

COMMITTEE OF ADJUSTMENT

NOTICE OF HEARING **CONSENT APPLICATION**

WEDNESDAY JULY 8, 2020

File No.: B 009 -20

Location of Subject Property: 460-500 Queen Street South

Property Owner: Husky Injection Molding Systems Ltd. (Agent: J. Kenny)

Purpose and Effect of Consent: The applicant is requesting easements for sanitary, storm and servicing.

You are receiving this Notice as you are either the applicant, an owner of land within 60 metres of the subject land, or a person or public body who has requested to be notified.

Due to continuing efforts to contain the spread of COVID-19 and to protect individuals, Town Hall will not be open to the public to attend Committee of Adjustment Hearings until further notice.

Applicants

The applicant or any authorized person acting on behalf of the applicant may participate in the hearing through the electronic method provided by the Secretary-Treasurer/Legislative Services.

Public

Members of the public may access the meeting details on the above noted hearing date and time on the Town's website at <https://calendar.caledon.ca/meetings> or by telephone at 416-216-5643 Canada Toll (Toronto)
Meeting Access Code: 132 966 5501#
416-216-5643 Canada Toll (Toronto)
Meeting Access Code: 132 120 1889 #

Delegations

If you wish to speak to an application referenced on the agenda package, please visit the **Town's website (CofA page)** to submit the online delegation request form. https://forms.caledon.ca/do.aspx?interviewID=E000005_EngageCouncil&lang=en&AppName=E000005_EngageCouncil

Written Comments

In accordance with Ontario Regulation 197/96, written comments may be sent to the Secretary-Treasurer of the Committee of Adjustment by regular mail or e-mail prior to the above-noted hearing date. Such written comments will form part of the public record.

Additional Information

Additional information regarding the application can be obtained by contacting the Secretary-Treasurer(s) of the Committee of Adjustment. Staff Reports can be made available on the Friday before the hearing date.

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, Committee of Adjustment by mail or email to COFA.Agenda@caledon.ca.

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



6311 Old Church Road
Caledon, ON L7C 1J6
www.caledon.ca
T. 905.584.2272 | 1.888.225.3366 | F. 905.584.4325

Local Planning Appeal Tribunal

The applicant, the Minister or any other person or public body who has an interest in the matter may, within TWENTY DAYS (20) of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the Secretary-Treasurer of the committee a Notice of Appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee charged by the Tribunal under the Local Planning Appeal Tribunal Act, 207, as payable on an appeal from a committee of adjustment to the Tribunal. For more information on the prescribed fee and to obtain a copy of the appeal from, please visit the LPAT website at <http://elto.gov.on.ca>.

Staff note a cheque is required to be submitted payable to the Town of Caledon for\$209 for the preparation of the file materials to be forwarded to LPAT.

