



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

B-2023-0028

October 3, 2023

Clara Vani  
Secretary-Treasurer  
City of Brampton  
2 Wellington Street West  
Brampton, ON  
L6Y 4R2

Via email: [Clara.Vani@brampton.ca](mailto:Clara.Vani@brampton.ca)

Dear Clara Vani:

**RE: APPLICATIONS FOR CONSENT AND MINOR VARIANCE  
25 PEEL CENTRE DRIVE (BRAMALEA CITY CENTRE), BRAMPTON  
MHBC FILE: 9519Y**

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On behalf of our client, Morguard Investments Limited (the "Morguard") representative for BCC Equities Inc. and Morguard Corp. (the "Owner", we are pleased to submit the enclosed Consent for Severance and Minor Variance Applications with respect to the site known as Bramalea City Centre ("BCC"), municipally addressed as 25 Peel Centre Drive, in the City of Brampton (the "Subject Lands"). The severance and variance applications will facilitate a Site Plan application for the development of 1,000 purpose-built rental residential units on the Subject Lands. This letter sets out a description of the proposed consent application, variance and supporting information.

In support of these applications, please find the following materials enclosed:

- Consent Application Form;
- Minor Variance Application Form;
- Surveyor's severance sketch identifying the retained and severed parcels;
- Surveyor's sketch identifying access easement;
- Surveyor's sketch identifying stormwater easement;
- Surveyor's sketch identifying water, sanitary and hydro easements;
- Master Site Plan; and,
- Surveyor's Real Property Report.

Payment of the associated fees will be made in person at City Hall.

## **OVERVIEW**

### Site Context

The Subject Lands are bounded by Queen Street East, Dixie Road, Clark Boulevard, and Team Canada Drive. The property is approximately 33 hectares (82.3 acres) in area and contains a private ring road called Peel Centre Drive. The Subject Lands are currently occupied by a two storey enclosed shopping mall and various commercial out-buildings along the perimeter. Parking is provided through the Subject Lands in a number of forms including on the surface, below grade, on a parking deck and within a four-storey parking garage. Loading and service areas are located throughout the mall, including a large loading area on the north side of the mall, east of the Phase 1 redevelopment area.

### Summary of the Development

The Owner submitted an application for Site Plan Approval on December 18, 2021 (SPA-2021-0268) to redevelop a 1.4 hectare area of BCC property by demolishing the vacant Sears building and adjacent surface parking lot and introducing four residential buildings ranging in height between 12 and 33 storeys. The buildings will contain approximately 1,000 residential units.

### Description of Consent Application

The purpose of the severance is to facilitate construction financing and legally separate the commercial portion of the mall from the proposed residential development. The proposed residential development will be located on the 14,095 m<sup>2</sup> (3.48 acres) severed parcel while the balance of the BCC property will be contained on the 332,164 m<sup>2</sup> (82.08 acres) retained parcel. Both the severed and retained parcels will continue to be owned by the owner.

The severance will be supported by the establishment of the following private easements which are also required to support the proposed site plan application:

- Easements for water and sanitary service laterals over the retained parcel in favour of the severed parcel to facilitate a connection to the existing regional watermain and sanitary sewer located within an existing easement on the retained parcel, north of the proposed severed parcel.
- Easement for an existing sanitary service lateral over the severed parcel in favour of the retained parcel which recognizes the existing sanitary sewer that services the shopping mall and would be located within the severed parcel after the severance.
- Easement for existing hydro service connections over the severed parcel in favour of the retained parcel which recognizes the existing hydro connections servicing the shopping mall and would be located within the severed parcel after the severance.

- Easement for water service laterals over the retained lands in favour of the severed parcel to facilitate a connection to a future municipal storm sewer to be located within the retained parcel. The municipal storm sewer itself will be located within a future easement over the retained parcel in favour of the City. However, this municipal easement is not the subject of this application as it does not required consent from the Committee of Adjustment as it is in favour of the municipality.
- Easement for access over the retained parcel in favour of the severed parcel to facilitate pedestrian and vehicular access to the municipal road network at Dixie Road and Queen Street.

#### Description of Minor Variance Application

Zoning By-law 270-2004 defines a lot as a parcel of land which fronts on or abuts a street and which is permitted to be conveyed by the *Planning Act*. The Subject Lands are zoned Commercial Three (C3), for which site-specific zoning regulations apply (Special Section 416). The proposed severance will create a severed parcel that will be surrounded by the retained parcel and will not abut a street. This creates zoning interpretation issues given that zoning compliance is based on the boundaries of the parcel in question and the site specific zoning regulations of Special Section 416 were created in the context the entire BCC site. The purpose of the variance is to consider both the severed and retained parcels as one lot for the purposes of zoning compliance review.

The following technical variance is required to facilitate the proposed Consent Application:

1. *That the retained and severed parcel, zoned Commercial Three (C3, 416) be treated as one lot for zoning purposes.*

#### **POLICY CONTEXT**

##### City of Brampton Official Plan

BCC is identified as being located within the "Central Area" and along a "Primary Intensification Corridor" (Queen Street) and a "Secondary Intensification Corridor" (Dixie Road). BCC is designated "Regional Retail" on the land use schedule. Regional Retail sites are intended to be planned as large-scale multi-use, multi-purpose centres or areas offering a diverse range of retail, service, community, public, institutional, and recreational uses serving a major portion of the community and/or broader regional market.

