

THE CORPORATION OF THE CITY OF BRAMPTON



Number ______ 288-87

To adopt Amendment Number 131 to the Official Plan of the City of Brampton Planning Area

The council of The Corporation of the City of Bramptor, in accordance with the provisions of the <u>Planning Act</u>, <u>1983</u>, hereby ENACTS as follows:

- Amendment Number <u>131</u> to the 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 Municipal Affairs for approval of Amendment Number <u>131</u> to the Official Plan of the City of Brampton Planning Area.

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

this

23rd

day of

November

, 1987. 🗠

KENNETH G. WHILLANS - MAYOR

J. MIKULICH - CLERK LEQNARI

BLAW 285-77

AMENDMENT NUMBER 131 to the Official Plan of the City of Brampton Planning Area

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21-0P 0031-131-1

Amendment No. 131 to the Official Plan for the City of Brampton Planning Area

This Amendment No. 131 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. 131 to the Official Plan for the City of Brampton Planning Area.

Date ... Jan 13, 1.988.

L. J. FINCHAM

Director Plans Administration Branch Central and Southwest Ministry of Municipal Affairs A



THE CORPORATION OF THE CITY OF BRAMPTON



Number _____ 288-87

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

1. Amendment Number 131 to the 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 Municipal Affairs for approval of Amendment Number 131 to the Official Plan of the City of Brampton Planning Area.

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

this

23rd

day of

November

, 1987.

KENNETH G. WHILLANS - MAYOR

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LEQNARD J. MIKULICH - CLERK

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AMENDMENT NUMBER <u>131</u> TO THE OFFICIAL PLAN OF THE CITY OF BRAMPTON PLANNING AREA

1.0 Purpose

The purpose of this amendment is to redesignate certain Industrial lands for Commercial purposes.

2.0 Location

The lands subject to this amendment are located on the north side of Highway Number 7, approximately mid-block between Torbram Road and Gateway Boulevard, specifically 312.7 metres (1026 feet) east of Torbram Road. The lands are described as the West Half of Lot 6, Concession 6, E.H.S., in the geographic Township of Chinguacousy.

