

#### THE CORPORATION OF THE CITY OF BRAMPTON

**BY-LAW** 

**Number**\_\_\_\_\_143-87

To adopt Amendment Number 121 and Amendment Number 121A 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:

- Amendment Number <u>121</u> and Amendment Number <u>121</u> A to the Official Plan of the City of Brampton Planning Area, are hereby adopted and made part of this by-law.
- 2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of Amendment Number <u>121</u> and Amendment Number <u>121</u> A to the Official Plan of the City of Brampton Planning Area.

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

this

22nd

day of JUNE

, 1987.

KENNETH G. WHILLANS - MAYOR

LEONARD MIKULICH - CLERK

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AMENDMENT NUMBER 121 and AMENDMENT NUMBER 121 A to the Official Plan of the City of Brampton Planning Area

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# 21-0P 0031-121-1

Amendment No. 121 to the Official Plan for the City of Brampton Planning Area -

This Amendment No. 121 to the Official Plan for the City of Brampton Planning Area, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved under section 17 of the Planning Act, 1983, as Amendment No. 121 to the Official Plan for the City of Brampton Planning Area.

Date . Sept. 3, 1.98.

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



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CERTIFIED A TRUE COPY City Clerk 'JV

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#### 1. Purpose

The purpose of this amendment is to relocate a proposed Neighbourhood Park and a proposed Parkette Site within the Fletchers Creek South Secondary Plan.

#### 2. Location

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The land subject to this amendment is described as Part of Lot 15, Concession 1, W.H.S., in the geographic Township of Toronto, now in the City of Brampton. The lands are located on the west side of Hurontario Street, approximately 310 metres (1017 feet) south of Steeles Avenue.

#### 3. Amendments and Policies Relative Thereto

#### 3.1 <u>Amendment Number 121</u> The document known as the Official Plan of the City of Brampton Planning Area is hereby amended:

 by adding, to the list of amendments pertaining to Secondary Plan Area Number 24 and set out in the first paragraph of section 7.2.7.24, Amendment Number \_\_\_\_\_ A;

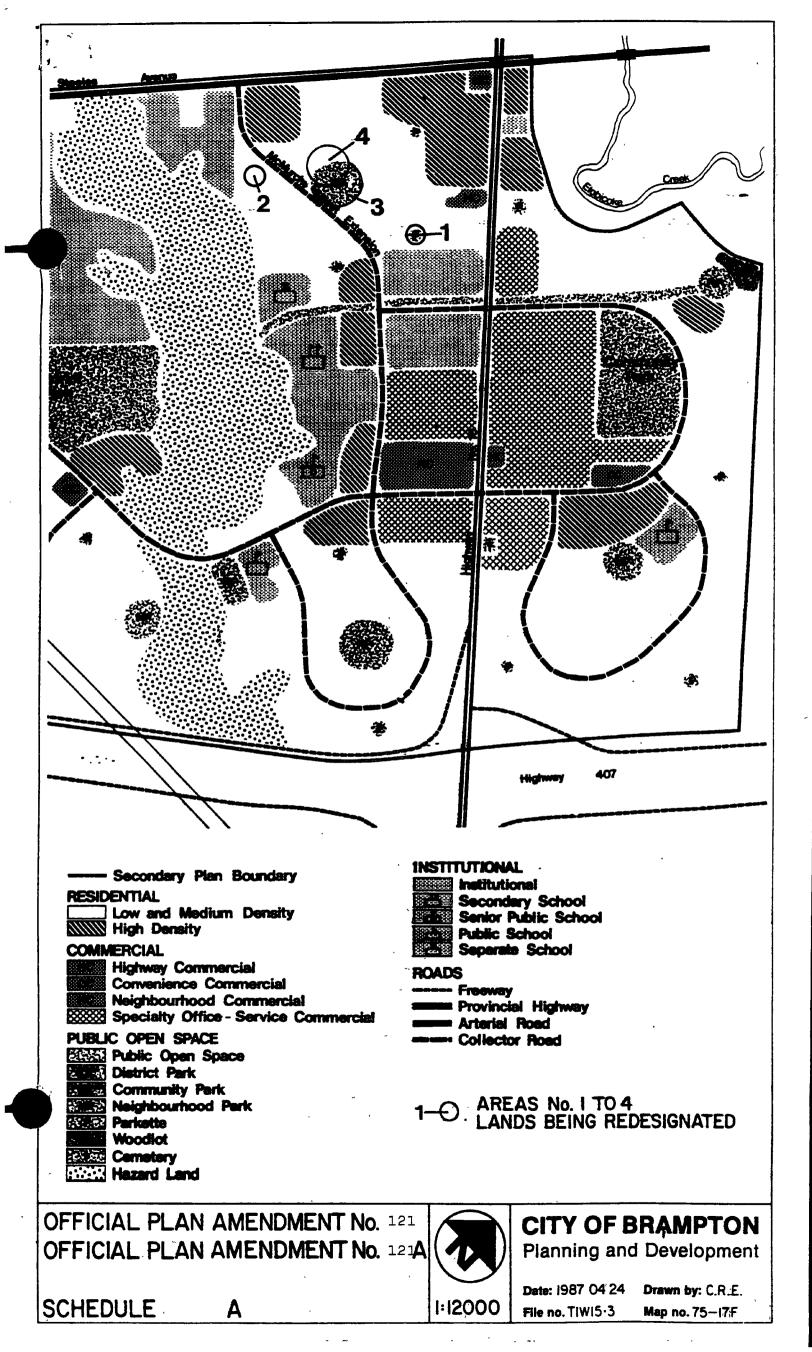
#### 3.2 Amendment Number 121 A:

The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Fletchers Creek South Secondary Plan (being Amendment Number 61 to the Consolidated Official Plan, as amended), is hereby further amended:

(1) by changing on Plate 43 (being Schedule A to Amendment Number 61 to the Consolidated Official Plan) thereof, the land use designations of the lands outlined on Schedule A to this amendment and numbered 1 through 4 inclusive, from the existing land use designation set out in the left-hand column of Table 3.2 to the new land use designation indicated in the right-hand column of Table 3.2:

| LOCATION ON<br>SCHEDULE A | EXISTING DESIGNATION  | NEW DESIGNATION                       |
|---------------------------|---|---------------------------------------|
| 1                         | Parkette  | Low and Medium Density<br>Residential |
| 2                         | Low and Medium Density<br>Residential                       | Parkette                              |
| 3                         | Neighbourhood Park  | Low and Medium Density<br>Residential |
| 4                         | Neighbourhood Park<br>Low and Medium Density<br>Residential | Neighbourhood Park                    |

#### TABLE 3.2



BACKGROUND MATERIAL TO AMENDMENT NUMBER 121 AND AMENDMENT NUMBER 121 A

Attached is a copy of a planning report, dated April 13, 1987 and the notes of a Public Meeting held on May 6, 1987 after notification in the local newspapers and the mailing of notices to assessed owners of properties within 120 metres of the subject lands.

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### **INTER-OFFICE MEMORANDUM**

Office of the Commissioner of Planning & Development

| Apri1 | 13, | 1987 |
|-------|-----|------|
|-------|-----|------|

TO: Chairman of the Development Team

FROM: Planning and Development Department

RE: Draft Plan of Subdivision Application to Amend the Zoning By-law Part of Lot 15, Concession I, W.H.S. (geographic Township of Toronto) Ward Number 4 FIELDGATE DEVELOPMENT AND CONSTRUCTION Region of Peel File Number: 21T-86086B Our File Number: T1W15.13

#### 1.0 INTRODUCTION

An application to amend the zoning by-law to permit the development of 55 single detached dwellings and 20 townhouse dwellings on the above noted property has been submitted to the City Clerk and referred to staff for a planning report and recommendation. A concurrent application for draft approval of a proposed subdivision plan has also been submitted to the Region of Peel.

