

Filing Date: March 01, 2023

Hearing Date: March 28, 2023

File: B-2023-0007

**Owner/
Applicant:** MAY JUNIOR HOLDINGS LTD

Address: 0 Winston Churchill Blvd.

Ward: WARD 6

Contact: Simran Sandhu, Planner I

Proposal:

The purpose of the application is to request consent of the Committee of Adjustment to grant an easement having a width of approximately 8.0 metres (26.25 feet); a depth of approximately 62.0 metres (203.41 feet) and an area of approximately 0.050 hectares (0.124 acres). It is proposed that a service utility and sanitary force-main sewer easement be established in favour of the abutting properties municipally known as 8175 and 8310 Winston Churchill Boulevard.

Recommendations:

That application B-2023-0007 is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
2. The subject lands exhibit high archaeological potential because they are within 300 meters of known archaeological sites, present/past water sources or a known cultural heritage resource. The Owner must provide an Archaeological Assessment(s) for all lands within the subject application, and shall mitigate adverse impacts to any significant archaeological resources, found, to the satisfaction of the City and the Ministry of Heritage, Sport, Tourism and Culture Industries. No grading, filling, or any form of soil disturbances shall take place on the subject property prior to the acceptance of the Archaeological Assessment(s) by the City and the Ministry of Heritage, Sport, Tourism and Culture Industries indicating that all archaeological resource concerns have met licensing and resource conservation requirements.

Should a cemetery be discovered during any phase of the Archaeological Assessment(s), topsoil stripping, grading or construction, the Owner shall, at their expense, undertake mitigation measures to the satisfaction of applicable provincial agencies and the Commissioner, Planning and Development Services;

3. Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration;
 4. Arrangement satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements; and,
 5. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.
-

Background:

- **Official Plan:** The subject property is designated 'Industrial' and 'Open Space' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Standard Industrial' in the Bram West Secondary Plan (Area 40a); and
- **Zoning By-law:** The subject property is zoned 'Agricultural (A)' according to By-Law 270-2004, as amended.

Current Situation:

The applicant is requesting to establish utility and sanitary easements in favour of the adjacent property municipally known as 8175 and 8310 Winston Churchill Boulevard. The proposed easement is intended to house infrastructure including a 100mm diameter sanitary force-main, fiber optics and other necessary utilities connecting to 8175 and 8310 Winston Churchill Boulevard. Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,



Simran Sandhu, Planner I

SCHEDULE "A"

**CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE
PLANNING ACT**

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed sanitary easement has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed sanitary easement is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed sanitary easement does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The sanitary easement is suitable for the purposes for which it is to be subdivided.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed sanitary easement does not present any concern with regard to the adequacy of the roadwork network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The shape and dimension of the proposed lot is appropriate and maintains all minimum Zoning By-law requirements.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h) <i>The conservation of natural resources and flood control;</i>	The proposed sanitary easement presents no concerns with regard to flood control and the conservation of natural resources.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.

j) <i>The adequacy of school sites;</i>	The proposed sanitary easement presents no concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed sanitary easement has no impact on matters of energy conservation.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no concerns related to the design of the proposal and matters of Site Plan Control under the Planning Act.