##### Queen Street Corridor Secondary Plan

The intent of the Secondary Plan is for the Queen Street corridor to transform into a higher-density, mixed-use, transit-oriented, bicycle and pedestrian-friendly corridor. The Subject Lands are

designated Central Area Mixed Use. Secondary Plan policies encourage redevelopment at BCC to be primarily in the form of mixed-use commercial/residential projects fronting Queen Street and surrounding the perimeter of BCC, including freestanding office buildings and higher order mixed-use buildings.

City of Brampton Zoning By-law 270-2004

Within Brampton's Zoning By-law 270-2004, the Subject Lands are currently zoned Commercial Three and subject to Special Section 416 (C3-416). The zoning permits a wide range of commercial uses including retail stores, personal services, banks, office buildings, service stations, commercial schools, garden centres, commercial recreation, theatre, gas bar and hotel, among others. Apartment buildings up to a combined total of 1,000 units and 84,539 m<sup>2</sup> of gross floor area are also permitted. Special Section 416 contains site-specific provisions with respect to the location and amount of permitted uses as well as special parking rates.

The development has been designed in accordance with the applicable zoning standards of the C3-416 zone, and site-specific zone standards approved through By-law 270-2004.

**CONSENT JUSTIFICATION**

*Planning Act*

Section 53(12) of the Planning Act provides that when granting a consent, regard is required with respect to the matters under Section 51(24). In our opinion, the proposed severance has regard for the matters set out in Section 51(24) of the *Planning Act* as follows:

*"In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,"*

- a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

With respect to Section 51(24) (a), the proposed parcels implement the matters of provincial interest listed in Section 2 of the Planning Act, which include locating growth and development in an appropriate location, facilitating the provision of a full range of housing (in this case purpose-built rental), and promotion of sustainable, transit-supportive development.

- b) Whether the proposed subdivision is premature or in the public interest.*

Section 51(24) (b) has been met as uses for the retained and severed parcels are permitted in the City of Brampton Official Plan and Zoning By-law while the consent itself is required to address a legal requirement for the purposes of financing and does not compromise the future development opportunities on the retained lands.

*c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any.*

The proposal conforms to the Brampton Official Plan. The Subject Lands are designated Regional Retail and Central Mixed Use Area, which permits both commercial and residential uses. The proposed severance is to facilitate the development of four residential and mixed-use towers, which maintains the intent of the designation. The consent policies of the official plan are reviewed in greater detail below.

*d) The suitability of the land for the purposes for which it is to be subdivided.*

The proposed severance application will create one additional parcel which is appropriate and compatible with the existing character of the surrounding area. A Record of Site Condition will also be prepared that will ensure the soils are appropriate for residential purposes.

*e) 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 adequacy of them.*

No new roads are proposed as part of the development. The site has access to the surrounding road network through Peel Centre Drive which is a private driveway connecting to the municipal road network. This application includes the establishment of easement to ensure appropriate legal access is provided to the municipal road network. A Traffic Impact Study, prepared by BA Group was submitted with the site plan application. The site related impacts are minimal and will not noticeably affect traffic operations or queues at the external intersections within the area.

*f) The dimensions and shapes of the proposed lots;*

The proposal results in the creation of two new parcels. The retained parcel will generally maintain its shape, being the block bound by Queen Street East, Dixie Road, Clark Boulevard and Team Canada Drive. The severed parcel will be generally rectangular in shape, adjacent to Peel Centre Drive reflecting the proposed development area being reviewed under the Site Plan application. The site plan drawings being reviewed through the site plan process demonstrate that the proposed lots will be able to function appropriately for the proposed and existing uses.

*g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.*

A number of easement for access, services and utilities are proposed for the severed and retained parcels as described in the overview section above. The proposed severance has been laid out with regard for existing easements affecting the Subject Lands.

*h) Conservation of natural resources and flood control.*

The site is traversed by the Dixie Tributary, which causes a flood plain on the site. In order to remove the flood plain and address TRCA's flood plain regulations, the proposed residential development includes twinning of the existing stormwater channel which will increase its capacity to accommodate stormwater flows from the property and surrounding area. The proposal is to fully enclose the existing open concrete channel and construct a new parallel, naturalized open channel. The TRCA has approved the functional design of the channel upgrades, and is currently reviewing the detailed design. They will require the channel upgrades to be completed and operational prior to occupancy of the proposed residential uses. Occupancy permits will not be granted for the residential development until the flood plain is removed.

*i) The adequacy of utilities and municipal services.*

Section 51(24)(i) has been fulfilled for the retained parcel as the property is currently serviced. Infrastructure has been confirmed to be available at the property line for the severed parcel and studied in detail through the site plan approval process.

*j) The adequacy of school sites.*

Not applicable as this a consent applicable which does not propose to dedicate lands for schools.

*k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes*

There are no land dedications anticipated to be conveyed through this process.

*l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.*

The proposed development will be subject to Building Code review during which matters regarding energy efficiency and conservation will be addressed.

*m) The interrelationship between the design of the proposed plan of subdivision 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.*

A site plan application has been submitted to facilitate the proposed development on the severed parcel. All site plan related matters will be addressed through that process.

