

# Revised Agenda Committee of Adjustment The Corporation of the City of Brampton

Date: Tuesday, January 24, 2023

**Time:** 9:00 a.m.

**Location:** Hybrid Meeting - Virtual Option & In-Person in Council Chambers – 4th Floor –

City Hall

Members: Ron Chatha (Chair)

Desiree Doerfler (Vice-Chair)

Ana Cristina Marques

David Colp

The CoA meeting agenda, including minor variance and consent applications only, is published two Fridays prior to the scheduled Hearing date and the revised agenda, including staff reports and additional correspondence, etc. related to each application, is published the Friday prior to the scheduled Tuesday Hearing date.

NOTICE: In-person public attendance at the meeting may be limited due to prevailing public health gathering requirements. Public and other meeting participants are encouraged to observe meetings online or participate remotely by contacting the City Clerk's Office through the contact details below.

For inquiries about this agenda, or to make arrangements for accessibility accommodations (some advance notice may be required), please contact:

Jeanie Myers, Secretary-Treasurer, Telephone 905.874.2117, cityclerksoffice@brampton.ca

### 1. Call to Order

# \*2. Adoption of Minutes

### \*3. Region of Peel Comments

### 4. Declarations of Interest under the Municipal Conflict of Interest Act

### \*5. Withdrawals/Deferrals

Letter dated January 23, 2023 from Anthony Sirianni, Gagnon Walker Domes Ltd., requesting a deferral for applications B-2022-0014, A-2022-0320 & A-2022-0321 (Agenda Items 7.1, 9.3 & 9.4).

Letter dated January 23, 2023 from Harjinder Singh, MEM Engineering Inc., requesting a deferral for application A-2022-0327 (Agenda Item 9.6).

### 6. NEW CONSENT APPLICATIONS

### \*6.1 B-2022-0028

UMBRIA DEVELOPERS INC.

12 HENDERSON AVENUE

PART OF LOT 5, CONCESSION 1 W.H.S., WARD 3

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 3.07 hectares (7.58 acres); together with easements for storm water services, storm water management pond, watermain and fire hydrant in favour of the retained lands and an easement for access in favour of the severed lands. The proposed severed lot has a frontage of approximately 13 metres (42.65 feet), a depth of approximately 90 metres (295.27 feet) and an area of approximately 1.74 hectares (4.30 acres). The effect of the application is to create a new lot for future residential purposes (One 13-Storey Residential Apartment Building).

### \*6.2 B-2022-0029

NATIONAL BRIXEN (STEELES) INC.

**260 MALTA AVENUE** 

PART OF BLOCKS 31 AND 32, PLAN 43M-1644, WARD 4

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.477 hectares (1.18 acres). The proposed severed lot (Parcel B) ranging in width from approximately 7 metres (23 feet) to 8 metres (26 feet) will be conveyed to the Region of Peel to achieve the ultimate right-of-way width for Steeles Avenue West. The effect of the application is to provide for an increased road widening along Steeles Avenue West, including the required 0.3 metre (1 foot) reserve.

### \*6.3 B-2022-0030

NATIONAL BRIXEN (STEELES) INC.

245 STEELES AVENUE WEST

PART OF BLOCKS 31 AND 32, PLAN 43M-1644, WARD 4

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.620 hectares (1.53 acres). The proposed severed lot (Parcel A) ) ranging in width from approximately 7 metres (23 feet) to 8 metres (26 feet) will be conveyed to the Region of Peel to achieve the ultimate right-of-way width for Steeles Avenue West. The effect of the application is to provide for an increased road widening along Steeles Avenue West, including the required 0.3 metre (1 foot) reserve.

### 7. DEFERRED CONSENT APPLICATIONS

### \*7.1 B-2022-0014

MEHNA AUTO SALES INC.

93 JOHN STREET

PART OF LOT 43, PLAN BR-2, PART 4, PLAN 43R-13441, WARD 3

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.063 hectares (1.55 acres). The proposed severed lot has a frontage of approximately 7.93 metres (26 feet), a depth of approximately 37.27 metres (122.28feet) and an area of approximately 0.029 hectares (0.073 acres). The effect of the application is to create two individual lots from the existing lot for future residential development of a new semi-detached dwelling on each proposed lot.

Related Minor Variance Applications: A-2022-0320 & A-2022-0321 (Agenda Items 9.3 & 9.4)

### \*7.2 B-2022-0015

PAUL PFUNDT AND ROBERTA ROSEMARIE ELIZABETH PFUNDT

10300 THE GORE ROAD

PART OF LOT 12, CONCESSION 9. N.D., WARD 10

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 15.77 hectares (38.97 acres). The proposed severed lot has an area of approximately 15.16 hectares (37.46 acres). The effect of the application is to separate the proposed retained lot which remains occupied by a single detached dwelling, a designated heritage building and an accessory structure (shed) from the proposed severed lot which is currently zoned Agricultural and Floodplain.

Related Minor Variance Application: A-2022-0323 (Agenda Item 9.5)

### \*7.3 B-2022-0019

BOVAIRD WEST HOLDINGS INC.

LAGERFELD DRIVE, NORTHEAST OF BOVAIRD DRIVE WEST AND CREDITVIEW ROAD

BLOCK 2, PLAN 43M-1927, WARD 6

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 3.25 hectares (8.03 acres), together with reciprocal easements for access and servicing. The proposed severed lot has a frontage of approximately 108.57 metres (356.20 feet), a depth of approximately 138.28 metres (453.67 feet) and an area of approximately 1.73 hectares (4.27 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot to the east for residential/mixed use and the retained lot to the west for retail and commercial uses.

### \*7.4 B-2022-0020

2441925 ONTARIO LTD.

2 AUCTION LANE

PART OF LOT 5, CONCESSION 7 ND, WARD 8

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.229 hectares (3.04 acres), together with easements for parking, access, sanitary and water servicing and storm servicing. The proposed severed lot has a frontage of approximately 43.7 metres (143.37 feet), a depth of approximately 76.35 metres (250.50 feet) and an area of approximately 0.334 hectares (0.825 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot with a new 8 storey office building with 2 levels of underground parking. The retained lands will continue to be occupied by a banquet hall.

Related Minor Variance Applications: A-2022-0039 & A-2022-0349 (Agenda Items 9.1 & 9.10)

### 8. NEW MINOR VARIANCE APPLICATIONS

### \*8.1 A-2022-0389

MAYFIELD (RCH) PROPERTIES INC.

**6 KESSLER DRIVE** 

LOT 2, PLAN 43M-2102, WARD 9

The applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.).

### \*8.2 A-2022-0390

MAYFIELD (RCH) PROPERTIES INC.

**8 KESSLER DRIVE** 

LOT 1, PLAN 43M-2102, WARD 9

The applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.).

### \*8.3 A-2022-0391

MAYFIELD (RCH) PROPERTIES INC.

**KESSLER DRIVE** 

PART OF BLOCK 163, PLAN 43M-2102 AND PART OF BLOCK 247, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.40m (24.28 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.).

### \*8.4 A-2022-0392

MAYFIELD (RCH) PROPERTIES INC.

**KESSLER DRIVE** 

PART OF BLOCK 162, PLAN 43M-2102 AND PART OF BLOCK 248, PLAN 43M-2103, WARD 9

The applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.20m (23.62 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.).

### \*8.5 A-2022-0393

MAYFIELD (RCH) PROPERTIES INC.

**KESSLER DRIVE** 

PART OF BLOCK 161, PLAN 43M-2102 AND PART OF BLOCK 249, PLAN 43M-210, WARD 9

The applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.41m (24.31ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.).

### \*8.6 A-2022-0394

CHARANJEET SANDHU AND KULJEET KAUR SANDHU

12 CALLALILY ROAD

PART OF LOT 523, PLAN 43M-1748, PART 49, PLAN 43R-32503, WARD 2

The applicants are requesting the following variance(s):

- To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard;
- 2. To permit an interior side yard setback of 0.15m (0.50 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
- 3. To permit a driveway width of 8.21m (26.9 ft.) whereas the by-law permits a maximum driveway width of 5.2m (17 ft.);
- 4. To permit a permeable landscaping strip of 0.15m (0.50 ft.) whereas the bylaw requires a minimum 0.6m (1.97 ft.) permeable landscaping strip abutting one property line.

### \*8.7 A-2022-0395

SONAL PATEL

142 BRUSSELS AVENUE

PART OF BLOCK 2, PLAN 43M-1680, PARTS 1 AND 2, PLAN 43R-30448, WARD 2

The applicants are requesting the following variance(s):

- To permit a below grade entrance to be located between the main wall of the dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the flankage lot line;
- 2. To permit an existing fence having a maximum fence height of 2.4m (7.87 ft.) whereas the by-law permits a maximum height of 2.0m (6.56 ft.).

### \*8.8 A-2022-0396

INDARJIT RAMLAGAN AND KALOUTI RAMLAGAN

162 LUELLA CRESCENT

LOT 14, Plan 43M-1583, WARD 6

The applicants are requesting the following variance(s):

- To permit a below grade entrance having a setback of 9.7m (31.82 ft.) to the TransCanada Pipeline right-of-way whereas the by-law does not permit any permanent structures and excavations to be located within 10.0m (32.80 ft.) of the TransCanada pipeline right-of-way;
- 2. To permit a rear yard setback of 0.6m (1.97 ft.) to an existing accessory structure (shed) whereas the by-law does not permit any permanent structures to be located within 10.0m (32.80 ft.) of the TransCanada pipeline right-of-way;
- 3. To permit an existing driveway width of 7.5m (24.60 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

### \*8.9 A-2022-0397

JAGDEV SINGH UPPAL AND KAMALJIT KAUR UPPAL

49 EASTBROOK WAY

LOT 58, PLAN 43M-1442, WARD 10

The applicants are requesting the following variance(s):

- 1. To permit an existing driveway width of 7.61m (24.97 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
- 2. To permit 0.0m of permeable landscaping along the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip between the driveway and the side property line;
- 3. To permit an interior side yard setback of 0.14m (0.60 ft.) to a proposed below grade entrance whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling.

### \*8.10 A-2022-0398

GOBITHA PIRATHEEPAN AND PIRANTHEEPAN KULENDRAN

9 FERNCASTLE CRESCENT

LOT 152, PLAN 43M-1614, WARD 6

The applicants are requesting the following variance(s):

1. To permit a 0.66m (2.17 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit.

### \*8.11 A-2022-0399

VINCE D'AGATE AND ALESSANDRA FARGIOINE-D'AGATE

32 HIGHVALLEY CIRCLE

LOT 287, PLAN 43M-1622, WARD 8

The applicants are requesting the following variance(s):

- 1. To permit an accessory structure having a building height of 3.05m (10 ft.) whereas the by-law permits a maximum height of 3.0m (9.84 ft.) for an accessory structure;
- 2. To permit an accessory structure having a gross floor area of 22.4 sq. m (241.11 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
- 3. To permit an accessory structure (cabana) to include habitable space (installation of a washroom) whereas the by-law does not permit an accessory structure to be used for human habitation.

### \*8.12 A-2022-0400

CHIRAG NANALAL SHAH AND KESHA RAMESHBHAI SHAH

23 GORE VALLEY TRAIL

LOT 37, PLAN 43M-1545, WARD 8

The applicants are requesting the following variance(s):

1. To permit a driveway width of 10.15m (33.30 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

### \*8.13 A-2022-0401

SUKHPAL SINGH AND GURJANT SINGH

73 BLACKTHORN LANE

LOT 160, PLAN M-175, WARD 1

The applicants are requesting the following variance(s):

1. To permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit below grade entrances between the main wall of the dwelling and the flankage lot line.

### \*8.14 A-2022-0402

KANEFF PROPERTIES LTD.

**0 FINANCIAL DRIVE** 

BLOCK 283, PLAN 43M-1886, WARD 4

The applicant is requesting the following variance(s):

- 1. To permit a minimum building height of 6.02m (19.75 ft.) whereas the by-law permits a maximum building height of 9.5m (31.17 ft.);
- 2. To permit an interior side yard setback of 3.0m (9.84 ft.) to a hydro transformer whereas the by-law requires a minimum interior side yard setback of 9.0m (29.53 ft.).

### \*8.15 A-2022-0403

MOHINDER PHARWAHA, MANDEEP PHARWAHA AND SURINDER PHARWAHA

1 BOWMAN AVENUE

LOT 27, PLAN M-304, WARD 10

The applicant is requesting the following variance(s):

1. To permit a building height of 13.15m (43.14 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

#### \*8.16 A-2022-0405

FORESTSIDE ESTATES INC.

**4320 QUEEN STREET EAST** 

PART OF LOTS 4 AND 5, CONCESSION 9 ND, WARD 8

The applicants are requesting the following variance(s):

- 1. To permit 298 dwelling units whereas the by-law permits a maximum of 272 dwelling units;
- 2. To provide a parking rate of 0.98 parking spaces per dwelling unit whereas the by-law requires a minimum of 1.0 parking spaces per dwelling unit.

### \*8.17 A-2022-0406

MADHUPARNA DEBNATH AND SOTABDO DEBNATH

48 DEEPCORAL COURT

PART OF LOT 357, PLAN 43M-1613, PART 11, PLAN 43R-29370, WARD 1

The applicants are requesting the following variance(s):

1. To permit a driveway width of 5.2m (17.06 ft.) whereas the by-law permits a maximum driveway width of 4.9m (16.07 ft.).

### \*8.18 A-2022-0407

ROHIT PRASAD AND NEHA PRASAD

125 SUNNY MEADOW BOULEVARD

LOT 13, PLAN 43M-1299, WARD 9

The applicants are requesting the following variance(s):

1. To permit a proposed below grade entrance in the interior side yard having a setback of 0.06m (0.20 ft.) whereas the by law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard provided there is a continuous 1.2m (3.94 ft.) side yard on the opposite side of the dwelling.

### 9. DEFERRED MINOR VARIANCE APPLICATIONS

### \*9.1 A-2022-0039

2441925 ONTARIO LTD.

**2 AUCTION LANE** 

PART OF LOT 5, CONCESSION 7 ND, PARTS 1, 3, 5, 10, 17, 28 AND 35, WARD 8

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0020:

- 1. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots:
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- To permit a landscaped open space of 4.3 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 4. To permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuge to be screened within an enclosure.

### \*9.2 A-2022-0158

2466482 ONTARIO INC.

26 BRAMSTEELE ROAD

PART OF LOT 1, CONCESSION 2 E.H.S., WARD 3

The applicant is requesting the following variance(s):

- 1. To permit a motor vehicle sales establishment whereas the by-law does not permit a motor vehicle sales establishment;
- 2. To permit 33 parking spaces whereas the by-law requires a minimum of 50 parking spaces;
- 3. To permit an existing convenience restaurant having a gross floor area of 250 square metres whereas the by-law permits a maximum gross floor area of 102 square metres for a convenience restaurant.

### \*9.3 A-2022-0320

MEHNA AUTO SALES INC.

93 JOHN STREET

PART OF LOT 43, PLAN BR-2, PART 4, PLAN 43R-13441, WARD 3

The applicant is requesting the following variance(s) for construction of a new semidetached dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0014:

- 1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling within an R1B zone;
- 2. To permit a minimum lot area of 290 square metres whereas the by-law requires a minimum lot area of 450 square metres;
- 3. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres.

Related Consent Application: B-2022-0014 (Agenda Item 7.1)

### \*9.4 A-2022-0321

MEHNA AUTO SALES INC.

93 JOHN STREET

PART OF LOT 43, PLAN BR-2, PART 4, PLAN 43R-13441, WARD 3

The applicant is requesting the following variance(s) for construction of a new semidetached dwelling in conjunction with the proposed retained lot under Consent Application B-2022-0014:

- To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling within an R1B zone;
- 2. To permit a minimum lot area of 290 square metres whereas the by-law requires a minimum lot area of 450 square metres;
- 3. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres.

Related Consent Application: B-2022-0014 (Agenda Item 7.1)

### \*9.5 A-2022-0323

PAUL PFUNDT AND ROBERTA ROSEMARIE ELIZABETH PFUNDT

10300 THE GORE ROAD

PART OF LOT 12, CONCESSION 9 N.D., WARD 10

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0015:

- 1. To permit a minimum lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 4.0 hectares;
- 2. To permit a minimum rear yard setback of 0.5m (1.64 ft.) to an existing accessory structure (shed) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the nearest property lines for an accessory structure.

Related Consent Application: B-2022-0015 (Agenda Item 7.2)

### \*9.6 A-2022-0327

PUSHKAR CHAVAN AND VAISHAKHI CHAVAN

43 ELYSIAN FIELDS CIRCLE

LOT 36, PLAN 43M-2015, WARD 6

The applicants are requesting the following variance(s):

To permit an above grade door in the side wall where a minimum side yard width of 0.66m (2.17 ft.) is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m (3.94 ft.) extending from the front wall of the dwelling up to and including the door;

- 1. To permit a 0.66m (2.17 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit;
- 2. To permit a 0.4m (1.31 ft.) setback to an existing accessory structure (gazebo) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot lines for an accessory structure;
- 3. To provide 0.0m of permeable landscaping abutting the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line;
- 4. To permit a driveway width of 8.56m (28.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

### \*9.7 A-2022-0334

MICHAEL BRO AND DIANA KHAMIS

23 MISSION RIDGE TRAIL

LOT 329, PLAN 43M-1799, WARD 10

The applicants are requesting the following variance(s):

- 1. To permit an existing accessory structure (gazebo) having a gross floor area of 17.83 sq. m (191.92 sq. ft.) whereas the by-law permits an accessory structure having a maximum gross floor area of 15 sq. m (161.46 sq. ft.);
- 2. To permit an existing fence (including privacy screen) having a height of 2.79m (9.15 ft.) whereas the by-law permits a maximum height of 2.0m (6.56 ft.) for a fence in the rear and side yard;
- 3. To permit a driveway width of 8.33m (27.33 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
- 4. To provide 0.0m of permeable landscaping abutting the side property line on both sides whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line.

### \*9.8 A-2022-0339

MALKIT SINGH AND NACHHATTAR SINGH

399 RAY LAWSON BOULEVARD

LOT 1, PLAN M-775, WARD 4

The applicants are requesting the following variance(s):

1. To permit an existing driveway width of 18.18m (59.65 ft.) whereas the bylaw permits a maximum driveway width of 9.14m (30 ft.).

### \*9.9 A-2022-0341

NANDINI SHUKLA AND PARV JOHARI

9 CALLALILY ROAD

PART OF LOT 528, PLAN 43M-1748, PART 5, PLAN 43R-32379, WARD 2

The applicants are requesting the following variance(s):

- 1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in a required side yard;
- 2. To permit an interior side yard setback of 0.09m (0.30 ft.) to a below grade entrance whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.).

### \*9.10 A-2022-0349

2441925 ONTARIO LTD.

2 AUCTION LANE

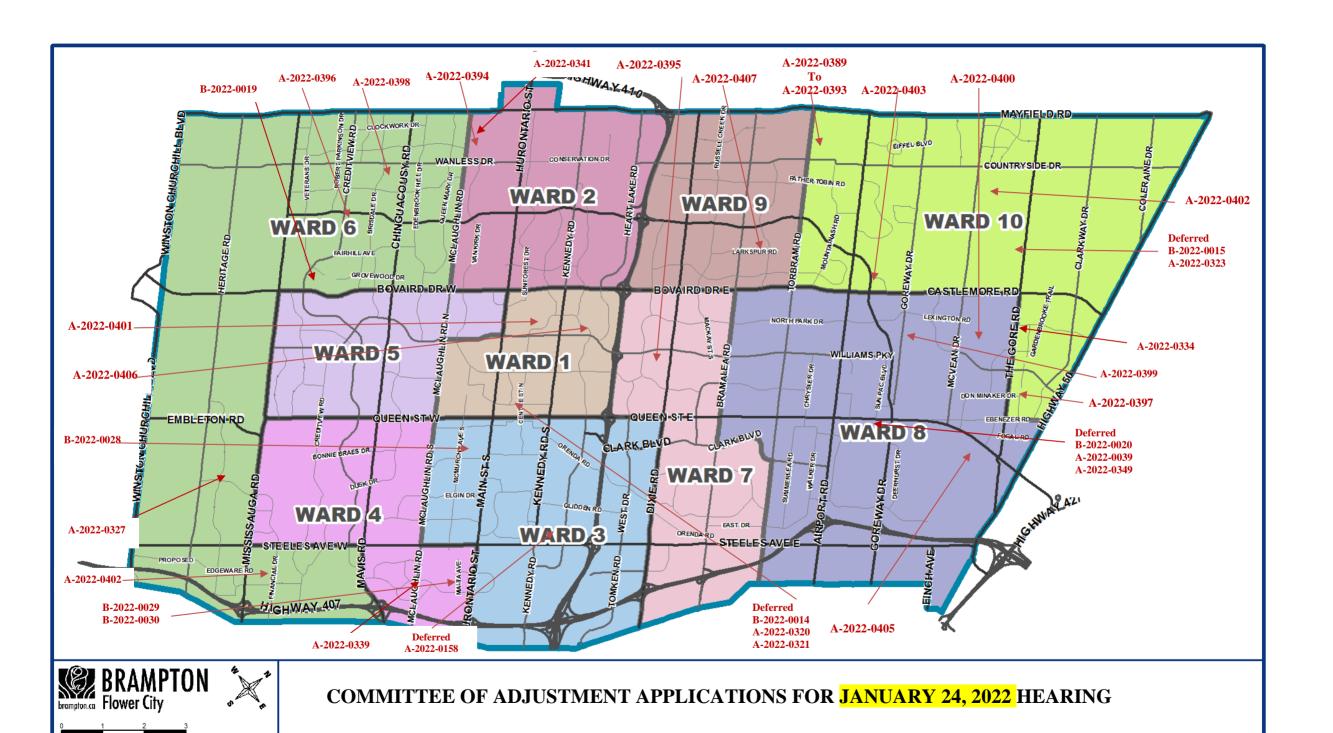
PART OF LOT 5, CONCESSION 7 ND, PARTS 1, 3, 5, 10, 17, 28 AND 35, WARD 8

The applicant is requesting the following variance(s) in conjunction with the proposed severed lot under Consent Application B-2022-0020:

- 1. To permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares;
- 2. To permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres;
- 3. To permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres;
- 4. To permit a rear yard setback of 4.5 metres to the parking ramp whereas the by-law requires a minimum rear yard depth of 6.0 metres;
- 5. To permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%;
- 6. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots:
- 7. To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 8. To permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 9. To permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuge to be screened within an enclosure;
- To permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive;
- 11. To permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width.

Related Consent Application: B-2022-0020 (Agenda Item 7.4)

# 10. Adjournment



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# **Minutes**

# Committee of Adjustment The Corporation of the City of Brampton

Date:

January 3, 2023

Time:

9:00 a.m.

Location:

Council Chambers, 4th Floor - City Hall - Webex Electronic Meeting

Members:

Ron Chatha (Chair)

Desiree Doerfler (Vice Chair)

Ana Cristina Marques

David Colp

Staff:

Mohamed Jalabi, Assistant Development Planner

Simran Sandhu, Assistant Development Planner

Chinoye Sunny, Development Planner Rajvi Patel, Development Planner

Megan Fernandes, Planning Technician

Ales Sepe, Principal Planner/Supervisor, Development Services Ross Campbell, Supervisor, Zoning and Sign By-Law Services

Jeanie Myers, Secretary-Treasurer

### 1. Call to Order

The meeting was called to order at 9:00 am and adjourned at 10:58 am.

### 2. ADOPTION OF MINUTES:

Moved by: D. Doerfler

Seconded by: A. C. Marques

THAT the minutes of the Committee of Adjustment hearing held December 6, 2022 be approved, as printed and circulated.

CARRIED

### 3. Region of Peel Comments

Letter dated December 16, 2022

# 4. Declarations of Interest Under the Municipal Conflict of Interest Act:

Member Desiree Doerfler declared a conflict of interest on Application A-2022-0387 in the name of Peel Condominium Corporation 344 due to previous ties to a former family member.

### 5. Withdrawals/Deferrals

B-2022-0026 (Agenda Item 6.1)

KULBIR RAO AND NAVNEET RAO

33 SILKTOP TRAIL

LOT 30, PLAN 43M-1300, WARD 9

Committee acknowledged receipt of a letter dated December 21, 2022 from Tanvir Rai, Noble Prime Solutions Ltd. requesting a deferral of Application B-2022-0026 to work with staff towards a solution that will be acceptable.

Mr. Rai was in attendance to acknowledge the request for a deferral in accordance with the recommendation of staff.

Committee acknowledged receipt of a letter dated December 21, 2022 from MHBC Planning on behalf of TransCanada Pipelines Limited (TCPL) requesting the landowner be required to enter into an agreement with TCPL and same be registered on title prior to the registration of a reference plan.

Staff advised that a deferral is recommended no later than the last hearing of March, 2023. Staff explained that during the review of the application, Traffic Services Staff had expressed concerns regarding the proposed severed lot driveway connection to the public road noting that there is currently an active Site Plan Approval application to build a proper cul-de-sac that could potentially impact the driveway connection for the severed lot. Staff advised that a deferral will provide an opportunity for the applicant to amend the application to the satisfaction of City Staff.

Moved by: D. Doerfler

Seconded by: A. C. Marques

THAT application B-2022-0026 be deferred no later than the last hearing of March, 2023.

**CARRIED** 

B-2022-0027 (Agenda Item 6.2)

AECON CONSTRUCTION AND MATERIALS LIMITED

45, 55 VAN KIRK DRIVE/12 CANAM CRESCENT

PART OF LOT 11, CONCESSION 1 W.H.S., WARD 2

The Chair announced that staff recommends deferral of application B-2022-0027 to a hearing no later than the last hearing of March, 2023.

Mr. Mustafa Ghassan, Delta Urban Inc., authorized agent for the applicant was in attendance to acknowledge the request for a deferral. He inquired if Committee could continue with the application while he sorted out the details later.

Staff advised that a deferral is recommended no later than the last hearing of March, 2023. Staff explained that while reviewing the Site Servicing Brief provided by the applicant, Engineering staff found that a sanitary easement may be required as a catch basin appears to be located on the retained parcel. Engineering staff are now requesting for an underground survey to be conducted and a Servicing Plan to be submitted. Staff advised that the information is requested prior to making a recommendation to the Committee of Adjustment.

Mr. Ghassan acknowledged his understating noting that he would like to return to the Committee sooner if possible. The Chair explained that the application could be considered earlier if all the information has been provided to staff to advance the application.

Moved by: D. Doerfler

Seconded by: A. C. Marques

THAT application B-2022-0027 be deferred no later than the last hearing of March, 2023.

CARRIED

# 6. NEW CONSENT APPLICATIONS (Deferred as discussed during procedural matters)

### 6.1. **B-2022-0026**

KULBIR RAO AND NAVNEET RAO

33 SILKTOP TRAIL

LOT 30, PLAN 43M-1300, WARD 9

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 762.16 square metres (0.188 acres). The proposed severed lot has a frontage of approximately 13.95 metres (45.77 feet), a depth of approximately 25 metres (82.02 feet) and an area of approximately 387.25 square metres (0.096 acres). The effect of the application is to create a new residential lot for future development of a single detached dwelling.

# 6.2. B-2022-0027 (Deferred as discussed during procedural matters)

AECON CONSTRUCTION AND MATERIALS LIMITED

45. 55 VAN KIRK DRIVE/12 CANAM CRESCENT

PART OF LOT 11, CONCESSION 1 W.H.S., WARD 2

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 60,192.90 square metres (6.02 hectares). The proposed severed lot has a frontage of approximately 112.09 metres (367.75 feet), a depth of approximately 118.63 metres (389.20 feet) and an area of approximately 6,457.97 square metres (0.65 hectares). The effect of the application is to establish two separate lots from the existing lot to facilitate the sale of the proposed severed lot for future development.

### 7. DEFERRED CONSENT APPLICATIONS

None

# 8. <u>NEW MINOR VARIANCE APPLICATIONS</u>

### 8.1. **A-2022-0370**

**EVELYN MONTEMAYOR AND MARK DAQUIZ** 

21 NEWPORT STREET

LOT 103, PLAN M-441, WARD 7

The applicants are requesting the following variance(s):

- 1. To permit an open roofed framework structure to encroach 3.75m (12.30 ft.) into a required rear yard resulting in a rear yard setback of 4.63m (15.19 ft.) whereas the bylaw permits an open roofed framework structure to encroach a maximum of 2.0m (6.56 ft.) into a required rear yard; resulting in a rear yard setback of 6.38m (20.93 ft.);
- 2. To permit lot coverage of 31.3% whereas the by-law permits a maximum lot coverage of 30%;
- 3. To permit a driveway width of 9.064m (29.73 ft.) whereas the by-law permits a maximum driveway width of 7.32m (24 ft.).

Mr. Dennis Sintic, authorized agent for the applicant, presented application A-2022-0370 briefly outlining the variances requested. Mr. Sintic inquired if it staff would support the driveway width without the planters.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions. Staff noted that part of the reason for support of the driveway width is because the owner is proposing to implement permanent planters to prohibit parking on the full width of the driveway.

Following discussion, Mr. Sintic indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Doerfler

THAT application A-2022-0370 to permit an open roofed framework structure to encroach 3.75m (12.30 ft.) into a required rear yard resulting in a rear yard setback of 4.63m (15.19 ft.); to permit lot coverage of 31.3% and to permit a driveway width of 9.064m (29.73 ft.) be approved for the following reasons and subject to the following conditions:

- 1. That the Owner/Applicant shall obtain a revision permit for the existing rear porch structure within 60 days of the Decision of Approval or extended at the discretion of the Chief Building Official;
- 2. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision; and
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

### 8.2. **A-2022-0371**

MOHAMMED FASIULLAH MASOOD AND MUMTAZ SHABANA MOHAMMED

14 DUBLIN ROAD

LOT 90, PLAN 43M-1878, WARD 6

The applicants are requesting the following variance(s):

- 1. To permit a proposed below grade entrance between the main wall of a dwelling and the front lot line whereas the by-law does not permit a below grade entrance in the front yard;
- 2. To permit a front yard setback of 1.96m (6.43 ft.) to a below grade entrance whereas the by-law requires a minimum front yard setback of 3.0m (9.84 ft.).

Mr. Marwan AL-Farraji, Alfa Engineering Solutions, authorized agent for the applicant, presented application A-2022-0371 briefly outlining the variances requested to facilitate a

basement unit for rental purposes. He explained that the configuration of the lot proposes challenges in terms of where to locate a second entrance noting that the entrance is proposed at the front.

Committee noted that corner lots do pose some challenges in terms of distance from the road and achieving screening with landscaping.

Committee was informed that City of Brampton planning staff was not in support of this application. Staff explained that the applicant did express that it would be difficult to achieve any amount of screening noting that there is already an entrance along the same wall.

Committee advised that an alternate would be to install an entrance at the rear noting that there is an air conditioning unit on one side impeding access. Mr. AL-Farraji inquired if Bill 23 would have any impact on the proposal commenting that Bill 23 will allow for additional dwellings which is what he is trying to achieve. He added that the front porch is facing Dublin Road and that another entrance would be on the same level. He failed to see how it would propose an issue.

Committee noted that a garden suite could be considered to achieve a second unit. Committee explained that a separate entrance is required for a second unit and spoke of situations where sometimes there is an entrance through the garage.

Staff advised that they looked at previous similar applications where in one circumstance a garage was divided to provide an entrance to the garage. Committee advised that to approve the application as proposed is not possible however suggested a deferral if the applicant is willing to work with staff towards a resolution.

Mr. AL-Farraji inquired if an additional variance would be required if parking is removed from the garage. Staff advised that there is adequate parking available on site while removing one parking space from the garage. Staff also advised an alternative would be that given that there are already 2 existing accesses on the main floor noting that an interior stairway to the basement could be incorporated into the design.

Mr. Masood, property owner advised that with the high mortgage interest rates it becomes difficult to sustain his family's livelihood. He expressed that these are different times that requires different solutions, stating that an exception should be made.

Committee suggested a deferral date of no later than the last hearing of March, 2023. Committee noted that the application could be withdrawn if no variance is requested based on a new proposal. Mr. AL-Farraji was receptive to Committee's suggestion to defer the application to a future hearing.

Moved by: D. Colp Seconded by: D. Doerfler

THAT application A-2022-0371 be deferred to a hearing no later than the last hearing of March, 2023.

CARRIED

### 8.3. **A-2022-0374**

HARJINDERPAL SINGH GORAYA

44 RAVENSWOOD DRIVE

LOT 130, PLAN M-774, WARD 4

The applicant is requesting the following variance(s):

- 1. To permit a rear yard setback of 6.09m (19.98 ft.) to a one storey rear addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.) to a rear addition;
- 2. To permit a rear yard setback of 0.1m (0.33 ft.) to an existing accessory structure (shed) in the rear yard whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to the nearest property lines.

Mr. Abhay Vaid, authorized agent for the applicant, presented application A-2022-0374 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Vaid indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: D. Colp

THAT application A-2022-0374 to permit a rear yard setback of 6.09m (19.98 ft.) to a one storey rear addition and to permit a rear yard setback of 0.1m (0.33 ft.) to an existing accessory structure (shed) in the rear yard be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and

2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

### 8.4. **A-2022-0375**

HARMESH BRAR AND MANJOTPREET BRAR

8 ELDERBANK COURT

LOT 4, PLAN M-565, WARD 2

The applicants are requesting the following variance(s):

1. To permit a proposed below grade entrance in the interior side yard having a setback of 0.05m (0.16 ft.) whereas the by law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard provided there is a continuous 1.2m (3.94 ft.) side yard on the opposite side of the dwelling.

Mr. Pardeep Gogna, Rely Solution, authorized agent for the applicant, presented application A-2022-0375 briefly outlining the variances requested.

Mr. Brian Patton, 76 Elderbank Court addressed Committee in opposition to the application. He expressed that the proposed changes may be creating another rooming house, noting that there are currently four or five rooming houses on the street. Mr. Patten expressed that 6 to 12 people per house results in excess cars on the street with vehicles parked illegally creating an impediment to snow removal and garbage pick-up. It was his submission that the proposal is of no benefit to the neighbours.

Committee expressed that a second unit is permitted, noting that a rooming house is not a permitted use. In response to a question raised by Committee, Mr. Gogna responded that he does not know if the dwelling is currently rented. Staff confirmed that there is no enforcement action on the property and no request for a second unit has been received.

Committee advised the resident that he could contact by-law enforcement on the matter.

Committee expressed that they are not in a position to understand how the neighbourhood perceives rooming houses expressing that it would be prudent to understand what is happening in the neighbourhood.

Staff advised that an investigation could be initiated advising Committee that there is currently a backlog of complaints. Committee commented that rather than create a result that would increase the backlog it would be helpful to understand and benefit the Committee to know what is happening in the neighbourhood. Committee expressed that the intent is not clear at this time, noting that the setback distance is less than the required 1.2 metres.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions. Mr. Gogna requested consideration for a deferral of the application. Discussion took place on timelines for a deferral.

Moved by: D. Doerfler

Seconded by: D. Colp

THAT application A-2022-0375 be deferred no later than the last hearing of April, 2023.

**CARRIED** 

### 8.5. **A-2022-0376**

JITESH SHARAWAT AND ANJALI SHARMA

9 LEAGROVE STREET

LOT 199, PLAN M-1386, WARD 6

The applicants are requesting the following variance(s):

- To permit existing accessory structures (shed and play structure) to be located in the exterior side yard whereas the by-law dos not permit accessory structures in an exterior side yard;
- 2. To permit a below grade entrance between the main wall of the dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the flankage lot line;
- 3. To permit 0.42m (1.38 ft.) of permeable landscaping adjacent to the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip between the driveway and the side property line.

Mr. Pardeep Gogna, Rely Solution, authorized agent for the applicant, presented application A-2022-0376 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Gogna indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Colp

THAT application A-2022-0376 to permit existing accessory structures (shed and play structure) to be located in the exterior side yard; to permit a below grade entrance between the main wall of the dwelling and the flankage lot line and to permit 0.42m (1.38 ft.) of permeable landscaping adjacent to the side property line be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the owner shall obtain a building permit for the below grade entrance within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official.
- 3. That the below grade entrance shall not be used to access an unregistered second unit;
- 4. That the applicant shall ensure drainage of run-off water from the accessory structure into the subject property.
- 5. That the applicant maintain the as built fencing to provide adequate screening to the below grade entrance.
- 6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

### 8.6. **A-2022-0377**

AMRITPAL SINGH

35 BOUNDBROOK DRIVE

PART OF LOT 506, PLAN 43M-1748, PART 27, PLAN 43R-32503, WARD 2

The applicant is requesting the following variance(s):

- 1. To permit a below grade entrance in the interior side yard whereas the by-law does not permit a below grade entrance in the interior side yard;
- 2. To permit an interior side yard setback of 0.0m to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);

3. To permit an interior side yard setback of 0.36m (1.18 ft.) to an existing accessory structure (gazebo) in the rear yard whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to the nearest property lines.

Mr. Pardeep Gogna, Rely Solution, authorized agent for the applicant, presented application A-2022-0377 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Gogna indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: A. C. Marques

THAT application A-2022-0377 to permit a below grade entrance in the interior side yard; to permit an interior side yard setback of 0.0m to a below grade entrance and to permit an interior side yard setback of 0.36m (1.18 ft.) to an existing accessory structure (gazebo) in the rear yard be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the owner shall obtain a building permit for the below grade entrance within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official.
- 3. That the below grade entrance shall not be used to access an unregistered second unit;
- 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

### 8.7. **A-2022-0378**

ASHOK KUMAR BODALIA AND KAUSHIKABEN BODALIA

9 LADYSMITH STREET

LOT 41, PLAN 43M-2060, WARD 9

The applicants are requesting the following variance(s):

- 1. To permit an above grade door in the side wall of a dwelling where a minimum side yard width of 0.6m (1.97 ft.) is provided extending from the front wall of the dwelling up to the door whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m (3.94 ft.) extending from the front wall of the dwelling up to and including the door;
- 2. To permit a driveway width of 8.03m (26.35 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
- 3. To provide 0.0m of permeable landscaping abutting the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line.

Mr. Raman Kumar, MEM Engineering Inc., authorized agent for the applicant, presented application A-2022-0378 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, in part, with conditions.

Mr. Kumarl indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Doerfler

THAT application A-2022-0378 to permit an above grade door in the side wall of a dwelling where a minimum side yard width of 0.6m (1.97 ft.) is provided extending from the front wall of the dwelling up to the door; to permit a driveway width of 8.03m (26.35 ft.) and to provide 0.0m of permeable landscaping abutting the side property line be approved, in part, for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;

- 2. The owner shall obtain a building permit for the existing side door within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official;
- 3. That the side door shall not be used as a primary entrance to a second dwelling unit;
- 4. That Variance 3 for the reduction of permeable landscaping be refused;
- 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

### 8.8. **A-2022-0379**

KARAMPREET GILL

**6 KEYSTONE DRIVE** 

LOT 59, PLAN M-414, WARD 3

The applicant is requesting the following variance(s):

- 1. To permit a maximum lot coverage of 35.8% whereas the by-law permits a maximum lot coverage of 30%;
- 2. To permit an interior side yard setback of 0.7m (2.30 ft.) on the east and 1.5m (4.92 ft.) on the west to the second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (8.91 ft.) to the second storey.

Mr. Tanvir Rai, Noble Prime Solutions Limited, authorized agent for the applicant, presented application A-2022-0379 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Rai indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: A.C. Marques

THAT application A-2022-0379 to permit a maximum lot coverage of 35.8% and to permit an interior side yard setback of 0.7m (2.30 ft.) on the east and 1.5m (4.92 ft.) on the west to the second storey addition be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

### 8.9. **A-2022-0380**

KAMALJIT DULKU AND PREETI DULKU

**8 LABRISH ROAD** 

PART OF BLOCK 393, PLAN 43M-2058, PARTS 19 AND 20, PLAN 43R-39.61, WARD 6

The applicants are requesting the following variance(s):

1. To permit a below grade entrance between the main wall of the dwelling and the flankge lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the flankge lot line.

Mr. Tanvir Rai, Noble Prime Solutions Limited, authorized agent for the applicant, presented application A-2022-0380 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Rai indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: A.C. Marques

THAT application A-2022-0380 to permit a below grade entrance between the main wall of the dwelling and the flankge lot line be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision:
- 2. That the below grade entrance shall not be used to access an unregistered second unit.
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

### 8.10. **A-2022-0381**

SANDEEP DHALIWAL AND DEVINDER

88 KINGKNOLL DRIVE

LOT 5, PLAN M-779, WARD 4

The applicants are requesting the following variance(s):

1. To permit a driveway width of 9.55m (31.33 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

Mr. Tanvir Rai, Noble Prime Solutions Limited, authorized agent for the applicant, presented application A-2022-0381briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Committee inquired if there is any concern with the driveway width and the ability to park extra vehicles on the driveway as observed during site inspection to the property. In response to a question raised by Committee, Mr. Rai responded that there are multiple families living at the property.

Committee discussed the driveway width and noted that a condition could be added that would restrict vehicles from parking at any time on the extended portion of the driveway in front of the porch area.

A motion was put forward to support the recommendation to approve with amended conditions. There was no seconder to the motion.

Further discussion took place among staff and Committee. Staff confirmed that there is currently no enforcement action on the property. It was noted that the proposed condition restricting parking in front of the porch would be very difficult to enforce.

Mr. Rai advised that he could work with staff towards amending the application to find something appropriate for Committee's consideration.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft amended conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: D. Doerfler

THAT application A-2022-0381 to permit a driveway width of 9.55m (31.33 ft.) be *refused* for the following reasons:

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance is not desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The variance is not minor.

**CARRIED** 

# MEMBER R. CHATHA DISSENTED TO COMMITTEE'S DECISION ON APPLICATION A-2022-0381

### 8.11. **A-2022-0382**

RUPALI SANDEEP BUCHAKE

39 FORSYTHIA ROAD

PART OF LOT 539, PLAN M-811, WARD 8

The applicants are requesting the following variance(s):

- 1. To permit a driveway width of 7.32m (24 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
- 2. To permit an interior side yard setback of 0.0m to an existing side yard porch whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.);
- 3. To permit lot coverage of 35.24% whereas the by-law permits a maximum lot coverage of 33.3% for a semi-detached dwelling.

Mr. Tanvir Rai, Noble Prime Solutions Limited, authorized agent for the applicant, presented application A-2022-0382 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Committee sought clarification on the driveway width indicated as 24 feet inquiring if the driveway width includes the concrete. Mr. Rai advised that the concrete is included in the driveway width noting that the property owner received a permit for a curb cut.

A motion was put forward to approve the application. There was a seconder to the motion The motion did not carry.

Further discussion took place among the Committee Members. Mr. Rai confirmed upon question from Committee that the concrete portion has already been done and is included in the width of the driveway.

Staff confirmed that the total width identified on the public notice does include the concrete and that the landscape strip is only required on one side since this is a semi-detached dwelling noting that the permeable landscaping is provided on the other side.

Committee expressed concern with the fact that the extra 2 feet does impact the front yard. Mr. Rai advised that a permit was obtained for the curb cut explaining that the front of the property is actually 22 feet while the driveway widens out further to 24 feet.

Staff explained that the property is rectangular in shape while the neighbouring property is pie-shaped. Staff added that a curb was poured at some point along the driveway of the neighbouring property and that the applicant may be measuring from the curb as opposed to actual property lines.

Further discussion took place on the curb and concrete. Staff advised that the curb cut was issued for a driveway that was smaller than what is being proposed. Staff advised that the lot is 35 feet wide. Committee inquired if the application would be in keeping with the neighbourhood. Staff advised that after conduction a site visit staff have no concerns. Staff

explained that there are a number of properties in the area with similar driveway widths and is in keeping with the neighbourhood.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Colp

THAT application A-2022-0382 to permit a driveway width of 7.32m (24 ft.); to permit an interior side yard setback of 0.0m to an existing side yard porch and to permit lot coverage of 35.24% be refused for the following:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision:
- 2. The owner shall obtain a building permit for the existing side porch within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official;
- The owner must obtain a Road Occupancy and Access Permit for the existing curb cut from the City of Brampton's Road Maintenance and Operations Section for any construction of works within the city's road allowances.
- 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

## 8.12. **A-2022-0383**

PARDEEP SINGH AND PAWANJOT DHANOA

40 BELLINI AVENUE

LOT 112, PLAN 43M-2060, WARD 9

The applicants are requesting the following variance(s):

- To permit a detached garage where there is an existing attached garage on the lot whereas the by-law permits an attached garage only if there is no attached garage already on the lot;
- 2. To permit a detached garage with an area of 216.02 sq. m (2325.22 sq. ft.) whereas the by-law permits a detached garage with a maximum area of 48 sq. m (516.67 sq. ft.);
- 3. To permit a detached garage having a height of 7.26m (23.82 ft.) whereas the by-law permits a detached garage with a maximum height of 4.5 m (14.76 ft.);
- 4. To permit a maximum height of 11.12m (36.48 ft.) for the main dwelling whereas the by-law permits the main dwelling to have a maximum height of 10.6m (34.78 ft.).

Ms. Jade Soriani, Justin Sherry Design Studio, authorized agent for the applicant, presented application A-2022-0383 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Ms. Soriani indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler Seconded by: D. Colp

THAT application A-2022-0383 to permit a detached garage where there is an existing attached garage on the lot; to permit a detached garage with an area of 216.02 sq. m (2325.22 sq. ft.); to permit a detached garage having a height of 7.26m (23.82 ft.) and to permit a maximum height of 11.12m (36.48 ft.) for the main dwelling be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision:
- 2. That no commercial or industrial uses shall operate from the attached garage;
- 3. That the roof design adhere to what is shown on the attached sketch, and;
- 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and

2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

## 8.13. **A-2022-0384**

STEVEN ALLIN AND MARY ANN ALLIN

11 ALEXANDER STREET

PART OF LOT 110, PLAN BR-2, PART 1, PLAN 43R-20649, WARD 1

The applicants are requesting the following variance(s):

- 1. To permit an above grade side entrance with a side yard width of 1.1m (3.61 ft.) extending from the front wall of the dwelling up to and including the door, whereas the by-law only permits an above grade side entrance when the side yard within which the door is located has a minimum width of 1.2 m (3.94 ft.) extending from the front wall of the dwelling up to and including the door;
- 2. To permit a 1.1m (3.61 ft.) wide path of travel leading to a principal entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) to be provided as a path of travel from the front yard to the principal entrance for a second unit;
- 3. To permit a rear yard setback of 11.1m (36.42 ft.) whereas the by-law requires a minimum rear yard setback of 25% of the lot depth resulting in a minimum setback of 11.36m (37.27 ft.);
- 4. To permit lot coverage of 38% whereas the by-law permits a maximum lot coverage of 30%.

## Note: Approval was granted under application A-2022-0269 to permit lot coverage of 36%

Mr. Matthew Partridge, Canopy Homes, authorized agent for the applicant, presented application A-2022-0384 briefly outlining the variances requested. Mr. Partridge noted that the application was before the Committee previously explaining that an updated survey revealed that the City had acquired some property.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Partridge indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: D. Colp

THAT application A-2022-0384 to permit an above grade side entrance with a side yard width of 1.1m (3.61 ft.) extending from the front wall of the dwelling up to and including the door; to permit a 1.1m (3.61 ft.) wide path of travel leading to a principal entrance for a second unit; to permit a rear yard setback of 11.1m (36.42 ft.) and to permit lot coverage of 38% be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- That the above grade entrance shall not be used to access an unregistered second unit;
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

## 8.14. **A-2022-0385**

CHETAN KUMAR MISTRY AND JIGNASHABEN MISTRY

19 MATTHERHORN ROAD

LOT 59, PLAN 43M-2043, WARD 6

The applicants are requesting the following variance(s):

- 1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard;
- 2. To permit an interior side yard setback of 0.09m (0.30 ft.) to a below grade entrance, resulting in a combined side yard of 0.73m (2.40 ft.) whereas the by-law requires a

minimum 0.6m (1.97 ft.) provided the combined total of the interior side yards on an interior lot is not less than 1.8m (5.90 ft.).

Mr. Chetan Kumar Mistry, applicant and owner of the property, presented application A-2022-0385 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was not in support of this application. Staff advised that access will be impeded to the rear yard, noting that there are no risers going up to the rear and the side yard setback does not provide sufficient enough space for access to the rear of the property.

Committee explained to the applicant that the entrance could be located at the rear of the dwelling noting that a variance would not be required. Mr. Mistry commented that perhaps he could have risers going to the rear. Staff explained that the number of risers (seven) would have an impact on drainage.

The Committee, having considered the comments and recommendations of the commenting agencies, and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp Seconded by: A. C. Marques

THAT application A-2022-0385 to permit a below grade entrance in the required interior side yard and to permit an interior side yard setback of 0.09m (0.30 ft.) to a below grade entrance, resulting in a combined side yard of 0.73m (2.40 ft.) be *refused* for the following reasons:

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance is not desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law is not maintained and the variance is not minor.

**CARRIED** 

## 8.15. **A-2022-0386**

KULDEEP MANN AND BEANT MANN

**43 SINATRA STREET** 

LOT 112, PLAN 43M-2060, WARD 9

The applicants are requesting the following variance(s):

- 1. To permit a below grade entrance between the main wall of the dwelling and the flankage lot line whereas the by-law prohibits below grade entrances between the main wall of the dwelling and the flankage lot line;
- 2. To permit an exterior side yard setback of 2.47m (8.10 ft.) to a below grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.).

Mr. Jaideep Kadire, authorized agent for the applicant, presented application A-2022-0386 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Kadire indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: A. C. Marques

THAT application A-2022-0386 to permit a below grade entrance between the main wall of the dwelling and the flankage lot line and to permit an exterior side yard setback of 2.47m (8.10 ft.) to a below grade entrance be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the below grade entrance shall not be used to access an unregistered second unit;
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

## MEMBER D. DOERFLER DECLARED A CONFLICT OF INTEREST ON APPLICATION A-2022-0387 AND DID NOT PARTICIPATE IN DISCUSSION.

## 8.16. **A-2022-0387**

PEEL CONDOMINIMUM CORPORATION 344

50 AND 70 DELTA PARK BOULEVARD

PEEL CONDOMINIUM PLAN 344, LEVEL 1 (LOT 4, CONCESSION 7 N.D.), WARD 8

The applicant is requesting the following variance(s):

- 1. To provide 16% of landscaped open space within the required side yard along the north property line and 24% along the south property line from the required front yard to the rear wall of the rear most building whereas the by-law requires 50% of the required front yard from the required front yard to the rear most building to be landscaped open space;
- 2. To permit an aisle leading to parking spaces with a width of 6.1m (20 ft.) whereas the by-law requires an aisle leading to parking spaces with a minimum width of 6.6m (21.65 ft.).

Mr. Joseph Plutino, Mainline Planning Services Inc., authorized agent for the applicant, presented application A-2022-0387 briefly outlining the variances requested. In attendance with Mr. Plutino was Nicholas Malta, a colleague. Mr. Plutino made reference to a power point presentation which Committee acknowledged they had received.

Committee posed a question regarding parking. Mr. Plutinio explained that a number of variances are required to achieve additional parking noting that the Condominium Corporation has expressed a need to expand the parking. In response to a question raised by Committee, Mr. Plutino explained that the property was developed around 1970 and that at the time the properties were being developed the driveways would be at each of the property lines with no separation in between. He added that the landscape buffer was needed noting that the buffer as well as the parking spaces will provide a barrier as well as a buffer, providing safe operation of sites.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Plutino indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Colp

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THAT application A-2022-0387 to provide 16% of landscaped open space within the required side yard along the north property line and 24% along the south property line from the required front yard to the rear wall of the rear most building and to permit an aisle leading to parking spaces with a width of 6.1m (20 ft.) be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision:
- 2. That the owner finalize Site Plan Approval under City File SPA-2022-0165, execute a site plan agreement, and posting any required financial securities and insurance to the satisfaction of the Director of Development Services;
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

**CARRIED** 

## 8.17. **A-2022-0388**

METRUS (TERRA) PROPERTIES INC.

18 KENVIEW BOULEVARD

PART OF BLOCK 3, PLAN 43M-811, WARD 8

The applicant is requesting the following variance(s):

1. To permit a lot area of 2.14 hectares whereas the by-law requires a minimum lot area of 3.8 hectares.

Mr. Matthew Baldassarra, Baldassarra Architects Inc., authorized agent for the applicant, presented application A-2022-0388 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application, with conditions.

Mr. Baldassara indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: A. C. Marques

THAT application A-2022-0388 to permit a lot area of 2.14 hectares be approved for the following reasons and subject to the following conditions:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision; and
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

## REQUEST FOR REFUND

Mr. Baldassarra provided a brief overview advising that an application was made back in May, 2022 noting that there were ongoing discussions with staff to establish all the deficiencies. He explained that they received an e-mail from staff in June of 2022 outlining all the variances they would be required to apply for.

Mr. Baldassarra advised that they appeared before Committee on August 2, 2022 with a consent application for approval and returned to Committee on September 15, 2022 to have all the variances approved. He added that staff received updated zoning comments on July 31, 2022 flagging an additional variance. He expressed that the information was not provided to them until August 29, 2022 noting that the variance could have been dealt with at the last hearing but for some reason the information was not provided to them. He informed Committee that he was advised by planning staff that a request for a refund of the funds be presented to Committee today.

