

# Public Meeting Notice Committee of Adjustment

#### **Application for Consent**

Section 53 of the Planning Act, R.S.O. 1990 c.P.13

Application Number: B-2023-0021

Property Address: 100 EXCHANGE DRIVE

Legal Description: BLKS 1 and 2, PLAN 43M-1624
Agent: DIPOCE MANAGEMENT LIMITED

Owner(s): 1217246 ONTARIO INC.,

Other applications: B-2023-0025 and A-2023-0226

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, 4th Floor Brampton City Hall, 2 Wellington

**Street West** 

#### Purpose and Effect of the Application:

The purpose of the application is to request the consent of the Committee of Adjustment to the grant access to the proposed industrial warehouse on 0 Exchange Drive. To grant an easement over 100 Exchange Drive in favour of 0 Exchange Drive in order to provide access. To grant an access easement over 100 Exchange Drive in favour of 175 Sun Pac Blvd.

#### Participate in the Meeting:

- Send an email with your written comments to <u>coa@brampton.ca</u>. 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 <u>coa@brampton.ca</u> 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 <a href="mailto:coa@brampton.ca">coa@brampton.ca</a>, 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 <a href="https://www.brampton.ca/en/city-hall/meetings-agendas">www.brampton.ca/en/city-hall/meetings-agendas</a> 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 <a href="https://www.brampton.ca">www.brampton.ca</a>.

**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.

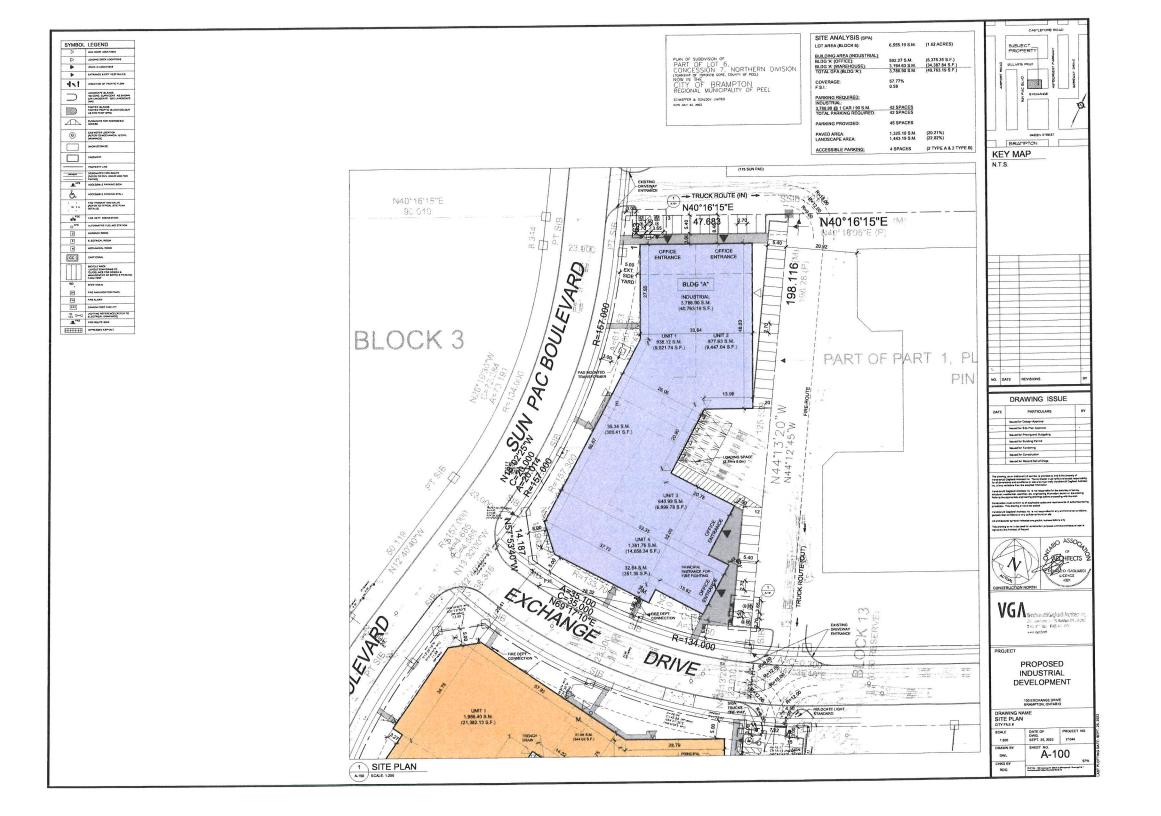
Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. This notice is to be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents.

