



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

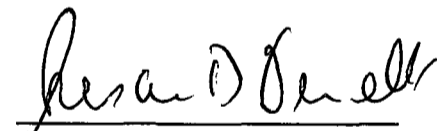
Number 182-2005

To Adopt Amendment Number OP93-~~246~~
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, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:


1. Amendment Number OP93-246 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL, this 13th day of June 2005.

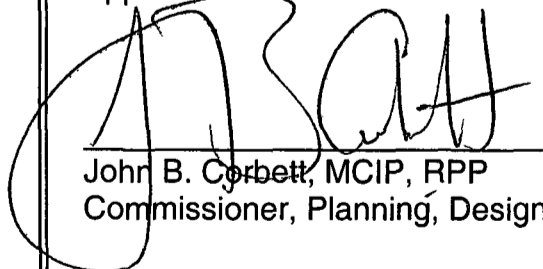

SUSAN FENNEL - MAYOR


LEONARD J. MIKULICH - CLERK

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON


DATE: JUL 15/05

Approved as to Content:



John B. Corbett, MCIP, RPP
Commissioner, Planning, Design and Development

AMENDMENT NUMBER OP93 - 246
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to:

- ◆ Delete a designated place of worship site

2.0 Location:

The lands subject to this amendment are located at the south-west corner of Bramalea Road and Countryside Drive. The property has an area of approximately 40.47 hectares (100 acres) and is located in part of Lot 15, Concession 4, E.H.S. in the City of Brampton.

3.0 Amendments and Policies Relative Thereto:

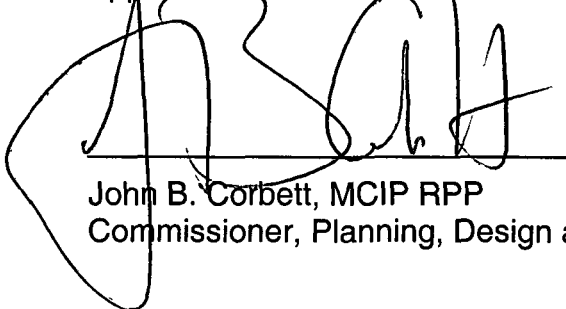
3.1 The document known as the Official Plan of the City of Brampton Planning Area is hereby amended:

by adding, to the list of amendments pertaining to Secondary Plan Area Number 28: Sandringham – Wellington, as set out in Part II: Secondary Plans, Amendment Number OP93-

3.2 The portions of the document known as the 1984 Official Plan of the City of Brampton Planning Area which remain in force, as they relate to the Sandringham – Wellington Secondary Plan (being Chapter 28 of Part IV – Secondary Plans, as amended) are hereby further amended:

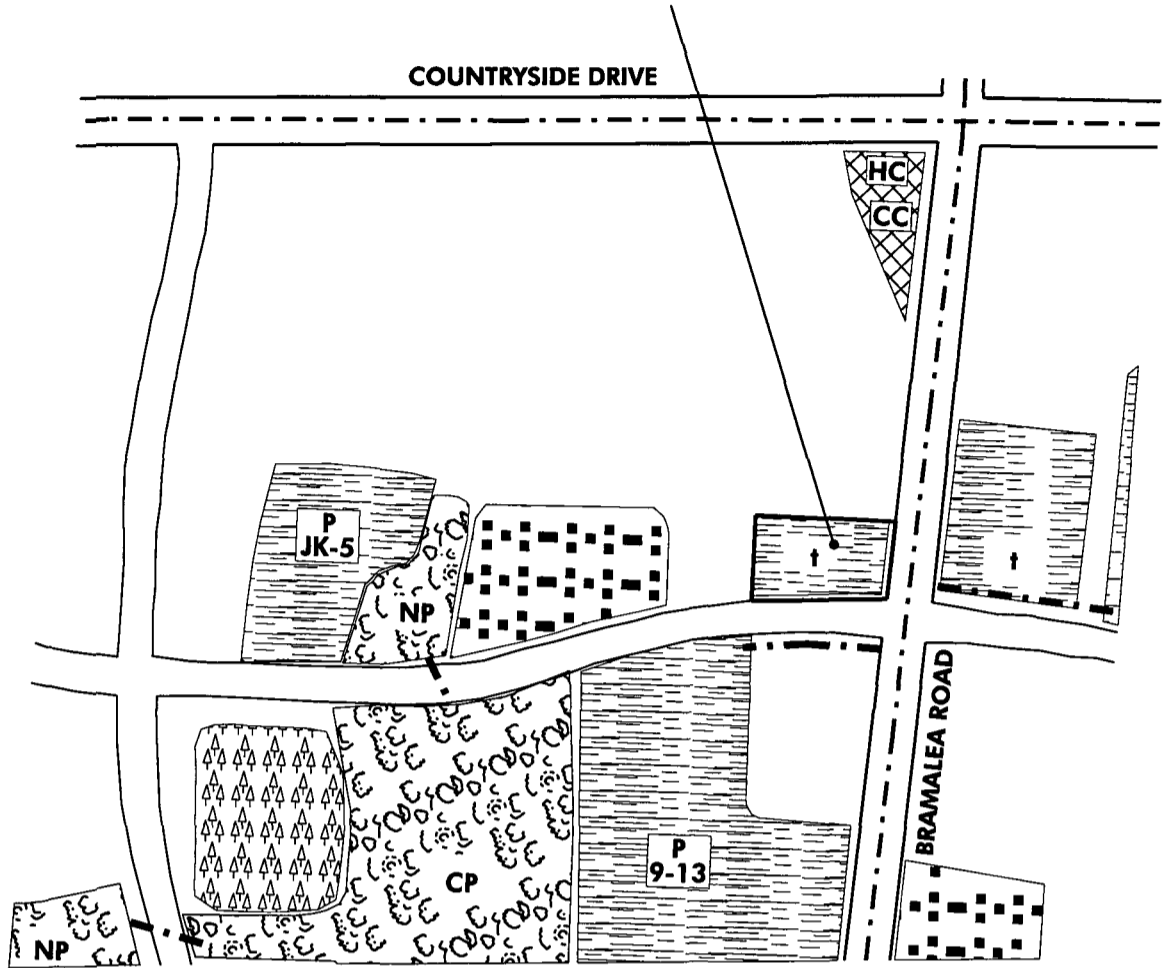
- (1) by deleting on Schedule SP28(A) (Secondary Plan Designations) thereto, the designation of the lands shown outlined on Schedule “A” to this amendment from “Institutional (church)” to “Low Density Residential” .

