however, noted that the record seems to indicate that this proposal will not hurt industrial business, and he agreed with Mr. Smith that residential value will be higher than industrial in the area. He said that the C.A.W. would never support a proposal considered a danger to the health and safety of its members. He noted support of several consultants and City staff in concluding that environmental and safety considerations are more than adequately met. Also, he said it is presumptuous to attempt to identify expectations and complaints which may be forthcoming from prospective tenants in desperate need of affordable housing.

- cont'd. -

He expressed pride in the design of the proposal and that the idea and management are by people living and working in the community, providing affordable housing in accordance with the Strategic Planning strategies. Relating to berming, he mentioned horizontal, western red cedar plank, acoustic type A fencing.

There were no further questions or comments and the meeting purned at 8:30 p.m.

Members of Council;

opportunity to endorse the LAW homes project, core you this evening. Earlier today, I had an cortunity to review the site plan with Mr. "Maller, so that I could speak will some afficience and belief in this project. This the against of the approbable housing crisis that besets or community, I would trust your judgeous to lective wisdom as to whether all of the requisite sitges, and apare planning and social amenitais have an Juhen into account.

In my professional role, I represent or room secondary school teachers in the Dufferin

Pul Separate School Board. Over sixty new secondary chers will join the Board next year. Most som ser new teachers would phyler to line in the munity. That they work in, but are finding increasingly difficult to do so. At an average ce of 215,000, new homes are clearly autile of healn of possibility, and a vacancy rate of .2% is forcing many new teachers to go elsewhere their search for accomadation. Union Village is project that can begin to address the needs of ose who I represent, and at the same time It the saces more pressing against for familie t require a subsidy in order to meet the rental

In all litethood, this project would served by at least one new separate secondary

ice demands.

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would greatly appreciate it if Council gave

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Union Village community but neighbours so well:

summary, I would encourage Cauncil to

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has Brampton a caring community and allows

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Mr. Paul Schmidt ...

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Brampton On. July 30/90 tion Mr. J. a. Marshell, Commissioner of Planning Mr. B.F. Russell Louncella. 'sect. Public meeting for the approval or decappround for the building of an apartment building on Railroad At West. s Suis: lu to my recent ellness I will not be able thend their meeting of any 1/90. I am opposed. Le goning claury for the yfollowing reasons I The is a very poor location for an apartmenchildren. It would be built between two mmoreial teppe operation, a construction your L it a recently long of and and further to the east garage and a Culting Company. To the north in reaching line, C.N.R. and very busy. . the street and can assure you that there Les land fred of funk and woods set. to afect both day and night which go with en o-feration.

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BRAMPTON, ONT., August 2 1990

J.A.Marshall, M.C.P., M.C.I.P., O.P.P.I. Commissioner of Planning and Development, City Of Brampton, 150 Central Park Drive, Brampton, Ontario, L6T 2T9

Dear Sir,

Enclosed is a copy of my presentation re the opposing of the rezoning required for Andrin Bldg.Corp.to be allowed to construct an apartment building on Railroad St., west adjacant to my property.

This presentation was read aloud by me at a recent public meeting on August 1,1990 and at the same time I was requested to leave or forward a copy to your office.

My main reason for opposing as stated at the above meeting was that I feel approximately 25 % of my land surface will be rendered an un-buildable area if this rezoning takes place, all of which I have pointed out in my presentation.

I am very concerned about this rezoning and it's consequences to me therefore I respectfully ask that the Planning and Development Dept. of the City of Brampton give my concerns consideration.

Yours very truly

R.S.Wylie

cc/file

See attachments--

Mr.Chairman, members of the Planning & Development Dept., Citizens of Brampton, Ladies and Gentlemen.

With your permission Mr.Chairman I wish to read out my views on this proposed rezoning.

I am the registered owner of the lands adjacent to the east of the proposed apartment development. This land I have owned in excess of 40 years and have used it for a construction yard on which is erectastically a steel building for the housing of an office and shop pertainto my livlihood.

I am opposed to the rezoning required for the construction of the proposed apartment.

Firstly on a business or financial reason

The height of this proposed apartment far exceeds the height of surounding buildings and would look unsightly among them. It's use is for one purpose only, the housing of adults and their children, plus daycare, therefore if placed in an industrial commercial area would be totally incompatable with existing surroundings and if allowed would cause devaluation of all adjoining and neighbouring properties.

