

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number <u>172-81</u> To adopt Amendment Number <u>75</u> to the Consolidated 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 <u>The Regional Municipality</u> <u>of Peel Act, 1973</u> and <u>The Planning Act</u>, hereby ENACTS as follows:

- Amendment Number <u>75</u> to the Consolidated Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.
- 2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment Number _______ to the Consolidated Official Plan of the City of Brampton Planning Area.

READ a FIRST, SECOND and THIRD TIME and Passed in Open Council

This

17th

day of August

1981

JAMES E. ARCHDEKIN, MAYOR

100

RALPH'A. EVERETT, CLERK

- 1. The purpose of Amendment Number ______ is to delete provisions contained in the Consolidated Official Plan of the City of Brampton Planning Area that are directed to detailed traffic controls on Cloverdale Drive, Crawley Drive and Braemar Drive, and other related matters.
- 2. (a) Plate Number 13 of the Consolidated Official Plan of the City of Brampton Planning Area is hereby amended by deleting the symbol "C25" and the boundary line relating to the area covered by Chapter C25.
 - (b) Plate Number 14 of the Consolidated Official Plan of the City of Brampton Planning Area is hereby amended by deleting the words "SPECIAL STUDY AREA" and the boundary line of that Special Study Area.
 - (c) Plates Number 29, 30, 31 and 32 of the Consolidated Official Plan of the City of Brampton Planning Area are hereby deleted.
- 3. The Consolidated Official Plan of the City of Brampton Planning Area is hereby further amended:
 - (a) by deleting the third paragraph of Subsection 2.3.1(iv) of Chapter C21, and substituting therefor the following:

"The main north-south internal road is to be CENTRAL PARK DRIVE which links the newly developing residential areas north of Highway 7 (Chapter Cl7) to the City Centre. This is also to be 130 feet, in view of the essential function it performs between Highway Number 7 and Clark Boulevard.";

- (b) by deleting Section 2.3.8 of Chapter C21; and
- (c) by deleting Chapter C25.



PASSED August 17th 19 81



BY-LAW

No.____172-81

To adopt Amendment Number 75 to the Consolidated Official Plan for the City of Brampton Planning Area. (BRAEMAR DRIVE)





DUPLICATE ORIGINAL

Alter and the first

21-0P-0006-75

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

ě MISC. PLAN NO. 686 IA. . 00 LODGED IN THE REGISTRY OFFICE FOR THE COUNTY OF PEEL AM 0 M. 18, 1983 10:11 A.M. ----asst. Deputy Land Begistren



0 820057

Ontario Municipal Board

IN THE MATTER OF Section 51 of <u>The Planning Act</u> (R.S.O. 1980, c. 379),

- and -

IN THE MATTER OF a reference to this Board by the Honourable Claude F. Bennett, Minister of Municipal Affairs and Housing on a request by T. McNab on behalf of The Residents Committee for The Retention of Traffic Control on Braemar Drive for consideration of proposed Amendment No. 75 to the Official Plan for the City of Brampton Planning Area, Minister's File No. 21-OP-0006-75

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B E F O R E : C.G. EBERS, Q.C. Member

T.F. BAINES, Q.C. Member

- and -

Monday, the 25th day of October, 1982

THIS APPLICATION coming on for public hearing this day and after the hearing of the application;

THE BOARD ORDERS that Amendment No. 75 to the Official Plan for the City of Brampton Planning Area is hereby approved and the objection by the referrer T. McNab on behalf of The Residents Committee for The Retention of Traffic Control on Braemar Drive is hereby dismissed.



SECRETARY

ENTERID 0. B. No. (082-1... Folio No. / S DEC 16 1962 me SECRETARY, ONTARIO MUNICIPAL BOARD



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

172-81

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JAMES E. ARCHDEKIN, MAYOR

PITE

RALPH A. EVERETT, CLERK

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 - (a) by deleting the third paragraph of Subsection 2.3.1(iv) of Chapter C21, and substituting therefor the following:
 "The main north-south internal road is to be CENTRAL PARK DRIVE which links the newly developing residential areas north of Highway 7 (Chapter C17) to the City Centre. This is also to be 130 feet, in view of the essential function it performs between Highway Number 7 and Clark Boulevard.";
 - (b) by deleting Section 2.3.8 of Chapter C21; and .
 - (c) by deleting Chapter C25.

The following background material is attached:

- The report of the Director of Planning Policy and Research dated 1981 04
 03 that was considered by the Planning Committee of the City of Brampton on April 13, 1981.
- Notes of a public meeting held on June 9, 1981 and a covering report, dated 1981 06 11. Notice of this meeting was published in the two local newspapers.
- 3. Letters sent to Brampton City Council subsequent to the public meeting of June 9, 1981 by D.R. Ackland, The Committee for the Retention of Traffic Controls on Braemar Drive, Mr. Brian Nugent, and the Bramalea-On-The-Park Ratepayers Committee.

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Sento P(apr. 9

Office of the Commissioner of Planning and Development

198 04 03
TO: F.R. Dalzell Commissioner of Planning and Development
FROM: J.A. Marshall Director of Planning Policy and Research

RE: Application to Amend the Official Plan by the "B Island Committee" per K.H. Thompson, Chairman Our File: 0.P.9

ORIGIN:

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K.H. Thompson, Chairman of the "B Island Committee" made application to amend Chapter C25 of the Consolidated Official Plan "Amendment Number 38 to the Township of Chinguacousy Official Plan" in such a manner that full two-way traffic would be permitted along the full length of Braemar Drive. The addendum to the application that sets out the detailed rationale for the proposed amendment is attached. The main basis for the proposed amendment is that traffic studies conducted by the City of Brampton Public Works Department over and eight year period have provided more than adequate evidence that vehicular traffic restrictions on Braemar Drive are not warranted. Further to this the restriction of two-way traffic on Braemar Drive is more than a mere inconvenience, it is a genuine loss in both money and time for a large proportion of the "B" section residents.