Approved as to content:










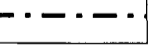


John B. Corbett, MCIP RPP
Commissioner, Planning, Design and Development

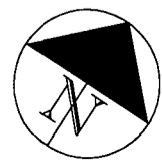
LANDS SUBJECT TO THIS AMENDMENT TO BE REDESIGNATED FROM "INSTITUTIONAL (CHURCH)" TO "LOW DENSITY RESIDENTIAL"



EXTRACT FROM SCHEDULE SP28(A) OF THE DOCUMENT KNOWN AS THE SANDRINGHAM-WELLINGTON SECONDARY PLAN

-  Low Density Residential
-  Medium Density Residential
-  Neighbourhood Park
-  Community Park
-  Woodlot
-  Pedestrian / Bicycle Links
-  Institutional (Hospital, Church ⊕, Fire Station, Library ⊙, Police Station)
-  Public Elementary School *
-  Public High School *
-  Convenience Commercial
-  Highway Commercial
-  Minor Arterial Road
-  Collector Road

OFFICIAL PLAN AMENDMENT OP93 #. 246



CITY OF BRAMPTON
Planning, Design and Development

Date: 2005 05 13 Drawn by: CJK
File no. C4E15 3opaA Map no. 28-30

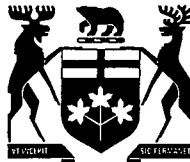
Schedule A

ISSUE DATE:

Dec. 7, 2005

DECISION/ORDER NO:

3203



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

PL050528

Fieldgate Developments has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 270-2004 of the City of Brampton to rezone lands located at the northeast corner of Airport Road and Queen Street East from Agricultural (A), Industrial One (M1) and Service Commercial to permit a proposed commercial/retail complex

OMB File No. Z050077

Fieldgate Developments has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Burlington to redesignate land at the northeast corner of Airport Road and Queen Street East to permit a proposed commercial/retail complex

Approval Authority File No.: C7E6.33

OMB File No. O050084

Fieldgate Developments has referred to the Ontario Municipal Board under subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, determination and settlement of details of a site plan for lands composed of Part of Lot 6, Concession 7, North Division in the City of Brampton

OMB File No. M050122

APPEARANCES:

Parties

Fieldgate Developments Inc.

City of Brampton

Regional Municipality of Peel

Abbas Development Corporation

Maritime Ontario Freight Lines Limited,
Maritime Ontario Investments Ltd., Tordar
Investments Ltd.

Counsel*/Agent

Steven Zakem*

Colin Grant*

Brian Loewen*

Frank Marchioni
Paul Puopolo

Ronald K. Webb*

RECEIVED
CLERK'S DEPT.

DEC 08 2005

REG. NO.:
FILE No.

Jm
Dec 9 / 2005

DECISION DELIVERED BY J. de P. SEABORN

The matters before the Board consist of appeals by Fieldgate Developments Inc. (Fieldgate) with respect to an Official Plan Amendment (OPA), proposed Zoning By-law (By-law) and site plan in connection with approximately 38 acres of land situated at the corner of Airport Road and Queen Street East in the City of Brampton.

The Board convened two pre-hearing conferences in respect of the appeals. The Board previously determined that the appeal in relation to the settlement of the details of the site plan would be heard subsequent to the hearing in respect of the OPA and By-law and a hearing date of February, 2006 was requested by the parties and confirmed by the Board. At the commencement of the hearing, the Board was advised that all outstanding issues had been resolved between Fieldgate, the City, the Region of Peel (Region) and Maritime Ontario Freight Lines Limited (Maritime). However, the settlement required consideration by City Council and further discussion was needed with one of the affected landowners, Abbas Development Corporation (Abbas). The Board re convened following an adjournment, and the parties advised that the OPA and By-law appeals were resolved. The Board was requested to implement the settlement, subject to withholding any order until such time as the applicable development agreement can be executed.