Any prospective buyer for a business located in an industrial zoning which is adjacent to a residential zoning has reservations as to the complaints he might receive with regards to noise and traffic caused by his operations and therefore the property becomes less attractive and in his estimation is worth less in value.

Presently the land requiring rezoning is zoned Industrial Ml.It is my understanding that zoning regulations of the city of Brampton would require me to rebuild my building in the case of fire or wind destruction, or if I wished to rebuild with better buildings 4 meters from the property line.

However if beyond that property line is zoned residential I would be required to build 9 meters from the property line therefore I have automatically lost 5 meters or approx.16% feet the full length of my property of 398 ft.less the required front setback. The width of my property is 65 ft.therefore rezoning to residential would delete the building use of my property by 25%.

The same facts would also apply to my neighbours, Hillsborough Resources Ltd., although presently there are no buildings envolved on this side their future building area loss would be a lot greater than mine as their lot line is much greater.

As one can see I would have to be crazy in the head not to oppose a situation whereby I would lose 25% of my land building use which in turn will cause devaluation. It is conceivable that if rezoning does occur, and I wanted to replace my buildings for any reason a 65 ft. wide lot less required zoning setbacks on either side in effect today would net me about enough room for the erection of a hot dog stand.

Cont'd.--

presently I am concerned but not really worried about this situation. personally I have a lot of faith in the good judgement that I think the Planning Department and city council have not to allow this to happen to two property owners who over many years have tried to be good corporate citizens, keep the lands in a respectable condition-weeds cut, etc., and no complaints that I am aware of . However by the same token I might say that I would be appalled if it does happen.

However while compensation might be considered by The City Of Brampton to adjoining land owners to this development in the way of relaxing coming side line distances I still oppose this rezoning.

have reservations and many concerns regarding the selection of a proper location within our city for an apartment of this size. The future running and operation of a complex of this size demands that it be situated in the proper environment.

Secondly from a citizens point of view.

First one has to ask himself, is the project worthwhile, is it needed, will it be good for the community and is it going in the right location?

Definately it is worthwhile, we need housing desparately and the care of our children is of utmost importance. Tenants of an apartment building and their children are entitled to and should have a first class place to reside, quiet and pleasant surroundings, good views and clean air just like people who own and live in their own houses in residential areas. If all these requirements exist you would have an apartment complex of very little troubles or complaints from it's tenants. It is my opinion that half the trouble outside of the drug situation one reads about in regards to the City of Toronto apartments of this size and type stem from the fact that they are not located in the right place in a good enviroment to start with.

It is my opinion that Railroad St. West is not the right location for this size of an apartment building having 133 rental units, this could total 250-300 residents ,children included, nor does it have anything to offer them. Their right and left hand balcony view would consist of sheet steel industrial type buildings located on gravel yards laden with trucks.cars and equipment, furthermore these buildings are all in good to excellent repair and are not about to disappear shortly. Their front view consists of asphalt parking lots again full of cars servicing three small apartments on the south side. The North view is something else. Immediately to the rear of this proposed apartment is located the main line, double track R.R. of the C.N.R, the view is fantastic,4 ft.of scrub brush full of wild carrot and chickory presently in full bloom. I have always thought a R.R. is about the poorist corporate neighbour one could have. In the forty years I have owned my property I have yet to see their weeds cut. Their fence is not worth discussion. This main line has considerable rail traffic both day and night and often one train waits on another to pass at the rear of this proposed apartment site. During this waiting period the air is blue with deisel exhaust.

Cont'd. --

Furthermore a spur line runs off this main line to the west. This spur line is used to park work trains and cars full of train wreckage. Part of the most recent derailment which occured close by is now sitting in these cars, the view here is, something else.

I have no doubts that the developer of this project will create an excellent fenced play area for children which is shown on the submitted plan, however surroundings beyond this are not acceptable nor is air full of deisel exhaust. An industrial atmosphere is not the place for y care. Daycare of children is of the most importance and should be ducted in a quiet and clean residential area, not between two industal properties, even though concrete barriers might be erected.

Across the road from the proposed apartment site are several small apartments which were built considerable time ago. Most of the tenants today are the original renters and at the time they moved in were well aware of industry around them. Over the years they have become accustomed to industry and what goes with it. However let's face facts todays tenants are of a different regeim, they are not going to look at gravel yards, parked cars and trucks and sheet steel buildings and put up with the the noise that goes with it all, and furthermore they don't have to. I ask myself is it wise to move 250 people into an apartment building knowing before you start that they won't be happy and that considerable turmoil and complaints will exist. You will find a lot of these complaints are well founded and immediate action will be required by already busy city departments and Police.