BACKGROUND:

This application is the latest action in a long series of events concerning traffic controls in the area south of Clark Boulevard between Dixie Road and Bramalea Road, dating from 1971. These events have involved not only City council, City Staff and local residents, but also the Minister of Housing, the Ontario Municipal Board, and the Supreme Court of Ontario.

The sequence of events over the past ten years are set out in detail below in order to familiarize Planning Committee with the history of the subject situation and to form a basis for recommendations by staff.



. February 8th, 1971 - Amendment Number 34 to the Chinguacousy Official Plan was approved by the Minister of Municipal Affairs with a modification that designates an area north and south of Clark Boulevard from east of Cloverdale Drive to the vicinity of Clark Boulevard Public School, this area to be covered by a further amendment after special studies dealing with traffic volume and movement, detailed highway design, and land use designations.

- August 26th, 1971 Township of Chinguacousy Council passed Amendment Number 38 to the Township Official Plan that sets out in minute detail the road pattern of Clark Boulevard, Crawley Drive and Cloverdale Drive, including landscape plans, and further that provides a one-way traffic island on Braemar Drive north of Brookland Drive that prevents south bound vehicular traffic from Clark Boulevard from penetrating the residential area south of that point.
- . June 14th, 1972 Chinguacousy Council directed that traffic by-laws be prepared to implement Amendment Number 38.
- August 21st, 1972 Council enacted By-law 181-72 and this was approved by the Minister of Transportation and Communications on October 10th, 1972.
- . November 20th, 1972 Citizens appeared at Council objecting to the traffic pattern changes on Braemar Drive and as a result a public meeting was held in December 1972.
- . After numerous discussions and deliberations, Council enacted a resolution in September 1973 directing that the Braemar Island be moved to accommodate a driveway at the corner of Braemar Drive and Brookland Drive and that the island be made permanent and kept up in appearance.

As a result of numerous citizen requests in 1974 Council directed the Traffic Coordinator to study the situation.

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- . January 3rd, 1975 Council received a report from the Traffic Coordinator dealing with traffic speeds, vehicular volumes, the need for three-way stops, and accident occurances on Braemar Drive, and resolved that no changes be made to the existing traffic regulations.
- . In September 1975, a petition was received by Council that requested three-way stop signs at the north intersection of Braemar Drive and Beechwood Crescent and the intersection at the south end of Burnham Crescent and Braemar Drive.
- September 22nd, 1975 Council passed a resolution that the three-way stop signs as requested be installed and staff were directed to initiate a study on the entire traffic patterns of Braemar Drive.
- . Several petitions were submitted for and against the one-way street and the traffic regulations on Braemar Drive.
- . November 24th, 1975 Council endorses a study procedure proposed by the Traffic Coordinator and By-laws were authorized to be presented to Council which had the effect of allowing, over a limited period of time, the studies with and without traffic controls, as well as one-way versus two-way traffic.
- September 7th, 1976 The traffic coordinater submitted a report on the findings of the study. The main conclusion of the report was that the Engineering Department could find no technical basis for recommending continuance of the present one-way situation, nor could it endorse any alternative schemes for redirection or restriction of traffic on Braemar Drive or Brookland Drive, as they would pertain to standard engineering warrant criteria. Council directed that a public meeting be held on September 16th, 1976 to present the results of the report.

September 16th, 1976 - The public meeting was held and there were representations made for and against the retention of one-way controls.

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- . October 25th, 1976 Council directed staff to carry out a popular survey vote of the 'B' Section (O.P.A. Number 38-Survey Area 1) in order to objectively survey each household regarding traffic control on Braemar Drive. The intent of Council was to remove Braemar Traffic Island if more than sixty percent of the owners were in favour of such action.
- . January 11th, 1977 The results of the survey were presented to Council. These were as follows:
 - 1. Total surveyed 319;
 - 2. In favour of one-way north bound (retain island) 26.5%;

3. In favour of two-way traffic throughout (removal of island) - 65.8%;

4. No comment - 0.8%;

5. No reply or no signature - 6.9%;

- . January 24th, 1977 Council passed a motion to direct staff to prepare an Official Plan Amendment to remove the traffic control option of a one-way island on Braemar Drive from the Official Plan, and that the residents be informed of the meeting when this is to be considered by Council.
- . February 28th, 1977 Official Plan Amendment Number 9 was presented to Council. This amendment had the effect of permitting Council the option of passing traffic control by-laws that permitted two-way traffic north bound and south bound on Braemar Drive. Representations and submissions were made by residents for and against enactment of the amendment.

Council adopted Amendment Number 9 and passed a resolution that directed staff to monitor traffic movements on Braemar Drive on a regular basis and indicated that Council would review and consider the need for traffic control by-law amendments in accordance with Amendment Number 9, based on staff submissions.

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- . Letters of objection were sent to the Minister of Housing by F. Russell, B. Hood and T. McNab.
- May 9th, 1977 In response to the above objections Council indicated that no further negotiations were necessary after a long history of deliberations.
- . June 13th, 1977 Council informed the Minister of Housing that the City could not arrive at criteria to apply to one-way street systems and requested the Minister to proceed with Official Plan Amendment Number 9 in recognition that the City will continue to monitor the situation on Braemar Drive.
- August 22nd, 1977 Official Plan Amendment Number 9 was referred to the Ontario Municipal Board by the Minister of Housing.
- . April 20th, 1978 An Ontario Municipal Board Hearing was held to deal with Amendment Number 9. The hearing was adjourned <u>sine die</u> i.e. without the Board considering the issues of the amendment. The hearing was adjourned because the Chairman was of the opinion "that such matters have no place in a planning document and for this reason, all matters dealing with traffic control and movement should be deleted from the Official Plan."
- April 24th, 1978 Council directed staff to prepare an Official Plan Amendment to repeal the special study area Section of Amendment Number 34, all of Amendment 38 "Chapter C25 of the Consolidated Official Plan", and Amendment Number 9 to the Consolidated Official Plan and that a public meeting be held.
- . May 15th, 1978 A public meeting was held to deal with an Official Plan Amendment drafted by staff that removed all provisions relating to traffic controls in the subject area from the Official Plan. Representations were made by residents of Braemar Drive, Cloverdale Drive and Crawley Drive in opposition to the proposed amendment. One submission was made by a group of residents living along Braemar Drive that opposed the removal of the Braemar Drive Island.