Mr. Todd, a Senior Development Planner with the City, testified in support of the OPA and By-law and provided expert opinion evidence which satisfied the Board that the instruments constitute good planning and should be approved by the Board.

Briefly, Fieldgate proposes to develop a parcel of vacant land located at the northeast corner of Airport Road and Queen Street East (Hwy 7) for commercial and retail uses. The property is currently designated "Office Node", "Business Industrial" and "Industrial" on Schedule "A" to the City's Official Plan and "Office Centre", "Business" and "Prestige Industrial" in the Secondary Plan. An OPA (Exhibit 7) is necessary to change the designation to "District Retail" and to relocate the Minor Collector and Local roads as identified in the Secondary Plan. The proposal is to relocate these roads to the periphery of the property, creating a ring road which will include an extension of Maritime Ontario Boulevard to the north, and the creation of a new east/west collector road. The two roads will connect at the northeast corner of the parcel and provide a through road connection to Queen Street East and Airport Road.

The proposal in respect of the roads satisfies, in particular, the concerns that Maritime Ontario had with respect to the development.

In addition to a re-designation, a zoning By-law amendment is required to accommodate the Commercial/Retail complex. Mr. Todd described the By-law provisions to the Board, concluding that the permitted uses and special provisions included in the planning instrument will regulate the development of the site as a retail power center.

In recommending the OPA and By-law, Mr. Todd confirmed that a public meeting was held in June, 2005 and further that both City and Regional staff have reviewed each element of the development. Transportation is satisfied with the re-location of the roads and access. Servicing can be accommodated and peer review was undertaken in respect of the applicant's market study. Mr. Todd testified that the use of the lands for commercial uses is appropriate and constitutes good planning. The property can accommodate the uses, as proposed, and they are compatible with adjacent uses. Moreover, the development of this vacant parcel will contribute positively to the area and with the high quality architectural and landscaping design, this area of the City will be enhanced by the project.

The OPA and re-zoning affect a small parcel of land owned by Abbas Corporation. At the commencement of the hearing, the principal of Abbas, Mr. Marchioni, requested that its lands be removed from the application. However, following the adjournment of the hearing and as a result of further discussions with the parties, Mr. Puopolo, agent for Abbas, attended when the hearing reconvened and indicated that his client had reconsidered its options and was no longer requesting that its lands be removed from the application. However, the City has proposed in the By-law that a holding designation be placed on the Abbas lands. This solution was deemed satisfactory to the parties and is therefore reflected in the agreed upon By-law provided to the Board (Exhibit 8).

Based on the expert opinion evidence of Mr. Todd, and at the request of all parties to the hearing, the Board finds that the OPA and proposed By-law represent good planning pursuant to the provisions of the *Planning Act*.

The decision of the Board is as follows:

1. The Board will allow the appeal and approve the Official Plan Amendment in accordance with Exhibit 7, as set out in Attachment 1.
2. The Board will allow the appeal and amend By-law 270-2004 in accordance with Exhibit 8, as set out in Attachment 2. The Clerk may assign a number to the By-law for record keeping purposes.
3. The Board's order will not issue until the City advises the Board that the Development Agreement between the City, the Region and the registered owners of the land, represented in these proceedings by Fieldgate, is signed and registered on title.
4. The hearing with respect to the site plan appeal is set for February 1, 2006 to February 3, 2006. The hearing will commence at 10 am, February 1, 2006 at 5 Ray Lawson Blvd., Brampton and there shall be no further notice of hearing.

This member of the Board is seized of the site plan matters and may be spoken to if issues arise prior to the hearing.

"J. de P. Seaborn"

J. de P. SEABORN
VICE CHAIR



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____

To Adopt Amendment Number OP93-_____

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, R.S.O. 1990, c.P.13, hereby ENACTS as follows:

1. Amendment Number OP93-_____ to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law:

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

this, day of , 2005.

SUSAN FENNELL - MAYOR

LEONARD MIKULICH- CITY CLERK

Approved as to Content:

Adrian Smith, MCIP, RPP
Director of Planning and Land Development Services

AMENDMENT NUMBER OP93- _____
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is:

The purpose of this amendment is to change the land use designation for the lands shown outlined on Schedule A to this amendment to permit the development of the subject lands for district retail related uses and to provide specific policies for the development of the subject lands.

2.0 Location:

The lands subject to this amendment are located at the northeast corner of Airport Road and Highway 7 (Queen Street East) in the City of Brampton. The subject site is described as Part of Lot 6, Concession 7, N.D. The subject property has a total area of approximately 15.4 hectares (38 acres).

3.0 Amendments and Policies Relative Thereto:

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 37: The Airport Road / Highway 7 Business Centre Secondary Plan as set out in Part II: Secondary Plans, Amendment Number OP93 - _____.

