



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 21-87

To adopt Amendment Number 111 and Amendment Number 111 A to the Official Plan of the City of Brampton Planning Area.

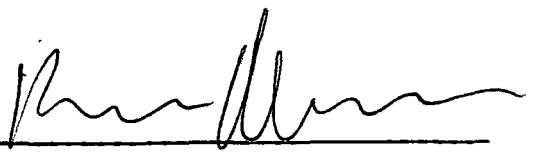
The council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, 1983, hereby ENACTS as follows:

1. Amendment Number _____ and Amendment Number 111 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 and Housing for approval of Amendment Number 111 and Amendment Number 111 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 12th day of January, 1987.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON
DATE 1/11


KENNETH G. WHILLANS - MAYOR


LEONARD J. MIKULICH - CLERK

ORIGINAL

B/- lw 21-87

AMENDMENT NUMBER 111

to the Official Plan of the
City of Brampton Planning Area
and

AMENDMENT NUMBER 111 A

to the Consolidated Official Plan
of the City of Brampton Planning Area

21- OP 0031- 111-1

Amendment No. 111A
to the
Consolidated Official Plan for the
City of Brampton Planning Area and
Amendment No. 111 to the
Official Plan for the
City of Brampton Planning Area

This Amendment to the Consolidated Official Plan for the City of Brampton, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved under Sections 17 and 21 of the Planning Act, 1983, as Amendment No. 111A to the Consolidated Official Plan and Amendment No. 111 to the Official Plan for the Brampton Planning Area.

Date

March 11, 1987.



L. J. FINCHAM

Director

Plans Administration Branch

Central and Southwest

Ministry of Municipal Affairs



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

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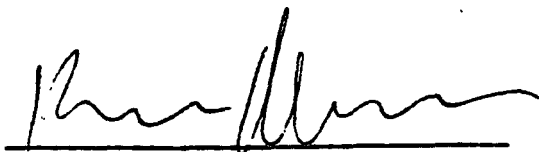
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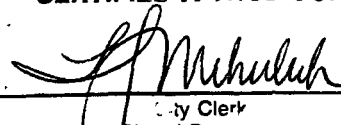
this 12th day of January, 1987.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

DATE 1/15/87


KENNETH G. WHILLANS - MAYOR

CERTIFIED A TRUE COPY


City Clerk
City of Brampton


LEONARD J. MIKULICH - CLERK

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AMENDMENT NUMBER 111
AND AMENDMENT NUMBER 111 A
TO THE OFFICIAL PLAN
OF THE CITY OF BRAMPTON PLANNING AREA

1. Purpose

The purpose of this amendment is to change the land use designation of the subject lands from 'Industrial' to 'Commercial'. This is to permit a gas station, a fast food restaurant and an automotive service plaza, which consists of a muffler shop, a tire shop, a hydraulic equipment shop and an automobile glass shop.

2. Location

The lands subject to this amendment are located at the intersection of the east side of Airport Road and the northerly limit of the Clark Road extension, being part of Lot 4, Concession 7, Northern Division, in the geographic Township of Toronto Gore, have an area of 0.8 hectares and is outlined on Schedule A to these amendments.

3. Amendments and Policies Relative Thereto:

3.1 Amendment Number 111 :

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

- (1) by changing, on Schedule A thereto, the land use designation of the land show outlined on Schedule A to this amendment from INDUSTRIAL to COMMERCIAL;
- (2) by adding to, Schedule F thereto, the land use designation HIGHWAY AND SERVICE COMMERCIAL, for the land shown outlined on Schedule A to this amendment, and
- (3) by adding to the list of amendments pertaining to Secondary Plan Area Number 23, set out in subsection 7.2.7.23, Amendment Number 111 A.