### **Brampton Official Plan**

Brampton's current Official Plan was adopted by City Council in October 2006 and approved by the Ontario Municipal Board (OMB). The updated September 2020 Office Consolidation includes OMB decisions and LPAT decisions that have resolved several of the appeals to the 2006 Official Plan as well as amendments made to reflect Council decisions.

Section 5.17 of the City of Brampton Official Plan contains the City's severance policies. The table below provides an assessment of the applicable policies in consideration of the severance application at BCC.

	<b>Policy</b>	<b>Assessment</b>
Policy 5.17.2	<i>Consents must comply with any relevant provisions of this Plan;</i>	<b>Complies</b> - The proposal conforms to the Brampton Official Plan. The Subject Lands are designated Regional Retail and Central Mixed Use Area, which permits both commercial and residential uses. The proposed severance is to facilitate the development of four mixed-use residential towers, which maintains the intent of the designation.
Policy 5.17.3	<i>In the case of a non-conformity with the approved Zoning By-law, it is advisable that a zoning amendment application or variance application be filed with the City of Brampton concurrently with a consent application with the Committee of Adjustment;</i>	<b>Complies</b> – a minor variance application has been submitted to treat the severed and retained parcels as one lot for the purposes of zoning review. Otherwise the proposal conforms with all provisions of the zoning by-law.
Policy 5.17.4	<i>The proposed size, shape and use of severed land must be compatible with the present and potential parcels and uses in adjacent areas;</i>	<b>Complies</b> - The proposal results in the creation of two new parcels. The retained parcel will generally maintain its shape, being the block bound by Queen Street East, Dixie Road, Clark Boulevard and Team Canada Drive. The severed parcel will be generally rectangular in shape, adjacent to Peel Centre Drive reflecting the proposed development area being reviewed under the Site Plan application. The site plan drawings being reviewed through the site plan process demonstrate that the proposed lots will

		be able to function appropriately for the proposed and existing uses.
Policy 5.17.5	<i>Consents must be serviced by public water and sanitary sewers or evidence must be provided of other sanitary waste treatment facility, as approved by the Medical Officer of Health and of other adequate potable water supply, except where the consent is acquired by a Conservation Authority for conservation purposes, or the consent is for the purpose of a public or private utility installation. Areas serviced by the South Peel Water and Sewer Scheme shall utilize these services when consents are considered;</i>	<b>Complies</b> - The proposed retained and severed lands are/will be serviced by public services.
Policy 5.17.6	<i>The Ministry of Natural Resources or the Conservation Authority and the Ministry of Agriculture, Food and Rural Affairs shall be consulted with respect to applications in areas covered by their jurisdictions.</i>	<b>Complies</b> – On going consultation with the Toronto Region Conservation Authority have occurred during the Site Plan Application process and the proposal to remove the flood plain from the Subject Lands has been accepted in principle.
Policy 15.17.8	<i>The size of any parcel created by a consent should be appropriate to the use proposed.</i>	<b>Complies</b> - The appropriateness of the lot is demonstrated through the Site Plan Application, which shows that all necessary facilities can be accommodated on the severed parcel.
Policy 15.17.9	<i>Where a parcel of land resulting from a consent is to be used for residential purposes, the frontage shall be equal to approximately one-half the depth.</i>	<b>Complies</b> – this provision is not applicable as the severed parcel will not have direct frontage onto a municipal road. However, the shape of the parcel is generally consistent with the intent of this policy having its widest dimension along Peel Centre Drive and its shorter dimension being perpendicular to Peel Centre Drive.
Policy 5.17.10	<i>A parcel created by consent should have similar lot depth and shape as adjoining lots, where appropriate.</i>	<b>Complies</b> – The intent of this policy is to ensure that the new lot created by the severance does not impact the character of the area where there is an established lot pattern. The proposal is a unique severance which aims to facilitate residential uses adjacent to an existing shopping mall and therefore the surroundings lack an established pattern to follow. Therefore, this requirement is not appropriate in the context of this proposal.
Policy 5.17.11	<i>The permitted structure should be subject to an appropriate setback from</i>	<b>Complies</b> – the proposed residential buildings have been carefully reviewed through the Site

	<i>the boundary of a public road, to minimize the impact of traffic upon the privacy areas.</i>	Plan Application process and an appropriate interface has been established with respect to Peel Centre Drive, in consultation with City staff.
Policy 5.17.12	<i>The comments of the City of Brampton, the Region of Peel, or the Ministry of Transportation, where applicable, should be obtained as to the adequacy of site lines in the vicinity of the application and as to whether or not road widening are required.</i>	<b>Complies</b> – Vehicular access arrangement were reviewed through a Transportation Impact Study which accompanied the Site Plan Application. The need for road widening's have not been identified by the City or Region.
Policy 5.17.13	<i>Each new lot created is to front on an existing public highway or street, except where the consent is acquired by a Conservation Authority for conservation purposes, or the consent is for the purpose of a public or private utility installation.</i>	<b>Complies</b> – Peel Centre Drive is currently a private road. The consent application includes the establishment of an access easement to facilitate pedestrian and vehicular access to the municipal road network.
Policy 5.17.4	<i>The creation of new lots located totally in flood susceptible areas will not be permitted.</i>	<b>Complies</b> – In order to remove a flood plain issue on the BCC property, the proposed residential development includes twinning the infrastructure to increase capacity by way of fully enclosing the existing open concrete channel and constructing a new parallel, naturalized open channel. The Toronto Region Conservation Authority has confirmed that the infrastructure upgrade is acceptable in principle and must be completed prior to the occupancy of the proposed residential uses. Occupancy permits will not be granted for the residential development until the flood plain is removed.
Policy 5.17.5	<i>Despite Sections 5.17.4, 5.17.8 and 5.17.10 of this plan, consent-to-sever applications shall be discouraged within the Central Area Mixed -Use and Medium and Medium-High/High Density designations of the Downtown Brampton and Queen Street Corridor Secondary Plans except to facilitate land assembly.</i>	<b>Complies</b> - This policy "discourages" severances at BCC but does not prohibit them outright. The proposed severance will allow the coordinated build out of the permitted residential uses in a mixed-use commercial environment in a manner that maintains appropriate legal and financial separations between the commercial and residential components of the site. This is achieved by way of a severance which creates a new parcel for the residential uses and maintaining the commercial uses on the retained parcel. This approach facilitates the beginning of the long term transition of BCC from a car-oriented single use site to mixed use environment accommodating various modes of

