

OFFICE CONSOLIDATION

SECONDARY PLAN AREA 40

CHAPTER 40(a)

OF THE

BRAM WEST SECONDARY PLAN

August 2010

EXPLANATORY NOTES

Office Consolidation Bram West Secondary Plan Area 40 CHAPTER 40(a)

General (pertaining to all secondary plan office consolidations)

- i. Secondary plan office consolidations are provided for convenience only, but have no *Planning Act* status. For official reference, recourse should be had to the original documents pertaining to each secondary plan.
- ii. As noted in the 2006 Official Plan (Section 5.4.10 in the 2006 Official Plan) the documentation that constitutes a specific secondary plan may consist of a Chapter in Part II of the 2006 Official Plan, or a retained Chapter in Part IV of the 1984 Official Plan, or an amendment to or chapter of the 1978 Consolidated Official Plan.
- iii. Secondary plans form part of the Official Plan and are to be read in conjunction with all policies of the Official Plan, including interpretation and implementation provisions.
- iv. Where there is conflict or inconsistency between a provision in the current Official Plan and a provision in a secondary plan (whether directly in the text or included by reference) the current Official Plan shall prevail. When such a conflict is identified, efforts shall be made to revise the plans to correct the conflict.
- v. Reference to any provision of an Official Plan or a secondary plan (whether directly in the text or included by reference) that is superseded by a more recently adopted equivalent provision shall be deemed to be a reference to the more recently adopted equivalent provision.
- vi. When provisions in a secondary plan refer to an apparently repealed provision in a repealed Official Plan (e.g. the 1984, 1993 Official Plan or the 1978 Consolidated Official Plan), the referenced provisions shall be considered to be an active and applicable part of the secondary plan, unless:
 - (a) the referenced provision is in conflict with the current Official Plan;
 - (b) the referenced provision is superseded by a more recently adopted equivalent provision; or,
 - (c) it is evident that it was the intention of Council at the time of the repeal of the predecessor Official Plan that the referenced provision was not to be

considered active and applicable for such secondary plan purposes in the future.

- vii. The Council of the City of Brampton is responsible for interpreting any provision within the Official Plan and secondary plans.

Specific (Secondary Plan 40, Bram West Secondary Plan)

This office consolidation of the Bram West Secondary Plan consists of Chapter 40(a) and Schedule SP40(a) of the document known as the 1993 Official Plan.

Chapter 40(a) is based on Official Plan Amendment OP93–70 to the document known as the 1993 Official Plan, as adopted by City Council on July 30, 1997 (By-law 166-97) and approved with modifications by the Region of Peel on September 2, 1998.

Chapter 40(a) incorporates all modifications, deferrals and referrals made by the Region of Peel and the Ontario Municipal Board issued on August 25, 1999 (Order No. 1596), October 6, 1999 (Order No. 1862), November 4, 1999 (Order 2035), December 1, 1999 (Order No. 2035) and April 12, 2005 (Order 0912) along with the following Official Plan Amendments that were approved by the City of Brampton:

OP93-97	OP93-217	OP93-115
OP93-130	OP93-264	
OP93-148	OP93-270 (appealed to the OMB)	

This office consolidation is provided for convenience only. For official reference, resource should be had to the original documents noted above.

August 2010

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Chapter 40(a): The Bram West Secondary Plan

1.0 PURPOSE

The purpose of this chapter, together with Schedule SP40(a), is to implement the policies of the Official Plan for the City of Brampton Planning Area, by establishing, in accordance with Section 5.4 of the Official Plan, detailed policy guidelines for the development of the lands outlined on Schedule SP40(a), and to specify the desired pattern of land uses, transportation network and related policies to achieve high quality, efficient, orderly and ecologically responsible urban development. This chapter will constitute, in part, the Bram West Secondary Plan.

2.0 LOCATION

The lands subject to this amendment comprise an area of approximately 1,189 hectares (2,940 acres) in southwest Brampton, generally located between Winston Churchill Boulevard to the west, Steeles Avenue West to the south, the Credit River to the north and Mississauga Road to the east. The lands are described as being Part of Lots 1 through 10, Concessions 6 WHS, and Part of Lots 1 through 7, Concession 5 WHS, in the geographic Township of Chinguacousy, now in the City of Brampton as shown on Schedule SP40(a).

OP93-270 /
OMB Order
dated March
4, 2009

3.0 **DEVELOPMENT PRINCIPLES**

3.1 **Residential**

3.1.1 The various residential designations shown on Schedule SP40(a) are categories in which the predominant use of land is residential and collectively include the full range of dwelling types from single detached units to high rise apartments. Complementary uses as set out in Part I of the Official Plan are also permitted in the various residential designations, or may be specifically identified by other designations or policies in this Secondary Plan. Minor utility installations such as transformer sub-stations and telephone switching centres are also permitted in the residential designations provided that they are integrated in an appropriate manner with adjacent residential uses.

Upscale Executive Housing Special Policy Area:

3.1.1a The special policy area designated as Upscale Executive Housing Special Policy Area on Schedule “SP40(a)” is an area considered to have appropriate characteristics to accommodate a successful upscale executive housing community in accordance with the policies, principles and standards set out in SECTION 4.1: RESIDENTIAL, PART I: THE GENERAL PLAN.

3.1.1B The Upscale Executive Housing Special Policy Area shall be studied in detail with reference to the upscale executive housing principles and standards specified in subsection 4.1.2 of PART I: THE GENERAL PLAN to determine how best to define and designate the necessary components and infrastructure of a workable upscale executive housing plan for this area

and how to effectively integrate upscale executive housing enclaves into the current structure and designations of the Bram West Secondary Plan.

- 3.1.1c The essential components and infrastructure of an upscale executive housing plan for the Upscale Executive Housing Special Policy Area shall be implemented by means of a further amendment to the Bram West Secondary Plan.
- 3.1.1d The underlying designations within the Upscale Executive Housing Special Policy Area are retained for purposes of consideration in the detailed upscale executive housing study only. These designations are considered to be suspended until completion of the required upscale executive housing study and secondary plan amendment which may result in encroachments to these designations.
- 3.1.1e The City encourages that the detailed Upscale Executive Housing Special Policy Area studies be undertaken on a timely basis so that the necessary further amendments to the Bram West Secondary Plan can be presented and finalized in a time frame that will not unduly delay overall development.
- 3.1.1f The City has allocated 1000 upscale executive housing units having nominal lot sizes exceeding 464.5 square metres (5000 sq ft.) to this Upscale Executive Housing Special Policy Area. The City expects that the size of this area will be just sufficient to accommodate this minimum unit allocation.

Housing Mix, Density and Plan Intergration,

3.1.2

OP93-115

Notwithstanding housing policies for the various residential designations on Schedule SP40(a), consideration will be given for proposals that vary from these housing mix and density requirements without an official plan amendment if a satisfactory planning justification is provided to demonstrate that the City's underlying housing mix and related objectives are thereby equally well achieved in accordance with relevant City guidelines.

3.1.3

Proposals for residential development shall be considered in light of any relevant policies of the Official Plan and this Secondary Plan, including section 5.0, Chapter 40(a).

3.1.4

Prior to draft plan of subdivision or zoning approval, as appropriate, proponent(s) may be required to submit for the approval of the City a development concept for residential designations with difficult design features or limited access opportunities. Such a development concept shall address, as appropriate, how these designations will function, observing limited access opportunities and shadow impacts, if any, on adjacent uses.