#### 2.0 PROPERTY DESCRIPTION AND SURROUNDING LAND USE

The subject property is legally described as Part of the East Half of Lot 15, Concession 1, W.H.S. in the former geographic Township of Toronto. It is located on the west side of Hurontario Street (Highway Number 10), approximately 310 metres (1017 feet) south of Steeles Avenue. The property has a frontage of 16.46 metres (54 feet) on Hurontario Street and a basic lot width of 91.76 metres (301 feet). Average lot depth is 545 metres (1788 feet) and the area of the subject property is 4.878 hectares (12.05 acres). The property is relatively flat and open with a minimal amount of mature vegetation or trees. The land slopes very gradually from a high point near Hurontario Street to the valleylands associated with Fletchers Creek at the rear (westerly side) of the property.

The following land uses are in the vicinity of the subject site:

- to the north, on the south side of Steeles Avenue, are 8 five acre parcels, 5 of which are vacant and 3 of which contain a single family dwelling. Three of these parcels form the site of a high density residential proposal by M. Finer (T1W15.11). There are also 10 one acre parcels fronting onto Hurontario Street. A gas bar and car wash is located at the southwest corner of Steeles Avenue and Hurontario Street and 8 single family residences stretch south to the subject property. The residence immediately abutting the north limit of the subject property at Hurontario Street is currently subject to a rezoning application for a temporary real estate office (Allan Brown Real Estate - our file number T1W15.12).
- to the east, on the west side of Hurontario Street, are 2 highway commercial properties with a donut shop, a gas bar and an automotive repair station abutting the subject property.
- further east, on the east side of Hurontario Street, is a condominium townhouse development (Kaneff Properties - our file numbers T1E15.10 and 11) and an office and retail commercial development (Famous Players - our file number T1E15.9) which are currently under construction.
- to the south, is a City of Brampton Fire Department Station and a draft approved plan of subdivision (Sanfour Developments - our file numbers TIW15.7, 8 and 10) containing single family dwellings west of the McMurchy Avenue Extension and a school block, high density residential block, a church block and an office commercial block east of the McMurchy Avenue Extension.

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to the west is the Fletchers Creek and associated valleylands and the Brampton Campus of Sheridan College.

#### 3.0 OFFICIAL PLAN AND ZONING BY-LAW STATUS

- The subject property is designated Residential on Schedule 'A' to the Brampton Official Plan. The policies of the Fletchers Creek South Secondary Plan (Amendment Number 61 to the Consolidated Official Plan, as amended) also apply to the property. This document designates the property Low and Medium Density Residential.
- Although the subject proposal would conform to the development designation in the Secondary Plan, it is noted that both a Neighbourhood Park and a Parkette designation apply to the subject lands. The Neighbourhood Park designation is located on the east side of the McMurchy Avenue Extension, partially upon the subject The Parkette designation has been inherited by the property. Fieldgate Development property. Interpretation of Schedule 'A' to the Fletchers Creek South Secondary plan indicates that the subject parkette designation appears to have been allocated to the Sanfour subdivision plan immediately south of the subject property. Since the processing of the Sanfour subdivision did not physically establish the parkette and the parkette designation was not deleted by official plan amendment, the Fieldgate property has assumed the parkette designation by virtue of its proximity to the Sanfour subdivision plan. Due to these park designations upon the Fieldgate property and the fact that the subject proposal does not provide for these parks, staff are of the opinion that the subject application also requires an amendment to the secondary plan.

The property is subject to the restrictions of Comprehensive Zoning By-law 139-84, as amended. This document zones the subject property as Agricultural (A) Zone. Since this zone would not permit the subject development proposal, an amendment to the zoning by-law is also required.

#### 4.0 THE PROPOSAL

The applicant proposes to subdivide the property for single family detached lots and 2 townhouse blocks. The draft plan of subdivision, a reduced version of which is attached to this report, proposes the following disposition of the property:

| total site area  | <b></b> '  | 4.878 hectares (12.05 acres) |
|------------------|------------|------------------------------|
| residential area | -          | 3.12 hectares (7.71 acres)   |
| open space area  | -          | 0.4 hectares (0.99 acres)    |
| area of roads    | -          | 0.953 hectares (2.35 acres)  |
| other lands      | <b>-</b> . | 0.405 hectares (1.00 acre)   |
|                  |            |                              |

The "other lands" noted above are situated on the east side of the subject property at Hurontario Street, abutting the highway commercial properties. These lands are being reserved for a possible land exchange with one or both of the commercial properties to create more regular shaped parcels.

The 3.12 hectares (7.71 acres) of residential land in the draft plan of subdivision submitted for the property proposes the following lot yield:

| 15 metre (50 foot) lots - 4     |                               |
|---------------------------------|-------------------------------|
| 12 metre (40 foot) 1ots - 24    | - 2.405 hectares (5.94 acres) |
| 9 metre (30 foot) lots - 27     |                               |
| townhouse units - 20            | - 0.66 hectares (1.63 acres)  |
| Total Units - 75                | - 3.065 hectares(7.57 acres)  |
| developable with adjacent lands | 055 hectares (.136 acres)     |
|                                 | 3.12 hectares (7.71 acres)    |

#### 5.0 CIRCULATION COMMENTS

Upon receipt of the subject application, both the Development Division of the City of Brampton Planning and Development Department and the Region of Peel conducted the customary circulation of the proposal to interested and affected agencies/departments. The following comments have resulted:

5.1 The Consumers' Gas Company has advised:

no comment.

5.2 Bell Canada has advised:

no criticisms or comment.

#### 5.3 The Ministry of Transportation and Communications has advised:

the subdivision does not abut a King's Highway and at the present time, is not affected by any plans of this Ministry.

We will not require copies of the final or registered plans for this file. However, we would like to be advised of the registration date and number.

5.4 The Ministry of the Environment has advised:

no objection to the approval of the subject subdivision plan.

5.5 The Credit Valley Conservation Authority has advised:

the westerly portion of the subject property is located within the valley of the Fletchers Creek. These valleylands are located below the regulated Fill and Construction Control Line of the Fletchers Creek. The Fill, Construction and Alteration to Waterways Regulations (Ontario Regulation 162/80) prohibit the erection of any structure or the placement or removal of any material in the floodplain or regulated area, or the alteration to any waterway without the written approval of this Authority. A copy of the floodplain mapping relating to the property is enclosed herewith for your information.

It is Authority policy to recommend that new lots created through the subdivision of lands end at the 'Regional Storm' floodline or the top of bank of valley systems, whichever is the greater. This limit of development will be determined by the Credit Valley Conservation Authority and the City of Brampton on a site specific basis. It is also the general policy of this Authority to recommend that all lands below the approved limit of development in a Plan of Subdivision be maintained in a single block, zoned in the appropriate 'Open Space' or 'Greenbelt' category, with the possibility for dedication to the Municipality or other appropriate public agency.

In the case of the subject lands, the top of bank of the valley would serve as the limit of development. This limit must be delineated and identified in the field by Authority staff, and submitted as a surveyed line for the review and approval of the City of Brampton and the Authority.