Committee inquired if there were any significant time delays that perhaps impacted the applicant in a negative manner. Committee noted a significance difference in the lot area and if there is any impact on parking. Committee inquired where the oversight occurred.

Staff advised through the site plan approval process it was determined that there is sufficient parking for the proposed industrial building adding that staff do not anticipate any negative impact to parking or to the character of the area.

Staff advised that the planner did advise Mr. Baldassarra to submit a letter requesting a refund of the fees. Mr. Baldassarra advised that he was not aware of the request for a letter noting that he did receive a recommendation from the planner to address the matter at Committee.

Committee noted that a letter would have been beneficial to provide background information to the Committee. Committee inquired about the lot area and if there is a minimum lot area requirement for this specific area or if this was something unusual that would not be found in the Planning Act or the development requirements.

Staff explained that there is a specific requirement for lot area on the property commenting that it appears that the variance was missed.

Committee expressed that it would have been beneficial to include the previous recommendation report or some sort of history to assist the Committee.

Committee advised that as a Committee they are not permitted to interact with staff.

Committee advised that they attend the sites and are provided with a staff recommendation report. Committee commented that not enough details have been provided adding that Committee cannot set a precedent. Following discussion Committee reached the following decision:

Moved by: D. Colp

Seconded by: D. Doerfler

That the request for a refund of application fees be refused.

CARRIED

## 10. **ADJOURNMENT**

Moved by: D. Colp

Seconded by: A. C. Marques

That the Committee of Adjustment hearing be adjourned at 10:58 a.m. to meet again on Tuesday, January 24, 2023.

**CARRIED** 



January 24, 2023

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

#### **Public Works**

10 Peel Centre Dr. Suite A Brampton, ON L6T 4B9 tel: 905-791-7800

peelregion.ca

Re: Region of Peel Consolidated Comments

**City of Brampton Committee of Adjustment Hearing** 

January 24, 2023

Dear Ms. Myers,

Regional Planning staff have reviewed the applications listed on the <u>January 24, 2023</u>, Committee of Adjustment Agenda. We have no comments or objections to the following Minor Variance applications: A-22-389B, A-22-390B, A-22-391B, A-22-392B, A-22-393B, A-22-400B, A-22-403B, A-22-405B, A-22-406B, consent applications B-22-029B, B-22-030B, and for the following deferred applications: DEF-A-22-320B, DEF-A-22-321B, DEF-A-22-323B, DEF-A-22-334B, DEF-A-22-339B, DEF-B-22-019B.

Previous Regional comments and conditions have been applied to deferred applications, please see below.

## Regarding Deferred Consent Application: DEF-A-22-039B, 2 Auction Lane Servicing – Iwona Frandsen (905) 791-7800 x7920

#### Comment:

Please note that severing the lands may adversely affect the existing location of the
water and sanitary sewer services, if any exist. 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.

#### **Condition:**

 Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements. Region of Peel shall be circulated on any draft easement documents for review and comment.

Traffic Development - Catherine Barnes (905) 791-7800 x7569

#### Comment:

No land dedication will be required through this consent application.



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Regarding Deferred Minor Variance Application: DEF-A-22-158B, 26 Bramsteele Road Planning – Megan Meldrum (905) 791-7800, extension 3558

#### Comments:

- Minor variance application A-22-158B proposes non-employment uses on the subject property which is designated 'Industrial" as per Schedule A of the City of Brampton Official Plan. The Highway 410 and Steeles Secondary Plan and Schedule 5 sub-designate the subject land as "General Employment 2", moreover, the lands are zoned Industrial "M2 – Section 3237".
- As per the approved Region of Peel Official Plan (ROP), the subject property at 26
  Bramsteele Road, Brampton is located within the Built-up Area within the Urban
  System, and within Employment Area.
  - Section 5.4.18 Intensification
  - o Section 5.6 Urban System
  - Section 5.8 Employment Area
- The subject lands are defined as part of an Employment Area in accordance with Region of Peel Official Plan policy 5.8.26 which generally seeks to protect and support employment areas for employment uses as designated in area municipal official plans.
- The first proposed variance seeks to permit a motor vehicle sales establishment having a gross floor area (GFA) of 365 square metres, motor vehicle sales establishments are not recognized as an 'employment use'. The motor vehicle sales establishment will occupy 38 % of the total building floor area, effectively functioning as the 'primary use' of the subject lands, not as an ancillary use.
- The second proposed variance seeks to permit 33 parking spaces whereas the bylaw requires a minimum of 50 parking spaces for lands zoned "Industrial" in the City of Brampton Zoning By-Law "Section 30.0 General Provisions for Industrial Zones".
- The third proposed variance seeks to permit an existing convenience restaurant having a commercial GFA of 250 square metres. Although 'convenience restaurants' are not recognized as an employment use, the City of Brampton Official Plan permits restaurants on lands designated "Industrial" subject to the criteria set out in the Zoning By-law. Zoning By-law "M2-Section 3237" restricts the gross commercial floor area of a convenience restaurant to not exceed 102 square metres.
- The proposed motor vehicle sales establishment and convenience restaurant are non-employment uses which will cumulatively occupy 63% of the total building floor area. It is the opinion of Regional planning staff that a minor variance application proposing significant non-employment uses on land that is designated for employment does not meet the general intent and purpose of the Official Plan.
- Region of Peel Official Plan Policy 5.8.31 permits retail and commercial uses that are
   ancillary to the primary employment use in Employment Areas in accordance with
   the local municipal official plans. However, non-employment uses can be permitted
   within the Employment Area only through a municipal comprehensive review and
   subject to Policy 5.8.34.
- It is the opinion of Regional planning staff that the proposal require an Official Plan Amendment and Municipal Comprehensive Review in accordance with the above noted Policy.



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Regarding Deferred Minor Variance Application: DEF-A-22-327B, 3 Elysian Fields Circle Servicing - Camila Marczuk (905) 791-7800 x8230

#### Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Planning - Megan Meldrum (905) 791-7800, extension 3558

#### **Comments:**

• The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the Credit Valley Conservation Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).

Regarding Deferred Minor Variance Application: DEF-A-22-341B, 9 Callalily Road Servicing - Camila Marczuk (905) 791-7800 x8230 Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Regarding Deferred Consent Application, DEF-B-22-014B, 93 John Street Servicing – Camila Marczuk (905) 791-7800, extension 8230 Comments:

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. 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. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>



 Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

## Regarding Deferred Consent Application, DEF-B-22-015B, 10300 The Gore Road Servicing – Camila Marczuk (905) 791-7800, extension 8230

#### **Comments:**

• Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. 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. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at <a href="siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

 Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

<u>Traffic Developments and Permits – Catherine Barnes (905) 791-7800, extension 7569</u>

Comments:

- The Region will require the gratuitous dedication of lands to meet the Official Plan requirement of a 45 metre mid-block Right of Way along The Gore Road (Regional Road 8) 22.5 metres from the centreline of the road allowance.
- The Region will require the gratuitous dedication of a 0.3 metre reserve along the frontage of The Gore Road behind the property line, lifted over any approved
- The applicant shall gratuitously dedicate these lands to the Region, free and clear of all encumbrances, and shall provide the Region with the necessary title documents and reference plan(s) to confirm the Region's right-of-way. All costs associated with land transfer are the responsibility of the applicant.
- No new accesses will be permitted to either lands.
- Should the committee see merit in this consent application, we request the following be included in the conditions of approval:

#### Condition:

 Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration.

## Planning - Megan Meldrum (905) 791-7800, extension 3558

The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy 2.3.2 of the Regional Official Plan. We rely on the environmental expertise of the Toronto and Region Conservation Authority (TRCA) for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We request that City of Brampton Committee of Adjustment and staff consider comments from the TRCA and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Toronto and Region Conservation Authority (TRCA).

### **Public Works**

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• The subject land is located in the regulated area of the Toronto and Region Conservation Authority (TRCA). We rely on the environmental expertise of the Toronto and Region Conservation Authority for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the Toronto and Region Conservation Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Toronto and Region Conservation Authority.

## Regarding Deferred Consent Application: DEF-B-22-020B, 2 Auction Lane Servicing – Iwona Frandsen (905) 791-7800 x7920

#### Comment:

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. 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.

#### **Condition:**

 Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements. Region of Peel shall be circulated on any draft easement documents for review and comment.

## Traffic Development - Catherine Barnes (905) 791-7800 x7569

### Comment:

- The Region will require the gratuitous dedication of lands to meet the Official Plan requirement of a 50.5 metre mid-block Right of Way along Queen Street E, 25.25 metres from the centreline of the original road allowance.
- The Region will require the gratuitous dedication of a 15 x 15 metre daylight triangle at the intersection of Queen Street E and Auction Drive.
- The Region will require the gratuitous dedication of a 0.3 metre reserve along the frontage of Queen Street E behind the property line and daylight triangle.
- The applicant shall gratuitously dedicate these lands to the Region, free and clear of all encumbrances, and shall provide the Region with the necessary title documents and reference plan(s) to confirm the Region's right-of-way. All costs associated with land transfer are the responsibility of the applicant.
- No new access to Queen Street East will be supported, all access will have to be from Municipal side streets.

#### Condition:

 Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration.

## Regarding Minor Variance Application: A-22-394B, 12 Callalily Road Servicing — Camila Marczuk (905) 791-7800, extension 8230

#### **Comments:**

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at



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- the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

## Regarding Minor Variance Application: A-22-395B, 142 Brussels Avenue Servicing – Camila Marczuk (905) 791-7800, extension 8230 Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

## Regarding Minor Variance Application: A-22-396B, 162 Luella Crescent Servicing – Camila Marczuk (905) 791-7800, extension 8230 Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

# Regarding Minor Variance Application: A-22-397B, 49 Eastbrook Way Servicing – Camila Marczuk (905) 791-7800, extension 8230 Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario
  Building Code and Region of Peel Design Criteria. An upgrade of your existing
  service may be required. All works associated with the servicing of this site will be at
  the applicant's expense. For more information, please contact Servicing Connections
  at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

Planning - Megan Meldrum (905) 791-7800, extension 3558

#### Comments:

 The subject land is located in the regulated area of the Toronto and Region Conservation Authority (TRCA). We rely on the environmental expertise of the Toronto and Region Conservation Authority for the review of development Page 52 of 845



10 Peel Centre Dr. Suite A Brampton, ON L6T 4B9 tel: 905-791-7800

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applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the Toronto and Region Conservation Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Toronto and Region Conservation Authority

## Regarding Minor Variance Application: A-22-398B, 9 Ferncastle Crescent Servicing – Camila Marczuk (905) 791-7800, extension 8230

## Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

# Regarding Minor Variance Application: A-22-399B, 32 Highvalley Circle Servicing – Camila Marczuk (905) 791-7800, extension 8230 Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario
  Building Code and Region of Peel Design Criteria. An upgrade of your existing
  service may be required. All works associated with the servicing of this site will be at
  the applicant's expense. For more information, please contact Servicing Connections
  at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

## Regarding Minor Variance Application: A-22-401B, 73 Blackthorn Lane Servicing – Camila Marczuk (905) 791-7800, extension 8230 Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario
  Building Code and Region of Peel Design Criteria. An upgrade of your existing
  service may be required. All works associated with the servicing of this site will be at
  the applicant's expense. For more information, please contact Servicing Connections
  at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>



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Regarding Minor Variance Application: A-22-402B, 0 Financial Drive Planning – Megan Meldrum (905) 791-7800, extension 3558

Comments:

• The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the Credit Valley Conservation Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).

Regarding Minor Variance Application: A-22-407B, 125 Sunny Meadow Boulevard Servicing – Camila Marczuk (905) 791-7800, extension 8230 Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at <a href="mailto:siteplanservicing@peelregion.ca">siteplanservicing@peelregion.ca</a>

Regarding Consent Application: B-22-028B, 12 Henderson Avenue Planning – Megan Meldrum (905) 791-7800, extension 3558 Comments:

- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the Credit Valley Conservation Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).
- The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy 2.3.2 of the Regional Official Plan. We rely on the environmental expertise of the Credit Valley Conservation Authority (CVC) for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We request that City of Brampton Committee of Adjustment and staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority (CVC).



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# Regarding Consent Application: B-22-029B, 260 Malta Avenue Planning – Megan Meldrum (905) 791-7800, extension 3558 Comments:

- The Region of Peel requires the conveyance of road widening lands as part of the Site Plan approval process. Land identified for such required road widening along Steeles Avenue West are situated within parcels of "tied lands" that are part of a Peel Common Elements Corporation on site. However, the Region will only accept title to the road widening lands where they are free of all encumbrances, including the interest in the Peel Common Element Corporation.
- To remove this interest an amendment to the Declaration and Description of the Common Elements Corporation must be registered with the Land Registry Office of Peel. Prior to registering the amendment to the Declaration and Description, the road widening lands must be described on a deposited reference plan and given a new Property Identification Number from the Land Registry Office. To obtain a new Property Identification Number for the road widening lands, the applicant must register a conveyance of these lands to the Region of Peel. The conveyance must not violate provisions of Section 50 of the Planning Act relating to the ownership of adjacent lands.
- Region staff have reviewed the submitted survey and consent sketch for the purpose to convey road widening lands and find that it accurately reflects the conveyances required in support of site plan application SP-21-143B by the Region. All additional Regional requirements for these Phase 1 lands will be addressed through SP-21-143B and subsequent application for draft plan of condominium.

Regarding Consent Application: B-22-030B, 245 Steeles
Planning – Megan Meldrum (905) 791-7800, extension 3558
Comments:

- The Region of Peel requires the conveyance of the road widening lands as part of the Site Plan approval process. Land identified for such required road widening along Steeles Avenue West are situated within parcels of "tied lands" that are part of a Peel Common Elements Corporation on site. However, the Region will only accept title to the road widening lands where they are free of all encumbrances, including the interest in the Peel Common Element Corporation.
- To remove this interest an amendment to the Declaration and Description of the Common Elements Corporation must be registered with the Land Registry Office of Peel. Prior to registering the amendment to the Declaration and Description, the road widening lands must be described on a deposited reference plan and given a new Property Identification Number from the Land Registry Office. To obtain a new Property Identification Number for the road widening lands, the applicant must register a conveyance of these lands to the Region of Peel. The conveyance must not violate provisions of Section 50 of the Planning Act relating to the ownership of adjacent lands.
- Region staff have reviewed the submitted survey and consent sketch for the
  purpose to convey road widening lands and find that it accurately reflects land
  conveyances required by the Region along this portion of Steeles Avenue West. All
  additional Regional requirements will be addressed through future site plan and
  draft plan of condominium applications for these Phase 2 lands.



I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 3558 or by email at megan.meldrum@peelregion.ca.

Thank you,

**Public Works** 

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Megan Meldrum, M.PL. Junior Planner

M. Meldrum

**Planning and Development Services** 

Region of Peel



**Principals** 

Michael Gagnon Lena Gagnon Andrew Walker Richard Domes

January 23, 2023

The Corporation of the City of Brampton 2 Wellington Street West Brampton, Ontario L6Y 4R2

Attention:

Ms. Jeanie Myers, Secretary-Treasurer, Committee of Adjustment

Subject:

Request for Deferral

**Consent to Sever and Minor Variance Applications** 

93 John Street, City of Brampton

Part of Lot 44, Plan BR-6, and Part of Lot 43, Plan BR-2 City Files: B-2022-0014, A-2022-0320, and A-2022-0321

(GWD File: 22.2994.00)

#### Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) represents Mehna Auto Sales Inc. (Gagandeep Singh Gill), the Registered Owner of 93 John Street in the City of Brampton (hereinafter referred to as the subject site).

In consultation with City of Brampton Planning Staff, we hereby request a 'deferral' of Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 to no later than the last hearing of March 2023.

Since the Deferral of the above-mentioned Applications in October 2022, our office has worked with City Planning and Heritage Staff regarding the proposed development of the subject site. In consultation with City Staff, the proposal has been updated from the originally proposed two (2) single-detached dwelling units (one (1) on each of the retained and severed lots), to a single semi-detached dwelling unit to occupy both the retained and severed lots. The proposal also identifies the gratuitous conveyance of land to the City of Brampton to meet the John Street right-of-way requirements.

A Scoped Heritage Impact Assessment (HIA)/Cultural Heritage Evaluation Report (CHER) for the subject site has been prepared by LHC – Heritage Planning and Archaeology; however, due to changes to the Ontario Heritage Act and Regulations which took effect on January 1, 2023, additional time was required to complete the Scoped HIA. The requested Deferral to the last hearing of March 2023 will provide City Heritage Staff sufficient time to review the Scoped HIA and provide comments.

Thank you in advance for considering this 'deferral' request. Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

#### GAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790 www.gwdplanners.com • Toll Free: 1-855-771-7266



Yours truly,

Anthony Sirianni, B.A. Planning Associate

cc. Gagandeep Singh Gill, Client

A. Walker, Gagnon Walker Domes Ltd. M. Gagnon, Gagnon Walker Domes Ltd. 2023-01-23

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

Subject: Request to defer the application A 2022-0327

Sir/ Madam,

We hope this letter finds you well.

It is in regards to the application A 2022-0327 for the address 43 Elysian Fields Cir., Brampton, ON, L6Y 6E8

It is our kind request to defer the application to the next possible hearing as we and home-owner require more time to work with building division on alternatives to bring an existing door in compliance with building code.

We appreciate your cooperation in this matter.

Thank You

Harjinder Singh

Harjinder Sugn

P Eng. PMP, CET, RCJI



## **Public Notice**

## **Committee of Adjustment**

**APPLICATION # B-2022-0028** 

Ward #3

#### NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by UMBRIA DEVELOPERS INC.

#### **Purpose and Effect**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 3.07 hectares (7.58 acres); together with easements for storm water services, storm water management pond, watermain and fire hydrant in favour of the retained lands and an easement for access in favour of the severed lands. The proposed severed lot has a frontage of approximately 13 metres (42.65 feet), a depth of approximately 90 metres (295.27 feet) and an area of approximately 1.74 hectares (4.30 acres). The effect of the application is to create a new lot for future residential purposes (One 13-Storey Residential Apartment Building).

#### **Location of Land:**

Municipal Address: 12 Henderson Avenue

Former Township: Chinguacousy

Legal Description: Part of Lot 5, Concession 1 W.H.S.

#### **Meeting**

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION

PRIOR TO THE MEETING.

## **Other Planning Act Applications**

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

Official Plan Amendment: Zoning By-law Amendment: File Number: C01W05.44 File Number: C01W05.44

Minor Variance:

YES YES NO

File Number:

## **Decision and Appeal**

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021. The appeal form is available from the Ontario Land Tribunal website at https://olt.gov.on.ca/appeals-process/forms/

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

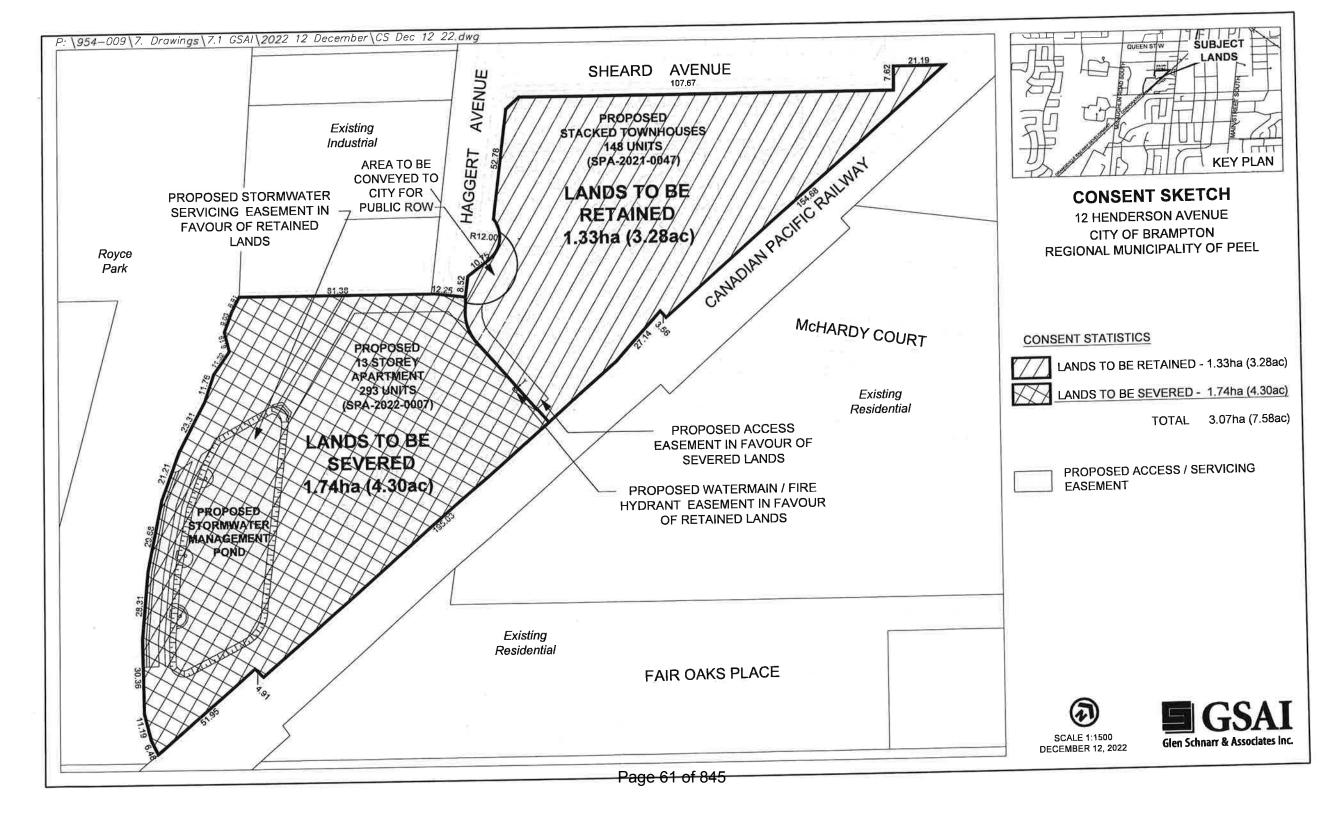
DATED AT THE CITY OF BRAMPTON THIS 6th Day of January, 2023

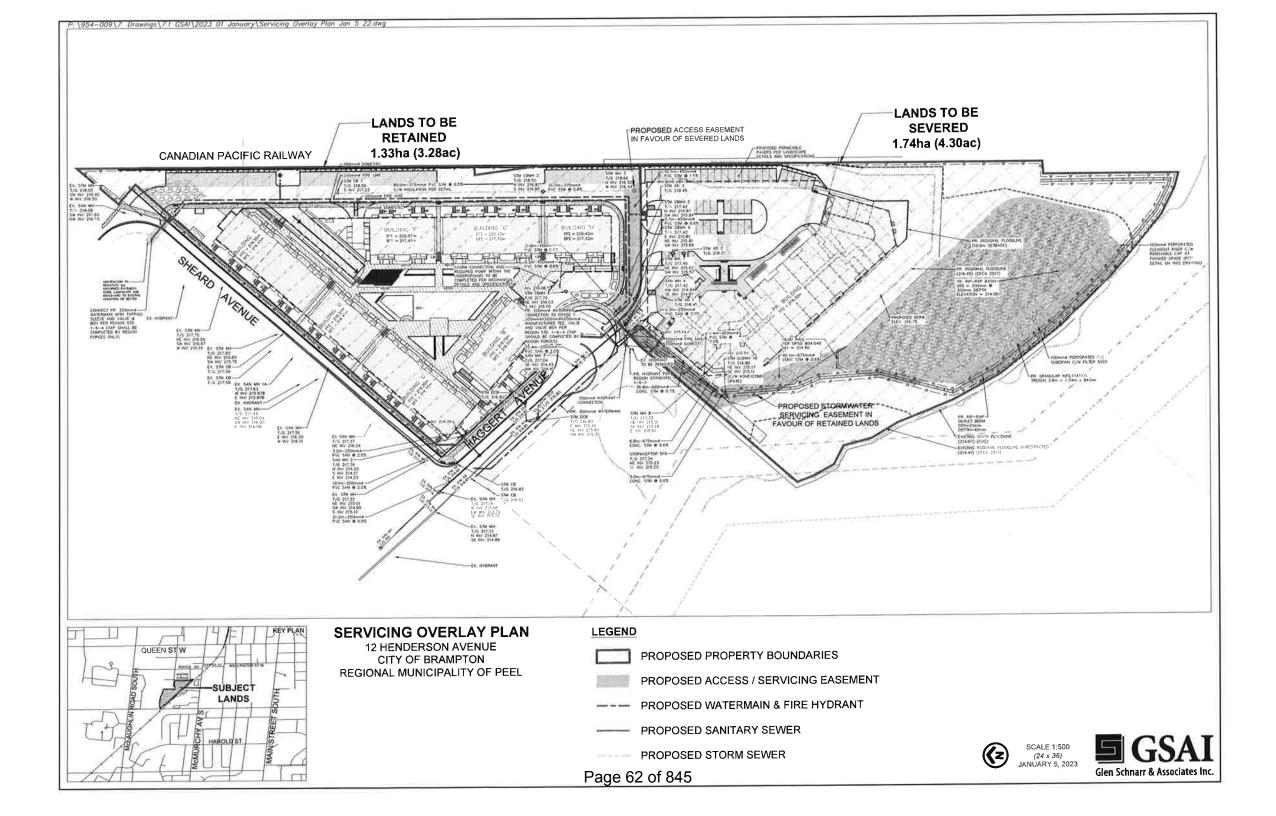
Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer City of Brampton Committee of Adjustment City Clerk's Office, Brampton City Hall 2 Wellington Street West Brampton, Ontario L6Y 4R2

Fax: (905)874-2119

Phone: (905)874-2117
Page No Provinces To brampton.ca







Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or ieanie.myers@brampton.ca by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



December 13, 2022

Refer To File: 954-009

Partners:
Glen Broll, MCIP, RPP
Colin Chung, MCIP, RPP
Jim Levac, MCIP, RPP
Jason Afonso, MCIP, RPP
Karen Bennett, MCIP, RPP

In Memoriam, Founding Partner: Glen Schnarr

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

Attention:

Jeanie Myers, Secretary-Treasurer

B-2022-0028

Re:

Application for Consent Umbria Developers Inc. 12 Henderson Avenue City of Brampton

We are pleased to submit an Application for Consent for the above-noted lands on behalf of the owners, Umbria Developers Inc. The lands are located at the southeast corner of Sheard Avenue and Haggert Avenue South and municipally known as 12 Henderson Avenue.

The subject lands have a frontage of approximately 107.67 metres on Sheard Avenue, a depth of approximately 90 metres and an area of approximately 3.07 hectares (7.58 acres). The lands are designated "Residential – Medium High / High Density" in the Downtown Brampton Secondary Plan and zoned "Residential Apartment A - Section 2997" (R4A-2997) allowing for up to 402 residential dwellings units in the form of apartment and multiple residential structural types. A Minor Variance Application processed under A-2021-0227 was approved in March 2022 allowing for an increase to a maximum of 441 dwelling units together with relief on maximum floor space index and accessory structures.

The lands are currently subject to a Site Plan Application processed under City file number SPA-2021-0047 for the development of 148 Condominium Stacked Townhouse dwellings with underground parking representing Phase 1 of a two-phase development proposal. The Site Plan Application is approved in principle and the Phase 1 site works were initiated in 2021 under a conditional permit.

The lands are also subject to a Site Plan Application for Phase 2 processed under City file number SPA-2022-0007 for the development of a 13-storey condominium apartment building with 293 dwelling units and underground parking.

For financing purposes, and as shown on the enclosed Consent Sketch, Umbria Developers Inc. is proposing to sever the property which will split the Phase 2 development (severed lands) from Phase 1 (retained lands). Due to the location of the proposed storm sewer, stormwater management pond, and fire hydrant for Phase 1 crossing into Phase 2, servicing easements in favour of the retained lands are proposed within the severed lands. We enclose the proposed Site Servicing Plans for information. Further, due to the location of the access for Phase 2 within the Phase 1 lands, an access easement is also proposed within the retained lands in favour of the severed lands.

10 Kingsbridge Garden Circle, Suite 700, Mississauga, ON L5R 3K6 • Tel. 905-568-8888 • www.gsai.ca

With respect to zoning, the applicable Site-Specific "R4A-2997" Zone considers the lands one lot for zoning purposes, and as such, no zoning deficiencies are created as a result of severing the subject lands.

In support of the Severance Application, we have enclosed the following items:

- One (1) signed completed copy of the Consent Application form with attached legal description;
- One (1) copy of the Severance Sketch as prepared by Glen Schnarr & Associates Inc., dated December 12, 2022;
- One (1) copy of the Site Servicing Plans as prepared by CF Crozier & Associates Inc., dated February 17, 2022;
- One (1) cheque in the amount of \$ \$4119.00 payable to the City of Brampton for the Application fee;
- One (1) cheque in the amount of \$1,400 payable to the Region of Peel the Application Review fee;
- One (1) cheque in the amount of \$1,204.00 payable to the Credit Valley Conservation Authority for Plan Review Fees.

We trust this completes the Consent Application and we look forward to being placed on the January 24, 2023 hearing date. Please do not hesitate to contact the undersigned if you require anything further or wish to clarify anything contained in this application.

Sincerely,

GLEN SCHNARR & ASSOCIATES INC.

Yason Afonso, MCIP, RPP

Partner

Encl.

S. Kamal, Umbria Developers Inc.





## **APPLICATION NUMBER:**

"B"-2022-0028

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 Ov	nt	Umbria Developers Inc. (Attn: Syed Kamal)						
		7 1 1 1	(print given and family names in full)						
	Address _	Address 37 Hawkridge Trail							
Brampton, ON L6P 2T4									
	Phone #	(647) 220	9355			Fax #	N/A		
	Email _	s.kamal@	umbriadevelo	opers.com					
(b)	Name of Au	ıthorized Ago	ent	Glen Schnarr & Associates Inc. (Attn: Jason Afonso)					
	Address 10 Kingsbridge Garden Circle, Suite 700								
	Mississauga, ON L5R 3K6								
	Phone #	905 568 88	888 x. 227			Fax #	905 568 889	4	
	Email _	jasona@gs	ai.ca						
2. 3.	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:  Severance for the creation of a new lot together with easements for storm water services, storm water management pond, watermain and fire hydrant in favour of the retained lands and an easement for access in favour of the severed lands.  If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.						rices, storm water n easement for		
	Unknown at this time.								
	OHNHOWH at this time.								
4.	1. Description of the subject land ("subject land" means the land to be severed and retained):								
	a) Name of	f Street _	Hend	Henderson Avenue					12
	b) Concess	b) Concession No.  c) Registered Plan No.  d) Reference Plan No.		1 WHS			Lot(s)	Lot(s)_	Part of Lot 5
	c) Registere			ee attache	ed	Lot(s)		Lot(s)_	See attached
	d) Referenc			See attached		Lot(s)		See attached	
	e) Assessm	ent Roll No	211003	300271420	00	Geograp	ohic or Forme	er Township_	Chinguacousy
5.	Are there a	any easemen	ts or restrict	tive coven	nants affec	ting the su	ibject land?		
	Yes Specify:		No		$\checkmark$	ž.			

a)	Frontage ± 13 m Depth	± 90 m	<b>Area</b> ± 1.74 ha				
b)	Existing Use Vacant	Proposed Use_	Residential Apartment Building				
c)	Number and use of buildings and structures (both existing and proposed) on the land to be severed						
	(existing) None						
	(proposed One 13-Storey Residentia	ıl Apartment Building					
d)	Access will be by:	Existing	Proposed				
	Provincial Highway						
	Municipal Road - Maintained all year	<u> </u>					
	Other Public Road						
	Regional Road						
	Seasonal Road	_					
	Private Right of Way		$\checkmark$				
f)	Water supply will be by:	Existing	Proposed				
f)	Water supply will be by: Publicly owned and operated water syste		Proposed				
f)							
f)	Publicly owned and operated water syste						
f)	Publicly owned and operated water syste  Lake or other body of water  Privately owned and operated individual or communal well						
f) g)	Publicly owned and operated water system Lake or other body of water Privately owned and operated individual or communal well						
	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 🔲	Proposed				
	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	en 🔲	Proposed				
	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	en 🔲	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):  ption of retained land: (in metric units)	en 🔲	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	Proposed				
g) Descri	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):  ption of retained land: (in metric units)  ± 107.67 m	Existing	Proposed  Area ± 1.33 ha				
g) Descri a)	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):  ption of retained land: (in metric units)  ± 107.67 m  Frontage (Sheard Avenue) Dept	Existing	Proposed  ✓  Area ± 1.33 ha  Stacked Townhouse Residenti				
g)  Descri a) b)	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):  ption of retained land: (in metric units)  ± 107.67 m  Frontage (Sheard Avenue) Deptember 100 construction	Existing	Proposed  ✓  Area ± 1.33 ha  Stacked Townhouse Residentia				

d)	Access will be by:		Existing		Proposed		
	Provincial Highway						
	Municipal Road - Mair	ntained all year	$\checkmark$		$\checkmark$		
	Other Public Road						
	Regional Road						
	Seasonal Road						
	Private Right of Way						
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					d and what is the	
f)	Water supply will be b	oy:	Existing		Proposed		
•,	Publicly owned and o				$\overline{\checkmark}$		
	Lake or other body of	water					
	Privately owned and o	operated individual					
	Other (specify):						
g)	Sewage disposal will	be by:	Existing		Proposed		
	Publicly owned and o	perated sanitary			$\checkmark$		
	Privy						
	Privately owned and or communal septics						
	Other (specify):						
<b>NA</b> 114:- 4	u	of the land in any an	nliaahla za	ning by law a	and official pla	n?	
wnat is i	What is the current designation of the land in any applicable zoning by-law and official plan?						
Warning P	De Laur	Land to be Severed R4A-2997			4-2997		
Zoning E Official F		Residential - Medium High / High Density		Residenti	al - Medium igh Density		
	gion of Peel	Urban Area	-	Urba	n Area	<u>.</u>	
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#	File # Status/Decision						
Has any land been severed from the parcel originally acquired by the owner of the subject land?							
Yes No V							
Date of Transfer Land Use							

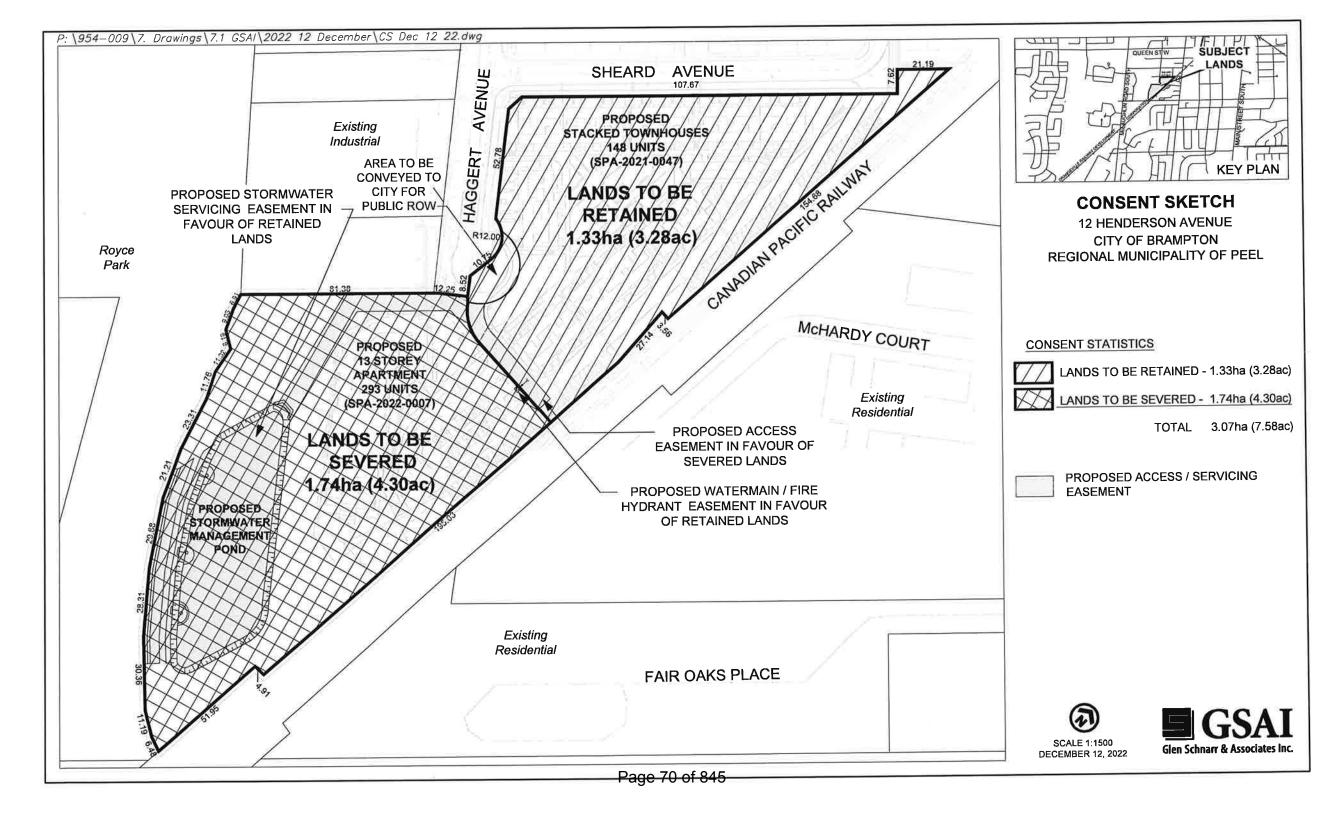
8.

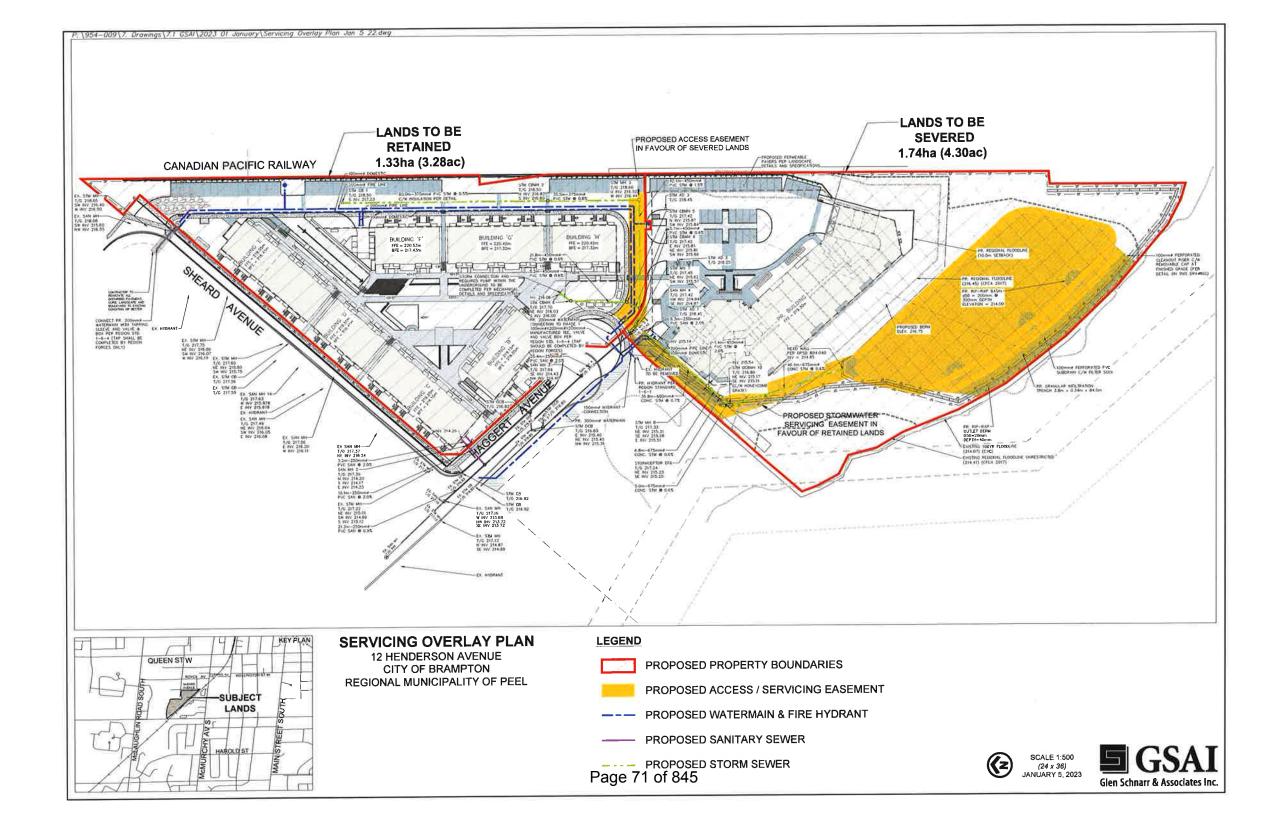
9.

10.

11.	If known, is/was the subject lan	d the subject of any ot	her application under the Planning A	ct, such as:				
		File Number	Status					
	Official Plan Amendment	C01W05.044	Approved					
	Zoning By-law Amendment	C01W05.044	Approved					
	Minister's Zoning Order							
	Minor Variance	A-2021-0227	Approved					
	Validation of the Title							
	Approval of Power and Sale			şn				
	Plan of Subdivision			•				
12.	Is the proposal consistent with	Policy Statements iss	ued under subsection 3(1) of the <i>Plat</i> Yes ✓	nning Act? No				
13.	Is the subject land within an ar	ea of land designated (	under any Provincial Plan? Yes	No 🔽				
14.	If the answer is yes, does the a	pplication conform to	the applicable Provincial Plan? Yes	No 🔲				
15.	If the applicant is not the own is authorized to make the ap AGENTS" form attached).	er of the subject land, plication, shall be atta	the written authorization, of the owr ached. (See "APPOINTMENT AND A	ner that the applicant AUTHORIZATION OF				
Date	ed at theCity	of	Mississauga					
thi	is 13th day of	December	, 20 <u>22</u> .					
			Check box if applicable:					
	Signature of Applicant, or Authorized A	gent, see note on next page	I have the authority to bind the Corporation					
		DECLARA	ATION					
	Inna Afanca Clap Schoor & A			sissauga				
	Jason Afonso, Glen Schnarr & A		),					
	the County/District/Regional Municipality of Peel solemnly declare that all the statements contained in to pplication are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".							
pplication	on are true and I make this as it ma	BRAMPTON	Tido of The Gandad Evidence For y					
eclared b	perfore me at the of	Mississauga						
n the	Region of	Peel	- 09ns					
his <u>13t</u>	h day of <u>December</u>	. 20 22	Signature of applicant/solicitor/auth	onzed agent, etc.				
Jeanie Cecilia Myers a Commissioner, etc., Province of Ontario								
/	Signature of a Commissioner, etc.		for the Corporation of the City of Brampton	( .m.				
//	5000500	E LISE ONLY - To Be C	Expires April 8, 2024.	V				
1	This application has been reviewed with respect to possible variances required and the results							
	of the said	review are outlined on the						
	fall layre		Dec 20, 2022	_				
	Zoning Officer		Date					

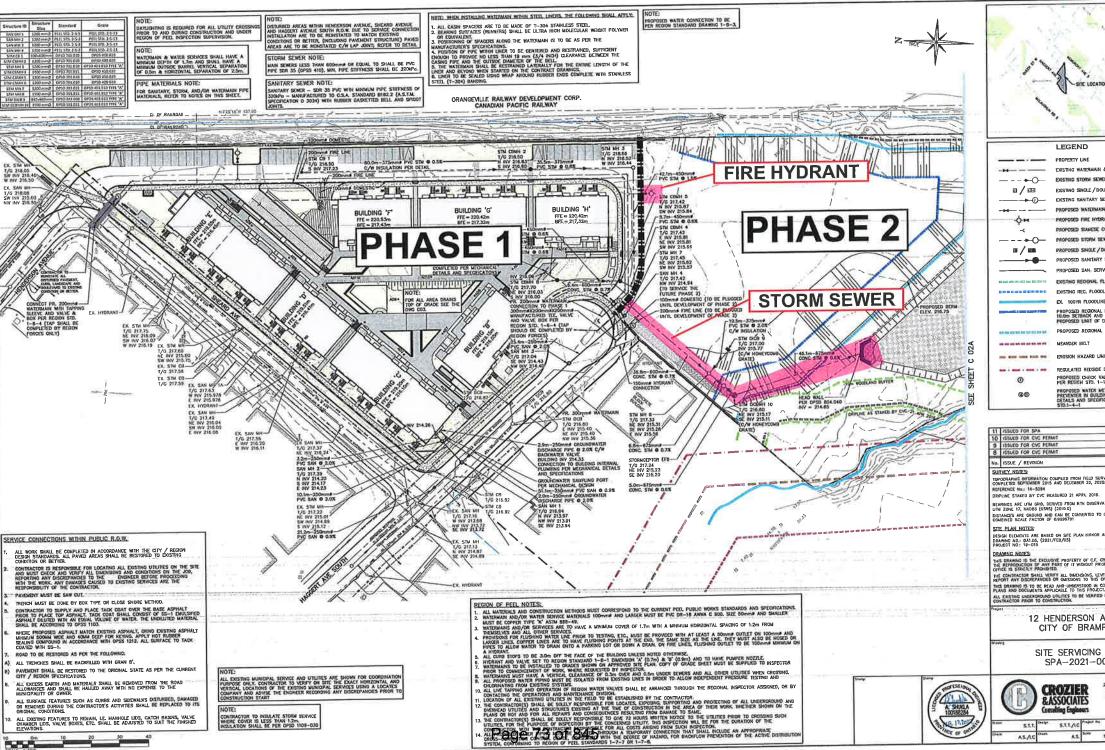
DATE RECEIVED Wormley 13, 2022





## 12 Henderson Avenue – Legal Description

FIRSTLY; PT HAGGERT AV, PL 429 AS CLOSED BY BYLAW RO1105450, PTS 1, 2, 43R17885; PT HAGGERT AV BEING PT LOT 5 CON 1 WHSCH AS CLOSED BY RO1105450, PTS 7 & 8 43R17885; PT LOT5 CON 1 WHSCH AS IN BR30450, EXCEPT PT 3 43R20299; SECONDLY; LTS 15-26, PL E14, BLKS B,C & D, PL E14, JOY AV, PL E14, CLOSED BY BL299, PT SHEARD AV, PL E14, CLOSED BY RO772529, PT LT 5, CON 1, WHSCH, PTS 1 & 2, 43R21104, EXCEPT PT 6, 43R17885, CITY OF BRAMPTON





	LEGEND
	PROPERTY LINE
	EXISTING WATERMAIN & GATE VALVE
	DISTING STORM SEWER & MAINTOLE
m / 123	EXISTING SINGLE / DOUBLE CATCHBASIN
	EXISTING SANITARY SEWER & MANHOLE
	PROPOSED WATERMAIN & GATE VALVE
- фн	PROPOSED FIRE HYDRANT & GATE VALVE
· -<	PROPOSED SLAWESE CONNECTION
+0-	PROPOSED STORM SEMER & MANHOLE
pr / mm	PROPOSED SINGLE / DOUBLE CATCHBASIN
	PROPOSED SANITARY SEWER & MANHOLE
	PROPOSED SAN SERVICE LATERAL (XXXmm#)
ED \$45 450 950 851 864 855 \$50 50	EXISTING REGIONAL PLOCKENE (CVC WOOFL)
	EXISTING REG. FLOODLINE SETBACK (10 0m)
-	EX. 100YR FLOODLINE (214.07m) (CVC MODEL)
	PROPOSED REGIONAL FLOODLINE - 10.0m SETBACK AND PROPOSED LIMIT OF DEVELOPMENT (CFCA 2017
THE STREET OF THE STREET	PROPOSED REGIONAL FLOODLINE (CFCA 2017)
*********	MEANDER BELT
	EROSION HAZARD UMIT
	REGULATED REDSIDE DACE HABITAT
0	PROPOSED CHECK VALVE IN CHAMBER PER REGION STD. 1-1-5 & 1-3-1
90	PROPOSED WATER METER AND MACK FLOW PREVENTER IN BUILDING PER MECHANICAL DETALS AND SPECIFICATIONS AND REGION STOLL—6—1

CHIE	VEY NOTES:	
No.	ISSUE / REVISION	YYYY/VUU/1
8	ISSUED FOR CVC PERMIT	2021/020/0
	ISSUED FOR CVC PERMIT	2022/381/1
10	ISSUED FOR CVC PERMIT	2022/VEB/0
11	ISSUED FOR SPA	2022/718/1

PERFECUER NO. 14-5284 DRIPLINE STAKED BY CVC MEASURED 21 APRIL 2016

BEARINGS ARE UTM GRID, DERIVED FROM RTM OBSERVATIONS UTM ZONE 17, NADB3 (OSRS) (2010.0)

DISTANCES ARE CROWND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9998781

DESIGN ELEMENTS ARE BASED ON SITE PLAN KIRKOR ARCHITECTS AND PLANNERS. DRAWNED NO.: DATOS, (2021/FEB/05) PROJECT NO: 19-015

#### DRAWING NOTES:

THE BRANCH IS THE EXCLUSIVE PROPERTY OF C.F. CROZIER & ASSOCIATES INC. A DIE REPRODUCTION OF ANY PART OF IT WITHOUT PRIOR WRITTEN CONSENT OF THIS OFFICE IT STRICKLY PROPERTY.

THE CONTRACTOR SHALL WERT ALL DIMENSIONS, LEVELS, AND DATUMS ON SITE AS THIS CHAMMO IS TO BE READ AND UNDERSTOOD IN CONJUNCTION WITH ALL OTHER PLACE AND DOCUMENTS APPLICABLE TO THIS PROJECT. DO NOT SCALE THIS DRAWN ALL EXISTING UNGERCHOURD UTLITES TO BE VERFED IN THE FIELD BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

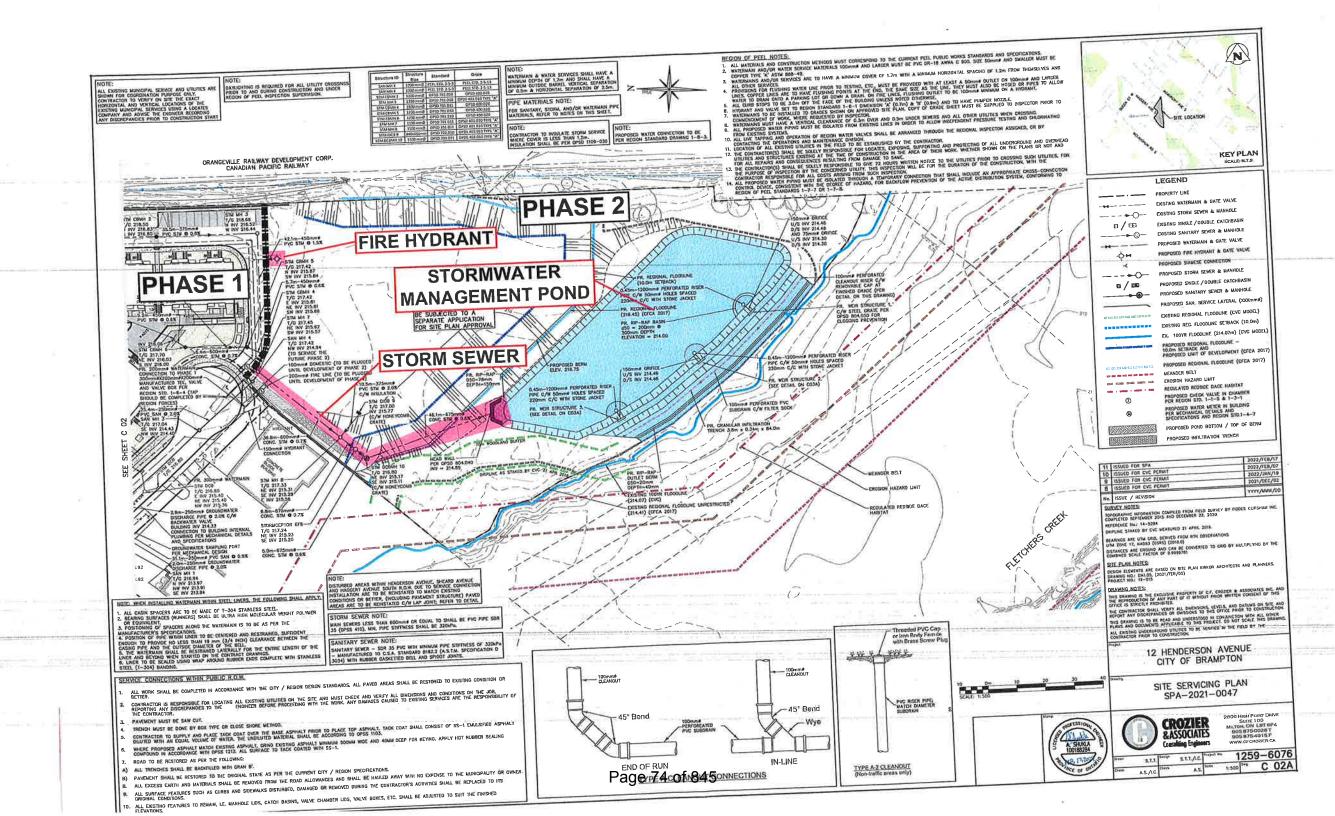
#### 12 HENDERSON AVENUE CITY OF BRAMPTON

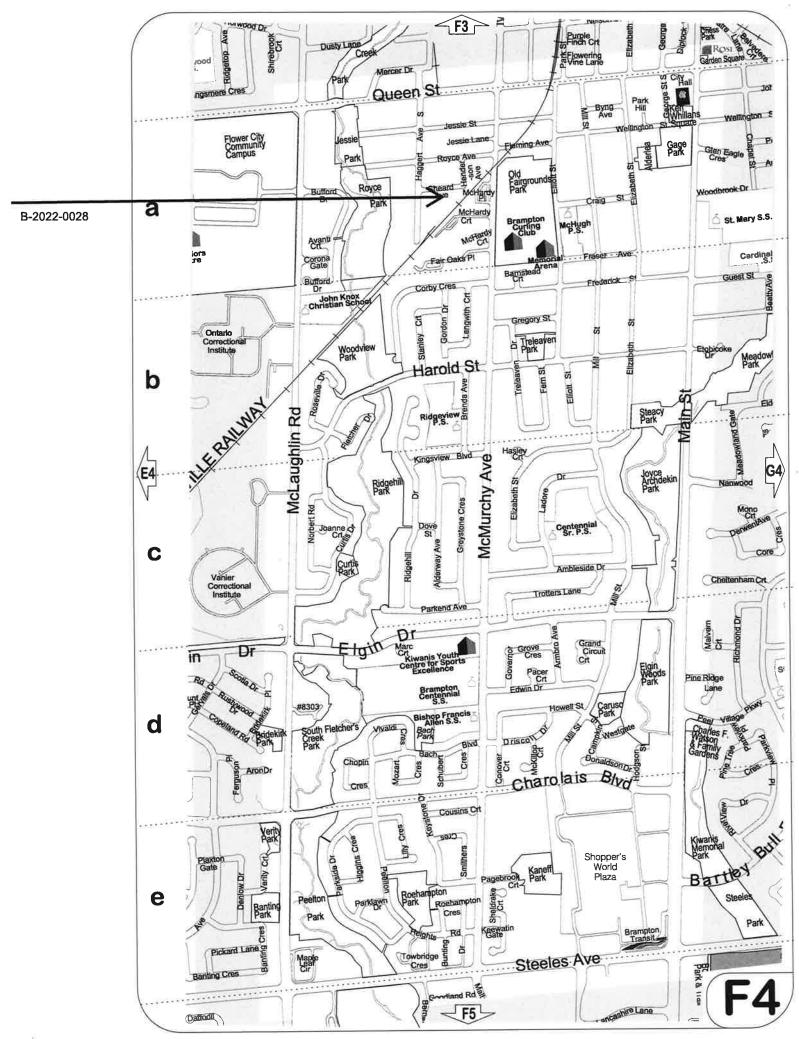
SITE SERVICING PLAN SPA-2021-0047



2800 HIGH PORT DRIVE SUITE 100 MILTON, ON LIST 6PA

1259-6076 STIAC SIL 1:500 C 02 ASAC







13-2022-00-28

January 18, 2023

**VIA EMAIL** 

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

Attention: Jeanie Myers, Secretary-Treasurer

Re: CVC File No. B 22/028

Municipality File No. B-2022-0028

Umbria Developers Inc. 12 Henderson Avenue

Part of Lot 5, Concession 1 WHS

**City of Brampton** 

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

- 1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
- 2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process.
- 3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

### **CVC Regulated Area:**

The subject property is partially regulated by CVC due to an adjacent watercourse (Fletcher's Creek), and its associated floodplain and valley slope. As such, portions of the property are subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

### Proposal:

It is our understanding that the applicant has applied for a consent to sever a parcel of land, with easements for storm water services, storm water management pond, watermain and fire hydrant in favour of the retained lands, and an easement for access in favour of the severed lands. The effect of the severance is to create a new lot for future residential purposes.