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

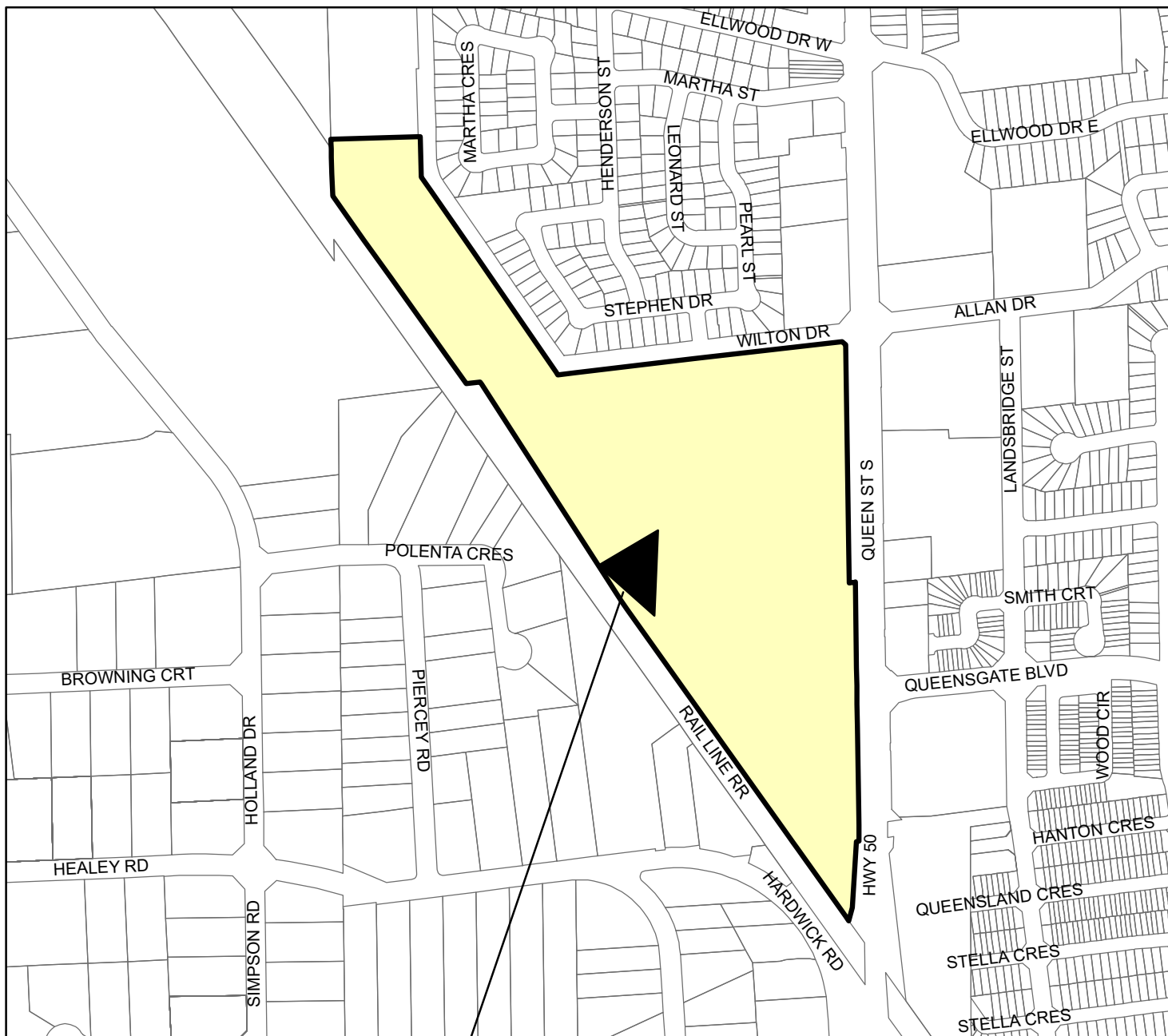
Official Plan Amendment:	Not Applicable
Zoning By-law Amendment:	Not Applicable
Consent:	B 008-20
Minor Variance:	Not Applicable

DATED AT THE TOWN OF CALEDON THIS 18th DAY OF JUNE, 2020.

Additional information regarding this notice may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday by calling 905-584-2272 ext. 4265/4291 or COFA.Agenda@caledon.ca.



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Subject Property



Consent

B 009-20

**Husky Injection Molding System Inc.
(Agent): Jeff Kenny**

460 Queen Street South

Part Lot 6, Concession 6 (Albion)

LOCATION MAP



TOWN OF CALEDON

Date: June 5, 2020

File No.: B 009-20



Personal information on this form is collected pursuant to the Planning Act and will be used in the processing of the application. Applicants are advised that the Committee of Adjustment is a public process in which all material provided may be considered public information and may be made available upon request. Questions should be forwarded to the Municipal Freedom of Information Coordinator at 905-584-2272.

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(s) are received.

File Number: B 009-20

1. NAME OF OWNER <u>HUSKY INSULATION MANUFACTURING SYSTEMS LTD</u>		TAX ASSESSMENT ROLL NUMBER: <u>2124.090-005.03100-0000</u>	
STREET & NUMBER <u>460 QUEEN ST S</u>		NAME OF AUTHORIZED AGENT <u>JEFF KENNY</u>	
CITY <u>BOLTON</u>		STREET & NUMBER <u>2620 BRISTOL CIRCLE #100</u>	
POSTAL CODE <u>L7E 5S5</u>		CITY <u>OAKVILLE</u>	
TELEPHONE <u>905-399-7625 (cell)</u>		POSTAL CODE <u>L6H 6Z7</u>	
E-MAIL <u>JFLORIAN@HUSKY.ca</u>		E-MAIL <u>JEFF.KENNY@STANLEY-H.ca</u>	

2. The type and the purpose of the proposed transaction, such as: a transfer for the creation of a new lot; a lot addition; an easement; a charge; a lease or a correction of title. Please specify:

- CREATE PERMANENT EASEMENT FOR SANITARY (EXISTING)
- MUTUAL INTEREST THROUGH SHARED SEWERAGE AGREEMENT (STORM)

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.

ELM ACQUISITIONS CORP.