3.0 Amendment and Policies Relative Thereto

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

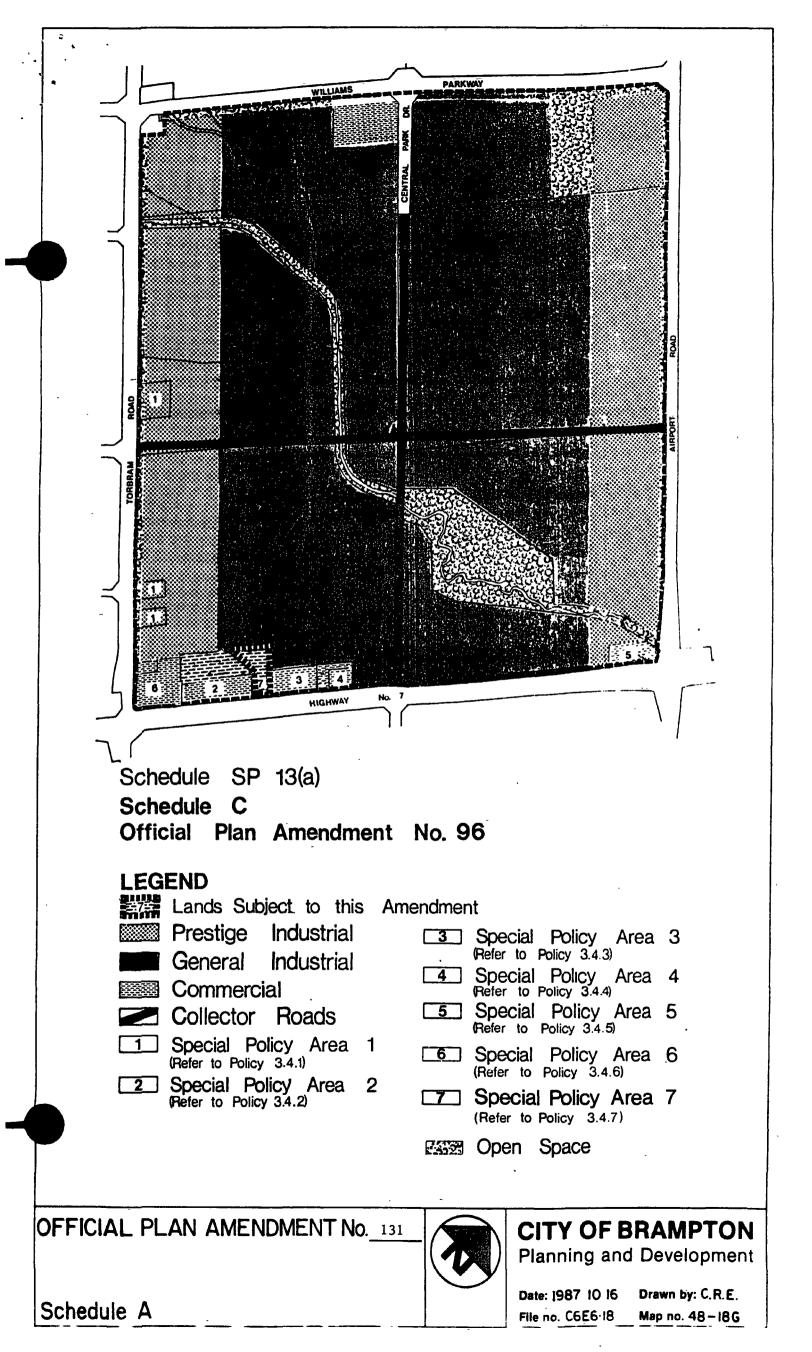
- by changing, on Schedule SP13(a) thereto, the land use designation of lands shown outlined on Schedule A to this amendment, from GENERAL INDUSTRIAL to COMMERCIAL;
- (2) by adding, to the legend of Schedule SP13(a) thereto, the following:"Special Policy Area 7 (Refer to Policy 3.4.7)";
- (3) by identifying, on Schedule SP13(a) thereto the lands shown outlined on Schedule A to this amendment, as Special Policy Area 7, and
- (4) by adding to Section 3.4. Special Policy Areas the following subsection 3.4.7 as, the following:
 - "3.4.7 Lands shown on Schedule SP13(a) as Special Policy Area Number 7 shall be used as a fast food restaurant with drive through facilities and shall be subject to the following principles:
 - (i) appropriate landscaping and fencing shall be provided on the site to minimize adverse impact on surrounding properties;

- (ii) off-street parking spaces in accordance with accepted standards for uses proposed, shall be provided, and
- (iii) adequate vehicle waiting spaces (10) for the food
 pick-up window.

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BACKGROUND MATERIAL TO OFFICIAL PLAN AMENDMENT NUMBER 131

Attached is a copy of a planning report from the Director, Planning and Development Services Division, dated September 14, 1987 and a copy of a report from the Director, Planning and Development Services Division, forwarding the notes of a public meeting held on October 7, 1987, and a copy of all written submissions received.

Public Works and Building Department

Development and Engineering Services Division	87	06	18.
Zoning and By-law Enforcement Division	87	06	16.
Traffic Engineering Services Division	86	06	23.

Community Services Department

Parks and Recreation	87	08	26.
Transit Department	87	80	26.
Fire Department	87	08	26.

Planning and Development Department

Community Design Section	87	06	11.
Planning Policy and Research Division	87	06	23.
Region of Peel Public Works Department	87	06	22.
Ministry of Transportation and Communications	87	10	15.
Property Division	87	06	10.
Law Department	87	06	12.

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INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

September 14, 1987

	· · · · · · · · · · · · · · · · · · ·
TO:	The Chairman of the Development Team
FROM:	Planning and Development Department
RE :	Application to Amend the Official Plan and Zoning By-law West Half of Lot 6, Concession 6, E.H.S. Ward Number 11 JUMADU INVESTMENTS LIMITED Our File Number: C6E6.18

1.0 Introduction

A proposal has been submitted to the Clerk's Department to amend the Official Plan and zoning by-law to allow the development of a restaurant by redesignating the land as <u>Highway Commercial</u>.