#### Comments:

CVC staff have reviewed the severance application for 12 Henderson Avenue as submitted and note that the severance would result in a lot outside of the natural hazards (referred to as the lands to be retained) and a lot that maintains the natural hazards (referred to as the lands to be severed). No fragmentation of the natural hazards is being proposed with this application.

We have previously reviewed this property through an application to amend the Zoning By-law (C01W05.044/OZ 18/001) and site plan applications (SP 21/047 and SPA-2022-0007). Further, a CVC permit has been issued, including site grading and servicing related to the stormwater management facility.

We note that the proposed lands to be retained are located outside the CVC Regulated Area. The lands to be severed are within the CVC Regulated Area; however, we have been involved in the review of proposed development through site plan application SPA-2022-0007, and note that a development envelope outside of the natural hazards was part of that review. Review comments have been provided regarding that site plan application, and we anticipate a future site plan submission to address CVC's comments prior to development of the proposed apartment building on the lands to be severed. A CVC permit will be required for any development proposed within the Regulated Area on the lands to be severed, and it will need to follow CVC's policies.

Further, we note that both the lands to be retained and lands to be severed rely on stormwater management infrastructure on the lands to be severed. It is our understanding that an easement is being proposed for stormwater servicing in favour of the lands to be retained, so both property owners will be able to access and maintain the stormwater management infrastructure, as needed.

Based on the above, CVC staff have reviewed the consent application and have **no objection** to the approval of the application by the Committee at this time.

Please note that CVC has not received payment of the review fee for this application. The applicant should forward this directly to CVC at the earliest convenience.

We trust that these comments are sufficient. Please do not hesitate to contact the undersigned at trisha.hughes@cvc.ca or 905-670-1615 (ext. 325) should you have any further questions. Please circulate CVC any future correspondence and applications regarding this property.

Sincerely,

Trìsha Hughe

Planner

cc: Umbria Developers Inc., Attn: Syed Kamal

Glen Schnarr & Associates Inc., Attn: Jason Afonso



# Report Committee of Adjustment

Filing Date: December 15, 2022 Hearing Date: January 24, 2023

File:

B-2022-0028

Owner/

Applicant:

**UMBRIA DEVELOPERS INC.** 

Address:

12 Henderson Avenue

Ward:

WARD 3

Contact:

Simran Sandhu, Assistant Development Planner

# Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 3.07 hectares (7.58 acres); together with easements for storm water services, storm water management pond, watermain and fire hydrant in favour of the retained lands and an easement for access in favour of the severed lands. The proposed severed lot has a frontage of approximately 13 metres (42.65 feet), a depth of approximately 90 metres (295.27 feet) and an area of approximately 1.74 hectares (4.30 acres). The effect of the application is to create a new lot for future residential purposes (One 13-Storey Residential Apartment Building).

### Recommendations:

That application B-2022-0022 is supportable, subject to the following conditions being imposed:

- 1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
- Separate water, sanitary and storm services shall be provided for each lot in accordance with the Ontario Building Code and to the satisfaction of the Chief Building Official. Should services serving one lot cross the other, the appropriate easements shall be registered prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required for alteration to the existing services;
- 3. Prior to the issuance of the consent certificate the Owner agrees to make arrangements to the satisfaction of the Commissioner of Public Works and Engineering to register a private servicing easement over the severed lands in favour of the retained lands;
- 4. Prior to the issuance of the consent certificate the proposed changes to the storm sewer system in order to comply with the Ontario Building Code shall be reviewed, approved and constructed to the satisfaction of the Director of Environmental and Development Engineering;



# Report Committee of Adjustment

- 5. The Owner shall submit a draft reference plan illustrating the private easements for review and approval by the City prior to depositing;
- 6. The Owner shall make arrangements to the satisfaction of the City Division and the Commissioner of Public Works and Engineering to convey a private access easement in favour of the severed lands over the retained lands;
- 7. The cul-de-sac shall be incorporated with the deposited reference plan;
- 8. That the owner finalize site plan approval under City File SPA-2022-0007 and execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
- 9. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.

# Background:

- Official Plan: The subject property is designated 'Central Area' in the Official Plan;
- Secondary Plan: The subject property is designated 'Medium High/High Density Residential' in the Downtown Brampton Secondary Plan (Area 7); and
- **Zoning By-law:** The subject property is zoned 'Residential Apartment A (R4A-2997)' and 'Open Space (OS)' according to By-Law 270-2004, as amended.

### **Current Situation:**

The owner is seeking approval to sever the parcel of land to create two individual lots from the existing lot. The applicant is also requesting to establish shared access, servicing and stormwater management easements. The proposed severed and retained lands maintain all Zoning By-law requirements for lot size and dimensions.

The lands are currently subject to a Site Plan Application processed under City File number SPA-2021-0047 for the development of 148 condominium stacked townhouse dwellings with underground parking required for Phase 1 of the two phased development proposal. Phase 1 are the retained lands and Phase 2 is the severed lands. The Site Plan Application was approved for Phase 1 under a conditional permit and site work was initiated in 2021.

Phase 2 of the development is currently subject to a Site Plan Application processed under City File number SPA-2022-0007 for the development of a 13-storey condominium apartment building with 293 dwelling units and underground parking.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise

The Corporation of The City of Brampton 2 Wellington Street West, Brampton, ON L6Y 4R2 T: 905.874.2000 TTY: 905.874.2130

Page 2 of 5



# Report Committee of Adjustment

that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Simran Sandhu, Assistant Development Planner



# **SCHEDULE "A"**

# CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed severance, access and sanitary easements have no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed severance, access and sanitary easements are neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance, access and sanitary easements do not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The severance, access and sanitary easements are suitable for the purposes for which it is to be subdivided.
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 the adequacy of them;	The proposed severance, access and sanitary easements do not present any concern with regard to the adequacy of the roadwork network.
f)	The dimensions and shapes of the proposed lots;	The shape and dimension of the proposed lot is appropriate and maintains all minimum Zoning By-law requirements.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h)	The conservation of natural resources and flood control;	The proposed severance, access and sanitary easements present no concerns with



# Report Committee of Adjustment

		regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The proposed access and sanitary easements present no concerns with regard to the adequacy of school sites.
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 concerns related to conveyances for public purposes.
l)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed severance, access and sanitary easements have no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	There are no concerns related to the design of the proposal and matters of Site Plan Control under the Planning Act.



# **Public Notice**

# **Committee of Adjustment**

**APPLICATION # B-2022-0029** Ward # 4

### NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by NATIONAL BRIXEN (STEELES) INC.

### Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.477 hectares (1.18 acres). The proposed severed lot (Parcel B) ranging in width from approximately 7 metres (23 feet) to 8 metres (26 feet) will be conveyed to the Region of Peel to achieve the ultimate right-of-way width for Steeles Avenue West. The effect of the application is to provide for an increased road widening along Steeles Avenue West, including the required 0.3 metre (1 foot) reserve.

### **Location of Land:**

Municipal Address: 260 Malta Avenue

Former Township: Mississauga

Legal Description: Part of Blocks 31 and 32, Plan 43M-1644

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

# PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

# Other Planning Act Applications

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

Official Plan Amendment:

YES

File Number: C01W05.44

Zoning By-law Amendment:

YES

File Number: C01W05.44

Minor Variance:

File Number:

# **Decision and Appeal**

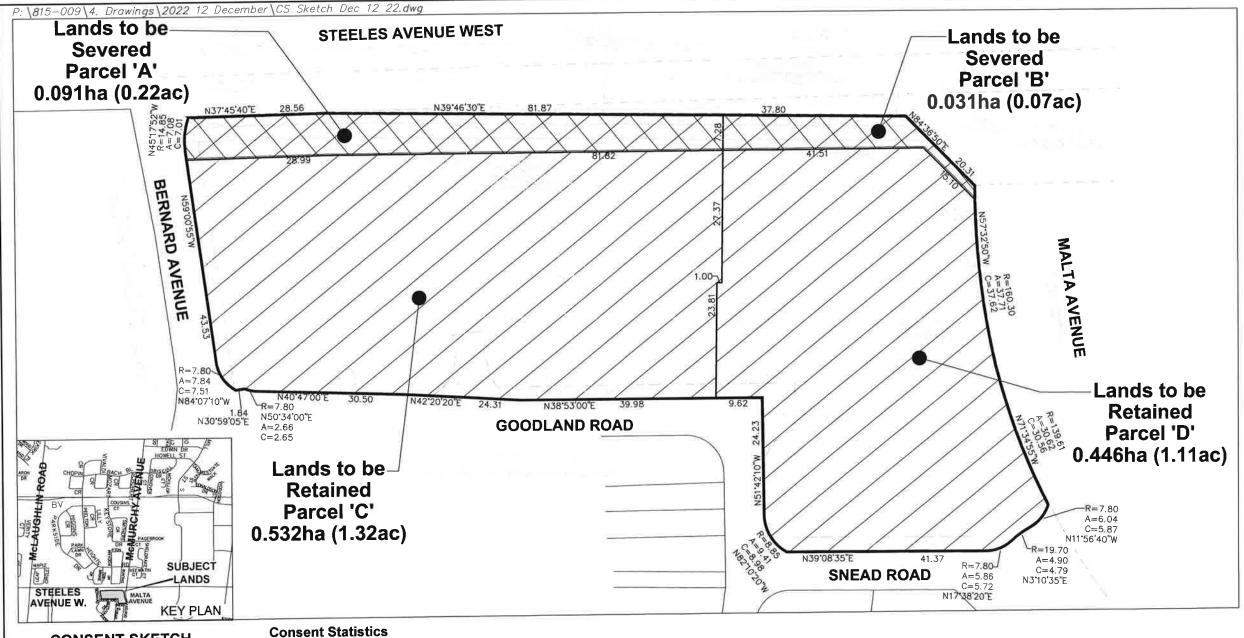
Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021. The appeal form is available from the Ontario Land Tribunal website at https://olt.gov.on.ca/appeals-process/forms/

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

DATED AT THE CITY OF BRAMPTON THIS 5th Day of January, 2023

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer City of Brampton Committee of Adjustment City Clerk's Office, Brampton City Hall 2 Wellington Street West Pagnone: (905)874-2117 Fax:



# **CONSENT SKETCH** 245 STEELES AVENUE W.

PART OF BLOCK 31 AND 32, **REGISTERED PLAN 43M-1644** CITY OF BRAMPTON **REGION OF PEEL** 

Lands to be Severed Parcel 'A' 0.091ha (0.22ac) Lands to be Severed Parcel 'B' 0.031ha (0.07ac) XX Lands to be Retained Parcel 'C' 0.532ha (1.32ac) 0.446ha (1.11ac)

XX Lands to be Retained Parcel 'D' **TOTAL AREA:** 

1.10ha (2.72ac) Page 85 of 845



Glen Schnarr & Associates Inc. December 12, 2022



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

# How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

All Hearings will be livestreamed on the City of Brampton YouTube account at:
 https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or
 http://video.isilive.ca/brampton/live.html

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



Portners:
Glen Broll, MCIP, RPP
Colin Chung, MCIP, RPP
Jim Levac, MCIP, RPP
Jason Afonso, MCIP, RPP
Karen Bennett, MCIP, RPP

In Memoriam, Founding Partner. Glen Schnarr

December 12, 2022

Committee of Adjustment City of Brampton 2 Wellington Street West Brampton, ON L6Y 4R2 B. 2022-0029; B-2022-0030

GSAI File: 815-009

Attention:

Jeanie Myers

Secretary-Treasurer

Re:

**Application for Consent** 

National Brixen (Steeles) Inc.

260 Malta Avenue and 245 Steeles Avenue West

City of Brampton, Region of Peel

Glen Schnarr & Associates Inc. has been retained by National Brixen (Steeles) Inc., the registered owners of the above noted lands (herein described as the 'subject lands'), to advance two consent applications for the above-noted properties on behalf of our client, National Brixen (Steeles) Inc.

The subject lands are generally located on the south side of Steeles Avenue West and west of Malta Avenue in the City of Brampton. The lands are legally described as Block 32, Plan 43M-1644. Phase I of the proposed development is nearing Site Plan Approval via application SPA-2021-0143, and a number of Minor Variances were granted (pertaining to permitted uses, parking, setbacks, and a number of other technical matters) via application A-2022-0023.

The subject lands consist of two parcels:

- 260 Malta Avenue, a 0.477 hectare (1.18 acre) parcel, which forms "Phase 1" of the subject lands' ultimate development.
- 245 Steeles Avenue West, 0.623 hectare (1.53 acre) parcel, which will form "Phase 2" of the subject lands' ultimate development.

The purpose of the subject consent applications is to sever the required road widening from the subject lands to be conveyed to the Region of Peel in order to achieve the ultimate right-of-way ("ROW") width for Steeles Avenue West. The lands to be conveyed have a total length of roughly 150 metres (roughly 490 feet), a width ranging from roughly 7 metres (23 feet) to 8 metres (26 feet), and a total area of 0.122 hectares (0.29 acres), assisting the Region in achieving a total width of 54 metres (177 feet) for Steeles Avenue West. The lands to be conveyed include the required 0.3 metre (1 foot) reserve.



Overall, the proposed applications will result in four parcels of land, as shown on the Consent Sketch included as part of this application:

- Parcel 'A', the 0.091 hectare (0.22 acre) conveyance from 245 Steeles Avenue West;
- Parcel 'B', the 0.031 hectare (0.07 acre) conveyance from 260 Malta Avenue;
- Parcel 'C', the 0.532 hectare (1.32 acre) retained lands for 245 Steeles Avenue West;
- Parcel 'C', the 0.446 hectare (1.11 acre) retained lands for 260 Malta Avenue.

The following is an explanation of why a consent application is required in this scenario:

- The Region of Peel requires the conveyance of road widening lands as part of their development approval process. Typically, the right-of-way would be conveyed as part of the Site Plan Approval process.
- However, the road widening lands are situated within "parcels of tied lands", being lands that have an interest in Peel Common Elements Corporation No. 744.
- The Region will only accept title to the road widening lands if the interest in Peel Common Elements Corporation No. 744 is "removed" from the road widening lands.
- In order to remove said interest in Peel Common Elements Corporation No. 744, an amendment to the Declaration and Description of Peel Common Elements Corporation No. 744 must be registered with the Land Registry Office of Peel.
- Prior to registering said amendment to the Declaration and Description of Peel Common Elements Corporation No. 744, the road widening lands must be described on a deposited reference plan and the Land Registry Office must issue new Property Identification Numbers for the road widening lands.
- In order to trigger the issuance of new Property Identification Numbers for the road widening lands, we must register a conveyance of the road widening lands (to the owner of the lands). This conveyance must not violate the provisions of Section 50 of the Planning Act relating to the ownership of adjacent lands. Accordingly, severance consents must be obtained in order to permit the conveyance of the road widening lands and the issuance of new Property Identification Numbers for the road widening lands.

As such, this application is technical in nature, and there are no policy implications.



In support of the application, we have enclosed the following items:

- One (1) copy of the completed Application for Consent form for the proposed severance;
- One (1) original copy of the signed Authorization and Permission to Enter Forms;
- One (1) copy of the required sketch as prepared by Glen Schnarr and Associates Inc. dated December 12, 2022; and
- One (1) copy of the R-Plan as prepared by J.D. Barnes Ltd., dated December 9, 2022.

We trust this completes the Applications for Consent and we look forward to being considered for the earliest available hearing date. Please feel free to contact us if you have any questions or require more information.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Stephen Closs, MCIP, RPP

Associate

# **Flower City**



**APPLICATION NUMBER:** 

"B"\_2022-0029

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.

. (a)	Name of	Owner/Applicant	National B	Brixen (Steele	s) Inc. (c/o Michae			
,	Address	3800 Steeles Avenu	e W., Suite 1	03W, Woodb	(print given and far ridge, ON L4L 4G	mily names in ful	II)	e e e e e e e e e e e e e e e e e e e
	Phone #	Office: 289-657-131	5 Cell #: 41	16-659-9989 -	Fax #			
	Email	mparadisi@brixen.ca	3					
(b)	Name of	Authorized Agent	0		es Inc. (c/o Stephe			
	Address	10 Kingsbridge Gar	den Circle, Su	uite 700, Miss	issauga, On., L5R			
	Phone #	905-568-8888 ext. 2	:34	_	Fax #			
	Email	stephenc@gsai.ca						
	uddition,	an easement, a cha				ıltimate riaht-	of-way v	width for Steeles
3.	Specify	Severance of a req Avenue West. Ultir	uired road wi	dening in ord	er to achieve the under the Region of Peel.			
3.	Specify  If known	Severance of a req Avenue West. Ultir	nately to be c	dening in ord	er to achieve the under the Region of Peel.			
<b>3. 4.</b>	Specify  If known  National	Severance of a req Avenue West. Ultir , the name of the pe	nately to be constant of the c	dening in ord	er to achieve the une Region of Peel.	e land is to b	oe trans	sferred, charged or le
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	If known National Descript a) Name	Avenue West. Ultir  the name of the pe Brixen (Steeles) Inc.  ion of the subject la  of Street	nately to be considered road with mately to be considered road who is a considered road ("subject Avenue")	conveyed to the	er to achieve the une Region of Peel.	e land is to be	etaine	sferred, charged or le
	If known National  Descript a) Name b) Conce	Avenue West. Ultir  the name of the pe Brixen (Steeles) Inc.  ion of the subject la	rson to whom (c/o Michael Find ("subject Avenue sion #: CON.	dening in ord	er to achieve the under the Region of Peel.  The an interest in the state of the land to be setting the land th	e land is to be	etained umber_ Lot(s)_	sferred, charged or le
	If known National  Descript a) Name b) Conce	Avenue West. Ultir  the name of the pe Brixen (Steeles) Inc.  ion of the subject la  of Street  Concessession No.	rson to whore (c/o Michael Find ("subject Avenue sion #: CON.	dening in ord	er to achieve the une Region of Peel.  The an interest in the street in	e land is to be	retained umber_ Lot(s)_	260 14079-0383
	If known National  Descript a) Name b) Conce c) Regis d) Refere	Avenue West. Ultir  Avenue West. Ultir  the name of the pe Brixen (Steeles) Inc.  ion of the subject la  of Street  ession No.  Concest tered Plan No  Plan #	rson to whom (c/o Michael F  nd ("subject  Avenue  sion #: CON.	dening in ord	er to achieve the under Region of Peel.  The an interest in the sthe land to be setting the land the land to be setting the land the l	e land is to be	etaine umber_ Lot(s)_ Lot(s)_	260 14079-0383
	If known National  Descript a) Name b) Conce c) Regis d) Refere	Avenue West. Ultir  Avenue West. Ultir  the name of the pe Brixen (Steeles) Inc.  ion of the subject la  of Street  ession No.  Tered Plan No  2110140	rson to whore (c/o Michael Find ("subject Avenue sion #: CON.	dening in ord	er to achieve the une Region of Peel.  The an interest in the sthe land to be some Geographic or	e land is to be	etaine umber_ Lot(s)_ Lot(s)_	260 14079-0383

PR706244, PR706245

b)	Existing Use Residential	Proposed (	Jse_ROW
c)	Number and use of buildings and structu	res (both existing	and proposed) on the land to be
	(existing) No existing or proposed building	gs and structures	
	(proposedNone		
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		
	· ····································	_	
	7		
f)	Water supply will be by:	Existing	Proposed
f)	Water supply will be by: Publicly owned and operated water syst	<u> </u>	Proposed
f)		<u> </u>	Proposed
f)	Publicly owned and operated water syst	en 🗹	Proposed
f)	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individual	en 🗹	Proposed
f) g)	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individual or communal well	en 🗹	Proposed  Proposed
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individual or communal well  Other (specify):	eri 🗹	
	Publicly owned and operated water syst  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	eri 🗹	
	Publicly owned and operated water syst  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 syst  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	Existing	
g)	Publicly owned and operated water syst  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	
g)	Publicly owned and operated water syst  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	
g)	Publicly owned and operated water syst  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):  iption of retained land: (in metric un	Existing	Proposed  Area 0.446 ha

d)	Access will be by:		Existing		Proposed	
	Provincial Highway					
	Municipal Road - Mai	ntained all year				
	Other Public Road					
	Regional Road					
	Seasonal Road					
	Private Right of Way					
е)	If access is by wate approximate distance	er only, what parking e of these facilities fro	and do m the su	cking facilitie bject land and	es will be used the nearest p	ed and what is the bublic road?
f)	Water supply will be	by:	Existing		Proposed	
	Publicly owned and	operated water systen	$\square$			
	Lake or other body o	f water				
	Privately owned and or communal well	operated individual				
	Other (specify):					
g)	Sewage disposal wil	l be by:	Existing	1	Proposed	
	Publicly owned and sewer system	operated sanitary	$\Box$			
	Privy					
	Privately owned and or communal septic					
	Other (specify):					
What is t	the current designation	Land to be Severed	plicable a	Land to I	oe Retained	<u>+</u>
Zoning E	By-Law	Residential (R4A)	-	Residential (F	——————————————————————————————————————	₹.
Official F	Plans of Brampton	Residential	_	Residential		
Re	gion of Peel	Urban System	_	Urban Syste	em	
section	subject land ever be 51 of the Planning Ad the file number of the	ct or a consent unde	r section	53 of the Ad	ct and if the a	of subdivision under answer is yes and if
Yes	□ No ▽	]				
File #	:	Status/Decision				<b>=</b> 5.
_	land been severed fro	om the parcel originall	y acquire	d by the own	er of the subje	ect land?
Yes L	_ No ⊻	J.				
Date of	Transfer		Land U	se		

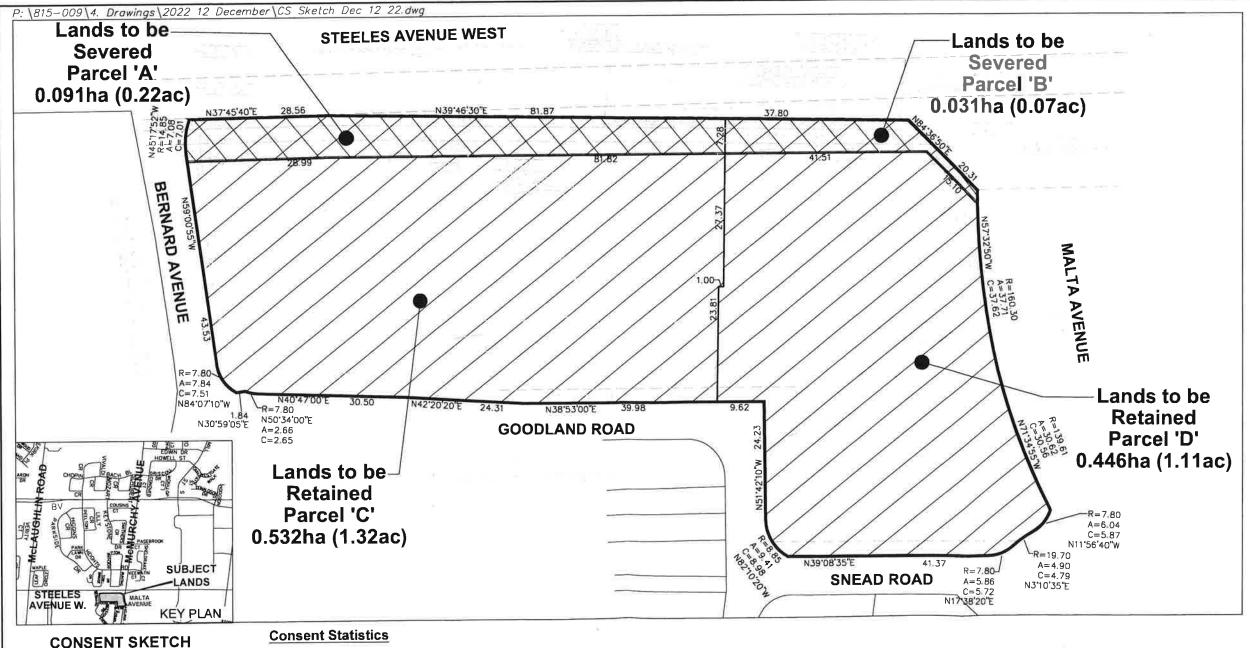
8.

9.

10.

11.	If known, is/was the subject la	nd the subject of any oth	er application under the Planning A	ct, such as:
		File Number	Status	
	Official Plan Amendment			
	Zoning By-law Amendment	<del></del>		
	Minister's Zoning Order			
	Minor Variance	A-2022-0023	Approved	
	Validation of the Title		4	
	Approval of Power and Sale			
	Plan of Subdivision			
12.	Is the proposal consistent wit	h Policy Statements issu	ed under subsection 3(1) of the <i>Pla</i> Yes	nning Act?
13.	Is the subject land within an a	ırea of land designated uı	nder any Provincial Plan?	. $\square$
				lo 🔲
14.	If the answer is yes, does the	application conform to th	ne applicable Provincial Plan? Yes	No 🔲
15.	If the applicant is not the own is authorized to make the ap AGENTS" form attached).	er of the subject land, the plication, shall be attach	e written authorization, of the ownended. (See "APPOINTMENT AND A	r that the applicant JTHORIZATION OF
	City	<sub>Of</sub> Mississauga		
	ed at the	<u> </u>		
thi	is 12th day of Decemb	<u>per</u>	20 <u>22</u> .	
	All El		Check box if applicable:	
	Signature of Applicant, or Authorized	Agent, see note on next page	I have the authority to bind the Corporation	
		DECLARATI	ION	
	ا Stephen Closs	of the	City of Toronto	
in the Co	ounty/District/Regional Municipality	of N/A	solemnly declare that all the st	atements contained ir
			ue of "The Canada Evidence Act".	
Declared b	pefore me at the City of	Mississauga		
in the	Region of Peel	9 <del></del>	4/6 9/L	
this 12th		, <b>20</b> 22	Signature of applicant/solicitor/autho	rized agent, etc.
(1115 <u>120</u>				
	Signature of a Commissioner, etc.	Laura Kim Amorim, a Commis Province of Ontario, for Glen Schnarr & Associates In Expires March 3, 2023.		
			pleted By the Zoning Division ole variances required and the results	
	of the said	review are outlined on the	attached checklist.	
	Zoning Officer		Date	6

DATE RECEIVED We comber 13 2022



# CONSENT SKETCH 245 STEELES AVENUE W.

PART OF BLOCK 31 AND 32, REGISTERED PLAN 43M-1644 CITY OF BRAMPTON REGION OF PEEL Lands to be Severed Parcel 'A'

Lands to be Severed Parcel 'B'

Lands to be Retained Parcel 'C'

Lands to be Retained Parcel 'D'

TOTAL AREA:

0.091ha (0.22ac)

0.031ha (0.07ac)

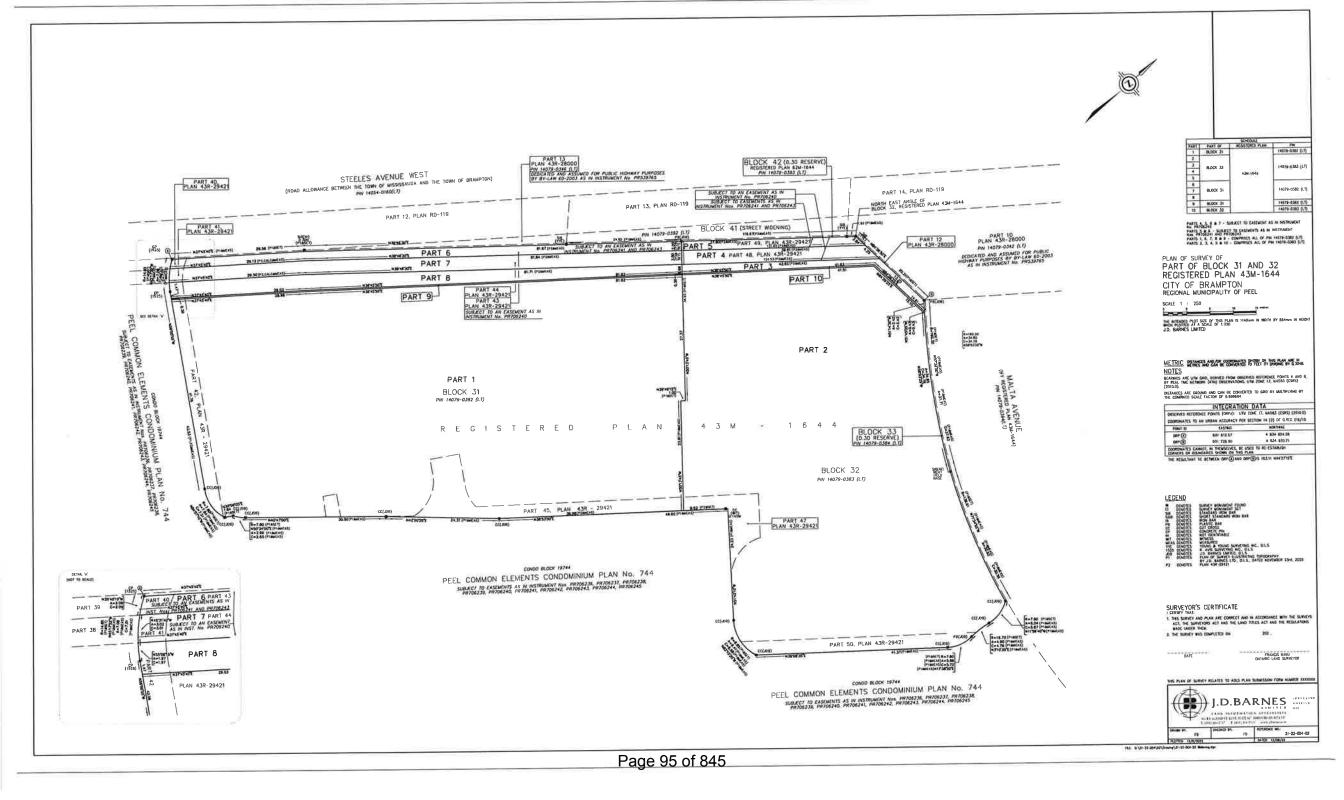
0.532ha (1.32ac)

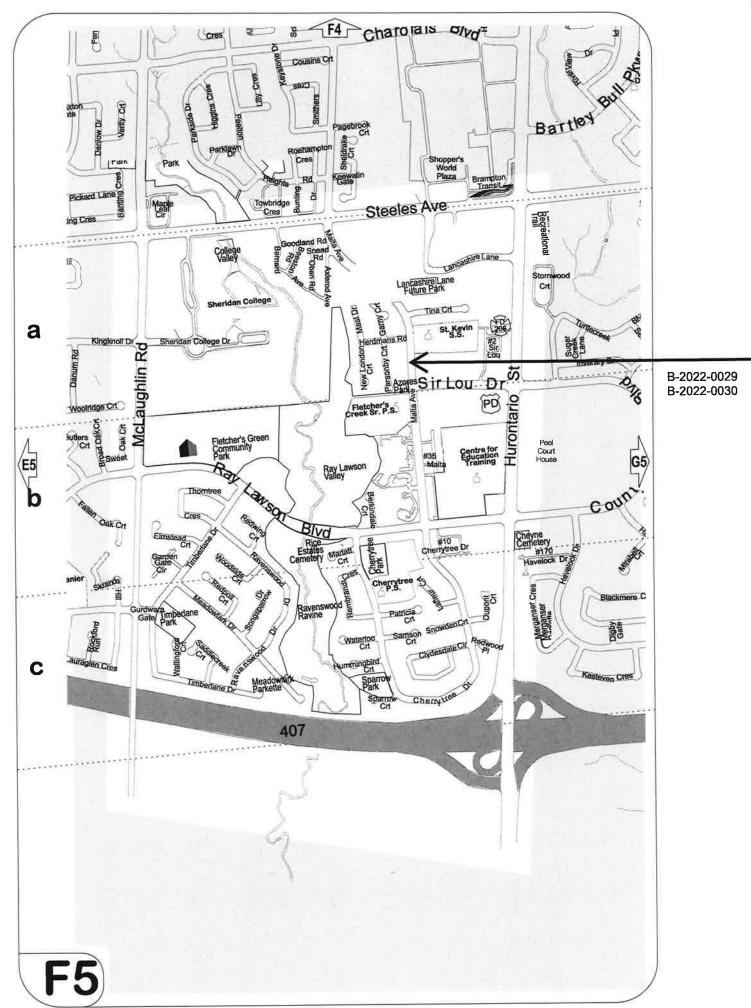
0.446ha (1.11ac)

1.10ha (2.72ac)











# Report Committee of Adjustment

Filing Date: December 15, 2022 Hearing Date: January 24, 2023

File:

B-2022-0029

Owner/

Applicant:

NATIONAL BRIXEN (STEELES) INC. / GLEN SCHNARR & ASSOCIATES INC.

Address:

260 Malta Ave

Ward:

WARD 4

Contact:

Chinoye Sunny, Planner I

# Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.477 hectares (1.18 acres). The proposed severed lot (Parcel B) ranging in width from approximately 7 metres (23 feet) to 8 metres (26 feet) will be conveyed to the Region of Peel to achieve the ultimate right-of-way width for Steeles Avenue West. The effect of the application is to provide for an increased road widening along Steeles Avenue West, including the required 0.3 metre (1 foot) reserve.

### Recommendations:

That application B-2022-0029 is supportable, subject to the following conditions being imposed:

- 1. That the owner finalize Site Plan Approval under City File SPA-2021-0143, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
- 2. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate; and,
- 3. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.

## **Background:**

- Official Plan: The subject property is designated 'Residential' in the Official Plan;



# Report Committee of Adjustment

- Secondary Plan: The subject property is designated 'Residential High Density' in the Fletchers Creek South (Area 24); and
- Zoning By-law: The subject property is zoned 'Residential Apartment A (R4A-2808)' according to By-Law 270-2004, as amended.

### **Current Situation:**

The applicant is requesting to sever the required road widening from the subject lands located on the south side of Steeles Avenue West and west of Malta Avenue to be conveyed to the Region of Peel in order to achieve the ultimate right-of-way width for Steeles Avenue West. This application is part of Phase 1 of the proposed Site Plan Approval application which is currently under review with City staff (refer to SPA-2021-0143). The current Site Plan Approval application is for a proposed 26-storey mixed-use condominium supporting a total of 345 residential units along with at-grade retail. Furthermore, eleven (11) Minor Variances were granted at the March 8<sup>th</sup>, 2022 Committee of Adjustment hearing pertaining to permitted uses, parking, setbacks, building height, lot coverage, and other technical provisions for the subject lands (see Appendix 1).

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Chinoye Sunny, Planner I





# SCHEDULE "A"

# CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed land conveyance has no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed land conveyance is neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed land conveyance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The proposed land conveyance is suitable for the purposes for which it is to be subdivided.
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 the adequacy of them;	The proposed land conveyance does not present any concern with regard to the adequacy of the roadwork network.
f)	The dimensions and shapes of the proposed lots;	The shape and dimension of the proposed lot is appropriate and maintains all minimum Zoning By-law requirements.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h)	The conservation of natural resources and flood control;	The proposed land conveyance presents no concerns with regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.



# Report Committee of Adjustment

j)	The adequacy of school sites;	The land conveyance presents no concerns with regard to the adequacy of school sites.
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 concerns related to conveyances for public purposes.
1)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed land conveyance has no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	There are no concerns related to the design of the proposal and matters of Site Plan Control under the Planning Act.



# Report **Committee of Adjustment**

Filing Date:

February 8th, 2022

Hearing Date: March 8th, 2022

File:

A-2022-0023

Owner/

Applicant:

National Brixen (Steeles) Inc./Glen Schnarr & Associates Inc.

Address:

260 Malta Avenue

Ward:

Contact:

Kelly Henderson, Development Planner, Development Services, 905-874-2619,

Kelly.Henderson@brampton.ca

#### Recommendations:

That application A-2022-0023 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the minimum separation distance between the tower portions of any buildings shall be 25 metres.
- 3. That the reduced parking requirements established in variances 8, 9 and 10 shall only apply to the Phase 1 lands as shown on the sketch attached to the public notice.
- 4. That the owner finalize site plan approval under City File SPA-2021-0143, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
- 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

# Background:

#### Existing Zoning:

The property is zoned 'Residential High Density – Special Section 2808 (R4A-2808', according to Bylaw 270-2004, as amended.

### Requested Variances:

The applicant is requesting the following variances:

- 1. To permit the following commercial uses in conjunction with the permitted apartment dwelling:
  - a. an office;
  - b. a retail establishment
  - c. a convenience store:
  - d. a dining room restaurant;
  - e. a take-out restaurant;
  - f. a service shop;
  - g. a personal service shop;
  - h. a printing or copying establishment;
  - i. an art gallery;
  - j. a commercial school:
  - k. a health or fitness centre;
  - I. library; and,
  - m. an administrative office of any public authority.
- To permit a minimum front yard setback of 2.9 metres to the first storey and 0.9 metres to the second storey and above, whereas the by-law requires a minimum front yard setback of 15 metres;
- To permit a minimum exterior yard setback of 3.2 metres to the first storey and 0.9 metres to the second storey and above, whereas the by-law requires an exterior side yard setback of 10 metres:
- 4. To permit a minimum distance between buildings of 12.7 metres, whereas the by-law requires a minimum distance of 30 metres between buildings;
- 5. To permit a maximum building height of 26 storeys excluding of any roof-top mechanical penthouse, whereas the by-law permits a maximum height of 25 storeys;
- 6. To permit a combined maximum residential and commercial floor space index of 4.72, whereas the by-law permits a maximum residential floor space index of 4.5;
- 7. To permit a maximum lot coverage of 33.6%, whereas the by-law permits a maximum lot coverage of 25%;
- 8. To permit a total of 260 residential parking spaces, whereas the by-law requires a total of 698 resident parking spaces;

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- 9. To permit a total of 52 residential visitor parking spaces, whereas the by-law requires a total of 88 residential visitor parking spaces;
- 10. To permit no minimum required parking for any commercial use and to permit residential visitor parking to be shared for commercial purposes, whereas the by-law requires parking for commercial uses to be provided at the applicable rate as prescribed by section 20.3.1; and,
- 11. To permit a hydro transformer setback of 1.0 metre to the interior, exterior and rear lot lines, whereas the by-law requires a minimum setback of 10 metres to the interior, exterior and rear lot lines.

#### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated "Residential" on Schedule A General Land use of the Official Plan. It is also located within the Gateway Mobility Hub, centred at Main St/Hurontario St S and Steeles Ave, and along an Intensification Corridor, per Schedule 1 City Concept. The Site is designated "High Density" in the Fletchers Creek South Secondary Plan (Area 24). The "Residential" designation of the subject lands permits a full range of residential uses as well as complementary commercial uses in order to support the creation of complete communities. Gateway Mobility Hubs are planned to accommodate a concentration of higher density, mixed-use development.

The residential high density designation at this location may be developed into apartments at a density of 65 units per net acre.

The requested variances to allow retail uses conforms to the policies of the Official Plan, particularly considering the site's location within a Gateway Mobility Hub. The proposed mix of uses will complement the residential use and help create walkable neighbourhoods with access to daily needs. Therefore, variance 1 conforms to the intent of the Official Plan.

Although the site is located outside of the boundaries of the Hurontario – Main Corridor Secondary Plan (Area 55), it is located immediately adjacent to this area – directly to the east of the subject site. As per Section 20.3.2. of the Official Plan this area has no minimum parking requirement. Given that the site is located within the same Major Transit Station Area and Mobility Hub as the lands within the boundary of the Hurontario-Main Corridor Area, it is appropriate that no minimum parking be applied to this site as well. Therefore variance 8, 9 and 10 conform to the intent of the Official Plan.

The requested variances to allow reduction in front, exterior side, and all setbacks above the second storey have no impact with regard to the policies of the Official Plan or Secondary Plan. Similarly, the setbacks between buildings and lot coverage do not have any impact on these policies.

The proposed variances to permit a maximum height of 26 storeys and Floor Space Index of 4.72 (variances 5 and 6) do not interfere with the general intent for residential uses established by the Official Plan. These will contribute to the transit-supportive intensification objectives for the Gateway Mobility Hub and Intensification corridor.

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The requested variances to allow a reduction to hydro-transformer setbacks (variance 11) have no impact with regard to the policies of the Official Plan or Secondary Plan.

The requested variances maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The intent of the by-law in regards to variance 1 is limiting commercial uses in residential areas is to maintain the residential character of the property. The commercial use is proposed for the ground-floor only and represents a small component of the overall Gross Floor Area and is not anticipated to impact the residential uses on the site but instead complement them.

In regards to variance 2, 3, 4 and 11, the intent of the by-law requiring a minimum front yard, exterior side yard setback is to ensure that sufficient area is provided in the front/side yard for parking and landscaped area. In large-scale, mixed-use development parking is discouraged in the front of the site and is preferred to be accommodated in the rear or in a parking garage. Parking is being provided primarily in a parking garage, with some surface parking in the rear. Landscaping within the setback will create a vibrant pedestrian realm to support the ground-floor retail uses, and will tie-in with the public realm enhancements along Steeles. Drainage issues have been addressed through the Functional Servicing Report prepared by S. Llewellyn & Associates Ltd. Access to the rear yard is provided through both the Malta sidewalk and courtyard proposed at the west of the site.

The reduced setback above the second floor recognizes that sufficient public realm "spill-out" area is already being provided on the first floor setback.

In regards to variance 4, this speaks to the separation between the buildings of Phase 1 and Phase 2, a ground floor height of nearly 5m is proposed, providing ample space separation between the public realm and the encroachment above. Regulating the minimum distance between buildings is to ensure that sufficient space is provided between buildings for fire safety and outdoor amenity space. Building did not have any concerns with regards to meeting a minimum fire separation distance. A spacious courtyard is being provided between the proposed development and the future, adjacent phase, contributing to the outdoor amenity space on-site. The reduction in minimum distance would allow for the creation of a more enclosed space to mitigate impacts of traffic noise along Steeles. Further outdoor amenity space is being provided at the podium level (level 8). Furthermore, in order to ensure adequate separation between the towers of Phase 1 and Phase 2, staff are recommending a condition to ensure the distance between the towers is 25 metres.

Variance 5 is in regards to building height. The intent of the by-law in regulating the maximum permitted building height for a property is to ensure that there are no negative massing impacts on adjacent properties. The applicant has provided an Urban Design Brief which speaks to the massing and shadowing impacts of the site. No negative impacts on adjacent properties are anticipated.

Variance 6 is in regards to maximum Floor Space Index (FSI). The intent of the By-law in regulating floor space index is to avoid excessive densities that impact adjacent properties. The Floor Space Index is calculated based on the small lot area, as the request is for Phase 1 only. The proposed

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density represents only a modest increase and remains in keeping with the intent of the planning policies for the area. This will facilitate a form of development that aligns with the intent of the area to accommodate an appropriate amount and distribution of density, height and massing.

In regards to variance 7, the intent of the By-law in regulating lot coverage is to ensure that the size of buildings is appropriate relative to the size of the property and does not detract from the provision of outdoor amenity space. Allowing additional lot coverage will facilitate a high-density mixed-use building fronting an intensification corridor. Allowing for a podium that provides a significant frontage along Steeles is a major component of this. The increased lot coverage will be mostly apparent from Steeles Ave and not from the adjacent lower-density residential area. Outdoor amenity space will be provided through the courtyard area and 8th floor podium level.

In regards to variances 8, 9, and 10, the intent of the By-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the residential/commercial units on the site. Sufficient parking is being provided through both an underground parking garage and some surface parking at the rear. Furthermore, the subject site is just outside of the area where the City has removed minimum parking standards within the Uptown area, in order to encourage public transportation use. As well it should be noted that the site specific zoning on this property requires more parking then is required by the parent zoning provisions. The requested parking reductions are for Phase 1 of this development only and Phase 2 will require a separate parking study report if any reductions to parking are required in the future. Traffic staff will request a condition to be included in the Site Plan Agreement for Phase 1 stating that the visitor parking rate for Phase 2 may be higher than what is required during Phase 1, which will be subject to a parking utilization study as part of the Phase 2 site plan submission to assist in determining overall parking requirements. However, staff are of the opinion that the provided parking is adequate given the development proposal, the submitted Parking Study supports the reduction, the development is located along an intensification comdor with high-quality transit service, and in close-proximity to a Brampton Gateway Bus Terminal and future LRT Stop.

Overall, many of the variances are reflective of the zoning for the property being an older zoning bylaw that does not reflect current zoning standards that should apply along an intensification corridor in close proximity to the Hurontario LRT station at Hurontario St/Main St S and Steeles Ave. Subject to the recommended conditions of approval, the proposed variances maintain the general intent and purpose of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

In regards to variance 1, the addition of commercial use provisions will allow the addition of ground-floor retail units fronting Steeles Ave to facilitate an activated street frontage that supports active transportation and transit usage. It will complement the residential uses by providing an opportunity for residents to shop, dine etc. on site, while also attracting residents from the nearby area.

In regards to variances 2, 3 and 11, reducing setbacks (to the front and exterior lot lines and for all lot lines for the 2nd storey) will allow the building to be placed closer to Steeles Ave and Malta Ave which will create a desirable urban edge while also pushing the buildings mass away from the lower-density residential development to the south. The reduced setbacks are not anticipated to pose adverse

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impacts on-site or off-site. The proposal allocates massing of greatest height towards Steeles Ave achieving an appropriate built-form transition to the adjacent residential area to the south. The reduction of minimum setbacks to front and exterior side lot lines will facilitate a desirable urban edge along Steeles Ave. Further reductions for portions of the building above the first storey are to facilitate a highly articulated building façade that will add character and visual interest to the public realm.

In regards to variance 4, the reduction of the minimum distance between buildings will allow the first level of the podium to be closer to the podium of the eventual next phase of development to the west. This will help to achieve the design vision of a partially sheltered courtyard, reducing the impact of noise once the next phase is built out.

In regards to variance 5, the increase in building height to 26 storeys will help to accommodate more units within an intensification corridor and Gateway Mobility Hub. The increase in height will bring the building further in-line for what is proposed in the area, and will support the use of transit and active transportation, reducing reliance on personal vehicles.

In regards to variance 6, the increase in Floor Space Index would allow the ratio between the area of the building to the area of the site to increase. This would facilitate greater density in an area intended to receive buildings of the "greatest mass and highest densities" in Brampton, being along an intensification corridor and within the Gateway Mobility Hub.

In regards to variance 7, the increase in lot coverage would allow the building footprint to occupy a greater portion of the site. This permits the development of a larger podium, which provides amenity space for residents (indoor and outdoor).

In regards to variance 8, 9, and 10 the reduction in resident and visitor/commercial parking will allow fewer parking spaces to be provided on-site for residents, their guests, and those shopping at the ground-floor retail units. The proposed reduction in parking will support the use of transit and active transportation, reducing reliance on personal vehicles.

Therefore, the proposed variances are desirable for the appropriate development of the land.

### 4. Minor in Nature

In regards to variance 1, the amount of retail area is small and retail uses are complementary to residential and support the development of complete communities.

In regards to variances 2, 3 and 11, these are required in order to bring the by-law in-line with high-density mixed-use development that provides an activated street frontage to support active transportation and transit.

In regards to variance 4, which speaks to the minimum distance between buildings in phase 1 of this development and the future building in phase 2. The reduction in distance between these towers will not have an impact on surrounding land uses.

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In regards to variance 5, the proposed increase is only 1 storey and is minimal given the surrounding intensification of the area.

Variance 6 speaks to Floor Space Index, which is only proposed to increase by 0.22, which is a minor increase and encouraged given that this development is within an intensification area.

Variance 7 is requested in regards to lot coverage. The proposed increase in lot coverage is a relatively small increase, and necessary to facilitate this type of development.

Variance 8, 9 and 10 are required based on a reduction in parking. The submitted Parking Study supports the reduction, and the property is located along an intensification corridor with high-quality transit service, and is within close-proximity to Brampton Gateway Bus Terminal and future LRT Stop.

The proposed variances do not change the intended use or impede the intended function of the subject lands for residential as a primary use. Rather, they represent minor refinements to support project implementation and are consistent with the direction of other similar developments in the City of Brampton. Therefore, it is staffs opinion that the proposed minor variances are minor in nature.

Respectfully Submitted,

X Henderson

Kelly Henderson, Planner III



# **Public Notice**

# **Committee of Adjustment**

**APPLICATION # B-2022-0030** 

Ward # 4

### NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by NATIONAL BRIXEN (STEELES) INC.

### **Purpose and Effect**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.623 hectares (1.54 acres). The proposed severed lot (Parcel A) ) ranging in width from approximately 7 metres (23 feet) to 8 metres (26 feet) will be conveyed to the Region of Peel to achieve the ultimate right-of-way width for Steeles Avenue West. The effect of the application is to provide for an increased road widening along Steeles Avenue West, including the required 0.3 metre (1 foot) reserve.