- (1) by changing on Schedule SP 37(A) the land use designation of the subject lands from "Prestige Industrial" and "Business" to "District Retail" as shown on Schedule A attached.
- (2) by adding to the Legend on Schedule SP 37(A) the land use designation of "District Retail" and add the appropriate hatching for this designation.
- (3) by changing on Schedule SP37 (A) by removing the Local and Collector Roads and by adding additional Collector Roads as shown on Schedule A attached.
- (4) by adding to Section 3.1 Office Centres the following new section:
"3.1.3 The lands designated as Office Centre and District Retail located at the north-east quadrant of Highway Number 7 and Airport Road shall permit retail

establishments including a supermarket.”

- (5) by adding the following policy as Section 3.9, “District Retail”

Section 3.9.1, “The lands designated as District Retail and Office Centre located at the north-east quadrant of Highway Number 7 and Airport Road shall be developed in the form of a District Power Centre that may accommodate up to 46450 square metres (500,000 square feet) of commercial and office floor space. Additional floor space for office uses at the corner of Airport Road and Queen Street East may be accommodated at the discretion of the City of Brampton, without an amendment to this plan”.

Section 3.9.2, “Any expansion to the District Retail Centre beyond which has been accommodated above, shall require a Market Impact Assessment, which will examine among other things, the impact on the existing and planned retail areas within the City, the Central Area within the City”.

Section 3.9.3, “Within the lands designated as District Retail, a mix of commercial and office uses shall be permitted including a retail warehouse and a retail warehouse membership club including a food and non-food component”.

Section 3.9.4, “Focal buildings located at key points within the site shall provide enhanced visual and urban design interest. Important architectural elements such as entrances and corners shall be emphasized with building form, canopies, breaks in the roofline, and other expressive detailing”.

Section 3.9.5, “Building(s) to be located on the north-east corner of Queen and Airport Corner shall be design to incorporate a multi-storey building with opportunities for office uses on the floors above the ground floor”.

Section 3.9.6, “A high quality of architecture and urban design shall be presented in all buildings. Strong unifying themes and elements (cornices, building bases, material articulation, materials and colours) shall be represented in all buildings”.

Section 3.9.7, “The principle vehicular entrances into the development shall provide for a high quality experience and promotes a sense of arrival such as evident with the wide planted walkways, which promote pedestrian comfort and scale. The pedestrian circulation shall be segregated from vehicular circulation along attractive well-landscaped primary pedestrian arterial circulation corridors running north-south and east-west throughout the site”.

Section 3.9.8, "Outdoor storage of goods and materials shall not be permitted within areas required for landscaping and parking or between a building and a public road".

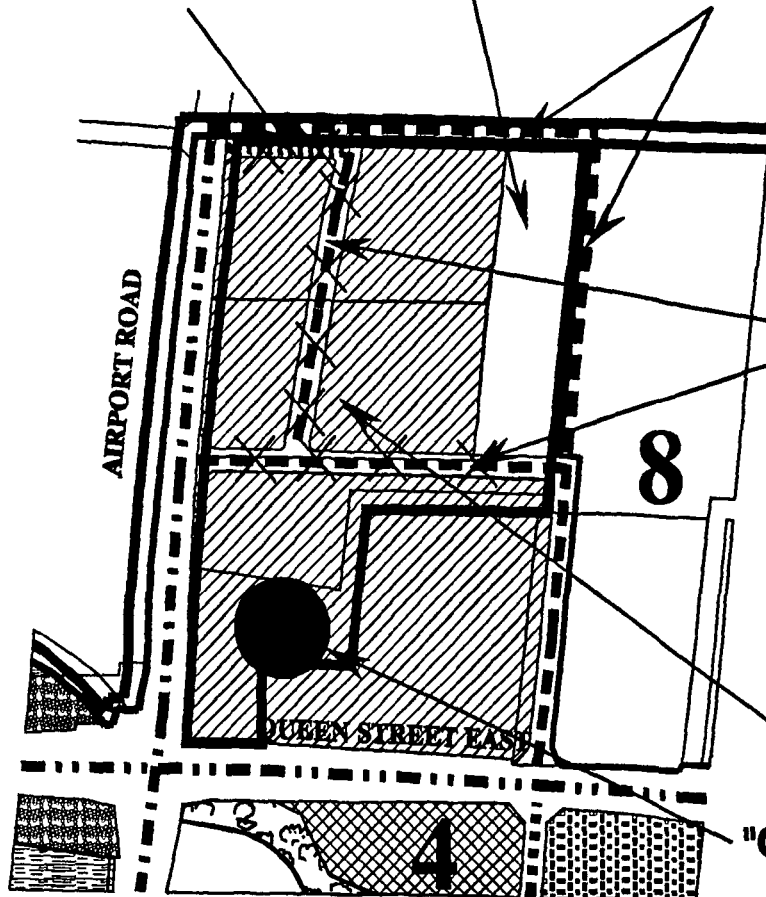
Section 3.9.9, "All Loading and service areas should be located away from prominent views and screened from public roads".

Section 3.9.10, " The City may consider a reduction in the parking required to accommodate additional office uses and storeys on the building to be located on the north-east corner of Airport Road and Queen Street East, provided that the appropriate justification studies support such a reduction".