3.1.5

Residential designations adjacent to the Credit River Valley shall be shaped, oriented and developed in a manner that is compatible and complementary to this natural feature.

3.1.6

The Residential designations adjacent to the Credit River provides the development of upscale "executive" housing. The City shall encourage such opportunities in all of the Residential designations in accordance with policy 3.1.6 of this chapter, and the relevant policies of the Official Plan. To ensure the construction of such housing, the City may impose stringent

development standards within subdivision agreements, development agreements, and/or implementing zoning by-laws.

Cluster and High Density Residential

3.1.7 In areas designated Cluster and High Density Residential on Schedule SP40(a), residential uses within the High Density Residential Category defined in Part I of the Official Plan are permitted.

OP93-115

3.1.8 The net density for Cluster and High Density Residential designations shall not exceed 125 units per hectare (50 units per acre). Notwithstanding the maximum permitted density, approvals for an increase in density, to a maximum of 150 units per hectare (60 units per acre), may be granted on a site specific basis for nonprofit housing projects, without further amendment to this Plan. Proponents must demonstrate to the satisfaction of the City that the development will meet the Provincial Policy Statement, will have a reasonable floor space index relative to density yields, and will have an acceptable level of impact on the local roads and services within the Secondary Plan Area.

3.1.9 Any proposal for Cluster and High Density development will have regard for the achievement of acceptable transition and physical integration with lower density forms of development and minimize shadowing and overlook of lower density residential forms.

Medium Density Residential

3.1.10

OP93-115

In areas designated Medium Density Residential on Schedule SP40(a), residential uses within the Medium Density range defined in Part I, Section 5.0 of the Official Plan are permitted, subject to policies 3.1.2 and 3.1.12.

3.1.11

OP93-115

Nonprofit housing projects within the Medium Density designations on Schedule SP40(a) may be developed at a maximum density of 75 units per net residential hectare (30 units per net residential acre), without further amendment to this Plan. Such will have regard to policy 3.1.13 and will have an acceptable level of impact on the local roads and services within the Secondary Plan Area.

3.1.12

Any proposal for Medium Density development will have regard for the transition and physical integration with lower density forms of development, and effective separation and buffering from major roads, other noise sources or adjacent Commercial uses.

Low and Medium Density Residential

3.1.14

OP93-115

In areas designated Low and Medium Density Residential on Schedule SP40(a), residential uses within the Medium Density Residential category defined in Part I of the Official Plan are permitted at a maximum combined density of 30.1 units per net residential hectare (12.2 units per net residential acre), subject to policies 3.1.2 and 3.1.16. In addition, at least 60% of the overall development within the Low and Medium Density Residential designation shall be single detached structural units.

3.1.15

OP93-115

Notwithstanding the foregoing housing mix and density policies, proposals for development within the Low and Medium Density Residential

designation shall provide a broad range and mix of lot sizes for single-detached units in accordance with relevant City guidelines.

3.1.16 In areas designated Low and Medium Density Residential adjacent to the Canadian Pacific Railway Right-of-Way, medium density residential forms are encouraged in order to satisfactorily address noise attenuation requirements.

3.1.17 Any proposal for Medium Density Residential development will have regard for the achievement of acceptable transition and physical integration with lower density forms of development, and separation and buffering from major roads, other noise sources or adjacent Commercial uses.

3.1.18 Residential lots shall be oriented toward and have primary access to the minor collector and local road system, to the greatest extent practicable. Lots which must front onto and gain direct access to collector roads shall generally maintain a minimum width of 12 metres where the density category permits. A greater lot width than 12 metres may be required in the vicinity of major intersections.

Low Density Residential

3.1.19 In areas designated Low Density Residential on Schedule SP40(a), residential uses within the pertinent Low Density Residential category as defined in Part I, Section 5.0 of the Official Plan are permitted, subject to policies 3.1.2, and 3.1.22.

OP93-115

3.1.21 The Low Density Residential designations abutting the Village Residential designations on Schedule SP40(a) shall be developed in a manner that is

compatible with the scale and character of the existing Village settlements, subject to Section 5.3 of this chapter.

- 3.1.22** Residential lots shall be oriented toward and have primary access to the minor collector and local road system, to the greatest extent practicable.

Village Residential

- 3.1.23** In areas designated Village Residential on Schedule SP40(a), residential uses in accordance with the Village Residential policies in Part I, Section 4.1 of the Official Plan are permitted, subject to Section 5.3 of this chapter.

Affordable Housing

- 3.1.25** Opportunities will be created for a range and mix of housing types suitable for the spectrum of future Brampton residents and shall include a minimum of 25% of new residential units to be affordable in accordance with need, where practicable. Such opportunities shall be provided in accordance with the intent of the Provincial Policy Statement.
- 3.1.26** Affordable housing will be integrated into the overall community to ensure opportunities for affordable housing are widely available.
- 3.1.27** Proponents may be required to enter into an appropriate agreement with respect to the implementation of housing policies in the Provincial Policy Statement.

3.2 Employment

The Bram West Secondary Plan area has significant locational and infrastructure attributes to attract a variety of office, industrial and

commercial uses and create a distinctive gateway employment area. In this regard, consideration of permitted uses for any given area or site within the Bram West Secondary Plan area will be on the basis of distance of the site from the Central Area, the range and extent of uses considered necessary and appropriate to ensure the vitality and economic development of the area, and the intended role and function of sites within broader land use designations.

Neighbourhood Retail

- 3.2.1** The lands designated Neighbourhood Retail on Schedule SP40(a) shall permit the range of uses and be developed in accordance with the Local Retail policies of Part I, Section 4.2.8 and other relevant policies of the Official Plan. An automobile service station or gas bar will also be permitted subject to the relevant policies of the Official Plan.

Convenience Retail

- 3.2.2** Lands designated Convenience Retail on Schedule SP40(a) shall permit the range of uses and be developed in accordance with the Local Retail policies of Part I, Section 4.2.8 and other relevant policies of the Official Plan, and the following principles:
- i) no outdoor storage of goods or materials shall be permitted;
 - ii) provision shall be made to minimize adverse impacts upon adjacent residential uses through landscaping and buffer treatments. The illumination of parking facilities shall be directed away from nearby residences to minimize intrusion and glare upon residential properties;
- and,

- iii) adequate off-street parking facilities shall be provided in accordance with acceptable standards to satisfy the requirements of employees and customers, including safety considerations.

Office Node Commercial

3.2.3 Lands designated Office Node Commercial on Schedule SP40(a) shall permit the range of uses and be developed in accordance with the policies of Part I, section 4.2.5 and other relevant policies of the Official Plan.

Permitted uses typically include business, professional or administrative offices, hotels, motels, accessory and personal service retailing, food and beverage establishments, compatible recreation, institutional and convenience retail uses and business support activities.

Within the Office Node Commercial designation, Prestige Industrial uses may also be permitted uses when compatible with other permitted Office Node uses and where applicable, adjacent residential and institutional designations.

3.2.4 Lands in the Office Node Commercial designation shall be encouraged to be developed in accordance with the following principles in order to contribute to a distinctive gateway character:

- To enhance streetscape amenity design, parking of vehicles shall not be permitted in visually prominent locations;
- To generate an attractive urban environment, superior site, architectural, landscape and safety design elements shall be promoted;
- To generate the desired scale and intensity of development, a Floor Space Index of 1.0 - 2.0 (FSI) may be required in accordance with the

relevant policies of the Official Plan, and the City may require the submission of a development concept to demonstrate how the designated area can be comprehensively developed;

- Retail uses may be restricted to a maximum percentage of floor space in certain circumstances; and,
- From a streetscape perspective, large lots/blocks are encouraged along arterial roads.