		transportation. Given the scale and complexity of the BCC site, a general policy such as 5.17.5 is not appropriate to guide development on a such a unique property.
Policy 5.17.7	<p><i>A plan of subdivision will not be considered necessary if the following conditions and criteria are satisfied:</i></p> <p><i>(i) The consent is for the purpose of infilling within the developed urban area and would not extend the urban use area as shown on Schedule "A";</i></p> <p><i>(ii) No major extension or expansion of physical services will be required;</i></p> <p><i>(iii) The lands front on an existing public highway or street;</i></p> <p><i>(iv) The ultimate development of the entire holding will not require the creation of a new public highway or street;</i></p> <p><i>(v) The creation of new building lots will not have an adverse effect on the character of the surrounding area or on traffic circulation;</i></p> <p><i>(vi) Only three (3) or less new lots, in addition to the residual parcel, will be created, unless necessary for the proper and orderly development of the municipality; and,</i></p> <p><i>(vii) No consent will be granted until the City is satisfied that approval of the application will not adversely affect the ultimate development pattern of the entire holding.</i></p>	<p>i. <b>Complies</b> – the proposed Site Plan Application is for an infill development</p> <p>ii. <b>Complies</b> – The Subject Lands are currently serviced. No major extensions or expansions of existing services are required to support the proposed residential development.</p> <p>iii. <b>Complies</b> – Peel Centre Drive is not a public street. However, the consent application includes the establishment of an access easement to facilitate a connection to the municipal road network.</p> <p>iv. <b>Complies</b> - Comprehensive redevelopment of the entire land holding is not planned at this time. However, future public or private roads may be established if the need is identified at the time. Current draft policies proposed by the City for MTSAs indicate that the roads through the BCC site may be public or private.</p> <p>v. <b>Complies</b> – A Transportation Impact Study and Urban Design Brief were required to support the Site Plan Control application for Phase 1 redevelopment. These documents demonstrated that the proposal can be adequately serviced by existing transportation infrastructure and does not adversely impact the character of the area.</p> <p>vi. <b>Complies</b> – Only one severed and one retained parcel is proposed. All four residential buildings are proposed on the severed parcel.</p> <p>vii. <b>Complies</b> – A conceptual master plan has been prepared to demonstrate that the proposed severance would not impact the ultimate redevelopment of BCC. However, this plan is conceptual in nature as comprehensive redevelopment</p>

		of the entire land holding is not planned at this time.
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**MINOR VARIANCE JUSTIFICATION**

The following technical variance is required to facilitate the proposed Consent Application:

1. *That the retained and severed parcel, zoned Commercial Three (C3, 416) be treated as one lot for zoning purposes.*

Section 45(1) of the *Planning Act* identifies four tests which must be satisfied in order for the requested minor variances to be approved. The proposed variance meets the four tests, as demonstrated in the analysis below.

***a) The variance maintains the general intent and purpose of the Official Plan***

Implementation Policy 5.8.1 of the Official Plan states that the purpose of the Zoning By-law is to “regulate the use of land and the character, location and use of buildings and structures in accordance with the policies of this Plan”. The existing site specific zoning for the Subject Lands was enacted by the City on the basis of the entire BCC site and includes permissions for commercial uses as well as up to 1,000 residential units. However, the reality of constructing and operating residential uses requires that these uses be located on separate lots (even though they are highly integrated from the perspective of the public with respect to such elements as sidewalks, driveways, landscaping, parking, amenity areas, etc.). Therefore, a severance has been proposed to create a separate lot for residential uses. The creation of a separate lot results in zoning interpretation issues wherein certain zoning regulations in the site-specific zoning no longer make sense. The proposed variance addresses the interpretation issues by ensuring that both severed and retained parcels continue to be treated as one for the purposes of zoning review. Given that no modifications are required to the zoning regulations themselves like is typically proposed in a minor variance application (e.g. heights, setbacks, parking, landscaping, etc.), the proposed variance meets the general intent and purposes of the Official Plan in that it will continue to regulate the lands in the way they were originally intended to be regulated through the site-specific zoning provisions.

