



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 80-85

To adopt Amendment Number 55 to the
Official Plan of the City of Brampton
Planning Area

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the Planning Act, 1983, hereby ENACTS as follows:

1. Amendment Number 55 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 and Housing for approval of Amendment Number 55 to the Official Plan of the City of Brampton Planning Area.

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

This 18th day of March, 1985.

KENNETH G. WHILLANS - MAYOR

L. J. MIKULICH - CLERK

ORIGINAL

BLPW 80-85

AMENDMENT NUMBER 55
to the Official Plan of the
City of Brampton Planning Area

-1

21 OP 0031 055

Amendment No. 55A
to the
Consolidated Official Plan for the
City of Brampton Planning Area and
Amendment No. 55 to the
Official Plan for the
City of Brampton Planning Area

This amendment to the Consolidated Official Plan for the City of Brampton and the Official Plan for the City of Brampton, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved in accordance with Section 21 of the Planning Act R.S.O. 1983 as Amendment No. 55A to the Consolidated Official Plan and Amendment No. 55 to the Official Plan for the Brampton Planning Area.

Date ...*May 28, 1985*.....

[Signature]



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 80-85

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Official Plan of the City of Brampton
Planning Area

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2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Amendment Number 55 to the Official Plan of the City of Brampton Planning Area.

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

This 18th day of March, 1985.

KENNETH G. WHILLANS - MAYOR

L. J. MIKULICH - CLERK

1. Purpose:

The purpose of this amendment is to change the land use designation, as contained in the Official Plan for the City of Brampton Planning Area, for the lands shown outlined on Schedule A to this amendment, from Mixed Commercial - Light Industrial to Highway Commercial, and to establish, in accordance with section 7.2 of the Official Plan, detailed policy guidelines for the development of the lands shown outlined on Schedule A to the amendment.

2. Location:

The land subject to this amendment comprises a total area of approximately 0.36 hectares (0.89 acres), and is located on the east side of Kennedy Road, being part of the east half of Lot 15, Concession 1, E.H.S., part of the west half of Lot 15, Concession 2, E.H.S., and part of the closed road allowance between Concessions 1 and 2, E.H.S., all in the geographic Township of Toronto, in the City of Brampton, in the Region of Peel, and is part of the Steeles Industrial Secondary Plan.

3. Amendment and Policies Relative Thereto:

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

- (1) by changing, on Schedule A thereto, the land use designation of the lands shown outlined on Schedule A to this amendment, from INDUSTRIAL to COMMERCIAL;
- (2) by adding, to Schedule F thereto, the land use designation of HIGHWAY & SERVICE COMMERCIAL for the lands shown outlined on Schedule A to this amendment;
- (3) by deleting subsection 7.2.7.25, and substituting therefor the following:

"7.2.7.25 Area No 25: Steeles Industrial
Amendment No. 1 to the Consolidated Official Plan of the City of Brampton Planning Area, as amended by Amendments Numbers 36, 41 and 85, and Amendments Numbers 1, 19 and to this Plan, are combined and shall constitute the Steeles Industrial Secondary Plan."

- (4) by changing, on Schedule SP25(a) thereto, the land use designation of the lands shown outlined on Schedule A to this amendment, from MIXED COMMERCIAL - LIGHT COMMERCIAL to HIGHWAY COMMERCIAL;
- (5) by adding, to the legend of Schedule SP25(a) thereto, the land use category of HIGHWAY COMMERCIAL;

(6) by adding the following section to Chapter 25(a):

"5.4 Highway Commercial

5.4.1 Definition

The Highway Commercial land use designation on Schedule SP25(a) shall include land which is the location of premises used for the fueling of automobiles and small trucks and for a convenience commercial facility.

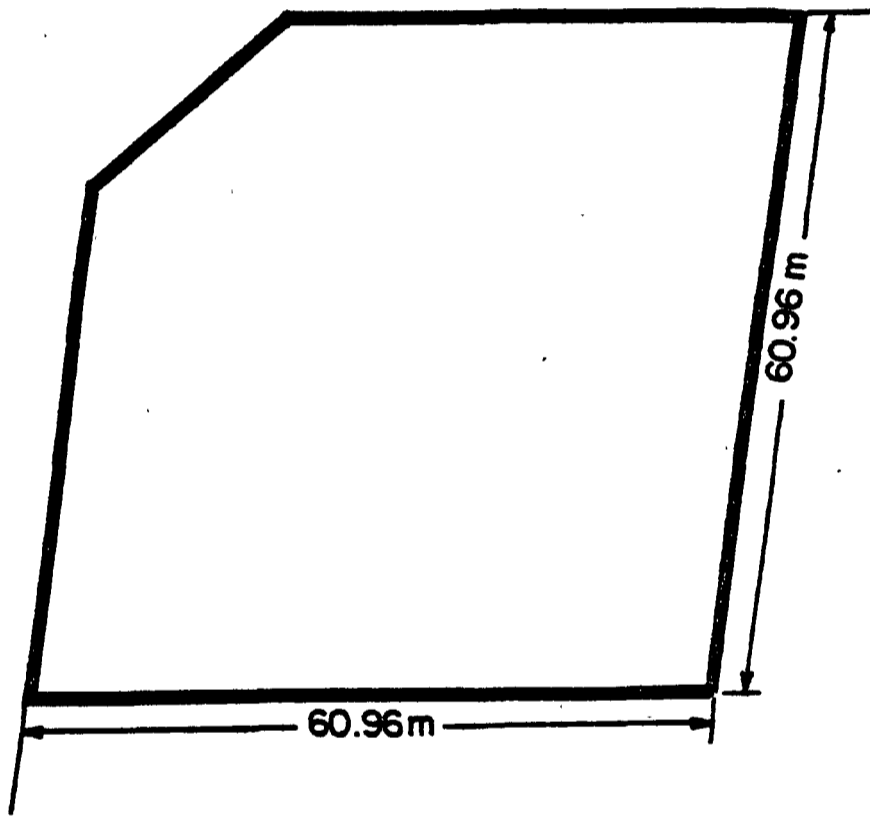
5.4.2 Vehicular access to the lands designated Highway Commercial as shown on Schedule SP25(a) will be permitted from Steeles Avenue East and Kennedy Road South, subject to turning movement restrictions as may be imposed by the road authority having jurisdiction.