3.2.5 The City shall require that office buildings within the Office Node Commercial designation be developed in a manner that minimizes the impact on surrounding natural areas and land uses while providing for an orderly integration of land uses. In particular, where applicable, the scale and character of uses shall be compatible with adjacent residential and institutional designations.

3.2.6 The City may request market feasibility and impact studies in conjunction with development application processing in the Office Node Commercial designation when a specific development proposal could imply significant market impacts.

Highway and Service Commercial

3.2.7 The lands designated Highway and Service Commercial on Schedule SP40(a) shall permit the range of uses and be developed in accordance with Part I, Section 4.2, subsection 4.2.10, and other relevant policies of the Official Plan.

Permitted uses may include office, retail and service uses, restaurants, retail warehousing, hotels and motels, specialty food and grocery stores (to a maximum gross floor area of 557 square metres (6,500 square feet)), and

selected industrial uses which have a substantial (greater than 15% of the total gross floor area of a building) retail component and which operate in wholly enclosed buildings, have no outdoor storage and are compatible with surrounding commercial uses.

Entertainment uses are not permitted unless they are regional serving entertainment uses in accordance with Official Plan policy 4.2.2.2.

3.2.8 Retail warehouses shall have a minimum Gross Leasable Area (GLA) of 1,858 square metres (20,000 square feet), and where any lot or group of lots contains more than one retail warehouse, up to 10% of the GLA devoted to retail warehousing on the lot or group of lots may be contained within a building or part thereof, as the case may be, with a minimum GLA of 464.5 square metres (5,000 square feet).

3.2.9 Lands in the Highway and Service Commercial designation shall be encouraged to be developed in accordance with the following principles in order to contribute to a distinctive gateway character:

- To generate an attractive and integrated urban environment, superior site, architectural, landscape and safety design elements shall be used;
- service and loading areas shall be incorporated into building designs, or effectively screened from view through appropriate fencing or landscaping;
- Where parking is provided in the front yard, or abutting a major arterial road or highway, landscaping shall be required to provide adequate screening and improve the visual amenity of the area while having regard for personal safety;
- To ensure comprehensive and integrated development along the principal arterials, the City may require the submission of a development

concept to demonstrate how the designated area can be comprehensively developed;

- Common access arrangements and linked parking areas may be required to serve multiple land uses; and,
- From a streetscape perspective, large lots/blocks are encouraged along arterial roads.

3.2.10 The City may request market feasibility and market impact studies in conjunction with development application processing in the Highway and Service Commercial designation where a specific development proposal could imply significant market impacts.

3.2.11 That redevelopment of the residual area designated Highway & Service Commercial shall have regard at the zoning and site plan approval stages for the properties located at 8562, 8568 and 8586 Mississauga Road, taking into consideration residential uses if applicable, by means of a comprehensive concept plan that includes all of the above noted lands.

OMB Order 2035

Subject to fulfilling the above-noted criteria, the residual area designated Highway & Service Commercial can proceed to develop independently of the properties located at 8562, 8568 and 8586 Mississauga Road.

Prestige Industrial

3.2.12 The lands designated Prestige Industrial on Schedule SP40(a) shall permit the range of uses and be developed in accordance with Part I, Section 4.2, and other relevant policies of the Official Plan.

Permitted uses may include research and development facilities, manufacturing and processing, assembling, packaging, repairing,

fabricating, and warehousing facilities, provided that such uses operate within wholly enclosed buildings and have no outdoor storage.

Day nurseries and ancillary retail uses (up to 15% of the total gross floor area of a building) shall be permitted in association with the industrial uses of this designation.

Hotels and free-standing offices shall be permitted on those lands which abut or are directly adjacent to arterial roads accommodating an interchange with a 400 series highway.

3.2.13 Development of the lands within the Prestige Industrial designation shall be based on the following principles:

- i) A high standard of building design shall be required and undeveloped portions of lots shall be landscaped to achieve the intended prestige image;
- ii) From a streetscape perspective, large lots/blocks are encouraged along arterial roads;
- iii) Provision shall be made to minimize impacts upon adjacent residential and educational uses through site design, landscaping and buffer treatments;
- iv) Natural features are to be utilized in site design to the extent practicable, and are to be supplemented by landscaping in order to create a parklike setting; and,

- v) To generate the desired scale and intensity of development, a Floor Space Index of 0.3 - 0.5 (FSI) may be required in accordance with the relevant policies of the Official Plan, and the City may require the submission of a development concept to demonstrate how the designated area can be comprehensively developed.

Standard Industrial

- 3.2.14** The lands designated Standard Industrial on Schedule SP40(a) shall permit the range of uses and be developed in accordance with Part I, Section 4.2, subsection 4.2.11 and other relevant policies of the Official Plan.

OMB Order
1596

Given their proximity to arterial roads and to give special regard to valleylands and natural features that transverse the lands designated Standard Industrial on SP40(a), Prestige Industrial uses may also be permitted on the lands designated Standard Industrial to the eastern edge of the Street "A" right-of-way as shown on Schedule SP40(a), subject to the policies of Section 3.2.11 of this Plan.

Permitted uses may include: industrial uses; corporate offices; ancillary retail uses (up to 15% of the total gross floor area of a building); office, retail and service uses (only within an industrial mall, to a maximum of 464.5 square metres or 5% of the gross floor area of the building, whichever is less); restaurants (one per industrial mall, to a maximum of 464.5 square metres), and banquet halls in accordance with the policies of the Official Plan.

- 3.2.15** Lands within the Standard Industrial designation may be further divided into classes of industrial zones in the comprehensive zoning by-law on the basis of the following:

- the requirements of industry for road access;
- outside storage;
- the inter-relationship of different industrial firms; and,
- the need to minimize potential conflicts between different classes of land uses.

3.2.16 The development of lands within the Industrial designation will be subject to development standards, including landscaping and buffering, to ensure that the potential impact of industrial operations on adjoining use areas, and uses in close proximity to the industrial use area will be minimized.

3.2.17 Within the Standard Industrial designation, outside storage areas shall be prohibited in the yard directly abutting arterial class roads. Open storage uses may be permitted on other lands within the Standard Industrial designation in accordance with Section 3.2.15 of this Plan. From a streetscape perspective, large lots/blocks are encouraged along arterial class roads.

OMB Order 1596

Employment Estates

3.2.18 The lands designated Employment Estates on Schedule SP40(a) shall permit residential uses and the following ‘home-based’ and free-standing employment uses: compatible small scale industrial and manufacturing uses; home businesses; home and small scale office uses; convenience retail and service uses including craft shops, studios, galleries, personal service uses, and florists; heritage and tourism related uses, small scale cottage industries, greenhouses, nurseries, garden centres and specialty agricultural uses.

3.2.19 Development of lands designated Employment Estates for residential and employment uses shall be subject to relevant development standards addressing such matters as setbacks, the number of employees, floor area restrictions, parking requirements, outdoor storage, landscaping, and integration with adjacent uses.

3.2.20 Prior to the provision of full urban services, the creation of new lots will be permitted within the Employment Estates designation. This interim development will be subject to a minimum lot size of 0.4 hectares (1 acre), created by consent or plan of subdivision, in accordance with Part I, Section 5.0 and other relevant policies of the Official Plan, subject to the following:

- i) Proposed lots must be logical, compatible with existing surrounding land uses, and have no detrimental impact on the ultimate development pattern of the area.