4. LEGAL DESCRIPTION -

Lot 562 Succession ATTACHED former lot FORM
OR
Lot 662 Registered for ADJUDICATION



5. Are there any easements or restrictive covenants affecting the subject land?
 Yes ☒ No ☐
 Specify: _____

6. DESCRIPTION OF LAND TO BE SEVERED: Dimensions of land (metric units):
 Frontage: 146.88 Depth: 176.34 Area: 19,381.675
 Existing Use: _____ Proposed Use: DAY NURSERY
EX. VACANT BUILDING
 Number and use of buildings and structures (both existing and proposed) on the land to be severed:
 (existing) 1
 (proposed) 1 (NO CHANGE PROPOSED)

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

 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?

Water supply will be by:	Existing	Proposed		Existing	Proposed
Publicly owned and operated water system <u>SERVICES EXIST BUT WILL BE MODIFIED</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)		



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

7. DESCRIPTION OF LAND TO BE RETAINED: Dimensions of land (metric units):					
Frontage: <u>350m.</u>		Depth: <u>584.0m</u>		Area: <u>202,220.20</u>	
Existing Use:			Proposed Use:		
<u>MANUFACTURING</u>			<u>MANUFACTURING (NO OFFICE)</u>		
Number and use of buildings and structures (both existing and proposed) on the land to be retained:					
(existing)	<u>5</u>				
(proposed)	<u>0</u>				
Access will be by:	Existing	Proposed		Existing	Proposed
Provincial Highway	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road – Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>	Private Right-of-way	<input type="checkbox"/>	<input type="checkbox"/>
Water	<input type="checkbox"/>	<input type="checkbox"/>			
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?					

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



Sewage disposal will be by:	Existing	Proposed		Existing	Proposed
Publicly owned and operated sanitary sewage system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Privy	<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:	MS(CEX) / MP (DEP) SPECIAL SERVICE	MS & MS-317
Official Plan Designations:		
Town of Caledon	PRESTIGE INDUSTRIAL	PRESTIGE & GENERAL INDUSTRIAL
Region of Peel	BUILT UP AREA RURAL SERVICE CENTRE	BUILT UP AREA RURAL SERVICE CENTRE

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 consent under section 53 of the Act? ☐ No ☒ Yes

If yes and if known, please provide the file number of the application and the decision on the application.

File # B-18-10 Decision: PASSED BUT CONDITIONS NOT FULFILLED

10. Has any land been severed from the parcel originally acquired by the owner of the subject land? ☒ No ☐ Yes

If yes, provide date of transfer: N/A Land Use: N/A

Name of Transferee: N/A

11. Is the subject land consistent with the Provincial Policy Statement? Yes ☒ No ☐

If NO, please explain _____



12. Is the subject land within an area of land designated under any provincial plan or plans?

No ☐

Yes ☒

If YES, does the application conform to or does not conflict with the applicable provincial plan or plans?

W/A

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

	File Number	Status		File Number	Status
Plan of Subdivision			Official Plan Amendment		
Minor Variance	A-053/10	PASSED	Zoning By-law Amendment	RZ 19-04	
Minister's Zoning Order	A-054/10		Consent	B-10-018	SEE SECTION 9
Approval of Power of Sale			Validation of the Title		

14. PERMISSION TO ENTER PROPERTY:

By completing the Declaration of Owner or Authorized Agent, I / We hereby acknowledge and authorize the members of the Town of Caledon Committee of Adjustment and staff as well as any other government body or agency, to enter upon the lands subject to this application for the purpose of conducting a site inspection and agree that no discussion shall take place with the Committee members during the site inspection.

Initials

Initials

15. PRELIMINARY MEETING

Which municipal departments/agencies (if any) have you pre-consulted with in regard to this application? Please attach any relevant correspondence or briefs.

ALL - SEE ZCL & SPA COMMENTS FOR RZ 19-04 & SPA 19-0237



16. REGISTERED PROPERTY OWNER(S) APPOINTMENT AND AUTHORIZATION TO AN AGENT:

I / We, the undersigned, being the registered property owner(s) of the subject lands hereby authorize JEFF KIBNY STRATZ & CO to act on my/our behalf
(Authorized agent's name)
with respect to making a consent application(s) to the Town of Caledon.

[Signature]
OWNER / SIGNING OFFICER

OWNER / SIGNING OFFICER

☒ I have authority to bind the corporation. HUSKY INJECTION MOLDING SYSTEMS LTD
NAME OF CORPORATION

MICHAEL NICHOLAS VP STRATEGY DEVELOPMENT
Print - FULL NAME AND POSITION

JUNE 5/2020

NOTE: i) If the owner(s) 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 is affixed over the signature.
ii) If there is more than one owner, all owners shall complete and sign this or affix an additional appointment/authorization form.
iii) If the agent is a corporation, specify by name the person(s) who is appointed on its behalf.

