



1 York St, Suite 1100  
Toronto, Ontario  
M5J 0B6

To: Clara Vari, Legislative Coordinator, City of Brampton  
From: Griffin Brockman, Manager, Development, BGO  
Date: October 10, 2023  
Re: Withdraw of Application for Consent for Easement  
297 Rutherford Road and 0 Glidden Road  
City File No: B-2023-0022

Hello,

BGO, on behalf of the owner BentallGreenOak Prime Canadian Investments I LP, would like to withdraw its Consent application to permit a proposed easement at the above-noted address (City file no. B-2023-0022).

Recent business activities render the easement no longer necessary.

As the application will not be going back to Committee, BGO would like to request to Committee on October 24, 2023, for a refund for the fees. We appreciate your consideration in advance.

Thank you,

Griffin Brockman

A handwritten signature in black ink, appearing to be "Griffin Brockman", written over a horizontal line.



**Application for Consent**Section 53 of the *Planning Act*, R.S.O. 1990 c.P.13

**Application Number:** B-2023-0022  
**Property Address:** 297 RUTHERFORD ROAD SOUTH AND 0 GLIDDEN ROAD  
**Legal Description:** LOT 2, CON 2, EHS, PLAN 21-132-05  
**Agent:** MHBC PLANNING LTD. c/o David McKay  
**Owner(s):** BENTALLGREENOAK PRIME CANADIAN INVESTMENTS,  
**Other applications:** nil  
**under the *Planning Act***  
**Meeting Date and Time:** Tuesday, OCTOBER 24, 2023, at 9:00 am  
**Meeting Location:** Hybrid in-person and virtual meeting – Council  
Chambers, 4<sup>th</sup> Floor Brampton City Hall, 2 Wellington  
Street West

**Purpose and Effect of the Application:**

The purpose of the application is to request consent from the Committee of Adjustment to the grant of an easement having a width of approximately 6.02 metres (19.75 feet), a depth of approximately 180.3 metres (591.53 feet) and an area of 1082.2 square metres (0.27 acres). It is proposed that a servicing easement (installation of a new sewer pipe) depicted as Parts 1, 2, 3 and 4 on a draft reference plan be established over Parts 3, 4, 5 and 6 in favour of Parts 1 and 2 on Reference Plan 43R-40858.

**Participate in the Meeting:**

- Send an email with your written comments to [coa@brampton.ca](mailto:coa@brampton.ca). Written submissions must include your name and mailing address, the application number or property address you are commenting on, and must be received no later than **4:30 pm on Thursday, October 19, 2023**.
- Participate in person by attending the meeting on the date and time noted above. You are encouraged to register for in person attendance by emailing [coa@brampton.ca](mailto:coa@brampton.ca) and indicating if you plan to address Committee.
- Participate virtually (computer, tablet or smartphone). To participate virtually via WebEx, you must register in advance, no later than **4:30 pm on Thursday, October 19, 2023** by emailing [coa@brampton.ca](mailto:coa@brampton.ca), and providing your name, mailing address, phone number and email address. Confirmation of registration and participation instructions will be provided.

**Note:** Information provided in your correspondence, virtual or in-person delegation will become part of the public record and will be posted on the City's website. If you do not participate in the public meeting, Committee may make a decision in your absence and you will not be entitled to any further notice in the proceedings.

**Viewing Application Materials:** The application and related materials are available online at [www.brampton.ca/en/city-hall/meetings-agendas](http://www.brampton.ca/en/city-hall/meetings-agendas) and may be viewed in person in the City Clerk's Office during regular business hours. More information regarding the Committee of Adjustment is available at [www.brampton.ca](http://www.brampton.ca).

**Appeal Process:** If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary Treasurer. Contact details are provided below.

Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. 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.

Dated this 5th day of October, 2023

Secretary Treasurer  
Committee of Adjustment, City Clerk's Office  
2 Wellington Street West, Brampton, L6Y 4R2  
P: 905.874.2117  
E: [coa@brampton.ca](mailto:coa@brampton.ca)



Flower City



brampton.ca

APPLICATION NUMBER:

"B"-2023-0622  
AMENDED

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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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.