2.0 Property Description

The subject lands are located on the north side of Highway Number 7, between Torbram Road and Gateway Boulevard, specifically between the McDonald's Restaurant and Brampton Hyundai. The site is 0.524 hectares (1.295 acres) in area, with a frontage of 43.23 metres (141.83 feet) and a depth of 100.9 metres (331.3 feet).

The site presently has an unoccupied 1 1/2 storey brick house on the south-westerly portion of the land. There is a driveway entrance to the site, in approximately the middle of the frontage. The remainder of the site has a ditch and wet area running diagonally from the north-west to the south-east, across the northerly portion of the property. There are two man holes, the south-easterly one at a point 28 metres from the front or southerly property boundary on the McDonald's land; the second at the north-easterly corner of the Hyundai lands.

The land uses surrounding the property are as follows:

- the abutting lands to the east and west are developed commercially with a restaurant and automotive dealership respectively, and
- the abutting lands to the north and the south side of Highway Number 7 are vacant and designated industrial in the Official Plan.

3.0 Official Plan and Zoning Status

The subject property is designated <u>Industrial</u> on the General Land Use Designations, Schedule 'A' of the Official Plan, and <u>General</u> <u>Industrial</u> in the Secondary Plan Area Number 13: Bramalea North Industrial.

By-law 861, as amended, designates the property as <u>Agricultural</u> <u>Class 1</u> (A1).

4.0 Proposal

The applicant proposes to locate a Burger King Restaurant on the site and must change the land use designations of the Official Plan, Secondary Plan and zoning by-law to <u>Highway Commercial</u>. The proposed restaurant will be approximately 370 square metres (3990 square feet) with 80 parking spaces, including one handicapped space; one drive-thru/pick-up window; an exterior garbage enclosure, and a parkland area of 875 square metres.





5.0 Comments from Other Agencies and Departments

Public Works and Building Department

<u>Development and Engineering Services Division</u> has advised the following:

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- Road widening along Highway Number 7 as per Ministry of Transportation and Communications;
- 2) Enclose the existing watercourse running diagonally across the property from the most westerly corner of the property to the easterly manhole at the most easterly corner of the property with appropriate easements granted to the City for maintenance purposes;
- Provide a grading and drainage plan showing existing and proposed elevations and the proposed storm sewer systems;
- 4) A sidewalk is not required because it presently exists along Highway Number 7, and
- 5) Provide driveway location and details as per our traffic department requirements.

Zoning and By-law Enforcement Division has no comments.

Traffic Engineering Services Division has no comments with respect to access.

Community Services Department

<u>Parks and Recreation</u> advise the applicant should describe the triangular piece of land at the north-west corner as "landscaped area" to avoid confusing it with City parkland.

<u>Transit Department</u> suggest that the developer install a 3.65 X 7.62 metres (12 foot X 25 foot) concrete bus stop pad on the north side of Highway Number 7, west of the access road to the subject lands, and at the west property line of the subject property, or submit a cash-in-lieu desposit of \$3,800.00 for the same.

- 4 -

The developer is required to contribute 50 percent of a cash-in-lieu deposit of \$5,600.00 for a passenger shelter equal to \$2,800.00.

<u>Fire Department</u> advise that they are willing to accept the existing hydrant, located 102 metres to the west, although it is marginal.

Planning and Development Department

<u>Community Design Section</u> require that the project be subject to Site Plan Approval.

Policy Division has no comment.

Region of Peel

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<u>Public Works Department</u> advise that full municipal services are available along Highway Number 7 and appropriate frontage charges apply.

<u>Ministry of Transportation and Communications</u> advise that the Ministry does not have any property requirements for roadway widening within the vicinity of the subject development.

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Additionally, there are no comments from the Law Department.