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- . May 18th, 1978 Council met with the Minister of Housing to discuss the subject amendment.
- June 26th, 1978 Council passed a resolution to request the Ontario Municipal Board to reconvene in order to give a decision on the proposed Amendment Number 9.
- . February 5th, 1979 An Ontario Municipal Board hearing was held to reconsider Amendment Number 9.
- February 27th, 1979 The Ontario Municipal Board decision on Amendment Number 9 was received by the City. The panel of the board concurred with the opinion of the previous member of the board that detailed statements on traffic regulatory manners have no place in an Official Plan. The panel however reviewed the substance of the amendment and expressed the opinion that introducing the option of two-way traffic on Braemar drive was inconsistent with the remainder of Amendment Number 38 in that allowing two-way traffic could have no other effect but to increase traffic. A modification to Amendment Number 9 was proposed that substituted more general wording with regard to the traffic regulations, or other means, that Council may enact to reduce or prevent an increase of traffic on Braemar Drive.

The Board indicated that if the City did not concur with a proposed modification then the application for approval of an Official Plan Amendment Number 9 would be dismissed.

In effect, the proposed modification served only to frustrate the intentions of the City, since the modification was contradictory to the basic objective of the amendment i.e. to permit two-way traffic on Braemar, since such action could have no other result than to increase traffic.

March 12th, 1979 - Council passes a resolution to concur with the Ontario Municipal Board modification and to direct staff to draft by-laws to remove the Braemar Island and set up a traffic monitoring program.

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- . May 7th, 1979 Council passed 107-79 and 108-79. By-law 107-79 removed the one-way northbound traffic designation on Braemar, and By-law 108-79 implemented a traffic study program at three month intervals for purposes of studying traffic volumes, movements and conditions on Braemar Drive after removal of the one-way northbound regulation.
- . June 18th 1979 The one-way island on Braemar Drive was removed.
- . September 13th 1979 Mr. Justice Holland of the Ontario Supreme Court adjourns an application by Mr. Brian Hood to have By-law 107-79 quashed since no traffic studies have been yet completed.
- . January 14th, 1980 Council considered a report of the Superintendent of Traffic Services regarding Braemar Drive traffic volumes. The report presented traffic volumes statistics for Braemar Drive in June 1979 before the island was removed and in October 1979 after the island was removed. The result of the island removal was an increase of traffic along all sections of Braemar Drive except the section immediately north of Balmoral Drive. His opinion was that Braemar Drive is able to effectively accommodate the traffic volumes of October 1979 after the island was removed, and that there is no reason to recommend any remedial action as a result of increased traffic flows.
- April 17th, 1980 The Supreme Court of Ontario quashed By-law 107-79 and ordered the City to pay the costs of Mr. Brian Hood. The Court ruled that By-law 107-79 did not conform with the Official Plan in that the removal of the island resulted in an increase in traffic along Braemar Drive.
- . April 21st, 1980 Council decides not to appeal the decision.

May 7th, 1980 - Public Works Staff were directed to report on the placement of the Braemar Drive Island.

. July 14th, 1980 - Council passed By-law 201-80, that provided for the installment of the one-way island on Braemar Drive.

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COMMENTS:

In retrospect, Amendment Number 38 was a pragmatic solution to the objections of residents to the south of Clark Boulevard to the Bramalea City Centre Plan; however by current standards, the provisions of the Amendment are inappropriate in an Official Plan. In the early 1970's, there was a trend to including excessive detail in Offical Plans, particularly in the form of secondary plans and tertiary plans that were almost indistinguishable from zoning and other by-laws, and only served to duplicate such by-laws. Both Amendments Numbers 34 and 38 are excellent examples of such excessively detailed amendments.

In the process of reviewing the Planning Act much concern was expressed by the Province regarding this trend since it effectively removed from Municipal Councils the necessary flexibility and discretion to make decisions without a lengthy review by the Province. For example Conclusion 11 of the White Paper on the Planning Act reads as follows:

"The Planning Act will place the responsibility for local planning authority in the first instance with municipal council".

It was recognized at the time (May 1979) that the result of excessively detailed Official Plan Amendments and over reliance on the Ontario Municipal Board to deal with controversial issues was a denegration of Council's role as a decision making body. This is evidenced by the apparent perception in the Cloverdale Drive, Crawley Drive, and Braemar Drive areas that the only way that the residents can be assured of protection is by inclusion of traffic control details in the Official Plan.

Both panels of the Ontario Municipal Board that dealt with Amendment Number 9 and City Staff concur that the Consolidated Official Plan should be amended to delete Chapter C25 (Chinguacousy Amendment. Number 38) and any other references to traffic controls in the subject areas. Council has the power under Section 354 (1) 107 to pass traffic control by-laws, and this power should not be encumbered by detailed amendments to the Official Plan.

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Staff conclude that the course of action with the highest probability of success would be to delete Chapter C25 in its entirety from the Official Plan. If this course of action were followed it would be expected that not only those opposing the removal of the Braemar Drive Island would oppose the amendment, but also the residents of the Cloverdale Drive - Crawley Drive area would also object to removal of the traffic controls. This is probable since residents of the latter area would be losing what they perceived as a very valuable safeguard.

If the subject Official Plan provision were repealed, Council would be able to change traffic controls and road patterns by by-law with Regional Council approval. The City of Brampton has followed a procedure of contacting and discussing significant proposed traffic control by-laws with affected property owners; therefore, both formal and informal processes exist to protect the rights of the individual property owners to be informed and to be heard regarding by-laws affecting traffic control and alterations to road patterns.