## **Location of Land:**

Municipal Address: 245 Steeles Avenue West Former Township: Mississauga

Legal Description: Part of Blocks 31 and 32, Plan 43M-1644

### Meeting

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

# PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

## Other Planning Act Applications

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

YES File Number: C01W05.44 Official Plan Amendment: File Number: C01W05.44 Zoning By-law Amendment: YES

File Number: Minor Variance: NO

# **Decision and Appeal**

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021. The appeal form is available from the Ontario Land Tribunal website at https://olt.gov.on.ca/appeals-process/forms/

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

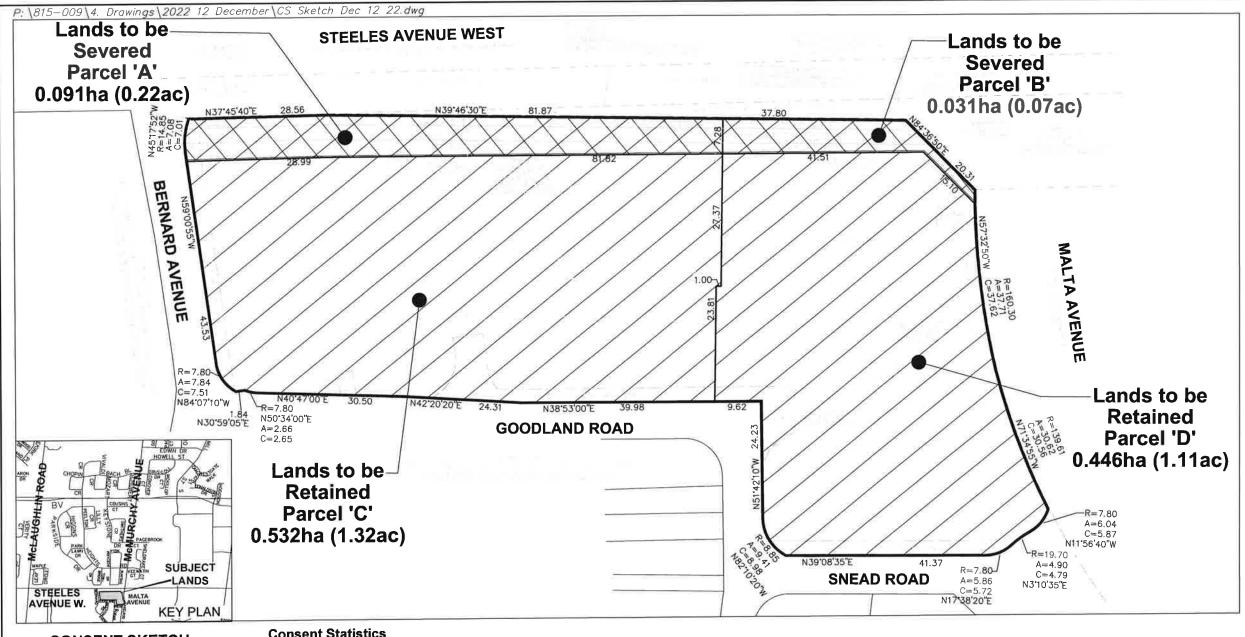
DATED AT THE CITY OF BRAMPTON THIS 5th Day of January, 2023

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer City of Brampton Committee of Adjustment City Clerk's Office, Brampton City Hall 2 Wellington Street West Brampton, Ontario L6Y 4R2

Phone: (905)874-2117

<u>Jeanie.myers@brampton.ca</u>
Page 108 of 845 (905)874-2119 Fax:



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#### **CONSENT SKETCH** 245 STEELES AVENUE W.

PART OF BLOCK 31 AND 32, **REGISTERED PLAN 43M-1644** CITY OF BRAMPTON **REGION OF PEEL** 

#### **Consent Statistics**

Lands to be Severed Parcel 'A' 0.091ha (0.22ac) Lands to be Severed Parcel 'B' 0.031ha (0.07ac) XX Lands to be Retained Parcel 'C' 0.532ha (1.32ac) 0.446ha (1.11ac) XX Lands to be Retained Parcel 'D' 1.10ha (2.72ac) **TOTAL AREA:** 







Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, January 19, 2023.** 

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

#### **Flower City**



**APPLICATION NUMBER:** 

"B"-2022-0030

The personal Information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

#### **APPLICATION**

#### Consent

(Please read Instructions)

**NOTE:** Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a)	Name of Owner/Applicant		National Brixen (Steeles) Inc. (c/o Michael Paradisi)						
. ,	Address 3800 Steeles Avenue			(print given and family names in full) W., Suite 103W, Woodbridge, ON L4L 4G9					
	Phone #	Office: 289-	657-1315	Cell #: 41	6-659-9989	Fax #_			
	Email	mparadisi@	brixen.ca						
(b)	Name of	Authorized <i>i</i>	Agent	0			Stephen Closs)		
	Address	10 Kingsbr	dge Garde	en Circle, Sui	ite 700, Miss	issauga, Oı	n., L5R 3K6		
	Phone #	905-568-88	88 ext. 234	4	47	Fax #_			
	Email	stephenc@	gsai.ca						
3.	addition, an easement, a charge, a lease or a correction of title.  Severance of a required road widening in order to achieve the ultimate right-of-way width for Avenue West. Ultimately to be conveyed to the Region of Peel.  3. If known, the name of the person to whom the land or an interest in the land is to be transferred National Brixen (Steeles) Inc. (c/o Michael Paradisi)								
4	Descript	ion of the cu	phicat land		land" means	the land t	o be severed and ret	aine	
4.	-	of Street	_	venue West		tile lalid t		nber	245
	b) Conce	ession No.	Concessio	on #: CON. 1	W.H.S		L	ot(s)	14079-0382
	c) Regis	tered Plan N	Plan #: 4	13M - 1644			L	ot(s)	
	d) Refer	ence Plan N						1.0	
	e) Assess	ment Roll No.	211014009	901812		Geograp	hic or Former Town	ship	
5.	Are there	e any easem	ents or re	strictive co	venants affe	ecting the s	ubject lan		
	Yes Specify:	<u> </u>		No					

6.	Description	on of severed land: (in metric ur				
	a)	Frontage ~110m	Depth_	~7m 	Area	0.091 ha
	b)	Existing Use Residential		Proposed Use	ROW	
	c)	Number and use of buildings and st	tructure	s (both existing and	proposed) on t	the land to be severe
		(existing) No existing or proposed by	uildings	and structures		
		(proposed_None				
	d)	Access will be by:		Existing	Proposed	
		Provincial Highway				
		Municipal Road - Maintained all yea	r	$\checkmark$		
		Other Public Road				
		Regional Road			).	
		Seasonal Road				
		Private Right of Way				
	e)	If access is by water only, what approximate distance of these facili				
	f)	Water supply will be by:		Existing	Proposed	
		Publicly owned and operated water	systen			
		Lake or other body of water				
		Privately owned and operated indiv or communal well	ridual			
		Other (specify):				
	g)	Sewage disposal will be by:		Existing	Proposed	
		Publicly owned and operated sanita sewer system	ary			
		Privy				
		Privately owned and operated indivor communal septic system	vidual			
		Other (specify):				
7.	Descript	on of retained land: (in metric un				
	a)	Frontage ~110m	Depth	~50m	Area	0.532 ha
	b)	Existing Use Residential		Proposed Use	Residential	
	c)	Number and use of buildings and s	structur			the land to be
		(existing) None	nde!-:	Im		
		25 storey residential co	naomini	1111		

d)	Access will be by:	Existing	Proposea	
	Provincial Highway			
	Municipal Road - Maintained all year	igtriangledown		
	Other Public Road			
	Regional Road			
	Seasonal Road			
	Private Right of Way			
	· ···· <b>2.0</b> · ··· <b>g</b> • · · · · · · ·	_		
e)	If access is by water only, what participates approximate distance of these facilities.			
f)	Water supply will be by:	Existing	Proposed	
	Publicly owned and operated water s	ysten 🗹		
	Lake or other body of water			
	Privately owned and operated individ or communal well	lual $\square$		
	Other (specify):			
g)	Sewage disposal will be by:	Existing	Proposed	
	Publicly owned and operated sanitar sewer system	y 🔯		
	Privy			
	Privately owned and operated individual or communal septic system	lual $\square$		
	Other (specify):			
What is	the current designation of the land in a			
	Land to be Sev	Posido	and to be Retained ential (R4A)	
Zoning	By-Law Residential (R4/	Resid		
Official City	Plans Residential of Brampton		entiai	
Re	egion of Peel Urban System	Urba	n System	
section known,	e subject land ever been the subject of 51 of the Planning Act or a consent the file number of the application and to	under section 53 of	the Act and if the answ	bdivision under er is yes and if
Yes _				
File #	Status/Dec	JISION	-	
Has any	y land been severed from the parcel orig	ginally acquired by th	e owner of the subject la	nd?
Yes	□ No ☑			
Date of	Transfer	Land Use		

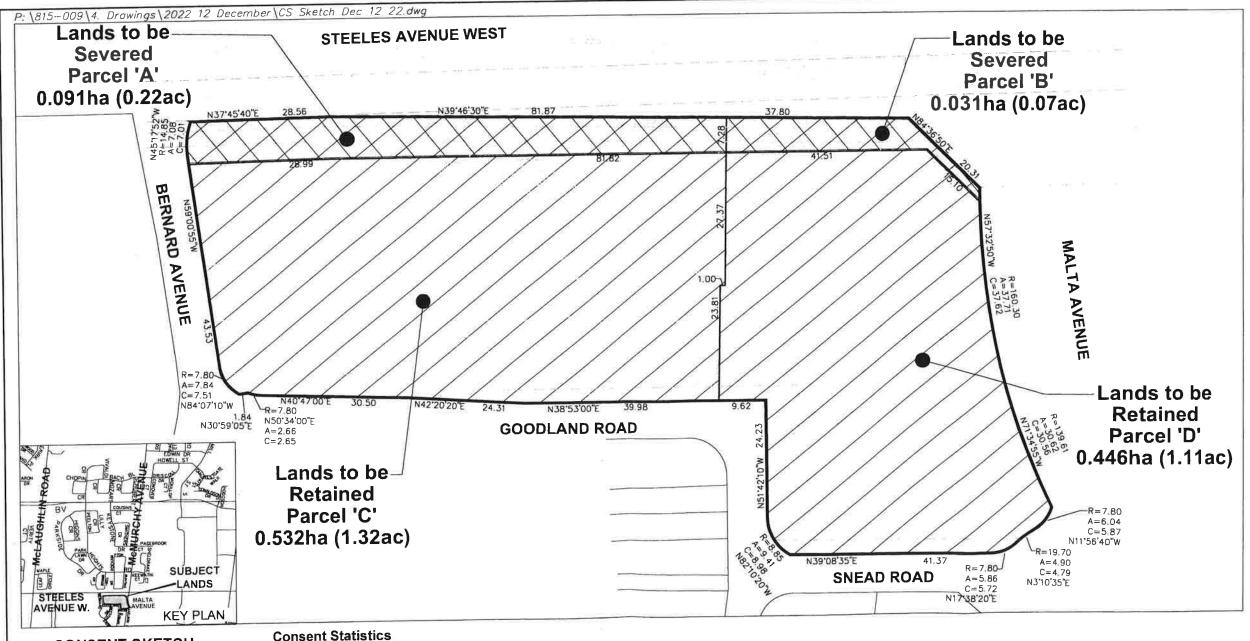
8.

9.

10.

11.	ir known, is/was the subject	File Number	шег аррис	Status	y Act, Sucil as.
	Official Plan Amendment		<u> </u>		=1
	Zoning By-law Amendment				= _0
	Minister's Zoning Order	-	-		<del>-</del> ,
	Minor Variance	A-2022-0023		Approved	=:
	Validation of the Title				=
	Approval of Power and Sale		5		_
	Plan of Subdivision		•		=
	, land of dabatviolon		•		<del>-</del> 2
12.	Is the proposal consistent w	ith Policy Statements iss	ued under	subsection 3(1) of the F	Planning Act? 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	e application conform to	the applica	able Provincial Plan? Yes 🔽	No 🔲
15.	If the applicant is not the ow is authorized to make the a	rner of the subject land, t	he written	authorization, of the ow	ner that the applicant
	AGENTS" form attached).	ppiication, snaii be atta	cnea. (Sec	E AFFORTMENT AND	AUTHORIZATION OF
Date	ed at the City	of Mississau	ga		
thi	is 12th day of Decen	nber	20 22 .		
	Made	e		Check box if applicable:	
	Mes the		x	I have the authority to	
	Signature of Applicant, or Authorized	d Agent, see note on next page		bind the Corporation	
		DECLARA	TION		
	I, Stephen Closs	of the	City	of <u>Toronto</u>	
in the Co	unty/District/Regional Municipali	ty ofN/A	so	lemnly declare that all the	statements contained in
application	on are true and I make this as if r	made under oath and by vir	rtue of "The	Canada Evidence Act".	
	oforo mo at the City of	Miceiceauga			
Declared b	elote the at the	_Mississauga		Mell	
in the	Region of Pee			un ce	
this 12th	nday of	, <b>20</b> _22	Si	gnature of applicant/solicitor/au	thorized agent, etc.
	Laudon	Laura Kim Amorim, a Comm Province of Ontario, for Glen Schnarr & Associates Expires March 3, 2023.			
	Signature of a Commissioner, etc	C.			
		CE USE ONLY - To Be Co			lk a
	This application has been rev of the said	riewed with respect to poss I review are outlined on the	sible variand e attached c	ces required and the resulthecklist.	ItS
	Zoning Officer	<del></del>	8=	Date	==

DATE RECEIVED Lecember 13, 2022



#### **CONSENT SKETCH** 245 STEELES AVENUE W.

PART OF BLOCK 31 AND 32, **REGISTERED PLAN 43M-1644** CITY OF BRAMPTON **REGION OF PEEL** 

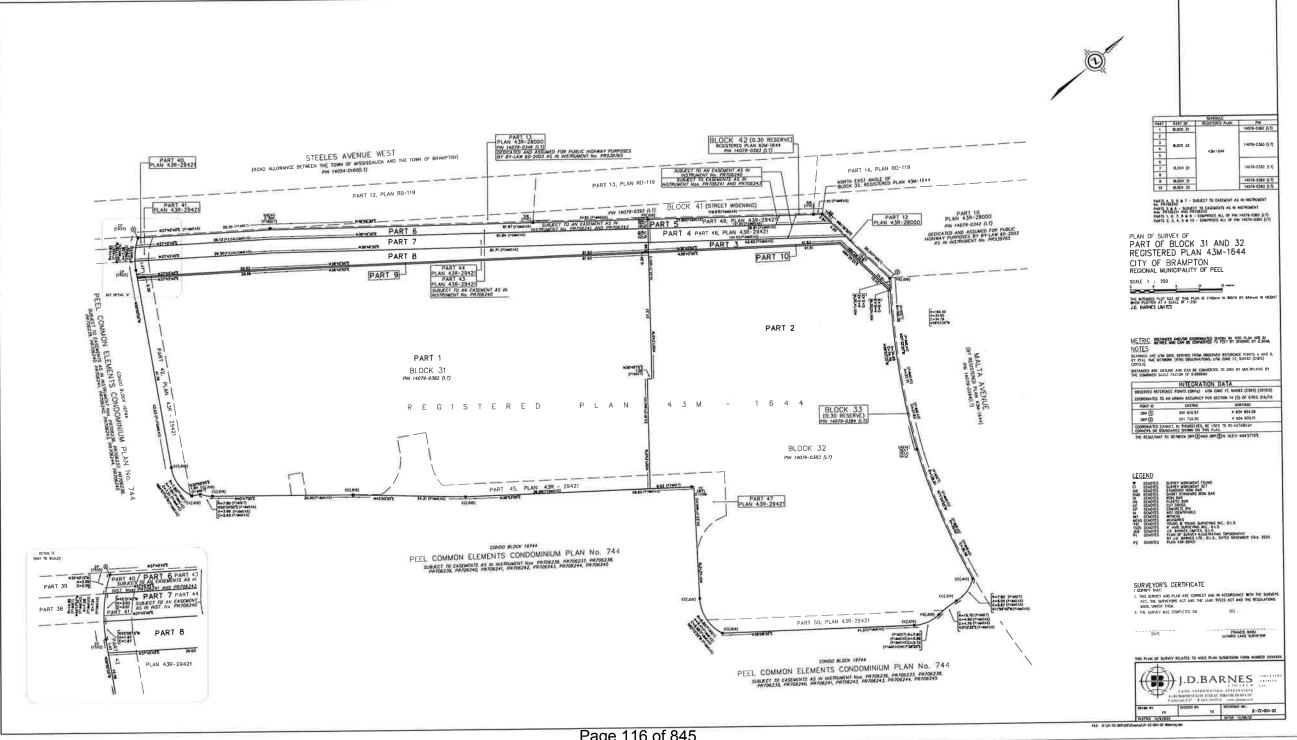
#### **Consent Statistics**

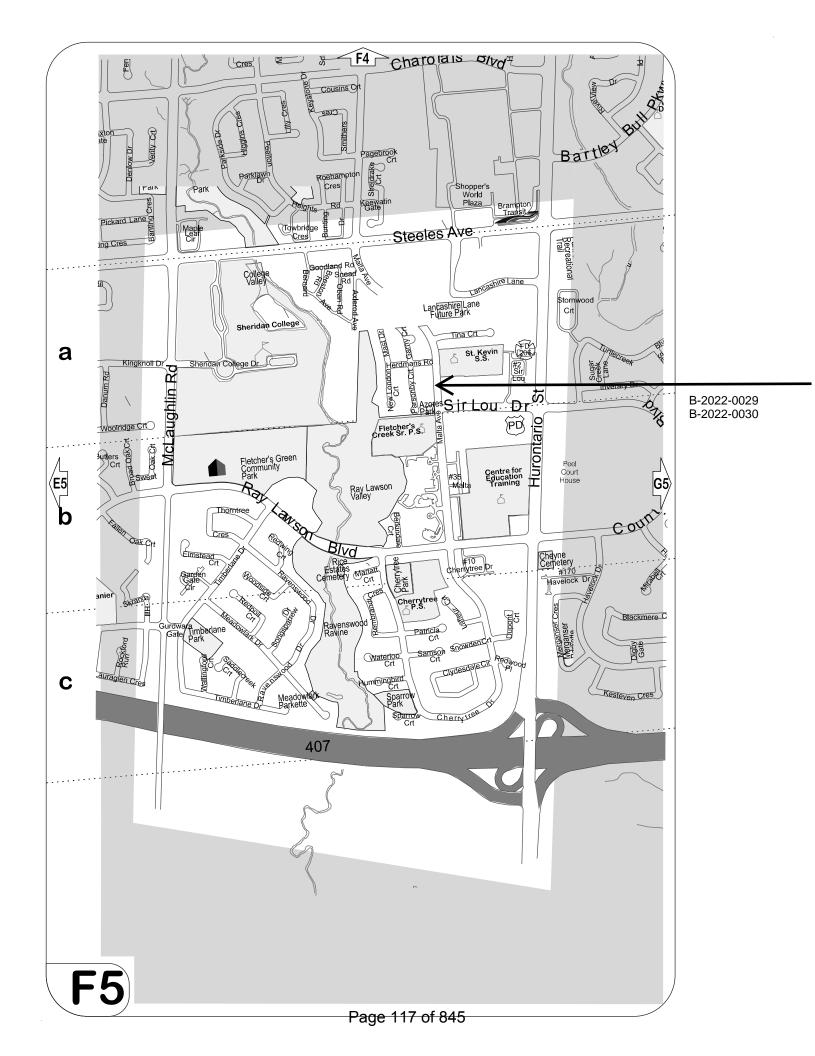
Lands to be Severed Parcel 'A' 0.091ha (0.22ac) Lands to be Severed Parcel 'B' 0.031ha (0.07ac) XX Lands to be Retained Parcel 'C' 0.532ha (1.32ac) XX Lands to be Retained Parcel 'D' 0.446ha (1.11ac) 1.10ha (2.72ac) TOTAL AREA:





Page 115 of 845







# Report Committee of Adjustment

Filing Date: December 15, 2022 Hearing Date: January 24, 2023

File:

B-2022-0030

Owner/

Applicant:

NATIONAL BRIXEN (STEELES) INC. / GLEN SCHNARR & ASSOCIATES INC.

Address:

245 Steeles Avenue West

Ward:

WARD 4

Contact:

Chinoye Sunny, Planner I

#### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.623 hectares (1 .54 acres). The proposed severed lot (Parcel A) ranging in width from approximately 7 metres (23 feet) to 8 metres (26 feet) will be conveyed to the Region of Peel to achieve the ultimate right-of-way width for Steeles Avenue West. The effect of the application is to provide for an increased road widening along Steeles Avenue West, including the required 0.3 metre (1 foot) reserve.

#### Recommendations:

That application B-2022-0030 is supportable, subject to the following conditions being imposed:

- 1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate; and,
- 2. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.

#### Background:

- Official Plan: The subject property is designated 'Residential' in the Official Plan;
- Secondary Plan: The subject property is designated 'Residential High Density' in the Fletchers Creek South (Area 24); and
- Zoning By-law: The subject property is zoned 'Residential Apartment A (R4A-2808)' according to By-Law 270-2004, as amended.



# Report Committee of Adjustment

#### **Current Situation:**

The applicant is requesting to sever the required road widening from the subject lands located on the south side of Steeles Avenue West and west of Malta Avenue to be conveyed to the Region of Peel in order to achieve the ultimate right-of-way width for Steeles Avenue West. Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Chinoye Sunny, Planner I





#### SCHEDULE "A"

## <u>CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT</u>

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed land conveyance has no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed land conveyance is neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed land conveyance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The proposed land conveyance is suitable for the purposes for which it is to be subdivided.
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 the adequacy of them;	The proposed land conveyance does not present any concern with regard to the adequacy of the roadwork network.
f)	The dimensions and shapes of the proposed lots;	The shape and dimension of the proposed lot is appropriate and maintains all minimum Zoning By-law requirements.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h)	The conservation of natural resources and flood control;	The proposed land conveyance presents no concerns with regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The land conveyance presents no concerns with regard to the adequacy of school sites.



# Report Committee of Adjustment

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 concerns related to conveyances for public purposes.
l)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed land conveyance has no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	There are no concerns related to the design of the proposal and matters of Site Plan Control under the Planning Act.



#### **Public Notice**

#### **Committee of Adjustment**

APPLICATION # B-2022-0014 Ward # 3

#### **DEFERRED NOTICE OF AN APPLICATION FOR CONSENT**

An amended application for consent has been made by MEHNA AUTO SALES INC.

#### Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.063 hectares (1.55 acres). The proposed severed lot has a frontage of approximately 7.93 metres (26 feet), a depth of approximately 37.27 metres (122.28feet) and an area of approximately 0.029 hectares (0.073 acres). The effect of the application is to create two individual lots from the existing lot for future residential development of a new semi-detached dwelling on each proposed lot.

#### **Location of Land:**

Municipal Address: 93 John Street

Former Township: Town of Brampton

Legal Description: Part of Lot 43, Plan BR-2, Part 4, Plan 43R-13441

#### Meeting

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4<sup>th</sup> Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Local Planning Appeal Tribunal by the applicant, the Minister, a specified person or a public body.

#### PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

\_\_\_\_\_\_\_

LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

<u>NOTE:</u> IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

#### **Other Planning Act Applications**

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

Official Plan Amendment:

NO

File Number:

Zoning By-law Amendment:

NO

File Number:

Minor Variance:

YES

File Number: A-2022-0320 and A-2022-0321

#### **Decision and Appeal**

Any person or public body may, not later than **20** days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021. The appeal form is available from the Environment and Land Tribunals Ontario website at <a href="https://olt.gov.on.ca/appeals-process/forms/">https://olt.gov.on.ca/appeals-process/forms/</a>

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

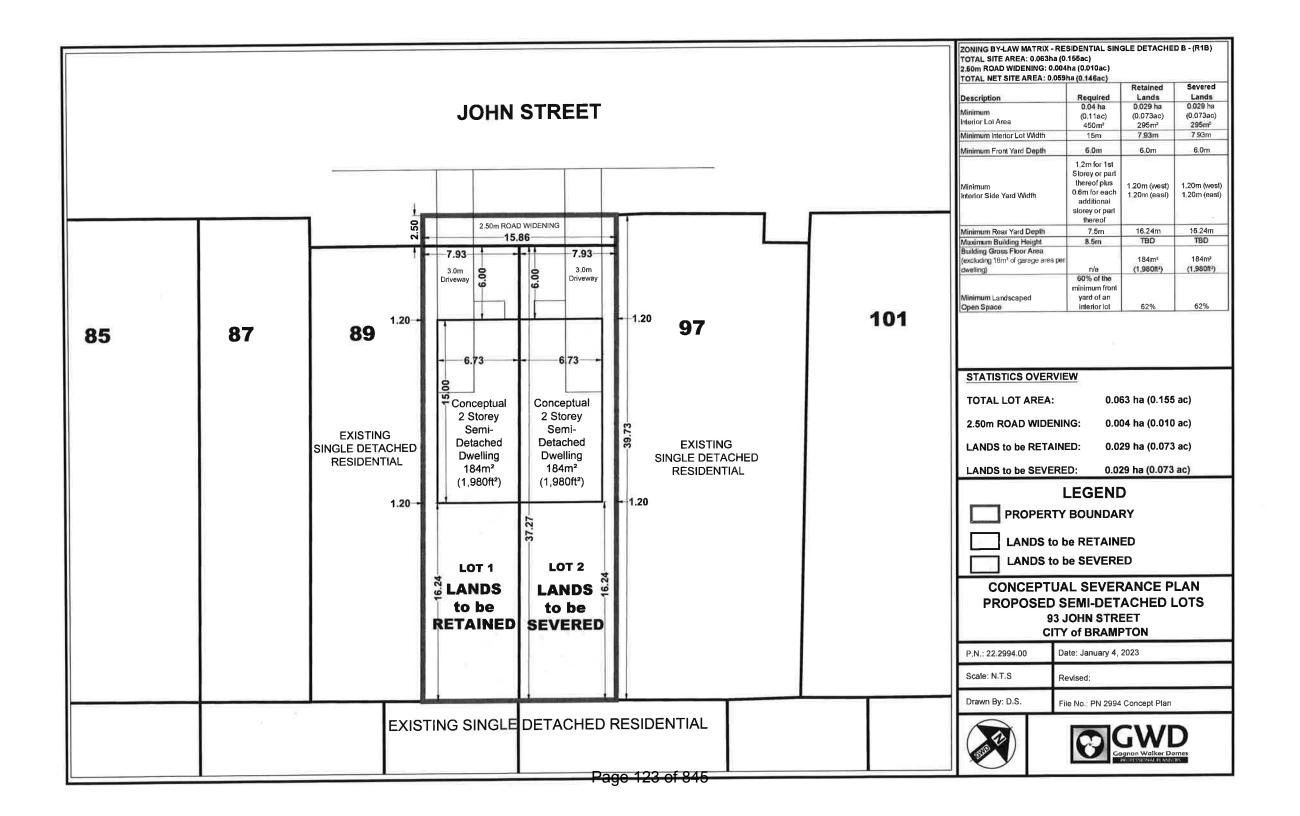
DATED AT THE CITY OF BRAMPTON THIS 5th Day of January, 2023.

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer City of Brampton Committee of Adjustment City Clerk's Office, Brampton City Hall 2 Wellington Street West Brampton, Ontario L6Y 4R2

Page 122 07 5) \$74-2117 Fax: Jeanie.myers@brampton.ca

(905)874-2119





**Principals** 

Michael Gagnon Lena Gagnon Andrew Walker Richard Domes

#### January 4, 2023

Corporation of the City of Brampton 2 Wellington Street West Brampton, Ontario L6Y 4R2

Attn:

Jeanie Myers - Secretary Treasurer, Committee of Adjustment

Re:

**Committee of Adjustment** 

**Consent to Sever and Minor Variance Applications** 

Supplementary Cover Letter 93 John Street, City of Brampton

Part of Lot 44, Plan BR-6, and Part of Lot 43, Plan BR-2

City Files: A-2022-0320 and A-2022-0321

(GWD File: 22.2994.00)

#### Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) represents Mehna Auto Sales Inc. (Gagandeep Singh Gill), the Registered Owner of 93 John Street in the City of Brampton (hereinafter referred to as the subject site).

Concurrent with the Consent to Sever Application for the subject site, two (2) associated Committee of Adjustment Minor Variance Applications were submitted to the City of Brampton on September 27, 2022, seeking relief from the Zoning By-law in order to permit the development of two (2) new single detached residential dwellings on both the Retained and Severed lands.

On October 25, 2022, in consultation with City of Brampton Planning Staff, Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 were deferred by the Committee of Adjustment to no later than the last Committee of Adjustment Hearing of January 2023. In working with City Staff, the minor modifications made to the proposal necessitated the reissuance of the Public Notice. The deferral allowed for sufficient time for this to occur.

Further discussion was had with City of Brampton Planning and Heritage Staff on November 7, 2022 regarding the above-mentioned Committee of Adjustment Applications. The Consent to Sever and Minor Variance Plans have been updated to reflect the following:

#### GAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790 www.gwdplanners.com • Toll Free: 1-855-771-7266

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- 1. A 2.50m Road Widening;
- 2. A 2-storey Semi-Detached Dwelling is now proposed which is to occupy both the Severed and Retained Lands with a G.F.A of approximately 184m² (1,980 ft²) and an approximate height of 8.5m;
- **3.** The proposed Semi-Detached Dwelling has been shifted slightly southward on the subject site;
- 4. An Interior Lot Area of 0.029 ha (0.073 ac); and
- 5. A Minimum Rear Yard Depth of 16.24 m (53.28 ft).

The requested variances for both Minor Variance Applications have been amended as follows:

- 1. To permit a semi-detached dwelling unit whereas the Zoning By-law does not permit a semi-detached dwelling unit within an R1B zone;
- 2. To permit a minimum lot area of 290m² whereas the Zoning By-law requires a minimum lot area of 450m²; and
- **3.** To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning Bylaw requires a minimum of 15.0m for an interior lot.

As discussed with City of Brampton Planning and Heritage Staff on November 7, 2022, a Scoped Heritage Impact Assessment is well underway and will be submitted in support of Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 under separate cover.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

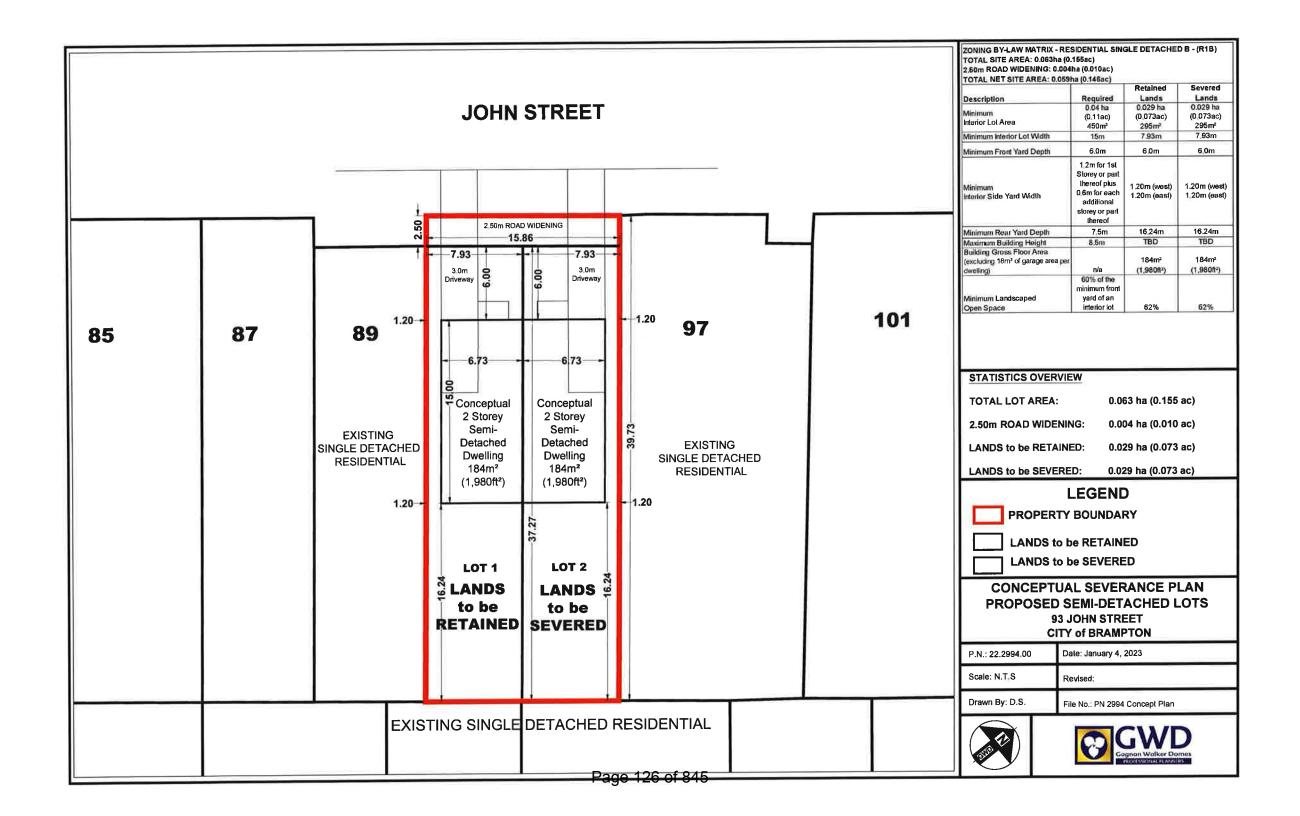
Yours truly,

Anthony Sirianni, B.A., Associate Planner

c.c.: Gagandeep Singh Gill, Client

Andrew Walker, Gagnon Walker Domes Ltd. Michael Gagnon, Gagnon Walker Domes Ltd.

Gagnon Walker Domes Ltd.





**Principals** 

Michael Gagnon Lena Gagnon Andrew Walker Richard Domes

#### October 7, 2022

Corporation of the City of Brampton 2 Wellington Street West Brampton, Ontario **L6Y 4R2** 

Attn:

Jeanie Myers - Secretary Treasurer, Committee of Adjustment

Re:

**Committee of Adjustment** 

**Consent to Sever and Minor Variance Applications** 

Supplementary Cover Letter 93 John Street, City of Brampton

Part of Lot 44, Plan BR-6, and Part of Lot 43, Plan BR-2

City Files: A-2022-0320 and A-2022-0321

(GWD File: 22.2994.00)

#### Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) represents Mehna Auto Sales Inc. (Gagandeep Singh Gill), the Registered Owner of 93 John Street in the City of Brampton (hereinafter referred to as the subject site).

Concurrent with the Consent to Sever Application for the subject site, two (2) associated Committee of Adjustment Minor Variance Applications are also being submitted to the City of Brampton, seeking relief from the Zoning By-law in order to permit the development of two (2) new single detached residential dwellings on both the Retained and Severed lands.

Further to the Consent to Sever and Minor Variance Applications submitted on September 27, 2022, and as discussed with City of Brampton Staff, the requested variances for both Minor Variance Applications have been amended as follows:

- To permit a minimum lot area of 310m<sup>2</sup> whereas the Zoning By-law requires a 1. minimum lot area of 450m<sup>2</sup>.
- 2. To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning By-law requires a minimum of 15.0 m for an interior lot.
- To permit an interior side yard setback of 1.2m to the second storey whereas 3. the Zoning By-law requires a minimum of 1.8m to the second storey.

#### GAGNON WALKER DOMES LTD.

21 Queen Street East, Suite 500 • Brampton ON Canada L6W 3P1 • P: 905-796-5790 3601 Highway 7 East, Suite 310 • Markham ON Canada L3R 0M3 • P: 905-477-6556 www.gwdplanners.com • Toll Free: 1-855-771-7266

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- 4. To permit an interior side yard setback of 1.2m to the third storey whereas the Zoning By-law requires a minimum of 2.4m to the third storey.
- 5. To permit a maximum building height of 10.6m whereas the Zoning By-law permits a maximum building height of 8.5m.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

Anthony Sirianni B.A., Associate Planner

c.c.: Gagandeep Singh Gill, Client

Andrew Walker, Gagnon Walker Domes Ltd. Michael Gagnon, Gagnon Walker Domes Ltd.



**Principals** 

Michael Gagnon Lena Gagnon Andrew Walker **Richard Domes** 

#### September 23, 2022

B-2022-0014; A-2022-0320;

**Corporation of the City of Brampton** 2 Wellington Street West **Brampton, Ontario L6Y 4R2** 

Attn:

Jeanie Myers – Secretary Treasurer, Committee of Adjustment

Re:

**Committee of Adjustment** 

**Consent to Sever and Minor Variance Applications** 

93 John Street, City of Brampton

Part of Lot 44, Plan BR-6, and Part of Lot 43, Plan BR-2

(GWD File: 22.2994.00)

#### **Dear Jeanie:**

Gagnon Walker Domes Ltd. (GWD) represents Mehna Auto Sales Inc. (Gagandeep Singh Gill), the Registered Owner of 93 John Street in the City of Brampton (hereinafter referred to as the subject site).

In support of the Committee of Adjustment - Consent to Sever and Minor Variance Applications, GWD is pleased to submit the following:

- One (1) completed application form (Committee of Adjustment Consent);
- Two (2) completed application forms (Committee of Adjustment Minor Variance);
- One (1) Cover Letter, prepared by GWD dated September 23, 2022;
- One (1) cheque in the amount of \$1,312.00 made payable to the "Treasurer, City of Brampton" (Minor Variance Application);
- One (1) cheque in the amount of \$4,119.00 made payable to the "Treasurer, City of Brampton" (Consent Application);
- One (1) copy of the Conceptual Severance Plan, prepared by GWD dated August 30, 2022; and
- One (1) copy of the two (2) Minor Variance Plans, prepared by GWD dated August 30, 2022.

#### GAGNON WALKER DOMES LTD.

21 Queen Street East, Suite 500 • Brampton ON Canada L6W 3P1 • P: 905-796-5790 3601 Highway 7 East, Suite 310 • Markham ON Canada L3R 0M3 • P: 905-477-6556 www.gwdplanners.com • Toll Free: 1-855-771-7266

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#### 1.0 Existing Land Use

#### **Subject Property & Surrounding Area**

The subject site is rectangular in shape, measures approximately 0.063 ha (0.155 ac) in size and is located southeast of the intersection of John Street and Mary Street. The subject site has a lot depth of approximately 39.73 m (130.35ft), a street frontage of 15.85 m (52.02 ft) along John Street and is occupied by a single detached residential dwelling. Driveway access is provided from John Street.

Surrounding land uses generally include Residential and the Canadian National Railway.

TAB 1 includes Air Photos from Google Earth of the subject site and area context

#### 2.0 Consent to Sever Application

It is proposed that the subject site be severed into two (2) Lots; Lot 1 – Retained Lands and Lot 2 – Severed Lands, for the development of a 3-storey single detached residential dwelling on each lot measuring approximately 228 m² (2,454 ft²). Access to both lots shall continue to be provided from John Street via separate individual driveways.

**TAB 2** includes the proposed Conceptual Severance Plan prepared by Gagnon Walker Domes Ltd. dated August 30, 2022.

The following is a brief summary of the proposed Conceptual Severance Plan:

• Total Site Area: 0.063 hectares (0.155 acres)

#### Lot 1 – Retained Lands

- Area: 0.031 hectares (0.077 acres)
- Width: 7.93 metres (26.01 feet)
- Depth: 39.73 metres (130.34 feet)

#### Lot 2 - Severed Lands

- Area: 0.031 hectares (0.077 acres)
- Width: 7.93 metres (26.01 feet)
- Depth: 39.73 metres (130.34 feet)

#### 3.0 Planning Analysis

The proposed Consent to Sever Application has been analyzed in the context of governing planning documents. The following represents a summary of the highlights of the Planning Analysis.

Gagnon Walker Domes Ltd.



#### **Planning Act**

With regard to the Consent to Sever Application, our office has taken into consideration the provisions prescribed within Section 51(24) of the Planning Act (as summarized in the Chart below), and we are of the opinion that the proposed Consent to Sever Application represents good planning and should be supported from a land use perspective.

Criteria To Be Considered	Analysis
The effect of development of the proposed subdivision on matters of provincial interest;	The proposed severance has no significant effect on matters of provincial interest.
Whether the proposal is premature or in the public interest;	The proposed severance is neither premature nor contrary to any matters of public interest.
Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance conforms to the Official Plan, which designates the site for residential purposes. The Official Plan designates the site Medium Density and the Secondary Plan permits typical residential typologies, but does not exclude single or semi-detached dwellings. The proposal will facilitate a single-detached residential use on the entirety of the subject site (being the severed and retained lands), and it is noted that the City's policies encourage any infill development that proposes an increase in density.
The suitability of the land for the purposes for which it is to be subdivided;	The subject site is suitable for the purposes of the severance. The use of the subject site for single-detached residential is in keeping with the character of the surrounding area, which consists of similar dwelling unit typologies (single and semi-detached) and lot configurations
The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of	The proposed severance does not present any concern with regard to the adequacy of the roadway network. The adjacent road network is suitable for residential purposes, and the proposal serves to add one (1) additional residential dwelling unit

Gagnon Walker Domes Ltd.



them;	beyond the current use of the site.
uleni,	beyond the current use of the site.
The dimensions and shapes of the proposed lots;	The proposed lots to be created are appropriate in size and shape for the 'single detached residential use and are in keeping with the existing neighbouring lot fabric. Associated Minor Variance Applications have been filed to address some performance related standards, which are minor in nature.
The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	There are no known restrictions or proposed restrictions on the lands to de subdivided.
The conservation of natural resources and flood control;	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources.
The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
The adequacy of school sites;	The proposed severance presents no concerns with regard to the adequacy of school sites. The effect of the Severance is to add one (1) additional residential dwelling unit.
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 concerns related to conveyances for public as part of the Consent Application.
The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy;	The proposed severance has no impact on matters of energy conservation.
The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	This shall be dealt with at the appropriate time during the Site Plan Approval process in connection with the development of the two (2) single detached residential dwellings, as appropriate and as necessary.

Gagnon Walker Domes Ltd.



#### 4.0 Minor Variance Application

Concurrent with the Consent to Sever Application for the subject site, two (2) associated Committee of Adjustment Minor Variance Applications are also being submitted to the City of Brampton, seeking relief from the Zoning By-law in order to permit the development of two (2) new single detached residential dwellings on both the Retained and Severed lands.

The requested relief from the Zoning By-law, for both applications, is as follows:

- 1. To permit a minimum lot area of 310m<sup>2</sup> whereas the Zoning By-law requires a minimum lot area of 450m<sup>2</sup>.
- 2. To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning By-law requires a minimum of 15.0 m for an interior lot.
- To permit a minimum interior side yard width of 1.20m above the first storey whereas the Zoning By-law requires 1.20m for the first storey or part thereof plus 0.6m for each additional storey or part thereof.
- 4. To permit a maximum building height of 10.6m whereas the Zoning By-law permits a maximum building height of 8.5m.

The proposed Committee of Adjustment Minor Variance Applications have been analyzed in the context of the governing planning documents. The following represents a summary of the highlights of the Planning Analysis.

**TAB 3** includes the proposed Minor Variance Plans prepared by Gagnon Walker Domes Ltd. dated August 30, 2022.

#### City of Brampton Official Plan (September 2020)

The City of Brampton Official Plan (BOP) provides policy direction to guide future development, protect the health and quality of life of its residents, protect the natural environment as well as preserve, protect and enhance the character and economy of the City.

#### **Central Area**

According to the BOP, the subject site is designated 'Central Area'. The Central Area, including the Urban Growth Centre, serves as the major location for free-standing or mixed-use development including:

- A full range of office, retail and service activities;
- ii. A variety of residential uses;
- iii. Entertainment and cultural uses such as movie theatres, museums;

Gagnon Walker Domes Ltd.

E

### Consent and Minor Variance Applications – 93 John Street, City of Brampton Mehna Auto Sales Inc. (Gagandeep Singh Gill)



- iv. Art galleries, live theatre and tourism, yet recognizing commercial trends for such uses in other parts of the City;
- v. Governmental, institutional and community facilities and uses including Places of Worship subject to Policy 4.9.8 of the BOP;
- vi. A high density employment centre that will attract provincially, nationally or internationally significant employment uses; and,
- vii. Major transit infrastructure (Policy 4.1.2).

The requested variances will facilitate the advancement of a proposal which promotes a residential redevelopment in an area where appropriate levels of infrastructure and public service facilities exist or are planned. The development of the two (2) new single detached dwellings units will support local transit service use and connections, as well as support active transportation by locating development that is in close proximity to existing and/or planned community facilities, retail services and open space features.

The requested variances will facilitate the advancement of a residential development proposal which is located within a Mobility Hub — Anchor, consists of housing in a compact urban form that is representative of an infill development that results in an increased density in the Urban Growth Centre, and will assist in maintaining the supply of residential units needed to meet demand and accommodate growth at a density that will optimize available services and infrastructure in accordance with Policies 3.1 and 3.2.1.1.

The following objectives of Brampton's residential policy are supported by the proposed variances and residential development:

- v) Promoting and facilitating intensification throughout the built-up area and in particular within the Urban Growth Centre and Central Area, intensification corridors, Mobility Hubs, and Major Transit Station Areas;
- (vi) Promoting well planned, well designed and well built residential areas that will enhance the sense of place for residents as well as visitors (Policy 4.2 v) vi)).

The subject site is subject to the Old Housing Mix and Density Categories:

DENSITY CATEGORY	DENSITY RANGE	TYPICAL (BUT NOT RESTRICTIVE) HOUSING TYPES
Single Detached Density or Single Family Density	O-25 units/ net hectare O-10 units/ net acre	Single detached homes
Semi-Detached Density	26-35 units/ net hectare     11-14 units/ net acre	Semi-detached homes     Link townhouses     Small-lot single     detached homes

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## Consent and Minor Variance Applications – 93 John Street, City of Brampton Mehna Auto Sales Inc. (Gagandeep Singh Gill)



The variances will facilitate the advancement of a proposal which has been planned at a density that will encourage use of existing and planned local and regional transit that exists in the immediate vicinity. The density proposed will ensure greater efficiency and viability of existing and planned transit service.

The BOP states that the policies shall not be construed as limiting the City's housing mix and density flexibility, or its ability to narrow or expand such categories or the associated densities, or to use them in various combinations within a particular Secondary Plan. The City's Secondary Plans specify the overall residential density and housing mix targets for each planning area and specify, as per Policy 4.2.1.4 that minor variation to the housing density and mix targets in the applicable Secondary Plan, which do not alter the intent of the Plan, shall be considered without an Official Plan Amendment.

#### **Communities**

As it pertains to Communities, it is the objective of the BOP to:

- Promote the development of attractive, well-functioning and accessible Communities through design guidelines including the City of Brampton Accessibility Technical Standards and to recognize the importance of accessible, pedestrian-friendly and transit oriented development (Policy 2.4.3 b)).
- Plan for healthy, sustainable complete Communities that are compact, transitoriented and pedestrian-friendly with a mix of uses and a variety of housing choices, employment, and supporting services and facilities (Section 3.1).
- Plan for and promote high physical design standards to create distinctive and attractive Communities with a strong sense of place (Section 3.1).

The requested variances will facilitate the advancement of a proposal that is ideally situated and is a form of development that supports the intent and spirit of the BOP as it proposes a pedestrian friendly, compact development that is within walking distance of transit and which can take advantage of existing services. The variances support the development of residential uses in a form and typology that is in keeping with the character of the surrounding lands.

#### Anchor Mobility Hub

The subject site is located within a "Mobility Hub – Anchor" per the BOP.

The BOP defines a "Mobility Hub" as a Major Transit Station Area which is located at the interchange of two or more current or planned regional rapid transit lines as identified in the Regional Transportation Plan. Mobility Hubs are places of connectivity where different modes of transportation come together and where there is, or is planned to be, an attractive, intensive concentration of employment, living, shopping and recreation. Mobility Hub areas generally are defined as the area within an approximate 800m radius of the interchange.

Gagnon Walker Domes Ltd.

### Consent and Minor Variance Applications – 93 John Street, City of Brampton Mehna Auto Sales Inc. (Gagandeep Singh Gill)



The BOP also, defines a "Mobility Hub – Anchor" as a Mobility Hub which has strategic importance due to its relationship within the Urban Growth Centre. An Anchor Mobility Hub has the potential to transform the regional urban structure and act as anchors of the regional transportation system.

According to Policy 3.1 of the BOP, at least 26,500 new dwelling units, between 2006 and 2031, to the built up area, with a focus on higher intensity in the Central Area, the Urban Growth Centre, intensification corridors, Mobility Hubs and major transit station areas.

The BOP indicates that development of greatest mass and highest densities must be located within the Urban Growth Centre and Central Area, along intensification corridors and within Mobility Hubs and Major Transit Station Areas (Policy 3.2.1.1)

The requested variances will facilitate the advancement of a proposal which will assist the City of Brampton in achieving objective of Policy 3.2.5.2.1, as it proposes additional residential within the vicinity of the Anchor Mobility Hub in order to accommodate the highest combined people and jobs per hectare within the Urban Growth Centre.

Residential development in areas outside of the Central Area, including the Urban Growth Centre, Mobility Hubs; Major Transit Station Areas or intensification corridors shall generally be limited to 50 units per net hectare. Furthermore, residential and non-residential development outside of these areas shall generally be limited to 4 stories in height (Policy 3.2.8.3). The variances support a residential development that is in keeping with these parameters.

#### Consent

The proposed variances are consistent with the Consent policies of the BOP, and are supportive of the associated Consent to Sever Application, as it will facilitate the creation of two (2) residential parcels of land which are:

- Of a size, shape and use of the severed land is compatible with the current neighbouring parcel fabric and residential uses (Policies 5.17.4, 5.17.8).
- Serviced by public water and sanitary sewers (Policy 5.17.5).
- Of a similar lot depth and shape as adjoining lots, where appropriate (Policy 5.17.10).
- Each new lot created fronts onto John Street (Policy 5.17.13).

The variance in connection with the reduction in the frontage of each proposed new parcel (7.93 m/26.01 ft) supports is in keeping with the intent and policies of the Official Plan, as it provides an intensified/infill residential development in an area that is planned for such a use, and the new residential lots are of a size, shape and land use (single detached residential) which is compatible with and respects the current neighbouring residential parcel fabric.

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While Sections 5.17.4, 5.17.8 and 5.17.10 of this plan, notes that Consent to Sever applications shall be discouraged within the Central Area Medium Density designation of the Downtown Brampton and Queen Street Corridor Secondary Plans except to facilitate land assembly, it is noteworthy that the policy does not prohibit them. The subject site, and the proposed variances specifically, proposes an infill residential development that serves to increase the density of the subject site and surrounding area thereby supporting Official Plan policies and objectives, in form and typology that is supported and in keeping with the character of the surrounding area.

The submitted Minor Variance and Consent to Sever Applications will facilitate the development of two (2) new residential lots, consisting of two (2) single detached residential dwellings. The new residential lots are of a size, shape and land which is compatible, respects the current neighbouring residential parcel fabric, and due to its location efficiently utilizes existing and planned local transit and infrastructure.

It is our opinion that the proposed severance, minor variances and use of the subject site for two (2) single detached residential dwellings conforms to the general intent and purpose of the Official Plan.

See TAB 4 for select BOP schedules.

#### Downtown Brampton Secondary Plan (Area 7) (February 2019)

The subject site is designated 'Medium Density' on Schedule SP7(A) of the Downtown Brampton Secondary Plan (Area 7).

#### Medium Density

In areas abutting the Central Area Mixed-Use designation, and those neighbourhoods in a state of transition, Medium Density housing is designated (Section 5.0).

Lands designated Medium Density on Schedule SP7(a) shall be developed to a maximum of 50 units per net residential hectare (15 to 20 units per net residential acre). Typical residential uses associated with the Medium Density designation include block townhouse, street townhouse, quatroplexes and interlot housing types (Policy 5.2.3.1).

It is noteworthy that while note specifically identified in the aforementioned policy, the Secondary Plan does not exclude single detached and semi-detached dwelling uses, and as such, the requested variances to facilitate the development of the subject site for two (2) single detached residential dwellings is appropriate given the current local residential context of the surrounding local community.

The intention of the Medium Density designation shown on Schedule SP7(a) is to encourage infill residential development of a sympathetic scale to existing building stock. The retention and conversion of existing homes is to be encouraged (Policy 5.2.3.2). The proposed development of the subject site through the Consent to Sever and Minor Variance Applications is an example of infill residential development that is supported by this policy.

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o



The submitted Consent to Sever and Minor Variance Applications will facilitate the development of two (2) new residential lots consisting of two (2) single detached residential dwellings. The new residential lots are of a size, shape and land which is compatible, respects the current neighbouring residential parcel fabric, and due to its location efficiently utilizes existing and planned local transit and infrastructure.

It is our opinion that the proposed Consent to Sever and Minor Variance(s) and use of the subject site for single detached residential dwellings conforms to the general intent and purpose of the Secondary Plan.

See TAB 5 for select Secondary Plan Schedules.

#### City of Brampton Zoning By-Law 270-2004

The Subject Site is zoned 'Residential Single Detached B – R1B Zone'.

The Residential Single Detached B - R1B zone permits the following uses:

- A single detached dwelling;
- Supportive Housing Residence Type 1;
- · A place of worship; and
- Purposes accessory to the other permitted purposes.

The following table summarizes the 'Residential Single Detached B - R1B' Zone provisions:

(a)	Minimum Lot Area	Interior Lot: 450 square metres
		Corner Lot: 540 square metres
(b)	Minimum Lot	Interior Lot: 15 metres
Width		Corner Lot: 18 metres
(c)	Minimum Lot Depth	30 metres
(d)	Minimum Front	6 metres
	Yard Depth	o medes
(e)	Minimum Interior	1.2 metres for the 1st storey or part thereof plus 0.6
	Side Yard Width	metres for each additional storey or part thereof
(f)	Minimum Exterior	3 metres
	Side Yard Width	3 fiedes
(g)	Minimum Rear	7.5 metres
	Yard Depth	7.5 medes
(h)	Maximum Building	10.6 metres
	Height	10.0 metres
(i)	Maximum Lot	No requirement
		1

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	Coverage	
(j)	) Minimum 60% of the minimum front yard area of an inter	
1	Landscaped Open	lot, 70% of the minimum front yard area of a
Space		corner lot, and 50% of the minimum front yard
		area of a lot where the side lot lines converge
		towards the front lot line

The subject site is also located within the Mature Neighbourhood Area designation of the Zoning By-Law. The Mature Neighbourhood Area Zoning Provisions are as follows:

- Minimum Rear Yard Depth equal to 25% of the depth of the lot or the minimum rear yard required by the zone of the lot, whichever is greater.
- Minimum Interior Side Yard Width: 1.2 metres setback for the first storey plus 0.6 metres setback for each additional storey if your lot has a width of 16 metres or less.
- 1.8 metres setback if the lot has a width between 16 metres and 21 metres.
- 2.8 metres setback if the lot has a width between 21 metres and 30 metres.
- 3.0 metres setback for lots having a width of 30 metres or greater.
- Maximum Lot Coverage: 30% of the lot area, excluding permitted accessory structures.
- Maximum Building Height: 8.5 metres.

