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**VIA Email (Jeanie.myers@brampton.ca)**

September 30, 2021

City of Brampton, Secretary-Treasurer  
City Clerk's Office, Brampton City Hall  
2 Wellington Street West  
Brampton, Ontario L6Y 4R2

Attention: Jeanie Myers, Secretary-Treasurer

Dear Ms. Myers

**RE: 1817 and 1831 Queen Street West**  
**Part of Lot 5, Concession 4, W.H.S., Parts 1, 2, 3 and 4 on Plan 43R-38582**  
**("Branthaven Lands")**  
**Applicant: Branthaven Queen Street West Inc.**  
**Application No.: B-2021-0021**  
**Hearing Date: October 5, 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"). The Aviatelle Lands are irregularly shaped, abutting the Branthaven Lands along the east and south boundary of the Branthaven Lands, and meeting the lands (1857 Queen Street West) proposed to be the benefitting lands (the "Rotary Lands") at a point in the southeast corner of the Rotary Lands. The Aviatelle Lands are identified on the map attached as Attachment "1".

Aviatelle has previously commented on the Site Plan Application for the Branthaven Lands, as well commenting on applications for an Official Plan Amendment and Zoning Amendment at the Rotary Lands, and an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision at 1879 Queen Street West (the "Mocon Lands"). Aviatelle has a continued interest in all of these lands for which the planning and engineering is interconnected, and in particular as it relates to impacts on the Aviatelle Lands.

Although Aviatelle does not oppose conceptually the re-development of the Branthaven Lands (or the Rotary Lands or Mocon Lands), Aviatelle has expressed concerns regarding engineering, environmental and stormwater impacts as it relates to



the development of the Branthaven Lands (as well as the Rotary Lands and Mocon Lands). These include concerns with stormwater control, including the proposal for one or more stormwater outfalls from the Branthaven Lands to the Rotary Lands.

Conservation Authority staff have verbally confirmed that they are examining the details of the proposed area stormwater functions, and Aviatelle is awaiting a response from the City and the Conservation Authority. The easement proposed in this application is for access, not stormwater outfall. However, considering this continued review, it is foreseeable that changes could be required to the proposed layout of either the Branthaven Lands or the Rotary Lands, either of which could necessitate changes to the site plan for the Branthaven Lands. It would therefore be premature to approve a Consent that sets in place an approved location for the easement. No approval should be granted until the proposed area stormwater controls have been determined in a manner that will not impact the Aviatelle Lands, at which time the easement location can be determined with greater certainty.

Aviatelle has been an active participant in the various planning approvals sought in the area, including for the Branthaven Lands. Aviatelle wishes to continue to participate in discussions to seek a resolution that allows the development of the Branthaven Lands (as well as the Rotary Lands and Mocon Lands) in a manner that does not impact the Aviatelle Lands. A premature approval of the proposed Consent would result in undue hardship to Aviatelle in the form of the cost of a potential appeal of these matters. We request that the matter not be approved pending the satisfactory resolution of a comprehensive planning and engineering exercise for the affected properties, which is already underway.

We also request that we be provided with notice and a copy of the decision in this matter to [MJoblin@loonix.com](mailto:MJoblin@loonix.com).

Please do not hesitate to contact the undersigned should you have any questions.

Yours very truly,  
LOOPSTRA NIXON LLP

Per: J. Mark Joblin