5.0 Discussion

The proposed use of the site is compatible with the current uses in the neighbourhood. The policies of the Official Plan relating to Highway Commercial - Section 2.2.4.3 permit restaurants and encourage uses that "rely on business from the travelling public or on considerable public exposure, thereby requiring a location in proximity to a highway". A restaurant of this type, especially with a drive thru and a pick-up window fits the criteria because the restaurant "caters primarily to persons coming to the premises by automobile, rather than pedestrian trade."

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In contrast to previous applications the JUMADU INVESTMENTS LIMITED proposal is a more suitable application because the site area has been increased by acquiring 4237.1 square metres more land from Bramalea Limited (Severance application "B" 51/87B). The Ministry of Transportation and Communications has not raised a concern with the matter of access to Highway Number 7. The use is more appropriate than the uses previously proposed and is compatible with the adjacent highway commercial type uses that rely on exposure to travelling customers. The project is infill in nature, and the compatibility of a Burger King Restaurant next to a McDonald's Restaurant is satisfactory.

Site considerations, such as the enclosing of the existing watercourse, must be undertaken by the developer because this area will be covered by the parking lot. Further consideration should be given to the landscaped area in the north-west corner to create an area suitable for outdoor eating with easy maintenance for the operators. The details of this treatment will be decided through the Site Plan Approval process. The parking requirement for the site based on 1 space for each 6.0 square metres of gross commercial floor area, is 63 spaces, whereas the proposal outlines 80 spaces.

- 6 -

The current standards for drive-through facilities, suggest a stacking lane to accommodate a minimum of 10 cars behind the pick-up window. A review of the parking is necessary to ensure that this standard is met.

When reviewing the landscaping proposed along the east and west property lines, the paved area shown extending to the property limit. This should be revised. Along the easterly property boundary, curbs should be installed to prevent cars from overhanging on the adjacent property. Along the westerly property boundary, where the pick-up lane abuts the neighbouring lands, and a future fence may be installed, a small buffer area 0.6 metres (2 feet) and curbs should be designed to prevent cars from damaging the anticipated fence.

6.0 Recommendations

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

- A. A Public Meeting be held with respect to the proposed amendment to the Official Plan and Zoning By-law in accordance with City Council's procedures, and
- B. subject to the results of the Public Meeting, Planning Committee recommend to City Council that the proposed development be recommended for approval subject to the following conditions:
 - 1. The site plan dated May 5, 1987 be revised to show the following:

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- the area in the north-west corner labelled "Landscape Open Space;
- 2) the sidewalk as it presently exists;

- 7 -

- 3) shift the siting of the building to increase side yard clearance at the north-west corner;
- 4) provide protective barrier curbs along the east and west property limits, at an appropriate distance from Property lines to accommodate vehicle overhang and to "protect fencing that may be installed, and
- 5) provide 10 vehicle waiting spaces for food pick-up window.
- 2. Development of the site shall be subject to a development agreement and the development agreement shall contain the following provisions:
 - a) the applicant shall support an appropriate amendment to the Official Plan and Zoning By-law to permit the proposed development.
 - b) the applicant, shall agree to pay City levies in accordance with the Capital Contribution Policy prior to the issuance of a building permit.
 - c) prior to the issuance of a building permit arrangements shall be made to the satisfaction of the Region of Peel and the City of Brampton for the servicing of the subject lands, including the grant of servicing easements.

- d) the applicant, at his expense, shall provide a bus stop pad in a location and of a design satisfactory to the Commissioner of Community Services, or submit a cash-in-lieu deposit of \$3,800.00 for the same and a portion of a shelter cost in the amount of \$2,800.00.
- e) all lighting on the site shall be designed and oriented so as to minimize glare on adjacent roadways and other properties.
- 3. The site specific zoning by-law shall contain the following:
 - a) the site shall only be used for:
 - i) a fastfood restaurant with drive-through facilities;
 - ii) purposes accessory to the permitted purposes.
 - b) building envelope, landscaped open space, parking, loading and paved areas shall be identified which are consistent with the amended preliminary site plan.
 - c) the maximum height of building shall not exceed one storey.