3.2 Amendment Number 111 A:

The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Gore Industrial South Secondary Plan (being Amendment Number 6 and 31, to the Consolidated Official Plan, as amended), is hereby amended:

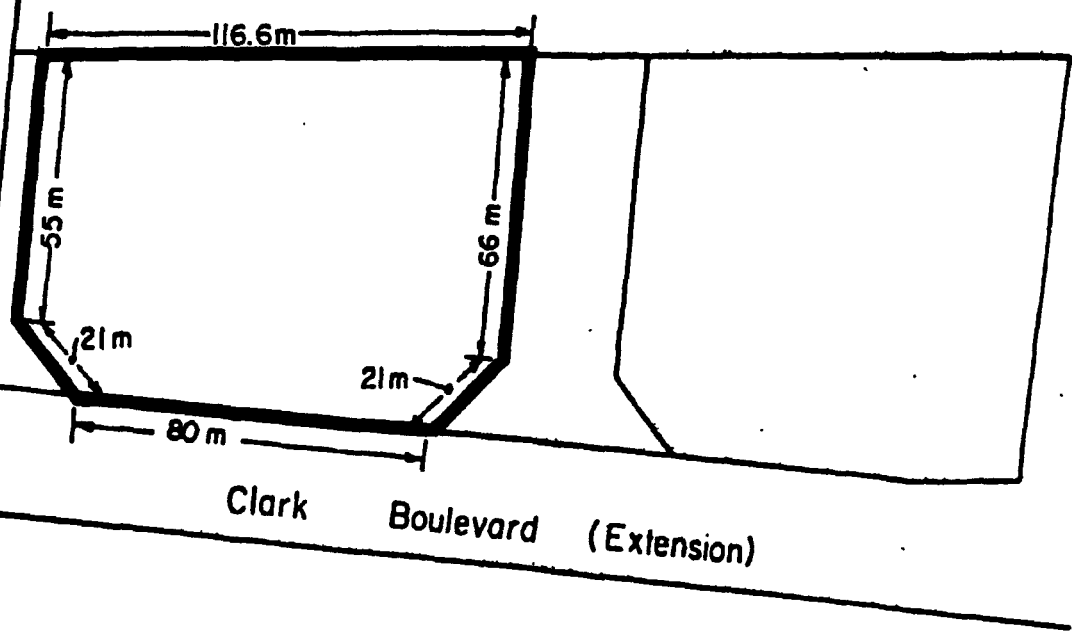
- (1) by changing, on Schedule A to Amendment Number 6 to the Consolidated Official Plan, as amended, the land use designation of the lands shown outlined on Schedule A to this amendment from INDUSTRIAL to HIGHWAY COMMERCIAL.

(2) by adding to the Legend on Schedule A to Amendment Number 6 to the Consolidated Official Plan, as amended, the land use category "HIGHWAY COMMERCIAL".

(3) by adding to Part B, Section 1.0 of Amendment Number 6 as follows, the definition of Highway Commercial after Section 1.4;

"1.5 Highway Commercial shall mean that the use of the land shall cater primarily to automobile-oriented traffic, and those whose business is based on the travelling public, thereby requiring a location for these uses in proximity to a highway or arterial road.

AIRPORT ROAD



Clark Boulevard (Extension)

— Limit of area of land

OFFICIAL PLAN AMENDMENT No. 111
OFFICIAL PLAN AMENDMENT No. 111 A

Schedule A



1:1600

CITY OF BRAMPTON
Planning and Development

Date: 86 10 22 Drawn by: RB
File no. C7E4.4 Map no. 66-21F

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 111
AND
AMENDMENT NUMBER 111 A

Attached are copies of a report from the Planning and Development Services Division, dated August 1, 1986, and a copy of the notes of a Public Meeting held on October 8, 1986, after notification in the local newspapers and the mailing of notices to assessed owners of properties within 120 metres of the subject lands.

25/86/3

C5

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

August 1, 1986

TO: Chairman of the Development Team

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law 861
Part of Lot 4, Concession 7, N.D.
(Toronto Gore Township)
Ward Number 10
DOMENIC MASCITELLI
Our File Number: C7E4.4

1.0 Introduction

An application for amendment to the Official Plan and the Zoning By-law, to establish on one commercial lot, a fast food restaurant, and a gas bar facility, in the form of an automobile service plaza, has been submitted to the City Clerk and referred to staff for a report and recommendation.

2.0 Property Description

The property proposed for development presently consists of two lots of a draft plan of subdivision and is located on the northeast corner of the Airport Road and Clark Boulevard intersection. The subject parcel of land has a frontage of 105.47 metres (346.78 feet) along Clark Boulevard, with a flankage distance along Airport Road of 42.3 metres (138.78 feet) and an area of .81 hectares (2 acres). The vacant land is level and has an elevation of approximately .6 metres (2 feet) above Airport Road.