5.4.3 The following criteria shall apply to Highway Commercial development:

- i) a high standard of building design, signs, yard and landscaping shall be maintained, and in accordance with section 40 of the Planning Act, the City shall endeavour to ensure that the regard is given to such elements as:
 - a) the siting and design of buildings,
 - b) vehicular access points, parking layout, internal circulation system and location of loading areas,
 - c) location, lighting and screening of parking areas,
 - d) landscaping and fencing,
 - e) location of garbage disposal facilities and areas for snow storage,
- ii) no outside storage of goods or materials shall be permitted,
- iii) the development shall not be likely to generate air pollution, odour or excessive noise or vibration."

STEELES AVENUE

KENNEDY ROAD



OFFICIAL PLAN AMENDMENT No. 55
Schedule A



1:655

CITY OF BRAMPTON
Planning and Development

Date: 84 10 15
File no. 12E15.1A

Drawn by: RB
Map no. 77-7A

BACKGROUND MATERIAL TO
AMENDMENT NUMBER 55

Attached hereto is a copy of a staff report dated June 11, 1984, dealing with a development application to amend the Official Plan. Also attached, is a further staff report forwarding a copy of the notes of a public meeting held on Wednesday, July 25, 1984, in connection with the development application, subsequent to placing notices in two local newspapers and the mailing of notices to property owners within 120 metres of the subject lands.

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

June 11, 1984

TO: Chairman of the Development Team

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law
Part of Lot 15, Concessions 1 and 2, E.H.S.
and Part of closed Road Allowance
(Toronto Township)
Ward Number 3
ESSO PETROLEUM CANADA
Our File: T2E15.1A

1.0 Introduction

An application has been filed with the City Clerk's office to amend the Official Plan and Zoning By-law to permit the construction and the use of a gas bar and a retail convenience centre.

2.0 Site Characteristics

The proposed site is located at the south-east corner of the intersection of Steeles Avenue and Kennedy Road South. The site comprises a portion of Lot 15, Concession 1, a portion of Lot 15, Concession 2, and a portion of the closed road allowance between Concessions 1 and 2, in the geographic Township of Toronto, County of Peel.

The intended site, excluding a visibility triangle, would have frontages of 60.96 metres (200 feet) on Kennedy Road and Steeles Avenue and an area of approximately 0.36 hectares (0.89 acres).

D4-2

- 2 -

The easterly portion of the site is unimproved having been cultivated as part of an agricultural enterprise for a number of years; whilst the westerly portion, comprising a former road allowance and a portion of agricultural land, is unused at the present time. Along the east boundary of the closed road allowance is a wood pole electric power line facility. A drainage ditch crosses the site from near the street intersection to the east limit of the former road allowance and south along the road allowance.

The agricultural portion of the site is bordered by a 7 strand wire, wood and steel post fence, with the remainder of the proposed site unfenced.

Abutting the west limit of the site, on the east limit of Kennedy Road South, is a 1.524 metre (5 foot) wide concrete sidewalk.

Adjacent land uses are:

- to the east and south - cultivated farm land subject to a draft plan of proposed subdivision (Longmoor Construction Company, the Regional Municipality of Peel File Number 21T-81013B, our File Number T2E14.1);
- to the north-east on the opposite side of Steeles Avenue - American Motors Corporation motor vehicle assembly plant;
- to the west on the opposite side of Kennedy Road - cultivated farm land subject to a draft plan of proposed subdivision (Ministry of Government Services, the Regional Municipality of Peel File Number 21T-84017B, our File Number T1E15.5);
- to the north-west on the opposite side of Steeles Avenue - convenience plaza with 8 establishments, two apartment buildings and street townhouse dwellings on Scottsdale Court.

3.0 Official Plan and Zoning Status

The lands are designated by the Official Plan as a Mixed Commercial - Light Industrial use area and development of the lands, including access principles, are to be in accordance with the policies of Amendment Number 1 to the new Official Plan.

The property is zoned by By-law 5500 of the former Town of Mississauga as Agricultural.

4.0 Proposal

The applicant proposes to erect, initially, two pump island self - serve outlet with a kiosk building, as well as provision to install a third island at a future date.

A convenience plaza, with a gross floor area of 422.765 square metres (4550.7 square feet) that may accommodate 3 outlets, is proposed.

A total of 22 parking spaces are proposed with the majority of the spaces - 15 - located on the east side of the site.

A garbage enclosure, without a roof, will be sited to the west of the convenience plaza, visible from Kennedy Road South vehicular and pedestrian traffic.

One access driveway off Kennedy Road and two access driveways off Steeles Avenue are proposed.