LANDS TO BE REDESIGNATED FROM "PRESTIGE INDUSTRIAL" TO "DISTRICT RETAIL"

"PROPOSED LOCAL ROAD" TO BE DELETED

"PROPOSED MINOR COLLECTOR ROADS" TO BE ADDED


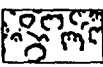




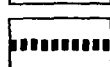

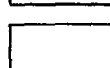


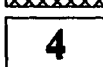

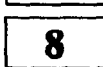


"PROPOSED MINOR COLLECTOR ROADS" TO BE DELETED

LANDS TO BE REDESIGNATED FROM "BUSINESS" TO "DISTRICT RETAIL"

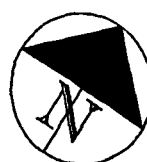
"OFFICE CENTRE" IS TO REMAIN

EXTRACT FROM SCHEDULE SP37(A) OF THE DOCUMENT KNOWN AS THE AIRPORT ROAD/HIGHWAY #7 BUSINESS CENTRE SECONDARY PLAN

 Provincial Highway (Highway No. 7)	 Open Space / Hazard Lands
 Major Arterial	 Highway Commercial
 Proposed Minor Collector Roads	 Highway & Service Commercial
 Proposed Local Roads	 Office Centre
 Prestige Industrial	 Intermediate Office Centre
 Business	 4 Special Policy Area No.4
 Mixed Industrial / Commercial	 8 Special Policy Area No.8

OFFICIAL PLAN AMENDMENT OP93 #. _____

Schedule A



CITY OF BRAMPTON
Planning, Design and Development

Date: 2005 10 26

Drawn by: CJK

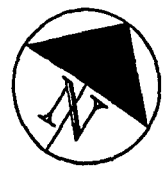
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Map no. 49-62

SUBJECT LANDS



Key Map By-Law _____



CITY OF BRAMPTON
Planning, Design and Development

Date: 2005 03 15

Drawn by: CJK

File no. C7E6.33

Map no. 49-62D



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____

To amend By-law 270-2004, as amended

The Council of The Corporation of the City of Brampton ENACTS as follows:

1. By-law 270-2004, as amended, is hereby further amended:

(1) by changing Schedule A thereto of the By-law, the zoning designation of the lands shown outlined on Schedule A to this by-law:

FROM	TO
Agricultural (A), Industrial One (M1), Service Commercial Section 1576 (SC Section 1576) and Service Commercial (Holding) Section 1635 (SC (H) - Section 1635)	Commercial Two Section 1897 (C2 Section 1897) and Commercial Two (Holding) Section 1898 (C2(H) Section 1898).

(2) by adding thereto, the following sections:

“1897.1 The lands designated C2 - Section 1897 on Schedule A to this By-law:

1897.1.1 shall only be used for the following purposes:

- (1) a retail establishment
- (2) one Retail Warehouse Membership Club including a food and non-food component
- (3) a retail warehouse
- (4) a service shop excluding auto service
- (5) a personal service shop
- (6) an office
- (7) a dry cleaning and laundry distribution station
- (8) a bank, trust company, or finance company
- (9) a dining room restaurant, a convenience restaurant, a take-out restaurant
- (10) a gas bar
- (11) a printing establishment
- (12) a commercial school
- (13) a garden centre
- (14) a place of commercial recreation
- (15) a community club

- (16) a health or fitness centre
- (17) a taxi or bus station
- (18) a custom workshop
- (19) a pet service shop
- (20) an furniture and appliance store
- (21) an art gallery

1897.1.2 shall be subject to the following requirements and restrictions:

- (1) Minimum setback requirements shall be as follows:
 - (i) Airport Road: 4 metres,
 - (ii) Queen Street: 4 metres,
 - (iii) Maritime Ontario Blvd.: 3 metres,
 - (iv) Other yard setbacks: 3 metres; and
 - (v) to the north elevation of Costco only 2 metres;
- (2) Landscape open space shall be provided as follows:
 - (i) 6.0 metres along Airport Road and Queen Street East except at approved building locations, and
 - (ii) 4.0 metres along Maritime Ontario Boulevard except at approved building locations;
- (3) Maximum Building Height: no restriction;
- (4) Restaurant refuse storage shall be enclosed in a climate controlled area within a building;
- (5) All garbage and refuse storage other than for a restaurant, including any containers for the storage of recyclable materials, shall be fully screened;
- (6) Minimum Landscaped Open Space: 10% of the lot area;
- (7) Minimum Parking Space Requirements: 1 parking space per 23 square metres;
- (8) An adult entertainment parlour, an adult videotape store or an amusement arcade shall not be permitted;
- (9) Outdoor display of goods and materials shall not be permitted along or visible from Airport Road or Queen Street East;
- (10) Ancillary outdoor storage shall be permitted in conjunction with a "Retail Warehouse" and a "Retail Warehouse Membership Club including a food and non-food component" and shall be restricted to areas not required for parking, landscaping or within the required yard setbacks;

- (11) No drive thru facilities shall be located within 30 metres of Airport Road or Queen Street East;
- (12) No gas bar shall be located within 60 metres of the intersection of Airport Road and Queen Street East.
- (13) The Aggregate Maximum Gross Leasable Floor Area for the purposes permitted by Section 1897.1, shall not exceed 46,450 square metres (500,000 square feet);
- (14) The maximum number of retail establishments under 371 square metres (4000 square feet) shall be limited to 3;
- (15) A stand alone supermarket and or a stand alone department store shall not be permitted within this zone;
- (16) A "Retail Warehouse" use shall not exceed 11,612 square metres (125,000 square feet) in size;
- (17) A "Retail Warehouse Membership Club including a food and non-food component" shall not exceed 13935 square metres (150,000 square feet) in size;
- (18) A "Flea Market" shall not be permitted in this zone;

1897.2 For the purposes of this zone, a "Pet Service Shop" shall mean, the use of a building or portion thereof, for the selling of goods related to the care of household pets, pet grooming, veterinary services, boarding and pet day care.