***b) The variance maintains the general intent and purpose of the Zoning By-law***

The Subject Lands are zoned *C3-416 (Commercial Three)* with site-specific provision in Zoning By-law 270-2004. The zoning permits a wide range of commercial uses including retail stores, personal services, banks, office buildings, service stations, commercial schools, garden centres, commercial recreation, theatre, gas bar and hotel, among others. Apartment buildings up to a combined total of 1,000 units and 84,539 m<sup>2</sup> of gross floor area are also permitted.

As described above, the development proposal complies with all applicable provisions of the Zoning By-law. This technical variance is required in order to facilitate the proposed severance of the Subject Lands by ensuring that the original site-specific zoning continues regulate the built form as originally intended. This variance will maintain the intent of the Zoning By-laws it will continue to permit and regulate the proposed development with respect to the original lot boundaries contemplated during the preparation of the site-specific zoning, while allowing for the proposed severance for legal and financial purposes.

***c) That the requested variance is desirable for the appropriate development or use of the land***

The proposed variance is desirable for the appropriate development of the lands as it will allow the coordinated build out of the permitted residential uses in a mixed use commercial environment in a manner that maintains appropriate legal and financial separations between the commercial and residential components of the site. This is achieved by way of the accompanying consent application which creates a new lot for the residential while the variance allows for the existing zoning to be applied as originally intended, ensuring the that built form outcomes are consistent with the original intent.

Therefore, it is our opinion that the proposed variance is desirable for the appropriate development of the land.

***d) That the requested variances is minor in nature***

The requested variance to treat both the severed and retained parcels as one for the purposes of applying the provisions of Zoning By-law is minor in nature as it will not negatively or functionally impact the adjacent parcels.

The proposed variance is technical in nature and ensures that the existing site-specific zoning by-law will continue to be applied relative to the original boundaries intended. In other words, the built form outcomes that were anticipated through the application of the site-specific zoning provisions will be maintained as the internal severance boundaries will not be applicable in the interpretation of the zoning by-law.

Therefore, it is our opinion that the requested variances are minor in nature.

**CONCLUSION**

The application for consent and requested easements address all matters under the *Planning Act* and conform with the policies of the official plan. The requested variance conforms to the general intent and purpose of the Official Plan and Zoning By-law, is desirable for the use of the Subject Lands, and is minor in nature. For the reasons set out above, we are of the opinion that the proposed consent and variance applications represent good planning, are in the public interest and should be approved. The applications will facilitate the development of 1000 new purpose built rental residential units representing a much needed increase in rental housing supply in Brampton. The application is also part of the long-term transition of the site into a mixed use, transit oriented area centred around the existing shopping mall.

If you require further information, please do not hesitate to contact us.

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read 'Gerry Tchisler', written in a cursive style.

Gerry Tchisler, M.Pl., MCIP, RPP  
Partner

*cc. Christine Cote & Mark Bradley – Morguard Investments Inc.*

Flower City



brampton.ca

For Office Use Only  
(to be inserted by the Secretary-Treasurer  
after application is deemed complete)

APPLICATION NUMBER: "B" 2023-0028

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.

1. (a) Name of Owner/Applicant BCC Equities Inc. and Morguard Corporation c/o Christine Cote  
(print given and family names in full)

Address 55 City Centre Drive, Suite 1000, Mississauga ON, L5B 1M3

Phone # 905-281-5856 Fax # \_\_\_\_\_

Email ccote@morguard.com

(b) Name of Authorized Agent MHBC Planning (c/o Gerry Tchisler)

Address 442 Brant Street, Suite 204, Burlington Ontario

Phone # 905-639-8686 X 234 Fax # 905-761-5589

Email gtchisler@mhbcplan.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: Creation of a new lot and accompanying easements

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.

To be determined

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

a) Name of Street Peel Centre Drive Number 25

b) Concession No. Concession 4 Lot(s) 5

c) Registered Plan No. 688 Lot(s) \_\_\_\_\_

d) Reference Plan No. N/A Lot(s) \_\_\_\_\_

e) Assessment Roll No. 211009001401200 Geographic or Former Township \_\_\_\_\_

5. Are there any easements or restrictive covenants affecting the subject land?

Yes  No

Specify: Please see Real Property Report Attached

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

a) Frontage approx. 160.94 m Depth approx. 84.71 m Area 14,095 sq.m.

b) Existing Use Commercial Proposed Use Mixed Use

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

(existing) Former Sears Building

(proposed) 4 mixed use residential buildings

Access will be by:	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input checked="" 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 checked="" 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?

N/A

Water supply will be by:	Existing	Proposed
Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input checked="" 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): \_\_\_\_\_

Sewage disposal will be by:	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input checked="" 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 approx. 535.29 m Depth approx. 496.37 m Area 332,164 sq.m.

b) Existing Use Commercial Proposed Use Commercial

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

(existing) Various buildings throughout the site. Refer to accompanying Master Site Plan

(proposed) \_\_\_\_\_

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input checked="" 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?  
N/A

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" 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 checked="" 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>C3-416</u>	<u>C3-416</u>
Official Plans		
City of Brampton	<u>Regional Retail</u>	<u>Regional Retail</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 # \_\_\_\_\_ Status/Decision \_\_\_\_\_

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

Yes  No

Date of Transfer \_\_\_\_\_ Land Use \_\_\_\_\_

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	Submitted concurrently as well as previous applications	
Validation of the Title	_____	_____
Approval of Power and Sale	_____	_____
Plan of Subdivision	_____	_____

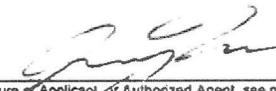
12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the Planning Act?  
Yes  No

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 Burlington  
this 3rd day of October, 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, Gerry Tchisler of the City of Burlington

in the County/District/Regional Municipality of Halton 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 Burlington  
in the Region of Halton  
this 6th day of Oct, 2023

  
Signature of applicant/solicitor/authorized agent, etc.

