

Public Notice

Committee of Adjustment

APPLICATION # B-2020-0017

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by ROGERS COMMUNICATION INC.

Purpose and Effect

The purpose of the application is to request the consent of the Committee of Adjustment to the grant of an easement having a width of approximately 20.88 metres and a depth of approximately 6.2 metres. The effect of the application is to create an easement in perpetuity for a storm water pipe and outfall in favour of the adjacent property municipally known as 45 West Drive, Brampton.

Location of Land:

Municipal Address: 8200 Dixie Road

Former Township: Chinguacousy

Legal Description: Part of Block A, Plan 640, Parts 2 to 4, Plan 43R-33925

<u>Meeting</u>

The Committee of Adjustment has appointed TUESDAY, September 29, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

PLEASE SEE ATTACHED PARTICIAPTION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

LAST DAY FOR RECEIVING COMMENTS: SEPTEMBER 24, 2020

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the Planning Act for:

Official Plan Amendment: File Number: Zoning By-law Amendment: NO File Number: File Number: Minor Variance: NO

Decision and Appeal

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act. The appeal form is available from the Environment and Land Tribunals Ontario website at www.elto.gov.on.ca

If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

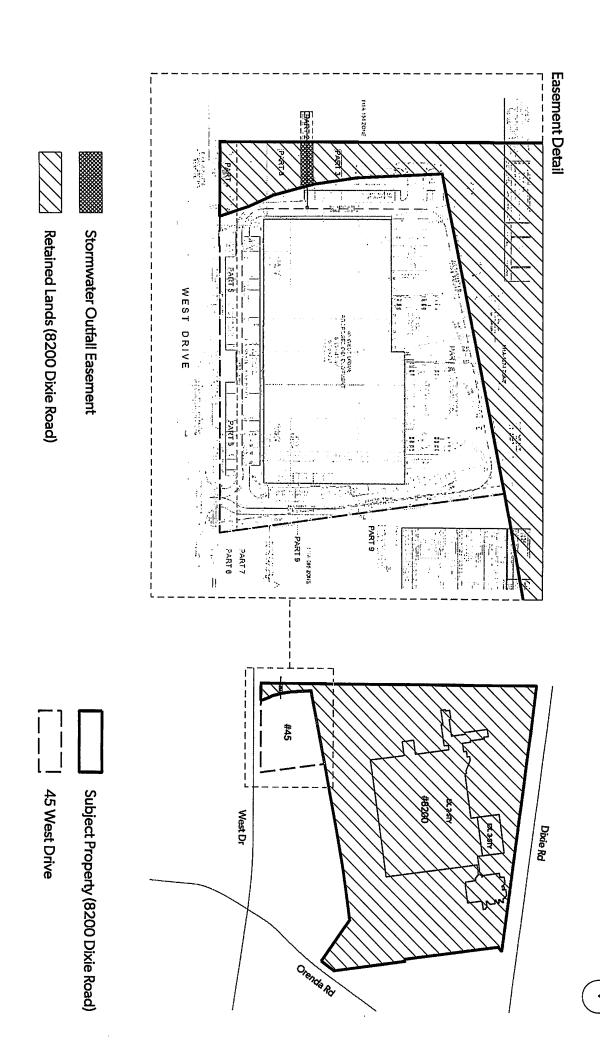
DATED AT THE CITY OF BRAMPTON THIS 10th Day of September, 2020

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

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

Fax: Phone: (905)874-2117

(905)874-2119 Jeanie.myers@brampton.ca





Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

Electronic Hearing Procedures How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

How to Participate in the Hearing:

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than 4:30 pm, Thursday, September 24, 2020.
- Advance registration for applicants, agents and other interested persons is required to
 participate in the electronic hearing using a computer, smartphone or tablet by emailing the
 Secretary—Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by
 4:30 pm, Friday, September 25, 2020.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Friday, **September 25**, **2020**. City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



WESTON CONSULTING

planning + urban design

B-2020-001

City of Brampton Committee of Adjustment 2 Wellington Street W L6Y 4R2

August 28, 2020 File 9153

Attn: Jeanie Myers

Legislative Coordinator, Secretary-Treasurer

Committee of Adjustment

City of Brampton, City Clerk's Office

Dear Madame.