An alternative to the repeal of all parts of the Consolidated Official Plan making references to traffic controls in a subject area would be to delete only those sections dealing with Braemar Drive. Such an amendment would undoubtedly be objected to and be the subject of an Ontario Municipal Board hearing. The probability of the amendment being approved is limited by the following:

. Both panels of the Ontario Municipal Board concurred that none of the provisions relating to traffic in the subject area had any place in an Official Plan; therefore, any amendment that does anything less than completely remove the subject provisions would not likely receive favourable consideration.

Amendment Number 38 clearly linked the traffic situation on Braemar Drive with those on Crawley Drive and Cloverdale Drive. Section A: 4 (c) reads as follows:

"(c) Braemar Drive

Studies have confirmed that restrictions on the flow of traffic on Cloverdale and Crawley could affect the extent of traffic on Braemar."

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Therefore any attempts to sever the provisions dealing with Braemar Drive from the overall policies could not likely be justified on a technical basis (i.e. that the traffic on Braemar Drive is not affected by traffic controls on Cloverdale Drive and Crawley Drive).

This course of action would limit objections to those residents of the Braemar Drive area opposing the removal of the island, and avoid the residents of Cloverdale Drive and Crawley Drive becoming embroiled in the process.

CONCLUSION:

It is concluded that the course of action most likely to result in Council being able to effectively exercise its discretion with respect to traffic controls on Braemar Drive, is that of repealing Chapter C25 of the Consolidated Official Plan (Chinguacousy Amendment Number 38) in its entirety. This is strongly supportable on the basis that such provisions are inappropriate in an Official Plan and unduly restrict the authority of Council under the Municipal Act.

RECOMMENDATION:

That the Consolidated Official Plan be amended to repeal Chapter C25 as amended by Amendment Number 9 and to delete Section 2.3.8 of Chapter C21.

CONCUR:

F.R. Dalzell

Commissioner of Planning and Development

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J.A. Marshall Director of Planning Policy and Research

CONCUR: J. G. Metras City Solidifor JAM/bt

- 10 -

ADDENDUM TO APPLICATION FOR AMENDMENT TO OFFICIAL PLAN No.-38; by B ISLAND COMMITTEE Dated- 17-07-80

Reference Application form attached; article A - 11, "DETAILED RATIONALE" re- the application of traffic restriction on Braemar Drive is unjustified.

Traffic studies conducted by the City Of Brampton, Engineering department over an eight year period (1971-1979) have provided more than adequate evidence that vehicle traffic restrictions on Braemar Drive are not warrented, as follows-

(i) Reference "REPORT TO COUNCIL" Jan. 5 1975; excerpts as follows-

... "Total two-way vehicle volumes on Braemar Drive are presently in the order of 1550 vehicles per day. For comparison purposes counts in May 1972 and March 1971 were 1550 vehicles per day and 1500 vehicles per day respectively. Note- These latter volumes were recorded prior to the installation of the one-way Northbound section South of Clark Blvd." ... "There is no evidence to suggest, however, this matter is of serious concern at the present time. As previously noted traffic volumes in 1974 were similar to those recorded in 1971 and 1972."

The only positive action recommended per this report was to the effect that the traffic flow on Braemar Drive should be monitored to keep abreast of changing conditions.

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(ii) Reference "REPORT TO COUNCIL" Sept. 3 1976; excerpts as follows-

Note- This study relates to traffic flow volumes and patterns on Braemar Drive and Brookland Drive under four individual conditions-

- Phase I -With the one-way vehicle traffic restriction (island) in place on Braemar Drive between Brookland Drive and Clark Blvd.
- Phase II -With the island in place per phase I and supplemented by 3-way STOP signs at the junction of Braemar Drive -Beechwood Drive and the junction of Braemar Drive - Burnham Crescent.
- Phase III -With the island removed but the 3-way STOP signs still in place.
- Phase IV -With both the island and the 3-way STOP signs removed.

ANALYSIS-" It can be seen, in examining the traffic counts that on Braemar Drive and Brookland Drive little differentiation has been recorded between daily flows between phases I and II." ... "Traffic volumes representing conditions incurred after the island was removed are recorded on Chart No,-1, columns headed Phase III and Phase IV." "This removal has effected a substantial increase in traffic flows on Braemar Drive between Brookland Drive and Clark Blvd, as is evidenced by count station No.1 and No. 2. Daily volumes have increased by approximately 1200 to 1300 vehicles per day at both stations as a result of the newly permitted southbound movement into the residential area." contd-

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ANALYSIS- contd.

"IT IS NOTEWORTHY TO MENTION HOWEVER THAT THE COUNT ON BRAEMAR DRIVE NORTH OF BALMORAL DRIVE HAS CHANGED VERY LITTLE AS A RESULT OF THE ISLAND REMOVAL."

Conclusions and Alternatives-

"In the case of Braemar Drive which serves as a direct connecting link between two major collector facilities, (Balmoral Drive and Clark Blvd), it can be concluded that TRAFFIC FLOWS OF 1500 TO 3000 VEHICLES PER DAY ARE WELL WITHIN THE OPERATIONAL CAPABILITIES OF THE ROADWAY. A THROUGH TRAFFIC PERCENTAGE OF 30% - 35% IS NOT EX-CESSIVE AND PREVAILING SPEED IS NOT ALARMING."

"THE ENGINEERING DEPARTMENT CAN FIND NO TECHNICAL BASIS FOR RECOMMENDING CONTINUANCE OF THE PRESENT ONE-WAY SITUATION NOR CAN IT ENDORSE ANY ALTERNATIVE SCHEMES FOR REDIRECTION OR RESTRICTION OF TRAFFIC ON BRAEMAR DRIVE OR BROOKLAND DRIVE,"...

(iii) Reference- Letter to the MAYOR & MEMBERS OF MUNICIPAL COUNCIL; Feb. 8 1978. re-Braemar Drive Traffic Volumes.

> In this letter the Brampton City Engineering Dept. Feports on traffic volumes on Braemar Drive and Brookland Drive during a study period of September - October 1977.