We therefore recommend that the plan receive draft approval subject to the following conditions:

- Prior to registration of the plan, the top of bank of the Fletchers Creek valley shall be staked to the satisfaction of the Credit Valley Conservation Authority and the City of Brampton, and shall be submitted as a surveyed line for the approval of the Authority.
- 2. The Municipality's Restricted Area (Zoning) by-law shall contain provisions which will have the effect of:
  - a) placing Block 59 in the appropriate 'Open Space' or 'Floodplain' category;

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- b) requiring a minimum setback of 3 metres (10 feet) from Block
   59 for all buildings and structures, including swimming pools;
  - c) prohibiting the erection of all buildings and structures of any kind within Block 59, other than those structures necessary for flood and/or erosion control purposes.
- 3. Prior to registration of the plan, a detailed engineering submission shall be prepared to the satisfaction of the Credit Valley Conservation Authority, which will describe:
  - a) the means whereby stormwater will be conducted from the site to a receiving body;
    - b) the means whereby erosion, siltation and their effects will be contained and minimized on the site both during and after the construction period.
  - In this regard, the appropriate permits will be required from this Authority, pursuant to Ontario Regulation 162/80, for any works below the regulated Fill and Construction Control Line of the Fletchers Creek.
- 4. The Subdivider's Agreement between the Owner and the Municipality shall contain provisions with respect to the following, with wording acceptable to the Credit Valley Conservation Authority, wherein the Owner agrees:

a) not to oppose the By-law provisions as outlined in Condition
 2;

 b) to carry out or cause to be carried out the works noted in Condition 3;

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- c) neither to place nor remove fill of any kind whether originating on the site or elsewhere, nor to alter any existing vegetation, nor in any way disturb the lands within Block 59, without the written consent of the Credit Valley Conservation Authority, pursuant to Ontario Regulation 162/80;
- d) to erect a snow fence or other suitable barrier 3 metres (10 feet) from the boundary of Block 59, to prevent the unauthorized placement of fill material or destruction of vegetation within the floodplain area. A note shall be added to the appropriate plans, to the effect that a snow fence shall be erected prior to initiating any grading or construction on the site, and shall remain in place and in good repair during all phases of grading and construction;
- e) to develop Lots 5 to 9 inclusive, and Block 59, only according to site and grading plans acceptable to the Municipality and the Credit Valley Conservation Authority. The plans shall indicate the locations of all proposed buildings, structures, accesses, site drainage and existing and proposed grades.

In order to expedite clearance of the final plan, a draft copy of the Subdivider's Agreement should be forwarded to this office when available.

#### 5.6 The Dufferin-Peel Separate School Board has advised:

Elementary separate school pupils will be bussed to St. Brigid School, located on Torrance Woods, until such time as the permanent school for the area (in plan 21T-85013B - Sanfour Developments) is constructed. Secondary school pupils will attend Cardinal Leger School located on Mary Street in Brampton.

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Approximately 19 separate school pupils are projected to be the yield from the 55 single family and 20 townhouse units.

In May 1985 we wrote the City to ask whether the park/parkette designation could be situated adjacent to the school site. The response from the City indicated that the parkette designation would be considered when the development proposal for the lands was submitted. If there is to be no park/parkette, the Board may wish to consider purchasing some of the Fieldgate Development lands in the vicinity of Street C, in order to increase the size of the school site.

The Board requires that the following condition be fulfilled prior to registration:

- That the following clause be inserted in all agreements of purchase and sale for residential lots until the permanent school for the area has been constructed;
  - "Whereas, despite the best efforts of The Dufferin-Peel Roman Catholic Separate School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the area, and further, that students may later be transferred to the neighbourhood school."

#### 5.7 The Peel Board of Education has advised:

The Peel Board of Education requires the following conditions be included in the conditions of draft approval as well as the Engineering Agreement.

1. The Board requires that the following clause be placed in any agreement of purchase and sale entered into with respect to any

lots on this plan, within a period of five years from the date of registration of the subdivision agreement:

"Whereas, despite the efforts of the Peel Board of Education, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the Planning and Resources Department of the Peel Board of Education to determine the exact schools."

This plan of subdivision proposes a significant number of units for which there is not available accommodation. The Board will therefore be utilizing portable accommodation and bussing to holding schools until justification and funding for a new school is available from the Ministry of Education.

The anticipated yield from the plan is as follows: 24 K-6 8 7-8 15 9-13

The students generated are presently within the following attendance areas, the schools have the following enrolments and capacities:

|                  | ENROL. | <u>OME - 10%</u> |
|------------------|--------|------------------|
| Parkway P.S.     | 349    | 553              |
| W.G. Davis P.S.  | 317    | 418              |
| J.A. Turner S.S. | 1187   | 1158             |

The foregoing comments apply for a two year period.

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#### 5.8 The Peel Regional Police Force has advised:

it appears this development will have no adverse affect on any of our future plans.

## 5.9 The <u>Transportation Policy Division</u> of the Region of Peel Planning Department has advised:

we have reviewed the above noted plan of subdivision and suggest that Block 56 (townhouses) or a segment of it, sufficiently wide to accommodate a right-of-way of 20 metres, be reserved to provide the flexibility to extend Street C northerly into the lands immediately to the north in the event that an adequate street pattern cannot be developed within these latter lands.

If a road pattern can satisfactorily be developed in the lands immediately to the north and east of McMurchy Avenue, without a need for a connection to Street 'C' and to Steeles Avenue, then the block of land through residential block 56 can be developed as part of the townhouse development.

#### 5.10 The Region of Peel Public Works Department has advised:

that sanitary sewer and water services will be available in conjunction with the subdivision plan (21T-85103B - Sanfour Developments) to the south. Regional roads are not directly affected.

The Waste Management Division advises there are no waste disposal sites on or adjacent to the subject lands according to Region of Peel records. There is confirmed solid waste capacity in Peel only until the year 1992.

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  - 5.11 The Zoning and By-law Enforcement Section of the Building Division has advised:

no comment.

5.12 The Law Department has advised:

no comment.

5.13 The <u>Development and Engineering Services Section</u> of the Public Works Division has advised:

this plan must be developed with no frontage on McMurchy Avenue. The plan should not be developed without McMurchy being extended to connect to Steeles Avenue and a final road plan for all of the remaining vacant lands in this area.

5.14 The <u>Community Design Section</u> of the Planning and Development Services Division has advised:

the layout of the townhouses shall be presented as the shape and size of Block 56 is of concern.

Lots 1 to 4 shall orient east-west so the conflict of a rear yard - front yard relationship can be avoided.

Lot 28 shall not be developed as it will not front onto a full road.

5.15 The <u>Parks and Recreation Division</u> of the Community Services Department has advised:

An overall plan should be proposed by the Planning Department that indicates the location(s) of all proposed parkland in this general area. The way that this area is proceeding is too piecemeal. The Open Space Block noted on this plan is <u>valleyland</u> and not tableland.

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There should also be an attempt by the developer on this plan to try and square off the lands next to Block 57 to match up with Block 56. It would provide a better residential layout as well as eliminating a portion of the commercial site next to the school.

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It may be appropriate to establish the neighbourhood park north of the separate school site. This would necessitate the elimination of proposed street 'C'.

5.16 The <u>Transit Division</u> of the Community Services Department has advised:

a concrete bus pad, or cash-in-lieu thereof, may be required adjacent to proposed lot 55.

5.17 The Fire Division of the Community Services Department has advised:

no comment.

#### 6.0 DISCUSSION

As noted in Section 3.0 of this report, the proposed draft plan of subdivision would conform to the "Low and Medium Density" residential designation attributed to the property by the Fletchers Creek Secondary Plan. It is also recognized that the proposed plan has not accounted for a parkette designation which has been assumed from the Sanfour Developments subdivision plan to the south and a portion of the Neighbourhood Park designation which appears to be located in the general vicinity of the McMurchy Avenue Extension and Street C in the Fletchers Creek Secondary Plan. For the neglect of these park designations, the subject subdivision plan would require a secondary plan amendment if approved without land dedications for the parkette and Neighbourhood Park.

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Although the Dufferin-Peel Roman Catholic Separate School Board would prefer the parkette to be established next to their school site which abuts the Fieldgate property, this objective cannot be realized in a practical manner. Firstly, the parkette designation has been inadvertently attributed to the Fieldgate property when it should have been dealt with on the Sanfour subdivision plan. Secondly, the establishment of a parkette north of the school site would probably result in the termination of Street C which would frustrate the potential development of a desirable collector road systèm to service lands to the north of the Fieldgate plan, a topic Thirdly, staff which is dealt with later in this report. discussions have resulted in a position which determines the establishment of the Neighbourhood Park as the priority parkland .goal for the area. With the likelihood of a Neighbourhood Park in the immediate vicinity of the school site, the preference of the Parks and Recreation Division would be to consolidate the parkette with the Neighbourhood Park to enhance its recreational value and usefulness.