Re:

Committee of Adjustment - Consent for Easement Request

8200 Dixie Road and 45 West Drive

City of Brampton

Related File: SP19-025.000 and C03E03.001

Weston Consulting is the planning consultant for Caplink Limited (Caplink), the registered owner of 45 West Drive in the City of Brampton. Weston Consulting has been assisting with approval of the above referenced site plan application to facilitate the development of an 8,982.58 sqm Food Processing and Distribution Facility. Approval of Zoning By-law 49-2020 was granted by City Council on March 11, 2020 to permit this use.

As part of the site design, a stormwater pipe proposed from the 45 West Drive, under the adjacent shared driveway owned by Rogers Communications Inc. (Rogers) which is municipally known as 8200 Dixie Road (herein referred to as the 'subject lands'), into an outfall within Credit Valley Conservation lands (CVC). It should be noted that all parties involved (City of Brampton Engineering, Region of Peel, Caplink, Rogers, and CVC) have approved the outfall design and have approved the enclosed draft reference plan which illustrates Part 1 as the easement over the shared Rogers' driveway. The 45 West Drive also benefits from vehicular access to Rogers' internal driveway to West Drive via an existing easement. This access has been maintained and incorporated into the Distribution Facility's site design per City staff recommendation.

To allow for the pipe under lands owned by Rogers, Caplink has secured approval via an easement agreement with Rogers which was presented to the City, however we have been directed by City Legal staff to secure an easement in perpetuity through the Rogers lands in favour of Caplink. We are pleased to submit the enclosed Consent Application to the Committee of Adjustment to establish an easement over a storm water sewer pipe located below a shared driveway.

The subject property is located on the east side of West Drive, west of Dixie Road and north of Orenda Road. It is legally described as PART BLOCK A PLAN 640 CHINGUACOUSY PARTS 1, 2, 3 & 4 43R38385

The subject property was part of a Consent Application (File B17-019) with Rogers Communications Inc. which severed the subject lands from the larger Rogers' property and created lot known as 45 West Drive. The subject property is no longer associated with the Rogers property.

To facilitate this easement request on the Rogers lands on behalf of Caplink Limited, please find enclosed:

- A copy of the completed Consent application signed by Rogers Communications Inc;
- Committee of Adjustment Application Fee in the amount of \$3,883;
- A copy of the Site plan illustration the site design;
- A copy of the Servicing Plan illustrating the location of the proposed pipe and outfall; and
- A copy of the draft Reference Plan.

We trust that the enclosed documents are sufficient to facilitate a review of this application and satisfy the requirements for a complete application as described in the *Planning Act*. Please contact the undersigned at ext. 266 or Darrin Cohen at ext. 277 should you have any questions or require any additional information.

Yours truly, Weston Consulting Per:

Martin Quarcoopome, BES, MCIP, RPP Associate

c. Rogers Communications Inc. Caplink Limited



APPLICATION NUMBER:

"B" 2020-0017

The personal information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION

Consent

(Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

) Name of	Owner/Applicant	Rogers Communications	Inc c/o David Chong				
Address	8200 Dixie Road	(print given and family names in full) Brampton L6T 4B8					
Phone #	416-510-2233		Fax #				
Email	david@davidchong	ı.ca					
Name of	Authorized Agent	Weston Consulting c/o M	lartin Quarcoopome				
Address	201 Millway Ave,	Suite 219, Vaughan, L4K 5K	8				
Phone #	905-738-8080 ext 2	66	Fax #				
Email	mquarcoopome@v	vestonconsulting.com					
If known,	property at 45 Wes	t Drive	erpetuity for a storm water pipe and or				
Descript	tion of the subject la	nd ("subject land" means th	e land to be severed and retained):				
a) Name	of Street	Dixie Road	Number_				
b) Conce	ssion No.	C40 + 80E		Plack A:K			
c) Regist	ered Plan No.	640 ; 895		Block A;K			
3.	ence Plan No	-023-05800-40	Lot(s) Geographic or Former Township				
Yes	Х	restrictive covenants affect	ing the subject land? eady in favour of 45 West Dr				