... "Braemar Drive at One-way Island1977 count = 1200; 1975 count = 1010 (avg.)
... "Braemar Drive north of Balmoral Drive1977 count = 1740; 1975 count = 1680 (avg)

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(iv) Reference- Report to the MAYOR & MEMBERS of CITY COUNCIL: re-Braemar Drive Traffic Volumes; Nov. 12 1979.

This report contains traffic pattern and vehicle volume data as follows-

I -with traffic island in place; average daily volumes over a four year period to date of report.

II -with traffic island out- ie May 1976 and October 1979.

III - A comparison between above two conditions and a test period four months after removal of the island.

> ... "In reviewing the before and after counts taken in June and October 1979 as per table III, we find that volumes have increased the greatest amount, and are numerically the highest, in the 300 foot section of Braemar Drive between Brookland Drive and Clark Blvd."...

"TRAFFIC VOLUMES ON THE REMAINING 1400 FEET OF BRAEWAR DRIVE APPEAR TO HAVE STABILIZED IN THE 1800 TO 1950 VEHICLE PER DAY RANGE." "Prior to the removal of the traffic island the daily traffic volume immediately north of Balmoral Drive was 2000 vehicles. After island removal the volumes actually declined slightly to 1950 vehicles per day. THIS SAME RESULT WAS NOTED IN THE 1976 STUDY WHEN THE ISLAND WAS REMOVED, AND THE COMMENTS MADE ON PAGE 5 OF THE SEPT. 3 1976 REPORT REMAINS VALID."... "WHILE IN GENERAL, THE REMOVAL OF THE ISLAND HAS RESULTED IN INCREASED TRAFFIC FLOWS ON BRAEMAR DRIVE, (AS WAS ALSO DETERMINED DURING THE PREVIOUS STUDY CARRIED OUT IN 1976], WE HAVE FOUND NO REASON TO RECOMMEND ANY REMEDIAL ACTION AS A RESULT OF THESE PRESENT FLOWS. ... SIMILAR STREETS ARE EF-FECTIVELY CARRYING EQUAL OR GREATER VOLUMES OF TRAFFIC."

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In conclusion we, the B Island Committee, hold the above reports and recommendations to be factual and conclusive evidence that our claim to wit- "TRAFFIC RESTRICTION ON BRAEMAR DRIVE IS NOT JUSTIFIED."as stated in our application to have official plan No.-38 amended.

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Consequently we respectfully request BRAMPTON CITY COUNCIL to recognize the validity of this application and to be aware that for a ? large proportion of the "B" section residents the restriction of two-way traffic on Braemar Drive is more than a mere inconvenience it is a genuine loss in both money and time.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning and Development

1981 06 11

To: The Chairman and Members of Planning Committee From: Director of Planning Policy and Research

> Re: Application to Amend the Official Plan by the 'B' Island Committee per K. H. Thompson, Chairman Our File: 0.P.A. 9

BACKGROUND:

Attached are the notes of the proceedings of a public meeting held on June 9, 1981, to obtain comments on the subject application, and a written submission by Sheila Brown, 46 Brookland Drive.

The majority of the comments at the meeting related directly to the issue of the removal of the Braemar Island; however, some concerns were expressed by residents along Braemar Drive and in the Cloverdale-Crawley area regarding the deletion of the Official Plan 'safeguards'. The majority of people at the meeting appeared to favour the removal of the one-way island from Braemar Drive.

COMMENTS:

Staff maintain the position that all parts of the Consolidated Official Plan dealing with the Cloverdale/Crawley and Braemar Drive traffic controls must be deleted if the City is to have any probability of success in re-establishing its legislated powers to deal with traffic controls in this particular area.

A proposed resolution drafted by Mr. Metras, City Solicitor, in response to Council direction of April 22, 1981, is attached.

- cont'd. -

This would provide a degree of assurance to residents of the Cloverdale/Crawley area that their existing traffic controls will remain intact.

RECOMMENDATIONS:

 That an amendment to the Consolidated Official Plan be presented to Council that:

- 2 -

- a) repeals Chapter C25, as amended; and.
- b) deletes Section 2.3.8 of Chapter C21.
- 2) That the attached proposed resolution dealing with the maintenance of traffic controls in the Cloverdale/ Crawley area be adopted.

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John A. Marshall, Director of Planning Policy and Research

AGREED

Dalzell, Ø R. Commissioner of Planning and Development

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BRAMALEA- ON-THE-PARK-RATEPAYERS-COUNTTEE 54 CRAWLEY DRIVE BRAMALEA

of Bin June 15, 1981. PLANNING DEPT. 5 Mr. R. Everett, Clerk for the City of Brampton, 11:11 150 Central Park Drive, BRAMPTON, Ontario. Subject: Proposed changes to Official Plan #38

Dear Sir,

Yours truly,

We, the undersigned object to any changes made_concerning the traffic patterns described in 0.P. 38.

More specifically, when planners designed the City Centre Area, by that we mean the entire area from Dixie Rd. to Bramalea Rd. and from Clark Blvd. to Hyw. $\neq7$, the internal street patterns for the residential area south of Clark Blvd, was already in place. We do not want to remove the controls which have been in place for the last 10 years in the "C" section of Bramalea, as they are part of 0.P. 38.

While the O.M.B. may not consider it necessary to deal with internal street patterns in an Official Plan-Amendment, their complicity and subsfiguent approval of the City Centre area of Eramale: morally if not technically binds them to any problems that may arise as a result of their original decision.

It is reasonable to expect that internal street patterns defined in O.P. 38. have made it impossible for any changes in the traffic patterns in the "C" section. Any move by the City at this time to lessen this protection, by BY-Law for example must be opposed by all of us who would be at the mercy of the whims of any future councils.

D.R. ACKLAN J.HEWLETT T .LINSSE

R.J. HUNTER

c.c Mayor of Council Mr. J. Archdekin.

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

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Tuesday, June 9th, 1981, 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 the "B Island Committee" per K.H. Thompson, Chairman, to amend the Consolidated Official Plan for the City of Brampton Planning Area in such a manner that two-way traffic would be permitted along the full length of Braemar Drive.