3.2.21 The general objective form overall residential yield in the Employment Estates designation is 2 to 3 units per gross residential acre which is anticipated to represent approximately 300 units.

In assessing development proposals in the Employment Estates designation, the City may require proponents to submit development concepts form larger land areas to serve as a framework for dealing with specific development applications and to conceptually address development form, function, infrastructure and land use related issues.

Community Centre

- 3.2.22** The lands designated Community Centre on Schedule SP40(a) shall permit schools, daycare facilities, convenience commercial uses, places of worship, libraries, fire/ police and related community service facilities; small scale office uses, uses permitted within the Employment Estate designation, and health or medical clinics. Low rise multiple dwelling uses and residential care facilities may be permitted within the Community Centre designation provided such uses are accessory to the permitted community service uses.

Special Policy Area 2 (CBC Transmitter)

- 3.2.23** Special Policy Area 2 on Schedule SP40(b) represents a zone of influence extended by the existence of a CBC AM transmitter situated on the Eighth Line of Halton, south of Highway 401. Within Special Policy Area 2, implementing zoning by-laws shall limit maximum building heights to 47 metres (154 .2 feet) unless the subject CBC AM Transmitter is no longer functional or in existence.

3.3 Open Space

Valleylands

- 3.3.1** Lands designated Valleyland on Schedule SP40(a) have been identified by the Conservation Authority as having inherent environmental hazards including flood and erosion susceptibility, but which contribute to the ecological integrity of the Credit River Watershed. Designated Valleylands shall remain primarily in a natural state or be utilized for storm water management purposes and complementary uses in accordance with Part I, section 4.4 and other relevant policies of the Official Plan and the

recommendations of the Bram West Subwatershed Management Study (Gartner Lee Ltd.).

3.3.2 Building setbacks shall be imposed from the margin of Hazard Lands or Valleylands so as to have regard for the extent and severity of existing and potential hazards. Setbacks, if required, shall be determined by the Conservation Authority and the City prior to draft approval of affected plans of subdivision and incorporated into the implementing zoning by-law. These considerations have the potential to reduce the total amount of tableland area available for urban development.

3.3.3 Valleyland designations are intended to conceptually reflect the extent of the existing top of bank, floodplain or watercourse/ valley corridor. As a result of site specific determination of the limit of development, areas determined as unrelated or not required for valley corridor function, will revert to the relevant adjacent land use designation(s) without an amendment to this Plan. Additional lands may also be determined for valleyland designation.

3.3.3.a Notwithstanding the policies of this Plan in Section 3.3.1 and 3.3.2 requiring valleylands to remain in a primarily natural state, proposals to alter valleylands or a watercourse which maintain or enhance th natural functions of the valleyland or watercourse in accordance with Section 4.4.5 of the Official Plan, and which satisfy applicable regulatory requirments, will not require an amendment to this plan.

OMB Order 0912

Neighbourhood Park

3.3.11 Lands designated Neighbourhood Park shall be developed in the general locations indicated on Schedule SP40(a) in accordance with the

Neighbourhood Park policies of Part I, section 4.5 and other relevant policies of the Official Plan. Provided the general intent of this Secondary Plan is respected, adjustments may be made to the size and location of Neighbourhood Parks through the subdivision or zoning approval process to accommodate design or park dedication concerns, without further amendment to this plan.

Parkettes

- 3.3.12** Lands designated Parkette shall be developed in the general locations indicated on Schedule SP40(a) in accordance with the Parkette policies of Part I, section 4.5 and other relevant policies of the Official Plan. Provided the general intent of this secondary plan is respected, adjustments may be made to the number, size and location of Parkettes through the subdivision or zoning approval process to accommodate design or park dedication concerns, without further amendment to this plan.
- 3.3.13** Where Open Space facilities designated on Schedule SP40(a) abut school sites, it is the intent of the City to co-operate with the relevant School Board(s) to co-ordinate the planning, development, access, maintenance and shared activity programming of school and park facilities.
- 3.3.14** Detailed subdivision designs shall encourage pedestrian and cyclist linkages between the various components of the park hierarchy, school sites and the more natural elements of the open space system such as valleylands.
- 3.3.15** In further refining the open space system through the subdivision or zoning approval process, parks shall incorporate, to the extent practicable,

localized portions of existing high quality hedgerows, tree stands and woodlots as appropriate.

Woodlot

- 3.3.16** Lands designated Woodlot on Schedule SP40(a) are tableland woodlots identified for their ecological significance relative to the natural heritage system and water management function. Development proposals within or abutting woodlots shall be subject to Part I, section 4.4.7 and other relevant policies of the Official Plan. Studies relating to the preservation or treatment of woodlots as identified within the Environmental Implementation Report, shall be submitted as part any Environmental Implementation Report and shall be in accordance with the City's Woodlot Development Guidelines. Any portions of the woodlot to be obtained by the City shall be purchased on the basis of woodlot land value in the context of the Development Charges By-law.
- 3.3.17** Lands designated as Woodlot on Schedule SP40(a) are encouraged for retention in acknowledgement of the value of their features and functions to the watershed as outlined in the Bram West Subwatershed Management Study (Gartner Lee Ltd.). The City, in processing a development proposal that would privately retain all or part of any woodlot as identified within the Environmental Implementation Report, may enact a zoning by-law authorizing increases in height and density of proposed development in accordance with Part I, Section 5.12 and other relevant policies of the Official Plan, or implement another suitable mechanism to retain the woolot and/ or its function.
- 3.3.18** Should it be demonstrated that an identified woodlot cannot practicably be retained through the development process, such lands shall be considered

to have an alternate land use designation consistent with that of the surrounding designations without the necessity of further amendment to this Plan. A proponent of development on a woodlot site shall be required to demonstrate how the woodlot site can be developed for suitable alternate land uses, and meet the objectives of Section 4.4.7 of the Official Plan.

Storm Water Management Facility

- 3.3.19** Storm Water Management Facilities are permitted in all land use designations on Schedule SP40(a) provided that such facilities are integrated with adjacent uses in a manner acceptable to the Conservation Authority and the City.
- 3.3.20** Storm Water Management practices within the Secondary Plan Area shall address such concerns as flow attenuation (quantity), water detention (quality) and erosion control, as appropriate. General principles for storm water management within Bram West shall be determined by the Conservation Authority and the City in accordance with the Bram West Subwatershed Management Study (Gartner Lee Ltd.).
- 3.3.21** A Storm Water Management Plan will be undertaken for any development in the Secondary Plan Area, in accordance with the Bram West Subwatershed Management Study (Gartner Lee Ltd.). They shall be prepared and included with the related Environmental Implementation Report, and will be subject to approval by the Conservation Authority and the City prior to draft approval of any individual plans of subdivision. The approval of the Ministry of Transportation is also required as the report relates to drainage elements impacting provincial roads.

Special Policy Area 1 (Spill Zones)

3.3.22 Special Policy Area 1 indicated on Schedule SP40(b) indicates two spill zone areas on Levi and Mullett Creeks where broad but shallow floodplains exist. With site specific study, the potential exists to reduce the extent of these broad floodplains through culvert and/ or channel modifications to improve local drainage conditions.

A proponent may be required to confirm that no onsite fish habit exists and to demonstrate that no net loss will occur to downstream fisheries. All other environmental and water management issues related to the potential watercourse alternation will be reviewed in the context of the Environmental Implementation Report and be subject to the approval of the City, Conservation Authority and Ministry of Natural Resources or Department of Fisheries as necessary.