Dated this 6th 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





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**Property Address:** 

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Agent:

Owner(s):

1217246 ONTARIO INC.,

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The purpose of the application is to request the consent of the Committee of Adjustment to the grant access to the proposed industrial warehouse on 0 Exchange Drive. To grant an easment over 100 Exchange Drive in favour of 0 Exchange Drive in order to provide access and shared parking. To grant an access easement over 100 Exchange Drive in favour of 175 Sun Pac Blvd.

#### Participate in the Meeting:

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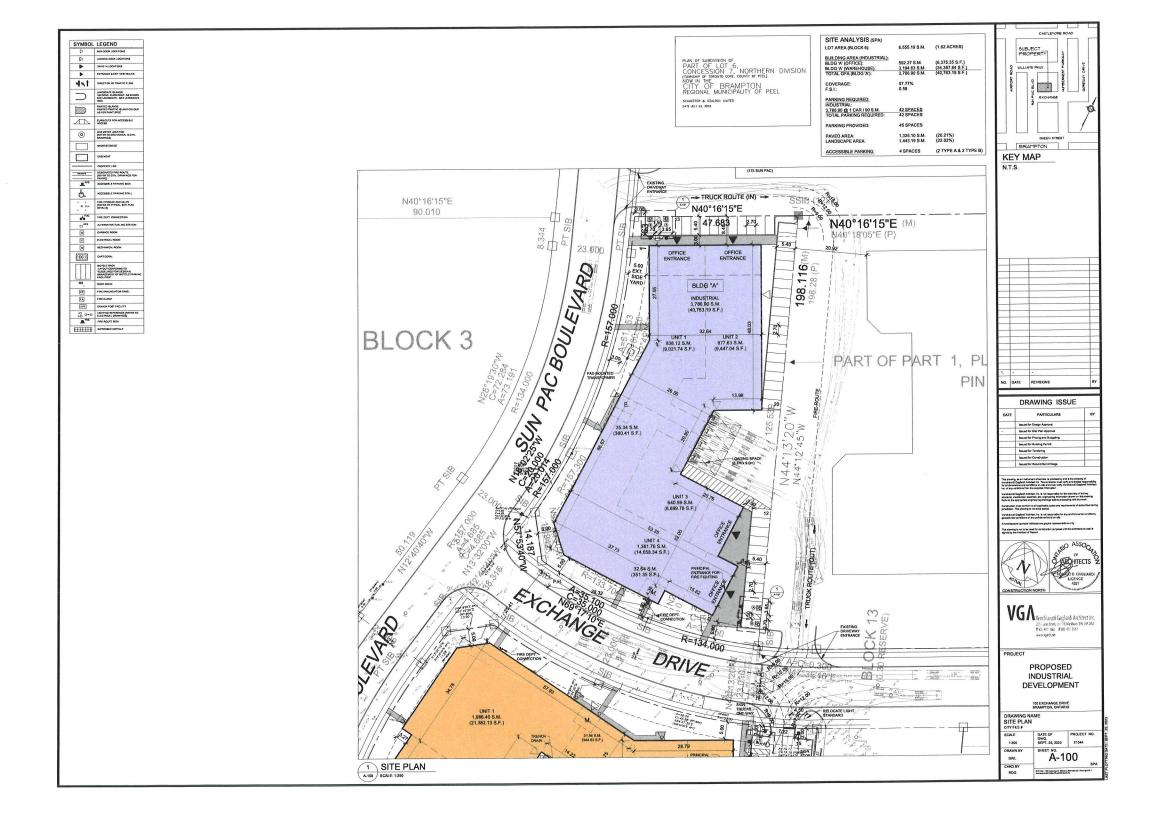
Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. This notice is to be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents.