The uses proposed by the applicant are HC2 uses which according to By-law 200-82 include the following:

- (i) a gas bar;
- (ii) a service station;
- (iii) a motor vehicle washing establishment; and

D4-4

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- (iv) only in conjunction with a gas bar or service station, a retail establishment having no outside storage, a grocery store, a personal service shop, a mixed-service restaurant, a take-out restaurant, a dry cleaning and laundry distribution station, or a bank, trust company or finance company.

5.0 Comments

The Region of Peel has advised that sanitary sewer service is available on Steeles Avenue and municipal water is available on Kennedy Road and frontage charges will apply on Steeles Avenue and Kennedy Road.

Further, region staff note that the present policies of the Official Plan for this area detail the necessity of restricting individual access to internal development roads in order to maintain the integrity of long term arterial roads. The Roads and Traffic Division concur with the following statements of the Official Plan:

"5.2.3 The vehicular access to land designated Mixed Commercial-Light Industrial as shown on Schedule SP25(a) shall be restricted to internal roads only, with no direct access permitted from Steeles Avenue East and Kennedy Road South.

6.1.4 To ensure the long term utility of arterial roads such as Steeles Avenue, Kennedy Road South and Rutherford Road, it will be the policy of the City to prohibit individual or direct access to Steeles Avenue and to Kennedy Road and, furthermore, it will be the policy of the City to discourage wherever practical and feasible direct or individual access to Rutherford Road. To this end, one foot reserves and special zoning restrictions will be employed to minimize access onto arterial roads."

and have recommended against approval of the application.

The Public Works Division has requested that the Region of Peel comment on the proposed ramps on Steeles Avenue. The Division also advises that the drawing should be completed to show the full extent of the traffic island on Kennedy Road south of Steeles Avenue to determine the impact of this island on the proposed ramp off Kennedy Road. This access should be limited to right in and out only.

The Building Division of the City Public Works and Building and Law Department have indicated no comment on the application.

The Fire Department has no objection as it relates to access and existing water supplies.

The Community Services Department does not support the proposal for a gas bar and convenience establishment.

6.0 Discussion

From the perspective of the policies of the Official Plan, two additional policy statements can be added to the two significant policy statements noted by the Roads and Traffic Division of the Region of Peel Public Works Department. The two additional statements are:

"6.1.6 Vehicular access to Steeles Avenue within the New Development Area 14 will be restricted to interior roads intersecting with Steeles Avenue.

6.1.8 The minor road access into New Development Area from Steeles Avenue between Kennedy Road and Rutherford Road, as shown on Schedule SP25(a), shall be restricted to right-turns in and right-turns out only."

D4-6

- 6 -

It is clear that access control to Steeles Avenue is an important consideration in the land use and road transportation policies of amendment Number 1 to the Official Plan.

Accordingly, the conditions of draft approval for the subdivision containing the subject site require the conveyance of 0.3 metre (1 foot) reserves along the south limit of Steeles Avenue and the visibility triangles to the Region of Peel and the reserves along the east limit of Kennedy Road to the City.

Conceptually the need for additional convenience facilities and a gas bar either as a supplement or a complement for competitive purposes can be assessed in terms of the proximity of existing facilities and the size of the potential market. With respect to retail and service convenience facilities there are, in addition to the Village Plaza situated diagonally across the street intersection the following:

- i) Peel Village Square plaza at the south-west corner of Kennedy Road South and Rambler Drive approximately 455 metres (1,490 feet) to the north, with 11 establishments offering goods and services;
- ii) commercial development about 700 metres (2300 feet) easterly at the north-east corner of the intersection of Steeles Avenue and Rutherford Road occupied by a health club, bank, real estate office, law office and a restaurant;
- iii) major commercial development, existing and under construction, is present at the north-west corner of the intersection of Steeles Avenue and Main Street South represented by Shopper's World plaza and at the north-east corner by a smaller plaza now under construction.

Motor vehicle fueling outlets in the immediate vicinity include full service gasoline stations at the north-east corner of Orchard Drive and Steeles Avenue about 320 metres (1050 feet) to the west, and to the north 595 metres (1980 feet), at the north-west corner of the intersection of Rambler Drive and Kennedy Road South. Both of these facilities are owned by the same company, but it is noted that at the intersection of Steeles Avenue and Main Street South are gasoline dispensing outlets owned by other firms.

The market or demand for the goods and services that might be provided by the proposed facility is not likely to increase significantly in the immediate locality during the next 5 to 10 years. With the exception of a limited number of dwellings to the west, residential development has reached its maximum level. Similarly, the potential increase in the secondary school market is not likely to increase with explosive force. Industrial development to the east and south will be a potential market, but the gateways to this market of unknown size are situated to the east and south. Therefore the site at the south-east corner of Steeles Avenue and Kennedy Road is not ideal from a land use, traffic nor market perspective.

7.0 Conclusion

Official Plan Amendment Number 1, designated land uses and selected road classifications to complement each other within the context of the urban area. Steeles Avenue function as an arterial road is intended to be protected to the highest degree possible through access control. In a similar manner, access control to Kennedy Road is to be exercised to a high degree.

The uses to be permitted in the locality are intended to recognize the proximity of industrial development to the north, the valued assets of the arterial road system and the local industrial market. Thus, the lands along Steeles Avenue have been designated as Mixed

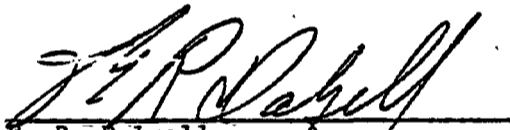
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- 8 -

Commercial-Light Industrial with the intent to accommodate light manufacturing, assembly and storage of goods, retail warehouses, service shops, financial institutions, restaurants. This designation is not intended to permit retail and commercial establishments in the form of a shopping centre.