Golf Courses

3.3.23 Golf courses and related facilities are permitted in all land use designations on Schedule SP40(a) provided that it is demonstrated that such facilities can be developed in a manner that is compatible with, and capable of integration with adjacent uses.

OMB Order 1596

When such facilities are proposed within or adjacent to a valleyland designation, the environmental impacts of the use shall be assessed through an Environmental implementation report (EIR) or equivalent scoped assessment. Appropriate, mitigation of potential impacts shall occur in accordance with those studies.

- 3.3.24** The establishment of a golf course or related use will be subject to zoning, site plan and all other necessary approvals.

Cemetery

- 3.3.25** Lands designated Cemetery on Schedule SP40(a) recognize existing known cemeteries within the Secondary Plan Area. The Cemetery policies of Part I, section 4.5 and other relevant policies of the Official Plan shall apply.

- 3.3.26** The regulations set out in the Cemeteries Act shall apply when development may impact burial sites which are not registered cemeteries.

3.4 Institutional

School Sites

- 3.4.1** The Secondary School site designated on the lands described as Part of Lots 3 and 4, Concesssion 5 W.H.S. is required in the general location indicated on Schedule SP40(a), in accordance with the Community Services and Education Facilities policies of Part I, Section 4.8 and other relevant policies of the Official Plan. If this school site or part thereof is not required by either the Peel Board of Education or the Dufferin Peel Roman Catholic Separate School Board, then it may be released for Low/Medium Density Residential uses or an alternative purpose which is compatible and suitable for integration with abutting development without further amendment to this Plan.

- 3.4.2** Designated school sites are assigned to satisfy anticipated requirements of the two School Boards. Minor locational variations to school sites are

OMB Order 2035

permitted at the draft plan of subdivision or zoning approval stage in order to improve development design, the centrality of the site to its service area or its functionality.

3.4.3 School sites are designated on Schedule SP40(a) for a specific educational level, however school sites may be used for a different educational level, and should any particular site not be required by one School Board, then the other Board may utilize the site regardless of whether it is for the educational level implied by the designation.

3.4.4 Relevant draft plans of subdivision shall include designated school sites as appropriate with a shape, size and frontage satisfactory to the relevant School Board. Landowners will be required to demonstrate at the draft plan of subdivision stage how school sites can be redeveloped for suitable alternate use should any particular school site be released or not required for school purposes.

OMB Order
2035

Should the relevant School Board not acquire the School site designated on the lands described as Part of Lots 3 and 4, Concesssion 5 W.H.S. within 7 years from the time of registration of the plan of subdivision, the designated School site shall be released from retention for that purpose and may be developed for Low/Medium Density Residential uses or an alternative purpose which is compatible and suitable for integration with abutting development without further amendment to this Plan. The municipality shall require that this policy be implemented through a condition of draft plan approval

3.4.5 Prior to approval of plans of subdivision, the City shall require landowners within the Secondary Plan Area to enter into agreements with each other and the School Boards for the purpose of providing for the equalization of

the costs associated with establishing school sites designated on Schedule SP40(a), unless this purpose is deemed to be satisfied by Education Development Charges or another effective mechanism.

3.4.6

OMB Order
2035

The School Site designated west of Mississauga Road adjacent to the Community Park approximately 900 metres to the south of Embleton Road is acknowledged for the purposes of land valuation as having an alternative use of Low/Medium Density Residential.

Places of Worship

3.4.7

OP93-148

Lands designated Place of Worship indicate sites to be reserved for such purposes subject to the following principles:

- included in the appropriate subdivision plan as a condition of draft approval and shall be held for use or acquisition for worship purposes for a period of 3 years from the date of registration of the subject subdivision plan;
- approximately 0.8 - 1.2 hectares (2 - 3 acres) in size;
- restricted road access as approved by the City; and,
- zoned for worship purposes at the time of subdivision registration but if not acquired or used for such purposes within the 3 year reserve period, may be zoned to permit suitable alternate development without further amendment to this Plan.

3.4.7.1

OP93-217

The lands designated Institutional (Place of Worship) on the south side of Steeles Avenue West, approximately 35 metres (115 ft) west of

Creditview Road, being approximately 008 ha (2 ac) in area, may be developed for a place of worship use and accessory uses including a day nursery. The lands may also be developed in accordance with Medium Density Residential designation policies as an alternative to place of worship use. Any development of lands shall recognize the arterial road frontage and exposure with appropriate building design and massing. Landscaping shall be provided to effectively buffer parking areas on the site from Steeles Avenue West. A generous amount of on site parking shall be made available for a place of worship used to avoid situations of overflow parking on local streets.

Libraries

3.4.8 Libraries are not designated on Schedule SP40(a), however they are permitted in all land use designations, except for the Open Space Valleyland designation, as a free standing facility, an integrated development component, or within a recreation centre facility.

3.4.9 Retail centres may be sized at the draft plan of subdivision stage in order to account for a future library use and to compensate for the land and building area to be occupied by the library. Library sites are acknowledged as having an alternative use of low density residential for the purpose of land valuation.

Fire Stations

3.4.10 A future fire station is generally located on the west side of Mississauga Road, north of Financial Drive as shown on Schedule SP40(a). Fire stations are permitted in all land use designations except the Open

Space:Valleyland designation, subject to the policies of Part I, section 4.8 of the Official Plan.

- 3.4.11** Fire station sites will be approximately 0.8 hectares (2.0 acre) in size and acknowledged as having an alternative use of low density residential for the purpose of land valuation.

4.0 Transportation Policies

4.1 Roads

- 4.1.1** Road facilities in the Secondary Plan Area are intended to develop and function in accordance with Part I, section 4.3 and other relevant policies of the Official Plan. The transportation network will generally be sited, designed and constructed in an ecologically responsible manner with regard for the recommendations of the Bram West Subwatershed Study (Gartner Lee Ltd.).

- 4.1.2** Schedule SP40(a) presents a preferred alignment for a 45 metre wide major arterial road which will have an interchange with Highway 407, between Winston Churchill Boulevard and Heritage Road. By adoption of the Plan, these alignments are Council policy. The establishment of a right-of-way, or parts thereof, for this major arterial may be subject to the finalization and approval of a Class Environmental Assessment Study.

- 4.1.3** This Plan provides for the staged construction of Mavis (Chinguacousy) Road in accordance with Part I, Section 4.3 of the Official Plan. The right-of-way requirement for Mavis (Chinguacousy) Road, south of Steeles Avenue shall be sufficient to accommodate an 8 lane arterial road as determined by the City of Brampton and the Region of Peel.

- 4.1.4** The right-of-way requirement for Financial Drive shall be sufficient to accommodate a 4 lane arterial road as determined by the City of Brampton. The designated right-of-way width for Financial Drive shall be 30 metres. The completion of the detailed design for the construction of appropriate portions of the ultimate 4 lane cross-section of Financial Drive (including structures, intersection improvements and turn lanes) and arrangements satisfactory to the Cities of Brampton and Mississauga for its construction shall be undertaken in a phased program. These matters are to be completed in conjunction with either the timing of the Financial Drive crossing of Highway 407 by the Province or the construction of the Financial Drive extension from Highway 407 south to Derry Road, whichever is latest.
- 4.1.5** To protect the function of Arterial Roads, it is the policy of the City to restrict access from individual properties. To that end, 0.3 metre reserves or other measures as appropriate shall be a condition of development approval for lands abutting Arterial Roads, except at approved access locations.
- 4.1.6** Other than those indicated on Schedule SP40(a) to this Plan, intersections of Collector Roads with Major and Minor Arterial Roads are generally not permitted.
- 4.1.7** The right-of-way requirement for Minor Collector Roads designated on Schedule SP40(a) shall be 23.0 metres and 26.0 metres for Major Collector Roads.
- 4.1.8** The Bram West Transportation Study (Marshall Macklin Monaghan) identified the importance of establishing an efficient local road network parallel to major routes, particularly in association with Mississauga Road, and Steeles Avenue in the vicinity of Mississauga Road. A conceptual local

road network for this area is attached as Appendix A to this chapter. The local road network in this area shall generally be established in accordance with the intent of this attachment and the recommendations of Bram West Transportation Study.