1. (a) Name of Owner/Applicant BentallGreenOak Prime Canadian Investments I LP  
(print given and family names in full)  
Address 1 York Street, Suite 1100, Toronto, Ontario, M5J 0B6  
  
Phone # 416-994-0444 Fax # \_\_\_\_\_  
Email ryan.moore@bgo.com

(b) Name of Authorized Agent MHBC Planning Ltd. (c/o David McKay)  
Address 7050 Weston Road Suite 230 - Vaughan, ON  
  
Phone # 905-761-5588 Fax # 905-761-5589  
Email dmckay@mhbcp.com

2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.  
Specify: To permit a consent for easement for installation of a new sewer pipe over Parts 3, 4, 5 and 6 of Plan 43R-40858 in favour of Parts 1 and 2 of Plan 43R-40858 as shown on the draft r-plan in Parts 1, 2, 3 & 4.

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.  
\_\_\_\_\_

4. Description of the subject land ("subject land" means the land to be severed and retained):  
a) Name of Street Rutherford Road & Glidden Road Number 297 & 0  
b) Concession No. 2, E.H.S Lot(s) 2  
c) Registered Plan No. \_\_\_\_\_ Lot(s) \_\_\_\_\_  
d) Reference Plan No. 21-132-05 Lot(s) \_\_\_\_\_  
e) Assessment Roll No. 211002002114920 Geographic or Former Township Chinguacousy

5. Are there any easements or restrictive covenants affecting the subject land?  
Yes  No   
Specify: INST. No. BR40585 and BR43420, VS185790, VS131530



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

August 3, 2023

Jeanie Myers  
Secretary- Treasurer  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

Dear Ms. Myers:

**RE: APPLICATION FOR CONSENT FOR EASEMENT  
297 RUTHERFORD ROAD SOUTH and 0 GLIDDEN ROAD, BRAMPTON  
OUR FILE: Y5122BM**

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Further to our discussions, please find enclosed:

1. An updated application form; and
2. Reference Plan 43R-40858.

Question 2 of the application form has been updated to clarify that the easement consists of Parts 1, 2, 3 and 4 of the draft reference plan (provided previously). The easement would be over Parts 3, 4, 5 and 6 of Plan 43R- 40858 in favour of Parts 1 and 2 of Plan 43R-40858. These lots were approved to be created through Consent Application B-2022-0016 on November 15<sup>th</sup>, 2022.

Trusting the above clarifies matters.

Thank you.

Yours truly,

**MHBC**

David A. McKay, MSc, MLAI, MCIP, RPP  
Vice President and Partner

*Encl.*



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

July 21, 2023

Jeanie Myers  
Secretary- Treasurer  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

B-2023-0022

Dear Ms. Myers:

**RE: APPLICATION FOR CONSENT FOR EASEMENT  
297 RUTHERFORD ROAD SOUTH and 0 GLIDDEN ROAD, BRAMPTON  
OUR FILE: Y5122BM**

On behalf of our client, BentallGreenOak Prime Canadian Investments I LP (hereinafter referred to as the "Owner"), we are pleased to submit this application for Consent to permit a proposed easement on the lands municipally addressed as 297 Rutherford Road South and 0 Glidden Road in the City of Brampton (hereinafter referred to as the "Subject Lands"). The Subject Lands are located on the west side of Rutherford Road South, south of Glidden Road, and contain a land area of 7.22 hectares (17.84 acres). This application is associated with the Site Plan Approval Application (City File No. SPA-2022-0081) for this proposal which was initially submitted on April 26<sup>th</sup>, 2022 and has been resubmitted most recently in March 2023. Further, in terms of the Consent application, a previous application was submitted and approved as of November 15<sup>th</sup>, 2022 to sever the Subject Lands into two separate parcels based on conditions as they had merged upon title upon purchase by the Owner.

In support of the application, please find enclosed the following:

- One (1) digital copy of the Consent Application Form inclusive of Authorization Letter and Permission to Enter;
- One (1) digital copy of the Draft Reference Plan, prepared by Rouse Surveyors; and
- One (1) cheque of \$4,391.00 for the Consent Application.