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



B-2023-0021

# DI POCE Management Limited

September 26, 2023

Office of the City Clerk Committee of Adjustment 2 Wellington Street West Brampton, ON, L6Y 4R2

Attn: Clara Vani

Secretary-Treasurer of the Committee of Adjustment

RE:

CONSENT APPLICATION

100 EXCHANGE DRIVE, BRAMPTON

We, 1217246 Ontario Inc. c/o Di Poce Management Limited (hereinafter the "Owner"), are the property owners of the lands described as Block 1 and Block 2, Registered Plan 43M-1624, and municipally addressed as 100 Exchange Drive in the City of Brampton (hereinafter referred to as the "Subject Lands" and/or "Site").

We, the Owners are seeking the Committee of Adjustments approval for a Consent Application to facilitate the proposed industrial warehouse building proposed on 0 Exchange Drive. The Consent application on the Subject Lands will permit an easement for access.

To facilitate the proposed industrial warehousing building on 0 Exchange Drive additional applications on adjacent lands are required. Separate applications have been submitted to the Committee of Adjustment under each individual address, however, all applications should be reviewed parallel. A summary of the required/submitted applications to permit the proposed industrial warehouse building on 0 Exchange Drive are as follows:

- 1. 100 Exchange Drive, application for Consent (the Subject Lands):
  - To permit a right-of-way easement.
- 2. 0 Exchange Drive, application for Minor Variance:
  - To permit site specific regulations for the proposed industrial building.
- 3. 175 Sun Pac Blvd., application for Consent:
  - To permit a right-of-way easement.

In support of the Consent application for 100 Exchange Drive, the following documents have been enclosed:

- 1. Consent Application form;
- Consent Sketch;
   Site Plan for 0 Exchange Drive prepared by VGA inc.; and
- 4. Draft Reference Plan prepared by Speight, Van Nostrand & Gibson Limited.

#### 1.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The Subject Lands, legally described as Block 1 and Block 2, Registered Plan 43M-1624, are located on the northeast corner of Exchange Drive and Humberwest Parkway as shown on Figure 1 and are currently occupied by industrial warehousing building. The Subject Lands are approximately 1.67 ha (4.13m acres) with approximately 95.72 m (314 ft.) of frontage along Humberwest Parkway and approximately 145.84 m (478.5 ft.) of frontage on Exchange Drive.

The following are the surrounding land uses adjacent to the Subject Lands:

NORTH: Immediately north of the Subject Lands is a range of Industrial, Warehouse, and

Office uses.

SOUTH: Immediately south of the Subject Lands is Exchange Drive. Further south is Peel

Regional Paramedic Service Station and a range of outdoor storage uses.

EAST: Immediately east of the Subject Lands is Humberwest Parkway. Further East is a

range of commercial and residential uses.

WEST: Immediately west of the Subject Lands is 0 Exchange Drive (lands proposed for a

industrial warehouse building). Further west is Sun Pac Blvd. and a range of outdoor

storage uses.



Figure 1: Location Map (not to scale)

#### 2.0 PROPOSED DEVELOPMENT ON 0 EXCHANGE DRIVE

As previous mentioned to facilitate the proposed development at 0 Exchange Drive a Consent application for the Subject Lands is required. The proposed Consent application is required to provide an access easement for the proposed development at 0 Exchange Drive.

The proposed development on 0 Exchange Drive consists of a total gross floor area of 3,786.90 sq. m. (40,763.19 sq. ft.) consisting of 592.27 sq. m. (6,375.35 sq. ft.) of office and 3,194.63 sq. m. (34,387.84 sq. ft.) of warehouse uses. The proposed development will provide 45 parking spaces on site.

Given the small size and irregular shape of the Subject Lands, to maximize the development potential and the gross leasable floor area of the proposed building, access to the proposed building will be provided through easements on the Subject Lands and 175 Sun Pac Blvd.

It is important to note that both 175 Sun Pac Blvd. and 0 Exchange Drive are owned by Di Poce Management Limited which is a company under the Di Poce Group of Companies umbrella. Further details are provided in the subsequent sections of this letter below.

#### 3.0 CONSENT APPLICATION

The purpose of the consent application is to provide access to the proposed industrial warehouse on 0 Exchange Drive. See attached consent sketch and draft reference plan.