- 4.1.9 The local road system will be subject to approval as part of the subdivision approval process.

4.2 Public Transit

- 4.2.1 The major road system consisting of Highways, Major and Minor Arterial Roads and Collector Roads provides sufficient flexibility to potentially provide bus routes within 400 metres of all residents and to conveniently serve major employment and other uses.

- 4.2.2 Subdivisions shall be designed to minimize walking distances to transit routes and shall incorporate through block walkways as required to achieve that objective, particularly to accommodate those who would otherwise be more than 300 metres (1,000 feet) walking distance from an existing or planned transit stop.

- 4.2.3 Sidewalks along Arterial and Collector Roads that are expected to accommodate transit routes shall incorporate bus pad widenings in appropriate locations in accordance with City standards.

- 4.2.4 In response to the City's anticipated need for a transit facility in the general vicinity of Steeles Avenue and Mississauga Road, the Bram West Transportation Study (Marshall Macklin Monaghan) has identified locational and operational options for the development of either an on-street or off-street transit terminal, attached as Appendix B to this chapter. These

options will be considered in the development of a transit terminal in Bram West.

In the context of the above, a transit terminal facility is a permitted use in the Office Node Commercial, Highway and Service Commercial, Prestige Industrial and Standard Industrial designations of this plan.

4.3 Pedestrian/Cyclist Links

4.3.1 Appropriate pedestrian/cyclist links shall be provided through or at the edge of all contiguous open space elements including tableland parks, school sites and valleylands.

4.3.2 Appropriate pedestrian/cyclist links between open space elements shall be provided along suitably located roads, block walkways or in other specific locations as determined by the City.

4.3.3 To encourage an uninterrupted open space valley system, pedestrian/cyclist crossings of major roads such as Steeles Avenue shall be by underpass or other suitable arrangements where the City does not consider an at-grade pedestrian crossing appropriate or practical. Simultaneous compound changes in the grade and direction of underpass designs are not recommended.

5.0 Environmental, Servicing and Design Considerations

OMB Order 0912

The Bram West Subwatershed Management Study (Gartner Lee Ltd.) shall be implemented within the Secondary Plan Area through the preparation of Environmental Implementation Reports. These reports shall be prepared on a tributary basis, by one or more landowner, and will be scoped for

individual or multiple landowners, in accordance with the proposed development and potential impacts.

Prior to the granting of the final development approval for Official Plan amendments; rezoning amendments; plans of subdivision and site plans, an Environmental Implementation Report shall be submitted and approved by the City of Brampton in consultation with appropriate commenting agencies.

5.1 Woodlots and Valleylands

5.1.1 The woodlots identified on Schedule SP40(a) are to be preserved to the greatest extent practicable, and considered as areas for rehabilitation and enhancement of ecological functions through the development of surrounding lands. In this regard, development proposals within or abutting woodlots shall be subject to Part I, Section 4.4 and other relevant policies of the Official Plan. Any studies relating to the preservation, treatment and disposition of woodlots shall be submitted as part of the Environmental Implementation Report prior to the draft approval of a related plan of subdivision or zoning. Any portions of a woodlot to be obtained by the City shall be purchased on the basis of woodlot land value in the context of the Development Charges By-Law.

5.1.2 Many natural features such as natural hazards, tributaries and woodlots, exist within the Bram West Secondary Plan Area. Development adjacent to such features remaining shall be shaped, oriented and developed in a manner that is compatible and complementary to these natural features, to that extent practicable.

5.2 Tree Preservation

5.2.1 It is intended that significant, high quality tree specimens be retained to the greatest extent practicable in conjunction with all land uses to enhance the environment and aesthetics of the Secondary Plan Area.

5.2.2 The City may require a proponent of development to submit a Vegetation Analysis and/or a Tree Protection Plan to be approved by the City prior to draft approval or registration of a subdivision plan or any other development related approvals, in accordance with Part I, section 4.4 and other relevant policies of the Official Plan and the City's Woodlot Development Guidelines.

5.3 Heritage Resource Preservation

5.3.1 Heritage resource management activities within the Bram West Secondary Plan Area shall be undertaken in accordance Part I, Section 4.9 and other relevant policies of the Official Plan. For the purposes of this Plan, heritage resources shall include structures, sites, environments and artifacts which are of historical, architectural or archaeological value, significance or interest.

5.3.2 Proponents of development are encouraged to retain and conserve buildings of architectural or historic merit on their original sites, where possible, and to promote the integration of these resources into any plans which may be prepared for such development.

5.3.3 Where a development proposal may impact a heritage resource, the City may require the preparation of a cultural heritage resource assessment prior to development approval, to the satisfaction of the City, for the purpose

of providing information and presenting recommendations about how to mitigate the development impacts on identified heritage resources.

Village of Huttonville

- 5.3.4** The area identified as the Village of Huttonville and designated as Village Residential on Schedule SP40(a) is considered to be a unique and important heritage resource with strong historical associations with the Credit River. In order to ensure the consideration and preservation of scale and character of the existing Village, the City shall require that all applications for development (including alterations, redevelopment and infilling) be considered on the basis of the following: scale and character of proposed development to adjacent properties; location and relationship of proposed development to adjacent properties; and, the maintenance of existing vegetation, vistas, views and the streetscape, particularly in relation to the Credit River Valley.

5.4 Noise Attenuation

- 5.4.1** In the case of Low and Medium Density residential uses adjacent to Provincial Highways and Arterial Roads, the primary methods of achieving road noise levels consistent with Provincial guidelines is the use of reversed frontages and residential flankages with noise barrier walls. The unbroken length of reversed frontages with noise barrier walls shall not exceed 300 metres (1,000 feet), unless otherwise authorized by the City.

A secondary method of achieving acceptable road noise levels on Minor Arterial and Major Collector Roads is the use of parallel service roads accommodating residential frontages.

- 5.4.2** In the case of either road noise attenuation treatment, adequate size buffer strips shall be provided where required in accordance with City standards in order to accommodate sufficient plantings, and in the case of parallel service roads, to accommodate a satisfactory safety fence between the arterial road and the local service road.
- 5.4.3** A satisfactory comprehensive road noise attenuation design study or individual subdivision based noise analysis reports in accordance with Part I, section 4.4 and other relevant policies of the Official Plan shall be submitted as necessary at the time of draft plan of subdivision applications so that adequate noise attenuation measures can be specified and guaranteed at the time of draft plan of subdivision approval.
- 5.4.4** Where development, for which noise control measures will be required, precede the presence of the noise source, the City will require, as a condition of development approval, that sufficient lands and facilities be provided for noise attenuation in accordance with the requirements of the relevant authority.
- 5.4.5** Residential development adjacent to the Canadian Pacific Railway will be subject to the Rail Noise policies of Part I, subsection 4.4.11 and other relevant policies of the Official Plan. Prior to subdivision approval for lands situated adjacent to the Canadian Pacific Railway right-of-way, noise and vibration impact studies shall be undertaken by the landowner, to identify potential adverse impacts, and to recommend appropriate attenuation measures. Development shall only be permitted if attenuation measures satisfactory to the Region and the City, in consultation with Canadian Pacific Railway are undertaken to prevent or mitigate such adverse impacts. Such measures may include, but are not limited to, retaining walls, berming, fencing and the imposition of building setbacks.