**PROPOSAL DESCRIPTION**

The Subject Lands currently consist of two distinct separate lots which previously merged on title. The lot fronting onto Rutherford Road contains an existing 2-storey industrial building that fronts onto Rutherford Road South, with parking and two access points to Rutherford Road. The lot fronting onto 0 Glidden Road contains an existing aggregate recycling facility with a small weigh station hut. The site occupy a total lot area of 7.22 hectares with +/- 128 m of frontage along Rutherford Road and +/- 141 m of frontage along Glidden Road.

As mentioned previously, a Site Plan Approval application (City file no. SPA-2022-0081) has been put forward to redevelop the site to include two warehouse buildings with a total of 31,609 sq.m of GFA across both buildings.

**APPLICATION FOR CONSENT FOR EASEMENT**

The Owner is seeking approval to allow for an easement on the Subject Lands from Rutherford Road South that leads to Lot 2 for the purposes of installing a new sewer pipe located on the east side of the Subject Lands. The easement is made up of Part 1 through Part 4 and has a total area of 1,082.2 in m<sup>2</sup>. The proposed consent for easement will permit the following easement for the Subject Lands in detail below:

<u>Easement Description</u>	<u>Part No.</u>	<u>Part of Lot</u>	<u>Concession</u>	<u>All of PIN</u>	<u>Area (m<sup>2</sup>)</u>
Installation of a new pipe	1	2	2, E.H.S	14031-0015(LT)	12.0
	2				742.0
	3				73.2
	4				255.0

**CONSENT FOR EASEMENT EVALUATION**

We have reviewed the proposed consent against the development criteria of Section 53 (24) of Planning Act as well as those of the Official Plan and are of the opinion that the proposed consent for easement request is appropriate, reasonable and meets the relevant development criteria.

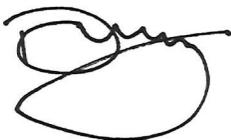
**SUMMARY**

In conclusion, we believe the requested consent application for easement is in the public interest and represent good planning. The proposed consent for easement would maintain the general pattern of the existing lot fabric within the area and will allow the opportunity for separate ownerships for future development within the City.

If you have any questions, please do not hesitate to contact us.

Yours truly,

**MHBC**



David A. McKay, MSc, MLAI, MCIP, RPP  
Vice President and Partner



Daniel Della Torre, BURPI  
Planner

*cc. clients*  
*Encl.*



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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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.

1. (a) Name of Owner/Applicant BentallGreenOak Prime Canadian Investments I LP  
(print given and family names in full)  
 Address 1 York Street, Suite 1100, Toronto, Ontario, M5J 0B6  


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 Phone # 416-994-0444 Fax # \_\_\_\_\_  
 Email ryan.moore@bgo.com

(b) Name of Authorized Agent MHBC Planning Ltd. (c/o David McKay)  
 Address 7050 Weston Road Suite 230 Vaughan, ON  


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 Phone # 905-761-5588 Fax # 905-761-5589  
 Email dmckay@mhbcpplan.com

2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.  
 Specify: To permit a consent for easement for installation of a new sewer pipe in favour of Parts 1, 2, 3 & 4

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.  
 \_\_\_\_\_

4. Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street	<u>Rutherford Road &amp; Glidden Road</u>	Number	<u>297 &amp; 0</u>
b) Concession No.	<u>2, E.H.S</u>	Lot(s)	<u>2</u>
c) Registered Plan No.	_____	Lot(s)	_____
d) Reference Plan No.	<u>21-132-05</u>	Lot(s)	_____
e) Assessment Roll No.	<u>21 1002002114920</u>	Geographic or Former Township	<u>Chinguacousy</u>

5. Are there any easements or restrictive covenants affecting the subject land?  
 Yes  No   
 Specify: INST. No. BR40585 and BR43420, VS185790, VS131530

6. Description of severed land: (in metric units)

a) Frontage 6.02 m Depth 180.3 m Area 1,082.2 m<sup>2</sup>

b) Existing Use \_\_\_\_\_ Proposed Use \_\_\_\_\_

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:  
(existing) \_\_\_\_\_  
(proposed) \_\_\_\_\_

d) Access will be by:	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input type="checkbox"/>	<input type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?  
\_\_\_\_\_

f) Water supply will be by:	Existing	Proposed
Publicly owned and operated water system	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	_____	

g) Sewage disposal will be by:	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	_____	