Easement Area (F	art	1)
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6.

a)	Frontage 20.88 Depth	6.2	Area	89.4
b)	Existing Use Shared Driveway	Propos	ed Use Storm water pipe a	nd outfall belo
c)	Number and use of buildings and structur	es (both existin	g and proposed) on the land	d to be severe
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	(proposed No building on ea	rment	wea	
d)	Access will be by:	Existing	Proposed	
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	Municipal Road - Maintained all year			
	Other Public Road			
	Regional Road			
	Seasonal Road			
	Private Right of Way	X		
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	approximate distance of these facilities from		t land and the nearest publ	lic road?
f)	approximate distance of these facilities from		t land and the nearest publ	lic road?
f)		Existing		lic road?
f)	Water supply will be by:	Existing		lic road?
f)	Water supply will be by: Publicly owned and operated water system	Existing		lic road?
f)	Water supply will be by: Publicly owned and operated water system Lake or other body of water Privately owned and operated individual	Existing		lic road?
f) g)	Water supply will be by: Publicly owned and operated water system Lake or other body of water Privately owned and operated individual or communal well	Existing		lic road?
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g)	Water supply will be by: Publicly owned and operated water system Lake or other body of water Privately owned and operated individual or communal well Other (specify): Sewage disposal will be by: Publicly owned and operated sanitary sewer system Privy Privately owned and operated individual or communal septic system Other (specify): ription of retained land: (in metric units) (Rogerated Sanitary Sanitary System)	Existing Existing Existing Existing A General Action of the subject of the su	Proposed Proposed Proposed Area Seed Use Food processing	251,855 facility

	d)	Access will b	e by:		Existing		Proposed		
		Provincial Hi	ghway						
		Municipal Ro	ad - Maiı	ntained all year					
		Other Public	Road						
		Regional Roa	ad						
		Seasonal Ro	ad						
		Private Right	t of Way		x				
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	f)	Water supply	/ will be I	oy:	Existing		Proposed		
		Publicly own	ed and o	perated water system	X				
		Lake or othe	r body of	water					
		Privately own		operated individual					
•		Other (speci	fy):				,		
	g)	Sewage disp	osal will	be by:	Existing		Proposed		
		Publicly owr sewer syster		perated sanitary	X				
		Privy							
		Privately ow or communa		operated individual system					
		Other (speci	ify):						Marian de la companya
8.	What is 1	the current des	signation	of the land in any ap	plicable zo		and official pla	an?	
	Zoning E	By-Law		Industrial 1A		Industrial	1A	· _	
	Official I			Employment Area		Employmen	t Area	-	
	•	egion of Peel		Urban System	-	Urban Syste	em	_	
9.	Has the section	subject land 51 of the Plan	ning Act	en the subject of an or a consent under s on and the decision o	ection 53 c	of the Act and	al of a plan o	of subdivision	under known,
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	File#		-	Status/Decision	·			-	
10.	Has any	land been sev	ered fro	n the parcel originall	y acquired	by the owne	r of the subjec	t land?	
	Yes 🖸	K 1	No 🗀	1					
	Date of	Transfer _	Unknowr	1	Land Us	e Employ	yment		