An easement over 100 Exchange Drive (Part 2) in favour of 0 Exchange Drive in order to provide access to parking and drive aisle for loading.

#### 3.1 CONSENT EVALUATION

Section 54(1) of the *Planning Act* outlines development criteria which applications for consent must comply.

The proposed easement is required to provide adequate access for vehicles and trucks to 0 Exchange Drive. The proposed easements on the Subject Lands will allow vehicle and truck access from Exchange Drive to the rear of the proposed development at 0 Exchange Drive where the drive aisle, loading and parking spaces are proposed to be located. This area is outlined in green on Figure 3. A draft reference plan has been provided as part of this application, see attached.

The easement will allow access to a shared driveway off Exchange Drive, providing access to the proposed parking spaces along the eastern limit of the Subject Lands. In addition, the proposed easement will provide for access to the proposed loading bays are the rear of the proposed building on 0 Exchange Drive. The proposed ingress and egress of the vehicle parking and loading spaces through the Subject Lands will ensure any parking and/or loading is appropriately screened from the public street. The



Figure 3: Location of proposed Easement on 100 Exchange Drive. (not to scale)

proposed ingress and egress will ensure minimal impact to adjacent uses, similar to the existing building configurations of 165 and 175 Sun Pack Blvd, as well as allow for a functional industrial warehousing building on 0 Exchange due to the properties irregular shape.

We have reviewed the proposed easement against the development criteria of Section 54 (1) of the *Planning Act* as well as those of the Official Plan and are of the opinion that the proposed consent request is appropriate, reasonable and meets the relevant development criteria. We believe the requested consent application to permit the easements are appropriate and represent good planning.

#### 6.0 CONCLUSION

Based on the above analysis, it is our professional opinion that the proposed easement to support the proposed industrial building at 0 Exchange Drive are appropriate and desirable for the Subject Lands and surrounding area, is in the public interest and represents good planning.

We respectfully request to be scheduled for the earliest Committee of Adjustment hearing possible. In the meantime, should you require any further information or questions, please do not hesitate to contact us.

Thank you,

Sincerely,

Celeste Salvagna, BURPL Development Manager,

Di Poce Management Limited

Armando Lopes, MCIP, RPP Vice President of Development, Di Poce Management Limited

## **Flower City**



RECEIVED REVISED
SEP 2 6 2023

CITY CLERK'S OFFICE

#### **APPLICATION NUMBER:**

"B"-2023-0021

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.

	Owner/Applic	ant .	1217246 O		(print given and	family names in	full\		
Address	(print given and family names in full)  175 Sun Pac Blvd, Unit 1A, L6S 5Z6								
Phone #	905-793-00	93			Fax #				
Email	celeste@dn	npl.ca							
Name of A	Authorized A	gent	Di Poce Ma	anagement	Limited				
Address	175 Sun Pa	ıc Blvd, Un	nit 1A, L6S 5	Z6					
Phone #	905-793-00	93			Fax #				
Email	celeste@dr	npl.ca							
Specify	. An easeme	ent for acce	ess to parkin	g and loadi	on of title. ng and an easer	nent for parkir	ng.		
								rged or leas	ed.
If known,	the name of th	e person to	o whom the l	and or an in	ng and an easer	is to be transf	ferred, cha		ed.
If known,	the name of th	e person to	o whom the l	and or an in	ng and an easer	is to be transf	ferred, cha	:	ed.
If known,	on of the sul	e person to	o whom the l	and or an in	ng and an easer	is to be transf	retained)	:	
Descripti a) Name b) Conces	on of the sul	pject land	o whom the l	and or an in	ng and an easer	is to be transf	retained)  Number  Lot(s)	: 100	and 2
Descripti a) Name b) Conces c) Registe	on of the sul	pject land	o whom the l	and or an in	ng and an easer	severed and	retained)  Number  Lot(s)  Lot(s)	: 100 Blocks 1 :	and 2
Descripti a) Name b) Conces c) Registe d) Referen	on of the sul	pject land Exchange 43M-1624	o whom the I	and or an in	ng and an easer	severed and	retained)  Number  Lot(s)  Lot(s)	: 100 Blocks 1	and 2
Descripti a) Name b) Conces c) Registe d) Referen	on of the sul of Street sion No. ered Plan No. nce Plan No.	e person to bject land Exchange 43M-1624 21 10 120 21 10 120	o whom the I	and or an in	ng and an easer	severed and	retained)  Number  Lot(s)  Lot(s)	: 100 Blocks 1	and 2