The requested variances will facilitate the advancement of a proposal which promotes a residential redevelopment in an area where appropriate levels of infrastructure and public service facilities exist or are planned. The development of the two (2) new single detached dwellings units will promote increased efficiencies in local transit service/ connections and will support active transportation by locating development that is in close proximity to existing and/or planned community facilities, retail services and open space features.

The proposal is also of a compact urban form which will assist in maintaining and increasing the supply of residential units needed to meet demand and accommodate growth within the City of Brampton.

It is our opinion that the proposed severance, minor variance(s) and use of the subject site for a single detached residential dwelling conform to the Zoning By-law.

See TAB 6 for an excerpt from the Zoning By-law Schedule.

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#### Desirable and Appropriate Development of the Land

The submitted Minor Variance and Consent Applications will facilitate the development of two (2) new residential lots for the development of two (2) single detached residential dwellings. The new residential lots are of a size, shape and land which is compatible, respects the current neighbouring residential parcel fabric, and due to its location efficiently utilizes existing and planned local transit and infrastructure.

The subject site is located in an area that is designated for residential purposes and where increased density through infill or intensification proposals are encouraged. In this regard, we are of the opinion that the proposed variances are considered desirable and appropriate for the development of the land.

#### Minor in Nature

The requested severance and the associated variances will serve to create two (2) residential lots; one (1) dwelling each on both the Severed and Retained Lands which is in keeping with the character of the surrounding community. The lot sizes to be created by the proposed severances are also in keeping with lots located in the immediate area, and the proposed continued use of the subject site for residential purposes in an area designated residential meets the general intent and purpose of both the Official Plan and Zoning By-Law. The proposal makes efficient use of existing, available municipal services and is deemed appropriate and desirable.

In this regard, we are of the opinion that the proposed variances are considered minor in nature and should be supported.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

Anthony Sirianni, B.A., Associate Planner

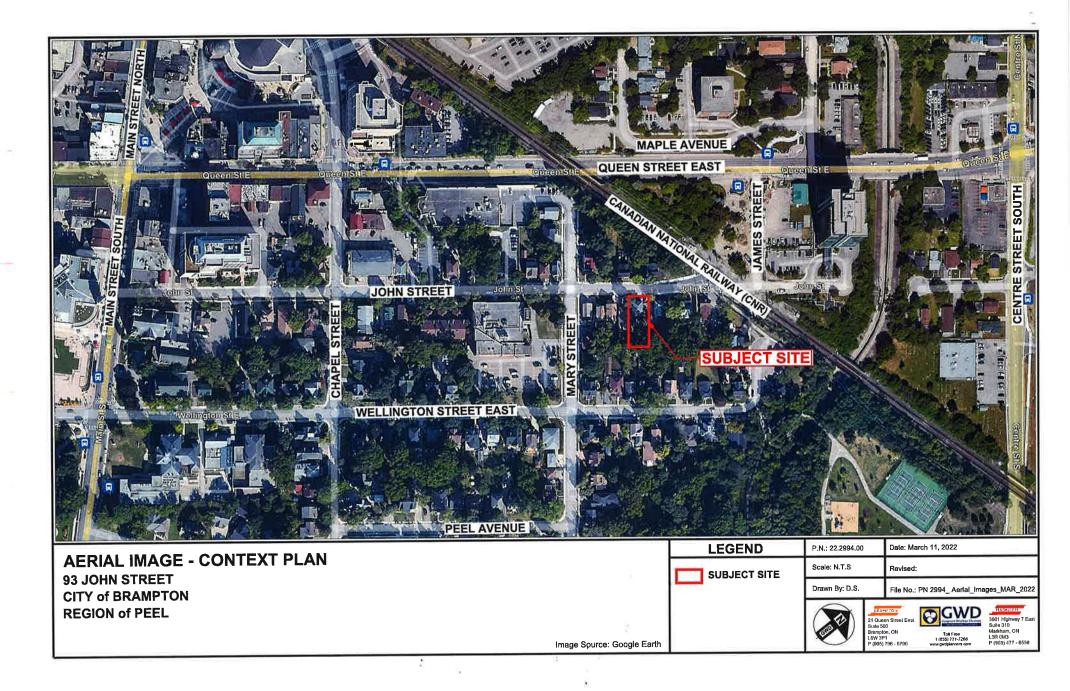
c.c.: Gagandeep Singh Gill, Client

Andrew Walker, Gagnon Walker Domes Ltd. Michael Gagnon, Gagnon Walker Domes Ltd.

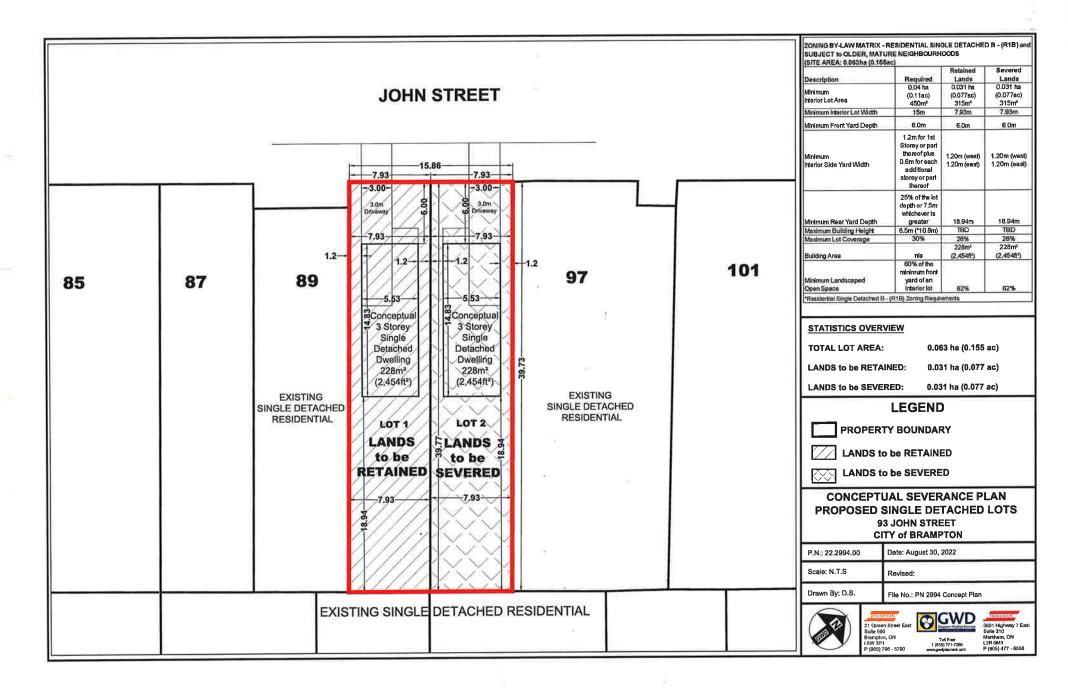
Gagnon Walker Domes Ltd.

# TAB 1

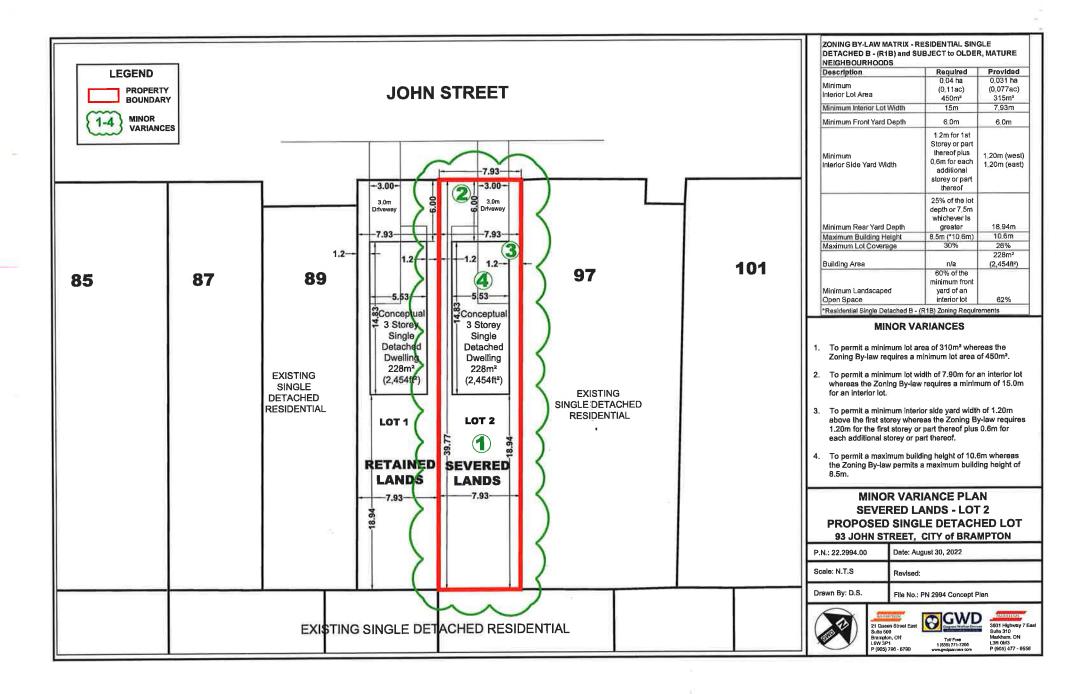


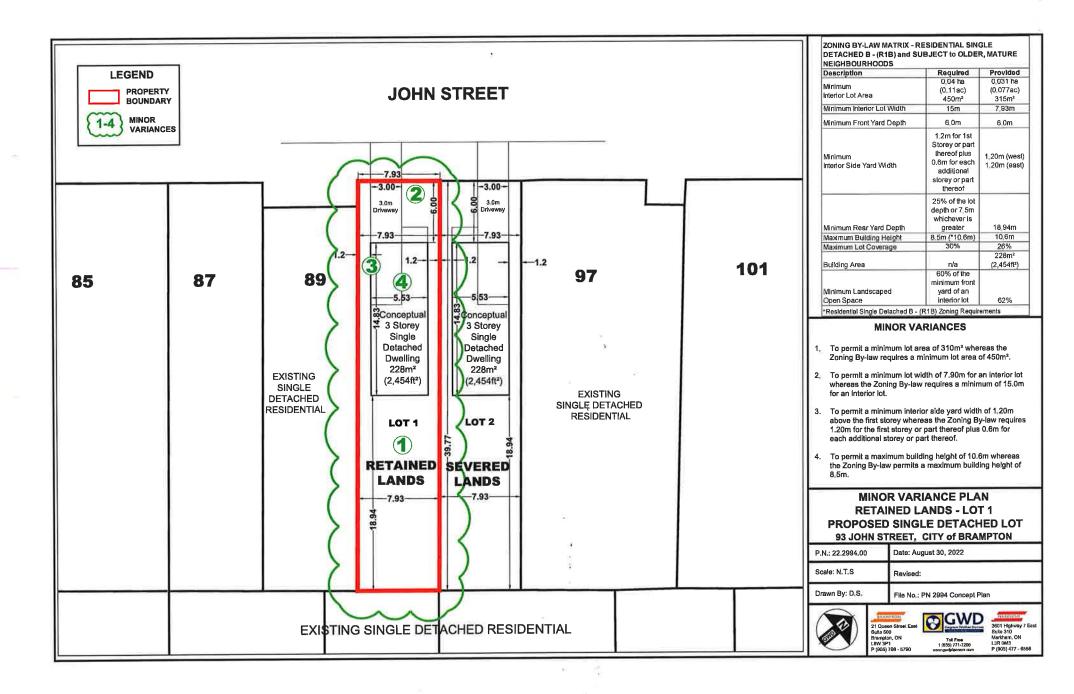


# TAB 2

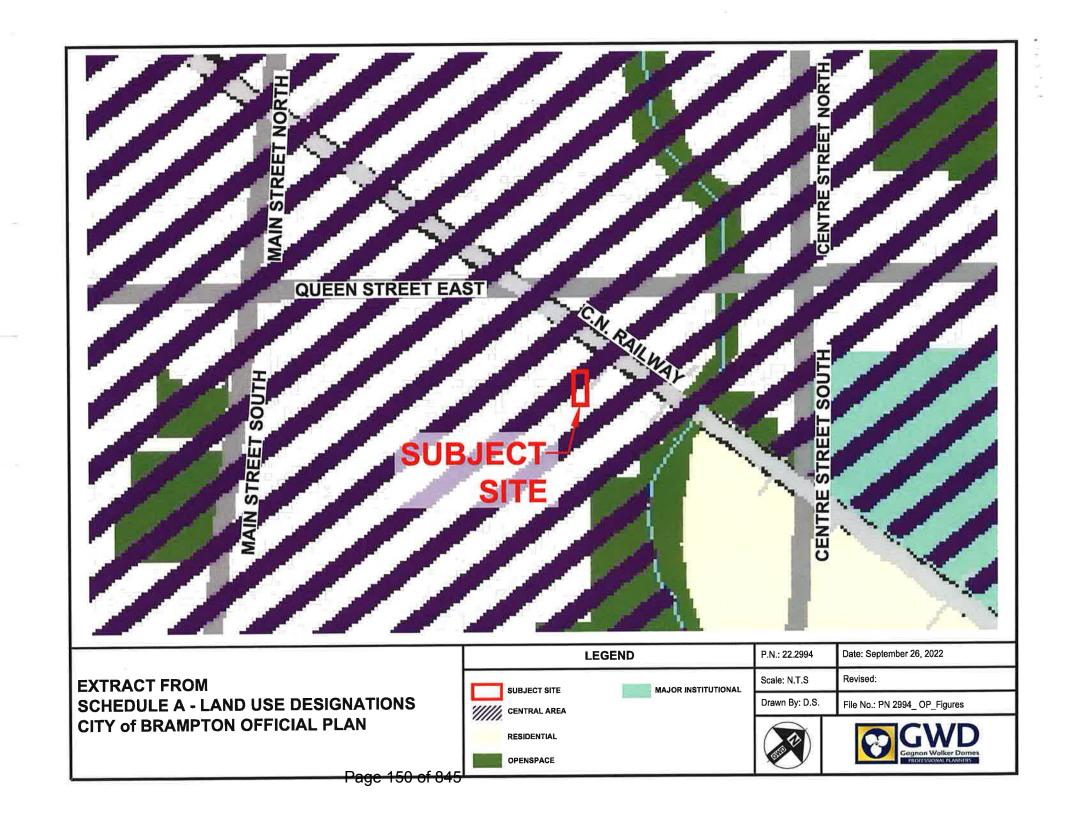


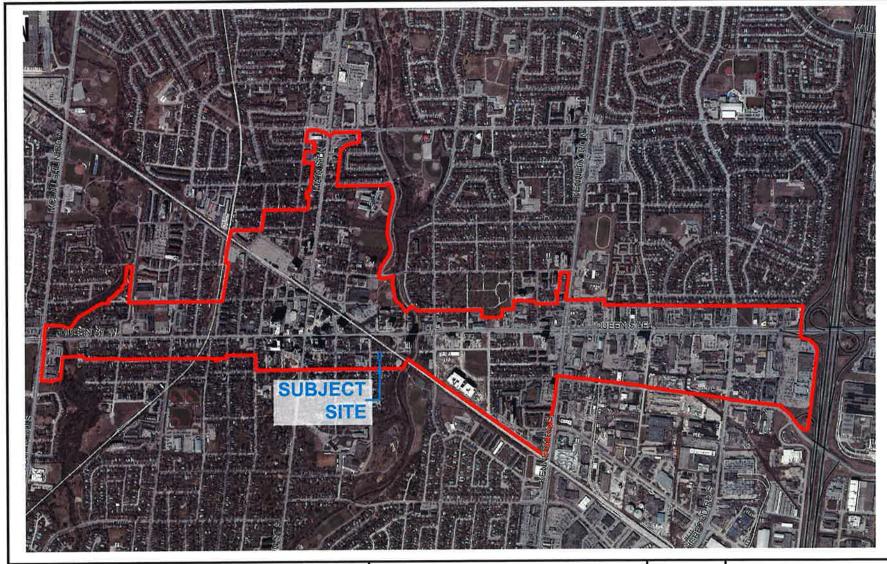
# TAB 3



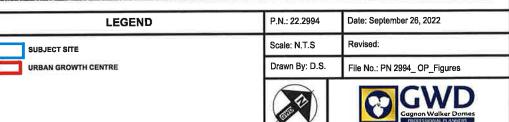


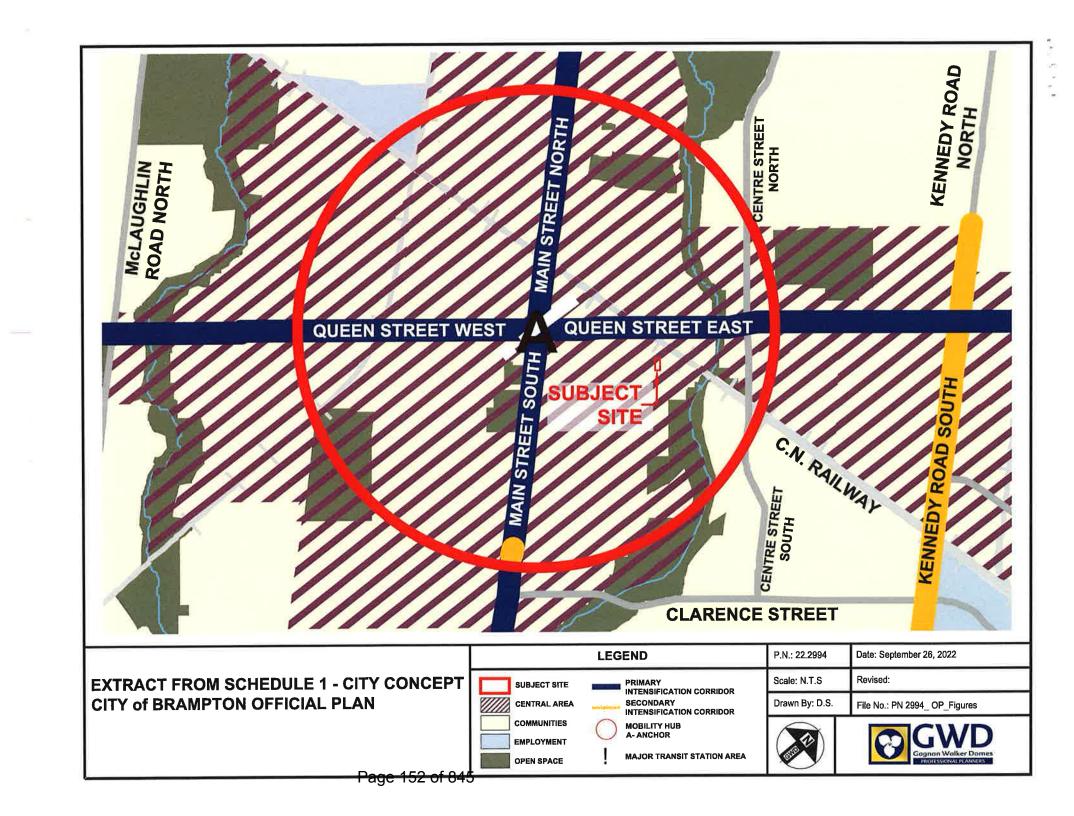
# TAB 4





EXTRACT FROM
SCHEDULE 1A - URBAN GROWTH CENTRE
CITY of BRAMPTON OFFICIAL PLAN





# TAB 5



EXTRACT FROM SCHEDULE SP7(A) THE DOWNTOWN BRAMPTON SECONDARY PLAN (SECONDARY PLAN AREA 7) CITY of BRAMPTON

LEGEND

SUBJECT SITE CENTRAL AREA MIXED USE

OFFICE NODE

LOW DENSITY

MEDIUM DENSTY

TRANSPORTATION

III MINOR ARTERIAL ROAD



**IIIII** COLLECTOR ROAD P NEIGHBOURHOOD PARK

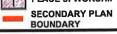




VALLEY LAND INSTITUTIONAL



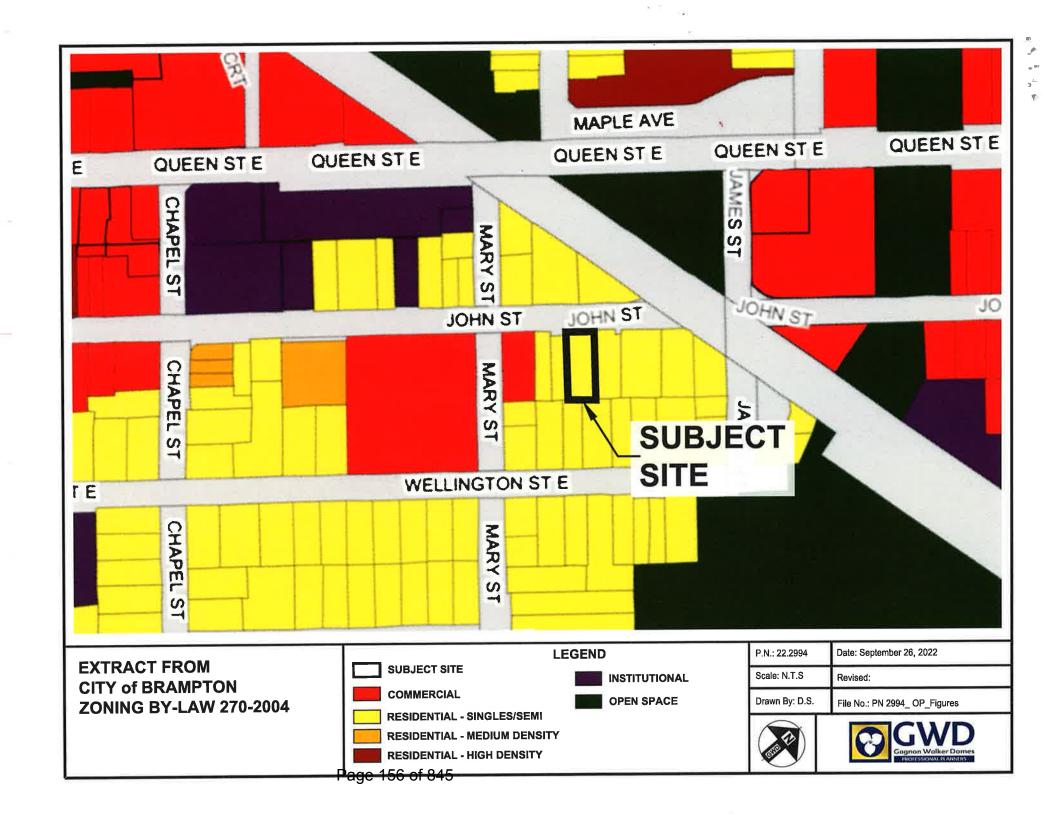
PLACE of WORSHIP



Scale: N.T.S Revised: Drawn By: D.S. File No.: PN 2994\_ OP\_Figures



# TAB 6



#### **Flower City**



APPLICATION NUMBER:

"B" 2022-0014

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 earlied 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)

<u>NOTE:</u> 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.

. (a)	Name of Owner/Applicant Mehna Autosales Inc.
	Address 2 Possession Cres (print given and family names in full)
	Brampton, Ontario L6P 4K3
	Phone #
	Email gaganent@outloar-com
(b)	Name of Authorized Agent Gagnon Walker Domes Ctcl.
	Address 2 Queen Street East Suite 500
	Branoton Ontano LGW 3P1
	Phone # (905) 796-5790 Fax#
	Email asinanniaguappannes. 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:
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.
	Mehra Autosales Inc. (Gagandeep Singh Gill)
4.	Description of the subject land ("subject land" means the land to be severed and retained):
	a) Name of Street Street Number Number
	b) Concession No.
	c) Registered Plan NoBR-2 Lot(s) PT- Lot 43
	d) Reference Plan No. 43R-13441 Lot(s) Part 4
	e) Assessment Roll No. 10 -01 - 0 -09 - 11 500 -0000 Geographic or Former Township
5.	Are there any easements or restrictive covenants affecting the subject land?
	Yes No Specify:

a)	Frontage 7.93 m Depth	<u> 39.73</u>	Area_(	0.031ha
b)	Existing Use Besidental	Proposed	Use <u>Reside</u>	mal
c)	Number and use of buildings and structure	s (both existing :	and proposed) on the land	W 160 WY 1375
	(existing) (INC (1) Single	detalle	d Kesident	
	(proposed Opo (1) pero	single c	letermed he	esidential diversing
d)	Access will be by:	Existing	Proposed	$\sim$
·	Provincial Highway			
	Municipal Road - Maintained all year	$\square$	×	
	Other Public Road			
	Regional Road			
	Seasonal Road			
	Private Right of Way			
e)	If access is by water only, what parking approximate distance of these facilities from			
f)	Water supply will be by:	Existing	Proposed	
	Publicly owned and operated water system	X	$\mathbf{x}$	
	Lake or other body of water			
	Privately owned and operated individual or communal well			
	Other (specify):			
g)	Sewage disposal will be by:	Existing	Proposed	
	Publicly owned and operated sanitary sewer system	区		
	Privy			
	Privately owned and operated individual or communal septic system			
	Other (specify):			
Descrip	ption of retained land: (in metric units)			
a)	Frontage 7.93m Depth	<u> 39.93</u>	M Area_(	0.031 ha
b)	Existing Use Residuntal	Propose	d Use Residu	bal
c)	Number and use of buildings and structure	res (both existing	and proposed) on the land	. >
	(existing) ON (1) Single	detach	ed Residenti	al Owening
	(proposed One (1) new 5	ingle	defectived fe	sidential Dwelling

Access will be by:

d)

10.

-3-

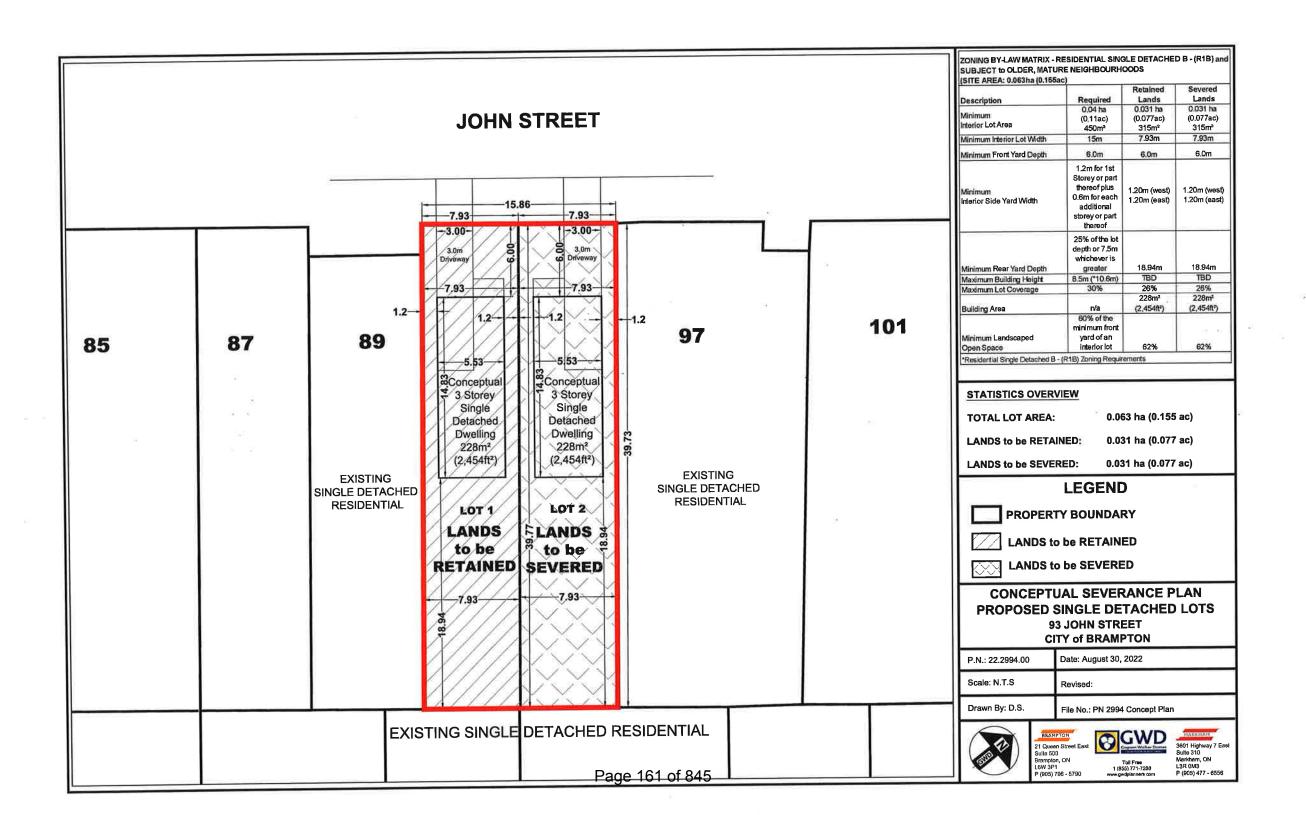
Existing

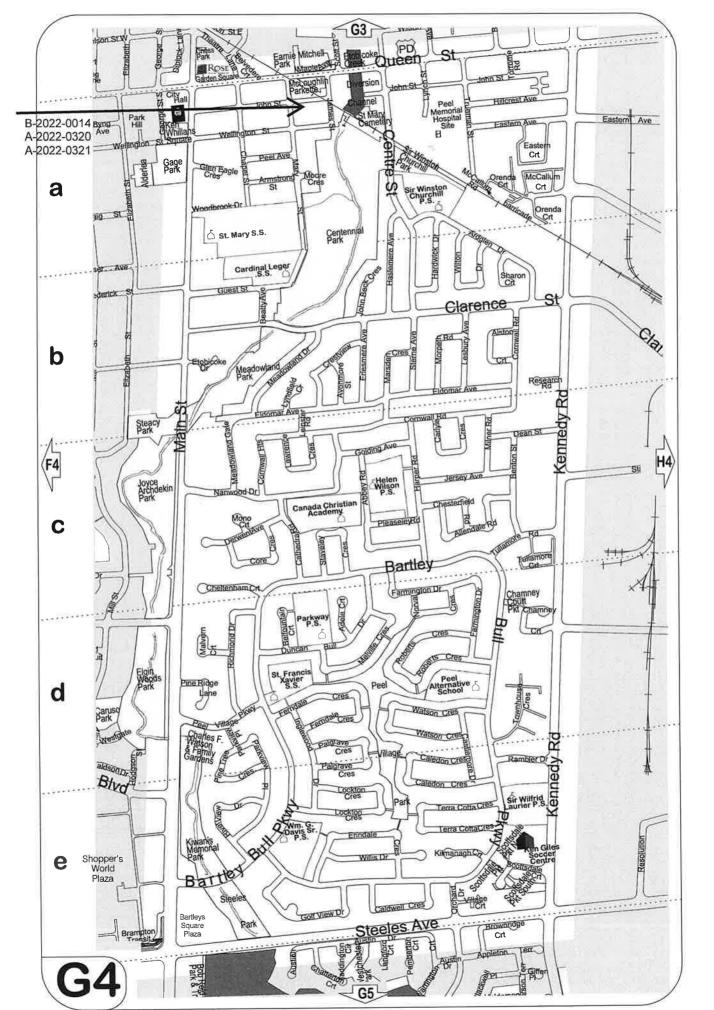
Proposed

	Provincial Highway			
	Municipal Road - Maintained all year	X	×	
	Other Public Road			
	Regional Road			
	Seasonal Road			
	Private Right of Way			
e)	If access is by water only, what parking approximate distance of these facilities from			
f)	Water supply will be by:	Existing	Proposed	
	Publicly owned and operated water systen	$\square$	<b>□</b>	
	Lake or other body of water			
-1	Privately owned and operated individual or communal well			
	Other (specify):			
g)	Sewage disposal will be by:	Existing	Proposed	
	Publicly owned and operated sanitary sewer system		<b>\sqrt</b>	
	Privy			
	Privately owned and operated individual or communal septic system			
	Other (specify):			
What is t	he current designation of the land in any app	olicable zoning	g by-law and official plan?	
	Land to be Severed	1	Land to be Retained	
Zoning B	sy-Law - R1B Zon	e _1	R1B Zone	
Official Plans - Central Area				
•	of Brampton	erbity —	Same	
Re	gion of Peel — <u>Urban Cro</u>		Jane_	8
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 🔼			9
File#	Status/Decision	;		
Has any land been severed from the parcel originally acquired by the owner of the subject land?				
Yes _	□ No 🔀			
Date of 1	<b>Fransfer</b>	Land Use		

11.	If known, is/was the subject la	nd the subject of any other appl	ication under the Planning Act, such as:	
•••		File Number	Status	
	Official Plan Amendment		And the state of t	
	Zoning By-law Amendment	1 <del></del>		
	Minister's Zoning Order	1 2 22 4200		
	Minor Variance	A-2022-0320 A-2022-0321	CONCURRENT	
	Validation of the Title	10 100 pt		
	Approval of Power and Sale	•		
	Plan of Subdivision			
12.	is the proposal consistent wit	h Policy Statements issued und	er subsection 3(1) of the <i>Planning Act?</i> Yes  No	
13.	is the subject land within an a	rea of land designated under an	y Provincial Plan? Yes 💢 No 🔲	
14.	If the answer is yes, does the	application conform to the appl	icable Provincial Plan? Yes 💢 No 🗔	
15.	If the applicant is not the own is authorized to make the a AGENTS" form attached).	ner of the subject land, the writt pplication, shall be attached.	en authorization, of the owner that the applic See "APPOINTMENT AND AUTHORIZATION	eant OF
Date th	ed at the City day of Seg	or Brams	Check box if applicable:	
	Signature of Applicant/or Authorized	Agent, see note on next page	I have the authority to bind the Corporation	
		DECLARATION		
	. Anthony 5	manni of the lawt	2 or Halton Hills	-
n the Co	ounty/District/Regional Municipality	o Halton	solemnly declare that all the statements containe	d In t
application	on are true and I make this as if m	ade under oath and by virtue of "T	he Canada Evidence Act".	
Declared b	perfore me at the CTT of	& MAMPTON /	Wellau Sin	
this 1	T day of SEA		Signature of applicant/solic/or/authorized agent, etc.	_
	Signature of a Commissioner, etc.	-		
	FOR OFFI	CE USE ONLY - To Be Completed	By the Zoning Division	
11	This application has been rev	iewed with respect to possible vari review are outlined on the attache	ances required and the results	
	L Barbuto Zoning Officer	Sep	tember 27, 2022	

DATE RECEIVED







### Report Committee of Adjustment

Filing Date:

September 28<sup>th</sup>, 2022

**Hearing Date:** 

January 24th, 2023

File:

B-2022-0014, A-2022-0320 & A-2022-0321

Owner/

Applicant:

MEHNA AUTO SALES INC.

Address:

93 John Street

Ward:

4

Contact:

Rabia Ahmed, Planner I

#### **Recommendations:**

That application B-2022-0014, A-2022-0320, and A-2022-0321 be deferred no later than the last hearing of March 2023.

#### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.063 hectares (1.55 acres). The proposed severed lot has a frontage of approximately 7.93 metres (26 feet), a depth of approximately 37.27 metres (122.28 feet) and an area of approximately 0.029 hectares (0.073 acres). The effect of the application is to create two individual lots from the existing lot for future residential development of a new semi-detached dwelling which will occupy both the retained and severed lots.

#### Requested Variances:

#### A-2022-0320

The applicant is requesting the following variances(s) for construction of a new semi-detached dwelling in conjunction with the proposed retained lot under Consent Application B-2022-0014:

- 1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling with an R1B zone;
- 2. To permit a minimum lot area of 230 square metres whereas the by-law requires a minimum lot area of 450 square metres;
- 3. To permit a minimum lot width of 7.9 metres whereas the by-law requires a minimum lot width of 15 metres.

#### A-2022-0321

The applicant is requesting the following variances(s) for construction of a new semi-detached dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0014:

- 1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling with an R1B zone;
- 2. To permit a minimum lot area of 230 square metres whereas the by-law requires a minimum lot area of 450 square metres;
- 3. To permit a minimum lot width of 7.9 metres whereas the by-law requires a minimum lot width of 15 metres.

#### Background:

Concurrent Consent application (B-2022-0014) and Minor Variance applications (A-2022-0320 and A-2022-0321) have been submitted to facilitate the severance of the subject property. Both the severed and retained lots result in property size and dimensions which do not conform to the minimum Zoning By-law requirements. The purpose of the applications is to create two individual lots from the existing lot for future residential development of a semi-detached dwelling which will occupy both the severed and retained lots.

- Official Plan: The subject property is designated 'Central Area' in the Official Plan;
- Secondary Plan: The subject property is designated 'Medium Density' within the Downtown Brampton Secondary Plan (Area 7); and
- **Zoning By-law:** The subject property is zoned 'Residential Single Detached B (R1B)' according to By-Law 270-2004, as amended.

Page 2 of 3

#### **Current Situation:**

Further to the previous recommendation report for this property brought to the Committee of Adjustment on October 25<sup>th</sup>, 2022, staff are still awaiting the submission of a scoped Heritage Impact Assessment as requested from the applicant in the report dated October 25<sup>th</sup>, 2022. Other issues identified in the October 25<sup>th</sup>, 2022 report have been addressed, including the gratuitous conveyance of land to the City of Brampton to meet the John Street right-of-way requirements and resulting updates to the requested Minor Variances. In discussion with staff, the proposal has been updated to reflect the change from the originally proposed two single-detached dwelling units on each of the retained and severed lots, to a single semi-detached dwelling unit to occupy both the retained and severed lots.

The previous report noted that while 93 John Street is neither listed on the Municipal Register nor designated under the Ontario Heritage Act, it does reside on the City of Brampton's internal properties of Interest List. It is also situated in a Mature Neighbourhood Area as defined in City By-laws. There are properties adjacent to this house which are either listed or on the Property of Interest List. Accordingly, City of Brampton Heritage Staff respectfully requested that a Heritage Impact Assessment be completed to review the Cultural Heritage Value or Interest of the property at 93 John Street.

The applicant was advised to conduct a Cultural Heritage Evaluation Report (CHER) to determine the cultural heritage value of the property at 93 John Street. Based on the results of this CHER, the scope of the Heritage Impact Assessment can be determined to address issues including design, adjacency and addressing design integration within the character of this neighbourhood.

City staff have discussed these matters with the applicant and are awaiting the submission of the requested CHER. Once received, Heritage staff will need to review the additional materials and provide comment. Therefore, staff recommend a flexible deferral of the application so that the applicant can provide the additional materials to the satisfaction of City staff.

Rabia Ahmed

Rabia Ahmed, Planner I



### **Public Notice**

#### **Committee of Adjustment**

**APPLICATION # B-2022-0015** Ward # 10

#### **DEFERRED NOTICE OF AN APPLICATION FOR CONSENT**

An amended application for consent has been made by PAUL PFUNDT AND ROBERTA ROSEMARIE ELIZABETH **PFUNDT** 

#### **Purpose and Effect**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 15.77 hectares (38.97 acres). The proposed severed lot has an area of approximately 15.16 hectares (37.46 acres). The effect of the application is to separate the proposed retained lot which remains occupied by a single detached dwelling, a designated heritage building and an accessory structure (shed) from the proposed severed lot which is currently zoned Agricultural and Floodplain.

#### **Location of Land:**

Municipal Address: 10300 The Gore Road

Former Township: Toronto Gore

Legal Description: Part of Lot 7, Concession 4 WHS, Part 4, Plan 43R-30530

#### Meeting

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Local Planning Appeal Tribunal by the applicant, the Minister, a specified person or a public body.

#### PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

#### LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

#### Other Planning Act Applications

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

Official Plan Amendment:

YES

File Number:

Zoning By-law Amendment:

YES

File Number:

Minor Variance:

YES

File Number: A-2022-0323

#### **Decision and Appeal**

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021. The appeal form is available from the Environment and Land Tribunals Ontario website at https://olt.gov.on.ca/appeals-process/forms/

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

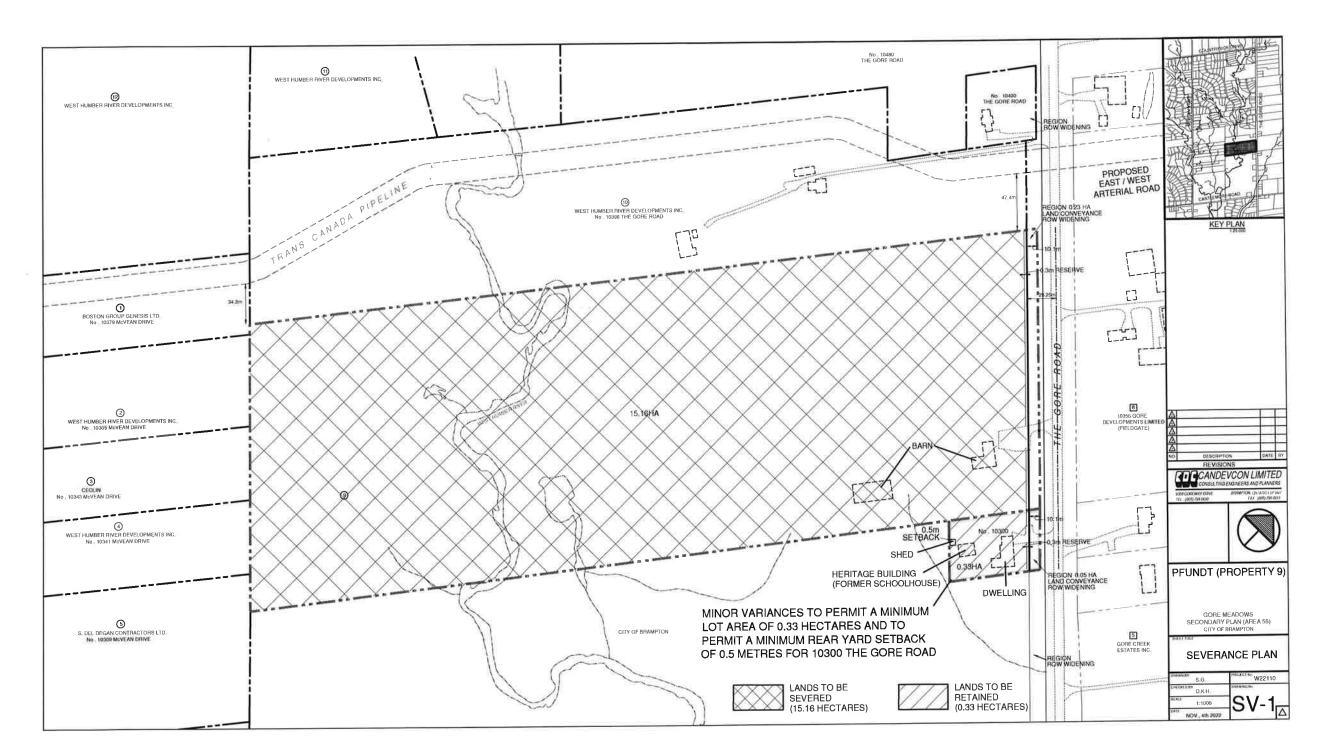
DATED AT THE CITY OF BRAMPTON THIS 5th Day of January, 2023.

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer City of Brampton Committee of Adjustment City Clerk's Office, Brampton City Hall 2 Wellington Street West Brampton, Ontario L6Y 4R2 (905)874-2119

Fax:

Page 166 01 874-2117
Page 166 01 874-2117



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Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
  - To participate in-person, please email the Secretary—Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

GTA WEST OFFICE (CORPORATE) 9358 GOREWAY DRIVE BRAMPTON, ONTARIO L6P 0M7 T: (905) 794-0600 F: (905) 794-0611 PROVIDING CONSULTING SERVICES IN: MUNICIPAL ENGINEERING
TRAINS & PARKING STUDIES
ROADS & BRIDGES
DEVELOPMENT ENGINEERING SERVICES
WATER RESOURCES
ENVIRONMENTAL NOISE STUDIES
LAND USE & ENVIRONMENTAL PLANNING
STRUCTURAL ENGINEERING

#### December 19, 2022

The City of Brampton Legal Services Division 2 Wellington Street West Brampton, Ontario L6Y 4R2

ATTN: Ms. Jeanie Myers

Secretary - Treasurer

Re: Committee of Adjustment

Consent Application & Minor Variance Application Paul Pfundt and Roberta Rosemarie Elizabeth Pfundt

10300 The Gore Road

Brampton Files No. B-2022-0015 & A-2022-0323

Candevcon File No. W22110

#### Dear Jeanie,

We enclose the following documents pursuant to the subject amended Consent and Minor Variance Applications:

- A copy of the revised Severance Plan (SV-1), prepared by Candevcon Limited, dated November 4<sup>th</sup>, 2022.
- 2. A copy of the Scoped Heritage Impact Assessment, prepared by WSP, dated December 19th, 2022.

The subject applications previously appeared on the October 25th, 2022 Committee of Adjustment meeting where they were granted deferral in order to amend the Severance Plan and prepare a Scoped Heritage Impact Assessment. The applications are being amended to accommodate Region of Peel comments to request the gratuitous dedication of a Right of Way and 0.3m Reserve along The Gore Road, which have reduced the proposed lot areas of each parcel. A Scoped Heritage Impact Assessment was requested by Heritage Planning Staff to confirm that the proposed minor variances will have no impacts on the heritage resource on the retained lands.

The purpose of the Consent Application is to sever the property to facilitate the creation of a new lot on the subject lands. The Consent Application is being amended to reflect a change in the proposed severed lot as well as the proposed retained lot. The severed parcel will be approximately 15.16 hectares in size and is currently an agricultural lot, proposed for future residential development that will be consistent with the City of Brampton Official Plan and Gore Meadows Secondary Plan (SP56). The retained parcel is used for residential purposes and is approximately 0.33 hectares in size. A single detached dwelling, a heritage building (non-residential) and accessory shed currently occupy the retained lands.



GTA EAST OFFICE: 1600 STELLAR DRIVE, SUITE 402 • WHITBY, ONTARIO L1N 9B2 • T: (289) 315-3680



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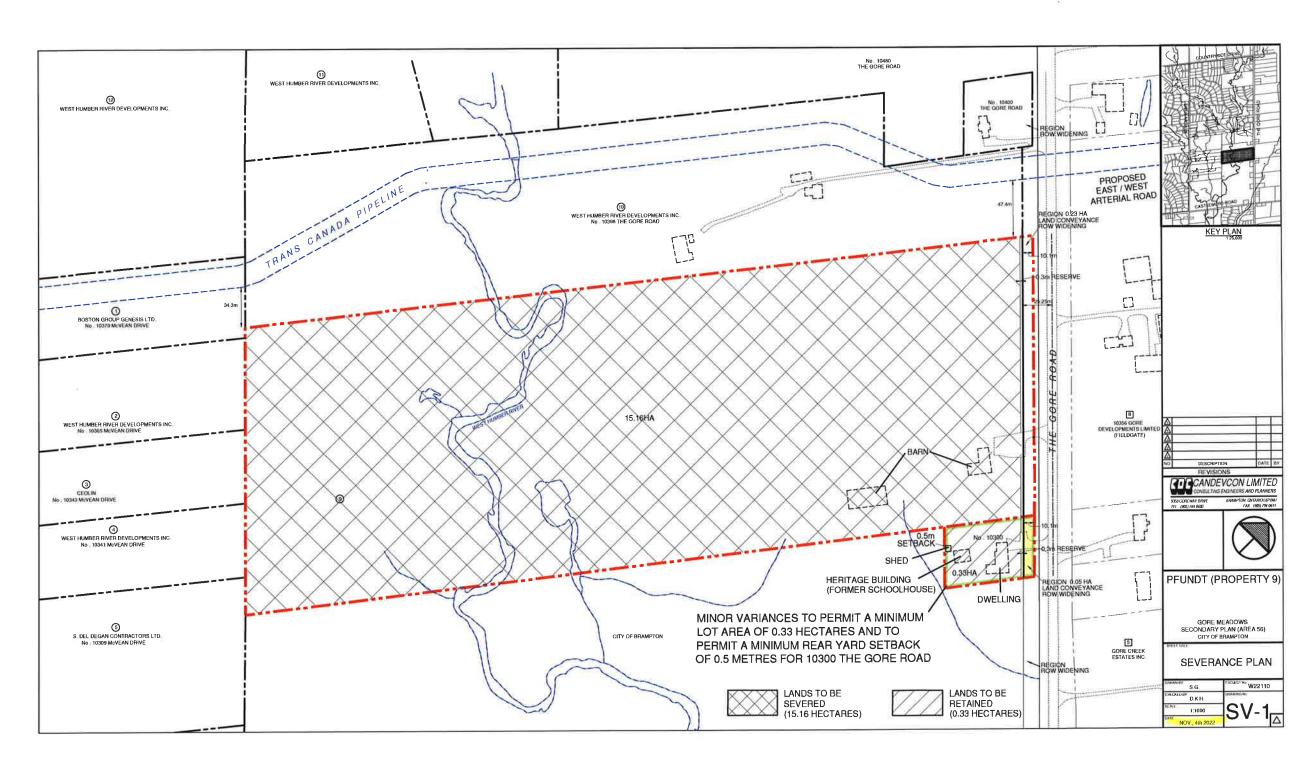
A Minor Variance is requested based on the approval of the severance, since the retained lands would contain a lot area below the minimum requirement and rear yard setback below the minimum requirement in the Zoning By-law. Therefore, a request to permit a minimum lot area of 0.33 hectares and a minimum rear yard setback of 0.5 metres is being proposed concurrently.

We trust that you will find the foregoing to be satisfactory and request that you initiate the circulation of these applications.

Sincerely, Candevcon Limited Steven Giankoulas, RPP Candidate

cc: Marco Marcante
Nick Rapallo
Paul & Roberta Pfundt
Diarmuid Horgan
Maria Jones





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WEST HUMBER RIVER DEVELOPMENTS INC. PROJECT NUMBER: 221-12755-00

### HERITAGE IMPACT ASSESSMENT 10300 THE GORE ROAD, CITY OF BRAMPTON

DECEMBER 19, 2022 FINAL







### HERITAGE IMPACT ASSESSMENT 10300 THE GORE ROAD, CITY OF BRAMPTON

WEST HUMBER RIVER DEVELOPMENTS INC.

ORIGINAL REPORT

FINAL

PROJECT NO.: 221-12755-00 DATE: DECEMBER 19, 2022

WSP 582 LANCASTER STREET WEST KITCHENER, ON N2K 1M3

T: +1 519 743 8777 WSP.COM

### SIGNATURES

PREPARED BY

Alisha Mohamed MA

Archaeologist/ Cultural Heritage Specialist

December 19, 2022

Date

APPROVED1 BY

Michael Teal MA

December 19, 2022

Date

Director, Archaeology and Heritage, Ontario, Earth & Environment

WSP Canada Inc. ("WSP") prepared this report solely for the use of the intended recipient, West Humber River Developments Inc., in accordance with the professional services agreement between the parties. In the event a contract has not been executed, the parties agree that the WSP General Terms for Consultant shall govern their business relationship which was provided to you prior to the preparation of this report.

The report is intended to be used in its entirety, No excerpts may be taken to be representative of the findings in the assessment

The conclusions presented in this report are based on work performed by trained, professional and technical staff, in accordance with their reasonable interpretation of current and accepted engineering and scientific practices at the time the work was performed.

The content and opinions contained in the present report are based on the observations and/or information available to WSP at the time of preparation, using investigation techniques and engineering analysis methods consistent with those ordinarily exercised by WSP and other engineering/scientific practitioners working under similar conditions, and subject to the same time, financial and physical constraints applicable to this project.

WSP disclaims any obligation to update this report if, after the date of this report, any conditions appear to differ significantly from those presented in this report; however, WSP reserves the right to amend or supplement this report based on additional information, documentation or evidence.

WSP makes no other representations whatsoever concerning the legal significance of its findings.

The intended recipient is solely responsible for the disclosure of any information contained in this report. If a third party makes use of, relies on, or makes decisions in accordance with this report, said third party is solely responsible for such use, reliance or decisions. WSP does not accept responsibility for damages, if any, suffered by any third party as a result of decisions made or actions taken by said third party based on this report.

WSP has provided services to the intended recipient in accordance with the professional services agreement between the parties and in a manner consistent with that degree of care, skill and diligence normally provided by members of the same profession performing the same or comparable services in respect of projects of a similar nature in similar circumstances. It is understood and agreed by WSP and the recipient of this report that WSP provides no warranty, express or implied, of any kind. Without limiting the generality of the foregoing, it is agreed and understood by WSP and the recipient of this report that WSP makes no representation or warranty whatsoever as to the sufficiency of its scope of work for the purpose sought by the recipient of this report.

In preparing this report, WSP has relied in good faith on information provided by others, as noted in the report. WSP has reasonably assumed that the information provided is correct and WSP is not responsible for the accuracy or completeness of such information.