Members Present:

Alderman B. Browley - Chairman Alderman H. Chadwick Councillor W. Mitchell Alderman T. Piane

Staff Present:

J. A. Marshall, Director of Planning Policy and Research E. Coulson, Secretary

Approximately 75 members of the public were present.

The Chairman enquired if notification of the public meeting had been published.

Mr. Marshall replied that the meeting had been published in the Brampton Guardian and the Daily Times newspapers. A resident disputed the Daily Times publication, which has since been verified, (Page 14, June 3, 1981 Edition).

Mr. Marshall explained the intent of the application, and that on April 22, 1981, City Council directed that the Consolidated Official Plan for the City of Brampton Planning Area be amended to repeal all provisions relating to traffic control on Braemar Drive, Cloverdale Drive and Crawley Drive on the basis that such detailed provisions should not properly be included in an Official Plan document. All existing traffic controls would remain in place unless and until the existing Traffic Control By-laws are amended by City Council. Council also directed that staff investigate assurances other than the Official Plan for the "C"

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Section to the effect that the status quo relating to traffic controls in that area would be maintained.

The Chairman expressed apologies for Councillor D. Sutter and Councillor N. Porteous for not being in attendance at the meeting due to representation for the Region of Peel at a Social Service Convention. (Letter from Councillor Porteous attached).

- 2 -

Mr. R. Nicol, 17 Basildon Crescent commented on the traffic volume in relation to the absence of the "B" Island, opening Braemar Road to northbound traffic.

Mr. Marshall responded that The Supreme Court of Ontario ruling state that By-law 107-79 did not conform with the Official Plan in that the removal of the island resulted in an increase in traffic along Braemar Drive, therefore, the one-way island on Braemar Drive was ordered to be installed.

Mrs. Davis, 19 Basildon Crescent asked about the amount of traffic increase and complained that one more car could be considered an increase in traffic.

Mr. Marshall responded that removal of traffic control from the Official Plan would allow City Council to exercise its legislated powers to deal with traffic control at its discretion.

A resident enquired if Sections 'B' and 'C' were proposed to be deleted from the Official Plan.

Mr. Marshall explained that in order to obtain municipal traffic control, the two Sections should be deleted from the Official Plan.

Joy Janson complained that the two Sections could not be separated for traffic but could be in relation to schools.

Mr. G. Bruneau, 34 Beechwood Crescent, L6T1Y1, stated that he noticed no increase in northbound traffic, and complained that he saw no evidence of traffic investigation. He requested a copy of the Traffic Study, and asked the amount of traffic increase northbound and southbound, as well as the by-law number governing the one-way traffic stipulation.

Mr. Marshall commented that a proper traffic study had been

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completed, with people checking both ends of the street, which showed an increase in traffic, at least in a southbound direction. He informed Mr. Bruneau that the governing by-law was By-law Number 201-80.

Mr. D. Sthilaire, 52 Beechwood Crescent, asked when the traffic increase had occurred on Braemar Drive.

Mr. Marshall responded that it had occurred after the 'B' Island was taken out in 1979.

Mr. Sthilaire wanted to know if the 'B' Island was installed at the request of the residents in the 'B' Section; if the residents had been asked if they wanted the Island and if the Island had been installed without the approval of the residents. He stated that there had been no public meeting regarding the installation.

Mr. Marshall made reference to the Public Meetings held previously on this matter, as indicated in the staff report that was made available at the meeting.

Mr. A. Graham, 41 Braemar Drive, commented that when he bought his house there was no plan for Braemar being a one-way street. Also, he wanted to know what effect the new highway would have on area streets.

Mr. J. Arthur, 37 Crawley Drive, expressed concern about the possible removal of the traffic island on Crawley Drive. He noted that the people living on Courts, Crescents, etc. did not have the same traffic problems as those people living on a main street.

Mr. Marshall introduced a Proposed Resolution to Council, stating that the Council of The Corporation of the City of Brampton will not change the existing one-way traffic designations on Cloverdale Drive and Crawley Drive, for specified reasons. (See attached Resolution.)

Mr. Graham, complained about the proposed resolution for the benefit of Cloverdale and Crawley Drive residents, and none for the residents of Braemar Drive.

Mr. S. Durish, 59 Braemar Drive, asked why the municipality had passed a by-law contrary to the Official Plan.

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- 3 -

B. Nugent, 47 Braemar Drive, noted that if the amendment were taken out of the Official Plan, a newly elected Council Member could propose a resolution and the islands could be lost in the future, whereas it may be more difficult to change the Official Plan.

Mr. Marshall remarked that this was not a planning issue, but one of traffic control provisions, which are not appropriate in an Official Plan as being too detailed, and are better dealt with by Municipal Council.

Mr. Quinn, 28 Burnham Crescent, stated that the majority should rule in Municipal decisions. He complained of the thousands of dollars that have been spent thus far on this issue.

Mr. C. Anderson, 60 Braemar Drive, expressed the opinion that the City did not plan the road system properly. He felt that there has to be traffic control on through streets, the residents on Crescents and Courts not being affected. He noted that he had observed persons in cars travelling 70 and 80 miles an hour down Braemar Drive, throwing bottles presumably purchased at the liquor store in the plaza.

Mr. A. Sthilaire, 52 Beechwood Crescent, commented that everyone uses streets as is convenient and that the public opinion was not being considered, according to the percentage vote.

Mr. Marshall reiterated that the Supreme Court ruling based on a legal point was responsible for the 'B' Island re-installation.

A resident commented that she would rather have the Braemar Road traffic than the four-lane traffic situation she contends with.

Mr. Nugent commented that a vote should be taken by the people affected by the 'B' Island, since the Crescent people are not affected and want the road open. He suggested that the island be moved 30 to 50 feet to the south, routing the traffic down Braemar Drive and around the Crescent, thus eliminating any short cuts. He stated that a proposal to move the 'B' Island should be included with the Cloverdale Drive and Crawley Drive Resolution.

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- 4 -

It was noted that deleting the situation from the Official Plan would allow the City the flexibility to deal with the situation with due respect to the residents, which they cannot do at present.