1897.3 For the purposes of this zone, a "Retail Warehouse" shall mean, a building or structure, or part of a building or structure, where a single user occupies a minimum gross floor area of 1858 square metres (20,000 square feet) and where the principal use is the sale of products displayed and stored in a warehouse format, where such products shall not include food and pharmaceutical products and where ancillary restaurant uses may be provided.

1897.4 For the purposes of this zone, a "Retail Warehouse Membership Club including a food and non-food component" shall mean, "The use of a building in which goods, wares, merchandise, substances or articles (which may include food and pharmaceuticals) are displayed, stored and sold in a warehouse format, and may include accessory retail and personal service uses such as, but not limited to, an optometrist office, optical services and sales, hearing aid dispensary, a pharmacy, photo finishing and processing, restaurant and take-out restaurant, installation of automotive parts sold on the premises, tire sales and installation, oil changes and dispensing of fuel including propane,

automotive display and a garden centre, including indoor and outdoor sales and display areas. The warehouse format means a configuration where the floor area devoted to sales is integrated with the storage of things sold and is accessible to patrons of the Retail Warehouse Membership Club.”

1897.5 Shall also be subject to the requirements and restrictions relating to the C2 Zone and all the general provisions of this by-law, which are not in conflict with the ones set out in section 1897.2.

1897.6 Notwithstanding any other provision of this Zoning By-law, to the contrary, the lands zoned Commercial Two Section 1897 (C2 Section 1897) and Commercial Two (Holding) Section 1898 (C2(H) Section 1898), shall be treated as a single lot for zoning purposes.

“1898 The lands designated C2 (H) - Section 1898 on Sheet 49A of Schedule A to this by-law:

1898.1 shall only be used for the following purposes:

- (1) a service shop excluding auto service
- (2) a personal service shop
- (3) an office
- (4) a dry cleaning and laundry distribution station
- (5) a bank, trust company, or finance company
- (6) a dining room restaurant, a take-out restaurant
- (7) a printing establishment
- (8) a commercial school
- (9) a place of commercial recreation
- (10) a community club
- (11) a health or fitness centre
- (12) a bank, trust company, a finance company
- (13) an art gallery
- (14) a banquet hall

1898.2 shall be subject to the following requirements and restrictions:

- (1) Minimum setback requirements shall be as follows:
 - (i) Airport Road: 4 metres,
 - (ii) Queen Street: 4 metres, and
 - (iii) Other yard setbacks: 3 metres;
- (2) Landscape open space shall be provided as follows: 6.0 metres along Airport Road and Queen Street East except at approved building locations;
- (3) Maximum Building Height: no restriction;
- (4) Minimum Building Height: 2 storeys;
- (5) Restaurant refuse storage shall enclosed in a climate controlled area within a building;