It is recommended that the application to amend the Official Plan and zoning by-law to permit the erection of a gas bar with retail facilities not be approved.

AGREED:



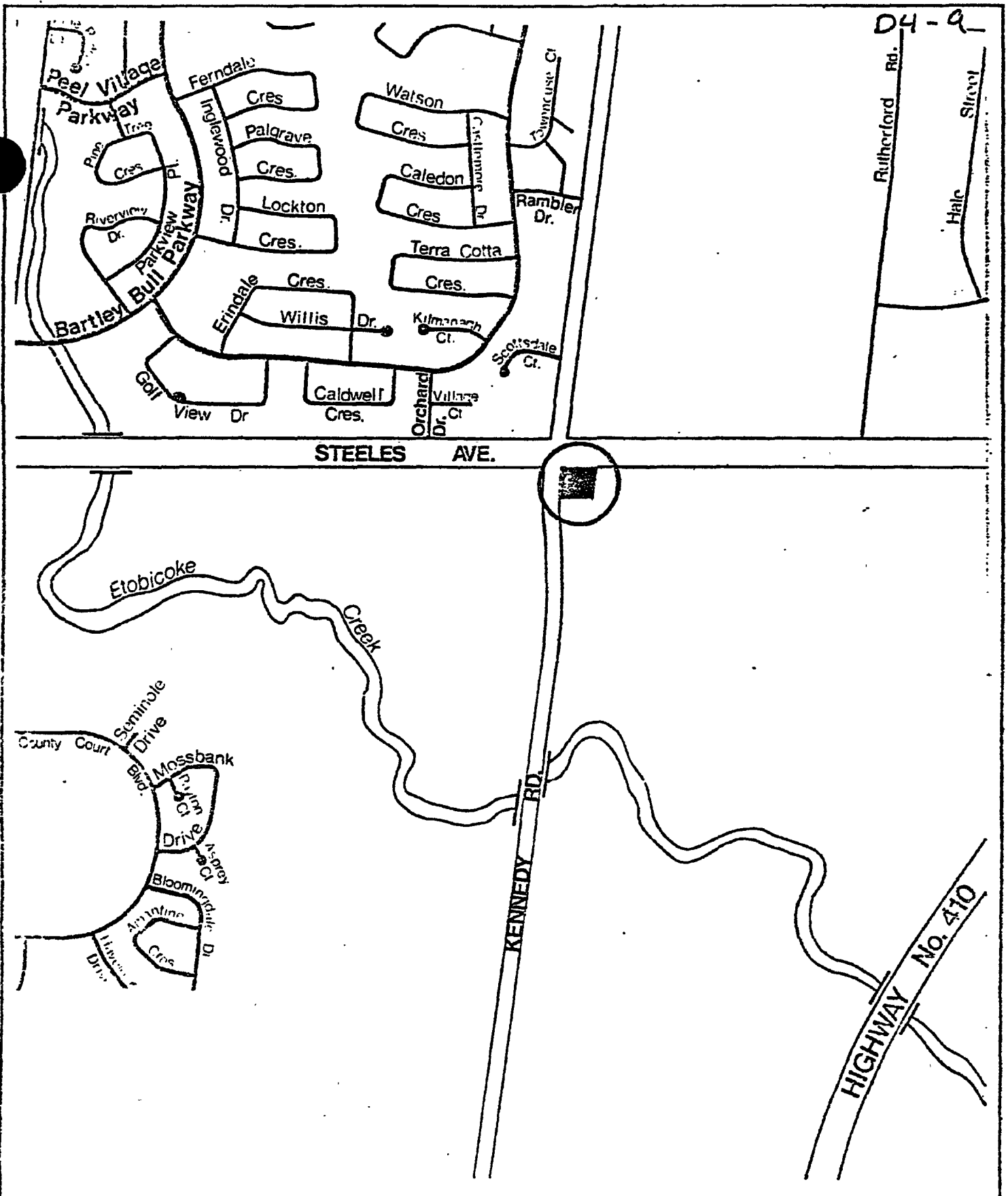
F. R. Dalzell
Commissioner of Planning and
Development



L. W. H. Laine
Director of Planning and
Development Services Div.

Attachments (2)