- 5 -

Mr. Sthilaire, commented that the two stop signs previously installed on Braemar Drive seemed to alleviate the traffic problem.

Mr. K. Thompson, 79 Brookland Drive, spoke on the subject of traffic control. He read an exerpt from a Traffic Manual, which pointed out that too many unnecessary controls result in a lack of respect for controls in general.

D. Ackland, 54 Crawley Drive, questioned the traffic controls being included in the Official Plan and asked for protection for the 'C' Section's traffic situation.

Mr. N. Davis, 19 Basildon Crescent, asked what people who want the Island taken out should do.

Mr. S. Durish, 59 Braemar Drive, wanted to know if there was documentation showing that 65% of the residents wanted the island removed. He commented that no one had come to his house to ask his opinion.

Mr. E. Ludlow, 44 Crawley Drive, commented that a change in Council Members could result in a change in traffic control, if the decision was brought back into municipal hands.

Mr. Tom McNab, 19 Braemar Drive, commented at length on the cost and effort expended to have the 'B' Island installed, and a list of requests relating to ensuring its permanency.

Mr. Durish, 59 Braemar Drive, asked for the traffic survey.

Comment was made on the cost of gas involved in avoiding Braemar Drive.

A resident suggested the use of a circle road.

A resident expressed concern relating to the safety factor involved in having to made two left turns to avoid using Braemar Drive.

Mr. A. Dollman, 55 Braemar Drive, commented that he was under the impression that the safety factor was the reason for having the Island installed, after a child had been hit by a car. He said that safety should be worth the cost of gas involved in avoiding Braemar Drive, and that it would cost more to stop each time than

- cont'd. -

to go around.

Mr. R. Vermeesch, 22 Beechwood Crescent, agreed that the safety of children was important but questioned the unshoveled sidewalks in winter, forcing the children to use the street. Also, he complained that 65% voted for two-way traffic on Braemar Drive.

- 6 -

Mrs. Brown, 46 Brookland Drive, suggested that parents train their children to cross roads safely in all kinds of traffic situations.

Mr. E. Gay, 43 Beechwood Crescent, agreed to considering the safety factor for children, but expressed concern for his own safety on Dixie Road. He wants the island taken out to allow him to take the shortest way home. Also, he expressed concern about access for fire trucks or an ambulance, and the potential accident situation arising from their presence.

Mr. J. Bilby, 23 Basildon Crescent, reported the presence of two fire engines on Braemar Drive recently.

Jillian Bushby, 78 Brookland Drive, noted that the time factor was crucial in situations involving the Fire Department or ambulance service.

A resident enquired as to a time schedule if the 'B' Island were to be removed. Mr. Marshall explained the procedures.

Mrs. McArthur, 23 Burnham Crescent, asked about the kind of concensus that would be taken to Council from the public meeting, concerning the number of people approving and rejecting the proposal, and the opinion of the residents attending from the few persons who spoke on the subject.

Chairman Crowley said that the notes of the public meeting would be presented, letters of objection received at the Planning and Development Department office, comments made to the area representative on Council, etc.

Mr. Nugent voiced approval for the 'B' Island remaining. He expressed concern about the City Centre causing traffic congestion in the residential areas. He said that if the 'B' Island were removed, the Island in the 'C' Section should be removed also.

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Mr. S. Adair, 23 Braemar Drive, commented that the traffic did increase when the 'B; Island was removed, that the stop signs were no help, and that the approval of the convenience centre required some kind of traffic control for Braemar Drive.

There were no further relative comments or questions.

The Chairman advised the public in attendance that the notes of the public meeting would be submitted to Planning Committee at its meeting on June 15th, and subsequently to Council. Also, that letters of objection, approval or comments should be submitted to the Planning and Development Department.

The meeting adjourned at 9:20 p.m.

N.B. A letter from Sheila Brown, 46 Brookland Drive, indicating support for the removal of the 'B' Island was presented at the meeting (see attached).

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PROPOSED RESOLUTION

Braemar Drive

WHEREAS the Ontario Municipal Board has in two separate decisions, stated to the City that detailed statements on traffic movements and controls have no place in the City's Official Plan and should be deleted therefrom;

AND WHEREAS the City proposes to amend the Consolidated Official Plan by deleting therefrom section 2.3.8 of chapter 21 and the whole of chapter 25 as amended by Amendment No. 9;

AND WHEREAS the residents of the Cloverdale Drive and . Crawley Drive areas have expressed concern to the Council regarding this Amendment;

AND WHEREAS any changes to the existing traffic controls on Cloverdale Drive and Crawley Drive would necessitate costly road works in the vicinity of the intersection of Clark Boulevard and Central Park Drive, which Council is not prepared to undertake

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the City of Brampton will not change the existing one-way traffic designations on Cloverdale Drive and Crawley Drive.



June 30, 1981

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

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Attn: Mr. Fred Dalzell

Re: Notes, dated June 11, 1981, of the proceeding of a public meeting held June 9, 1981 re application to amend the Official Plan by the "B" Island Committee

Dear Sir

It was recently brought to my attention that statements made by me during the public meeting referenced have been misquoted in one instance and not included in another instance. I wish to put my comments on record correctly and completely by means of this letter.

On Page 5 of the notes I am quoted as stating the following:

"D. Ackland, 54 Crawley, questioned the traffic controlsmfor the "C" Section's traffic situation."

My statement was quite the contrary and the notes should be corrected to read:

"D. Ackland, 54 Crawley Drive, objected to the application to amend the Official Plan by removing traffic control statements which provide protection for the Cloverdale-Crawley area traffic situation. He stated that the Consolidated Official Plan should not be amended as requested."