The subject property cannot make a significant contribution to the Neighbourhood Park. The Parks and Recreation Division prefers not to have parks located at street intersections as a considerable amount of the park is rendered unusable. In this situation, the problem is exasperated by the outside curve of McMurchy Avenue in this location. It is also desirable to leave Street C in its current location to enable reasonable development of the subject property and to contribute to the eventual collector road system for lands to the north.

The Neighbourhood Park will have to be established on lands to the north of the subject property where the majority of the park designation lay in the Secondary Plan. With respect to the outstanding parkette designation, City staff would prefer to locate the parkette on the west side of the McMurchy Avenue Extension, north of the subject property. Such a parkette location would provide a northerly access route to the extensive City owned lands (Fletchers Creek valleylands) in the area and Sheridan College. At present, the only valleyland access on the east side of the valley between Steeles Avenue and Ray Lawson Boulevard is one immediately south of the Sanfour subdivision plan at Sirlou Drive.

With respect to the design of the subject subdivision plan, there are some concerns with the proposal and its effect on the future development of lands to the north. The Sanfour subdivision plan abutting to the south is on the verge of being released for registration. Therefore, the internal road pattern as it abuts the Fieldgate subdivision plan is fixed. As well, the design and location of the McMurchy Avenue Extension is fixed in that the curve radii being established in the Fieldgate subdivision plan is necessary for a proper and safe approach at the street's intersection with Steeles Avenue.

The applicant proposes to terminate the internal road pattern on the west side of McMurchy Avenue by looping and connecting the two streets established by the Sanfour subdivision plan. It is also proposed that direct access lots be developed along the McMurchy Avenue Extension. The design of the subject subdivision plan west of the McMurchy Avenue Extension is of concern and should be redlined to create a more acceptable design. The main design concern is to eliminate lots with direct access to McMurchy Avenue. Although the Sanfour subdivision plan to the south was permitted to proceed with a total of 10 lots gaining access to McMurchy, this does not justify a continuation of such design errors. If the Fieldgate plan is permitted to establish lots with access to McMurchy Avenue, the remaining portion of McMurchy Avenue north to Steeles Avenue will likely be developed in the same manner. This would be detrimental to the collector function of the road. The applicant's submission also fails to recognize the future development of lands to the north by the continuation of the internal road pattern west of McMurchy Avenue. Therefore, the " attached redline revised plan which would terminate proposed Street A as a cul-de-sac and continue Street B to the north limit of the property, while providing access to reverse frontage lots along

applicant. An additional design 28 proposed by consideration for that section of the plan west of McMurchy Avenue is the continuation of a site triangle for the inside curve of McMurchy Avenue. The triangle was imposed on lot 54 of the Sanfour plan by a zoning restriction although it would be appropriate to continue the triangle in the Fieldgate plan by actual conveyance of the triangle to the City given the depth of the affected lots. This will also enable the erection of a 1.8 metre (6 foot) high privacy fence along the rear lot lines to give the affected lots some privacy from McMurchy Avenue. In addition, access to McMurchy Avenue will be protected by a 0.3 metre (1 foot) reserve along the westerly limit of the McMurchy Avenue road allowance.

That portion of the subject subdivision plan east of the McMurchy Avenue Extension also has some design difficulties which neglect the future development of abutting lands. As previously noted, a high density residential development has been proposed for lots 11, 12 and 13 in Registered Plan 347 (M. Finer - Our File Number One aspect of that proposal would be an internal T1W15.11). collector road located at the east limit of lot 11 in Plan 347 which would serve to remove access for lots 2 to 10 in Plan 347 from Hurontario Street. Internal access for the lots along Hurontario Street to the morth of the Fieldgate subdivision plan is an objective of the City with respect to the development of those lands. In order to create a second access point to McMurchy Avenue for this collector road, it would be desirable that Street C in the subject subdivision plan be extended to connect to an eventual street on the east limit of lot 11 in Plan 347. In order to accommodate such an occurrence, Block 56 (townhouses) in the Fieldgate subdivision should be reserved until the location of the new street can be determined and its relationship to Street C in the subject subdivision plan.

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It is noted that the applicant has reserved a 0.405 hectare (1 acre) parcel to the east of the subject property with 16.46 metres (54.0 feet) of frontage on Hurontario Street. This small parcel has been excluded from the subdivision plan to be used in a land exchange negotiation with the owner of the abutting highway commercial property which intrudes into the Fieldgate plan to the end of Street C as proposed. The purpose of the negotiation is to create two more regularly shaped parcels and to reduce the interaction between the

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Staff position on the reserved lands at the east limit of the subject property abutting the Grantis property and the undeveloped rear portion of the Fairlane Construction property (Penny Fuels) is that residential development would be appropriate. To develop these lands residentially to the rear of existing commercial development fronting onto Hurontario Street would reduce the residential/commercial interaction compared to a scenario which would develop the remainder of the Fairlane Construction property for commercial A development agreement dated October 2, 1984 between the uses. City and Fairlane Construction Limited implies that residential development will occur to the rear of existing commercial development on the Grantis and Fairlane Construction properties, including the undeveloped portion of the Fairlane property. The following clauses of Schedule D to the agreement are of relevance:

- "2. The Owner agrees that the lands shown as "Future Development -Subject to further submission" on the Concept Site Plan shall be developed in conjunction with the abutting lands to the North, West and South.
- .3. In the event that the subject lands are developed prior to the development of the abutting residential lands, the Owner shall, at its expense, construct a 1.22 metre high chain link fence in accordance with City specifications, along the westerly boundary of the lands being developed for commercial purposes, as shown on the Concept Site Plan.

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commercial and residential uses.

As with the west side of McMurchy Avenue, staff are concerned with access to the east side of McMurchy should it be developed for purposes other than the Neighbourhood Park. The subject plan has been examined in this regard and it appears that the development of an internal collector road system to service lands north of the subject subdivision will not be a difficulty. Therefore, the subject plan has not been further revised or reserved to accommodate an internal collector road system immediately east of McMurchy Avenue.

Approval of the proposed subdivision plan will be subject to standard City conditions. The applicant will be required to enter into a subdivision agreement with the City and the Region which addresses such matters as servicing the subject lands, development levies, cash-in-lieu of parkland, the dedication of streets, the conveyance and incorporation of reserves and the requirements of other agencies such as the School Boards and Conservation Authority. Development within the Fletchers Creek Secondary Plan Area is also subject to a forty dollar per acre charge for a stormwater management study previously conducted for the area.

#### 7.0 RECOMMENDATION

IT IS RECOMMEDED THAT PLANNING COMMITTEE RECOMMEND TO CITY COUNCIL THAT:

- A. the applicant revise the subject application to include an amendment to the Official Plan (adjustment of a parkette designation) and pay the appropriate fee,
- B. subject to the receipt of an application to amend the official plan, a public meeting be scheduled and held in accordance with "City Council's procedures, and

- C. subject to the results of the Public Meeting, the application be approved subject to the following conditions:
  - The approval be based upon the draft plan dated September 1986, prepared by Macaulay Shiomi Howson Limited and redline revised as follows:
    - (a) Street A be terminated as a 17 metre wide cul-de-sac road,
    - (b) Street B be realigned to continue to the north limit of the subdivision plan to accommodate reverse frontage lots along the McMurchy Avenue Extension and that a 0.3 metre reserve be established at the north limit of Street B,
    - (c) the lotting pattern west of McMurchy Avenue Extension be revised to reflect the road pattern in (a) and (b) above to create a maximum of 27 lots and a block for future development,
    - (d) a block be established on the inside curve (west side) of McMurchy Avenue at the south limit of the property to continue a site triangle imposed by zoning restriction on lot 54 in the Sanfour subdivision plan to the south. The block will have a 3 metre base at the northerly (rear) lot line of lot 54 and be conveyed to the City,
    - (e) 0.3 metre (1 foot) reserves be established along the west limit of McMurchy Avenue, as revised in (d) above and on the flankage lot lines and corner roundings of proposed lots 29 and 55,
    - (f) the east limit of Block 56 be extended easterly to the common lot line between lots 10 and 11 in Plan 347,

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- 4. In the event that the abutting lands to the West are developed for residential purposes, the Owner shall at its expense, construct a 1.83 metre high masonry wall along the westerly limit of the lands intended for commercial development as shown on the Concept Site Plan. Prior to the ... (letter of credit).
- 7. In the event that the lands being developed for commercial purposes are to be sold separately from the abutting lands to the West, the Owner agrees to consent to the imposition of a condition to the Land Division Committee Consent requiring the provision of a fight-of-way over the lands to be developed for commercial purposes in favour of the abutting lands to the West until such time as the abutting lands to the West are developed."