C5-2

The surrounding uses are as follows:

- to the north - agricultural lands/proposed industrial park
- to the east - C.N.R. Intermodal yards
- to the west - Bramalea Business Park and Computer Land
- to the south - a residence, agricultural lands/proposed industrial park.

3.0 Official Plan and Zoning Status

The Official Plan, Schedule "A" General Land Use Designations, designates the subject lands as "Industrial". The Secondary Plan, (Area No. 23): "Gore Industrial South" designates the property "Industrial".

According to By-law 56-83, as amended, (Schedule A - Sheet 18), the property is zoned Agricultural (A). The surrounding lands are also zoned Agricultural (A). The proposed uses, namely a fast food restaurant, a gas bar, a tire shop, a muffler shop, an automobile glass repair shop and a hydraulic equipment supply shop are not permitted in the Agricultural (A) zone. An amendment to the zoning by-law provisions for the HC2 zone would be required to permit the hydraulic equipment and supply shop.

4.0 Proposal

The applicant has requested an amendment to the Official Plan and Zoning By-law, to permit a gas bar facility and a strip mall building with a gross floor area of 2550 square metres (27449 square feet) to contain a fast food restaurant, a tire shop, a muffler shop, an automobile glass shop and a hydraulic equipment supply shop on the subject lands. (The Clark Boulevard extension presently is not open to the public). Access to the proposed development will be from one access point to Airport Road, with two access points from the Clark Boulevard extension and one access onto a future north-south internal road, as shown on the attached site plan.

5.0 Comments

5.1 (a) Planning and Development Department

- recommended that the landscaping setback for the subject lands be 12 metres (39.4 feet) along Airport Road and 3 metres (9.8 feet) along Clark Boulevard.
- also recommended that there should be no connection between the commercial uses and the gas bar.
- advised that the site plan should have:
 - 1) parking breakdown with respect to each proposed use,
 - 2) the location of overhead doors for automobile uses, and
 - 3) the location of garbage facilities.
- suggested that the location of the restaurant should be shown on the plan.
- expressed concern regarding the access locations and the location of the proposed 82 car parking spaces.

(b) Planning Policy and Research Division has no comment.

5.2 Regional Municipality of Peel - Public Works Department advised that:

- i) they will not permit the requested access from Airport Road;

C5-4

- 4 -

- ii) sanitary sewers are available on Airport Road;
- iii) storm sewers are not available on Airport Road;
- iv) water is available on Airport Road and Intermodal Drive. It is noted that a 400 mm diameter watermain will be required northerly along the future street to the north limit of the subject lands; and
- v) road widening is required to provide 22.5 metres from the centre line of Airport Road (7.26 metre widening). A 15 metre daylighting triangle is required on Airport Road at the future Clark Boulevard. A 0.3 metre reserve is required along the widened limit of Airport Road. Funds will be required for the installation and/or upgrading of traffic signals at Airport Road and Clark Boulevard. The developer will be required to carry out intersection improvements and related works on Airport Road at Clark Boulevard.

5.3 Public Works

a) Development and Engineering Services Section

- advised that a storm water management report is to be submitted indicating how the storm water runoff is to be accommodated. A storm drainage report will be submitted reflecting how the recommendation in the storm management report will be implemented;
- recommended that the lots be individually drained;
- the right-of-way of the "future road" cannot be determined until the road pattern to the north is prepared;

- cash-in-lieu for sidewalks will be required along Airport Road and Clark Boulevard;
 - development of these lands shall be contingent on Clark Boulevard being constructed at least up to the "future road"; and
- b) Traffic Engineering Services Section
- advised that they have no objection to the proposal subject to a site plan being entered into pertaining to grading, drainage and access.
 - advised that they are concerned about the location of the accesses to Clark Boulevard.
- c) Zoning and By-law Enforcement Section - advised that subject to rezoning for H.C.1 uses a minimum front yard setback of 15 metres is required.

5.4 Community Services Department

- a) Parks - expressed concerns regarding increase in traffic
- recommended that the lands remain designated Industrial.
- b) Transit - no comment.
- c) Fire - no comment.