a)	Frontage Depti	າ	Area			
b)	Existing Use	Proposed Use				
<b>;</b> )	Number and use of buildings and structures (both existing and proposed) on the land to be seve					
	(existing)					
	(proposed					
d)	Access will be by:	Existing	Proposed			
	Provincial Highway					
	Municipal Road - Maintained all year					
	Other Public Road					
	Regional Road					
	Seasonal Road					
	Private Right of Way					
f)	Water supply will be by:	Existing	Proposed			
f)			Proposed			
f)	Publicly owned and operated water system		Proposed			
f)	Publicly owned and operated water syste	en 🗌	Proposed			
f)	Publicly owned and operated water system	en 🗌	Proposed			
f)	Publicly owned and operated water system Lake or other body of water Privately owned and operated individual	en 🗌	Proposed			
f) g)	Publicly owned and operated water system Lake or other body of water Privately owned and operated individual or communal well	en 🗌	Proposed  Proposed			
	Publicly owned and operated water system Lake or other body of water  Privately owned and operated individual or communal well  Other (specify):	en				
	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	en				
	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	Existing				
	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	Existing	Proposed			
g)	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	Existing	Proposed			
g)	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)	Existing	Proposed			
g)	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):	Existing  Under the 145.84 m (Exch	Proposed			
g) Desc	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)  Frontage 95.72 m (Humberwest Pky) Dep	Existing  Lith 145.84 m (Exch	Proposed  ange Dr.)  Area 1.67 ac  Industiral Warehouse			

	d)	Access will be by:		Existing	Proposed	
		Provincial Highway				
		Municipal Road - Maint	ained all year	X		
		Other Public Road				
		Regional Road				
		Seasonal Road				
		Private Right of Way				
	e)				g facilities will be used and will and and the nearest public road?	
	f)	Water supply will be by	y:	Existing	Proposed	
		Publicly owned and op	erated water systen	X		
		Lake or other body of v	water			
		Privately owned and or communal well	perated individual			
		Other (specify):				
	g)	Sewage disposal will b	oe by:	Existing	Proposed	
		Publicly owned and op sewer system	perated sanitary	X		
		Privy				
		Privately owned and o or communal septic sy	=			
		Other (specify):				
8.	What is th	ne current designation o	of the land in any app	olicable zoning	by-law and official plan?	
			Land to be Severed		Land to be Retained	
	Zoning B	y-Law _	N/A		Service Commercial	
	Official P	lans f Brampton			Employment	
	_	gion of Peel			Employment	
9.	section 5	subject land ever beer if of the Planning Act o umber of the application  No	r a consent under se	ection 53 of the	r approval of a plan of subdivi e Act and if the answer is yes an on?	sion under d if known,
	File#		Status/Decision			•
10.	Has any	land been severed from	the parcel originally	acquired by t	ne owner of the subject land?	
	Yes	No X				
	Date of T	ransfer		Land Use		

		-4-	- application under the Plann	ing Act, such as:
1.	If known, is/was the subject la	and the subject of any other File Number	Status	J
	Official Plan Amendment			
	Zoning By-law Amendment			-
	Minister's Zoning Order			
	Minor Variance	A175-07	Approved	
	Validation of the Title			***************************************
	Approval of Power and Sale			
	Plan of Subdivision			
12.	is the proposal consistent wi	th Policy Statements issue	d under subsection 3(1) of th Yes	e Planning Act? No
13.	Is the subject land within an	area of land designated un	der any Provincial Plan? Yes	No 🗔
14.	If the answer is yes, does the	e application conform to th	e applicable Provincial Plan? Yes 🗓	
	ed at the City  as I9th day of SE  Signature of Applicant, or Authorize		Check box if applic	
		DECLARAT	TION	
	I. 1217246 Ontario	of the	City of Brampto	on
he C	ounty/District/Regional Municipal	ity of Peel	solemnly declare that all	I the statements contained in t
olicat	ion are true and I make this as if	made under oath and by virti	ue of "The Canada Evidence Ac	ť'.
	hadaya ma at the City O	e Brampton	N	
clared	before the at the			
the	Region of Peel	401 07	4	
s	day of Styley	20 15	Signature of applicant/solic	ator/authorized agent, etc.
V	Antony Rondinon, a Commissioner, etc., Pro Ontario, for Di Poce Man, Limited and its subsidi associated companies, and Bignatuse of a commissioner, Expires May 15, 20	ovince of agement laries,	Q	
			ompleted By the Zoning Division	
		viewed with respect to possi id review are outlined on the	ble variances required and the attached checklist.	results of
	Zonga Office		Date	WARRANT CONTRACTOR