Respectfully submitted,

Ron Burnett Development Planner

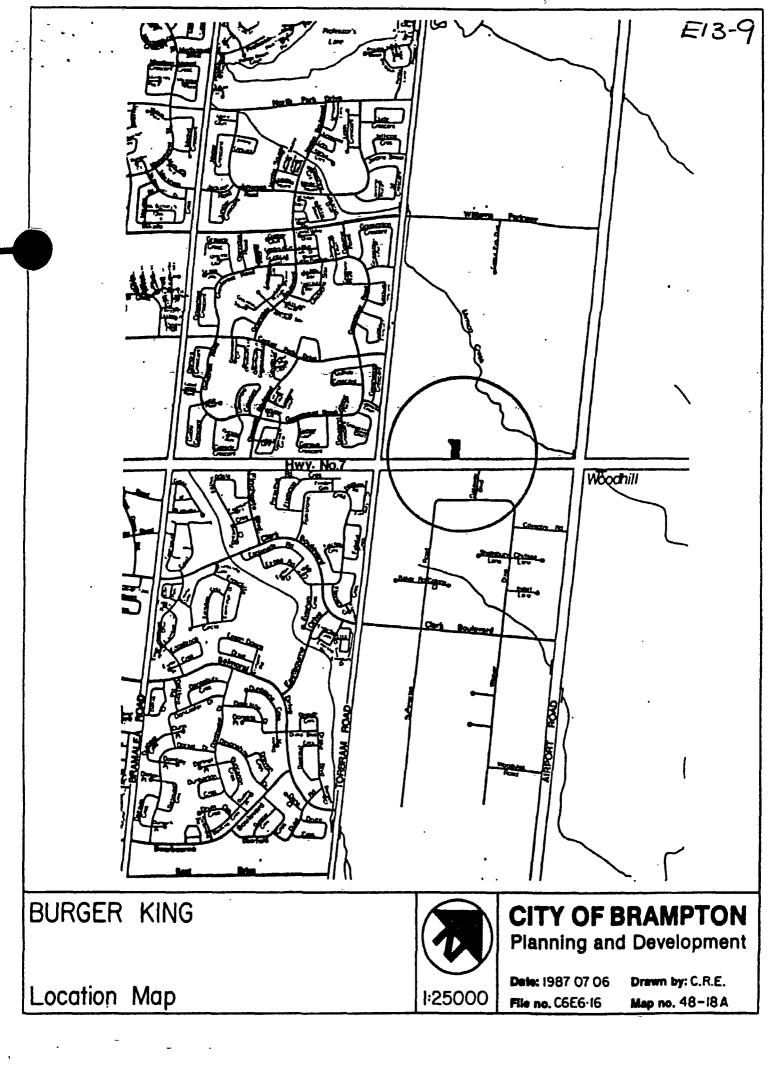
L. W. H. Laine, Director, Planning and Development Services Division