Many years ago the City Of Brampton adopted the concept of an official plan and zoning regulations. This was brought about by very knowledgable men and women, some of whom are still with the city today.

This plan was our map and guide to the future of Brampton. At the time it cost the taxpayers considerable but over the years has proven itself well worthwhile and moreover the way to go. I can see that if drastic changes occur in a certain area rezoning is certainly needed, however the North side of Railroad St. west has the same to offer now as it had 25 yrs. ago, other than a paved road and sidewalks as of last year. Again I must ask myself is it wise to overrule the wise decisions that we made at the formation of our Official Plan.

Within the past two years Everlast Caulking Ltd. of 96 Railroad St.just within 160 ft. of the proposed apartment site on the same side of the street erected an industrial commercial type building pertaining to their business which was compatiable to the area.

Presently there is only one vacant parcel of land left for development in the industrial M.l zone area of Railway St.W.end, which is now up for rezoning, it is my feeling that it would be far better suited for an industrial type mall which would conform to the area and be compatible.

Cont'd. --

I have no doupt as to the quality of building that will be erected by The Andrin Bldg.Corp. This company along with the Kirbill Group have been responsible for several residential and commercial projects within our city in the past years and all are 1st.class and an asset to our community.

We need this type of housing desparatly, but it should be located where it's tenants and their children reap the maximum of good environmental living conditions. I urge all responsible for the decision on the rezoning application to question yourselves, is Railroad St.W. among established industrial operations the correct location or is there better within our y?Personally I think there are many.

If the Andrin Bldg.Corp. were to come forward with an industrial mall type development for the location I would support it 100 %. This site is zoned industrial and that is what should be here.

Mr.Chairman and all in attendance, I appreciate the time afforded to me this evening to express my views and concerns.

Mr.Robert S.Wylie

R. S. Wylee.

Wylie Construction Ltd., 106 Railroad St., Brampton,Ont.



900705



June 27, 1990

City of Brampton PLANNING DEPT. JUL 0 5 1990 Rec'd とういりりり

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

Attention:

Mr. Al Rezoski

Re:

Noise/Vibration Studies

Andrin Building Corporation

Your File: CIW7.45 Our File: R42 1W100B

Dear Sir:

In reply to your letter dated June 8, 1990, we have reviewed the above noted studies and find the rail vibration study acceptable, however we have concerns with the noise report. Specifically the recommendations should indicate "central" air conditioning as a mandatory requirement and the reports findings with regard to outdoor amenity areas identifies a very serious rail noise problem impacting the site. A cross section detailing the required earth berm and rail/rear yard elevation relationships together with an appropriate sample noise prediction should be included to better assess these concerns. The availability of outdoor amenity areas for this development may be of concern to the City and if adequate off site facilities are not available then major revisions to the proposal may be necessary, due to the on site rail noise levels.

We trust that the above noted information is of assistance.

Yours truly,

D. R. Billett Director of

Development Control

VZ:nb

S. Dewdney, Planning, City of Brampton cc:

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



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

Roger Barrett hrine Campboll George Carlson Karen Carstensen **Boryl Ford** Gail Groon Dr Ralph Greene L. Cliff Gyles Alex Jupp William Kent Robert Lagerquist Thomas McAulitte Janet McDougald Llaine Moorn Marolyn Morrison Sandy Ransom Rosemary Taylor Ruth Thompson Carolyne Wedgbury

Director of Education and Secretary Robert J Lee, BA, M Ld

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

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

May 7, 1990

Mr. Allan Rezoski, A.I.C.P. Development Planner City of Brampton 150 Central Park Drive Brampton, Ontario L6T 2T9

Application to amend the Official Plan and Zoning By-law Lot 7 Con. 1 W.H.S. Andrin Building Corporation Your file: C1W7.45

Dear Mr. Rezoski,

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

The anticipated yield from this plan is as follows: The anticipated yield from this plan is as follows: The phan 1

12 6, 7, 12 9-OAC

The students generated are presently within the following attendance areas:

,	Enrol. Mar. 90	OME10%
McHugh P.S. JK-6	296	357
Beatty-Fleming Sr.	404	344
Brampton Centennial S.S.		
9-12/OAC	1356	1499

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

Yours truly,

Stephen Hare

Assi/stant Chief Planning Officer

SH/jf

₽LANN/2432

P. Smith, Andrin Building Corp.

P. Allen M. Hiscott

(J.A. Brown Education Centin 5650 Hurontario Street Mississauga, Ontario 1587 1C:6 Talaphone (416) 899-1079 Fax (416) 890-6747

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n Equal Opportunity Employer

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PL/d-

Date MAY I

TIM No.



