

Filing Date: August 20, 2020

Hearing Date: September 29, 2020

File: B-2020-0017

Owner/Applicant: Rogers Communication Inc. – Martin Quarcoopome
(Weston Consulting)

Address: 8200 Dixie Road

Ward: 3

Contact: Stephen Dykstra, MCIP, RPP, Planner III, Development

Recommendations:

That application B-2020-0017 is supportable, subject to the following conditions being imposed:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary – Treasurer's under the Planning Act shall be given:
 - a. A Secretary- Treasurer's certificate fee shall be paid, in the amount current at the time of issuance of the Secretary – Treasurer's Certificate; and
 - b. Approval of the draft reference(s), as applicable, shall be obtained at the Committee of Adjustment office, and; and the required number of prints of the resultant deposited reference plan(s) shall be received.

Proposal:

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.

Background:

The effect of the application is to create an easement so that there is sufficient water capacity outflow for the development of 45 West Drive. The easement is over lands that are used as a shared driveway for 8200 Dixie Road (Rogers Communications) and 45 West. A previous consent application (B17-019) created the shared driveway as well as the mutual access easement over it. This easement creates an additional easement for engineering purposes.

- **Official Plan:** The subject property is designated 'Industrial' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Prestige Employment' in the Highway 410 and Steeles Secondary Plan(Area 5); and
- **Zoning By-law:** The subject property is zoned "Industrial One – Section 2975 (M1A-2975)" according to By-Law 270-2004, as amended.

Current Situation:

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,



Stephen Dykstra, MCIP, RPP, Planner III, Development

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 consent has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed consent 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 consent does not present any concerns 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 proposed consent is intended to create an easement over lands that already have an easement and will be underground. The proposed use is suitable for the lands.
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 consent does not present any concerns with regard to the adequacy of the roadway network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The proposed consent does not present any concerns with lot shapes or dimensions
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>	The proposed consent does not propose to create an additional lot.
h) <i>The conservation of natural resources and flood control;</i>	The proposed consent does not impact the natural resources and is intended to facilitate the proper control of water resources.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and/or municipal services.

j) <i>The adequacy of school sites;</i>	There are 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 is no need for additional lands to be dedicated 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 consent 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>	The proposed consent will facilitate the development of the lands at 45 West Drive. The Site Plan will be able to be completed as a result of this consent.