5.4.6 In design situations adjacent to a railway line, the City will not assume responsibility for the ownership or maintenance of a buffer block required through the approval of residential development. Therefore, non-residential uses are a preferred land use solution adjacent to railway rights of way.

Secondarily, a high or medium density form of residential development may be appropriate which could be developed as a condominium form of tenure and avoid the buffer block ownership and maintenance issues. In this instance a condominium corporation may assume ownership and maintenance responsibilities for required buffer blocks.

Failing the above alternatives in the treatment of railway buffer blocks, proponents may opt for a financial solution, through the establishment of a perpetual maintenance fund, or a design solution such as the construction of a retaining wall, to the satisfaction of the City.

5.5 Potentially Contaminated Sites

5.5.1 Where there is the potential that a site may be contaminated due to the previous use of the property, a site assessment shall be prepared in accordance with provincial guidelines for the assessment and clean up of contaminated sites and submitted along with any application for development. Development of any contaminated site shall not be permitted until the site is assessed and where necessary or cleaned up in accordance with provincial guidelines.

5.6 Trans Canada Gas Pipeline Safety Features

5.6.1 In addition to any safety regulations or guidelines that may be applied to the Trans Canada Pipeline by the National Energy Board, the following supplementary measures shall be applied by Council to residential developments that abut the pipeline right-of-way or easements within the Secondary Plan Area;

- A minimum setback of 10 metres (32.8 feet) from the pipeline right-of-way limits for any permanent structure or excavation will be maintained;
- Prospective purchasers of homes or buildings within 200 metres (656 feet) of the pipeline right-of-way or easement shall be notified of its presence in agreements of purchase and sale; and,
- No separate City owned buffer strips shall be required in addition to or as part of the 10 metre (32.8 feet) setback referred to in (i) above, but in all other respects that do not conflict with the preceding measures, the provisions of the 1979/11/26 Council Policy respecting Trans Canada Pipeline Safety Measures shall apply subject to any subsequent amendments thereto.

5.6.2 In conjunction with implementing zoning by-laws, the zoning of the pipeline right-of-way for open space purposes including pedestrian and bicycle pathways, subject to Trans Canada Pipeline easement rights and conditions, is encouraged.

5.7 Storm Water Management

5.7.1 In addition to the Valleyland designation, Storm Water Management Facilities are permitted in all land use designations on Schedule SP40(a) provided such facilities are integrated with adjacent uses in a manner acceptable to the Conservation Authority and the City.

5.7.2 Storm water management practices within the Secondary Plan Area shall address such concerns as flow (quantity) attenuation, water detention (quality), erosion/siltation control and design requirements, as appropriate. General principles for storm water management within Bram West shall be determined by the Conservation Authority and the City in accordance with the Bram West Subwatershed Management Study (Gartner Lee Ltd.).

5.7.3 A Storm Water Management Plan will be undertaken for any development in the Secondary Plan Area, in accordance with the Bram West Subwatershed Management Study (Gartner Lee Ltd.), in conjunction with the related Environmental Implementation Report and will be subject to approval by the Conservation Authority and the City prior to the draft approval of any individual plans of subdivision. The approval of the Ministry of Transportation is also required as the report relates to drainage elements impacting provincial roads.

The Storm Water Management Plan will describe existing and proposed drainage conditions, the storm water management techniques and best management practices which may be required to control the quantity and quality of storm water drainage, mitigate environmental impacts, minimize erosion and siltation in the Credit River and associated tributaries during and after the construction period. The Storm Water Management Plan will be consistent with and implement the recommendations of the Bram West

Subwatershed Management Study (Gartner Lee Ltd.), and shall identify a monitoring program.

Detailed design submissions shall be consistent with the Environmental Implementation Report and will be subject to approval by the Conservation Authority and the City prior to the registration of any individual plans of subdivision.

5.7.4 The main watercourse and valleyland corridors of the Credit River, Levi Creek and Mullett Creek are supported by a network of headwater tributaries and swales. Cumulatively, these tributaries and swales contribute to fish habitat, flow attenuation and conveyance, and water quality. The functional importance of these features must be assessed along with other environmental and water management issues by the Environmental Implementation Report.

5.7.5 Prior to the alteration of any watercourse, the construction of any Storm Water Management Facility or the commencement of any grading or filling, the necessary approvals shall be obtained from the Conservation Authority and the City.

5.8 Sanitary Sewage and Water Supply

5.8.1 Development within the Secondary Plan Area shall be provided with, and be subject to, the provision of piped municipal water and sanitary sewers, with the exception of those lands designated 'Employment Estates' where a limited amount of development may occur on the basis of private or commercial servicing alternatives.

- 5.8.2** The allocation of servicing capacity to the Fletchers Creek sub-trunk sewer on Chinguacousy Road and servicing options to that sub-trunk shall consider early servicing options for lands north of the Canadian Pacific Railway tracks, between the Credit River and Chinguacousy Road.
- 5.8.3** The Mullett Creek sub-trunk sewers service area has limited capacity for lands north of Steeles Avenue with the remaining lands north of Steeles Avenue to be serviced from the Credit River trunk sewer. Arrangements to the satisfaction of the Region of Peel shall be made with respect to sanitary sewer servicing.
- 5.8.4** Proponents of development may be required to enter into appropriate agreements to the satisfaction of the Region of Peel and the City to provide protection for existing wells in the area that are to continue in use, should their operation be detrimentally impacted through the process of developing the Secondary Plan Area.
- 5.8.5** The detailed design and installation of services within the Secondary Plan Area shall be undertaken in an ecologically responsible manner with regard for the recommendations of the Bram West Subwatershed Management Study (Gartner Lee Ltd.) and the Bram West Servicing Study (Rand Engineering) opportunities to locate services outside of the valley systems will be explored.
- 5.8.6** In accordance with Part I, Section 4.11 and other relevant policies in the Official Plan, the City and the Region may require servicing or phasing agreements with developers as conditions of approval to ensure that development only proceeds in a manner that optimizes the utilization of sewer and water services and does not outpace the Region's ability to finance and construct new services.

5.9 Community Design Guidelines

5.9.1 Prior to any draft plan of subdivision or zoning approval within the secondary plan area or portions thereof as agreed to by the City, the proponent(s) shall arrange for the preparation of community design guidelines. Such guidelines shall be prepared by a qualified landscape architect and architect and submitted to the City for approval.

The community design guidelines are intended to ensure that streetscapes and other prominent exposures of any new community are attractive, coordinated and generally provide a satisfying visual experience for residents and passers by. In order to achieve these objectives, it will be necessary to introduce a variety of building forms, landscape treatments and special visual features throughout the secondary plan area. This will require the design and extensive coordination of the numerous physical aspects of each new development including but not limited to:

- Provision of a road pattern that facilitates orientation for motorists and creates opportunities for distinctive visual features throughout the new community;
- Provision for an appropriate mix of residential dwelling densities with various lot widths, configurations and designs;
- The prescription of appropriate architectural massing and fenestration;
- Creation or enhancement of special visual features including views, vistas and landmarks; and,

- Provision of attractive and functional neighbourhood edge treatments, entry features and special off-street amenities.