  
Signature of a Commissioner, etc.  
Doris Ann Ainsworth, a  
Commissioner, etc., Province of  
Ontario, for MHBC Planning  
Limited. Expires August 2, 2025.

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

DATE RECEIVED October 12, 2023  
Date Application Deemed Complete by the Municipality [Signature]

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

To: The Committee of Adjustment, City of Brampton.

1. CHRISTINE COTE  
(Please print or type full name of the owner)

the undersigned, hereby appoint and authorize/have appointed and authorized as my agent(s) for the purpose of:

1. Signing and filing the application(s) on behalf of the undersigned;

1. GERRY TCHISLER, MHRC PLANNING  
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

2. Representing the undersigned before the Committee of Adjustment.

2. GERRY TCHISLER, MHRC PLANNING  
(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.

3. GERRY TCHISLER, MHRC PLANNING  
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

AND, I do hereby declare and confirm that I am the (an) owner of the land to which this application relates:

AND, I do hereby ratify, confirm and adopt as my own, the act(s), representation(s), reply (replies) and commitment(s) made on my behalf by the said agent(s)

Dated this 2 day of OCTOBER, 2023

C Cote  
(Signature of the owner, or where the owner is a firm or corporation, the signing officer of the owner.)

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

**NOTES:**

1. 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 hereto).
2. If there is more than one owner, all owners shall complete and sign individual appointment and authorization forms.
3. 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**

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

LOCATION OF THE SUBJECT LAND: 25 Peel Centre Drive

I/We, CHRISTINE COTE  
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent

Dated this 2 day of OCTOBER, 2023

C. Cote, ASO  
(signature of the owner(s), or where the owner is a firm or corporation the signature of an officer of the owner )

CHRISTINE COTE, ASO  
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

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

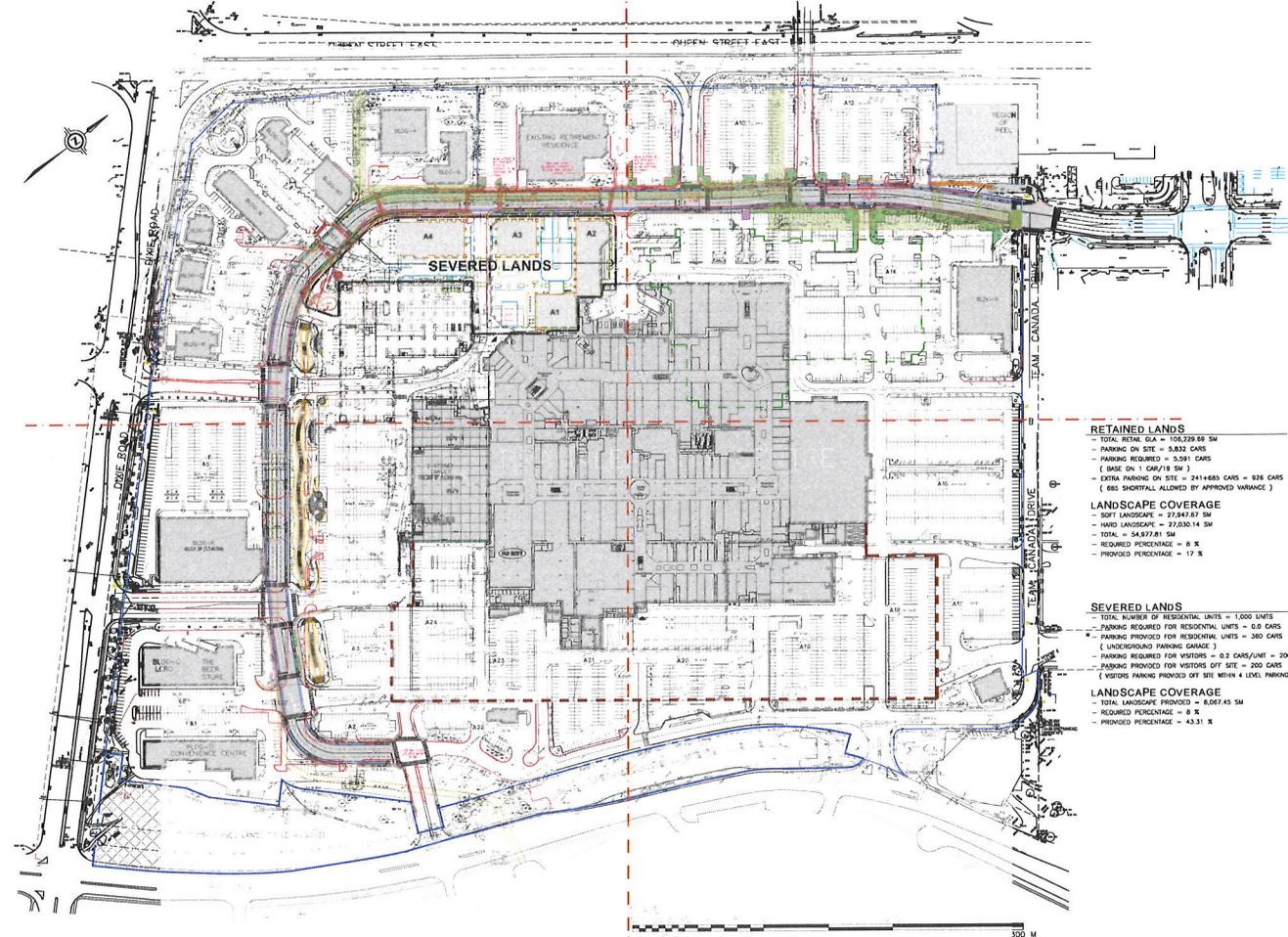
**NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION**