7. Description of retained land: (in metric units)

a) Frontage 122.4 m Depth 178.31 m Area 23,227.8 m<sup>2</sup>

b) Existing Use \_\_\_\_\_ Proposed Use \_\_\_\_\_

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:  
(existing) \_\_\_\_\_  
(proposed) \_\_\_\_\_

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input type="checkbox"/>	<input type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

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f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input type="checkbox"/>	<input type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	_____	

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	_____	

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	Land to be Severed	Land to be Retained
Zoning By-Law	<u>Industrial M2</u>	<u>Industrial M2</u>
Official Plans City of Brampton	<u>Industrial</u>	<u>Industrial</u>
Region of Peel	<u>Urban System</u>	<u>Urban System</u>

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes  No

File # B-2022-0016 Status/Decision Approved

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes  No

Date of Transfer November 2022 Land Use Employment

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
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	_____	_____
Site Plan Approval	SPA-2022-0081	3rd Resubmission

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the Planning Act? Yes  No

13. Is the subject land within an area of land designated under any Provincial Plan? Yes  No

14. If the answer is yes, does the application conform to the applicable Provincial Plan? Yes  No

15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the City \_\_\_\_\_ of Toronto \_\_\_\_\_

this 19 day of July, 2023.

Signature of Applicant, or Authorized Agent, see note on next page

Check box if applicable:

I have the authority to bind the Corporation

DECLARATION

I, David McKay of the City of Toronto in the County/District/Regional Municipality of \_\_\_\_\_ solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Vaughan

in the Region of York

this 19 day of July, 2023.

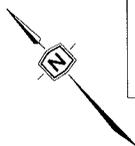
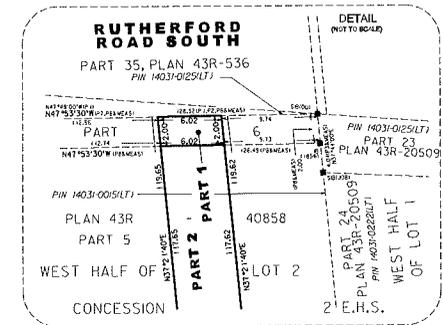
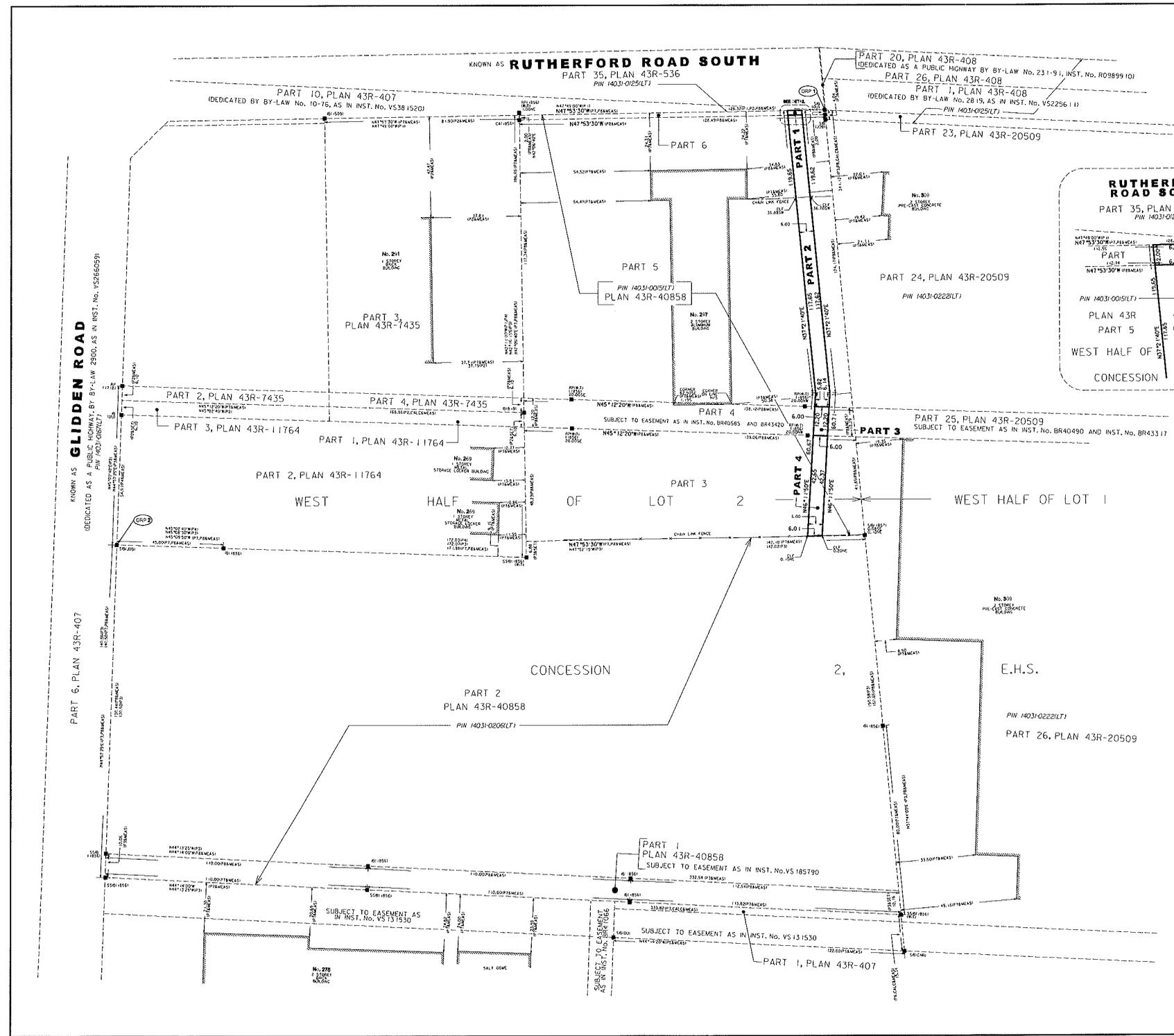
Signature of applicant/solicitor/authorized agent, etc.