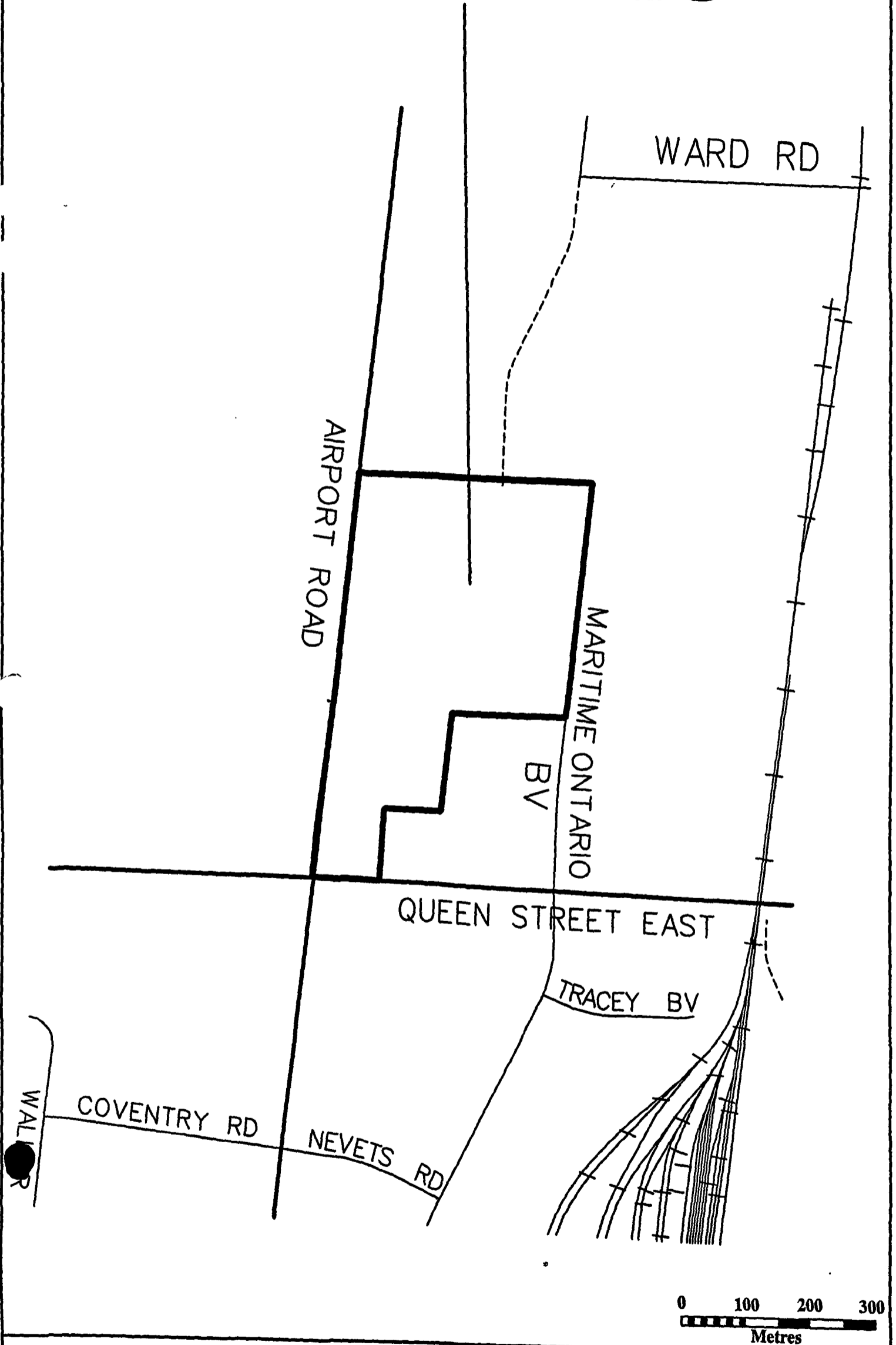
- (6) All garbage and refuse storage other than for a restaurant, including any containers for the storage of recyclable materials, shall be fully screened;
- (7) Minimum Landscaped Open Space: 10% of the lot area;
- (8) Minimum Parking Space Requirements:
 - (i) 1 parking space per 23 square metres, and
 - (ii) For office uses located above the second storey, the supply of parking spaces shall be in accordance with Section 20 of the Zoning By-law;
- (9) An adult entertainment parlour, an adult videotape store or an amusement arcade shall not be permitted;
- (10) Outdoor display of goods and materials shall not be permitted along or visible from Airport Road or Queen Street East;
- (11) Only office uses shall be permitted above the first storey;

1898.3 Shall also be subject to the requirements and restrictions relating to the C2 Zone and all the general provisions of this by-law, which are not in conflict with the ones set out in section 1898.2.

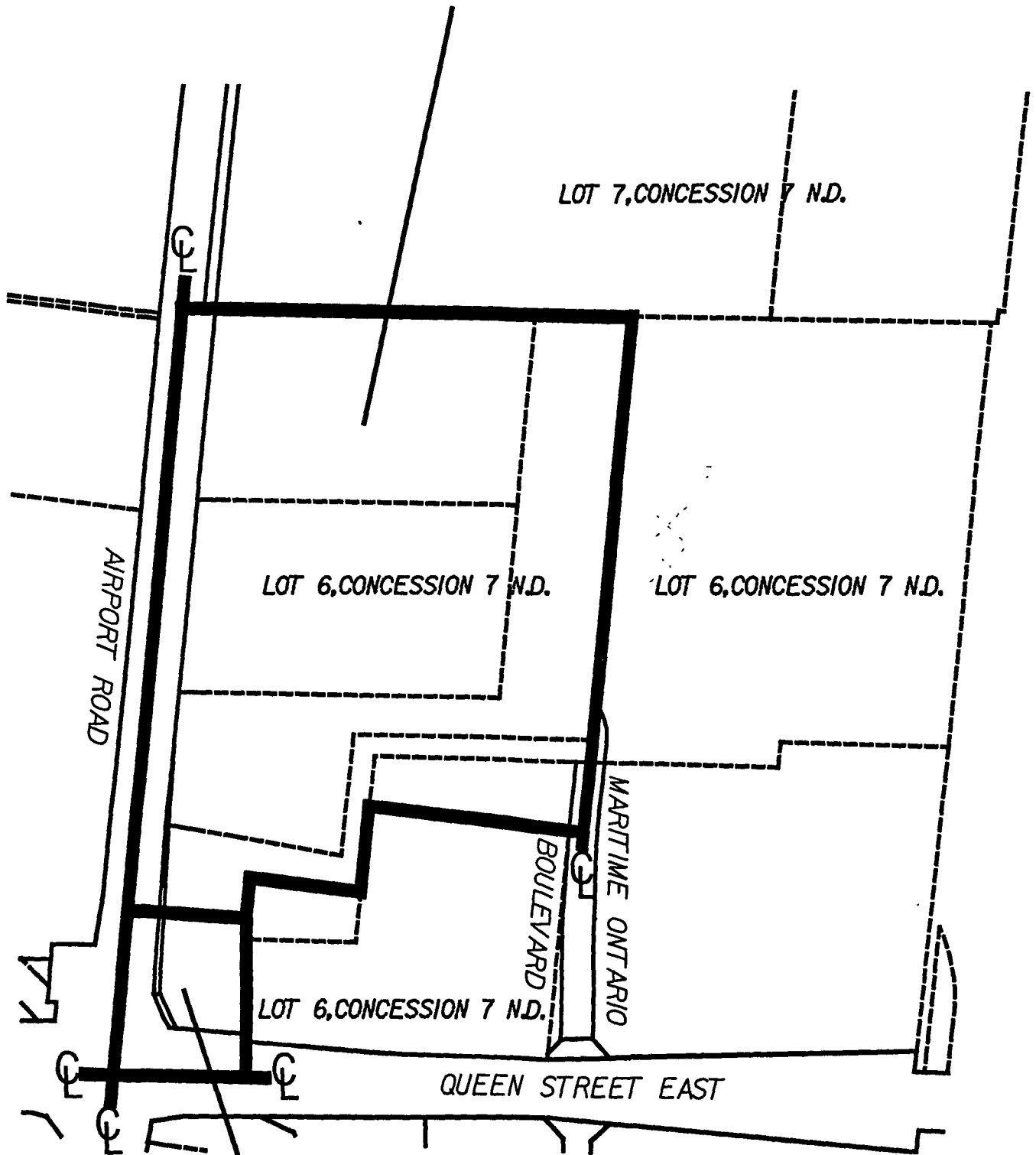
1898.4 Notwithstanding any other provision of this Zoning By-law, to the contrary, the lands zoned Commercial Two Section 1897 (C2 Section 1897) and Commercial Two (Holding) Section 1898 (C2(H) Section 1898), shall be treated as a single lot for zoning purposes.