In order to facilitate the development of remaining vacant lands in the area east of proposed Street C, additional redline revisions will be required to the proposed draft plan. Firstly, the .405 hectare (1 acre) parcel identified as "Other Lands owned by Applicant" on the proposed plan shall form part of the draft plan and be identified as "Lands for Future Development". With these lands incorporated into the draft plan, the City can obtain a 0.3 metre (1 foot) reserve along the 16.46 metres (54.0 feet) of frontage on Hurontario Street in order to control access and obtain road widening as determined necessary by the Commissioner of Public Works and Building. In addition to the above, it will be necessary to convey to the City a 10 metre (32.8 foot) wide block to accommodate one-half of the road right-of-way required for an extension of Street C. This 10 metre wide block for future road purposes would need to extend approximately 65 metres (213 feet) beyond the end of Street C as currently proposed.

:C2-18

- (g) Block 56, as revised in (f) above, be reserved for future residential development,
- (h) the lands identified as other lands owned by applicant be incorporated as part of the draft plan and labelled as lands for future development,
- (i) a 0.3 metre (1 foot) reserve be established along the frontage abutting Hurontario Street and a 10 metre by 65 metre block for future road purposes be created along the south limit of Block 56, beginning at the end of proposed Street C, and
- (j) the lots shall be renumbered to accommodate the above listed redline revisions and there shall be no duplication of numbering between lots in the Fieldgate and Sanfour subdivision plans where such lots are situated on a street which is common to both plans of subdivision.
- 2. The applicant shall agree by agreement to satisfy all financial, landscaping, engineering and other requirements of the City of Brampton and the Regional Municipality of Peel including the payment of Regional and City levies with respect to the subdivision.
- 3. The applicant shall agree to grant easements, as may be required for the installation of utilities and municipal services, to the appropriate authorities.
- 4. Prior to the registration of the plan, arrangements shall be made to the satisfaction of the City for any relocations of utilities required for the development of the subject lands to be undertaken at the developer's expense.

- 5. The applicant shall agree by agreement to support amendments to the Official Plan and Zoning By-law incorporating appropriate land use policies and development standards.
  - 6. Development of the plan shall be staged to the satisfaction of the City.
  - 7. The maximum number of lots permitted shall be 62.
  - 8. The proposed road allowances shall be dedicated as public highways upon the registration of the plan.
  - 9. The proposed streets shall be named to the satisfaction of the City of Brampton and the Region of Peel. In this regard, proposed street names must be submitted as soon as possible after draft approval has been received so that finalization of the plan is not unduly delayed.
  - 10. The horizontal and vertical alignments of all roads, including their intersection geometrics, shall be designed to the latest City standards and requirements. In this regard, minor revisions to the road pattern including intersection alignments may be required.
  - 11. The applicant shall convey 0.3 metre (1 foot) reserves to the City along all residential lots where they abut the future McMurchy Avenue Extension, at the end of all open road allowances (Street B, Street C and McMurchy Avenue Extension) and along Hurontario Street.
  - 12. The applicant shall convey to the City the redline revised block created for future road purposes at the end of proposed Street C as well as any road widening along Hurontario Street, as determined necessary by the Commissioner of Public Works and Building.

13. The applicant shall make satisfactory arrangements with the City to obtain the existing 0.3 metre reserves at the ends of Street A, Street B and McMurchy Avenue and incorporate them as part of the street extensions in the final plan.

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- 14. The applicant shall agree by agreement to make satisfactory arrangements for:
  - (a) the provision of temporary turning circles at the dead end of all streets which are to be extended in the future,
  - (b) the erection of a temporary barricade at the end of the streets in (a) above, and
  - (c) the erection of a sign at the end of the streets in
     (a) above which indicates that the street will be extended at a future date.
  - 15. The applicant shall agree by agreement to convey to the City the open space valleyland block at the west limit of the plan in a condition satisfactory to the City.
  - 16. The applicant shall agree by agreement to pay cash-in-lieu of the parkland requirement in accordance with the Planning Act, 1983 and City policy.
  - 17. The applicant shall agree by agreement to fence the eastern limit of the open space valleyland block in accordance with City policy.

18. The applicant shall agree by agreement to install and erect a 1.8 metre high privacy fence along the rear lot lines of those lots with reverse frontage on the west side of the McMurchy Avenue Extension, to the satisfaction of the City.

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- 19. The applicant shall agree to the establishment of an Architectural Control Committee to deal with the external appearance of the dwellings.
  - 20. The applicant shall agree that prior to Architectural Control Committee approval, the sale of any dwellings or the issuance of any building permits, approval shall be obtained from the Commissioner of Planning and Development for features to be included in the design of buildings to minimize energy consumption.
  - 21. The applicant shall agree to create easements for maintenance purposes for all lots where less than 1.2 metre (4 foot) side yards are being provided.
  - 22. Where less than 2.4 metres of separation between structures is being provided, no back to front drainage shall be permitted unless agreed to by the Commissioner of Public Works and Building, and that the applicant, at his expense, shall provide an alternative method of rear yard drainage to the satisfaction of the Commissioner of Public Works and Building.
  - 23. The applicant shall agree not to remove, prior to registration of the plan, any trees or topsoil from the land or start any grading of the land within the plan, without the prior written authorization of the Commissioner of Public Works and Building.

The applicant shall agree that all construction traffic shall enter the subdivision along route(s) approved by the Commissioner of Public Works and Building. In this respect, temporary barricades shall be erected to the satisfaction of the Commissioner of Public Works and

Building at locations satisfactory to the Commissioner.

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- 25. The applicant shall agree that the blocks for future development shall only be developed in conjunction with adjacent lands. In this regard, the City shall be satisfied prior to registration of the plan that the blocks, when combined with adjacent lands, will permit development in accordance with the zoning by-law.
- 26. The applicant shall agree to the development of an integrated street system with lands to the north and to the creation of the residential reserve block at the end of Street C. The residential reserve block shall only be developed when released by the City and shall be placed in an appropriate holding zone by the zoning by-law amendment implementing the subdivision plan.
- 27. The applicant shall agree to install a concrete bus stop pad in the vicinity of the Street C and McMurchy Avenue intersection, or provide cash-in-lieu thereof, to the satisfaction of the Commissioner of Community Services.
- 28. The applicant shall agree, prior to offering units for sale, to place a plan on the wall of the sales office(s), in a place readily available to the public which indicates the following:
  - a) where sidewalks, walkways, fencing, noise attenuation barriers and parks and open spaces are located;

- 26 -

c) active or passive park areas. Active park areas should indicate wording as follows:

'playground equipment or active sports fields.'

d) The following information must also be shown in bold type:

'For further information on proposed and existing land use, please call The City of Brampton, Planning and Development Department, 150 Central Park Drive, 3rd Floor, between 8:30 a.m. and 4:30 p.m., Telephone: 793-4110.'

- 29. The map required in condition 28 above, shall be approved by the City's Commissioner of Planning and Development prior to the registration of the plan, and staff shall be permitted to monitor the sales office to ensure compliance.
- 30. The applicant shall agree to reimburse Fletchers Green Developments Limited at the rate of \$40.00 per acre as their share of the cost of the Fletchers Creek South Stormwater Management Study.
- 31. Prior to registration of the plan, the top of bank of the Fletchers Creek valley shall be staked to the satisfaction of the Credit Valley Conservation Authority and the City of Brampton, and shall be submitted as a surveyed line for the approval of the Authority. The surveyed top of bank shall be incorporated in the final plan as the easterly limit of the open space valleyland block.