17. SIGN POSTING AND PROPERTY STAKING AGREEMENT:

I / We hereby acknowledge receipt of the Notice Sign from Town staff and agree that such Notice Sign shall be posted at least 14 days before the hearing on an application for a consent and clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Secretary-Treasurer.

I / we hereby acknowledge that failure to adequately post and maintain such sign may result in the deferral of the hearing of the application by the Committee of Adjustment and a deferral fee may be required to be paid to the Town by the Applicant at a cost established by By-law by the municipality.

[Signature] Initials

[Signature] Initials



18. DECLARATION OF OWNER OR AUTHORIZED AGENT

I, TEFF MEYER of the CITY of BURLINGTON

in the REGION of ONTARIO:

Solemnly declare that all above statements and the statements contained in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

Information is being collected under the authority of the *Planning Act*, R.S.O. 1990, CHAPTER P.13. In accordance with that Act, the Town of Caledon provides public access to all *Planning Act* applications, supporting information, and comments submitted to the Town for review. In submitting the information to the Town, the submitter acknowledges that the information contained in this application and any supporting information including reports, studies and drawings provided by the owners, agents, consultants or solicitors, and any comments received from the public, together constitute public information and will become part of the public record. In accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, copies of the application and any of its supporting information, documents or comments may be released or made available to the general public through the Town's website or by any other means.

Questions about this collection should be directed to the FOI Co-ordinator, Town of Caledon, 6311 Old Church Road, Caledon, ON L7C 1J6, telephone 905-584-2272 ext. 4168 or by email at records@caledon.ca.

Note: The signature of an applicant or authorized agent must be witnessed by a Commissioner, etc. A Commissioner is available at Town Hall, if needed.

by video conference

DECLARED before me at the

City of Toronto

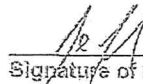
in the Province

of Ontario

this 5 day of June 2020.


Signature of Commissioner, etc.

JOHN BROADWAY


Signature of Applicant/Agent/Owner

COMMITTEE OF ADJUSTMENT
Application for Consent
July 8, 2020

‘B’ 009-20, Husky Injection Systems Limited, 500 Queen Street South, Ward 5

RECOMMENDATION

Staff is of the opinion that the proposal conforms to Section 51(24) of the Planning Act, as amended, R.S.O. 1990. Planning Staff recommend approval of consent application File No: ‘B’ 009-20 subject to the attached conditions:

1. That the Secretary-Treasurer receives a letter from the Zoning Administrator confirming that both the severed and retained parcels satisfy all applicable zoning by-law standards. The owner/agent must submit a development plan/draft reference plan (drawn to scale in metric) certified by an Ontario Land Surveyor showing sufficient detail for staff to assess compliance with all the applicable standards.
2. That the Secretary-Treasurer receive written confirmation from Legal Services that ‘B’ 009-20 is registered prior to the Certificate for ‘B’ 008-20 is issued.
3. That the Secretary-Treasurer receive written confirmation that Zoning By-law Amendment RZ 19-04 is in full force and effect.
4. That the Secretary-Treasurer receives confirmation from the Region of Peel that the applicant has made satisfactory arrangements with the Region, Public Works with respect to the location of existing and installation of new services and/or possible required private service easements.

PROPOSAL

The applicant is proposing to create sanitary, storm and servicing easements from the retained lands (500 Queen Street) over the proposed severed lands (460 Queen Street) subject to consent application ‘B’ 008-20.

ANALYSIS

Town of Caledon Official Plan

The subject property is designated Prestige Industrial and General Industrial on Schedule ‘C’ – Bolton Land Use Plan in the Town of Caledon Official Plan.

Uses permitted in the Prestige Industrial designation includes, among others, Corporate Offices, Offices related to Industrial uses and Day care facility. Uses permitted in the General Industrial designation includes, among others, Warehousing, Manufacturing and Offices related to Industrial uses. The proposed severance is located within the Prestige Industrial Designation.

Zoning By-law 2006-50, as amended

The subject property is zoned Serviced Industrial (MS) and Serviced Industrial Exception 317 (MS-317) by Zoning By-law 2006-50, as amended.