**SITE DATA**  
 PARTS OF LOT 5, CONCESSION 4  
 REGISTERED PLAN NO 688  
 EAST OF HURONIA STREET  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEI  
 (GEOGRAPHIC TOWNSHIP OF TORONTO COUNTY OF PEEI)  
 AT COPYRIGHT J.D. BARNES LIMITED - 1998

**SITE AREAS & EXISTING ZONING**  
 ZONING C3 SECTION 418  
 AREA 253,742 SQ. M / 303,742 SQ. M / 82,979 ACRES

**PROPERTY DESCRIPTION**  
 PLAN 43R - 23182  
 PARTS 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 77, 78  
 OF PLANS OF SURVEY OF PART OF LOT 5 CONCESSION 4  
 EAST OF HURONIA STREET AND PART OF BLOCK D  
 REGISTERED PLAN NO. 688, FORMERLY TOWNSHIP OF  
 CHINGLAOUSOU NOW IN THE CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEI AND PART 2 PLAN 43R-5722

**BUILDING CLASSIFICATION:**  
 O.B.C. 1997, ARTICLE 3.2.2.57, SENTENCE (2).  
 (a) to (d) GROUP E, ANY HEIGHT, ANY  
 AREA, SPRINKLERED.



**RETAINED LANDS**  
 - TOTAL RETAIL G.L.A. = 106,229.69 SQ. M  
 - PARKING ON SITE = 5,832 SPACES  
 - PARKING REQUIRED = 5,581 CARS  
 (BASE ON 1 CAR/1.9 SQ. M)  
 - EXTRA PARKING ON SITE = 241,468 CARS = 626 CARS  
 (685 SHORTFALL ALLOWED BY APPROVED VARIANCE)

**LANDSCAPE COVERAGE**  
 - SOFT LANDSCAPE = 27,847.67 SQ. M  
 - HARD LANDSCAPE = 27,030.14 SQ. M  
 - TOTAL = 54,877.81 SQ. M  
 - REQUIRED PERCENTAGE = 8 %  
 - PROVIDED PERCENTAGE = 17 %

**SEVERED LANDS**  
 - TOTAL NUMBER OF RESIDENTIAL UNITS = 1,000 UNITS  
 - PARKING REQUIRED FOR RESIDENTIAL UNITS = 0.0 CARS  
 - PARKING PROVIDED FOR RESIDENTIAL UNITS = 360 CARS  
 (UNDERGROUND PARKING GARAGE)  
 - PARKING REQUIRED FOR VISITORS = 0.2 CARS/UNIT = 200 CARS  
 - PARKING PROVIDED FOR VISITORS OFF SITE = 200 CARS  
 (VISITORS PARKING PROVIDED OFF SITE WITHIN 4 LEVEL PARKING DECK)

**LANDSCAPE COVERAGE**  
 - TOTAL LANDSCAPE PROVIDED = 6,067.45 SQ. M  
 - REQUIRED PERCENTAGE = 8 %  
 - PROVIDED PERCENTAGE = 43.31 %