Benchmark and elevations used in this report are primarily to establish relative elevation differences between the specific testing and/or sampling locations and should not be used for other purposes, such as grading, excavating, construction, planning, development, etc.

The original of this digital file will be kept by WSP for a period of not less than 10 years. As the digital file transmitted to the intended recipient is no longer under the control of WSP, its integrity cannot be assured. As such, WSP does not guarantee any modifications made to this digital file subsequent to its transmission to the intended recipient.

This limitations statement is considered an integral part of this report.

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc. WSP December 2022 Page iii

<sup>&</sup>lt;sup>1</sup> Approval of this document is an administrative function indicating readiness for release and does not impart legal liability on to the Approver for any technical content contained herein. Technical accuracy and fit-for-purpose of this content is obtained through the review process. The Approver shall ensure the applicable review process has occurred prior to signing the document.

### CONTRIBUTORS

#### **CLIENT**

Future Property Owner (of the severed parcel)

West Humber River Developments Inc. c/o Marco Marcante 416-568-7181 ext. 320 marco@royalpinehomes.com

#### **WSP**

Field Review

Chelsey Tyers, BES, MCIP, RPP Cultural Heritage Specialist

Report Preparation

Chelsey Tyers, BES, MCIP, RPP

Alisha Mohamed, MA Cultural Heritage Specialist Archaeologist

Mapping/GIS

Tanya Peterson, BA (Hons) Senior GIS Technician

Report Review

Joel Konrad, PhD, CAHP Cultural Heritage Lead, Ontario Cultural Heritage Specialist

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc. WSP December 2022

### **EXECUTIVE SUMMARY**

WSP Canada Inc. (WSP) was retained by West Humber Developments Inc. (the future property owner of the severed parcel) c/o Marco Marcante, to complete a scoped Heritage Impact Assessment (HIA) for the property located at 10300 The Gore Road in the City of Brampton. This report was undertaken to accompany a severance application to divide the subject property into two lots.

The subject property is designated under Part IV of the *Ontario Heritage Act* by By-law 233-2015 for the former Castlemore School S.S. #6. The City of Brampton required a scoped HIA primarily to identify whether the proposed severance would have any negative impacts on the heritage attributes identified in the designation by-law and to recommend appropriate alternatives, conservation and mitigation measures to reduce negative impacts.

Review of the proposed severance application has determined that there will be few impacts to the heritage attributes identified in the designation by-law by the proposed severance, but that there are potential impacts to the views of the former schoolhouse from The Gore Road (pursuant to the future development of the severed parcel). Additionally, future development of the severed lands may have additional impacts on the property's heritage attributes.

As such, WSP submits the following recommendations:

- 1. That future development of the severed lands maintain views to the front facade and north elevations of the former schoolhouse from The Gore Road through the appropriate placement of buildings;
- 2. That any future application under the *Planning Act* for the severed lands be accompanied by a Heritage Impact Assessment to review potential negative impacts and provide appropriate alternatives and/or mitigation measures.

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc. WSP December 2022



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SEVERANCE PLAN

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc. WSP December 2022

### 1 INTRODUCTION

WSP Canada Inc. (WSP) was retained by West Humber Developments Inc. c/o Marco Marcante (the client) in November 2022 to conduct a Heritage Impact Assessment (HIA) for the property at 10300 The Gore Road in the City of Brampton, Ontario (Figure 1). The property is designated under Part IV of the *Ontario Heritage Act* by By-law 233-2015 for the former Castlemore School S.S. #6. The former Castlemore School S.S. #6 reflects the typical design of a one-room nineteenth century schoolhouse with its one-and-a-half storey height, front facing gable roof with bell tower, and the use of red brick with buff brick accents.

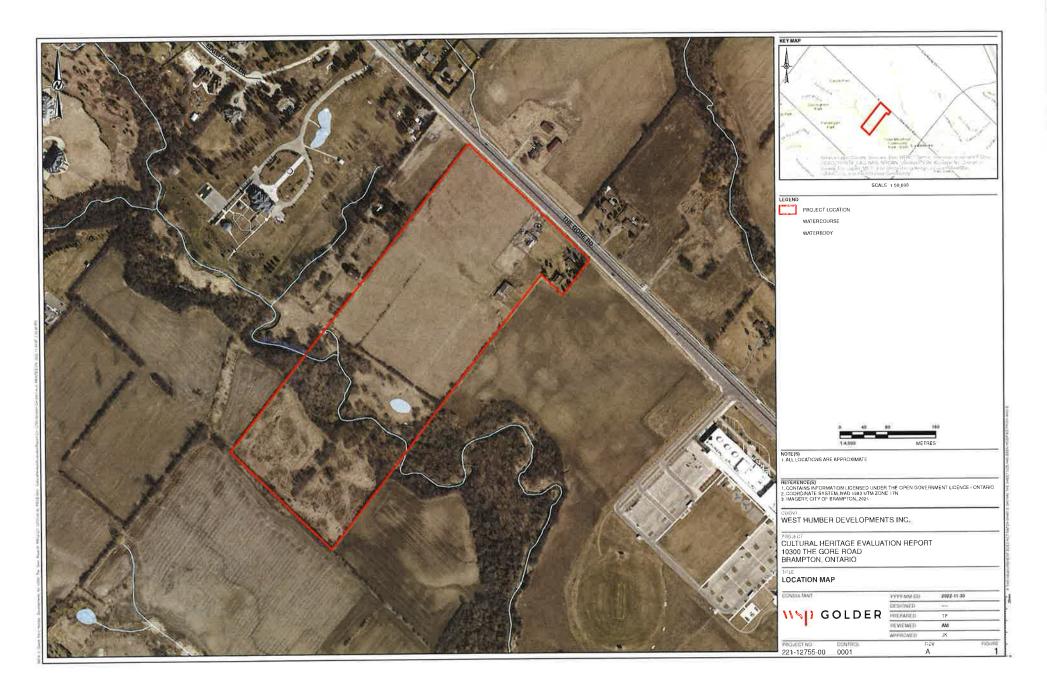
The approximately 15.49 hectare property also contains a more modern dwelling located between the former schoolhouse and The Gore Road, a single storey accessory structure near the former schoolhouse, two barn buildings, cultivated agricultural fields and an enclosed pasture.

The client is seeking to subdivide the subject property into two separate lots. The lands to be retained will consist of 0.33 hectares and include the modern dwelling and former schoolhouse. The lands to be severed are 15.16 hectares in area and will include the two farm buildings and cultivated agricultural area. There are no development plans for the severed land at this time.

This HIA has been structured to adhere to the City of Brampton's Heritage Impact Assessment Terms of Reference (n.d.) as scoped by the City's Heritage Planner Shelby Swinfield in email correspondence between November 7<sup>th</sup> and 9th, 2022. Guidance from the Ministry of Citizenship and Multiculturalism's (MCM; formerly Ministry of Tourism, Culture and Sport) *Ontario Heritage Tool Kit: Heritage Resources in Land Use Planning Process* (2006), the OHA, Section 2(d) of the *Planning Act*, Section 2.6.3 of the *Provincial Policy Statement* (2020) and Section 4.10 of the City of Brampton's *Official Plan* is also taken into consideration. This document will provide:

- A background on the project and introduction to the development site;
- Descriptions of the policy framework;
- A summary of the historical context;
- A description of existing conditions with an emphasis on the former Castlemore School S.S.#6;
- A copy of the statement of cultural heritage value or interest from the designation by-law;
- A description of the proposed development and a summary of potentially adverse impacts;
- An assessment of alternative options, mitigation measures and conservation methods to be considered to avoid or limit negative impacts to the cultural heritage value or interest (CHVI) of the subject property, as required; and,
- Recommendations for conservation methods and proposed strategies, as required.

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc. WSP December 2022



# 2 POLICY FRAMEWORK

# 2.1 UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

On June 21, 2021, the Canadian federal government enacted the *United Nations Declaration on the Rights of Indigenous Peoples Act* and confirmed that the *United Nations Declaration on the Rights of Indigenous Peoples* (Declaration - 2007) "must be implemented in Canada." As a result, Indigenous peoples in Canada are recognized as having unique rights, including those that pertain to the conservation of Indigenous heritage. As per Articles 11 and 31 of the Declaration:

- 11. 1) Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
- 31. 1) Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
  - 2) In conjunction with Indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

These rights to historical sites, ceremonies, cultural traditions, etc. (collectively understood as Indigenous heritage) are pertinent to the planning process through Articles 25 and 26 of the Declaration, which state that:

- 25. Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
- 26. 1) Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
  - 2) Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
  - 3) States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions, and land tenure systems of the Indigenous peoples concerned.

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc.

#### 2.2 PLANNING ACT AND PROVINCIAL POLICY STATEMENT

The *Planning Act* (1990) and the *Provincial Policy Statement* (PPS) (Ministry of Municipal Affairs and Housing (MMAH), 2020) issued under Section 3 of the *Planning Act*, provide Ontario-wide policy direction on land use planning. All decisions affecting land use planning "shall be consistent with" the PPS, which identifies that properties and features demonstrating significant architectural, cultural, historical, archaeological, technical or scientific interest are of provincial interest and should be conserved.

The importance of identifying, evaluating and conserving built heritage resources and cultural heritage landscapes is noted in two sections of the PPS 2020:

- Section 2.6.1 "Significant built heritage resources and significant heritage landscapes shall be conserved"; and,
- Section 2.6.3 "Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

The following concepts, as defined in the PPS, are fundamental to an understanding of the conservation of cultural heritage resources in Ontario:

**Built heritage resources** (BHR) are defined as "a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial, federal and/or international registers."

Conserved is defined as "the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments."

Cultural heritage landscapes (CHL) "means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act*, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms."

Heritage attributes "means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property)."

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc.

**Significant** means "in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*."

#### 2.3 ONTARIO HERITAGE ACT

The OHA gives municipalities and the provincial government powers to preserve the heritage of Ontario, with a primary focus on protecting heritage properties and archaeological sites. The OHA grants authority to municipalities and the province to identify and designate properties of heritage significance, provide standards and guidelines for the preservation of heritage properties and enhance protection of heritage conservation districts, marine heritage sites and archaeological resources.

Properties can be designated individually (Part IV of the OHA) or as part of a larger group of properties, known as a Heritage Conservation District (Part V of the OHA). Designation offers protection for the properties under Sections 33 and 34 of the OHA, prohibiting the owner of a designated property from altering, demolishing or removing a building or structure on the property unless the owner applies to the council of the municipality and receives written consent to proceed with the alteration, demolition or removal.

In addition to designated properties, the OHA allows municipalities to list properties that are considered to have CHVI on their Register, which provides interim protection against demolition in the form of a 60-day delay in issuing a demolition permit. Under Part IV, Section 27, municipalities must maintain a Register of properties situated in the municipality that are of CHVI. Section 27 (1.1) states that the Register shall be kept by the Clerk and that it must list all designated properties (Part IV and V). Under Section 27 (1.2), the Register may include a property that has not been designated, but that the municipal council believes to possess CHVI. Listed properties, although recognized as having CHVI, are not protected under the OHA as designated properties, but are acknowledged under Section 2 of the *PPS* (MMAH, 2020).

## 2.4 ONTARIO REGULATION 9/06

The evaluation of cultural heritage resources is guided by *Ontario Regulation 9/06* (O. Reg 9/06), which provides three principal criteria with nine sub-criteria for determining CHVI. The criteria set out in the regulation were developed to identify and evaluate properties for designation under the OHA. Best practices in evaluating properties that are not yet protected employ O. Reg. 9/06 to determine if they have CHVI. These criteria include: design or physical value, historical or associative value and contextual value.

- 1. The property has design value or physical value because it,
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii. displays a high degree of craftsmanship or artistic merit, or,
  - iii. demonstrates a high degree of technical or scientific achievement.
- 2. The property has historical value or associative value because it,
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,

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- ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or,
- iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- 3. The property has contextual value because it,
  - i. is important in defining, maintaining or supporting the character of an area,
  - ii. is physically, functionally, visually or historically linked to its surroundings, or,
  - iii. is a landmark. O. Reg. 9/06, s. 1 (2).

If a potential cultural heritage resource is found to meet any one of these criteria, it can then be considered an identified resource.

#### 2.5 MCM HERITAGE RESOURCES IN LAND USE PLANNING

The MCM's Heritage Resources in Land Use Planning Process (2006) identifies HIAs as an important tool to evaluate cultural heritage resources and to determine appropriate conservation options. The document identifies what an HIA should contain and any specific municipal requirements.

To determine the effect that a proposed development or site alteration may have on a significant cultural heritage resource, the MCM's *Heritage Resources in Land Use Planning Process* outlines seven potential negative or indirect impacts:

- Destruction of any, or part of any, significant heritage attributes or features;
- Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;
- A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;
- Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely
  affect an archaeological resource.

#### 2.6 CITY OF BRAMPTON OFFICIAL PLAN

The City of Brampton's Official Plan (2006, Office Consolidation September 2020) addresses cultural heritage in Section 4.10. Policies relevant to this report include:

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#### 4.10.1 Built Heritage

- 4.10.1.3 All significant heritage resources shall be designated as being of cultural heritage value or interest in accordance with the *Ontario Heritage Act* to help ensure effective protection and their continuing maintenance, conservation and restoration.
- 4.10.1.4 Criteria for assessing the heritage significance of cultural heritage resources shall be developed. Heritage significance refers to the aesthetic, historic, scientific, cultural, social or spiritual importance or significance of a resource for past, present or future generations. The significance of a cultural heritage resource is embodied in its heritage attributes and other character defining elements including: materials, forms, location, spatial configurations, uses and cultural associations or meanings. Assessment criteria may include one or more of the following core values:
- Aesthetic, Design or Physical Value;
- Historical or Associative Value; and/or,
- Contextual Value.
- 4.10.1.8 Heritage resources will be protected and conserved in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, the Appleton Charter for the Protection and Enhancement of the Built Environment and other recognized heritage protocols and standards. Protection, maintenance and stabilization of existing cultural heritage attributes and features over removal or replacement will be adopted as the core principles for all conservation projects.

#### 4.10.9 Implementation

- 4.10.9.4 The City shall acquire heritage easements, and enter into development agreements, as appropriate, for the preservation of heritage resources and landscapes.
- 4.10.9.5 Landowner cost share agreement should be used wherever possible to spread the cost of heritage preservation over a block plan or a secondary plan area on the basis that such preservation constitutes a community benefit that contributes significantly to the sense of place and recreational and cultural amenities that will be enjoyed by area residents.
- 4.10.9.11 The relevant public agencies shall be advised of the existing and potential heritage and archaeological resources, Heritage Conservation District Studies and Plans at the early planning stage to ensure that the objectives of heritage conservation are given due consideration in the public work project concerned.
- 4.10.9.13 Lost historical sites and resources shall be commemorated with the appropriate form of interpretation.
- 4.10.9.14 The City will undertake to develop a signage and plaquing system for cultural heritage resources in the City.

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#### 2.7 FEDERAL AND PROVINCIAL HERITAGE GUIDELINES

In accordance with the City of Brampton's Official Plan, additional guidelines were considered including Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada (Second Edition, 2010), hitherto referred to as Parks Canada's Standards and Guidelines; the Appleton Charter for the Protection and Enhancement of the Built Environment (1983), the former Ministry of Culture's Eight Guiding Principles in the Conservation of Historic Properties (1997) and Heritage Conservation Principle's for Land Use Planning (2007); and Well Preserved: the Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation (1988).

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# 3 PROJECT METHODOLOGY

An HIA evaluates the proposed impact of development on the property's defined heritage attributes. This HIA is guided by the City of Brampton's Heritage Impact Assessment (HIA) Terms of Reference (n.d.) and the MCM Ontario Heritage Tool Kit: Heritage Resources in Land Use Planning Process (2005).

To address the requirements of a HIA, this report provides the following information:

- A description of the policy context;
- A brief summary of the history of the area relevant to the subject property;
- Photographic documentation of the subject property and context;
- A written description of the existing conditions and context of the subject property;
- A copy of the Statement of Cultural Heritage Value or Interest and List of Heritage Attributes from the designation by-law;
- Review of the proposed development;
- Identification of negative impacts to the heritage attributes;
- The identification and analysis of mitigation opportunities, as required;
- The preferred strategy recommended to best protect and enhance the CHVI and heritage attributes of the cultural heritage resource, as required; and,
- Conservation and implementation recommendations, as required.

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# **4 HISTORICAL CONTEXT**

#### 4.1 PRE-EUROPEAN CONTACT PERIOD

The first populations to occupy southern Ontario are referred to as Paleoindians (Ellis and Deller, 1990:39). Paleoindian period populations moved into the region following the retreat of the Laurentide Ice Sheet approximately 11,000 years before present (BP).

Early Paleoindian period groups are identified by their distinctive projectile point morphologies, exhibiting long grooves, or 'flutes', that likely functioned as a hafting mechanism. These Early Paleoindian group projectile morphologies include Gainey (ca. 10,900 BP), Barnes (ca. 10,700 BP), and Crowfield (ca. 10,500 BP) (Ellis and Deller, 1990:39-43). By approximately 10,400 BP, Paleoindian projectile points transitioned to various unfluted varieties such as Holocombe (ca. 10,300 BP), Hi-Lo (ca. 10,100 BP), and Unstemmed and Stemmed Lanceolate (ca. 10,400 to 9,500 BP). These morphologies were utilized by Late Paleoindian period groups (Ellis and Deller, 1990:40).

Both Early and Late Paleoindian period populations were highly mobile, participating in the hunting of large game animals. Paleoindian period sites often functioned as small campsites (less than 200 m²) where stone tool production and maintenance occurred (Ellis and Deller, 1990).

By approximately 8,000 BP the climate of Ontario began to warm. As a result, deciduous flora began to colonize the region. With this shift in flora came new faunal resources, resulting in a transition in the ways populations exploited their environments. This transition resulted in a change of tool-kits and subsistence strategies recognizable in the archaeological record, resulting in what is referred to archaeologically as the Archaic period. The Archaic period in southern Ontario is dived into three phases: the Early Archaic (ca. 10,000 to 8,000 BP), the Middle Archaic (ca. 8,000 to 4,500 BP) and the Late Archaic (ca. 4,500 to 2,800 BP) (Ellis et al., 1990).

The Archaic period is differentiated from earlier Paleoindian populations by a number of traits such as: 1) an increase in tool stone variation and reliance on local tool stone sources, 2) the emergence of notched and stemmed projectile point morphologies, 3) a reduction in extensively flaked tools, 4) the use of native copper, 5) the use of bone tools for hooks, gorges, and harpoons, 6) an increase in extensive trade networks and 7) the production of ground stone tools. Also noted is an increase in the recovery of large woodworking tools such as HIAels, adzes, and axes (Ellis and Deller, 1990:65-66). The Archaic period is also marked by population growth. Archaeological evidence suggests that by the end of the Middle Archaic period (ca. 4,500 BP) populations were steadily increasing in size (Ellis et al., 1990). Over the course of the Archaic period populations began to rely on more localized hunting and gathering territories. By the end of the Archaic period, populations were utilizing more seasonal rounds. From spring to fall, settlements would exploit lakeshore/riverine locations where a broad-based subsistence strategy could be employed, while the late fall and winter months would be spent at interior site where deer hunting was likely a primary focus with some wild edibles likely being collected (Ellis and Deller, 1990:114). This steady increase in population size and adoption of a more localized seasonal subsistence strategy eventually evolved into what is termed the Woodland period.

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The Woodland period is characterized by the emergence of ceramic technology for the manufacture of pottery. Similar to the Archaic period, the Woodland period is separated into three primary timeframes: the Early Woodland (approximately 800 BC to 0 AD), the Middle Woodland (approximately 0 AD to 700/900 AD) and the Late Woodland (approximately 900 AD to 1600 AD) (Spence et al., 1990; Fox, 1990).

The Early Woodland period is represented in southern Ontario by two different cultural complexes: the Meadowood Complex (ca. 900 to 500 BC) and the Middlesex Complex (ca. 500 BC to 0 AD). During this period the life ways of Early Woodland population differed little from that of the Late Archaic with hunting and gathering representing the primary subsistence strategies. The pottery of this period is characterized by its relatively crude construction and lack of decorations. These early ceramics exhibit cord impressions, likely resulting from the techniques used during manufacture (Spence et al., 1990).

The Middle Woodland period is differentiated from the Early Woodland period by changes in lithic tool morphologies (projectile points) and the increased elaboration of ceramic vessels (Spence et al., 1990). In southern Ontario, the Middle Woodland is observed in three different cultural complexes: the Point Peninsula Complex to the north and northeast of Lake Ontario, the Couture Complex near Lake St. Claire and the Saugeen Complex throughout the remainder of southern Ontario. These groups can be identified by their use of either dentate or pseudo-scalloped ceramic decorations. It is by the end of the Middle Woodland period that archaeological evidence begins to suggest the rudimentary use of maize (corn) horticulture (Warrick, 2000).

The adoption and expansion of maize horticulture during the Late Woodland period allowed for an increase in population size, density, and complexity among Late Woodland populations. As a result, a shift in subsistence and settlement patterns occurred, with the adoption of a more sedentary village life and reliance on maize horticulture, with beans, squash and tobacco also being grown. Nearing the end of the Late Woodland Period (approximately 1400 AD) villages reached their maximum size. During this period, increased warfare resulted in the development of larger villages with extensive palisades.

Early contact with European settlers at the end of the Late Woodland, Late Ontario Iroquoian period resulted in extensive change to the traditional lifestyles of most populations inhabiting southern Ontario.

#### 4.2 POST-EUROPEAN CONTACT PERIOD

Early European presence within the area around the subject property began as early as 1615 with the travels of the French explorer Etienne Brulé who travelled with the Huron along the major portage route known as the Toronto Carrying Place Trail, which connected Lake Ontario with Lake Simcoe to the north by way of the Humber River and the Holland Marsh. By the 1650s, the Neutral had been dispersed as a result of increasing conflicts with the Haudenosaunee, and the warfare and disease that had arrived with European colonization. A significant number of the Neutral had also been adopted into Haudenosaunee populations. The large-scale population dispersals gave way for the Haudenosaunee to occupy the territory along the north shore of Lake Ontario where they settled along inland-running trade routes. Due to increased military pressure from the French in the late 1600s, and the return of the Anishinaabe Nations (Ojibwa, Odawa, Potawatomi, and Mississauga) who had previously retreated to the north, the Haudenosaunee abandoned their villages along the north shore of Lake Ontario.

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The subject property is situated within the boundaries of Treaty No. 19, also known as the Ajetance Purchase. This treaty was signed on October 28, 1818, between representatives of the Crown and Anishinaabe peoples. The treaty covers approximately 6,500 km². The Ajetance Purchase is named for the Chief of the Credit River Mississaugas. Some signatories of this Treaty also signed Treaty 18, such as James Givins, who worked with Reverend Peter Jones at the Credit Mission (Government of Ontario, 2022).

#### PEEL COUNTY

Originally formed in 1788, as part of the "Nassau District," an extensive area later known as the "Home District," Peel extended "so far westerly as to a north and south line intersecting the extreme projection of Long Point into Lake Erie" (Walker and Miles 1877:84). Prior to European settlement, this area was occupied by the Mississauga First Nation. In 1797, Governor Simcoe purchased land (3,450 acres) at the head of Lake Ontario from the Mississauga that Chief Joseph Brant had chosen in payment for his service to the Crown during the American Revolutionary War, but it proved more difficult to negotiate a price for the Mississauga Tract. This was finally accomplished in 1805-06 with the Toronto Purchase and the Head of the Lake Purchase, securing the townships of Nelson, Trafalgar, Toronto, Etobicoke and York (Surtees 1994:109). The County was largely occupied by 1819, populated primarily by migrants from New Brunswick, the United States and parts of Upper Canada who settled in the front of Toronto Township, otherwise known as the 'Old Survey' (Walker and Miles 1877:85). In the New Survey portion of the Toronto Township, a large colony of ethnic Irish peoples from New York settled in 1819, while Chinguacousy was primarily settled by United Empire Loyalists (those loyal to the British crown after the American Revolutionary War).

Formed in 1852 from portions of York County after the abolishment of Districts alongside the Counties of York and Ontario, Peel County did not become separate until 1865. With a population of 12,993 in 1841, the number of inhabitants had increased to 25,011 by 1871. By 1877, several Townships were found within the County, including Albion, Caledon, Chinguacousy, Gore of Toronto, Toronto, as well as the incorporated Town of Brampton and Villages of Streetsville and Bolton. Found on the shore of Lake Ontario, Port Credit was the harbour. Several major waterways are located within the County, including the Credit and Humber, which allowed the development of many mills.

#### TOWNSHIP OF TORONTO GORE

The Township of Toronto Gore (also known as the Gore of Toronto or Toronto Gore) was first surveyed in 1818 and was settled in the following year. The township derives its name from its wedge like shape. United with Chinguacousy until 1831, it broke away to form its own independent township. The first recorded settlers are Archie McVean and his family, who arrived in 1819 and erected the first log home, named Terbulgen, after the house they left behind in Scotland (Fix, 1967: 263).

Early villages and settlements that developed within Toronto Gore included Grahamsville, Castlemore, Claireville, Coleraine, Ebenezer, Gore and Stanley's Mills, Tormore, Tullamore, Wildfield, and Woodhill's Corners (Fix, 1967: 263-269).

The largest settlement within Toronto Gore is Malton which lies on the border of the Township of Toronto and Toronto Gore. Malton served as a hub for enterprise for the area having a Grand Trunk Railway Station connecting Toronto and Brampton (Walker & Miles, 1877).

When Peel County was reorganised as the Regional Municipality of Peel in 1974, the Town of Brampton merged with Chinguacousy Township, Township of Toronto Gore, and part of the Town of Mississauga to become the new City of Brampton (Brampton History, n.d.).

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# 5 EXISTING CONDITIONS

The subject property at 10300 The Gore Road is a 15.49 hectares (154,900 m²) with a roughly rectangular boundary that includes a nineteenth century schoolhouse (Castlemore School S.S. #6), a dwelling constructed in the second half of the twentieth century, an accessory structure and two farm buildings. The property is located on the west side of The Gore Road between Castlemore Road and Edgeforest Drive and is largely surrounded by agricultural fields and the Gore Meadows Community Centre & Library to the south.

The subject property is designated under Part IV of the *Ontario Heritage Act* by By-law 233-2015 for the former Castlemore School S.S.#6.

The following descriptions of the subject property are based on a site visit conducted on November 15, 2022, by Chelsey Tyers, Cultural Heritage Specialist. Access to the entire property was granted, including the exterior of the former schoolhouse.

#### 5 1 CASTLEMORE SCHOOL S.S.#6

The former schoolhouse (Image 1-Image 12) faces and is setback approximately 60 m from The Gore Road where it is situated immediately behind a more modern dwelling. The roofline of the schoolhouse is visible among the trees that line the west side of the property from further south along The Gore Road and part of the front (east) facade and north elevation are visible from further north along The Gore Road.

The former one-room schoolhouse is one-and-a-half storeys in height with a front facing gable roof. The gable roof includes a bell tower at the front, three-dormers on each side of the gable and a brick chimney at the rear gable peak. The bell tower is fully enclosed with horizontal siding on all sides, but would have originally been open on all four sides allowing the sound of the school bell to be heard from a distance. The former schoolhouse sits on a stone foundation which is largely underground and the red-brick is arranged in a common bond with header rows every sixth row. A dichromatic brick pattern in the shape of a cross (+) is located under the eaves of the gable ends, and a projecting buff brick in a corbeled pattern adorns the under eaves along the side elevations. The use of dichromatic brick is continued on the buff brick quoins, around the bullseye window and in the brick lintels above the original door and window openings.

The front (east) facade is almost symmetrically arranged with a central front door that includes a buff-brick lintel with a central stone keystone, a set of concrete steps and landing, the bullseye window located centrally in the gable peak and a horizontally oriented rectangular window opening to the north of the front door. Four tie rods are visible between the first and second floor and prevent the building from shifting. The front door consists of a five-paneled wood door and includes a storm door with a metal frame and glass inserts. The bullseye window is a circular window divided equally into six lites.

The rear (west) elevation has been recently rebuilt and consists of red-brick construction. This elevation includes a small one-storey addition enclosed with horizontal siding above which extends a wood porch which provides access to an elevated deck space. A door opening and a rectangular window opening are located within the gable peak and a small rectangular window opening is also located on the one-storey addition clad in siding.

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The north elevation of the schoolhouse is divided into three-bays. It originally had three rectangular window openings with buff brick lintels and stone keystones and concrete sills, but the central window opening has been replaced with a garage door opening. Notwithstanding that the central window has been removed, the buff brick lintel with keystone was left in place.

The south elevation of the schoolhouse is divided into three-bays, with a door opening with a large transom window at the west bay and rectangular window openings at the central and east bays. The door and window openings have buff brick lintels with stone keystones and concrete sills.



Image 1: View of the front (east) facade of the schoolhouse.

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Image 2: Detail of the bullseye window and dichromatic brick pattern under the gable eaves.



Image 3: View of the schoolhouse's front door.



Image 4: View of the rear (west) elevation of the schoolhouse.



Image 5: View of the north elevation of the schoolhouse.



Image 6: View of a window opening on the north elevation of the schoolhouse.



Image 7: View of the garage door on the north elevation of the schoolhouse, note the remnant buff brick lintel with keystone from the former window opening.



Image 8: View of the rear elevation and south elevation of the schoolhouse.



Image 9: View of the south elevation of the schoolhouse.



Image 10: View of the door on the south elevation of the schoolhouse.



Image 11: Detail of a concrete lintel on the south elevation of the schoolhouse.



Image 12: View of the foundation from the south elevation.

#### 5.2 ADDITIONAL BUILDINGS AND LANDSCAPE

While the former schoolhouse on the subject property is the only structure identified as having cultural heritage value or interest in the designation by-law, there is also a more modern single-storey dwelling, an accessory structure and two barn buildings on the subject property. Cultivated agricultural fields are located west and north of the farm buildings and a pasture enclosed with a wood and wire fence provides a grazing area for the horses.

The dwelling on the property appears to have been built in the late 1960s or early 1970s and consists of a single storey, concrete foundation, yellow brick cladding and a cross-hipped roofline (Image 13). An asphalt driveway off The Gore Road leads to the dwelling.

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Image 13: View of the dwelling on the subject property.

A single-storey accessory structure with a gable roof is located immediately west of the former schoolhouse (Image 14). It consists of a concrete foundation and is clad in metal siding on all elevations with a door opening on the north side.



Image 14: View of the accessory structure on the subject property.

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Two farm buildings are located north of the dwelling and the former schoolhouse. The westmost farm building includes a shallow pitched cross-gable roof clad in metal and all sides are clad in metal siding with doors of various sizes and rectangular window openings (Image 15-Image 16). The eastmost farm building includes a medium pitched cross-gable metal clad roof and all sides are clad in metal siding (Image 17-Image 18). This building includes large sliding and hinged doors and appears to be built on a concrete foundation.



Image 15: View looking northeast towards the westmost farm building.



Image 16: View looking west towards the westmost farm building.

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Image 17: View looking southwest towards the eastmost farm building.



Image 18: View looking southeast towards the eastmost farm building.

The landscape on the property reflects the rural nature and use of the area (Image 19-Image 21). Manicured lawn surrounds the modern dwelling, former schoolhouse, and the eastmost farm building and some coniferous trees surround the south side of the dwelling and the north side of the former schoolhouse. Cultivated fields are located west and north of the two farm buildings, and a fenced in pasture surrounds the westmost farm building. There were no identifiable nineteenth century farm landscape elements on the property, such as walking paths, post-and-rail or stone fencing, or nineteenth century barn foundations.

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Image 19: View of the manicured lawn between the dwelling and farm buildings.



Image 20: View of the agricultural field north of the farm buildings.



Image 21: View of the enclosed pasture area.

# **6 DESIGNATION BY-LAW**

The following Statement of Cultural Heritage Value or Interest is taken directly from the designation by-law for the subject property (By-law No. 233-2015).

#### 6.1 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

The properly at 10300 The Gore Road (former Castlemore School S.S.# 6) is worthy of designation under Part IV of the Ontario Heritage Act for its cultural heritage value. The property meets the criteria for designation prescribed by the Province of Ontario under the three categories of design or physical value, historical value and contextual value.

#### 6.1.1 DESIGN/PHYSICAL VALUE

The cultural heritage value of the former Castlemore Schoolhouse S.S. # 6 at 10300 The Gore Road is related to its design or physical value, as it is a representative and good example of a vernacular one-room schoolhouse. The schoolhouse is well designed in a typical one-room schoolhouse style. It has a gable roof with a prominent tower on the east end. The bullseye window in the gable peak has replaced a circular wood label. The schoolhouse is constructed out of brick with common bonds and header rows every sixth row. A dichrome brick pattern decorates the front frieze and around the bullseye window. The building also features buff brick quoins, and buff brick flat segmental arch with stone keystones over the windows and front door.

#### 6.1.2 HISTORICAL/ASSOCIATIVE VALUE

The property also has historical value as it can be associated with both the village of Castlemore and the former one room schoolhouses of Toronto Gore Township. It is also historically significant due to its previous use as Castlemore School S.S. #6 for 89 years. The village of Castlemore had a population of about 100 people in 1877. It was a small village on The Gore Road, ten miles from Brampton. The Peel County Atlas (1877) describes the village having a Post Office and store, a blacksmith shop, a hotel, an English Church, and a "good" schoolhouse. The first public school situated near Castlemore was frame construction. It was located on the 9th concession, in the east half of lot 11, Toronto Gore. It was built on a small parcel sold to the school trustees by Patrick Doherty. It was replaced in 1873 by the present brick building on a new site containing one acre of land in the 9th concession on the east half of lot 12. The schoolhouse remains in its original location today.

The one-room schoolhouse style Illustrates the trend in the Ontario education system at the time. One-room schoolhouses were promoted by Dr. Edgerton Ryerson, the "father" of the Ontario education system, and were the model of Ontario education for generations. There were two other one-room schools in Toronto Gore Township:

- Union Section #4 Toronto Gore, #18 Chinguacousy, known as Tullamore, and;
- Union Section #10 Toronto Gore, #23 Vaughan, or Ebenezer.

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School Section #6 Toronto Gore, or Castlemore, was the only school not in a union section with another township. Progressing along with the trend away from one-room schools and towards graded schools, it was decided that the three one-room schools in the Toronto Gore Township would be consolidated into one new school, Castlemore Public School on the Gore Road just south of Castlemore Road. The three schools in Townships Castlemore, Ebenezer, and Tullamore, closed on June 19th, 1962.

#### 6.1.3 CONTEXTUAL VALUE

The former Castlemore Schoolhouse S.S. # 6 also holds contextual value as it is visually and historically linked to its surroundings. It also supports, reflects and contributes to the rural character of the former Toronto Gore Township and the village of Castlemore. Although set back on the property, the school's tower can be seen along The Gore Road and from the intersection of Castlemore Road and The Gore Road. The schoolhouse is one of the last remnants of rural heritage in an area that is becoming urbanized.

#### 6.1.4 DESCRIPTION OF THE HERITAGE ATTRIBUTES OF THE PROPERTY

The heritage attributes comprise all facades, architectural detailing, construction materials and associated building techniques, as well as significant landscape elements and important vistas. The detailed heritage attributes/character defining elements include, but are not limited to:

#### **DESIGN/PHYSICAL VALUE:**

- One-and-a-half storey, one-room schoolhouse
- Gable roof
- Bullseye window
- Bell tower
- Dichrome brick patterning under front facade eaves
- Corbel brick pattern under eaves
- Quoining
- Buff brick flat segmental arches with stone keystones over windows

#### HISTORICAL/ASSOCIATIVE VALUE:

- Functioned as Castlemore School S.S. # 6 for 89 years (1873-1962)
- Illustrates the trend of one room schoolhouses
- Associated with the rural schools of the Toronto Gore Township, one of a few still standing

#### **CONTEXTUAL VALUE:**

- Visually marks the former rural community of Castlemore
- Visible along The Gore Road

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# 7 PROPOSED DEVELOPMENT

#### 7.1 DESCRIPTION OF PROPOSED UNDERTAKING

The client is seeking to sever the subject property into two parcels (Appendix A). The lands to be retained will consist of 0.33 hectares and include the modern dwelling and former schoolhouse. The lands to be severed are 15.16 hectares in area and will include the two farm buildings and cultivated agricultural area.

There are no development plans for the lands to be severed at the time of the writing of this report.

#### 7.2 POTENTIAL IMPACTS

When determining the effects a development or site alteration may have on known or identified built heritage resources or cultural heritage landscapes, the MCM's *Heritage Resources in the Land Use Planning Process* advises that the following "negative impacts" be considered:

- Destruction of any, or part of any, significant heritage attributes, or features<sup>2</sup>
- Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance<sup>3</sup>
- Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden<sup>4</sup>
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship<sup>5</sup>
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features<sup>6</sup>
- A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces<sup>7</sup>
- Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource<sup>8</sup>

Other potential impacts may also be considered such as encroachment or construction vibration (Image 22). Historic structures, particularly those built with masonry elements, are susceptible to damage from vibration caused by pavement breakers, plate compactors, utility excavations, and increased heavy vehicle travel in the immediate vicinity. Like any structure, they are also threatened by collisions with heavy machinery, subsidence from utility line failures, or excessive dust (Randl 2001:3-6).

<sup>&</sup>lt;sup>2</sup> This is used as an example of a *direct* impact in the MCM *Info Bulletin* 3.

<sup>&</sup>lt;sup>3</sup> A direct impact in the MCM Info Bulletin 3.

<sup>&</sup>lt;sup>4</sup> An *indirect* impact in the MCM *Info Bulletin 3*.

<sup>&</sup>lt;sup>5</sup> An indirect impact in the MCM Info Bulletin 3.

<sup>&</sup>lt;sup>6</sup> An example of a *direct* and *indirect* impact in the MCM *Info Bulletin* 3. It is a direct impact when significant views or vistas within, from or of built and natural features are obstructed, and an indirect impact when "a significant view of or from the property from a key vantage point is obstructed".

<sup>&</sup>lt;sup>7</sup> A direct impact in the MCM Info Bulletin 3.

<sup>&</sup>lt;sup>a</sup> In the MCM *Heritage Resources in the Land Use Planning Process* this refers only to archaeological resources but in the MCM *Info Bulletin 3* this is an example of a *direct* impact to "provincial heritage property, including archaeological resources".

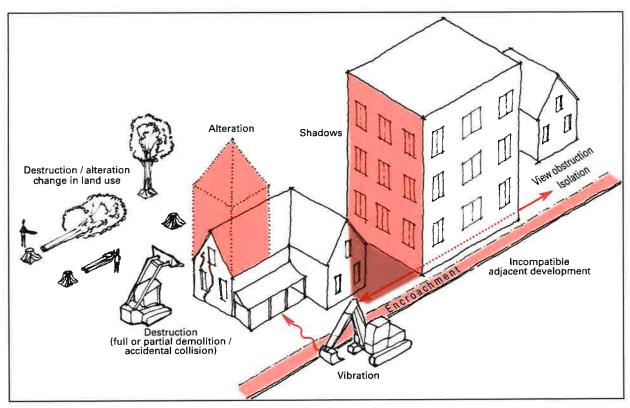


Image 22: Examples of negative impacts

Although the MCM's Heritage Resources in the Land Use Planning Process identifies types of impact, it does not advise on how to describe its nature or extent. For this the MCM's Guideline for Preparing the Cultural Heritage Resource Component of Environmental Assessments (1990:8) provides criteria of:

- Magnitude amount of physical alteration or destruction that can be expected
- Severity the irreversibility or reversibility of an impact
- Duration the length of time an adverse impact persists
- Frequency the number of times an impact can be expected
- Range the spatial distribution, widespread or site specific, of an adverse impact
- Diversity the number of different kinds of activities to affect a heritage resource

Since advice to describe magnitude is not included in the MCM's *Guideline* or any other Canadian guidance, the ranking provided in the ICOMOS *Guidance on Heritage Impact Assessments for Cultural World Heritage Properties* (ICOMOS 2011: Appendix 3B) is adapted here. While developed specifically for World Heritage Sites, it is based on a general methodology for measuring the nature and extent of impact to cultural resources in urban and rural contexts developed for the UK Highways Agency *Design Manual for Roads and Bridges* [DMRB]: *Volume 11*, HA 208/07 (2007: A6/11) (Bond & Worthing 2016:166-167) and aligns with approaches developed by other national agencies such as the Irish Environmental Protection Agency (reproduced in Kalman & Létourneau 2020:390) and New Zealand Transport Agency (2015). The grading of impact is based on the "Guide to Assessing Magnitude of Impact" summarized in Table 7-1 below.

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc.

**Table 7-1: Impact Grading** 

#### Impact Grading Description

Major	Change to heritage attributes that contribute to the CHVI such that the resource is totally altered.  Comprehensive changes to the setting.	
Moderate	Change to many heritage attributes, such that the resource is significantly modified.  Changes to the setting of a heritage property, such that it is significantly modified.	
Minor	Change to heritage attributes, such that the asset is slightly different.  Change to the setting of a heritage property, such that it is noticeably changed.	
Negligible/Potential	Slight changes to heritage attributes or the setting that hardly affects it.	
None	No change to heritage attributes or setting.	

An assessment of potential impacts resulting from the proposed development on the property's CHVI and heritage attributes is presented in Table 9-2.

### 7.3 EVALUATION OF IMPACTS

Below, Table 7-2 will evaluate impacts to the subject property.

Table 7-2: Evaluation of Impacts to the subject property at 10300 The Gore Road.

CRITERIA	EVALUATION
<b>Destruction</b> of any, or part of any, significant heritage attributes or features;	Impact: None  Rationale: The proposed severance of the property will not result in the destruction of any of the identified heritage attributes.
<b>Alteration</b> that is not sympathetic, or is incompatible, with the historic fabric and appearance;	Rationale: The proposed severance of the property does not include plans to develop the retained and severed lands; as such, there will be no alteration to the identified physical/design heritage attributes. Consideration of impact to the contextual heritage attributes are discussed under the 'direct or indirect obstruction' criteria.
Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;	Impact: None  Rationale: The proposed severance of the property does not include plans to develop the retained or severed lands. As such, there will be no shadow impacts.  Future development of the severed lands may have shadow impacts.

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CRITERIA	EVALUATION
Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;	Impact: None  Rationale: The proposed severance of the property does not include plans to develop the retained and severed lands; as such, no heritage attributes will be isolated.  Future development of the severed lands has the potential to partially isolate the former schoolhouse from its relationship with The Gore Road.
Direct or indirect obstruction of significant views or vistas within, from, or to built and natural features;	Rationale: While the significant views identified in the list of heritage attributes will not be impacted by the proposed severance of the property as there are no development plans for the severed lands, the severance may reduce the City's ability to manage the views to the former schoolhouse's north elevation from The Gore Road as the severed land will not be directly subject to a designation by-law (instead it will be an adjacent property).
A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;	Impact: None  Rationale: The land use of this property will not change as a result of the proposed severance.
Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.	Rationale: The proposed severance of the subject property will not result in any land disturbances.  However, future development of the severed lands would result in land disturbances and an archaeological assessment should be completed as part of any future application for development under the <i>Planning Act</i> .

# 7.4 RESULTS OF IMPACT ASSESSMENT

The preceding impact assessment has determined that the proposed severance will largely not result in any impacts to the heritage attributes identified in the designation by-law. However, potential impacts to the view of the former schoolhouse's north elevation from The Gore Road were identified as severance of the property may reduce the City's ability to manage this view given it will be a separate, adjacent property and not directly subject to the designation by-law. In addition, while there are no development plans for the severed land at present, development of this land in the future may result in impacts to the identified heritage attributes (i.e., the development of the severed lands will involve a Secondary Plan process including the proposal of an HIA).

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc.

#### 7.5 MITIGATION MEASURES

The potential impact to the views of the former schoolhouse's east elevation from The Gore Road can be effectively managed through mitigation measures, as such, alternative options to the proposed severance have not been considered.

WSP recommends that the design concept of any future development of the severed lands take into consideration the importance of views to the schoolhouse from The Gore Road and that buildings be placed strategically so as to allow for maintenance of the visual relationship between the former schoolhouse and The Gore Road.

Future development of the severed land should also be accompanied by a Heritage Impact Assessment to evaluate the impact of the development on the former schoolhouse's heritage attributes, including but not limited to the identified views.

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc.

# 8 RECOMMENDATIONS

The proposed development includes the severance of the subject property into two separate lots. The retained portion will include the existing dwelling and the former schoolhouse and the severed lands will include the two farm buildings and agricultural fields. There is no proposed development of the retained or severed lands as part of this severance application.

Review of the proposed severance application has determined that the severance will largely not impact the identified heritage attributes but has the potential to affect views of the front facade and north elevation from The Gore Road given the City will have less ability to regulate these views once the property is severed.

As such, the following recommendations are made:

- 1. That future development of the severed lands maintain views to the front facade and north elevations of the former schoolhouse from The Gore Road through the appropriate placement of buildings;
- 2. That any future application under the *Planning Act* for the severed lands be accompanied by a Heritage Impact Assessment to review potential negative impacts and provide appropriate alternatives and/or mitigation measures.

10300 The Gore Road, Brampton HIA Project No: 221-12755-00 West Humber River Developments Inc.

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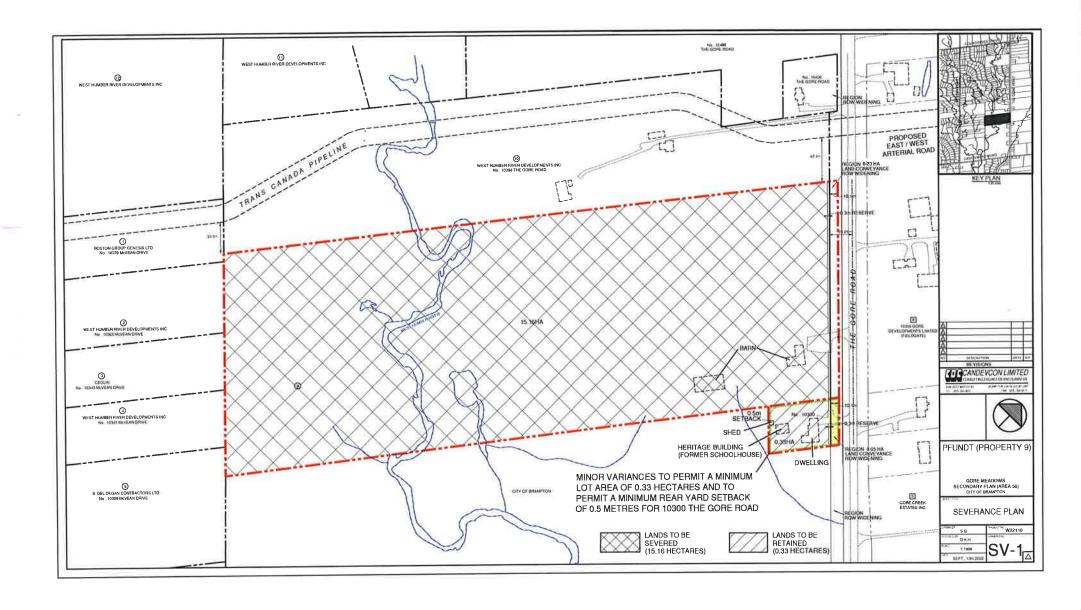
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# **APPENDIX**

# A SEVERANCE PLAN



GTA WEST OFFICE (CORPORATE) 9358 GOREWAY DRIVE BRAMPTON, ONTARIO L6P 0M7 T: (905) 794-0600 F: (905) 794-0611 PROVIDING CONSULTING SERVICES IN: MUNICIPAL ENGINEERING
TRANSPORTATION PLANNING
TRAFFIC & PARKING STUDIES
ROADS & BRIDGES
DEVELOPMENT ENGINEERING SERVICES
WATER RESOURCES
ENVIRONMENTAL NOISE STUDIES
LAND USE & ERVIRONMENTAL PLANNING
STRUCTURAL ENGINEERING

September 26, 2022

The City of Brampton Legal Services Division 2 Wellington Street West Brampton, Ontario L6Y 4R2

B-2022-0015, A-2022-0323

ATTN: Ms. Jeanie Myers

Secretary - Treasurer

Re: Committee of Adjustment

Consent Application & Minor Variance Application Paul Pfundt and Roberta Rosemarie Elizabeth Pfundt

10300 The Gore Road

Candevcon File No. W22110

Dear Jeanie,

We enclose herewith the following documents pursuant to the subject Consent and Minor Variance Applications:

- 1. A Consent Application form, with Authorization and Permission to Enter signed by the Owner;
- A Minor Variance Application form, with Authorization and Permission to Enter signed by the Owner:
- 3. A copy of the Severance Plan (SV-1).
- Cheques as per the application fee schedule.

The purpose of the Consent Application is to sever the property to facilitate the creatin of a new lot on the subject lands. The severed parcel will be approximately 15.39 hectares in size and is currently an agricultural lot, proposed for future development that will be consistent with the City of Brampton Official Plan and Gore Meadows Secondary Plan (SP56). The retained land is used for residential purposes and is approximately size 0.38 hectares in size. A single detached dwelling, a heritage building (non-residential) and accessory shed currently occupy the retained lands.

A minor variance is requested based on the approval of the severance, since the retained lands would contain a lot area below the minimum requirement and rear yard setback below the minimum requirement in the Zoning By-law. Therefore, a request to permit a minimum lot area of 0.38 hectares and a minimum rear yard setback of 0.5 metres is being proposed concurrently.

We trust that you will find the foregoing to be satisfactory and request that you initiate the circulation of these applications.

Sincerely, Candevcon Limited

Jin.