AGREED: TR Dahell

R. Dalzell, Commissioner of F. Planning and Development

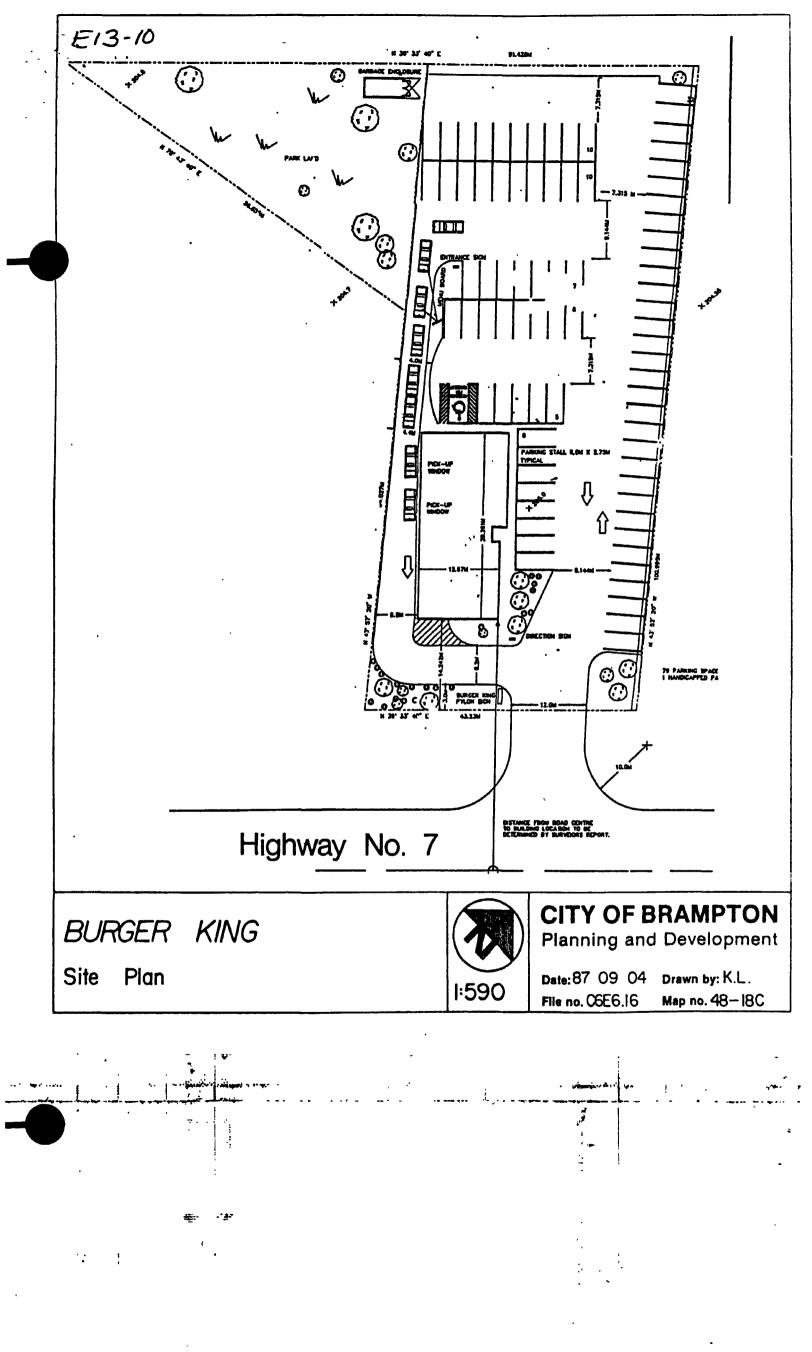
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INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

October 13, 1987

TO:	The Chairman of the Development Team
FROM:	Planning and Development Department
RE:	Application to Amend the Official Plan and Zoning By-law West Half of Lot 6, Concession 6, E.H.S. Ward Number 11
н -	JUMADU INVESTMENTS LIMITED
	Our File Number: C6E6.18

The notes of the public meeting held on Wednesday, October 7th, 1987 with respect to the above noted application are attached for the information of Planning Committee.

No members of the public appeared at the meeting and no letters of objection or comments have been received.

- IT IS RECOMMENDED THAT Planning Committee recommend to City Council that:
- A) the notes of the Public Meeting be received;
- B) the application be approved as adopted by City Council on September 28, 1987, and
- C) staff be directed to present the appropriate documents for Council's consideration.

Respectfully submitted,

Ron Burnett, M.C.I.P. Development Planner

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

AGREED:

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F. R. Dalzell, Compissioner of Planning and Development

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PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, October 7, 1987, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 7:31 p.m., with respect to an application by JUMADU INVESTMENTS LIMITED (File: C6E6.18 - Ward 11) to amend both the Official Plan and Zoning By-law to permit the development of a Burger King Restaurant on the site.

Members Present:	Alderman L. Bis	sell - Chairman
	Councillor N. P	orteous
	Alderman A. Gib	son
	Alderman S. DiM	arco
	Alderman J. Sha	drach
Staff Present:	F. R. Dalzell,	Commissioner of Planning and Development
	L.W.H. Laine,	Director, Planning and Development Services
	R. Burnett,	Development Planner
	G. Speirs,	Development Planner

D. Ross,	Development Planner
K. Ash,	Development Planner
J. Armstrong,	Development Planner
J. Corbett,	Policy Planner
C. Brawley,	Policy Planner
E. Coulson,	Secretary

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

There were no interested members of the public in attendance, and the meeting adjourned at 7:32 p.m.