- The Municipality's Restricted Area (Zoning) By-law shall contain provisions which will have the effect of:
  - placing Block 59 in the appropriate 'Open Space' or a) 'Floodplain' category;

(2-27

- b) requiring a minimum setback of 3 metres (10 feet) from Block 59 for all buildings and structures, including swimming pools;
- prohibiting the erection of all buildings and ·c) structures of any kind within Block 59, other than those structures necessary for flood and/or erosion control purposes.
- . 33. Prior to the initiation of any grading and prior to the registration of the plan, a detailed engineering submission shall be submitted for the approval of the Credit Valley Conservation Authority and the City which will describe:
  - the means whereby stormwater will be conducted from a) the site to a receiving body;
  - b) the means whereby erosion, siltation and their effects will be contained and minimized on the site both during and after the construction period.

In this regard, the appropriate permits will be required from this Authority, pursuant to Ontario Regulation 162/80, for any works below the regulated Fill and Construction Control Line of the Fletchers Creek.

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The Subdivider's Agreement between the Owner and the Municipality shall contain provisions with respect to the following, with wording acceptable to the Credit Valley Conservation Authority, wherein the Owner agrees:

- a) not to oppose the By-law provisions as outlined in Condition 32;
- b) to carry out or cause to be carried out the works noted in Condition 33;
- c) neither to place nor remove fill of any kind whether originating on the site or elsewhere, nor to alter any existing vegetation, nor in any way disturb the lands within Block 59, without the written consent of the Credit Valley Conservation Authority, pursuant to Ontario Regulation 162/80;
- d) to erect a snow fence or other suitable barrier 3 metres (10 feet) from the boundary of Block 59, to prevent the unauthorized placement of fill material or destruction of vegetation within the floodplain A note shall be added to the appropriate area. plans, to the effect that a snow fence shall be erected prior to initiating any grading or construction on the site, and shall remain in place and in good repair during all phases of grading and construction;
- e) to develop lots 5 to 9 inclusive, and Block 59, only according to site and grading plans acceptable to the Municipality and the Credit Valley Conservation Authority. The plans shall indicate the locations of all proposed buildings, structures, accesses, site drainage and existing and proposed grades.

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35. The applicant shall agree to insert the following clause in all agreements of purchase and sale for residential lots until the permanent Separate School for the area has been constructed:

- Whereas, despite the best efforts of The Dufferin-Peel Roman Catholic Separate School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the area, and further, that students may later be transferred to the neighbourhood school.
- 36. The applicant shall agree to insert the following clause in any agreement of purchase and sale entered into with respect to any lots on this plan, within a period of five years from the date of registration of the subdivision agreement:

Whereas, despite the efforts of the Peel Board of Education, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the Planning and Resources Department of the Peel Board of Education to determine the exact schools.

D. Subject to the results of the Public Meeting, that staff be directed to:

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- forward to the Region of Peel the conditions in C above to 1. be incorporated into draft approval of the subdivision plan,
- 2. prepare the appropriate subdivision agreement, and
- 3. prepare the appropriate amendments to the Official Plan and Zoning By-law.

Respectfully submitted,

Carl Brawley Policy Planner

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LW Laine, Director,

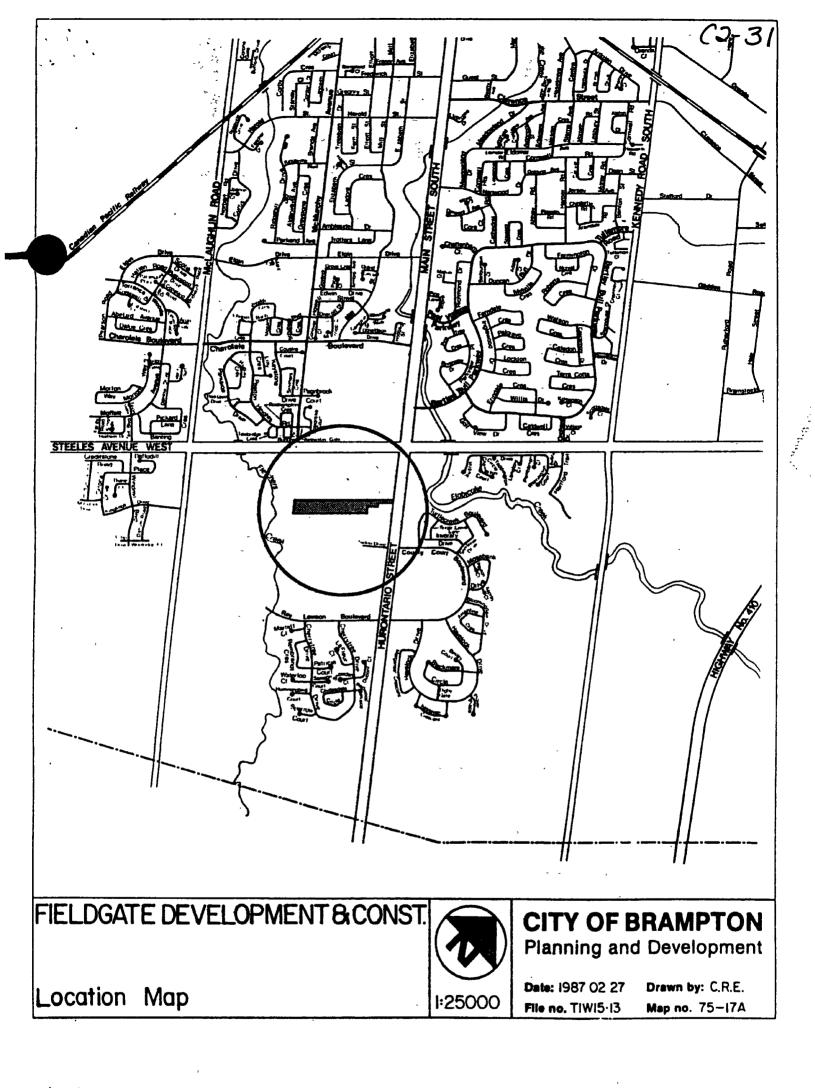
Planning and Development Services Division

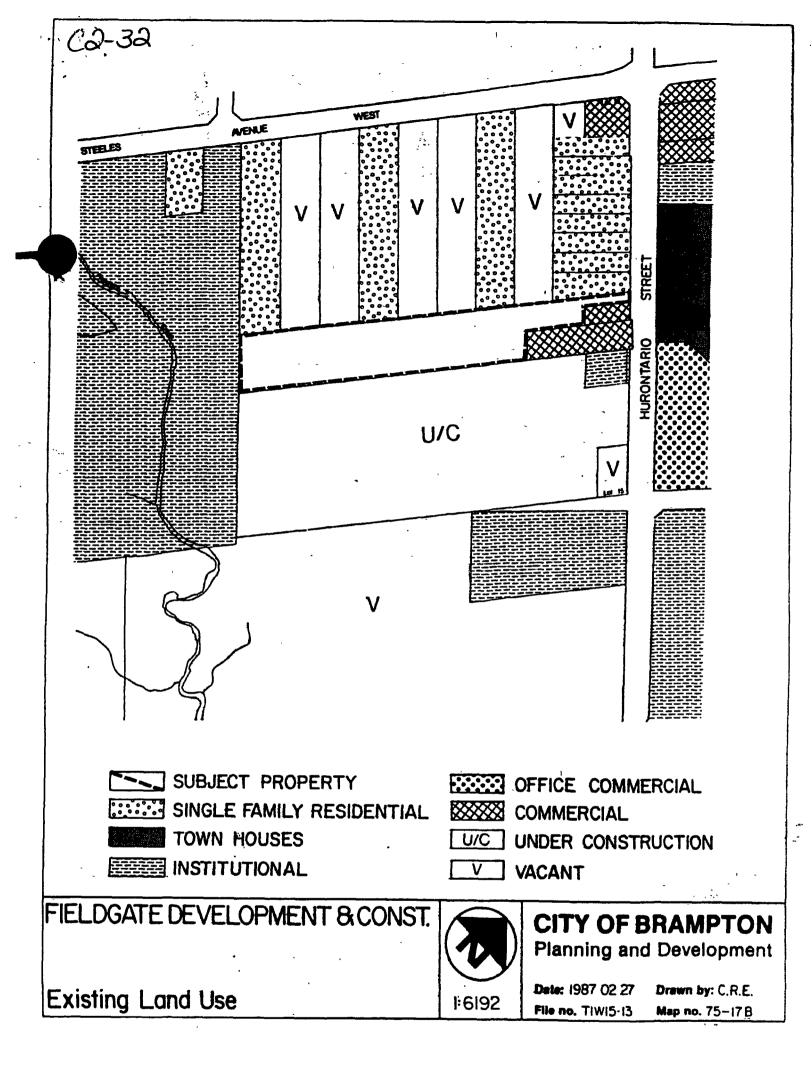
AGREED:

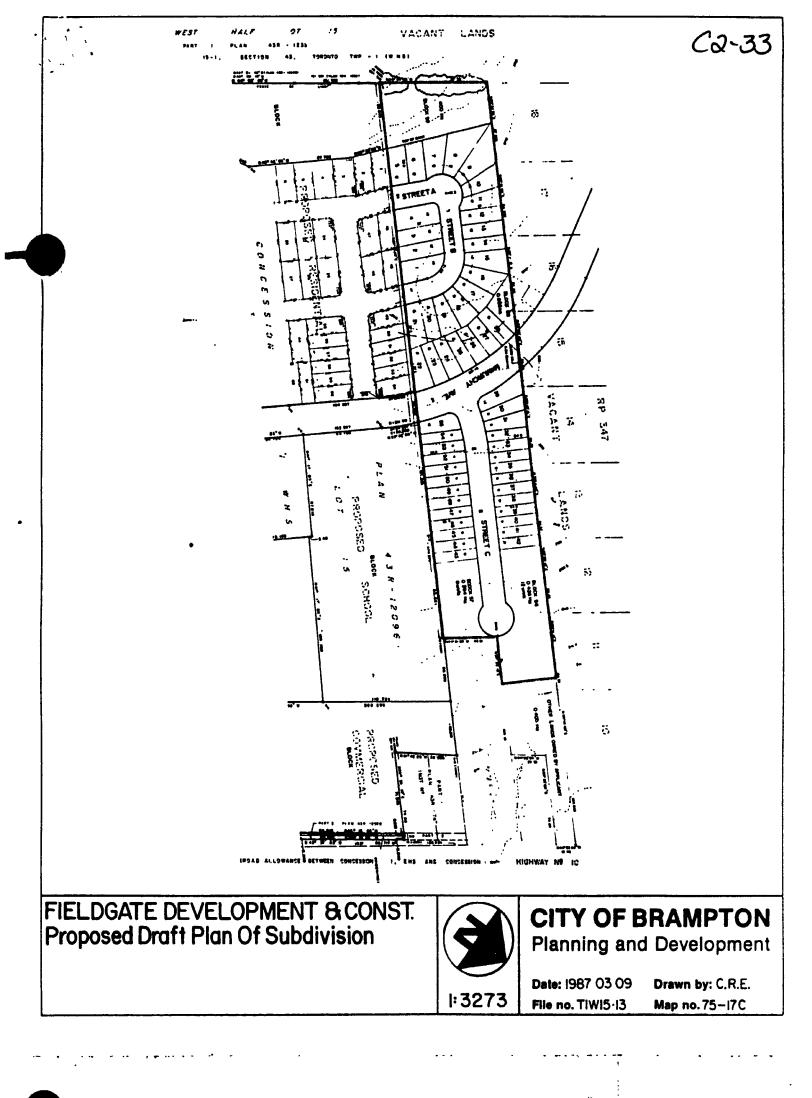
F. R. Dalzell, Commissioner of Planning and Development

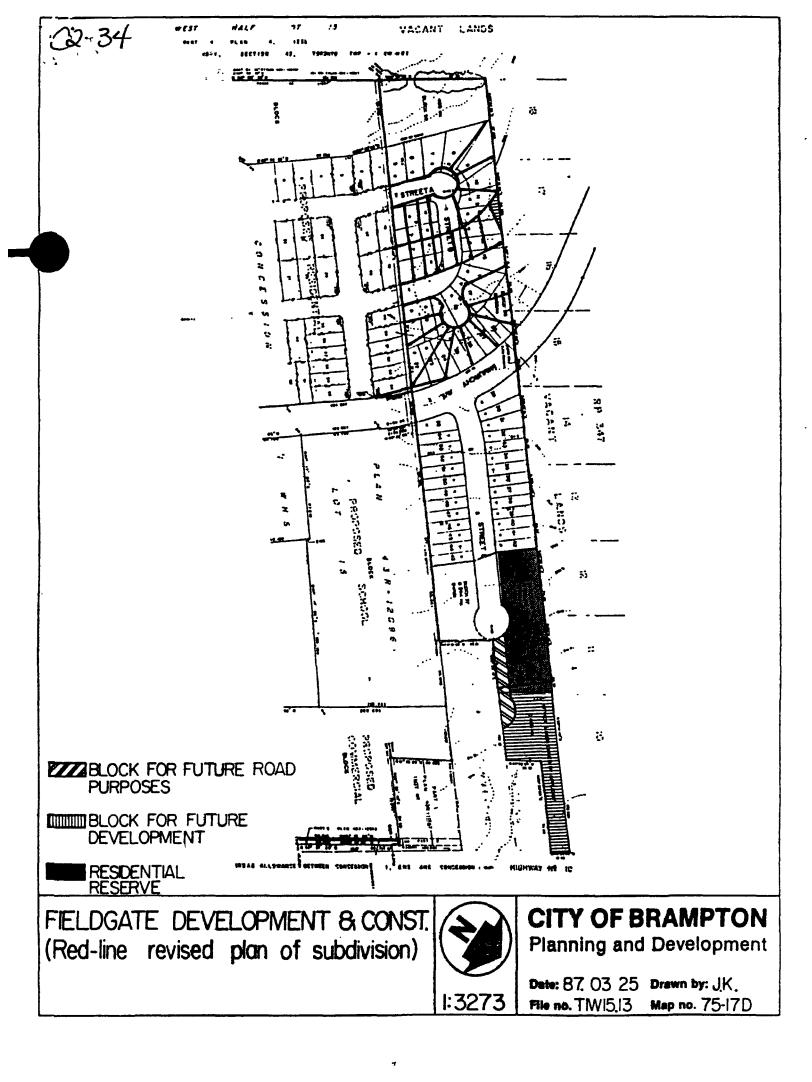
Attachments

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## **INTER-OFFICE MEMORANDUM**

## Office of the Commissioner of Planning & Development

May 11, 1987

TO: The Chairman and Members of Planning Committee
FROM: Planning and Development Department
RE: Draft Plan of Subdivision
Application to Amend the Zoning By-law
Part of Lot 15, Concession 1, W.H.S.
(geographic Township of Toronto)
Ward Number 4
FIELDGATE DEVELOPMENT AND CONSTRUCTION
Region of Peel File Number: 21T-86086B
Our File Number: T1W15.13

Attached are the notes of a public meeting held on May 6, 1987 for the above noted application. At the meeting, the attached letter from F.J. Reinders and Associates was submitted on behalf of Fairlane Construction, an abutting property owner. As the two property owners are currently negotiating a land exchange, the letter requests Planning Committee to take no further action on the application. The letter states that approval of the application may jeopardize the interest of one or both landowners and that any final arrangement between the two parties might involve a change to the City's recommendation for the subject subdivision plan.