**EXISTING BUILDING AREA**

BUILDING	AREA	GOVERNMENT	OFFICE	NET G.L.A. FOR
				PARKING SCORE
BUILDING "A" OFFICE - 4 STOREY	4,997 SQ. M		(5,937 SQ. M)	0.00
BUILDING "B" PROFESSIONAL - 2 STOREY	1,880 SQ. M		(1,880 SQ. M)	0.00
BUILDING "C" LOW A RISE STORE 1 STOREY	2,937 SQ. M		0.00	2,937.00
BUILDING "D" COMMERCIAL STORE 1 STOREY	1,750 SQ. M		(1,750 SQ. M)	1,750.00
BUILDING "E" BLANK DEVELOPMENT STORE - DEMOLISHED	7,700 SQ. M		0.00	14,442.00
BUILDING "F" TRUCK DEVELOPMENT STORE - 2 STOREY	16,617.00 SQ. M		0.00	16,617.00
BUILDING "G" THE BAY DEVELOPMENT STORE - 2 STOREY	12,293 SQ. M		(970 SQ. M)	11,323.00
BUILDING "H" FREE DEVELOPMENT 1 STOREY (TO BE DEMOL.)	2,414 SQ. M		0.00	2,414.00
BUILDING "I" A & P FOOD STORE 1 STOREY	5,470 SQ. M		(138 SQ. M)	5,332.00
BUILDING "J" RETAIL WARE HOUSE BUILDING 2 STOREY	26,840 SQ. M		(4,800 SQ. M)	22,040.00
BUILDING "K" HOME OFFICE 1 STOREY	3,714 SQ. M		(133 SQ. M)	3,581.00
BUILDING "L" HOME OFFICE 1 STOREY	770 SQ. M		0.00	770.00
BUILDING "M" PROPOSED RETAIL OFFICE COMMERCIAL	1,472.82 SQ. M		(1,238.31 SQ. M)	1,238.31
BUILDING "N" PROPOSED RETAIL OFFICE COMMERCIAL	494.50 SQ. M		0.00	494.50
BUILDING "O" PROPOSED RETAIL OFFICE COMMERCIAL	631.95 SQ. M		0.00	631.95
BUILDING "P" PROPOSED RETAIL OFFICE COMMERCIAL	298.00 SQ. M		(298.00 SQ. M)	0.00
BUILDING "Q" PROPOSED RETAIL UNIT	934.20 SQ. M		(472.10 SQ. M)	462.10
BUILDING "R" PROPOSED RETAIL OFFICE COMMERCIAL	788.40 SQ. M		(77.50 SQ. M)	710.90
BUILDING "S" PROPOSED RETAIL/FOOD STORE	2,385.00 SQ. M		0.00	2,385.00
BUILDING "T" PROPOSED RETAIL UNIT/FOOD	13,861.00 SQ. M		(13,861.00 SQ. M)	0.00
TOTAL EXISTING	122,003.79 SQ. M		(15,965.10 SQ. M)	106,229.69 SQ. M

**PARKING CALCULATIONS**  
 PARKING SPACES ON SITE = 5,832 SPACES  
 PARKING SPACES BASED ON 1 CAR/1.9 SQ. M = 1,069,718 SQ. M  
 EXISTING NET G.L.A. FOR PARKING = 106,229.69 SQ. M  
 \*\*NO PARKING PROVIDED FOR OFFICE BUILDINGS & OFFICE COMPONENT OF RETAIL BUILDING WHICH IS LESS THAN 20% OF RETAIL.

**BUILDING E - DEMOLISHED (PHASE 4) (IF A NOT ADDED):**  
 TOTAL PARKING REQUIRED (BASED ON 1.9 SQ. M) = 5,581 SPACES  
 TOTAL PARKING PROVIDED AFTER NEW HIGH-WAY & DEMOLITION OF "E" = 5,832 SPACES  
 NET PARKING (+251 SPACES)

**SHORTFALL ALLOWED BY ZONING = 913 SPACES (SEE SPACES FOR REDUCTION OF PEEI)**  
 A & B 25% SHORTFALL FOR EXISTING CENTRE

**COMPENSATION TO ALLOW FOUR SHORTFALL OF 618A (CARS)**  
 ALL PEEI SHORTFALLS DUE TO REDUCTION OF LANDSCAPE = 200 CARS  
 - PARKING SHARED WITH REGION DURING OFFICE HOURS 1,065 CARS

**HAZARD PARKING**

EXISTING	TOTAL
150	150

**PARKING SUMMARY**

GRADE	PARKING	UNDERGROUND/DECK
LOUVER	203 SPACES	54 SPACES
⊙	35 SPACES (-4 SPACES)	123 SPACES
⊙	67 SPACES (-15 SPACES)	91 SPACES
⊙	283 SPACES (-26 SPACES)	93 SPACES
⊙	249 SPACES (-11 SPACES)	323 SPACES
⊙	101 SPACES (-137 SPACES)	553 SPACES
⊙	233 SPACES	190 SPACES
⊙	165 SPACES	190 SPACES
⊙	158 SPACES	213 SPACES
⊙	NA	NA
⊙	237 SPACES (-209 SPACES)	NA
⊙	424 SPACES	NA
⊙	112 SPACES	NA
⊙	143 SPACES	NA
⊙	201 SPACES	NA
⊙	166 SPACES	NA
⊙	129 SPACES	NA
⊙	37 SPACES	NA
⊙	72 SPACES	NA
⊙	160 SPACES	NA

TOTAL 3,612 SPACES (ON GRADE) 2,220 SPACES (DECK/ABOVE GRADE)  
 83 SPACES 37 SPACES  
 TOTAL EXISTING PARKING ON SITE 5,832 SPACES

ISSUED FOR REFERENCE ONLY  
 AUGUST 22, 2023

01	REVIEW FOR SPA SUBMIT	2023-08-21	AU
02	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
03	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
04	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
05	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
06	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
07	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
08	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
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15	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
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99	REVIEW FOR PEEI SUBMIT	2023-08-21	AU
100	REVIEW FOR PEEI SUBMIT	2023-08-21	AU

**BCC MASTER SITE PLAN**  
 POST ROAD RELOCATION & RELATED WORKS  
 2/4/11: 1:1,250

**DIXIE TRIBUTARY DESIGN**  
 2/5 PEEI CENTRE DRIVE  
 BRAMPTON, ON  
 FOR: MORGUARD INVESTMENTS LTD.

**PETROFF PARTNERSHIP ARCHITECTS**  
**PETROFF**  
 280 TOWN CENTRE BLVD. SUITE 200  
 WILLOWDALE ONTARIO CANADA M2H 3B6  
 TEL: 905.470.2000 FAX: 905.470.9900

DATE: 2023  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 SCALE: 1:1250