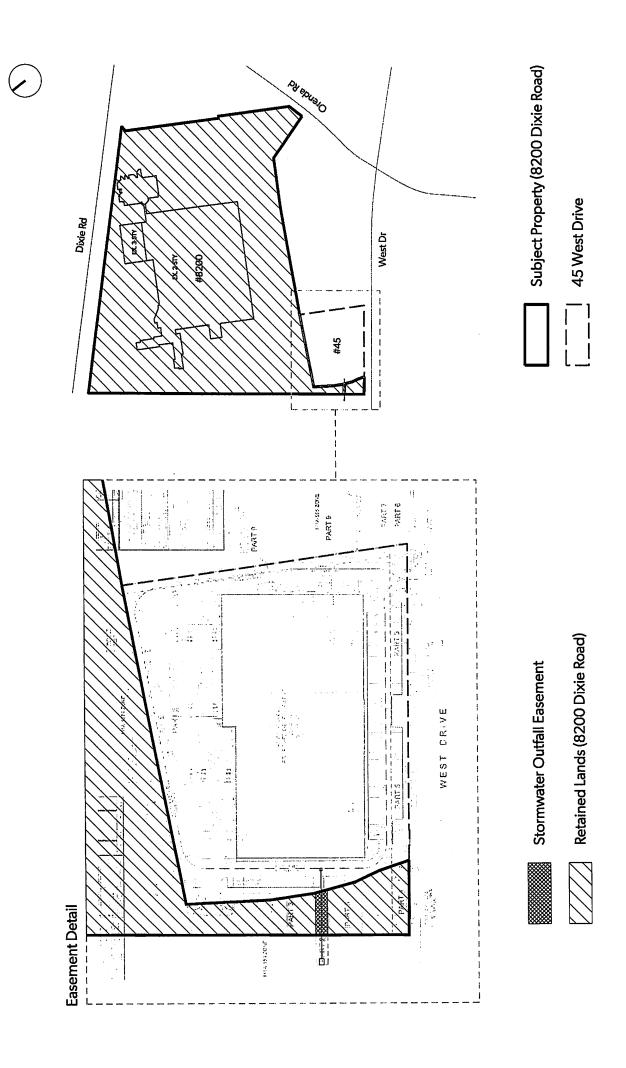
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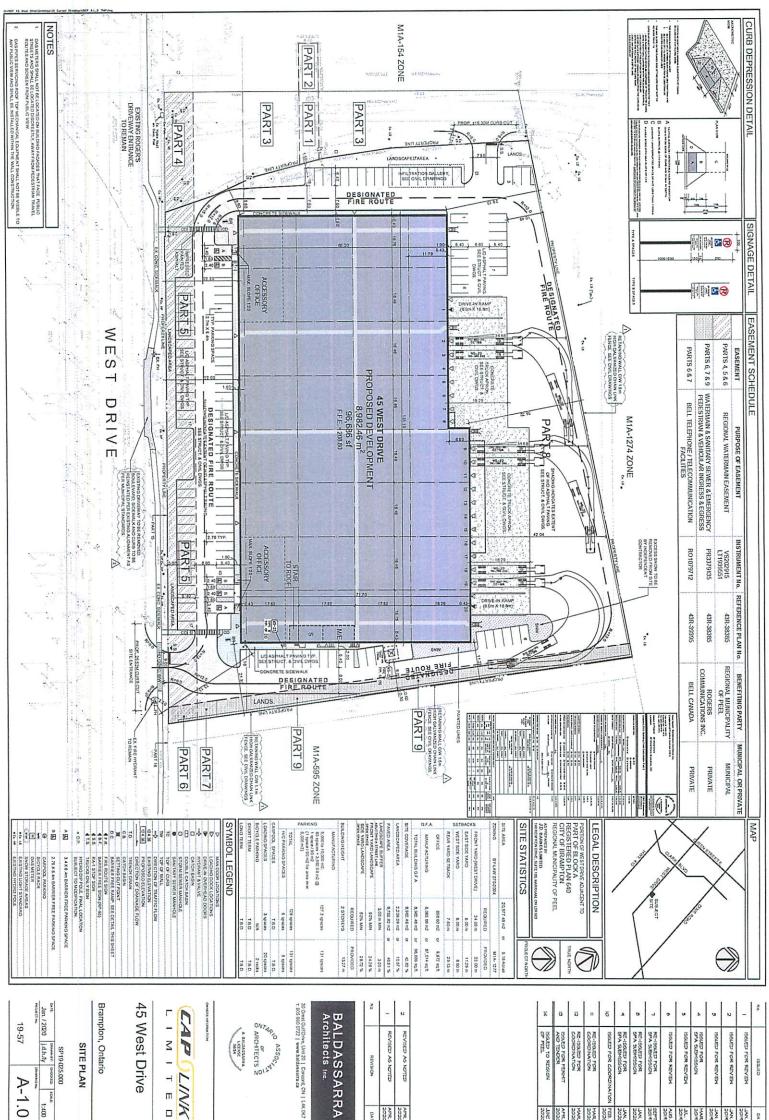
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	11.	If known, is/was the subject land th	ne subject of any of	ther application under the	Planning Act,	such as:
			File Number	Statu	В	
		Official Plan Amendment				
		Zoning By-law Amendment				
		Minister's Zoning Order				
		Minor Variance				
		Validation of the Title				
		Approval of Power and Sale				
		Plan of Subdivision				
	40	I-10				
	12.	Is the proposal consistent with Pol		Yos	X No	g Act?
	13.	Is the subject land within an area o	f land designated u		X No	
	14.	If the answer is yes, does the applic	cation conform to t	he applicable Provincial F Yes		
	15.	If the applicant is not the owner of is authorized to make the applica AGENTS" form attached).	the subject land, t tion, shall be atta	he written authorization, ched. (Seo "APPOINTME	of the owner th ENT AND AUTH	at the applicant IORIZATION OF
	Date	dat the Cha	of Vanglan	^		
	this	28 day of August		20 20 .		
				Check box if a	oplicable:	
		Signature of Applicant, or Authorized Agent, a	see note oo ooyt naga	☐ I have the author		
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			DECLARAT	TON		
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	in the Cou	nty/District/Regional Municipality of	York	sclemnly declare the	at all the stateme	ents contained in t
	application	are true and I make this as if made un	der oath and by virtu	e of "The Canada Evidence	Act".	
	Declared ha	fore me at the City of	Vaughan			
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1	LIDA	for Weston Consulting Expires January	11, 2021			*
		Signature of a Commissioner, etc.				
		FOR OFFICE USE	ONLY - To Be Con	npleted By the Zoning Divisi	on	
		This application has been reviewed v		ole variances required and t		
		, CAh 2			2000	
		Zoning Officer	******************	September 1, 2	2020	
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31,2020