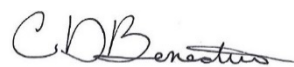
Uses permitted in the Serviced Industrial Exception 317 (MS-317) zone include an Industrial Use. Uses permitted in the Serviced Industrial (MS) zone includes, among others, Industrial and Warehouse use. The proposed severance is located within the MS zone.

The applicant currently has a concurrent Zoning By-law Amendment Application (RZ 19-04) under review by the Town in which the applicant is proposing a site-specific zone to permit a Day Nursery (Day Care) as a standalone use, no longer accessory to a permitted primary use. Further, there is a concurrent Site Plan Application (SPA 19-39) to establish site design and detail.


The Region of Peel has reviewed the proposed consent and advises that severing the lands may adversely affect the existing location of the water and sanitary sewer services. The result of this may require the applicant to install new water/sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water/sanitary sewer servicing easements. Review of the draft easement document is required by the Region of Peel.

CONCLUSION

Based on the above, it is the opinion of Development staff that the proposed application to create sanitary, storm and servicing easements is consistent with the Town's Official Plan and Zoning By-law and therefore staff recommend approval of 'B' 009-20.



Cristina Di Benedetto
Community Planner



Rob Hughes
Manager, Planning Services



COMMITTEE OF ADJUSTMENT

DRAFT CONDITION(S)

File Number: B 009-20

1. That the Secretary-Treasurer's Certificate fees shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate.
2. That the Secretary-Treasurer receive draft reference plan(s) for approval by the Development and Legal Section;
3. That the Secretary-Treasurer and Legal receive the required number of prints of the resultant deposited reference plan(s);
4. That the Secretary-Treasurer receive confirmation from Legal Services indicating that the Applicant has provided the following items:
 - a. Draft Transfer prepared to the satisfaction of Legal Services for the subject consent application; and,
 - b. Signed Solicitor's Undertaking to provide the registered documents listed in (a) immediately after registration of the same.
5. That the Secretary-Treasurer receive confirmation from the Region of Peel, Public Works that satisfactory arrangements shall be made with respect to the location of existing and installation of new services and/or possible private service easements.
6. That the Secretary-Treasurer receive confirmation from Engineering Services that the drainage easement has been registered prior to approval, if required.
7. That the Secretary-Treasurer receive confirmation from Town's Corporate Services department that there are no outstanding financial obligations.



Date of Hearing: July 8, 2020

File Number: B 009-20

Department	Staff	Comments	Condition(s) If applicable
Community Services			
Planning and Development	Zoning Administrator	The subject property is zoned Serviced Industrial (MS) and Serviced Industrial Exception -317 (MS-317) by Zoning By-law 2006-50, as amended.	
	Landscape Architect	No concerns	
	Technologist Development Engineer	<p>The applicant requires a drainage easement for stormwater and overland flow. This can be in the form of a blanket drainage easement or defined drainage easements. If the applicant is proposing a defined drainage easement, then the applicant is to provide a site servicing plan for the entire property clearly identifying the storm sewer system and outlet location. The plan is to show the proposed drainage easements.</p> <p>The applicant is to provide confirmation</p>	That the Secretary-Treasurer receive confirmation that the drainage easement has been registered prior to approval.

		that the drainage easement has been registered prior to approval.	
	Heritage Resource Officer	No concerns	
	Policy & Sustainability	No comments received	
Municipal Numbers	Development Coordinator/Senior Planner	No comments received	
Fire & Emergency Services	Chief Fire Prevention Officer	No comments received	
Building & Support Services	Plans Examiner	No concerns	
Finance & Infrastructure Services			
Transportation	Traffic Technologist	Highway 50 is under the jurisdiction of the Region and leave traffic related comments to the Region.	
Finance	Senior Financial Analyst	<p>B 009-20 Roll # 090.005.03100.0000 460 QUEEN ST SOUTH HUSKY INJECTION MOLDING SYSTEMS LTD.</p> <p>As at June 9, 2020, property taxes for 460 QUEEN ST SOUTH are determined to be current. There are no outstanding financial obligations that would otherwise affect the attached application # B 009-20. These comments apply solely to # B 009-20 and are based on information available as at June 9, 2020.</p>	

Corporate Services			
Regulatory Services/By-law	By-law and Licensing Supervisor	No concerns	

External Agency Comments

Agency	Comments
Region of Peel	See attached
Hydro One	Not applicable
Toronto Region Conservation Authority	Not applicable
Credit Valley Conservation	Not applicable
Ministry of Transportation	Not applicable
Canadian Pacific Railway	Not applicable
Propane Operator	Not applicable
Niagara Escarpment Commission	Not applicable