1898.5 The holding (H) symbol shall not be removed until a comprehensive development plan for all lands within this zone has been prepared to the satisfaction of the City of Brampton and that the development agreement as endorsed through Council resolution PDD272-2005 has been signed.

SUBJECT LANDS



C2-SECTION 1897



C2(H)-SECTION 1898

LEGEND

-  ZONE BOUNDARY
-  CENTRELINE OF ORIGINAL ROAD ALLOWANCE



PART LOT 6, CONCESSION 7 N.D.

By-Law _____

Schedule A



CITY OF BRAMPTON
Planning, Design and Development

Date: 2005 10 25

Drawn by: CJK

File no. C7E6.33zbla

Map no. 49-62

In the matter of the *Planning Act*, R.S.O. 1990, as amended, sections 17 and 34:

And in the matter of the City of Brampton By-law 182-2005 being a by-law to adopt Official Plan Amendment OP93-246 and By-law 183-2005 to amend Zoning By-law 270-2004 as amended - Medallion Developments Limited (File C4E15.3)

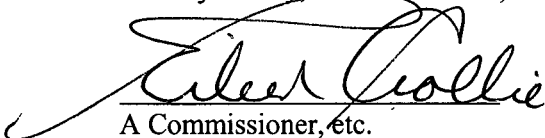
DECLARATION

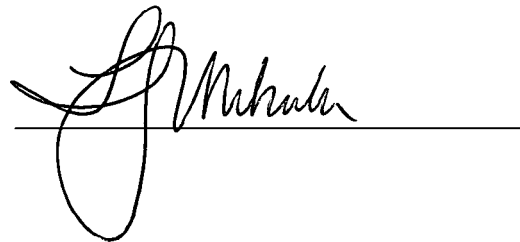
I, Leonard Joseph Mikulich of the Town of Shelburne, in the County of Dufferin, do solemnly declare that:

1. I am the Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 182-2005 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 13th day of June, 2005, to adopt Amendment Number OP93-246 to the 1993 Official Plan of the City of Brampton Planning Area.
3. By-law 183-2005 was passed by the Council of the Corporation of the City of Brampton at its meeting held on the 13th day of June, 2005, to amend Zoning By-law 270-2004, as amended.
4. Written notice of By-law 182-2005 as required by section 17(23) and By-law 183-2005 as required by section 34(18) of the *Planning Act* was given on the 28th day of June, 2005, in the manner and in the form and to the persons and agencies prescribed by the Planning Act, R.S.O. 1990 as amended.
5. No notice of appeal was filed under sections 17(24) of the *Planning Act* on or before the final date for filing objections.
6. In all other respects this Official Plan Amendment has been processed in accordance with all of the Planning Act requirements including regulations for notice.
7. OP93-246 is deemed to have come into effect on the 19th day of July, 2005, in accordance with Section 17(27) of the *Planning Act*, R.S.O. 1990, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the)
City of Brampton in the)
Region of Peel this)
19th day of July, 2005)


A Commissioner, etc.



EILEEN MARGARET COLLIE, A Commissioner
etc., Regional Municipality of Peel for
The Corporation of The City of Brampton
Expires February 2, 2008.