#### NOTES:

- 1. If this application is signed by an agent or solicitor on behalf of the applicant, the owner's written authorization must accompany this application. If the applicant is a Corporation acting without agent or solicitor, the application must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation. If the application is signed by an agent or solicitor on behalf of the applicant who is a Corporation, the applicant's written authorization must accompany this application and must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation.
- 2. Each copy of the application must be accompanied by a sketch and a key map showing the location of the subject land.
- 3. Sketches or reproductions are to be no larger than Legal Size. Application plans which are larger may be submitted provided at least **one reproduction** reduced to Legal Size is filed with the application.
- **4.** Where it is determined that a sketch will not adequately provide the information required, it may be necessary to provide a plan prepared by an Ontario Land Surveyor.
- 5. The sketch shall show:
  - a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
  - b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
  - the boundaries and dimensions of the subject land, the part that is to be severed (shown in double hatch lines XXXX) and the part that is to be retained (shown in single hatched lines ////);
  - d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
  - e) the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
  - f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;
  - g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
  - h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used:
  - i) the location and nature of any easement affecting the subject land; a
  - j) if a natural or artificial feature is to be the proposed new property line or part thereof, identify the feature(s) as such on the sketch.
- 6. It is required that 1 original copy of this application be filed, together with 2 copies of the sketch described in item 2 above, with the Secretary-Treasurer, accompanied by the applicable fee.

#### APPOINTMENT AND AUTHORIZATION OF AGENT(S)

ı	1217546 Ontano Inc
	(Please print or type full name of the owner)
he underen	and heater
ne undersit	gned, hereby appoint and authorize/have appointed and authorized as my agent(s) for the purpose
	<ol> <li>Signing and filing the application(s) on behalf of the undersigned,</li> </ol>
1	Di Poce Management Limited
	(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
	Representing the undersigned before the Committee of Adjustment.
2.	Di Poce Management Limited
	(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
3.	Acting on behalf of the owner with respect to all matters related to the application, including but not limited to fulfilling conditions and acquiring the Secretary-Treasurer's Certificate.  Di Poce Management Limited
	(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary )
	hereby declare and confirm that I am the (an) owner of the land to which this application relates; thereby ratify, confirm and adopt as my own, the act(s), representation(s), reply (replies) and int(s) made on my behalf by the said agent(s).
Dated this	1 milh

(Where the owner is a firm or corporation, please type or print the full name of the person signing )

#### NOTES:

- If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this
  appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed
- If there is more than one owner, all owners shall complete and sign individual appointment and authorization forms.
- If the agent is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

## PERMISSION TO ENTER

The Secretary-Treasurer To: Committee of Adjustment City of Brampton 2 Wellington Street West Brampton, Ontario L6Y 4R2

LOCATIO	ON OF THE SUBJECT LAND:	100 Exchange Drive
I/We,	1217246 Ontario Inc.	
		please print/type the full name of the owner(s)
City of I noted p Minor V	Brampton Committee of Adjust property for the purpose of co fariance and/or consent.	d owner(s) of the subject land, hereby authorize the Members of the stment and City of Brampton staff members, to enter upon the above nducting a site inspection with respect to the attached application for
Dated	this day of Ser	Tember 2023
*	(signature of the owner[s], or when	e the owner is a firm or corporation, the signature of an officer of the owner)
	· -	
		or corporation, please print or type the full name of the person signing.)
	(where the owner is a firm	or corporation, please Mint St. Av.

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION