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Brampton, Ontario SITE PLAN

SP19-025.000

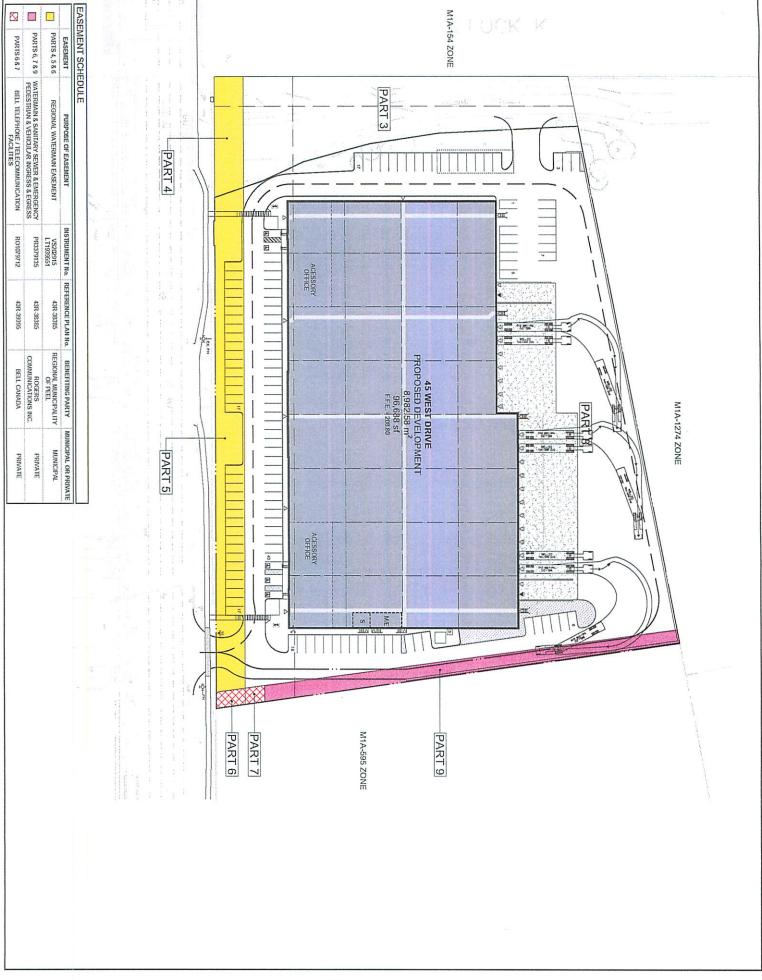
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10 Great Gulf Drive, Unit 20 | Concord, ON | L4K 0K7 r. 905.960.0722 | www.baldassarra.ca O ARCHITECTS A BAUDASSADIA