LWHL/jb/4



LOCATION MAP

ESSO PETROLEUM CANADA

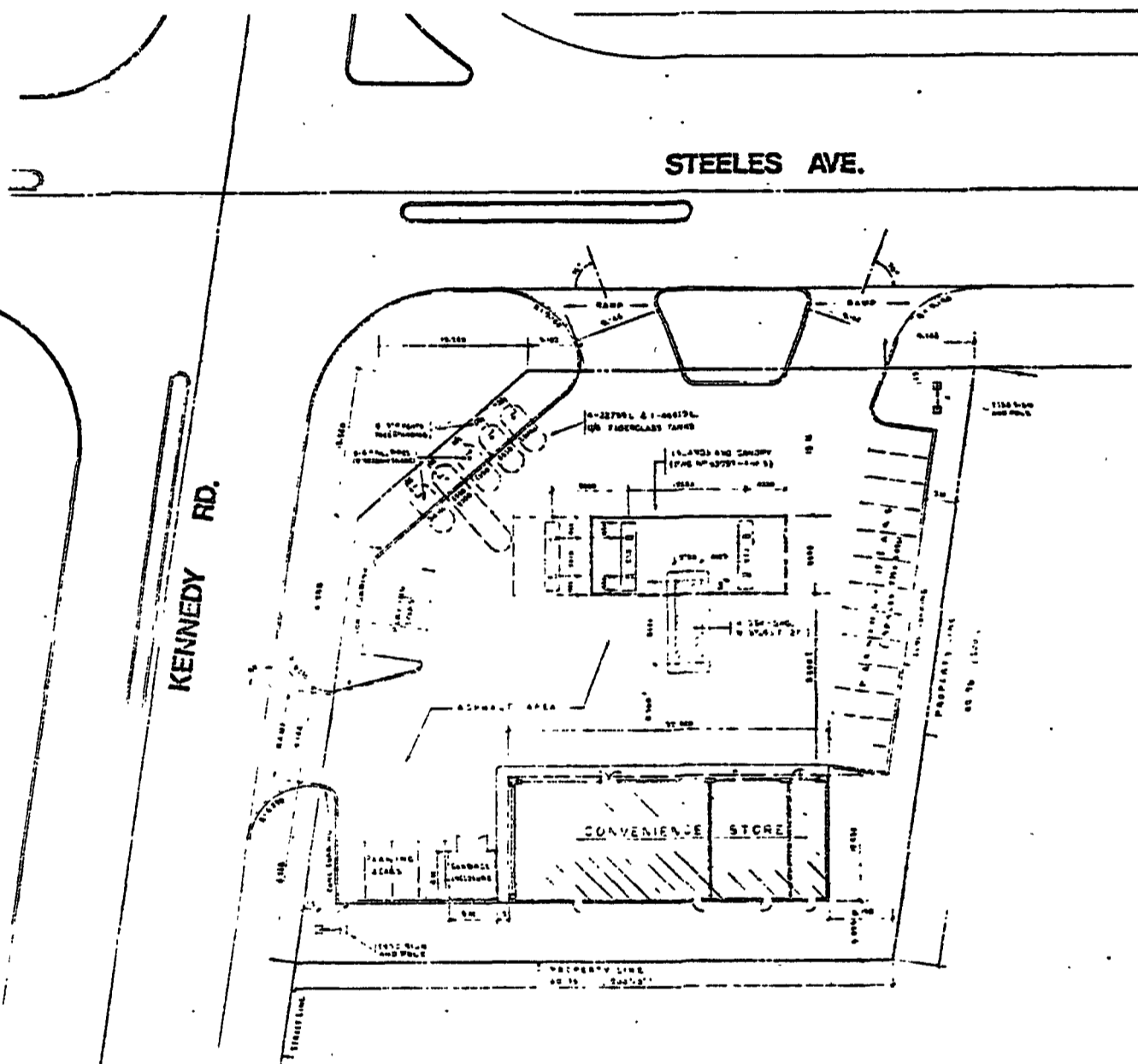


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CITY OF BRAMPTON
Planning and Development

Date: 84. 05 18 Drawn by: J.K.
File no. T2E15.1 Map no. 77-6A

D4-10



SITE PLAN

ESSO PETROLEUM CANADA



1:660

CITY OF BRAMPTON
Planning and Development

Date: 84.05.18 Drawn by: J K
File no. T2E15.1 Map no. 77-6B

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

September 12, 1984

TO: Chairman and Members of Planning Committee

FROM: Planning and Development Department

RE: Application to Amend the Official Plan
and Zoning By-law
Part of Lot 15, Concessions 1 and 2, E.H.S.
and Part of closed Road Allowance
(Toronto Township)
Ward Number 3
ESSO PETROLEUM CANADA
Our File: T2E15.1A

1.0 Background

The notes of the Public Meeting held on Wednesday, July 25, 1984 are attached for the information of Planning Committee. Also attached is a copy of a letter from the law firm of Weir and Foulds, on behalf of ODG Holdings Limited, expressing opposition to the application.

Submissions were presented at the Public Meeting on behalf of ODG Holdings Limited, owners of the Village Plaza situated at the north-west corner of the intersection of Kennedy Road South and Steeles Avenue, and on behalf of Esso Petroleum Canada, in opposition to and in support of the application respectively.

2.0 Additional Comments

Subsequent to the approval of the Planning Committee recommendations by City Council, that the application to amend the Official Plan and Zoning By-law to permit (i) a gas bar, subject to conditions to be laid out by staff, and (ii) to permit a retail convenience centre, be approved, comments have been received from the Peel Board of Education and additional comments from the Region of Peel.

With respect to the comments from the Peel Board of Education, the principal of J. A. Turner Secondary School has expressed major concern regarding the safety of students attending J. A. Turner Secondary School as well as the students attending W. J. Fenton Secondary School. The reasons for the concerns are based upon the following:

- i) over 1,000 students cross the intersection (Steeles Avenue and Kennedy Road) twice a day at rush hours;
- ii) the intersection is dangerous and pedestrians have a difficult time crossing the wide highway, and
- iii) there have been several accidents in front of the school and at the intersection of Kennedy Road and Steeles Avenue and at least 3 students this year have been injured by motor cars or trucks.

Also, it is noted that the convenience plaza, while increasing the traffic would be of less concern, though the gas station with several entrances and exits would seriously affect the safety of students approaching or leaving the schools.

The Region of Peel, Roads and Traffic Division of the Public Works Department has serious concerns regarding the combined usage of a convenience store and gas bar. The Roads and Traffic Division has no objection to a gas bar proposal for the site, but do object to the convenience store facility and therefore recommend against its approval. The Division staff feel that the convenience store alters the traffic patterns and will generate additional volumes using the site. Further, it is their view that the two uses are not compatible on the site regarding the specific size of site parking and its location at a major intersection. It is the Division's recommendation that no access to Steeles Avenue be permitted if the combined proposal is accepted.