8

GTA EAST OFFICE: 1600 STELLAR DRIVE, SUITE 402 . WHITBY, ONTARIO L1N 9B2 . T: (289) 315-3680



GTA WEST OFFICE (CORPORATE) 9358 GOREWAY DRIVE BRAMPTON, ONTARIO L6P 0M7 T: (905) 794-0600 F: (905) 794-0611 PROVIDING CONSULTING SERVICES IN: MUNICIPAL ENGINEERING
TRANSPORTATION PLANNING
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DEVELOPMENT ENGINEERING SERVICES
WATER RESOURCES
ENVIRONMENTAL NOISE STUDIES
LAND USE & ENVIRONMENTAL PLANNING
STRUCTURAL ENGINEERING

## Steven Giankoulas, RPP Candidate

cc: Nick Rapallo

Paul & Roberta Pfundt Diarmuid Horgan Maria Jones



GTA EAST OFFICE: 1600 STELLAR DRIVE, SUITE 402 • WHITBY, ONTARIO L1N 982 • T: (289) 315-3680

## **Flower City**



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

APPLICATION NUMBER:

"B"\_2022-0015

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	Paul Pfur	ndt and Rob	erta Rosemarie Eliza	
	Address	10300 The Gore	Road		(print given and family name	s in full)
		Brampton, Ontari	o L6P 0A6			
	Phone #	416-213-7181		-	Fax #	
	Email	marco@royalpin	ehomes.com			
(b)	Name of	Authorized Agen	t Candevcoi	n Limited (Stev	ven Giankoulas)	
	Address	9358 Goreway D	)rive			
	, taur ooc	Brampton, Onta	rio L6P 0M7			
	Phone #	905-794-0600 e	xt 2060	_;	Fax # 905-794-0611	
	Email	steven@candev	con.com			
3.	Specify	the name of the per	operty to facilitate	the creation c	f a new lot.	ansferred, charged or leased.
э.		t Humber Rive				
4.					the land to be severed a	nd retained):
	a) Name	of Street The	Gore Road			Number <u>10300</u>
	b) Conce	ssion No. 9				Lot(s) 12
	c) Regist	ered Plan No				Lot(s)
	d) Refere	nce Plan No.				Lot(s)
	e) Assess	sment Roll No. 10-1	2-0-001-17300-0	0000	Geographic or Form	er Township <u>N.D.</u>
5.	Are ther	e any easements	or restrictive co	ovenants affe	cting the subject land?	
	Yes Specify		No	<b>V</b>		

a)	Frontage 232.08m Dept	<b>h</b> 659.58m	Area 15.39 ha
b)	Existing Use Agricultural	Proposed	Use Residential and Open Space (Valley
c)	Number and use of buildings and struct	ures (both existing a	and proposed) on the land to be severe
	(existing) Two non-residential structures		
	(proposed None		
d)	Access will be by:	Existing	Proposed
	Provincial Highway		
	Municipal Road - Maintained all year		
	Other Public Road		
	Regional Road	V	
	Seasonal Road		
	Private Right of Way		
e)	If access is by water only, what park approximate distance of these facilities		
f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water syst	en 🔲	
	Lake or other body of water		
	Privately owned and operated individual or communal well		
	Other (specify):		
g)	Sewage disposal will be by:	Existing	Proposed
g)	Sewage disposal will be by:  Publicly owned and operated sanitary sewer system	Existing	Proposed
g)	Publicly owned and operated sanitary	Existing	
g)	Publicly owned and operated sanitary sewer system		
g)	Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system		
	Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system		
	Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system  Other (specify):		
Descr	Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system  Other (specify):	oth 75.58m	
Descr a)	Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system  Other (specify):  ription of retained land: (in metric units)  Frontage 50.79m Dep	oth 75.58m  Propose	Area 0.38 ha
Descr a) b)	Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system  Other (specify):  Pription of retained land: (in metric units)  Frontage 50.79m  Depute Existing Use Residential	oth 75.58m  Propose tures (both existing	Area 0.38 ha  d Use Residential  and proposed) on the land to be retain

d)	Access will be by:		Existing		Proposed	
	Provincial Highway					
	Municipal Road - Mai	ntained all year				
	Other Public Road					
	Regional Road		V			
	Seasonal Road					
	Private Right of Way					
e)		er only, what parking e of these facilities fro				
f)	Water supply will be	by:	Existing		Proposed	
	Publicly owned and	operated water systen	V			
	Lake or other body o	f water				
	Privately owned and or communal well	operated individual				
	Other (specify):					
g)	Sewage disposal wil	i be by:	Existing		Proposed	
	Publicly owned and sewer system	operated sanitary	~			
	Privy					
	Privately owned and or communal septic					
	Other (specify):		_			
What is t	the current designation	n of the land in any ap	plicable zo	oning by-law a	and official plan	1?
		Land to be Severed		Land to b	e Retained	
Zoning E	3y-Law	A1-1520, Floodplain		A1-1520		
Official F	Plans of Brampton	Residential, Open Space		Residential, C	Open Space	
Re	gion of Peel	Urban System		Urban Syster	n	
section	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				ā
Has any	land been severed fro	m the parcel originally	/ acquired	by the owner	of the subject	land?
Yes 🗆	No 🗵	]				
Date of	Transfer		Land Us	e		

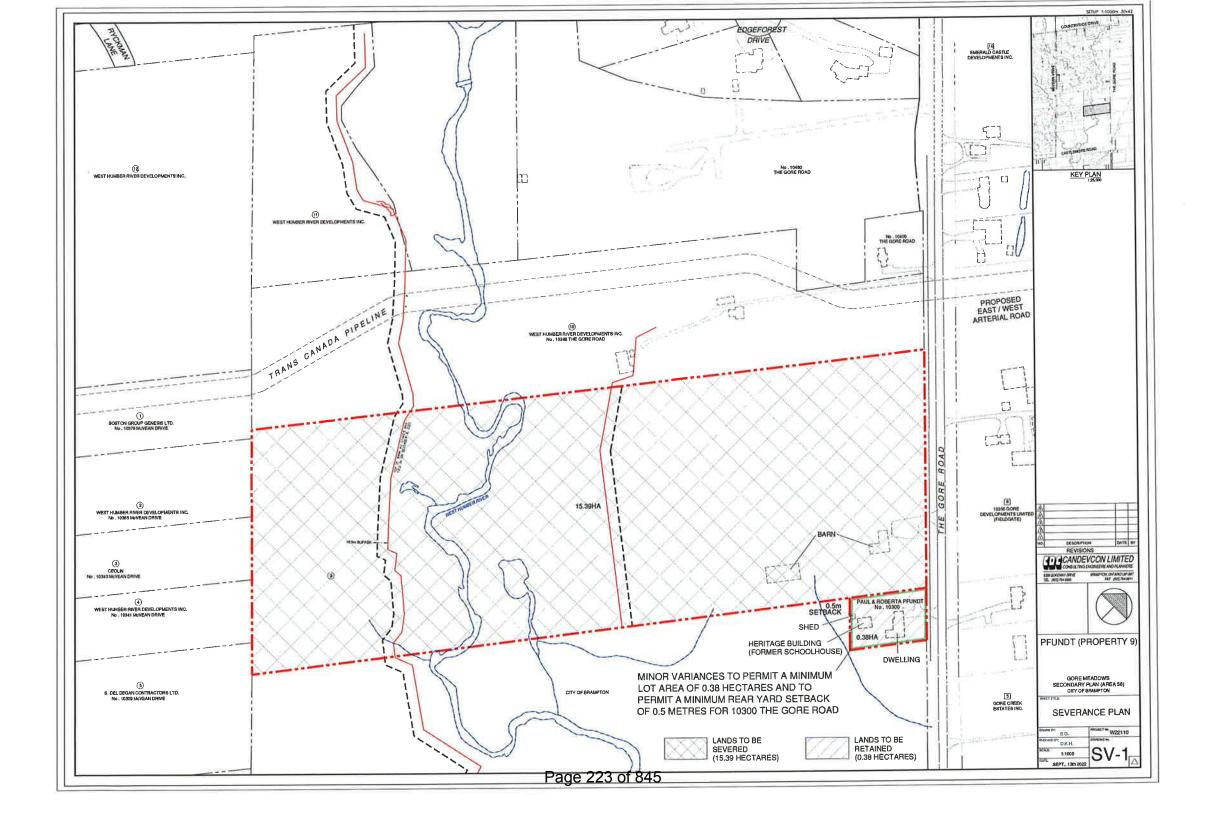
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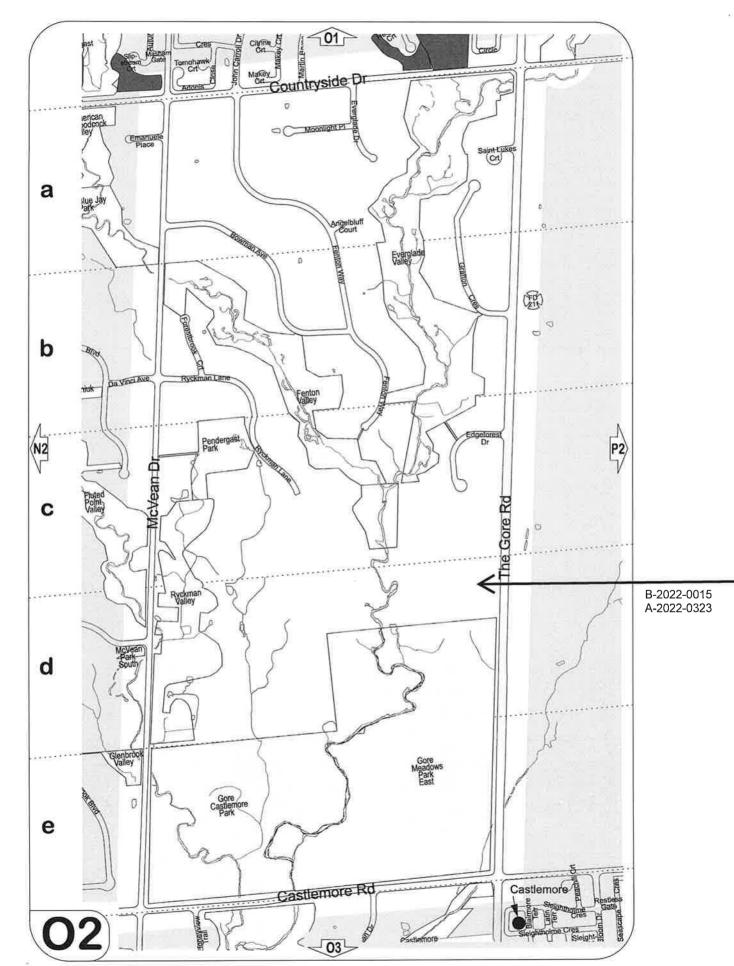
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10.

11.	If known, is/was the subject lar	nd the subject of any o	other applic	ation und	er the Planning	Act, such as:	
		File Number			Status		
	Official Plan Amendment	,	-			<del>_</del>	
	Zoning By-law Amendment	-				_	
	Minister's Zoning Order	( <del></del>	_				
	Minor Variance	A-2022-0323	ب	Conc	WER ENT		
	Validation of the Title	3	-				
	Approval of Power and Sale						
	Plan of Subdivision		_				
12.	Is the proposal consistent with	n Policy Statements iss	sued under	subsection	on 3(1) of the P	Planning Act?	
13.	Is the subject land within an ar	rea of land designated	under any	Provincia	l Plan? Yes 🔽	No 🗖	
14.	If the answer is yes, does the a	application conform to	the applic	able Provi			
					Yes 🔽	No 🔲	
15.	If the applicant is not the own is authorized to make the ap AGENTS" form attached).	er of the subject land plication, shall be at	, the writte tached. (S	n authoriz ee "APPC	ation, of the ov	wner that the applican  AUTHORIZATION OI	t =
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	d at the		, 20 22.		_		
this	s 27 day of	tember	_, 20		.ee		
	100	2-	_		box if applicable		
	Signature of Applicant, or Authorized A		_	the Corpo	e authority to bine pration	a	
		DECLAR	ATION				
	, Steven Gianko	Jas of the	City	of	Richmone	d Han	
n the Co	unty/District/Regional Municipality			<b>-</b> 3;	) <del></del>	statements contained in	i t
	n are true and I make this as if ma		 irtue of "The	e Canada B	Evidence Act".		
	0-	$\circ$					
Declared be	efore me at the of	Dyampton	<b>≟</b>		<b>\</b>		
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this <u>27</u>	day of Suptember	_, 20_22		Signature of	applicant/solicitor/au	ithorized agent, etc.	
			Je	eanie Cec	Submit by En	nail	0);
	Leguis Ma	Leis	a P	Commissi rovince of	oner, etc., Ontario		
/	Signature of a Commissioner, etc.		C	ity of Bran	poration of the npton did 8, 2024.	m.	
/	FOR OFFIC	E USE ONLY - To Be (					_
	This application has been revi	ewed with respect to po review are outlined on t	ssible varia	nces requi	red and the resu	lts	٦
	or the said	review are outlined on t	ne allached	CHECKISE.			
	all Tagre		Oct 5,		ate	<del>_</del>	
	Zoning Officer			ט	11C		
	DATE RECEIVE	D Supte	nlee 2	14, 202	22		

Date Application Deemed Complete by the Municipality







Filing Date: September 27, 2022 Hearing Date: January 24, 2023

File: B-2022-0015 & A-2022-0323

Owner/

Applicant: PAUL PFUNDT AND ROBERTA ROSEMARIE ELIZABETH PFUNDT

Address: 10300 The Gore Road

Ward: WARD 10

Contact: François Hémon-Morneau, Planner III

#### Recommendations:

That application B-2022-0015 is supportable, subject to the following conditions being imposed:

- 1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
- 2. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received; and,
- 3. Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration.

That application A-2022-0323 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision; and,
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 15.77 hectares (38.97 acres). The proposed severed lot has an area of approximately 15.16 hectares (37.46 acres). The effect of the application is to separate the proposed retained lot which remains occupied by a single detached dwelling, a designated heritage building and an accessory structure (shed) from the proposed severed lot which is currently zoned Agricultural and Floodplain.

## Background:



Official Plan: The subject property is designated 'Residential' in the Official Plan;

- Secondary Plan: The subject property is located within the Gore Meadows Secondary Plan (Area 56) for which there is no Secondary Plan in effect;

- Zoning By-law: The subject property is zoned 'Agricultural – Special Section 1520 (A-1520)' according to By-Law 270-2004, as amended.

## Requested Severance:

The severance application is intended to facilitate the creation of a new lot encompassing an existing detached dwelling and accessory structures. The proposed development includes the severance of the subject property into two separate lots. The retained portion will include the existing dwelling and the former schoolhouse and the severed lands will include the two farm buildings and agricultural fields. There is no proposed development of the retained or severed lands as part of this severance application. A related minor variance application (A-2022-0323) is required to allow the resulting reduced lot area and setbacks to an existing accessory structure on the retained lot.

Staff has undertaken a thorough review of the proposals, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent applications are considered to represent proper and orderly planning and can be supported from a land use perspective.

## Minor Variance Application:

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0015:

- 1. To permit a minimum lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 4.0 hectares;
- 2. To permit a minimum rear yard setback of 0.5m (1.64 ft.) to an existing accessory structure (shed) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the nearest property lines for an accessory structure.
- 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Residential' in the Official Plan and is located within the Gore Meadows Secondary Plan (Area 56) for which there is no Secondary Plan in effect.

The variances are requested in connection to the severance of the property and seek to permit the resulting lot area and location of an existing accessory structure. The variances have no impact within the context of the policies of the Official Plan. Subject to the recommended conditions of approval, the requested variances maintain the general intent and purpose of the Official Plan.



### Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to permit a minimum lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 4.0 hectares. The intent of the by-law in requiring a minimum lot area is to ensure that a certain character is maintained for the property and that the size of the lot is capable of accommodating the intended use or development. The Agricultural zone provides for large lot sizes meant to accommodate agricultural uses and operations. The reduced lot area is not anticipated to jeopardize the functionality of the lot and will effectively maintain the character of the surrounding area. As such, the proposed lot area of 3,300 sq. m (0.33 hectares) is not anticipated to negatively impact the character of the property or the surrounding neighbourhood. The requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

The second variance is requested to permit a minimum rear yard setback of 0.5m (1.64 ft.) to an existing accessory structure (shed) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the nearest property lines for an accessory structure. The intent of the by-law in regulating minimum setbacks for accessory structures is to ensure that there is adequate room for drainage and maintenance of structures. In this case, the shed generally requires minimal maintenance and drainage in the rear yard does not appear to have been affected by the shed. The location of the structure is not considered to impact the drainage on adjacent properties. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

The requested variances reflect the existing conditions of the site and will facilitate the overall severance of the property. The first variance is needed to allow the resulting lot area which is less than what the By-law requires. The reduction in lot area is partly attributable to the Regional requirements for land dedication which are contemplated as part of the severance. The existing residential dwelling and other structures on the retained lot are not anticipated to be negatively impacted by the severance and reduced lot area. The second variance is requested to allow the location of an existing shed with reduced setbacks in the rear yard of the property. The adjacent property consists of agricultural land and the accessory structure is not considered to negatively impact access or drainage on-site or off-site. The variances are considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

The first variance is needed to allow the resulting lot area which is approximately 0.07 hectares (700 sq. m) less than what the By-law requires. This decrease is considered to be a minor deviation from the Zoning By-law and is not anticipated to generate negative impacts to the functioning of the property or adjacent properties. The second variance is reflective of existing site conditions relating to reduced setbacks to a shed. The location of the shed is not considered to negatively impact the site or adjacent properties. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner III





## SCHEDULE "A"

## CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed severance has no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed severance is neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The severance is suitable for the purposes for which it is to be subdivided.
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 the adequacy of them;	The proposed severance does not present any concern with regard to the adequacy of the roadwork network. The Region of Peel will require the gratuitous dedication of lands to meet the Official Plan requirement of a 45 metre mid-block Right of Way along The Gore Road (Regional Road 8) 22.5 metres from the centreline of the road allowance. It will also require the gratuitous dedication of a 0.3 metre reserve along the frontage of The Gore Road behind the property line, lifted over any approved access.
f)	The dimensions and shapes of the proposed lots;	The shape and dimension of the proposed and retained lots are appropriate for the intended uses. A minor variance is requested to permit a 0.07 hectare reduction to the required lot area.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected	No concerns are noted with regard to restrictions on the lands included in the lease area.



	on it and the restrictions, if any, on adjoining land;	
h)	The conservation of natural resources and flood control;	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The proposed severance present no concerns with regard to the adequacy of school sites.
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 concerns related to conveyances for public purposes. The dedication of land to the Region of Peel will be required to accommodate future road widening of The Gore Road.
l)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed severance has no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	The proposed severance has no impact on matters of Site Plan Control under the Planning Act.



## **Public Notice**

## **Committee of Adjustment**

**APPLICATION # B-202-0019** Ward #6

#### **DEFERRED NOTICE OF AN APPLICATION FOR CONSENT**

An application for consent has been made by BOVAIRD WEST HOLDINGS INC.

#### **Purpose and Effect**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 3.25 hectares (8.03 acres), together with reciprocal easements for access and servicing. The proposed severed lot has a frontage of approximately 108.57 metres (356.20 feet), a depth of approximately 138.28 metres (453.67 feet) and an area of approximately 1.73 hectares (4.27 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot to the east for residential/mixed use and the retained lot to the west for retail and commercial uses.

#### **Location of Land:**

Municipal Address: Lagerfeld Drive

Former Township: Town of Brampton

Northeast of Bovaird Drive West and Creditview Road

Legal Description: Block 2, Plan 43M-1927

#### **Meeting**

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

\_\_\_\_\_\_ **NOTE:** IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

## Other Planning Act Applications

Minor Variance:

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

Official Plan Amendment:

NO

File Number:

Zoning By-law Amendment:

NO

File Number: File Number:

## **Decision and Appeal**

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021. The appeal form is available from the Ontario Land Tribunal website at https://olt.gov.on.ca/appeals-process/forms/

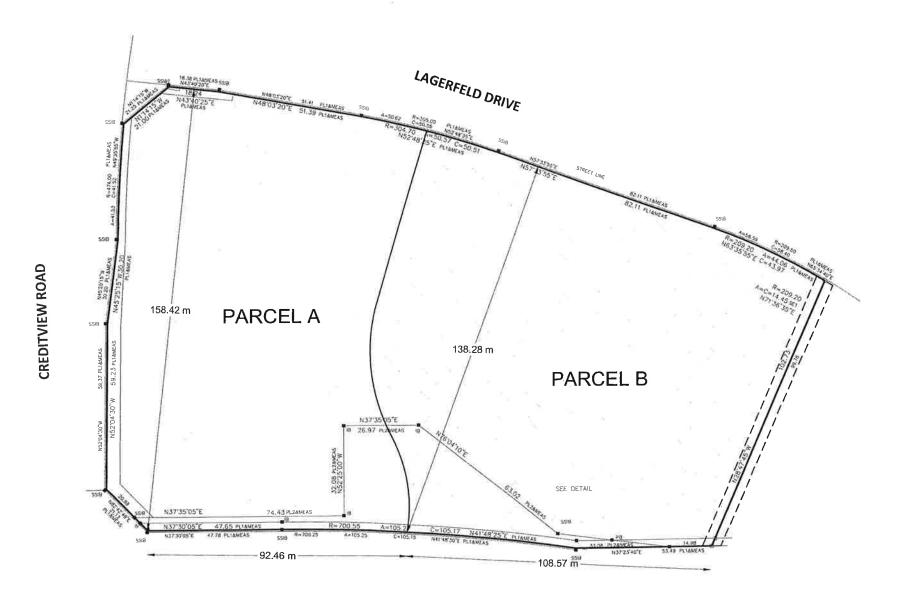
If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Ontario Land Tribunal may dismiss the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

DATED AT THE CITY OF BRAMPTON THIS 5th Day of January, 2023

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer City of Brampton Committee of Adjustment City Clerk's Office, Brampton City Hall 2 Wellington Street West Brampton, Ontario L6Y 4R2 Pagenorial 9658674-2117

Fax:



**BOVAIRD DRIVE WEST** 

Page 231 of 845

## **SEVERANCE SKETCH**

PLAN OF SURVEY OF BLOCK 2 PLAN 43-M-1927 CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL

PARCEL A (to be Retained)
Area: 1.52 ha (3.76 ac) Frontage: 92.46 m 158.42 m Depth:

PARCEL B (to be Severed)
Area: 1.73 ha (4.27 ac) Frontage: 108.57 m Depth: 138.28 m

[\_\_] Mutual Access Easement

Blanket Easement for Reciprocal Access and Servicing

Date: October 12, 2022

Scale: 1:1,000

File: Y329 - AP

Drawn: R.M.









Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday, January 19, 2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



KITCHENER WOODBRIDGE LONDON KINGSTON BARRIE BURLINGTON

## B-2022-0019

October 18, 2022

Jeanie Myers Legislative Coordinator Secretary-Treasurer Committee of Adjustment City Clerk's Office City of Brampton 2 Wellington Street West Brampton, ON L6Y 4R2

Dear Ms. Myers:

RE:

APPLICATION FOR CONSENT FOR SEVERANCE BOVAIRD AND CREDITIVEW ROAD, BRAMPTON

MHBC FILE: Y329AP

On behalf of our client, Bovaird West Holdings Inc. (the "Owner"), please find enclosed our revised Consent for Severance application for the property generally located northeast of Creditview Road and Bovaird Drive in the City of Brampton.

In support of this application, we have enclosed the following items:

- One (1) fully completed copy of the consent application; and
- One (1) digital copy of the severance sketch.

## SITE CONTEXT

The Subject Lands are generally located northeast of Creditview Road and Bovaird Drive in the City of Brampton. Immediately south of the west parking lot of Creditview GO station. The Subject Lands have approximately 129 metres of frontage on Creditview Road, 205 metres frontage along Bovaird Drive, and a total area of approximately 33,468 square metres. The Subject Lands are currently vacant, consisting of a grassed lot with no trees. The Subject Lands were part of previous City applications OPA/ZBA to zone the property to allow for commercial and mixed use development. Surrounding area land uses are as follows:

1

204-442 BRANT STREET / BURLINGTON / ONTARIO / L7R 2G4 / T 905 639 8686 / F 905 761 5589 / **WWW.MHBCPLAN.COM** 

**North:** Immediately north of the Subject Lands, across Lagerfeld Drive, is the parking lot for Mt. Pleasant GO Station. Further north the predominant land use is low and mid-rise residential, including primarily 3 storey town house dwellings.

**South:** Immediately south of Bovaird Drive West, is various low density residential in the form of semi-detached dwellings.

**East:** To the east of the Subject Lands is another block of development that was subject to a consent application. The intent is to that the immediate east will be developed as high-density residential, further east is additional high-rise residential (currently under construction).

West: Immediately west of Creditview Road, is being developed for a mix of medium density housing.

## **OVERVIEW:**

The purpose of this application is to allow for a severance of Block 2 so that the co-owners can develop both parcels at the same time. The west parcel will be initially developed for retail and commercial uses, while the easterly portion will be developed for high-rise residential uses. It is anticipated that the future development applications on the east side will also facilitate the new north-south roadway. The west parcel is intended to have a lot area of 15,219 m² while the east parcel is intended to have lot area of 15,217 m² in size, with frontages of approximately 92 m and 109 m respectively. The depths of the proposed parcels are 158 m and 138m. Both of the parcels will meet minimum zoning standards as displayed in the table below.

Zoning By-law 270-2004 Provision	Requirement (C3 Zone)	Parcel A	Parcel B
Min Lot Width	21 metres	92 metres	109 metres
Min Lot Depth	21 metres	158 metres	138 metres

### JUSTIFICATION OF PROPOSAL

While this application is a consent under section 53 of the *Planning Act*, the determination of whether the approval of the consent should be granted is noted in Section 53(12). Section 53(12) notes that the granting of approval is based on whether there is sufficient regard for the matters under Section 51(24). In our opinion, the proposed severance does have 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 application is to sever the existing lot and create two separate parcels. The proposal includes a blanket easement for reciprocal access and servicing.

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

Section 51(24)(b) has been met as uses contemplated for both the retained and severed lands will be permitted in the Brampton Official Plan, Fletcher Meadows Secondary Plan, and the site specific *Zoning By-law* on both parcels.

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

Section 51(24)(c) has been met as the proposal conforms to the *City of Brampton Official Plan and Fletchers Meadow Secondary Plan*. The Subject Lands are zoned 'Commercial Three' and 'Residential Apartment', both with site specific modifications and uses to allow for a mix of uses on both the retained and severed portions of the Subject Lands. The proposed severance is to facilitate appropriate sized development parcels and will maintain the intent of the site designations and zoning.

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

The proposed severance application will create two parcels that are suitable, appropriate and compatible with the existing character of the surrounding area. The subdivided lands will maintain the City standards as set forth in *Zoning By-law 270-2004*.

f) The dimensions and shapes of the proposed lots;

The proposal results in the creation of two new parcels that have shapes and sizes that comply with the *Zoning By-law* requirements. The proposed parcels will be suitable for future development as contemplated through site specific zoning for the Subject Lands.

i) The adequacy of utilities and municipal services.

Section 51(24)(i) has been fulfilled for the retained lands as the properties are intended to be fully serviced through subsequent development approvals. A master servicing study was undertaken with previous applications to determine servicing to facilitate future development on the Subject Lands. Infrastructure has been confirmed to be available for the parcels. Similarly, servicing studies will be provided in support of any future applications.

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. The Subject Lands are also to be subject to future site plan applications which will allow additional review before approval.

3

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 will be required to facilitate the development on both parcels. Ultimate development scenarios will be subject to the site specific provisions of the Zoning By-law. The lot configurations of both the retained and severed parcels meet the City standards in terms of lot width and depth. The severance and lot addition will ensure that appropriately sized development parcels are created to allow for development that will have appropriate minimum setbacks.

Based on the above analysis, the proposed severance meets the tests under section 51(24), specifically, (a), (b), (c), (d), (f), (i), (k) and (m). Given the context and scope of the proposal, the criteria of 51(24) (e), (g), (h), (j), and (l) are not applicable. Therefore, the proposed severance is in the public interest, represents good planning and has sufficient regard for the matters under Section 51(24) of the *Planning Act*.

## CONCLUSION

It is in our opinion that the requested consent for severance meets the requirements of Section 51(24) of the Planning Act and conforms to the applicable Official Plan policies and Zoning provisions. We request that this application be circulated for staff review and be scheduled for the next available Committee of Adjustment hearing.

If you require further information please do not hesitate to contact us. We look forward to this matter being scheduled on the next available hearing date.

Yours truly,

MHBC

Oz Kemal, BES, MCIP, RPP

Bokel

Partner

## **Flower City**



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

**APPLICATION NUMBER:** 

"B"- 2022-0019

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/Appl	icant Bovaird West Holdin	ngs Inc.	
	Address 2851 John	Street, Suite 1, Markham, ON, L3R	(print given and family names in 5R7	tull)
	Phone # 905-477-920	00	Fax #	
	Email sbishop@na	dg.com & erica.govan@choicereit.ca		
(b)	Name of Authorized			
	Address 442 Brant	Street, Suite 204, Burlington, ON, LT	7R 2G4	
	Phone # 905-639-868	36 x225	Fax #	
	Email okemal@ml	nbcplan.com		
2.	Specify: Block 2 on	ourpose of the proposed transaction, a charge, a lease or a correction Plan 43M-1927 to be split to created servicing.	on of title.	
3.	If known, the name of Unknown at this time	the person to whom the land or an in	terest in the land is to be trans	ferred, charged or leased.
4.	Description of the s	ubject land ("subject land" means	the land to be severed and	retained):
	a) Name of Street	Lagerfeld Drive/Creditview Road/Bovain	d Drive West	Number
	b) Concession No.			Lot(s)
	c) Registered Plan No.	. <u>43M-1927</u>		Lot(s) 2
	d) Reference Plan No.			Lot(s)
	e) Assessment Roll No	o. <u>211006000300326</u>	Geographic or Former 1	ownship Brampton
5.	Yes ✓	nents or restrictive covenants affe		
	Specify: The Subject	ct Lands are subject to an easement in fav	our of Hydro One which is located	I along the Bovaird Frontage

6.

7.

a)	Frontage ~108m Dept	h_~138m	Area ~1.73ha	
b)	Existing Use Vacant	Proposed	Use Residential / Mixed-Use	
<b>c</b> )	Number and use of buildings and structo	res (both existing a	and proposed) on the land to be seve	ered:
	(existing) None			
	(proposed None			
d)	Access will be by:	Existing	Proposed	
u,	Provincial Highway			
	Municipal Road - Maintained all year			
	Other Public Road	_		
	Regional Road			
	Seasonal Road	Ш		
	Private Right of Way			
e)	If access is by water only, what park approximate distance of these facilities			is th
f)	Water supply will be by:	Existing	Proposed	
f)	Water supply will be by: Publicly owned and operated water syst		Proposed	
f)			Proposed	
f)	Publicly owned and operated water syst	en 🔽	Proposed	
f)	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well	en 🔽		
f) g)	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well	en 🗸		
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):	en 🔽		
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary	Existing		
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system	Existing		
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system	Existing	Proposed	
g)	Publicly owned and operated water system  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system	Existing	Proposed	
g)	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system  Other (specify):  iption of retained land: (in metric units)	Existing	Proposed	
g) Descri	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system  Other (specify):  iption of retained land: (in metric units)	Existing  I  I  I  I  I  I  I  I  I  I  I  I  I	Proposed  □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □	
g) Descri	Publicly owned and operated water system  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system  Other (specify):  iption of retained land: (in metric units)  Frontage92m	Existing	Proposed  Area ~1.52ha  d Use Residential / Mixed-Use	ained:

d)	Access will be by:	Existing	Proposed		
	Provincial Highway				
	Municipal Road - Maintained all year	<b>✓</b>			
	Other Public Road				
	Regional Road	<b>V</b>			
	Seasonal Road				
	Private Right of Way				
е)	If access is by water only, what parkir approximate distance of these facilities fr		cking facilities will be used and what is the bject land and the nearest public road?		
f)	Water supply will be by:	Existing	Proposed		
	Publicly owned and operated water syste	n 🗸			
	Lake or other body of water				
	Privately owned and operated individual or communal well				
	Other (specify):				
g)	Sewage disposal will be by:	Existing	Proposed		
	Publicly owned and operated sanitary sewer system	<b>7</b>			
	Privy				
	Privately owned and operated individual or communal septic system				
	Other (specify):				
What is	the current designation of the land in any a	oplicable z	oning by-law and official plan?		
	Land to be Severed	I	Land to be Retained		
Zoning I	By-Law Commercial Three (C3-5326	3)	Commercial Three (C3-5326)		
Official I	Plans of Brampton  Mixed Use Node (Fletcher's Meadow)	<u>.</u>	Mixed Use Node (Fletcher's Meadow)		
Re	egion of Peel Urban System	_	Urban System		
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   Status/Decision   Approved					
Has any	land been severed from the parcel original	ly acquired	by the owner of the subject land?		
Yes 🖸	No 🗆				
Date of	Transfer <u>2022</u>	Land Us	High-Rise Residential (Block 3)		

8.

9.

10.

11,	If known, ia/was the subject la	nd the subjec	ct of any	other appli	cation under	the Planning	Act, a	uch as:	
		File Nu	mber		St	atus			
	Official Plan Amendment			-			_		
	Zoning By-law Amendment	C04W11010		_	OMB Approve	ed (PL 160476	<u>)</u>		
	Minister's Zoning Order			_			_		
	Minor Variance								
	Validation of the Title	-	2				_		
	Approval of Power and Sale								
	Plan of Subdivision			:					
				-					
12,	is the proposal consistent with	Policy State	ents is	sbed unds		3(1) of the <i>Pl</i> es 🚺	anning No	Act?	
13.	is the subject land within an a	rea of land de	aignated	l under any		lan? es 🔼	No		
14.	If the answer is yes, does the	application co	onform to	the applic		al Plan? es 🔽	No		
15.	If the applicant is not the own is authorized to make the ap AGENTS" form attached).								
Dated	d at the <u>Clty</u>	_ of <u>_</u>	Budington						
this	day of October			2022					
	1/1/				Check box	if applicable:			
	Signature of Applicant, or Authorized A	eest see sels se			I have the au	•	i		
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		D	ECLAR	ATION					
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the Cou	nty/District/Regional Municipality	of Waterloo		sc	olemniy declar	e that all the s	tateme	nis conia	ined in t
plication	n are true and I make this as If ma	de under oath	and by v	irtue of 'The	e Canada Evid	ence Act"			
ciared bet	fore me at the City Of	Burlington				11			
the	Region of Hafton			- /	18, 10	1			
is XT	day of <u>October</u>	2022		-//	Signature of appli	cant/solicitor/aut)	nortzed a	gent, elc	
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10	MUSURE	X		Co	mmissione	r, etc., Prov	vince	of	
	Signature of a Commissioner, etc.	- 3	(2)	C	Intario, for Inited. Expir	MHBC Pla	nning	<u>)</u>	
	FOR OFFICE	E USE ONLY	- To Be C	The second second	ly the Zoning C	Towns County of the last of th	2, 202	ين. م	
	This application has been revie		ect to po	ssible vartar	nces required a		3		
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	/ all layre_				Oct 18, 2022				
	Zoning Office				<del></del>	Date			
	DATE RECEIVE	60	dob	ا ن	3, 202	2			
	Date Application Deeme								

BOVAIRD DR W

## **SEVERANCE SKETCH**

PLAN OF SURVEY OF BLOCK 2 PLAN 43-M-1927 CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL

PARCEL A (to be Retained)
Area: 1.52 ha (3.76 ac)
Frontage: 92.46 m
Depth: 158.42 m

PARCEL B (to be Severed)
Area: 1.73 ha (4.27 ac)
Frontage: 108.57 m
Depth: 138.28 m

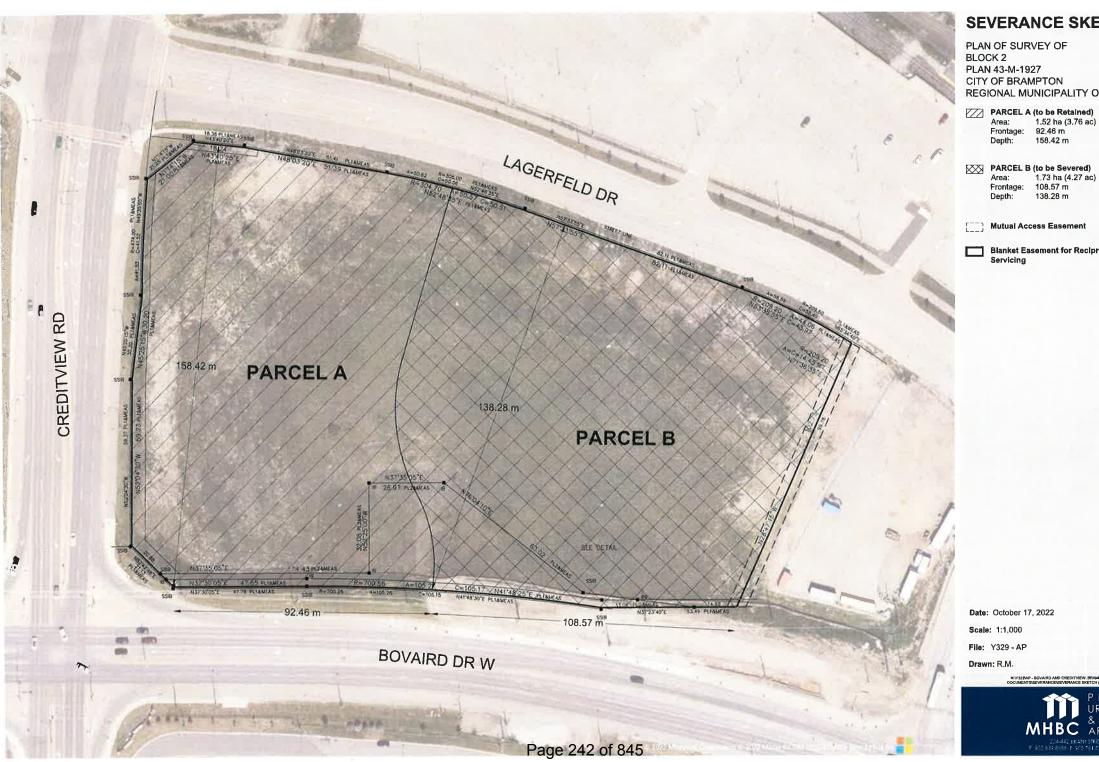
Mutual Access Easement

Blanket Easement for Reciprocal Access and Servicing

Date: October 18, 2022

Scale: 1:1,000 File: Y329 - AP Drawn: R.M.





## **SEVERANCE SKETCH**

PLAN OF SURVEY OF PLAN 43-M-1927 CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL

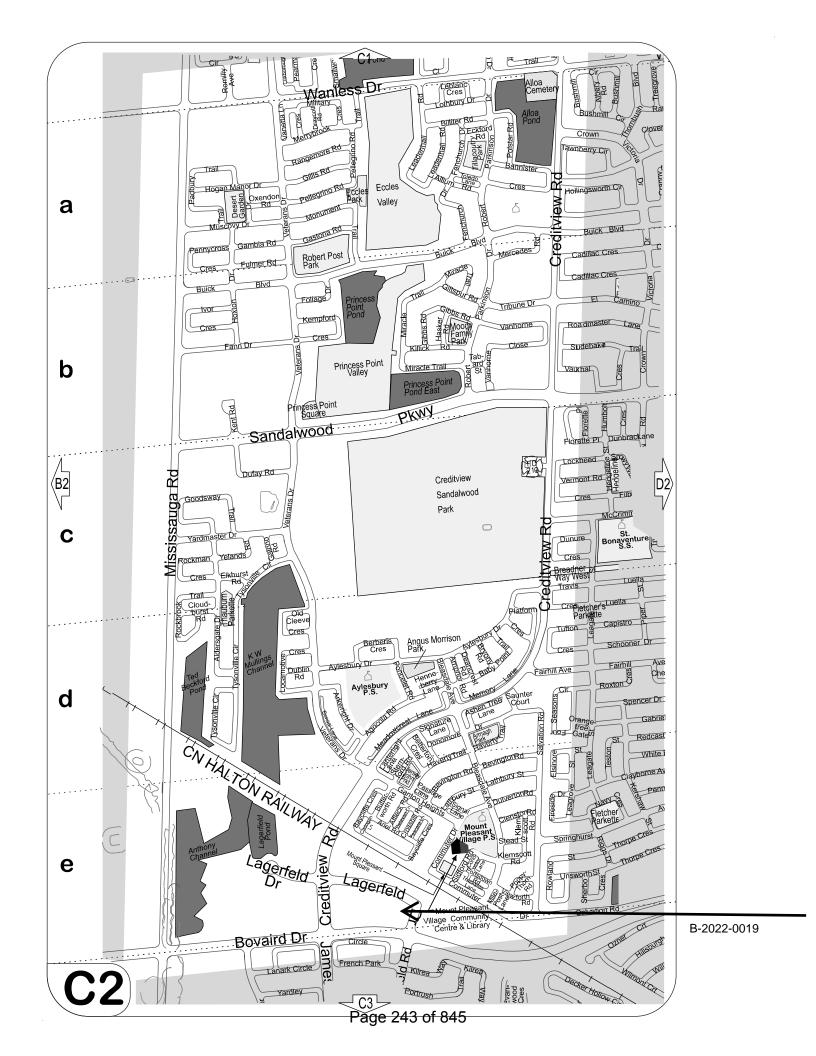
Depth: 158.42 m

138.28 m

[\_\_] Mutual Access Easement

Blanket Easement for Reciprocal Access and







Filing Date: October 19, 2022 Hearing Date: January 24, 2023

File:

B-2022-0019

Owner/

Applicant:

**BOVIRD WEST HOLDINGS INC.** 

Address:

**Lagerfeld Drive** 

Ward:

WARD 6

Contact:

Simran Sandhu, Assistant Development Planner

#### Recommendations:

That application B-2022-0019 is supportable, subject to the following conditions being imposed:

- 1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
- 2. Prior to the issuance of the consent certificate the Owner agrees to make arrangements to the satisfaction of the Commissioner of Public Works and Engineering to register all the required private servicing easement over the severed lands in favour of the retained lands;
- 3. The owner agrees to provide blanket accesses easement between retained land (Parcel A) and severed land (Parcel B). The blanket access easement will be in perpetuity and to the satisfaction of the City Solicitor and the City's Commissioner, Public Works & Engineering;
- 4. The owner agrees that accesses to Creditview Road and Lagerfeld Dr. from the retained portion will be restricted to right-in-right-out movements only;
- 5. The Owner shall provide confirmation to Metrolinx that the warning clause as provided in their correspondence (See Appendix A) has been inserted into all Development Agreements, Offers of Purchase and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor;
- 6. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.

#### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 3.25 hectares (8.03 acres), together with reciprocal easements for access and



servicing. The proposed severed lot has a frontage of approximately 108.57 metres (356.20 feet), a depth of approximately 138.28 metres (453.67 feet) and an area of approximately 1.73 hectares (4.27 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot to the east for residential/mixed use and the retained lot to the west for retail and commercial uses.

## Background:

- Official Plan: The subject property is designated 'Residential' in the Official Plan;
- Secondary Plan: The subject property is designated 'Mixed Use Node' in the Fletchers Meadow Secondary Plan (Area 44a); and
- **Zoning By-law:** The subject property is zoned 'Commercial Three (C3 5326)' according to By-Law 270-2004, as amended.

#### **Current Situation:**

The owner is seeking approval to sever the parcel of land to create two individual lots from the existing lot. The applicant is also requesting to establish shared access and servicing easements. The proposed severed and retained lands maintain all Zoning By-law requirements for lot size and dimensions. The proposal seeks to develop the retained lands (Parcel A) for retail and commercial uses and develop the severed lands (Parcel B) for high-rise residential use.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted.

Simran Sandhu, Assistant Development Planner





## **SCHEDULE "A"**

## <u>CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT</u>

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed severance, access and sanitary easements have no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed severance, access and sanitary easements are neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance, access and sanitary easements do not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The severance, access and sanitary easements are suitable for the purposes for which it is to be subdivided.
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 the adequacy of them;	The proposed severance, access and sanitary easements do not present any concern with regard to the adequacy of the roadwork network.
f)	The dimensions and shapes of the proposed lots;	The shape and dimension of the proposed lot is appropriate and maintains all minimum Zoning By-law requirements.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h)	The conservation of natural resources and flood control;	The proposed severance, access and sanitary easements present no concerns with

The Corporation of The City of Brampton 2 Wellington Street West, Brampton, ON L6Y 4R2 T: 905.874.2000 TTY: 905.874.2130



		<del>_</del>
		regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The proposed access and sanitary easements present no concerns with regard to the adequacy of school sites.
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 concerns related to conveyances for public purposes.
l)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed severance, access and sanitary easements have no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	There are no concerns related to the design of the proposal and matters of Site Plan Control under the Planning Act.







#### **APPENDIX A**

#### Myers, Jeanie

From:

Farah Faroque < Farah. Faroque@metrolinx.com>

Sent:

2022/11/10 4:19 PM

\_

City Clerks Office; Myers, Jeanie

Subject:

[EXTERNAL]B-202-0019 - Bovaird West Holdings Inc. - Lagerfeld Dr - MV comments

Attachments:

Metrolinx Environmental Easement January 2022.pdf

Caution: This email originated from outside the organization. Do not click links or open attachments that you do not trust or are not expecting.

#### Good afternoon.

Metrolinx is in receipt of the consent application for Lagerfeld Dr (Northeast of Bovaird Dr W and Creditview Rd) to facilitate the severence of the land into two lots for the development of mixed use residential uses on the subject property being severed and further to facilitate the development of retail/commercial uses on the subject property being retained. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters, adjacent to Canadian National (CN) Rail's Halton Subdivision which carries Metrolinx's Kitchener GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact <a href="Deck Brunelle@Metrolinx.com">Deck Brunelle@Metrolinx.com</a> with questions and to initiate the registration process. Registration of the easement will be required prior to clearance of site plan approval. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor
  - Warning: Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.
- It is kindly requested that Metrolinx is circulated on future applications of the subject lands for review and commenting purposes as Metrolinx may have further requirements as the project progresses.

Best,

Farah Faroque

Intern, Third Party Projects Review
10 Bay Street | Toronto | Ontario | M5J 2N8
T: 437.900.2291







#### Form of Easement

WHEREAS the Transferor is the owner of those lands legally described in the Properties section of the Transfer Easement to which this Schedule is attached (the "Easement Lands");

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual non-exclusive easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including furnes, odours, dust, smoke, gaseous and particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations (herein collectively called the "Operational Emissions").

THIS Easement and all rights and obligations arising from same shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, servants, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of each party hereto, if more than one person, shall be joint and several.

Easement in gross.



## **Public Notice**

## **Committee of Adjustment**

**APPLICATION # B-202-0020** 

Ward #8

#### DEFERRED NOTICE OF AN APPLICATION FOR CONSENT

An amended application for consent has been made by 2441925 ONTARIO LTD.

#### Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.229 hectares (3.04 acres), together with easements for parking, access, sanitary and water servicing and storm servicing. The proposed severed lot has a frontage of approximately 43.7 metres (143.37 feet), a depth of approximately 76.35 metres (250.50 feet) and an area of approximately 0.334 hectares (0.825 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot with a new 8 storey office building with 2 levels of underground parking. The retained lands will continue to be occupied by a banquet hall.

#### **Location of Land:**

Municipal Address: 2 Auction Lane

Former Township: Toronto Gore

Legal Description: Part of Lot 5, Concession 7 ND

#### Meeting

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4<sup>th</sup> Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

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## LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

<u>NOTE:</u> IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

### Other Planning Act Applications

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

Official Plan Amendment: NO Zoning By-law Amendment: NO

Minor Variance: YES File Number: A-2022-0039 and a-2022-0349

## **Decision and Appeal**

Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021. The appeal form is available from the Ontario Land Tribunal website at <a href="https://olt.gov.on.ca/appeals-process/forms/">https://olt.gov.on.ca/appeals-process/forms/</a>

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

DATED AT THE CITY OF BRAMPTON THIS 5th Day of January, 2023

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

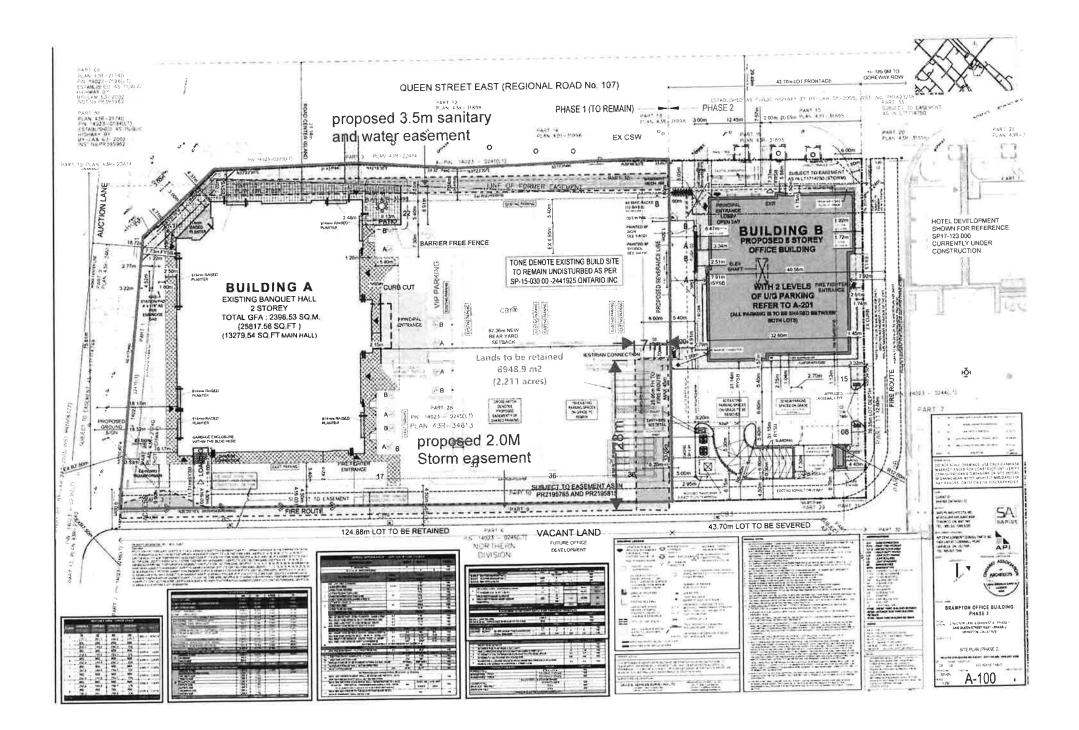
Jeanie Myers, Secretary-Treasurer
City of Brampton Committee of Adjustment
City Clerk's Office, Brampton City Hall
2 Wellington Street West
Brampton, Ontario L6Y 4R2

File Number:

File Number:

Phone: (905)874-2117 Pageanelmyere brampton.ca

Fax: (905)874-2119





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

# How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, January 19, 2023.** 

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

December 14, 2022

13-2020 - 0020 AMENDED

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

# Re: AMENDMENT TO CONSENT APPLICATION FOR SEVERED LANDS (2 Auction Lane)

I am writing with respect to the consent application for 2 Auction Lane that was deferred at the November 15, 2022 Committee of Adjustment meeting, in conjunction with the concurrent minor variance applications for the retained and severed lands. These applications were deferred to allow for confirmation of the details of the required servicing easements to be registered on the retained lands in response to the concerns raised by City Building and Engineering staff with respect to the proposed reciprocal blanket servicing easements.

I am writing to request that the consent application be amended to include the establishment of the following easements on the retained lands as illustrated on the revised reference plan submitted in support of these applications:

- 1. 3.5-metre wide sanitary and water servicing easement along the north side of the retained lands; and
- 2. 2.0-metre wide storm servicing easement along the south side of the retained lands.

No other amendments are required to the consent application or minor variance applications for the retained and severed lands. Please let me know any additional information required or questions you have.