City staff see no compelling reason to impede the progress of the draft plan of subdivision until the land exchange is resolved. As the City will not be zoning the lands in question (those under negotiation) for any particular use at this time, this shall not affect negotiations. Any land exchange is likely to be conditional on development approvals and future applications will be forthcoming on the lands in question. The subject subdivision can be developed without prejudicing what may occur on the lands to be exchanged. Therefore, the land exchange is not of direct consequence to the City and is a matter of sole interest to the two landowners.

- 2 -

The planning report dated April 13, 1987 recommended a redesign of the lotting pattern west of the McMurchy Avenue extension to eliminate all frontage access to McMurchy Avenue. Since the public meeting, the applicant has submitted a design concept which eliminates McMurchy Avenue frontage and continues both internal collector roads to the north limit of the property to service abutting lands to the north. A reduced copy of the subdivision plan illustrating the redesign is attached. The proposed design is acceptable to staff and will accommodate a workable development pattern for lands to the north. The applicant's redesign proposal will result in a reduction of lot yield from the 28 proposed in the original submission to the 23 lots shown on the redesign concept.

IT IS RECOMMENDED THAT PLANNING COMMITTEE RECOMMEND TO CITY COUNCIL THAT:

- 1. the notes of the public meeting be received;
- 2. that the application be approved subject to the conditions contained within the planning report dated April 13, 1987, such conditions being revised as necessary to reflect the attached design concept which recognizes 23 lots west of the McMurchy Avenue Extension, none of which have frontage access to McMurchy Avenue and both Streets A and B being realigned to continue to the north limit of the subject lands; and

3. staff be directed to prepare the appropriate documents including an official plan amendment, a zoning by-law amendment and a subdivision agreement.

Respectfully submitted,

Carl Brawley, Policy Planner

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

AGREED:

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F.R. Dalzell, Commissioner Planning and Development

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Attachment

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## PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, May 6, 1987, in the Municipal Council Chambers, 3rd Floor, 150 Central park Drive, Brampton, Ontario, commencing at 7:30 p.m., with respect to an application by FIELDGATE DEVELOPMENT AND CONSTRUCTION (File: T1W15.13 - Ward 4) to amend the Zoning By-law to permit the subdivision of the subject property for single family lots and 2 townhouse blocks.

| Members Present: | Alderman H. Cha<br>Alderman P. Pal<br>Alderman A. Gib<br>Alderman E. Car<br>Councillor N. P | oson<br>ter                                    |
|------------------|---|--|
|                  | COUNCILION N. P   | orceous  |
| Staff Present:   | F. R. Dalzell,  | Commissioner of Planning<br>and Development    |
|                  | L.W.H. Laine,   | Director, Planning and<br>Development Services |
|                  | J.A. Marshall,  | Director of Planning Policy<br>and Research    |
|                  | C. Brawley,   | Policy Planner                                 |
|                  | D. Ross,  | Development Planner                            |
|                  | E. Coulson,   | Secretary                                      |

A letter from F.J. Reinders and Associates Canada Ltd. was submitted at the meeting, requesting that the City of Brampton Planning Committee take no further action on this development until such time as negotiations between Fairlane Construction Ltd., and Fieldgate Development and Construction are concluded. (See attached).

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 further questions or comments and the meeting adjourned at 7:35 p.m.

REINDERS

May 6, 1987

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

Attention: Fred Dalzell

Dear Sir:

Re: Fieldgate Development and Construction Subdivision file 21T-86086B Your file T1W15.13

This is to advise that we act for Fairlane Construction Ltd., the property owner immediately to the east of the subject property, shown in red on the attached. Our client's land is designated highway commercial in the approved official plan and we note that the City staff report makes several references to a proposed land exchange in this vicinity.

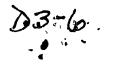
This is to advise that negotiations are presently underway between my client and Fieldgate Development and Construction. In order to protect our client's interest in this matter, we would request that the City of Brampton Planning Committee would take no further action on this development until such time as the negotiations between the parties are concluded. The reasons for our requests are two fold:

1. An approval by the City of Brampton might jeopardize the interest of either party.

2. Any final arrangement between the two parties might involve a change to the City recommendation.

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**F.J. Reinders and Associates Canada Ltd.** Architects, Consulting Engineers, Planners, and Project Managers P.O. Box 278, (7665 Hurontario St.) Brampton, Ont., Canada L6V 2L1 (416) 457-1618 Telex 06-97830



We will keep the City of Brampton staff advised as to the progress of the discussions and look forward to their early conclusion.

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Trusting this to be in order, I remain.

Yours truly,

F. J. REINDERS AND ASSOCIATES CANADA LIMITED

Clare Riepma, P. Eng., M.C.I.P., M.E.S. Vice President

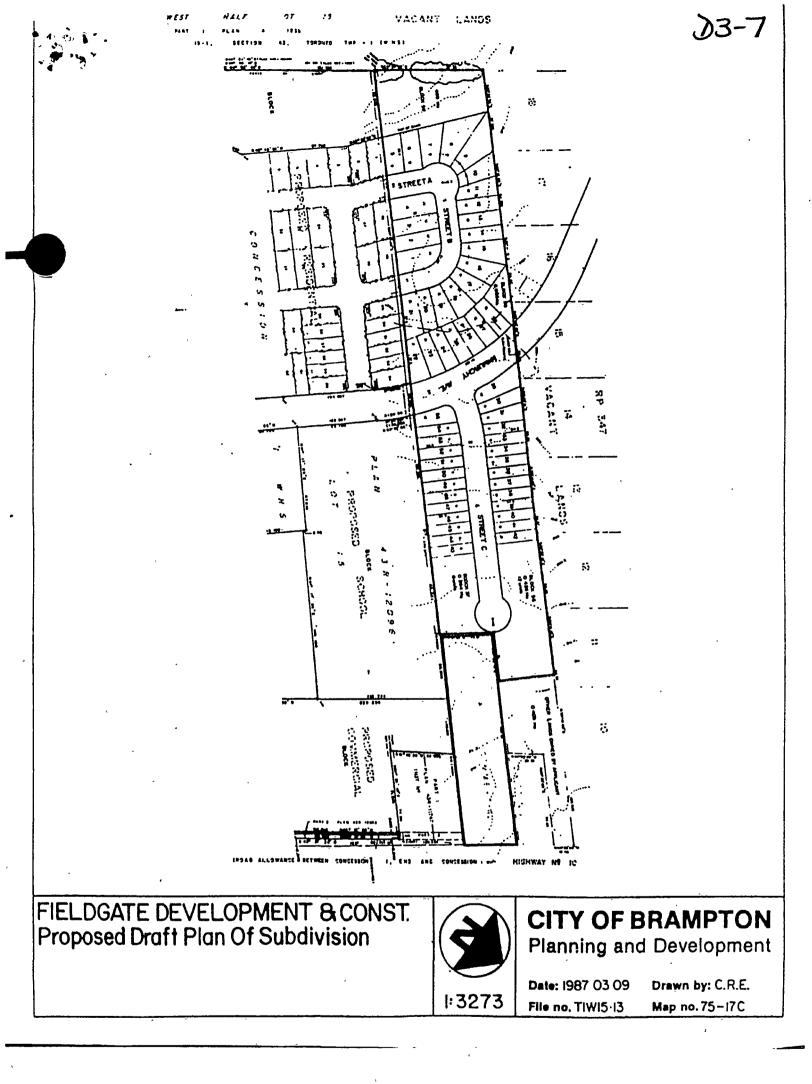
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Encl.

cc: Fairlane Construction Ltd. Fieldgate Development and Construction

F.J. Reinders and Associates Canada Ltd. Architects, Consulting Engineers, Planners, and Project Managers P.O. Box 278, (7665 Hurontario St.) Brampton, Ont., Canada L6V 2L1 (416) 457-1618 Telex 06-97830





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