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45 West Drive

700-7500 Jane St | Vaughan ON | L4K 4R5 - 505-650 0722 | www.baldassarra.ca

BALDASSARRA Architects Inc.

REVISION

DATE

S ARCHITECTS S

A. BALDASSAFRA

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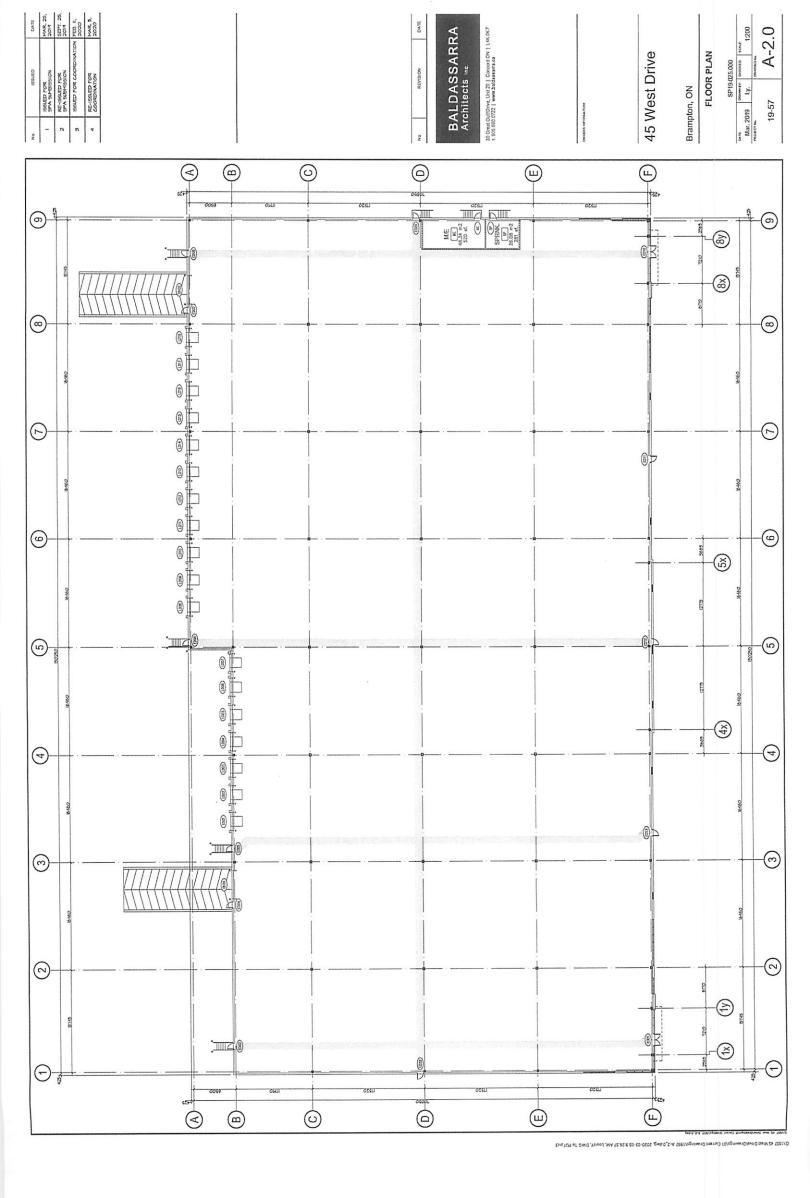
Brampton, Ontario

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EASEMENT PLAN

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