Debra Sue Walker, a Commissioner, etc.,  
Province of Ontario, for MHBC Planning Limited.  
Expires February 14, 2026.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division	
This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.	
_____ Zoning Officer	_____ Date

SCHEDULE			
PART NO.	PART OF LOT	CONCESSION	ALL OF PIN
1			12.0
2			7.2
3	2	2 E.H.S.	73.2
4			266

PART 3 - SUBJECT TO EASEMENT AS IN INST. NO. BR4086 & NO. BR4020



PLAN OF SURVEY OF  
PART OF LOT 2  
CONCESSION 2  
EAST OF HURONTARIO STREET  
GEOGRAPHIC TOWNSHIP OF CHINGUAOCOUSY  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL



ROUSE SURVEYORS INC.  
THE INTENDED PLOT SIZE OF THE PLAN IS 915mm  
IN WIDTH BY 610mm IN HEIGHT WHEN PLANNED AT  
SCALE OF 1:750

METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES  
BEARINGS ARE TRUE GRID, DERIVED FROM OBSERVED REFERENCE POINTS 1 AND 2, AT 0.1M SCALE. THE KENNEDY (KTN) NETWORK OBSERVATIONS, UTM, ZONE 17, NAD83 (2011).

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SB DENOTES STAINLESS STEEL BENCH MARK
- SB8 DENOTES 8" STANDARD IRON BAR
- RM DENOTES IRON ROD
- RP DENOTES ROCK ROSETTE
- SP DENOTES SPARKER'S POINT
- SP2 DENOTES DONALD PETER MILEAN, O.L.S.
- SP3 DENOTES BRUCE GUY BARNETT LTD., O.L.S.
- SP4 DENOTES DUNCAN ARMWORTH, O.L.S.
- SP5 DENOTES RICHARD GUY BARNETT LTD., O.L.S.
- SP6 DENOTES SCARLE BURWORTH INC., O.L.S.
- SP7 DENOTES TEAM BENTLEY LIMITED, O.L.S.
- SP8 DENOTES CLARENCE BARNETT, O.L.S.
- SP9 DENOTES CLARENCE NATIONAL RAILWAYS
- SP10 DENOTES CLARENCE NATIONAL RAILWAYS
- SP11 DENOTES CLARENCE NATIONAL RAILWAYS
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- SP92 DENOTES CLARENCE NATIONAL RAILWAYS
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- SP98 DENOTES CLARENCE NATIONAL RAILWAYS
- SP99 DENOTES CLARENCE NATIONAL RAILWAYS
- SP100 DENOTES CLARENCE NATIONAL RAILWAYS