My second statement at the public meeting referenced was not included in the notes. By means of this letter I request that it be included as follows:

"D. Ackland, 54 Crawley Crive, requested that amendments to the Official Plan should only address the "B" section and not involve the "C" section for the following reasons:

Page 2 June 30, 1981

- 1. The requested amendment to the Official Plan was submitted by "B" section residents and therefore any response by the Corporation of the City of Brampton to this request should only deal with the issue as it affects "B" section.
- 2. There has never been a request to council from any "C" section residents to remove the one-way northbound traffic controls since installation. This implies that "C" section residents are satisfied with the traffic controls as established and protected in the Official Plan and want these control to remain in the Official Plan.
- 3. The traffic situations are distinctly different and should never have been grouped together. Braemar Drive dead ends at Clarke Blvd. Alternatively, if the "C" section is opened to two-way traffic it would not only intersect with Clarke Blvd. but would connect directly with Central Park Drive, a four lane thoroughfare designed for high volume traffic movement."

I trust that this letter will be appropriately copied to the Mayor, Counselors and Alderman so that my views on this issue are correctly and completely understood. In addition, I trust that this letter will now form part of the official record on this issue and be accepted as an official resident's objection to any body of government that council must approach in order to enact the Official Plan amendment suggested.

Yours truly

D.R. Ackland

cc: J.A. Marshall - Director of Planning Policy and Research

GPA# ? FROM THE COMMITTEE FOR RETENTION OF DEPARTMENT IC CONTROLS ON BRAEMAR ERIVE OF BRATTPTON COUNCIL JUNE SUBJECT PROPOSED OF AUNING COMMITTEE. PLAN AHÉ 01#38 (a 70 MESSAGE THIS LETTER IS TO SIGNIFY THAT OUR OUNT ON BEHPLF OF THE RESIDENTS OF BRAEFAR DR REMAIN UNALTERABLY OPPOSED TO AN TRUPER. ING OF OF #38 WITH REGARD TO TRAFFIC CONTROL REFERENCES, AS PROPOSED BY ALGER-MAN CHADWICK AND THE B" SLAND COMMITTEE OUR POSITION REMAINS FIRM THAT CONTROL REFERENCES SHULLO REFAIN IN THE OFFICIAL PLAU TO GUARANTER PROTECTION TO ALL TAREE STREETS DIRECTLY COUCERNED WE ALSO FEEL THAT ANY ATTEMPT. OPEN BRAEMAK WHILE GUARANTEEN G THAT CLOUELDALE AND CRUWLEY REHAND CONTROL IS HEHLY DISCRIPTINATORY AND VIOLATE RIGHT TO EQUAL TREATHENT. OUR NER PORTION FOR REPLY

June 11, 1981

Mr. Brian Nugent, 47 Braemar Drive, Bramalea, Ontario.

City Council, Brampton, Ontario.

As you are all aware, the island problems in the 8 and C sections of Bramalea have once again surfaced. Of course, the people living on the crescents of Braemar Drive and Brookland who are unaffected by massive increases of traffic on these two streets, are quite anxious to remove traffic controls on Braemar. To accomplish this they are quite willing to make side deals with the C section re retention of their controls.

As a resident of Bræmar Drive, I would ask that you carefully consider the following factors.

The arguments re the past' traffic studies and experiences with and without the island are not relevant since the increased traffic in our area due to more development plus the addition of the convelence center.

The total design to the south end of the City Center is wrong. If you consider major shopping developments in other communities, you will not find feeder roads leading into residential areas. For lack of a better description Clark Boulevard becomes a funnel directing most southbound traffic feeding the A, B and C section directly down Braemar Drive. If this access route is opened it is to be expected all these people will use Braemar as an easy shortcut rather than make two left turns at Clarke and Dixie, and Dixie and Balmoral.

If Braemar Drive, had been designed as a major route, (the same as Dixie Road has been), then this traffic pattern would be acceptable. However, this is not the case and Braemar should not be a relief. value for the City Center.

If a decision is made to open Bræemar, then it must also involve opening the C section island. To consider the one without the other is totally discriminatory.

Alternatives

The most logical alternative for you as council, is to not open this can of worms. It is simple for the planning staff to recommend this item should not be part of the Consolidated Official Plan., however, it was put into this plan and has remained there for a number of years. At this point to remove it from the plan is to open a whole new set of problems and also open up the possibility of more costs associated with this problem (there are sure to be legal squabbles.)

In conjunction with the removal of this section from the Consolidated Official Plan, there has been a side deal initiated by Alderman Chadwick to leave the C islands alone. It is totally discriminatory to put Braemar Drive in the position of getting all the southbound traffic from the Mall. If you vote for removal of the section of the Plan, I would suggest you turn down retention of the C Islands.

Continued.....

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If necessary as a citizen <u>directly</u> affected by removal of the B island and retention of the C island, I would make an official application immediately to remove the C island or pursue the other alternative of discrimination in the courts.

In summary I believe as elected representatives, you have an obligation to prevent a design mistake from over whelming a residential street with major artery traffic. The easiest solution to this problem, is to leave things as they are. I would request that you vote against Alderman Chadwick and his shortcut home from the City Center and Shopping Mall.

Yours very truly,

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Brian Nugent. 47 Graemar Drive, Bramalea, Ontario.

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JUN 1 2 1981

REG NO 3514 FILENS OPA #9 BRAMALEA-ON-THE-PARK-RATE COMMITTEE 54 CRAWLEY DRIVE BRAMALEA

June 15, 1981.

Mr. R. Everett, Clerk for the City of Brampton, 150 Central Park Drive, BRAMPTON, Ontario.

Subject: Proposed changes to Official Plan #38.

Dear Sir,

Yours truly,

Mayor of Council

c.c

We, the undersigned object to any changes made concerning the traffic patterns described in O.P. 38.

More specifically, when planners designed the City Centre Area, by that we mean the entire area from Dixie Rd. to Bramalea Rd. and from Clark Blvd. to Hyw. #7, the internal street patterns for the residential area south of Clark Blvd, was already in place. We do not want to remove the controls which have been in place for the last 10 years in the "C" section of Bramalea, as they are part of 0.P 38.

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D.R. ACKLAND R.J. HUNTER J. HEWLETT G. McDONALD T. LINSSE

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Mr. J. Archdekin.

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

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