5.5 Law Department - no comment.

6.0 Discussion

The applicant is proposing that the subject lands be redesignated

C5-6

- 6 -

from "Industrial" to "Commercial" and be rezoned from Agricultural (A) to Highway Commercial Two (HC2), to permit a fast food restaurant, and an automobile service plaza (a tire shop, a muffler shop, an automobile glass shop and a hydraulic equipment supply shop) on the subject lands (formerly lots 1 and 2 of the draft plan of subdivision).

The subject property is part of a draft plan of proposed subdivision, previously considered by the City (Region of Peel File: 21T-82012B, our file: C7E4.1). In response to the same owner's requests for the subject land to be used for commercial development, on December 28, 1982, Council approved a resolution to refuse the amendment of the Official Plan to allow commercial development. It is staff's opinion that the Official Plan policies and the circumstances relating to that proposal have not changed.

The secondary plan policies require that access onto arterial roads (i.e. Airport Road) be restricted, and vehicular access be oriented towards interior roads (Section 3.2.4, Official Plan Amendment No. 6). The policy also requires that Clark Boulevard be extended east of Airport Road only to provide access to the lands immediately north and south, and not be used to provide regular access to Brampton Intermodal Terminal (Section 3.2.5, Official Plan Amendment No. 6).

The requirements of the Region and City Public Works staff would be satisfied by complying with the condition of draft approval for the plan of subdivision. Substantial improvements would have to be made to provide adequate road and other services to the subject lands. For example, Clark Boulevard, east of Airport Road (referred to as the "extension") will have to be completed to the standard of a "local" road (condition number 8 of the conditions of draft approval for Plan 21T-82012B). At present the Region of Peel is in the process of installing traffic lights and related intersection improvements.

According to Section 3.3.5, Council will consider "retail and service establishments designed in the form of a plaza and intended to provide a service to the principal use being industry". As it is the opinion of staff that the proposed use of the subject lands would not be providing a service to the existing business/industrial park, this proposal would not comply with policy Section 3.3.5, O.P.A. No. 6. Consolidated Official Plan Amendment Numbers 31 and 58 provide for commercial development around the intersections of Airport Road with Highway Number 7 and Steeles Avenue.

The Region has opposed the proposed direct access to Airport Road, requested by the gas bar facility.

At present, in the vicinity of this proposal, along Airport Road, between Steeles Avenue and Highway Number 7, there are: (i) an existing gas station at the southeast corner of the intersection of Highway Number 7 and Airport Road; (ii) an approved gas bar and donut shop at the northeast corner of the intersection of Steeles Avenue and Airport Road, and (iii) another approved gas bar and donut shop on the north side of Highway Number 7 immediately west of Airport Road. In consideration of Official Plan policies, existing and proposed development, additional commercial development in the form of a gas bar, and an automobile service plaza at the subject site is not warranted.

7.0 Recommendation

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

- A. The applicant's request to amend the Official Plan and Zoning By-law to allow commercial development be refused.

