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City of Brampton  
Planning & Development Services  
2 Wellington Street West  
Brampton, ON L6Y 4R2

Dear Ms. Henderson:

**RE: 1879 Queen Street West  
Application for Official Plan Amendment, Zoning By-law Amendment and Draft  
Plan of Subdivision  
Written Submissions of Aviatelle Construction Company Limited  
City File: OZS-2020-0036  
Public Meeting Date: June 7, 2021**

We are the solicitors for Aviatelle Construction Company Limited (“Aviatelle”), the owners of the property municipally known as 1807 Queen Street West (the “Aviatelle Lands”). My client’s property abuts part of the Subject Property to the north and east, as shown on the map attached as Attachment “1”. This letter provides comments from my client on the above noted applications filed on behalf of Jim and Luisa Mocon (the “Applicants”).

### **Increased Height and Density**

Aviatelle does not support the proposed deviation from the Council-endorsed Tertiary Plan to permit a 12-storey apartment building in place of the previously contemplated 6-storey building (on Block 17 of the proposed draft plan of subdivision). The significant increase in height may result in new impacts on the Aviatelle Lands including but not limited to shadowing and overlook. The proposed apartment is located at the boundary between the Subject Lands and the Aviatelle Lands. Although a large portion of the Aviatelle Lands consist of natural heritage elements, the parcel is an existing residential property. Many of the views of the valley referred to in the Planning Justification Report are in fact views to the Aviatelle Lands, and the rendering of the proposed apartment illustrate outdoor platforms overlooking the Aviatelle Lands. It appears likely that these impacts only arise through the increase in height.



## **Environmental Review**

Further environmental review should be required beyond Phase 1 in order to demonstrate a lack of potential impact, in particular to the Aviatelle Lands, given the historical use of the Subject Lands, including use of pesticides and fertilizers and storage of vehicles.

## **Stormwater Management Pond/Townhouse Block**

The proposed development includes a block of 7 townhouses (Block 15 on the proposed draft plan of subdivision) on lands which the Council-endorsed Tertiary Plan contemplates as being part of the Stormwater Management Pond lands. Given the stated concerns below in connection with stormwater management, it would be premature to approve this area for residential development. Doing so imposes unnecessary restraints on the design of the Stormwater Management Pond.

## **Stormwater Management**

It is our understanding that stormwater flows on the Subject Property currently leave the Subject Lands at various locations, but that the proposed development would result in stormwater entirely, or predominantly, outflowing from the Subject Property onto the neighbouring Rotary Club lands into the Huttonville Creek Tributary. This location is immediately upstream of the Aviatelle Lands, resulting in the flows then travelling onto the portion of the tributary on the Aviatelle Lands. This circumstance appears certain to be exacerbated by other development within the Tertiary Plan area outflowing to the same or similar location. Aviatelle is concerned with erosion, siltation and contamination impacts arising as a result of changes to the quantity, quality and velocity of outflow. Aviatelle is further concerned with erosion, siltation and contamination impacts resulting from the proposed emergency overland channel.

Aviatelle is not under any obligation to permit such changes to the quantity, quality or velocity of stormwater flow onto its property, or any outfall structures that might be proposed. It is requested that further study and plan revision be undertaken to demonstrate that the development of the Subject Property as proposed will have no impact on the Aviatelle Lands, including changes to quantity, quality and velocity of stormwater outflow, or impacts from erosion, siltation or contamination. The Application should not be approved in the absence of comprehensive engineering, geomorphology and fluvial morphology, an environmental impact study (in terms of contamination from existing and proposed uses), and a natural heritage features impact study including a comprehensive water balance assessment addressing impacts to natural heritage features on the Aviatelle Lands.



**LOOPSTRA NIXON** LLP  
BARRISTERS AND SOLICITORS

These comments are intended to be provided to City Council as written submissions for the purposes of entitlement of my client to appeal any approvals by the City.

We also request that we be provided with notice and a copy of the decision in this matter.

We trust this is satisfactory. Should you require anything further, please do not hesitate to contact the undersigned.

Yours very truly,  
**LOOPSTRA NIXON LLP**

Per: J. Mark Joblin

c.c. City Clerk ( [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) )  
Client

Attachment "1"  
Location of the Aviatelle Lands