The Division advises that if a gas bar proposal only is accepted, a revised site plan ought to be submitted for review with the following regional requirements to be fulfilled:

- i) the median island on Steeles Avenue be extended a sufficient length to control turning movements to right-in and right-out only;
- ii) other road works necessitated by the proposed gas bar and extension of the median island be carried out;
- iii) grading and drainage plans of the site are to be submitted for review and approval, and
- iv) an existing water course, which drains Steeles Avenue, passes through the site, is to be accommodated by a proposal that is acceptable to the City as well.

Brampton Hydro-Electric Commission and Bell Canada facilities appear to traverse the subject site, occupying a former road allowance.

Brampton Hydro has advised that it is not desirous to move its line and would be receptive to have the developer pay compensation for the pole line relocation.

Bell Canada has not responded as yet.

3.0 Revised Proposal

A revised site plan has been submitted by the applicant subsequent to his discussions with representations of ODC Holdings Limited. The revised proposal, copy attached, replaces the former kiosk facility and convenience mall with gross floor areas of 23.1 and 422.765 square metres (248.65 and 4550.7 square feet) respectively, with a smaller facility having a gross floor area of 105.84 square metres (1139.3 square feet) carrying out both purposes.

The number of parking spaces has been reduced accordingly and the revised proposal will make provision for 6 parking spaces.

A garbage enclosure, with a door, will be provided as in the original submission.

4.0 Discussion

The Region of Peel staff have not indicated their comments to the revised site plan. However, regardless of the type of commercial development to take place, there are general development conditions that ought to be fulfilled, as follows:

1. The property owner agree by agreement that the draft plan conditions applicable to the plan of proposed subdivision, Region File Number 21T-81013B, our File Number T2E14.1, Longmoor Building Corporation, be amended to delete the site of the proposed development and to impose along the south and east limit of the site, a 0.3 metre reserve, which shall be conveyed to the City.
2. The applicant agree by agreement to satisfy the requirements of Brampton Hydro, Bell Canada, The Regional Municipality of Peel and the City of Brampton with respect to the relocation of the existing facilities.
3. The applicant agree by agreement that a sidewalk, in accordance with City standards, be constructed along the frontage of Steeles Avenue, or a cash-in-lieu payment equal to the construction cost be made.
4. The applicant agree by agreement that the boulevard of the abutting streets be landscaped in accordance to a landscape plan to be approved by the City and the Region.
5. The applicant agree by agreement to extend the median island on Kennedy Road to a sufficient length to control turning movements to right-in and right-out only.

6. The design, number and location of ingress and egress accesses onto Kennedy Road shall be subject to the approval of the City of Brampton.
7. No outside storage shall be permitted.
8. Garbage and refuse facilities shall be either within the enlarged kiosk building or be completely enclosed, including a roof.
9. A 1.2 metre high chain link fence shall be provided along the south and east property limits and shall be shown on the landscape plan to be approved by the City as part of the site plan approval process.
10. Prior to the issuance of a building permit, the proposed development shall be subject to site plan approval according to the Planning Act. (This requirement will address matters of grading and drainage, etc.)

If the revised proposal of the enlarged kiosk building is acceptable to the Region of Peel, the following additional requirements are required to be fulfilled by agreement:

- i) extend the median island on Steeles Avenue a sufficient length to control turning movements to right-in and right-out only, and
- ii) carry out other road works necessitated by the extension of the median island and the access ramps onto Steeles Avenue.

If the revised site plan is not acceptable and access to Steeles Avenue is to be prohibited, the Region requirements to be fulfilled would be as follows:

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- 6 -

- a) a revised site plan shall be submitted, establishing the location of access ramps to abutting roads, acceptable to the Region and the City, and
- b) the revised site plan shall provide a on-site traffic circulation system that recognizes two classes of uses and offers separate traffic patterns to minimize conflicts and to optimize convenience and clarity of operation.

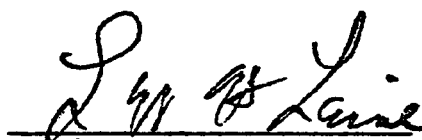
It is recommended that:

1. The notes of the Public Meeting held on Wednesday, July 25, 1984 be received, and
2. Planning Committee, after considering the additional comments from outside agencies, the comments of the objector and the revised site plan, submit an appropriate recommendation to City Council dealing with the revised proposal, and as necessary, direct staff to prepare, for the consideration of City Council, a development agreement, Official Plan amendment and zoning by-law amendment that incorporates the requirements of the various authorities.

AGREED:



F. R. Dalzell
Commissioner of Planning
and Development



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

Attachments - 3

LWHL/jo/4

WEIR & FOULDS
BARRISTERS AND SOLICITORS

D1-7

K.A. FOULDS, O.C.
A. McN AUSTIN
J.D. McKELLAR, O.C.
M.J. McQUAID, O.C.
B. FINLAY O.C.
S.B. STEIN
L.J. O'CONNOR
L.C.E. TANAKA
K. PRENOGAN
J.D. WINBERG
J.E. SARGEANT
B.N. McLELLAN
R.E. HAWKINS
T.G. TITHECOTT
E.A. HALPERN

H.S.O. MORRIS, O.C.
M.S. ARCHIBALD, O.C.
G.J. SMITH, O.C.
N.W.C. ROSS
L.H. MILRAD
W.J. McNAUGHTON
W.A.D. MILLAR
R.S. SLEIGHTHOLM
J.G. COWAN
D.R. ELVER
J.S. PRYPASNAK
J.D. CAMPBELL
J.G. RICHARDS
L.M. DUFFY

J.P. HAMILTON
J.J. CARTHY, O.C.
M.D. O'REILLY, O.C.
W.T.R. WILSON
R.W. ROSENMAN
G.R. BAKER
R.R. WOZENILEK
P.M. PERELL
J.L. LAX
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July 18, 1984

R.A. Everett, Esq.,
City Clerk,
City of Brampton,
150 Central Park Drive,
Brampton, Ontario
L6T 2T9

RECEIVED
CLERK'S DEPT.