The primary intent of the community design guidelines and this policy is to encourage the development of attractive arterial road corridors and residential neighbourhoods. However, basic consideration is also required for internal industrial streets to ensure a visual quality that is consistent with similar contemporary industrial parks within the City.

5.9.2 All development within the Secondary Plan Area shall consult and give due consideration Crime Prevention Through Environmental Design (C.P.T.E.D.) principles and incorporate physical design features that promote proper design and the effective use of the built environment, as considered appropriate by the City.

5.9.3 Where Residential land use designations interface with Commercial or Industrial land use designations on Schedule SP40(a), the City will require buffering and mitigation measures to be implemented in accordance with Part I, section 4.4 and other relevant policies of the Official Plan. Such measures may necessitate the provision of a 6.0 metre wide landscaped buffer and/ or other appropriate methods.

5.9.4 Designated retail centres (i.e. Neighbourhood Retail and Convenience Retail) shall be planned as one integrated entity, regardless of whether such centres are in more than one ownership or, in the case of the larger such centres, are to be developed in phases. All portions of such retail centres shall be developed in accordance with an integrated plan for the whole centre and no such portion shall be developed until the integrated plan for the whole retail centre has been approved by the City.

5.9.5 Prior to draft plan of subdivision or zoning approval, and together with the community design guidelines as appropriate, proponent(s) shall submit for the approval of the City a composite plan of all or part of the secondary plan area as agreed to with the City. The composite plan shall incorporate development plans for most of the properties within a substantial sub-area of the secondary plan area and bounded by one or more transportation corridors, valley system or other significant community edge. The composite plan shall indicate conceptually the locations of the key visual components of the community which are identified in the community design guidelines including significant road pattern characteristics, built form and setback limitations, views, vistas, edge landscape treatments, entry features, and other special visual opportunities to be pursued at the subdivision design stage.

5.10 **Public Utilities and Facilities**

5.10.1 Public utility and other facilities such as City work yards, telephone switching facilities, hydro transformer stations, water and sanitary pumping stations are permitted in any land use designation provided they are appropriately integrated and all other necessary approvals are obtained. Essential services which would be impaired during a flood emergency will not be permitted within valleylands.

6.0 **Implementation and Interpretation**

6.1 **Development Phasing**

6.1.1 The phasing policies of Part I, section 4.11 of the Official Plan shall apply to the development of the Secondary Plan Area. Additional policies may be adopted by Council and proponents may be required to enter into phasing

agreements satisfactory to the City to achieve a cost effective and functional sequence of development.

6.1.2 The intent of the City is that essential services will be provided in conjunction with development in the Secondary Plan Area. In accordance with Part I, section 4.11 and other relevant policies of the Official Plan, the City may refuse approvals for any development for which sewer and water services, storm water management facilities, schools, roads or any other essential service are not available or committed.

6.1.3 In accordance with relevant Official Plan policies, various indicators of the financial integrity of the City such as tax rates, capital contribution levels, ratio of residential to non-residential assessment, reserve fund levels, user charges, service levels, debt ratios, and overall growth rates will be monitored so that measures can be taken to phase or direct growth in the Secondary Plan Area and other areas of the City should this become necessary to maintain an appropriate degree of financial integrity.

6.1.4 The City will discourage and resist the conversion of any employment lands for residential purposes until such time as an appropriate commercial and industrial assessment ratio has been achieved.

6.1.5 Until lands within the Bram West Secondary Plan are developed in accordance with the designations assigned on Schedule SP40(a), agricultural uses are permitted on such lands. These lands may also be used for golf courses on an interim basis, subject to Section 3.3.18 of this Plan.

OMB Order 1596

6.2 Implementation Measures

Small Holdings

- 6.2.1** Landowners of small holdings shall be encouraged to submit joint subdivision plans with adjacent owners in the interest of comprehensive planning and expediting their development proposals.
- 6.2.2** Development proposals for very small holdings will be evaluated with reference to their land use designations on Schedule SP40(a), but in most cases, not until subdivision plans for larger, adjacent landholdings are submitted for approval.
- 6.2.3** Provision shall be made in abutting plans of subdivision to ensure compatibility of new development with existing residential holdings and to provide for their redevelopment in accordance with this Chapter.

Cost Sharing

- 6.2.4** In addition to Development Charges, the City where and as appropriate, shall require the use of area-specific development charge by-laws or front-ending agreements under *The Development Charges Act*, Developer Cost Sharing Agreements or other suitable arrangements, among landowners, in order to implement development of the secondary plan area and fairly allocate related costs of development. Developer Cost Sharing Agreements may encompass the whole or part of the secondary plan area and may only deal with:

- local services as permitted in Section 59(2) of the Development Charges Act, 1997; or,
- matters to which the parties voluntarily agree; or,
- other matters permitted by law.

OMB Order 1862

The City will not negotiate or be a party to Developer Cost Sharing Agreements but must be assured, and ascertain, that the document assigns cost sharing in a reasonable manner. Subject to the appeal mechanisms noted below, the issuance of final approvals or the release of lands for development shall, where appropriate, be subject to the finalization and execution of such cost sharing agreements or other arrangements as permitted by law. In this context, the City will continue to process applications for development approvals, notwithstanding that an applicant has not entered into a Developer Cost Sharing Agreement. It is recognized that to the extent that landowners enter into a Developer Cost Sharing Agreement that is in some aspects beyond the jurisdiction of the City to impose, those aspects of the agreement may not be imposed on an involuntary basis on other landowners, by draft plan or consent condition, or otherwise.

In a situation where agreement is not reached regarding a Developer Cost Sharing Agreement, this provision is not intended to interfere with the holding of a hearing by the Ontario Municipal Board, or to fetter the discretion of the Board in any way whatsoever respecting the merits of a consent or subdivision, or the conditions of approval thereof, including cost sharing conditions, brought before it in accordance with the *Planning Act*.

Environmental Assessment Act

- 6.2.5** Various land uses, infrastructure and facilities proposed and designated in this Secondary Plan may be subject to Environmental Assessment and Consultation Act requirements, and accordingly, should be regarded as tentative subject to necessary Environmental Assessment approvals.

Implementation & Interpretation

6.2.6 One of the methods to facilitate the acquisition of the Community Park located on the west side of Mississauga Road, approximately 900 metres south of Embleton Road, shall be a parkland acquisition agreement.

6.2.7 Although the specific shapes, sizes, locations and relative positions of land use, road and other designations on Schedule SP40(a) are intended to indicate a desirable arrangement of these elements, they should be interpreted as being flexible provided that the intent of the Bram West Secondary Plan is respected. This flexibility may be invoked by developers to achieve functional and design efficiency and by the City or other public agency to ensure implementation of the Plan in an equitable manner relative to property lines and parcel sizes, provided that the basic integrity of the Plan is respected. Specifically, this flexibility may include an adjustment to the shape of a designation, or an adjustment to its size, or to its absolute or relative location without further amendment to this plan, provided the City is satisfied:

- that the fundamental effectiveness of the intended uses would not be reduced;
- that the intent and integrity of the overall plan is respected;
- that shortfalls or excesses are to be made up elsewhere in the plan;
- that the function and centrality of services is maintained; and,
- that the fundamental aspects of land use interrelationships are maintained.

6.2.9 The provisions of Part I, section 5 and other relevant policies of the Official Plan shall also apply to the implementation and interpretation of this Chapter.