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

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

May 30, 1990

John Marshall Commissioner of Planning Planning and Development Department The City of Brampton 150 Central Park Drive Brampton, Ontario L6T 2T9

Dear J. Marshall:

Re: Application to Amend the Official Plan and

Zoning By-Law, C1W7.45 Lot 7, Concession 1, W.H.S.

116 Railroad Street

Andrin Building Corporation

City of Brampton

In the interest of affordable housing efforts on behalf of the City of Brampton, the Board has decided to submit the following comments due to the nature of this application, a non-profit project, located in the City of Brampton:

The above-noted application proposes 120 apartment units, which will generate approximately 24 Junior Kindergarten to Grade 8 students and approximately 4 vi-Grades 9 to 12/OAC students.

Elementary separate school students generated by the above application will attend St. Joseph and secondary separate school students will attend St. Augustine.

The Dufferin-Peel Roman Catholic Separate School Board requires that the following conditions be fulfilled prior to approval of the above-noted application:

That the following clause be inserted in the Financial Agreement and in all offers 1. of purchase and sale of residential lots until the permanent school for the area has been completed;

Re: 133 millor: arrived meintilia

City of Brampton PLANNING DEPT.

Date JUN 1 4 1990 Rec'd

"Whereas, despite the best efforts of The Dufferin-Peel Roman Catholic Separate School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the area, and further, that students may later be transferred to the neighbourhood school."

2. That the applicants be required to erect information signs at all major entrances to the proposed development advising that:

"Due to overcrowding in neighbourhood schools, students may be accommodated in temporary facilities or bussed to alternate facilities." The applicants are required to contact the Board's Planning Department for sign specifications.

Yours truly,

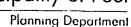
Michael Hiscott, M.C.I.P.

Superintendent of Planning

RM

c.c. K. Adamson, J. Doran, L. Reid - Trustees

J. Greeniaus, Peel Board of Education





April 20, 1990

Gay of Gramplon PLANKING DEPT. ^{Date} APR 2-7 1990 ^{Rect}

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

Attention:

Mr. Allan Rezoski, A.I.C.P.

Development Planner

Official Plan Amendment and Rezoning Application

Adrin Building Corporation

Pt. Lot 7, Concession 1 W.H.S. (Brampton) Your file: C1W7.45

Our file: R42 1W100B

Dear Sir:

In reply to your letter of April 19, 1990 concerning the above noted application, please be advised that the Regional Public Works Department has examined the proposal and has made the following comments:

Sanitary

Sewer:

Available in a 300mm diameter sewer on Railroad Street.

Municipal

Water:

Available in a 150mm diameter main on Railroad Street. A flow

test may be required to verify supply.

Regional

Roads:

No objections.

The Regional Transportation Policy Division has also reviewed the above noted application and has no comments to offer.

In addition, the applicant must enter into agreement with the Region of Peel, prior to the City's adoption of the Zoning By-law, for the payment of Regional development levies.

900 (30)

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

We trust that this information is of assistance.

Yours truly

D. R. Billett Director of Development Control

JL/dh

cc:

L. Eason, Regional Finance



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City of Brampton

PLANNING DEPT.

Dain JUN 2 5 1990 Bec'd

June 14, 1990

City of Brampton
Planning and Development Department
150 Central Park Drive
Brampton, Ont.,
167 279.

Attention: Mr. Allan Rezoski

Development Planner

Dear Sir:

Re:

Application to Amend the Official Plan and Zoning By-law Lot 7, Concession 1, W.H.S. Part of Block C and Park of Industrial Street, R.P. 452 116 Railroad Street City of Brampton ANDRIN BUILDING CORPORATION City of Brampton File No. ClW7.45 Our File No. 02/B/1/90

We have reviewed the subject application for an official plan and zoning amendment and provide the following comments for your information.

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 predevelopmentlevels within the newly developing areas North of Steeles Avenue.

In this legard, 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.

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City of Brampton Brampton, Ont.

continued ...