JUL 23 1984

REG NO:
FILE NO:

7645
T2E15.1A

Dear Sirs:

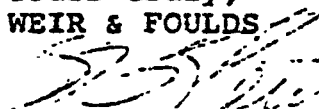
Re: Application by Esso Petroleum Canada
File # T2E15.1A - Ward 3
South-east corner of Kennedy and Steeles

We are writing on behalf of ODG Holdings Limited, the owners of the existing convenience store plaza located at the north-west corner of Steeles and Kennedy.

We have reviewed the planning staff report dated June 11, 1984 respecting this application and wish to endorse the comments and conclusions in opposition to the application.

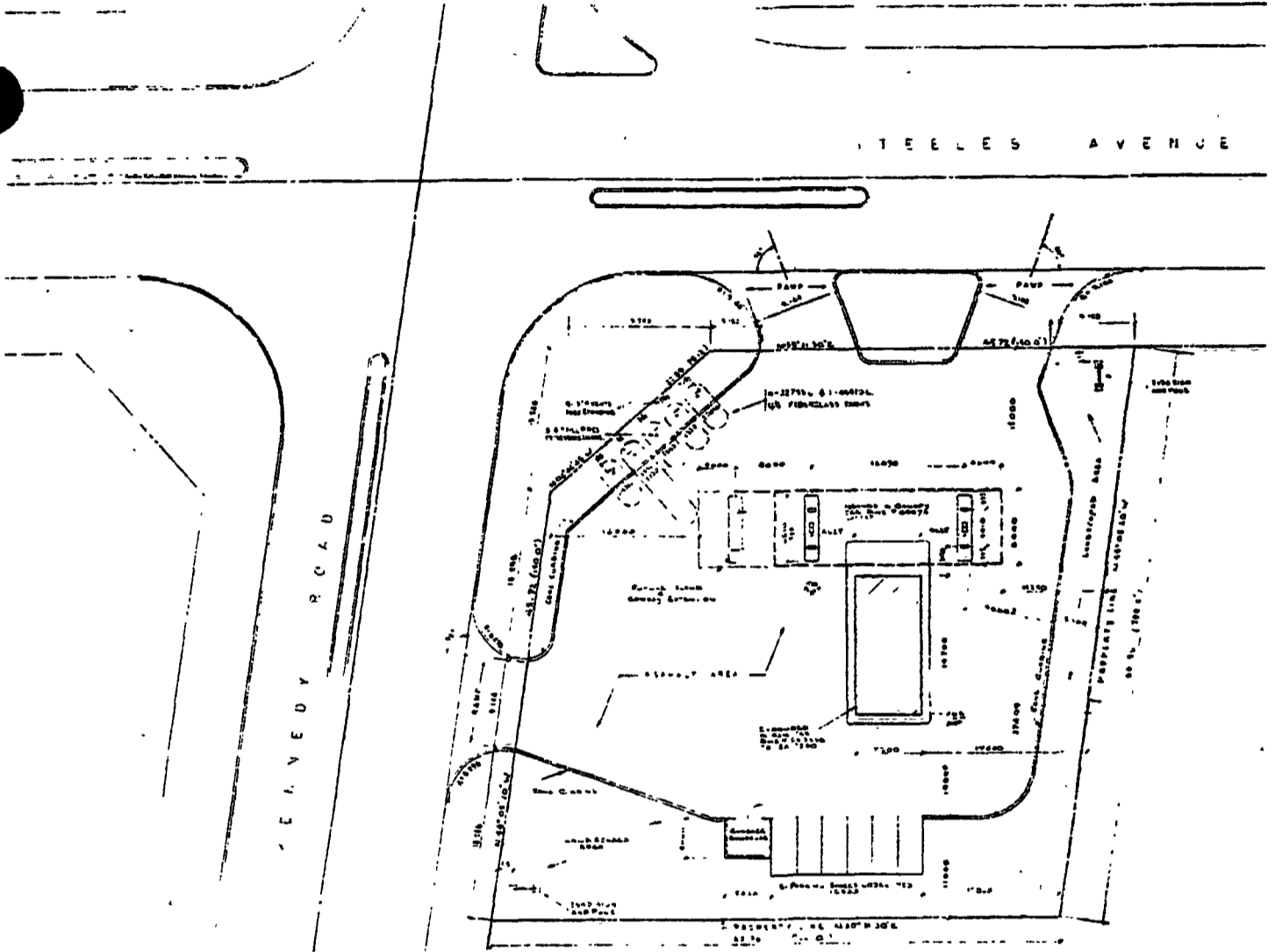
As indicated in the report, there is already existing adequate convenience store facilities in the general area and there is limited potential growth in the market. The additional facilities proposed are not needed in the community. In these circumstances the integrity and intent of the Official Plan should be maintained and the efficiency of the arterial road system should not be diluted.

We understand that there is a public meeting on Wednesday, July 25, 1984 and we ask that this letter be brought to the attention of those conducting the meeting. Please give our office notice of further meetings that may be held respecting this application, the ultimate decision of Council and information respecting any applications or appeals that may be launched to the Ontario Municipal Board or the Minister of Municipal Affairs and Housing.