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Respectfully submitted,

Gail Speirs
Gail Speirs, M.C.A.P.
Development Planner

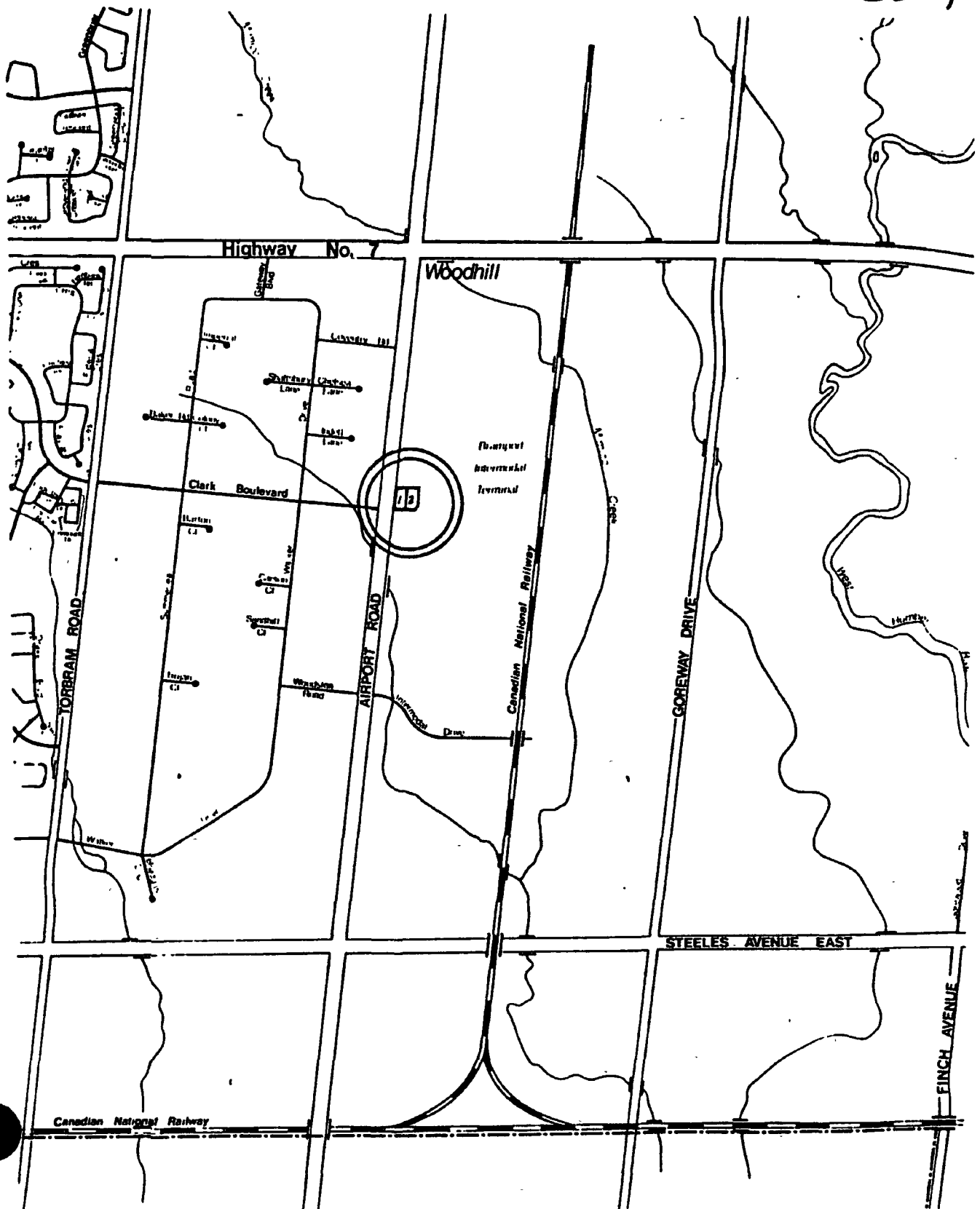
AGREED:

F. R. Dalzell
F. R. Dalzell
Commissioner of Planning and
Development

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

GS/jp/1

C5-9



DOMENIC MASCITELLI

Location Map

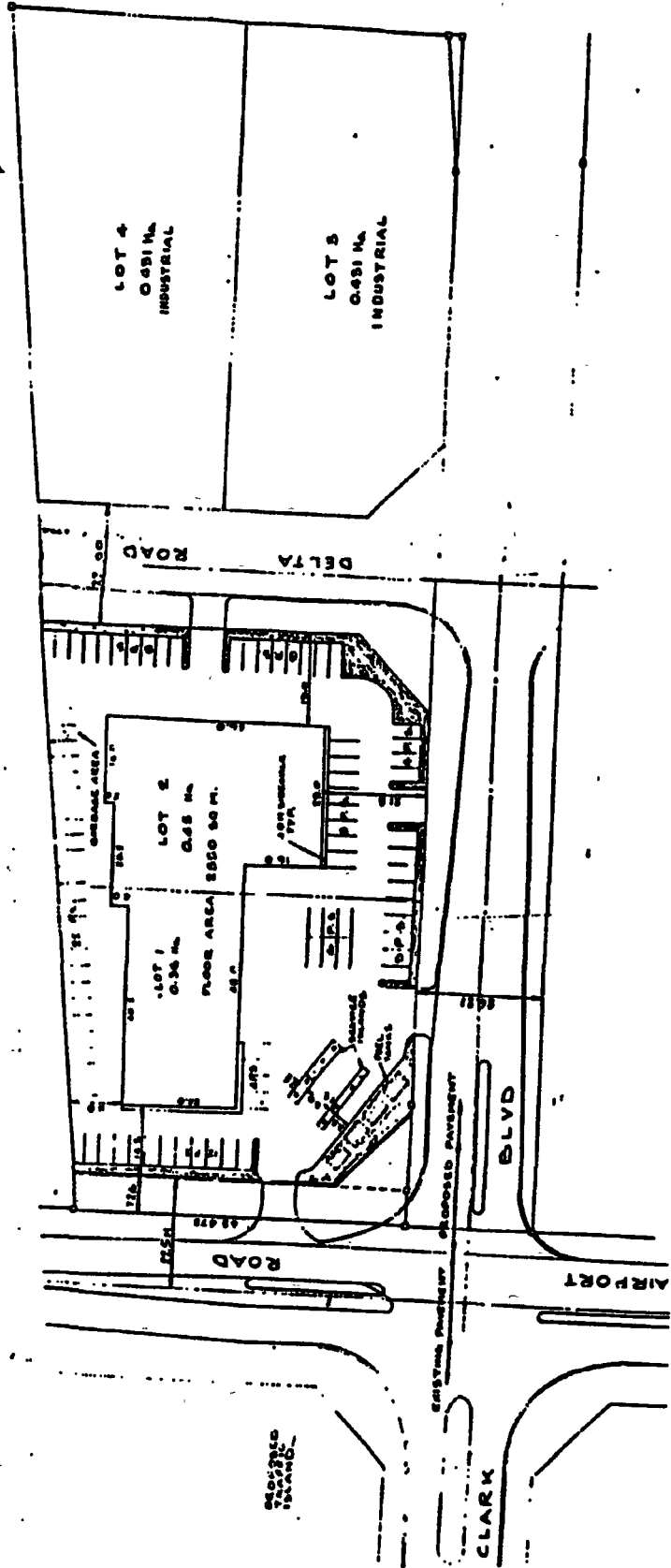


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CITY OF BRAMPTON
Planning and Development

Date: 86 04 09 Drawn by: RB
File no. C7E4.4 Map no. 66-21A

C5-10



DOMENIC MASCITELLI



1:1450

CITY OF BRAMPTON
Planning and Development

Date: 86 07 11 Drawn by: RB
File no. C7E4.4 Map no. 66-21C

Site Plan

D 2

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

October 10, 1986.

TO: The Chairman and Members of Planning Committee
FROM: Planning and Development Department
RE: Application to Amend the Zoning By-law
& Official Plan
Part of Lot 4, Concession 7, E.H.S.
Ward 10
DOMENIC MASCITELLI
Our File: C7E4.4

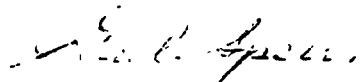
The notes of the Public Meeting held on Wednesday, October 8, 1986 are attached for the information of Planning Committee.

No members of the public appeared at the meeting to express concern or comments. In addition, no communications have been received with respect to the application.

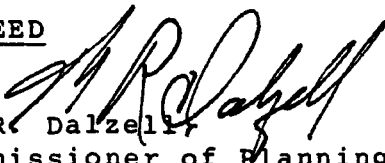
IT IS RECOMMENDED THAT Planning Committee recommend to City Council that:

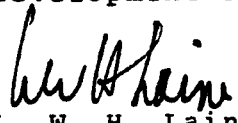
- A) the notes of the Public Meeting be received,
- B) the application be approved subject to the conditions approved by City Council on September 8, 1986, and
- C) staff be directed to present the appropriate documents to Council.

Respectfully Submitted,


G. Speirs, M.C.I.P.
Development Planner

AGREED


F. R. Dalzell
Commissioner of Planning
and Development


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

D2-1

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, October 8th, 1986, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:37 p.m. with respect to an application by DOMENIC MASCITELLI (File: C7E4.4 - Ward 10) to amend both the Official Plan and the Zoning By-law to permit a gas bar facility and a strip mall building to contain a fast food restaurant, a tire shop, a muffler shop, an automobile glass shop and a hydraulic equipment supply shop.

Members Present: Councillor F. Russell - Chairman
Alderman T. Piane
Alderman H. Chadwick
Alderman S. DiMarco
Alderman P. Palleschi
Alderman J. Shadrach
Councillor P. Robertson

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

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

Mr. Dalzell replied in the affirmative.

There were no interested members of the public in attendance and the meeting adjourned at 7:38 p.m.