FOR READING COMPARISON, A ROTATION OF AN IRON COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 43R-536, PLAN 43R-1176, PLAN 43R-1176 AND PLAN OF SURVEY BY DUNCAN ARMWORTH BURNING LTD., O.L.S., DATED SEPTEMBER 16, 2007. BEARINGS TO 2007 TO ACCOMMODATE FOR DIFFERENT REFERENCE MERIDIAN.

DISTANCES SHOWN ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997.

**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON 8.8.2023.

DATE 8.8.2023 LAUREN E. DAVE  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-XXXXX.



2840 HATHURON BLVD. E. MISSISSAUGA, ONTARIO, L4X 1A9  
T: 416-592-3333 F: 416-436-7940 R: ROUSE.SURVEYORS.COM

DRAWN BY JAMWV CHECKED BY LED REFERENCED TO 21184-6  
FILED 8/10/2023 11:30:00 AM 11/13/23 6.00M DATED JUNE 21, 2023

COORDINATES SHOWN CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

GRP	NORTHING	EASTING
1	+ 437 121.17	612 241.28
2	+ 437 083.03	612 241.69

**APPLICATION # B-2023-0022**  
**Ward # 3**

**NOTICE OF AN APPLICATION FOR CONSENT**

An application for consent has been made by made **BENTALLGREENOAK PRIME CANADIAN INVESTMENTS 1 LP**

**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 6.02 metres (19.75 feet), a depth of approximately 180.3m (591.53 ft) and an area of 1082.2 square metres (0.27 acres). It is proposed that a servicing easement (installation of a new sewer pipe) depicted as Parts 1, 2, 3 and 4 on a daft reference plan be established over Parts 3, 4, 5 and 6 in favour of Parts 1 and 2 on Reference Plan 43R-40858.

**Location of Land:**

Municipal Address: 297 Rutherford Road South and 0 Glidden Road

Former Township: Chinguacousy

Legal Description: Part of Lot 2, Concession 2 E.H.S.

**Meeting**

The Committee of Adjustment has appointed **TUESDAY, August 22, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4<sup>th</sup> 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 PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

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**LAST DAY FOR RECEIVING COMMENTS: AUGUST 17, 2023**

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**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:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	NO	File Number:

**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 Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*. The appeal form is available from the Environment and Land Tribunals Ontario website at <https://olt.gov.on.ca/appeals-process/forms/>

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 3rd Day of August, 2023.

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  
Phone: (905)874-2117 Fax: (905)874-2119  
[Jeanie.myers@brampton.ca](mailto: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 and/or as a hybrid meeting (both in-person and electronically).**

**Electronic/Hybrid Hearing Procedures  
How to get involved in the Hybrid Hearing**

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **August 22, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

**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, August 17, 2023.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, August 17, 2023.**
  2. To participate in-person, please email the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, August 17, 2023.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. 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 **Thursday, August 17, 2023.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- 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/hybrid 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

August 18, 2023

Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

To whom it may concern:

**RE: REQUEST TO DEFER, CONSENT FOR EASEMENT APPLICATION  
297 RUTHERFORD ROAD SOUTH and 0 GLIDDEN ROAD, BRAMPTON  
CITY APPLICATION NO. B-2023-0022  
OUR FILE: Y5122BM**

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On behalf of our client, BentallGreenOak Prime Canadian Investments I LP (hereinafter referred to as the "Owner"), we are requesting a deference of the Consent for Easement application. An upcoming Committee of Adjustment hearing was scheduled for this upcoming Tuesday, August 22<sup>nd</sup>, 2023. The reason for the request is the Owner is reevaluating the project and may not need to proceed with the Consent for Easement application.

Thank you.

Yours truly,  
**MHBC**

A handwritten signature in black ink, appearing to read 'David McKay'.

David A. McKay, MSc, MLAI, MCIP, RPP  
Vice President and Partner

*Encl.*