	Development comment form
Applicant: Jumadu	Thvestments Limited Planner: Ron Burnett
File Number:C6E6.1	
Sumary:	City of Brampton FLANNING DEPT.
Department	Comments (Type or Print) C6E6.18
Public Works: - Development	I Road widenifs along the #7 or pti
	M.T.C. VI The existil Water course turn 7
- Traffic	diafonally across the property must
	be enclosed for the most herterly
- Zoning	Comer of the property to the exity
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- Transit	3/ he require a hadi the and drains
	plan Howif exist for a proposed
- Fire	
	saver system
Law Department:	saver system 4 Rese is an existing tidewall on the #: 51 Derver of location and details as per our the ffic dept. requirements.
	per our he ffic dept. requirements
Administration: - C.A.O.	
- Business Dev.	
<u>Planning</u> : - Community Design	
- Policy Division	
Other Comments:	DOIN
	Responding Dept.: 0 P.W.
AR/2	Signature: <u>Jack Marken</u> Date: <u>June 17/87</u>

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Jumadu Ile Number: C6E6.18			Date: June	9, 1987	<u></u>
umary:				Cit PL	ty of Brampton ANNING DEPT
Department		Comments	(Type or Print)) Date J	UL 23 1987
Public Works: - Development				File No.	C6E6-1
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- Zoning	· ·				
Community Services: - Parks		- <u></u>	مد .	<u> </u>	
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- Transit	· · · · · · · · · · · · · · · · · · ·				
· Fire		- 		•	<u></u>
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dministration: C.A.O.		<u></u>			
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<u>lanning</u> : Community Design					<u></u>
Policy Division	•				

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Responding Dept? Signature: 13870722

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INTER-OFFICE MEMORANDUM

Office of the Commissioner of Public Works and Building

City of Brampton PLANNING DEPT, TO : Ron Burnett June 15, 1987 FROM: "D. Warren JUN 1 6 1987 Rec'd. Date RE : Application to Amend the Official Plan and Restricted Area (Zoning) By-law File No. C 6 EB. 18 Part Lot 6, Concession 6, E.H.S. Ward Number 11 JUMADU INVESTMENTS LIMÍTED Your file Number: C6E6.18

We advise that we have no comment in respect to this application except that application to the Land Division has been made.

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D. Warren. C.E.T. M.R.S.H. Director of Zoning and By-Law Enforcement.

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Y	DEVELOPMENT COMMENT FORM DEVELOPMENT COMMENT FORM PLANNING DE PLANNING DE PLANNING DE Ron Bugnett
	u Investments Limited Planner: Ron Burnett AUG 26 19
ile Number:C6E6.	18 Date: June 9, 1987 C6EG
umary:	AL COEG.
Department	Comments (Type or Print)
Public Works: Development	
- Traffic	•
· Zoning	
community Services: Parks	The reference to "parkland" should be deleted from the plan, as it is not a piece of City parkland but rather a leftover piece of property from other developments in this area which just now happens to be a part of this plan.
Transit	See attached.
Fire .	The existing hydrant located 102m to the west of the property is marginal, however, based upon the size and required internal fire protection systems, this Department is prepared to accept the existing water
aw Department:	supply.
dministration: C.A.O.	
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lenning: Community Design	د
Policy Division	· · · · · · · · · · · · · · · · · · ·

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Responding Dept.: Signature: 1

Application to Amend the Official Plan and Restricted Area (Zoning) By-law

JUMADU INVESTMENTS LIMITED

Transit

The Transit Department requires the developer to install a 12' x 25' concrete bus stop pad on the north side of Highway 7, west of access road to subject lands, and at the west property line of subject lands ... or ... submit a cash-in-lieu deposit of \$3,800.00 for same.