Yours truly,
WEIR & FOULDS

Stanley B. Stein

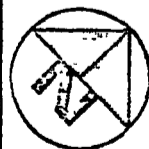
c.c. Anthony Heller, Esq.
ODG Holdings Limited

D1-8



SITE PLAN REVISED

ESSO PETROLEUM CANADA



1:600

CITY OF BRAMPTON
Planning and Development

Date: 84. 09 14 Drawn by: J.K.
File no. T2E15.14 Map no. 77-6C

D1-9

PUBLIC MEETING

A Special Meeting of Planning Committee was held on Wednesday, July 25th, 1984, in the Municipal Council Chambers, 3rd Floor, 150 Central Park Drive, Brampton, Ontario, commencing at 8:16 p.m., with respect to an application by ESSO PETROLEUM CANADA (File: T2E15.1A - Ward 3), to amend both the Official Plan and Zoning By-law to permit the construction of a single storey commercial building.

Members Present: Councillor E. Mitchell - Chairman
Alderman H. Chadwick
Alderman F. Kee
Councillor F. Russell
Alderman E. Carter
Councillor N. Porteous

Staff Present: F. R. Dalzell, Commissioner of Planning and Development
L.W.H. Laine, Director, Planning and Development Services
J. Robinson, Development Planner
D. Ross, Development Planner
E. Coulson, Secretary

Approximately 13 members of the public were in attendance.

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

Mr. Dalzell replied in the affirmative.

Mr. Laine outlined the proposal and explained the intent of the application. After the conclusion of the presentation, the Chairman invited questions and comments from the members of the public. A letter of opposition to the proposal was presented on behalf of ODG Holdings Limited by Weir & Foulds Law Firm.

- cont'd. -

D1-10

- 2 -

Mr. Buhlman of Weir & Foulds Law Firm, spoke on behalf of ODG Holdings, and some tenants, noting support for Planning staff's position in that the proposal is premature and would have an adverse economic impact on the area and would be of no benefit to owners or residents. He noted that the intersection at Steeles and Kennedy is too tight, as is the proposed access, and referred to the Traffic Division's report indicating serious concerns relating to the combined usage of a convenience store and gas bar and therefore recommending against its approval. Also, he voiced concern relating to activity generated by Beckers, Baskin & Robbins, a dry cleaners, etc., noting the opinion that a gas bar would compound the issue.

Mr. D. Culbert, representative of Esso Petroleum, commented on supply and demand, indicating that he has statistics which show a void in the area; Esso feels that as far as roads and traffic are concerned, a gas bar will work on the subject site and other uses compliment gas bar activities, as the site lends itself well to these uses. He noted that there is no mention of Beckers, Baskin & Robbins, etc. in the report.

There were no further questions or comments and the meeting adjourned at 8:30 p.m.

D1-11

WEIR & FOULDS
Barristers & Solicitors

H.S.O. Morris, Q.C.
J.J. Carthy, Q.C.
M.J. McQuaid, Q.C.
L.H. Milrad
G.R. Baker
L.C.E. Tanaka
J.G. Cowan
M.A. Gray
B.N. McLellan
J.G. Richards
J.A. Eberlein

J.P. Hamilton
J.D. McKellar, Q.C.
N.W.C. Ross
R.W. Rosenman
L.J. O'Connor
R.S. Steingholm
J.L. Lax
J.E. Sargeant
J.D. Campbell
L.A. Burger
E.A. Halpern

A. McN. Austin
G.J. Smith, Q.C.
W.T.R. Wilson
S.B. Stein
W.A.D. Millar
P.M. Perell
J.E. Winberg
J.S. Prypasniak
J.M. Buhlman
T.G. Tithecott
D.S. Tarshis

M.S. Archibald, Q.C.
M.D. O'Reilly, Q.C.
B. Finlay, Q.C.
W. J. McNaughton
R.R. Wozeniek
K. Prehogan
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September 12, 1984.

Mr. R.A. Everett,
Clerk,
City of Brampton,
150 Central Park Drive,
Brampton,
Ontario,
L6T 2T9.

Dear Sir,

Re: Application by Esso Petroleum Canada
File No. T2E15.1A - Ward 3, South-East
corner of Kennedy and Steeles

On the 18th of July we wrote to the Town of Brampton indicating our support of the recommendations made by the Planning Department and our objection to the proposed redesignation and rezoning.

On July 25th we attended at the public meeting held by the Planning Committee to express our concerns respecting the Esso application. Following the public meeting we were contacted by Mr. D. Culbert on behalf of Esso Petroleum to discuss our concerns. Between that time and the present, discussions have been taking place in an attempt to resolve the concerns of ODG Holdings (Village Plaza) to the proposal.

It is our understanding that Esso Petroleum is prepared to modify its application before the City to seek a gas bar and kiosk facility of not more than 1000 square feet (93m²).

We can advise the City that our clients have no objection to the Esso Petroleum proposal as revised and support the modified applications for an official plan amendment and zoning by-law.

....2/.

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D1-12

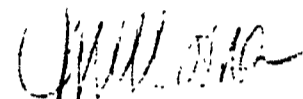
- 2 -

We would appreciate being kept advised of all decisions of planning Committee and Council on the Esso application.

We appreciate your consideration and remain,

Yours very truly,

WEIR & FOULDS



J.M. Noonan

JMN/wh.

c.c. Mr. Len Lane, Planning Dept.,
Mr. A. Heller, ODG Holdings
Mr. D. Culbert.