The Authority is generally not accepting stormwater storage on rooftops or parking lots because of concerns regarding long term maintenance of these facilities. It is also the general policy of the Authority to recommend that all lands required for stormwater management purposes be maintained in a single block, zoned in the appropriate 'Open Space' or 'Greenbelt' category, with dedication to the municipality.

On this basis, we request that the subject application be deferred until such time as it is determined whether additional lands are required for stormwater management purposes. By copy of this letter, we are informing the applicant of our requirements.

Yours very truly,

Lisa Ainsworth Resource Planner

LA:sp

cc:

City of Brampton

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Attention: Mr. D. VanBeilen

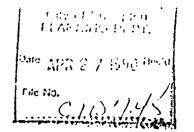
Director, Development & Engineering

Attention: Mr. H.P. Hornblow

Supervisor, Plans & Permits

Reich & Petch Architects Inc. 1815 Yonge Street Toronto, Ont., M4T 2A4.





Operations Services
Northern Ontario District
Suite 504
277 Front Street West
Toronto Ontario
M5V 2X7

23 April 1990

Your File: C1 W7.45 Our File: 4500-B-09(8)

The Corporation of the City of Brampton Planning & Development Department 150 Central Park Drive BRAMPTON, Ontario L6T 2T9

Attention: Allan Rozoski, A.I.C.P.

Development Planner

Doar Mr. Rozoski

Ro: Proposed Official Plan & Zoning By-Law Amendment
116 Railroad St., Lot 7, Conc. 1, W.H.S., Andrin Building Corporation

We acknowledge receipt of your letter dated, 9 April 1990, requesting comments with respect to the subject document.

Residential uses are incompatible with our adjacent operated right-of-way.

The proposed residential use or any residential designation permitting residential use adjacent to the Halton Subdivision a Principal Main Line, would be expected to comply with our standards for noise, vibration and safety as attached.

We are pleased to acknowledge that the site plan illustrates our 30 metre setback requirement, however, it neglects to indicate some of our other standards, such as a 2.5 metre safety berm and fence along the mutual property line.

We specifically request that the proposed re-zoning incorporate our 30 metre setback requirement, in conjunction with the 2.5 metre high safety berm and the 1.83 metre high chain link security fence. Our remaining conditions should be included in the subdivision agreement or in an agreement directly with the Railway.

Alan gur 130

We request that the City of Brampton adopt a railway policy statement also attached or as a modification to the Official Plan Amendment.

Should the Region decide to approve the Amendment without incorporating the above policy, we have no alternative but to request that this Amendment be referred to the Ontario Municipal Board pursuant to the provisions of the <u>Planning Act. 1983</u>. S 0. 1983. c.l. and in particular, that the Region refer the designation of any lands within 300 metres of a railway right-of-way which designation permits residential uses.

We would appreciate the opportunity to comment on any proposed modification prior to its adoption, and ultimately, we request receiving Notification of Passing of the implementing By-Law and notice of the Official Plan Amendment being approved.

If you require clarification, contact Mr Michael Dauphinee at (416) 860-2508.

Yours truly

S. N.D. Coleman

for D.A. Reynolds, P. Eng. Technical Support Engineer

/md



PRINCIPAL HAIN LINE

- A. Noise berm, or combination berm and acoustic fence, adjoining and parallel to the railway right-of-way and having returns at the ends:
 - (i) Minimum total height 5.5 metres above top-of-rail.
 - (ii) Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre (4 lb /sq. ft.) of surface area.

Note: The Railway may consider other measures recommended by an approved Noise Consultant satisfactory to the Railway.

- B. Safety setback of dwellings from the railway right-of-way to be a minimum of 30 metres in conjunction with the safety berm noted below. In the absence of a safety berm, we require a dwelling setback of 120 metres.
- C. Ground-borne vibration transmission to be estimated through site testing and evaluation to determine if dwellings within 75 metres of the Railway right-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec. RMS between 4 Hz. and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz. ±3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec. RMS on and above the first floor of the dwelling.
- D. Safety berm adjoining and parallel to the railway right-of-way with returns at the ends, 2.5 metres above grade is required despite none being required to address the Railway's noise concerns.
- E. The following clause should be inserted in all offers to purchase, agreements of sale and purchase or lease and in the title deed or lease of each dwelling; "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
- F. Any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- G. The Developer shall install and maintain at his own expense, a chain link fence of minimum 1.83 metre (6 feet) height along the mutual property line, which shall be maintained by the Owner.
- H. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have the sole responsibility for and shall maintain these measures to the satisfaction of CN Rail.
- I. Pursuant to the Planning Act, the Municipality shall provide this office of the Railway with written notice of the public meeting, by-law and passing of the by-law appropriately zoning the lands hereby proposed for subdivision.
- J. The Owner enter into an Agreement stipulating how CN Rail's concerns will be resolved and will pay CN Rail's reasonable costs in preparing and negotiating the agreement.