Further, the developer is required to submit a cash-in-lieu deposit of \$5,600.00 for a passenger shelter.

DEVELOPMENT COMMENT FORM

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Applicant: Jumadu Investments Limited Planner: Ron Burnett

File Number: _____C6E6.18

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Date: June 9, 1987

Summary:

Department	Comments (Type or Print)
Public Works:	
- Development	
- Traffic	
- Traffic	
- Zoning	↓ · · · · · · · · · · · · · · · · · · ·
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Community Services:	
- Parks	
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Planning: - Community Design	NO comment If the proposal is to be approved The development shall subject to deta STE plan approval nous
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Policy Division	
Other Comments:	1
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•	DEVELOPMENT COMMENT 1	form	
Applicant:	Jumadu Investments Limited	Planner:	Ron Burnett

File Number: C6E6.18

Date: June 9, 1987

Summary:

Department	Comments (Type or Print)
Public Works: - Development	
- Traffic	
- Zoning	
<u>Community Services</u> : - Parks	
- Transit	
- Fire	
Law Department:	
Administration: - C.A.O.	
- Business Dev.	
<u>Planning</u> : - Community Design	
- Policy Division	NO Comment

Other Comments:

of Res. Responding Der Signature: _____ Date: _____

The Regional Municipality of Peel

Planning Department

June 19, 1987

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

Attention: Mr. Ron Burnett Development Planner

> Official Plan Amendment Re: and Rezoning Application Junadu Investments Ltd. Your File: C6E6.18 Our File: R42 6E23B

City of Brampton PLANNING DEPT. Date JUN 22 1981 Rec'd File No. (6E6.18

Dear Sir:

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In reply to your recent request for comments dated June 8, 1987 concerning the above noted application, please be advised that our Public Works Department has examined the proposal and indicates that full municipal services are available on Highway No. 7, frontage charges apply. While Regional roads are not directly affected, we do have concerns regarding the compounded effect on the Highway 7 traffic movement in this vicinity and upmil 2 would suggest a survey be taken of the existing traffic situation.

We trust that this information is of assistance.

Yours truly,

D. R. Billett Director of Development Control

Y.06.23

VZ:nb

10 Peel Centre Drive, Brampton, Ontario L6T 4B9 - (416) 791-9400

Ontario

Ministry of Transportation and Communications Planning & Design Section Central Region 5000 Yonge Street Willowdale, Ontario M2N 6E9 Telephone: 224-7661

> City of Brampton PLANNING DEPT.

OCT 1 5 198/ Rec'd.

6E6.18

October 7, 1987

The City Of Brampton 150 Central Park Drive Brampton, Ontario L6T 2T9

Attention: Mr. F.F. Dalzell, Commissioner of Planning & Development

Dear Sir:

Re: Junadu Investments Ltd. Part of Lot 6, Con. 6 E.H.S. Highway 7, City of Brampton

Please be advised that this Ministry does not currently have any property requirements for roadway widening purposes with respect to Jumadu Investments Ltd.

Future widening of Highway 7 through the infilled area immediately west of Renault Drive can be accomplished utilizing an urban crosssection in conjunction with adequate building setback.

I trust this is satisfactory.

SL/sd

cc: R. Webb A. Zembal W. Hanna

Yours truly, Ron: Have does this standwith Non: Have does this standwith respect to draft plan white the chiefent for chiefent for chiefent for 20.15

	s Limited Planner: Ron Burnett	
File Number: C6E6.18	Date: June 9, 1987	City of Premition Premining DEPT.
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Planning:		
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12 67.06.11	Responding Dept.: <u>Clurko</u>	
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iunnary:		City of Brampton PLANNING DEPT	
Department		Comments (Type or Print Date JUN 1 2 1987	
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- Traffic		•	
- Zoning			
2.10'	·		
Building			
Community Services: - Parks			
- [8160			
- Transit			
- Fire		•	
law Department:	No comments; John (G. Metras; June 11, 1987.	
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Business Dev.			
lanning:			
· Community Design			
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Policy Division			
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