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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: 1857 Queen Street West
Part of Lot 5, Concession 4, W.H.S., Part 1 on Plan 43R-13561 ("Rotary
Lands")
Applicant: Rotary Club of Brampton Glen Community Centre
Application No.: B-2021-0022
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, meeting the Rotary Lands at a point in the southeast corner of the Rotary Lands, and abutting the lands (1817 and 1831 Queen Street West) proposed to be the benefitting lands (the "Branthaven Lands") along the east and south boundary of the Branthaven Lands. The Aviatelle Lands are identified on the map attached as Attachment "1".

Aviatelle has previously provided comments on the other planning applications filed for the Rotary Lands. We note that the Public Notice for this matter indicates under the hearing "Other Planning Act Applications" that the Rotary Lands are subject of an application for an Official Plan Amendment (File Number: OZS-2021-0018). The Public Notice then indicates that the Rotary Lands are not subject of an application for a Zoning By-law Amendment. We understand this to be incorrect; the Rotary Lands are subject to both, under the same File Number.

Aviatelle has previously commented on the Official Plan Amendment and Zoning By-law Amendment Applications for the Rotary Lands, as well as commenting on applications for Site Plan Approval for the Branthaven Lands, and on applications for 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 Rotary Lands (or the Branthaven Lands or Mocon Lands), Aviatelle has expressed concerns regarding engineering, environmental and stormwater impacts as it relates to development of the Rotary Lands (as well as the Branthaven Lands and Mocon Lands). These include concerns regarding stormwater control within the Rotary Lands for its own development proposal, exacerbated by the proposal to locate one or more stormwater outfalls on the Rotary Lands servicing the Branthaven Lands. The current Consent Application is to implement one such stormwater outfall. Based on the proposed redevelopment of the Rotary Lands, Branthaven Lands and Mocon Lands, multiple stormwater outfalls have been proposed to drain from the various lands into the tributary upstream from the Aviatelle Lands.

As Aviatelle is under no obligation to permit changes to quantity, quality or velocity of stormwater flows onto the Aviatelle Lands, Aviatelle has been working with staff from the City and the Conservation Authority to examine the cumulative impacts of the proposed stormwater functions, and has been requesting additional studies be completed in order to resolve concerns with erosion, siltation and contamination impacts arising as a result of changes to the quantity, quality and velocity of flows, as well as determining geomorphology and fluvial morphology impacts.

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. Considering this continued review, it would be premature to approve a Consent that sets in place an approved location for stormwater outfall from the Branthaven Lands to the Rotary Lands. No approval should be granted until the proposed area stormwater controls have been determined in a manner that will not impact the Aviatelle Lands.

Aviatelle has been an active participant in the various planning approvals sought in the area, including for the Rotary Lands. Aviatelle wishes to continue to participate in discussions to seek a resolution that allows the development of the Rotary Lands (as well as the Branthaven 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.

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

Yours very truly,
LOOPSTRA NIXON LLP

Per: J. Mark Joblin