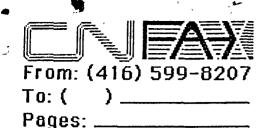
RAIL NOISE, VIBRATION AND SAFETY IMPACT POLICY

Noise and vibration sensitive areas may be considered to be those areas of land abutting or adjacent to rail right-of-ways having a passive recreation or residential component. Sensitive areas for noise generally include lands lying within 300 M of rail right-of-ways and for vibration, generally include lands lying within 75 M of rail right-of-ways.

Specific land use controls respecting rail impacts shall be exercised on lands abutting or adjacent to rail right-of-ways and the following policies shall apply:

- (a) Prior to approval of applications for policy amendments, zoning by-law alterations, or subdivision or condominium control that result in or permit the creation of a new residential unit or lot or the conversion of rental residential units to freehold, cooperative or condominium ownership.
 - (i) said application(s) shall be circulated to the appropriate rail company for comments with regard to the recommended noise, vibration and impact mitigation measures; and
 - (ii) the municipality may require that the owner/developer engage a consultant to undertake an analysis of noise and/or vibration and to recommend abatement measures necessary to achieve the maximum noise level limits set by the Ministry of Environment to the satisfaction of the City and in consultation with the appropriate rail company and the Ministry of the Environment.
- (b) As a condition of approval of applications as detailed in (a) preceding, provision shall be made where possible, for the registration on title and insertion in Agreements of Purchase and Sale or Lease of a warning clause with regard to the existence of and potential impacts of rail use and operations and mechanisms to ensure the ongoing maintenance of the required measures and;
- (c) As a condition of approval of applications as detailed in (a) above preceding and as outlined hereafter, setbacks to address rail safety concerns shall be required for any new residential dwelling or building, an addition to an existing residential structure or a place of public assemblage from the railway right-of-way. The appropriate safety setback will be determined in consultation with the railway company and will take into account provision for safety berms, topography and intervening structures between the railway right-of-way and the new residential dwelling or building, addition to an existing residential structure or place of public assemblage.
- (d) As a condition of approval of applications as detailed in (a) above preceding the developer may be required to install and maintain combined security and acoustical fencing of a minimum height necessary to prevent trespass onto the adjacent railway right-of-way and attenuate noise to acceptable levels. As a minimum requirement, chain link security fencing of 1.83 M height will be required along the common property boundary with the railway right-of-way.

15/04/88



Operations Services Northern Ontario District Suite 504, 277 Front St W Toronto, Ontario MSV 2X7

Friday, June 8, 1990

□N File 4500-L-09

Brampton File CTW7 45

Corporation of the City of Brampton Franking & Development Department 150 Central Park Drive BRALIPTON, Ontario L6T 2T9

Attention

Allan Rezoski

Dear Sir

Re Proposed Official Plan & Zoning By-Law, 116 Railroad St. Brampton

This is further to our letter of 23 April 1990, and will confirm our recent conversation relating to the above captioned matters

The Noise Report prepared by Jade Acoustics satisfactorily addresses the Railways concerns and indicates that an adequate noise environment can be achieved for this proposal using conventional architectural attenuation measures

The Vibration Report Indicates unfortunately, that measurements taken were during train passbys that were somewhat less than the maximum speed that is allowed for this section of track. Jade Acoustics has been requested to determine what affect increasing the speed would have on their calculations and related conclusions. Nevertheless, the existing information indicates that vibration levels will not likely be an unsurmountable constraint to the viability of this proposal

Previous discussions with the proponent's Architect, concluded that safety features consisting of a minimum 30 metre setback, a safety berm and chain link fencing would be provided in line with CN's standard requirements for new residential development adjacent to Railway operations in the Brampton area

In summary, CN does not anticipate any particular problem with this development proceeding, in that adoption of the Railway's standard mitigation measures or appropriate alternatives, will provide an adequate environment for the future residents

Yours truly

Nicholas D Coleman For D A Reynolds, P.Eng

Technical Support Engineer