Regards,

Michael Barton, MCIP, RPP

President

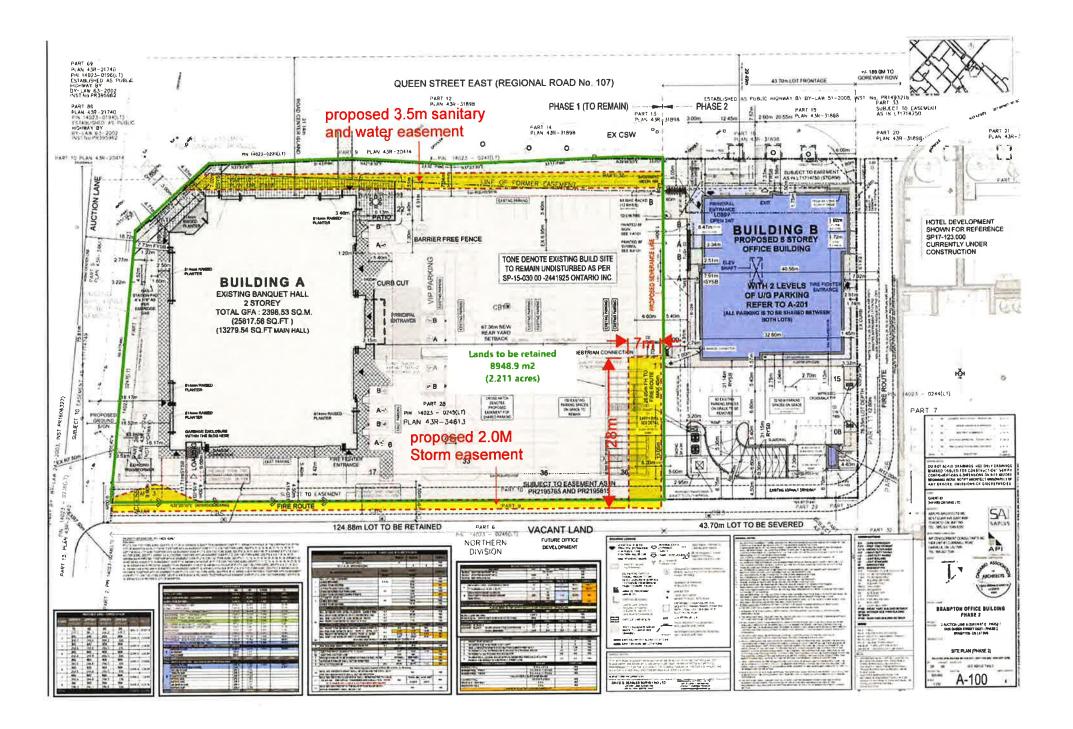
MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

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Urban Planning



October 18, 2022

B-2022-0020

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

# Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

- To provide 302 parking spaces on site whereas the by-law requires a minimum of 527 parking spaces;
- To permit a rear yard depth of 1.72m (5.64 ft.) to a proposed office building whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines;
- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

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MB1

Urban Planning

The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

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MB1 Urban

October 18, 2022

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

# Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

- To provide 302 parking spaces on site whereas the by-law requires a minimum of 527 parking spaces;
- To permit a rear yard depth of 1.72m (5.64 ft.) to a proposed office building whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines;
- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

Urban

The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

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MB1 Urban Plannii

# **Flower City**



**APPLICATION NUMBER:** 

"B"-2022-0020

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	Sukhdeer	Sandhu/244	1925 Ontario Ltd.
	Address 24	94 Miss	sissauga Ro	<u>pad. Mississat</u>	uga L5H2L5
	v				
	Phone # 4	168989	9080	Fax #	
	Email				
	\ <del></del>				
(b)	Name of Author	ized Agent	Michael Bartor	n c/o MB1 Development	t Consulting Inc.
	Address 1489	Abbeywood	Drive, Oakville, ON	L6M 2M6	
	Phone # 905-5	99-9973		Fax #	
	Email micha	ael@mb1cor	nsulting.com	s	
	<del>3</del>				
2.				transaction, such a correction of title.	s transfer for a creation of a new lot, lot
					arking shared between the retained and severed
			cess and site servici		
3.	If known, the nam	ne of the per	son to whom the lan	d or an interest in the la	nd is to be transferred, charged or leased.
	Unknown at this	s time			
4.	Description of	the subject	land ("subject land	d" means the land to b	oe severed and retained):
	a) Name of Stre	et Auctio	on Lane		Number 2
	b) Concession N	o. <u>7</u>			Lot(s) <u>5 (Part)</u>
	c) Registered Pla	an No			Lot(s)
	d) Reference Pla	n No			Lot(s)
	e) Assessment R	oll No. 10-1	12-0-002-13640-0000	Geograp	hic or Former Township Toronto Gore
	€ 1000-000 (1000-000000 0.0)				
5.	Are there any e	easements o	or restrictive cover	nants <mark>affecting the sut</mark>	oject land?
	Yes [	<b>✓</b>	No	forence plan	
	Specify: Ease	ements as III	ustrated on draft ref	ici ci ice piari	

6.

i <b>.</b>	Descriptio	n of severed land: (in metric units)		
	a)	Frontage 43.7 m Depth_	76.35 m	Area 3344.3 m2
	<b>b</b> )	Existing Use vacant (surface parking)	Proposed Use <u>8-</u>	storey office building
	c)	Number and use of buildings and structure	s (both existing and prop	osed) on the land to be severed:
		(existing) vacant - surface parking area (no si	tructures or buildings)	
		(proposed 8-storey office building with 2 level	of underground parking	
				_
	d)	Access will be by:	Existing	Proposed
		Provincial Highway		
		Municipal Road - Maintained all year	$\overline{\mathbf{Z}}$	✓
		Other Public Road		
		Regional Road		
		Seasonal Road		
		Private Right of Way		
	e)	If access is by water only, what parking approximate distance of these facilities fro	g and docking facilition the subject land and	es will be used and what is the I the nearest public road?
	f)	Water supply will be by:	Existing	Proposed
	',	Publicly owned and operated water system		
		Lake or other body of water		
		Privately owned and operated individual or communal well		
		Other (specify):		
	g)	Sewage disposal will be by:	Existing	Proposed
		Publicly owned and operated sanitary sewer system	<b>V</b>	<b>7</b>
		Privy		
		Privately owned and operated individual or communal septic system		
		Other (specify):		
7.	Descript	ion of retained land: (in metric units)	101.05	Area 8948.9 m2
	a)		124.88 m	Aica
	b)	Existing Use 2-storey banquet hall	· it	2-storey banquet hall to remain
	c)	Number and use of buildings and structur		oposed) on the land to be retained:
		(existing) 2-storey banquet hall with surface		
		(proposed Existing structures and uses to re	emain	

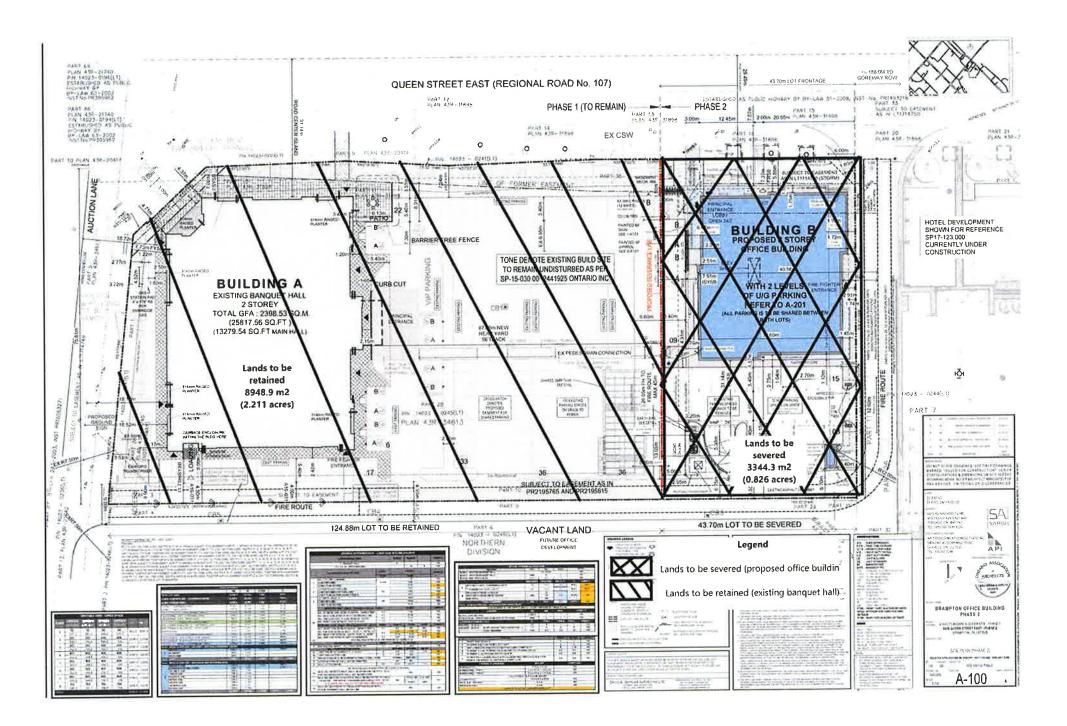
d)	Access will be by:		Existing	Proposed	
	Provincial Highway				
	Municipal Road - Mail	ntained all year	<b>V</b>	<b>7</b>	
	Other Public Road				
	Regional Road				
	Seasonal Road				
	Private Right of Way				
e)	If access is by wate approximate distance	er only, what parking e of these facilities fro	g and doo m the sub	cking facilities will be use ject land and the nearest pu	d and what is the blic road?
f)	Water supply will be	by:	Existing	Proposed	
	Publicly owned and o	pperated water systen	<b>✓</b>	<b>7</b>	
	Lake or other body o	f water			
	Privately owned and or communal well	operated individual			
	Other (specify):				
g)	Sewage disposal will	l be by:	Existing	Proposed	
	Publicly owned and o	operated sanitary	<b>7</b>	<b>7</b>	
	Privy				
	Privately owned and or communal septic				
	Other (specify):				
		## I I I I I I I I I I I I I I I I I I	1: <b>-</b> - 1	but law and official place	# m2
What is	the current designation		piicable zo	oning by-law and official pla	11 f
		Land to be Severed		Land to be Retained	
Zoning I	By-Law	SC-1923	-	SC-1923	·
Official i	Plans of Brampton	Business Corridor	_,	Business Corridor	•
Re	egion of Peel	Urban System	-	Urban System	
section	subject land ever be 51 of the Planning Act number of the applicati	or a consent under se	ection 53	on for approval of a plan of of the Act and if the answer lication?	of subdivision under is yes and if known,
Yes 🗀	No ✓	l			
File #		Status/Decision			-
Has any	land been severed fro	m the parcel originally	y acquired	by the owner of the subjec	t land?
Yes [	No 🗸	1			
Date of	Transfer		Land Us	e	

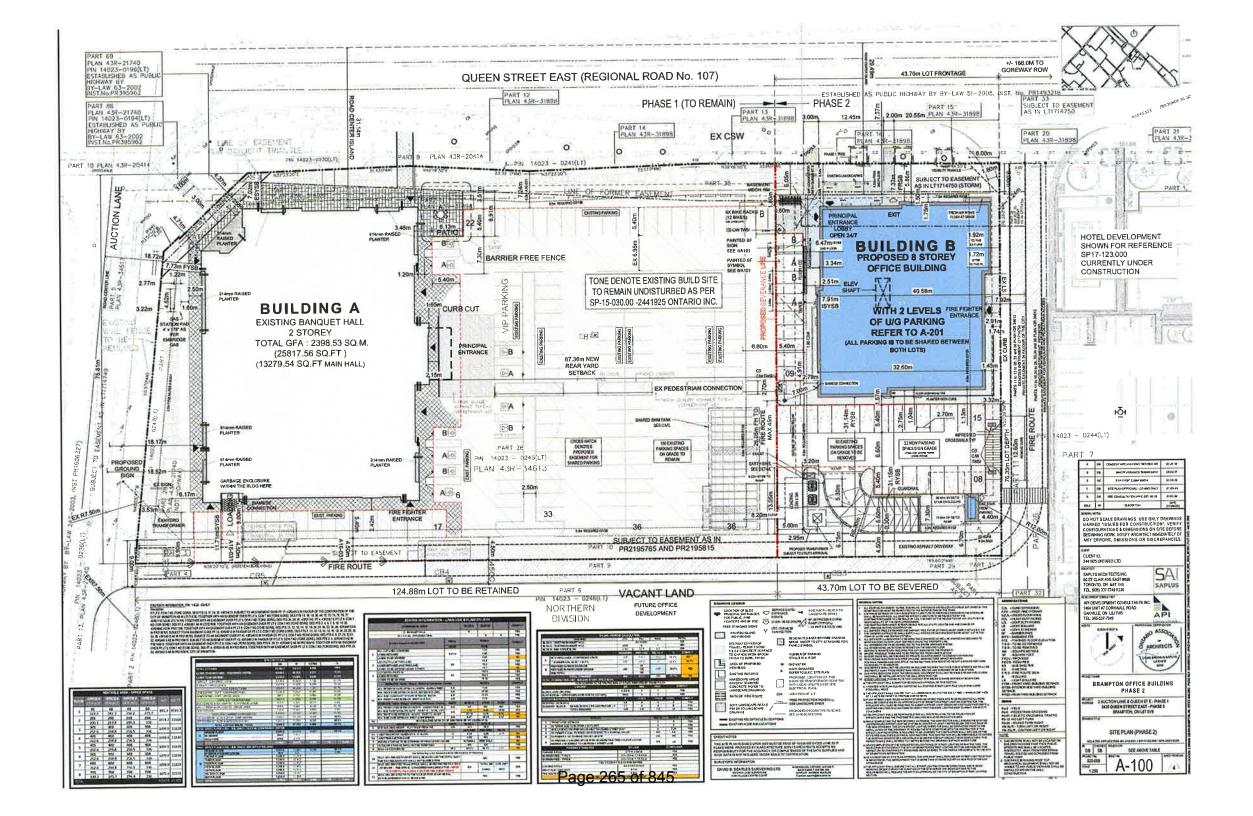
8.

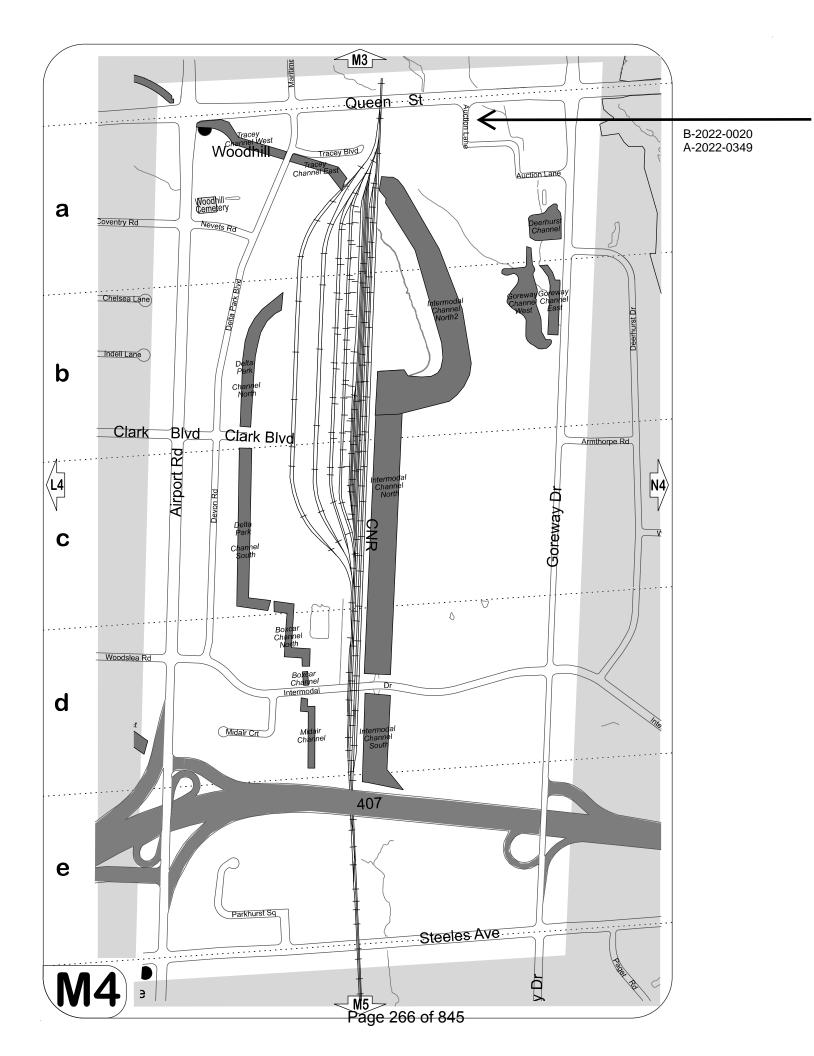
9.

10.

11.	If known, is/was the subject lar	ıd the subject of any o	other appl	ication under the Planning	Act, sı	uch as:	
		File Number		Status			
	Official Plan Amendment				-1		
	Zoning By-law Amendment			( <del></del>	<del>-</del>		
	Minister's Zoning Order	CA-16-031		Approved	-		
	Minor Variance	A-2022-00		CONCURRENT	-		
	Validation of the Title		-	0	-0		
	Approval of Power and Sale		4		-9		
	Plan of Subdivision		-		Į.		
12.	Is the proposal consistent with	Policy Statements is:	sued und	er subsection 3(1) of the <i>Pla</i> Yes	inning No	Act?	
13.	is the subject land within an ar	ea of land designated	under an	y Provincial Plan? Yes	No		
14.	If the answer is yes, does the a	pplication conform to	the appli	icable Provincial Plan? Yes	No		
15.	If the applicant is not the own is authorized to make the ap AGENTS" form attached).	er of the subject land, plication, shall be at	, the writt tached. (	en authorization, of the ow See "APPOINTMENT AND	ner th AUTH	at the applicar IORIZATION O	it F
Date	d at the	of					
this			. 20	-			
UIA			-8	Check box if applicable:			
	Signature of Applicant, or Authorized A	gent, see mute on next page		I have the authority to bind the Corporation			
		DECLARA	ATION				
	, Michael Barton	of the	Town	of Oakville			
	mty/District/Regional Municipality o			solemnly declare that all the st	lateme	ents contained in	3 1
	n are true and I make this as if made		intue of "Th	ne Canada Evidence Act".			
anternal bear	forement the City of Orland	dvelph					
	A		-	$\bigcirc$ 0	1		
the ,	bering of Orme	10		M	_	<u> </u>	
nis (g	day of August	_, 20_44		Signature of applicant/solicitor/auth	orized a	igent, etc.	
	1			Submit by Ema	iil		
	ch/						
	Signature of a Coptonissioner, etc.						
	LSO 741						_
	FOR OFFICE This application has been revie	USE ONLY - To Be C wed with respect to pos	ompleted ssible varia	By the Zoning Division ences required and the results			-
		eview are outlined on th					
	Zoning Officer			Dala	<u> </u>		
	८०११रापु धानदर						_
	DATE RECEIVE	Octob	س ۱۹	2022			









# Report Committee of Adjustment

Filing Date: Hearing Date:

March 2, 2022 January 24, 2023

File:

B-2022-0020, A-2022-0039 & A-2022-0349

Owner/

Applicant:

2441925 Ontario Ltd / API Development Consultants Inc.

Address:

2 Auction Lane

Ward:

8

Contact:

François Hémon-Morneau, Planner III

# Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.229 hectares (3.04 acres), together with easements for parking, access, sanitary and water servicing and storm servicing. The proposed severed lot has a frontage of approximately 43.7 metres (143.37 feet), a depth of approximately 76.35 metres (250.50 feet) and an area of approximately 0.334 hectares (0.825 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot with a new 8 storey office building with 2 levels of underground parking. The retained lands will continue to be occupied by a banquet hall.

#### Recommendations:

That application **B-2022-0020** is supportable, subject to the following conditions being imposed:

- 1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
- Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received;
- The applicant shall submit a proper document showing shared above and under ground parking and access as required in perpetuity between retained and severed land for review and approval;

4. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements. Region of Peel shall be circulated on any draft easement documents for review and comment;

That application A-2022-0039 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

That application A-2022-0349 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision:
- 2. That the owner finalize site plan approval under City File SPA-2021-0220, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and,
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

Concurrent Consent application (B-2022-0020) and Minor Variance applications (A-2022-0039 and A-2022-0349) have been submitted to facilitate the severance of the subject property. The proposed severed lot is subject to a Site Plan Approval application (SPA-2021-0220) to facilitate the development of an 8-storey office building. The applications were deferred at the November 15, 2022 Committee of Adjustment hearing in order for the applicant to amend the applications and for City staff to review new information pertaining to sanitary and storm servicing easements.

- Official Plan: The subject property is designated 'Business Corridor' in the Official Plan;
- Secondary Plan: The subject property is designated 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4); and
- **Zoning By-law:** The subject property is zoned 'Service Commercial 1923 (SC-1923)' according to By-law 270-2004, as amended.

#### **Current Situation:**

The consent application is to sever the property and create reciprocal easements. Detailed sanitary and water easements in addition to storm sewer easements are requested as part of this application. The applicant has amended their sketch to further refine the boundaries of the proposed servicing easements from the originally requested reciprocal blanket easement. City staff have reviewed the proposal and found it to be satisfactory and supportable.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

# Requested Variances:

# A-2022-0039 - 2 Auction Lane (Retained parcel)

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0020:

- 1. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots:
- 2. To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 3. To permit a landscaped open space of 4.3 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 4. To permit garbage and refuse not screened within an enclosure whereas the bylaw requires garbage and refuse to be screened within an enclosure.

## Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Business Corridor' in the Official Plan and 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4). Lands designated Mixed Employment Commercial on Schedule 4 shall be used for non-obnoxious industrial uses, activities that combine industrial and commercial purposes, and specialized or space-extensive commercial purposes. The variances seek to facilitate shared parking between severed and retained lots, allow a reduction to the width of landscaped open space, and to permit garbage and refuse area to not be screened within an enclosure. The variances are not considered to be contrary to the general intent and

purpose of the Official Plan. The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

# 2. Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots. The second variance is requested to permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided. The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the service commercial uses on the site. The intent of the by-law in requiring parking to be provided on the same lot is to prevent instances of overflow parking generated from a use on a property onto an adjacent site.

In this case, the subject property is being severed to create two separate lots via concurrent Consent application B-2022-0020. Through the related severance application, reciprocal easements for parking, access will be established. Therefore, the severed and retained lots will be developed in an interconnected manner allowing parking of vehicles on the entireity of the two lots. The applicant has submitted a Transportaton Impact Study conducted in May 2022 which justifies the reduction in parking spaces. Traffic Services staff have reviewed the study and have found it to be satisfactory to support the requested variances and ultimate development of the site. The requested variances maintain the general intent and purpose of the Zoning By-law.

The third variance is requested to permit a landscaped open space of 4.3 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107. The intent of the by-law in requiring a minimum landscaped area along the lot line abutting a street or a lot line is to ensure that the aesthetic quality of the property and overall streetscape is maintained.

A 4.3m (14.11 ft.) wide landscaped open space strip is requested for the entire length of the norther property line abutting Queen St West. The area in question is capable of accommodating landscaping and it is being implemented through the review of the associated Site Plan Approval application. It is noted that through the Site Plan application review, the proposed building is carefully located close to the street line to reinforce the street edge to create a more desireable streetscape. Through the resubmission of the Site Plan Approval application and subsequent review, the applicant will be required to implement an intensified landscape treatment to compensate for the reduced setback along Queen Street East in a manner satisfactory to Open Space and Planning staff. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fourth variance is requested to permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuse to be screened within an enclosure. The intent of the by-law in requiring garbage and refuse to be screened within an enclosure is to limit negative visual impact associated with traditional garbage areas.

The by-law states that all garbage and refuse storage, including containers for the storage of recyclable materials, shall be screened within an enclosure. The property is being developed to incorporate Molok (Earth Bins) garbage system. The Molok containers will be located primarily below grade and as a result, are not aniticipated to generate negative visual impacts on-site or off-site. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

# 3. Desirable for the Appropriate Development of the Land

The variances are requested in conjunction with a consent application to sever the property and create easements to facilitate the development of the severed lot. Given that reciprocal access and parking easements are proposed, the two lots will operate in an interconnected manner. The proposed reduction to the landscaped open space strip is not considered to negatively impact the streetscape or significantly reduce the amount of open space between the building and Queen Street West. The property continues to maintain a desirable streetscape and no negative impacts are anticipated. The variance associated with the proposed Molok containers are also not anticipated to generate negative visual impacts on-site or off-site given that they will primarily be located underground. The variances are considered to be desireable for the appropriate development of the land.

# 4. Minor in Nature

The variances are intended to facilitatre the severance of the property and creation of a new lot. Given that easements are being proposed between the severed and retained lot, staff have no concerns over variances 1 and 2 to allow shared parking and access. The reduced landscape open space and elimination of garbage enclosures are not considered to negatively impact the site or adjacent properties. The variances are deemed minor in nature.

# A-2022-0349 – 2 Auction Lane (Severed parcel)

The applicant is requesting the following variance(s) in conjunction with the proposed severed lot under Consent Application B-2022-0020:

- 1. To permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares:
- 2. To permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres;

- 3. To permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres;
- 4. To permit a rear yard setback of 4.5 metres to the parking ramp whereas the bylaw requires a minimum rear yard depth of 6.0 metres;
- 5. To permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%;
- 6. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots;
- 7. To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 8. To permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 9. To permit garbage and refuse not screened within an enclosure whereas the bylaw requires garbage and refuge to be screened within an enclosure;
- 10. To permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive;
- 11. To permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width.

## 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Business Corridor' in the Official Plan and 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4). Lands designated Mixed Employment Commercial on Schedule 4 shall be used for non-obnoxious industrial uses, activities that combine industrial and commercial purposes, and specialized or space-extensive commercial purposes. The variances seek to facilitate the lot dimensions of the newly created parcel and permit a number of technical associated with the resulting site conditions as proposed through SPA-2021-0220. The variances are not considered to be contrary to the general intent and purpose of the Official Plan. The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares. The second variance is requested to permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres. The intent of the by-law in requiring a minimum lot area and width in commercial area is to ensure that the property is appropriately sized for its commercial user.

In the case of the subject property, the proposed reduced area and width are a result of the severance and the property will still allow sufficient space for proposed office development on site. The reduced lot area and lot width are not anticipated to negatively impact the exiting and future land uses and opertations of the properties. Subject to the recommended conditions of approval, variances 1 and 2 are considered to maintain the general intent of the Zoning By-law.

The third variance is requested to permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres. The intent of the by-law in requiring minimum side yard setbacks is to ensure that there is appropriate separation between buildings and adjacent properties. It is noted that through the Site Plan application review, the proposed building is carefully located close to the interior side yard lot line to reinforce the street edge to create a more desireable streetscape. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fourth variance is requested to permit a rear yard setback of 4.5 metres to the parking ramp whereas the by-law requires a minimum rear yard depth of 6.0 metres. The intent of the by-law in requiring minimum setbacks to parking ramps is to ensure that parking ramps are appropriately positioned relative to adjacent properties in order to limit potential negative impacts.

The parking ramp is proposed to be located 1.5m closer to the rear property line from what the by-law permits. The reduction is not anticipated to generate negative impacts to the subject property or adjacent properties with respect to functionality, safety, or from a visual perspective. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fifth variance is requested to permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%. The intent of the by-law in regulating maximum lot coverage is to ensure that the size of the building is appropriate relative to the size of the property and does not detract from the functioning of the property.

The applicant is requesting a 1.5% increase to the lot coverage from what the Zoning By-law permits. The related development is currently under Site Plan application review. Although a variance is requested for the increased lot coverage, the balance of the development complies with the by-law. The building is considered to be appropriately sized and positioned on the property. As such, the property can accommodate the larger building footprint and resulting coverage beyond the applicable 35% maximum lot coverage. The increase is not considered as over development of the property as the Site

Plan demonstrates that the sites' functionality will not be negatively impacted. The variance maintains the general intent and purpose of the Zoning By-law

The sixth variance is requested to provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots. The seventh variance is requested to permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided. The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the service commercial uses on the site. The intent of the by-law in requiring parking to be provided on the same lot is to prevent instances of overflow parking generated from a use on a property onto an adjacent site.

In this case, the subject property is being severed to create two separate lots via concurrent Consent application B-2022-0020. Through the related severance application, reciprocal easements for parking, access and servicing will be established. Therefore, the severed and retained lots will be developed in a interconnected manner. The applicant has submitted a Transportaton Impact Study conducted in May 2022 which justifies the reduction in parking spaces. Traffic Services staff have reviewed the study and have found it to be satisfactory to support the requested variances and ultimate development of the site. The requested variances maintain the general intent and purpose of the Zoning By-law.

The eighth variance is requested to permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107. The intent of the by-law in requiring a minimum landscaped area along the lot line abutting a street or a lot line is to ensure that the aesthetic quality of the property and overall streetscape is maintained.

A 3.25m (10.66 ft.) wide landscaped open space strip is requested for the entire length of the norther property line abutting Queen St West. The area in question is capable of accommodating landscaping and it is being implemented through the review of the associated Site Plan Approval application. It is noted that through the Site Plan application review, the proposed building is carefully located close to the street line to reinforce the street edge to create a more desireable streetscape. Through the resubmission of the Site Plan Approval application and subsequent review, the applicant will be required to implement an intensified landscape treatment to compensate for the reduced setback along Queen Street East in a manner satisfactory to Open Space and Planning staff. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The ninth variance is requested to permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuge to be screened within an

enclosure. The intent of the by-law in requiring garbage and refuse to be screened within an enclosure is to limit negative visual impact associated with traditional garbage areas.

The by-law states that all garbage and refuse storage, including containers for the storage of recyclable materials, shall be screened within an enclosure. The property is being developed to incorporate Molok (Earth Bins) garbage system. The Molok containers will be located primarily below grade and as a result, are not aniticipated to generate negative visual impacts on-site or off-site. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The tenth variance is requested to permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive. The intent of the by-law in requiring offices to be located within 180 metres of Goreway Drive is to direct development and commercial uses along arterial roads such as Goreway Drive. The proposed office building will be located on the northeast corner of the severed lot and be within approximately 200m from Goreway Drive. Allowing the introduction of the use beyond 180m of Goreway Drive is not considered to be a significant deviation from what the by-law permits. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The eleventh variance is requested to permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width. The intent of the by-law in requiring a minimum parking aisle width of 6.6m is to ensure that there is an adequate amount of space to safely maneuver a vehicle into, and out, of an associated parking space.

In this case, the variance is a result of the proposed severance and resulting lot line. There is also an active site plan application currently underway where Traffic Services Staff has reviewed the application and found that there are no expected negative impacts to the maneuverability of vehicles. The variance is technical in nature and is considered to maintain the general intent and purpose of the Zoning By-law.

# 3. Desirable for the Appropriate Development of the Land

The requested variances are required in conjunction with a proposed severance that will facilitate the development of an office building on the lot while the existing banquet hall operations on the retained lands continue. The requested reductions in lot standards are not anticipated to negatively impact the ability of the lot to function for its intended purposes. The variances are not anticipated to generate negative on-site or off-site impacts. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

## 4. Minor in Nature

The variances are intended to facilitate the severance of the property and creation of a new lot. The lot area and width are not expected to limit functionality of the site. Given

that easements are being proposed between the severed and retained lot, staff have no concerns over negative impacts generated from variances associates with parking, access, drive aisles. The reduced landscape open space and elimination of garbage enclosures are not considered to negatively impact the site or adjacent properties. The variances are technical in nature. Subject to the recommended conditions of approval, the requested variances are considered minor in nature.

Respectfully Submitted, *Trançois Hémon-Morneau*François Hémon-Morneau, Planner III

# SCHEDULE "A"

# CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed severance and easements have no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed severance and easments are neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance and easements do not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The severance and easements are suitable for the purposes for which it is to be subdivided. A new office building is proposed on the severed lot.
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 the adequacy of them;	The proposed severance does not present any concern with regard to the adequacy of the roadwork network.
f)	The dimensions and shapes of the proposed lots;	The proposed lots are appropriate in size and shape for their purpose. Minor Variances A-2022-0039 and A-2022-0349 are requested to permit reductions to the lot performance standards. The size and shapes of both the severed and retained lots are generally consistent with the predominant service commercial

		character of adjacent properties in the area.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands included in the lands to de subdivided.
h)	The conservation of natural resources and flood control;	The proposed severance and easements present no concerns with regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The proposed severance and easements present no concerns with regard to the adequacy of school sites.
k)	The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	No conveyances of lands are required.
1)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed severance has no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	A concurrent Site Plan application (SPA-2021-0220) is under review to facilitate the development of the severed lot.



# **Public Notice**

# **Committee of Adjustment**

APPLICATION # A-2022-0389 WARD #9

## **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MAYFIELD (RCH) PROPERTIES INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 2, Plan 43M-2102 municipally known as **6 KESSLER DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for a proposed single detached dwelling:

 To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

# OTHER PLANNING APPLICATIONS:

s application is t	he subject of an application under the Planning Act for:
NO	File Number:
NO	File Number:
	NO

The Committee of Adjustment has appointed **TUESDAY**, **January 24**, **2023** at **9:00 A.M.** by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

# PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca



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INFILTRATION TRENCH AS

PER CITY

STANDARD

NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSI

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R1F-13-2368
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	WALL TOP OF BASEMENT SLAB		CABLE PEDESTAL
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USFG	UNDER SIDE FOOTING @ GARAGE	+	HYDRO CONNECTION
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R	NUMBER OF RISERS TO	SL	STREET LIGHT
	GRADE	$\bowtie$	MAIL BOX
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1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-21	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC
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MFORTANT FOOTING NOTE:

-IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER ADDITIONAL THICKNESS MAY BE REQUIRED.

-LOT GRADING PLANS ASSUME A TBS TO USF DISTANCE OF 0.23, BASED ON FOOTING THICKNESS UP 10 6's.

-IF ADDITIONAL FOOTING THICKNESS IS REQUIRED THE USF IS TO BE LOWERED BY THE FOLLOWING AMOUNTS:

- UP TO 9'FOOTING, LOWER USF BY 0.07

- 10' FOOTING, LOWER USF BY 0.13

- 12' FOOTING, LOWER USF BY 0.15

- 13' FOOTING, LOWER USF BY 0.15

- 13' FOOTING, LOWER USF BY 0.16

- 13' FOOTING, LOWER USF BY 0.18



WWW.RNDESIGN.COM T:905-738-3177 WWW.THEPLUSGROUP.CA

I, NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RM DESIGN LTD, UNDER DIVISION C, PART-3 SUBSECTION-3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN: FIRM BCIN: DATE:

SIGNATURE:

MAYFIELD (RCH) PROPERTIES INC. PROJECT/LOCATION

MAYFIELD VILLAGE PHASE 6 **BRAMPTON** 

DRAWING

SITE PLAN

DRAWN BY	SCALE 1:250
PROJECT No. 21034	LOT NUMBER

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3

KESSLER DRIVE

- GRADING CERTIFICATION:

  1. THE PROPOSED LOT GRAING AND DRAINAGE IS APPROVED AS BEING IN COMPORNITY WITH THE OVERALL APPROVED GRADING PLANS FOR THE SUBDOMISION.

  2. THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL THE UTILITIES ON SITE.

  3. THE BUILDER MUST TOPSOIL AND SOO ALL BOULEVARDS.

  4. DOWNSPOLITS SHALL DISCHARGE TO THE GROUND VIA SPLASH FOR SELECTION OF ALL THE CONTROL OF ALL DISCHARGE TO THE GROUND VIA SPLASH PLASH PLASS.

  5. BRICKLINE TO BE I SOMM TO 200mM ABOVE FINAL GRADE AT HOUSE.

NOTE:
LATERIAL SEWERS AS-BUILT ELEVATIONS AND UNTILITY
LOCATIONS WERE NOT AVAILABLE AT THE TIME OF
CERTIFICATION. SCHAEFFER'S WILL NOT ACCEPT
LUBBILITY ARSING FROM THIS MATTER. REVISIONS MAY
BE REQUIRED UPON AVAILABILITY OF LATERAL
ELEVATIONS AND UTILITY LOCATIONS.
ALSO UNDERGROUND SEWERS WHERE NOT CONSTRUCTED WHEN SITE PLANS REVIEWED AND APPROVED



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

# How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options;
  - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary—Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

# **EXPLANATORY LETTER**

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

LOCATION OF THE SUBJECT LAND: KESSLER DRIVE, BRAMPTON ON
A-2022-0389 - A-2022-0393
To whom it may concern,
Lots in questions: Lot 1-2, Block 161-163
The purpose of this minor variance application is to request that a rear yard set back ranging from 7.20-7.40m be allowed for the subject properties, Lots 1-2, Block 163-161, whereas zone R1F-13-2368 requires 7.5m. Due to the pie shaped lot the side lot lines converge towards the front and left (Northern) side of the lots. This creates a deficiency that ranges from 0.10-0.30 metres on that side of the lot. It is to be noted that most of the rear wall of the building complies with the 7.5m rear yard requirement.
Dated this <u>28<sup>th</sup></u> day of <u>November</u> , 2022  DAVID HUIE (RN DESIGN LTD)
DAVID HOTE (KIN DESIGN LTD)

**Applicant** 

# **Flower City**



brampton.ca

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

FILE NUMBER: A-2022-0389

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

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Legal D Lot Nur Plan Nu Municip Dimens Frontag Depth Area  Access Proving Municip	the pie si e opposite e opposite	of the subject lacession Number 6 Kessler Drive ject land (in metal)	side lot lines abome complies  and:	are dive	rging toward e 7.50m read	r yard requ	t of the lot lirement.	. No

8.	land: (specify i	<u>n metric units</u> gr	structures on or proposed for the subject round floor area, gross floor area, number of c., where possible)
	EXISTING BUILDING	S/STRUCTURES on th	ne subject land: List all structures (dwelling, shed, gazebo, etc.)
	N/A		
	PROPOSED BUILDIN	NGS/STRUCTURES on	the subject land:
	Single detached d Ground floor Area Gross area: N/A Stories: 2	: 138.52m2	Building length:14.22m Building height:8.34m
	Building width:9.70	Um	
9.			ructures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )
	EXISTING Front yard setback	N/A	
	Rear yard setback	N/A	
	Side yard setback Side yard setback	N/A	
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	5.77m 7.38m 1.32(L) 0.65m(R)	
10.	Date of Acquisition	of subject land:	July 19 2022
11.	Existing uses of sub	pject property:	Residential
12.	Proposed uses of s	ubject property:	Residential
13.	Existing uses of abo	utting properties:	Residential
14.	Date of construction	n of all buildings & str	uctures on subject land: 2023
15.	Length of time the e	existing uses of the su	bject property have been continued: Vacant land
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)
(b)	What sewage dispo Municipal E Septic E	osal is/will be provided	Other (specify)
(c)		ge system is existing/p	proposed?
	Sewers  Ditches  Swales		Other (specify)

17.		ibject proper ion or conse	-	ct of an a	pplication u	nder th	e Planning A	ACT, for	approval of a p	an or
	Yes 🗌	]	No 🗹							
	If answe	r is yes, prov	ide details:	File #				Status		
18.	Has a pr	e-consultatio	n applicatio	n been fil	ed?					
	Yes [	]	No 🗸							
19.	Has the	subject prop	erty ever be	en the sut	oject of an a	pplicati	on for minor	varian	ce?	
	Yes [	<b>-</b>	No 🔽		Unknown					
	If answe	r is yes, prov	ride details:							
	File		Decision				Relief			
	File File	#	Decision Decision				Relief Relief			
		<del>2 </del>								
							D.Dyc	e		
					Sig	nature	of Applicant(s	s) or Au	thorized Agent	
DATE	ED AT TH	E CITY		OF	BRAMPTON				_	
THIS	25	DAY OF	NOVEMBER		_ <b>, 20</b> 22					
F THIS A	PPLICAT	ION IS SIGN	ED BY AN A	GENT. SO	OLICITOR O	R ANY	PERSON OT	HER T	HAN THE OWN	ER OF
HE SUB.	JECT LAI	NDS, WRITTE	N AUTHOR	IZATION (	OF THE OWN	NER MU	JST ACCOM	PANY T	HE APPLICATION	ON. IF
		IS A CORPO ID THE CORI	•				BE SIGNED	BY A	N OFFICER OF	IHE
1		David I	Huie		_, OF TH	HE _	City	OF	Brampton —	
IN THE	Province	e OF	Ontario		_SOLEMNL	Y DECL	ARE THAT:			
BELIEVIN									N CONSCIENTION T AS IF MADE U	
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DECLARE	D BEFOR	RE ME AT TH	E	202	2 in accordar	ice with	Reg. 431/20	and the	ON on Novembe Ontario Electron	ic ic
City	OF	Markhan	n	Соп	nmerce Act a	nd secu	ırely online vi	a video.		
N THE		Province	_ OF							
Ontario	THIS	28th	DAY OF			7	David 3	tuic		
Novemb	per	, <b>20</b>		UBINISSES	Was S	Signatur	re of Applican	t or Auti	horized Agent	
9	Most .			NOTA	, N		Submit b			
×	A Com	missioner etc.		PUB	LIC )					
Hailian Wa Licensed F	ng	1 Notary Public		AND ONTO	RIO					
Law Societ	ty of Ontario	Licensee #P163	91	FOR OF	FICE USE O	NLY	7			$\neg$
	Brocon	t Official Plar	. Decignatio	n·						
			_			-	D4E 0 22	20		
	Presen	t Zoning By-I	aw Classific	ation:		-	R1F-9-236	00		
	This a	oplication has			spect to the v ned on the at			d the re	sults of the	
		1.81	erbuto				Decembe	er 5, 20	022	
	-		g Officer		_	3.5		Date		
			- DEOC !!	10		5	2022			
		DATI Date Applicat	E RECEIVED		ecember		2022		Revised 2020/0	1/07
		plete by the								





3 5.3% 5.77 6.08 6.08 6,03 248,97 STM= 246. SAN= 246. ;9 245.75 246.00

KESSLER DRIVE

INFILTRATION TRENCH AS PER CITY STANDARD

BUILDING STATISTICS	
REG. PLAN No.	43M-2102
ZONE	R1F-13-2368
LOT NUMBER	LOT 2
LOT AREA(m) <sup>2</sup>	335.08
BLDG AREA(m) <sup>2</sup>	X
LOT COVERAGE(%)	X
No. OF STOREYS	2
MEAN HEIGHT(m)	8.34
INT, GARAGE DIMS(m)	5.59 x 5.80
GARAGE DOOR(m)	2 - 2.44m

		_	
	LEGI	END	
FEF	FINISHED FLOOR FLEVATION	SP	SUMP PUMP
	TOP OF FOUNDATION	$\boxtimes$	BELL PEDESTAL
TFW	WALL		CABLE PEDESTAL
TBS	TOP OF BASEMENT SLAB	$\bar{\Box}$	CATCH BASIN
USF	UNDER SIDE FOOTING	m	DBL CATCH BASIN
USFR	UNDER SIDE FOOTING @ REAR	*	ENGINEERED FILL
USFG	UNDER SIDE FOOTING @	+	HYDRO CONNECTION
TEF	TOP OF ENGINEERED	Ŷ	FIRE HYDRANT
R	NUMBER OF RISERS TO	SL	STREET LIGHT
.,	GRADE	$\bowtie$	MAIL BOX
WOD	WALKOUT DECK	M	TRANSFORMER
LOB	LOOKOUT BASEMENT WALK OUT BASEMENT	$\nabla$	SEWER CONNECTIONS :
WOB	WALK OUT BASEMENT	7	SEWER CONNECTIONS
RÉV	REVERSE PLAN	V	LOT
STD		+	WATER CONNECTION
210	STANDARD PLAN	8	WATER VALVE CHAMBER
0	DOOR	◊	HYDRANT AND
	WINDOW	Ä	VALVE HYDRO METER
AC	AIR CONDITIONING DOWN SPOUT TO	<u> </u>	GAS METER
₽	SPLASH PAD	$\overline{}$	MANHOLE - STORM
•	DOWNSPOUT	$\subseteq$	
→×	CONNECTED TO STM SWALE DIRECTION	•	MANHOLE - SANITARY
	——x—— (	CHAINLIN	NK FENCE
		RIVACY	
		OUND B	
		COLNE	TO BE EXTENDED
NOTE	USF IS BASED ON 150mm (	FOOT	G DEPTH. CONTRACTO
TOCO	NEISM WITH WORKING DRA	AWRIGS F	OR SPECIFIC SIZES THAT
MAYS	PERSEDE THIS SITE.		

NO.	DESCRIPTION	DATE	NWC	CHK
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-2	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	DH	NO
4	ISSUED FINAL	05-MAY-22	D.H	NC
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FADE: IF OF HE BUILDER TO VERFY FROM THE WINGS BEFORE CONSTRUCTION, WHETHER BS MAY BE REQUIRED. IS ASSUME A 785 TO USF OSTANCE OF 0.21. BAS SECURN FOR THE ESS IS REQUIRED THE USF IS NO BE



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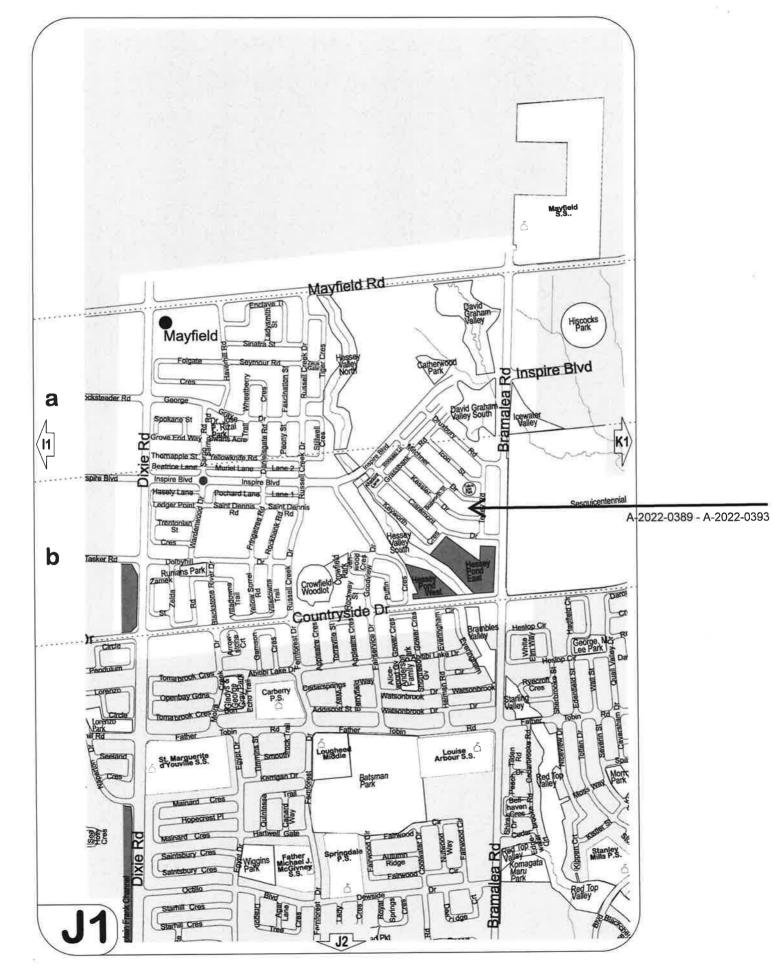
QUAURED DESIGNER BCIN: FIRM BCIN: DATE:

CATION:
OT GRAING AND DRAINAGE IS APPROVED AS
ITY WITH THE OVERALL APPROVED GRADING
BOVISION
EESPONSIBLE FOR RELOCATION OF ALL THE

CLIENT MAYFIELD (RCH) PROPERTIES INC. MAYFIELD VILLAGE PHASE 6 BRAMPTON

SITE PLAN

1:250
LOT NUMBER LOT 2





# Report Committee of Adjustment

Filing Date: Hearing Date: December 15, 2022 January 24, 2023

File:

A-2022-0389 through to A-2022-0393

Owner/

Applicant:

MAYFIELD (RCH) PROPERTIES INC / DAVID DYCE HUIE (RN DESIGN LTD)

Address:

4, 8 and 6 Kessler Drive

Ward:

WARD 9

Contact:

Megan Fernandes, Planning Technician

#### **Recommendations:**

That application A-2022-0389 through to A-2022-0393 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- That a clause be provided within the Agreement of Purchase and Sale advising of the variance
  affecting the property. If the property has already been sold, the applicant shall provide written
  confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged
  and accepted the variance; and
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

## Background:

## **Existing Zoning:**

The property is zoned 'Residential Single Detached F Special Section 2367 (R1F-13-2367)', according to By-law 270-2004, as amended.

#### Requested Variances:

A-2022-0389 (6 Kessler Drive) and A-2022-0390 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.);

A-2022-0391 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.40m (24.28 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

A-2022-0392 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.20 (23.62 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

A-2022-0393 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7 .41m (24.31ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

#### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The subject properties are designated as 'Residential' in the Official Plan and 'Low Density Residential' in the Countryside Villages Secondary Plan (Area 48b). The requested variances to reduce the rear yard setback are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The variances are requested for applications A-2022-0389 through to A-2022-0393 are to permit a rear yard setback ranging from 7.20 (23.62 ft.) to 7.41 (24.31 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space sufficient space area is provided for the rear yard amenity area for the property.

The applicant is proposing to develop 3 lots (4, 6 and 8 Kessler Drive) for single detached dwellings with reduced rear yard setbacks. A reduced range of 0.10m-0.30m (0.32ft-0.98ft.) is requested from what the by-law requires. As a result of the configuration (pie shaped) of the lots, the side lot lines converge towards the front and left (northern) side of the lots. Although a reduction to the rear yard setback is requested, the remaining rear yard area is not anticipated to significantly limit the area provide for amenity space. The variances are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to allow reductions to the rear yard for three lots. The variances will facilitate the development of single detached dwellings. Due to the size of the properties, the reduced setback at the rear yard of the property is not anticipated to negatively impact the outdoor amenity area provided on the property. A condition of approval is recommended that a clause be provided within the Agreement of Purchase and Sale advising of the variance affecting the property. If the property has already been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged and accepted the variance. Subject to the recommended conditions of approval, the variances related to applications A-2022-0389 through to A-2022-0393 are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The requested variance to permit a reduced rear yard setback is not anticipated to negatively impact the provision of the outdoor amenity space on the subject properties and will facilitate the configuration of a future residential lots. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0390 WARD #9

#### APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MAYFIELD (RCH) PROPERTIES INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 1, Plan 43M-2102 municipally known as **8 KESSLER DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

### **OTHER PLANNING APPLICATIONS:**

The land which is subject of	this application is	the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed **TUESDAY**, **January 24**, **2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers**, **4th Floor**, **City Hall**, **2 Wellington Street West**, **Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

### PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES, IF MIN, DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE

BUILDING STATISTICS	
REG. PLAN No.	43M-2102
ZONE	R1F-13-2368
LOT NUMBER	LOT 1
LOT AREA(m) <sup>2</sup>	341.30
BLDG AREA(m) <sup>2</sup>	X
LOT COVERAGE(%)	X
No. OF STOREYS	2
MEAN HEIGHT(m)	8.57
INT, GARAGE DIMS(m)	5.59 x 5.80
GARAGE DOOR(m)	2 - 2.44m

LEGEND					
FFE FINISHED FLOOR SP SUMP PUMP	1				
TEW TOP OF FOUNDATION BELL PEDESTAL					
CABLE PEDESTAL	Н				
CATCH BASIN	- 1				
USF UNDER SIDE FOOTING DBL, CATCH BASIN					
USFR REAR ENGINEERED FILL	1				
USFG UNDER SIDE FOOTING @ ++ HYDRO CONNECTION					
TEF TOP OF ENGINEERED P FIRE HYDRANT	1				
R NUMBER OF RISERS TO SL STREET LIGHT					
WOD WALKOUT DECK MAIL BOX					
TRANSFORMER					
WOB WALK OUT BASEMENT SEWER CONNECTIONS	2				
WUB WALK UP BASEMENT  SEWER CONNECTIONS	1				
REV REVERSE PLAN WATER CONNECTION					
STD STANDARD PLAN					
△ DOOR CHAMBER					
O WINDOW HYDRANT AND VALVE					
AC AIR CONDITIONING H HYDRO METER					
DOWN SPOUT TO GAS METER					
SPLASH PAD MANHOLE - STORM					
CONNECTED TO STM MANHOLE - SANITARY  SWALE DIRECTION					
——————————————————————————————————————					
XX PRIVACY FENCE					
——XXX——— SOUND BARRIER					
FOOTING TO BE EXTENDED TO 1,22 (MIN) BELOW GRADE					
NOTE: USF IS BASED ON 150mm (6") FOOTING DEPTH, CONTRACTOR					
TO CONFIRM WITH WORKING DRAWINGS FOR SPECIFIC SIZES THAT MAY SUPERSEDE THIS SIZE.					
11911 Oct Chacoe Miles State					

NO.	ISSUED OR REVISION DESCRIPTION		DWN	СНК
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-21	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC
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IMPORTANT FOOTING NOTE:

IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER ADDITIONAL THICKNESS MY DE REQUIRED.

LOT GRADING PLANS ASSUME A TRS TO USF DISTANCE OF 0.23, BASED ON FOOTING THICKNESS UP TO 5'.

IF ADDITIONAL FOOTING THICKNESS US REQUIRED THE USF IS TO BE LOWERED BY THE FOLLOWING AMOUNTS:

UP TO 9' FOOTING, LOWER USF BY 0.07

10' FOOTING, LOWER USF BY 0.10

11' FOOTING, LOWER USF BY 0.13

12' FOOTING, LOWER USF BY 0.15

13' FOOTING, LOWER USF BY 0.15

13' FOOTING, LOWER USF BY 0.16

14' FOOTING, LOWER USF BY 0.18

14' FOOTING, LOWER USF BY 0.18



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I, NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF IND DESIGN LTD, UNDER DIVISION C, PART-3 SUBSECTION-3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN: DATE:

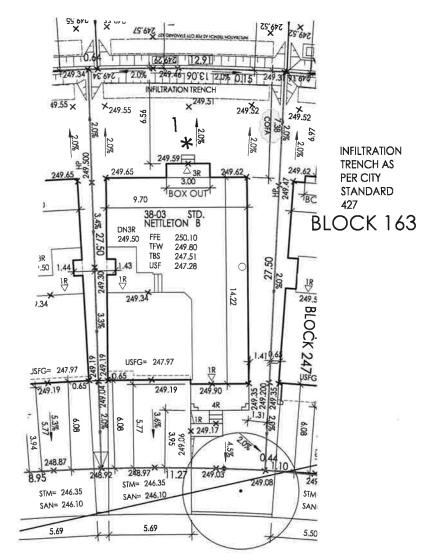
CHENT MAYFIELD (RCH) PROPERTIES INC.

MAYFIELD VILLAGE PHASE 6 **BRAMPTON** 

DRAWING

SITE PLAN

DRAWN BY	5CALE 1:250
PROJECT No. 21034	LOT NUMBER



2

## KESSLER DRIVE

- GRADING CERTIFICATION:

  1. THE PROPOSED LID TRAINING AND DRAININGE IS APPROVED AS BEING IN CONFORMITY WITH THE OVERALL APPROVED GRADING PLANS FOR THE SUBDIVISION.

  2. THE BULLDER IS RESPONSIBLE FOR RELOCATION OF ALL THE UTILITIES ON STITLING.
- 3. THE BUILDER MUST TOPSOIL AND SOD ALL BOULEVARDS, 4. DOWNSPOUTS SHALL DISCHARGE TO THE GROUND VIA
- 5. BRICKLINE TO BE 150mm TO 200mm ABOVE FINAL GRADE AT

NOTE:
LATERIAL SEWERS AS-BUILT ELEVATIONS AND UNTILITY
LOCATIONS WERE NOT AVAILABLE AT THE TIME OF
CERTIFICATION. SCHAEFFER'S WILL NOT ACCEPT
LUBBILITY ARBING FROM THIS WATTER. REVISIONS MAY
BE REQUIRED UPON AVAILABILITY OF LATERAL
ELEVATIONS AND UTILITY LOCATIONS.
ALSO UNDERGROUND SEWERS WHERE NOT
CONSTRUCTED WHEN SITE PLANS REVIEWED AND
APPROVED.



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
  - To participate in-person, please email the Secretary—Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## Flower City



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

FILE NUMBER: A - 2022 - 0390

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

1.	Name of	Owner(s) MAYFIELD (RCH)	Properties INC						
	Address	171 Basaltic Homes Rd#1 C	oncord, ON L4K 1G4						
	Phone #			Fax #					
	Email			_					
_		5 1 D 1 D 1 D 1 D 1 D 1 D 1 D 1 D 1 D 1	N.D: LTD)						
2.	Name of	-	RN Design LTD)						
	Address	8395 Jane Street							
		Vaughan, ON M2J OA4							
	Db 4	¥1		Fax #					
	Phone #	905 738 3177							
	Email	DavidH@rndesign.com							
2	Matura ar	nd extent of relief applied for	r (variances requeste	d):					
3.									
	Request	ting a rear yard reduction	from required 7.50	m setback to 7.38m					
	1								
	L								
4.	Why is it	not possible to comply with	the provisions of the	e by-law?					
4.					of the let Niete				
	Due to t	the pie shaped lot, the sid	de lot lines are dive	rging towards the front	of the lot. Note				
	that the	that the opposite side of the home complies with the 7.5m rear yard requirement.							
	1								
	ł								
	4								
	1								
_	Laurel Da	and the subject land	4.						
5.	_	scription of the subject land	J.						
	Lot Num		43M-2102						
		mber/Concession Number	+3IVI-2 TO2						
	Municipa	8 Kessler Drive							
_	Di '	an of authions land (in massic	unite\						
6.		on of subject land ( <u>in metric</u>	<u>uille</u> )						
	Frontage								
	Depth	27.50m							
	Area	341.30m							
	_								
7.		to the subject land is by:		Connent Book					
		al Highway	片	Seasonal Road	=				
		al Road Maintained All Year	띧	Other Public Road	H				
	Private I	Right-of-Way		Water					

8	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)						
	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)						
	N/A						
	PROPOSED BUILDIN	IGS/STRUCTURES on t	the subject land:				
	Single detached de Ground floor Areas Gross area:N/A Stories: 2 Building width:9.70	welling : 138.52m2	Building length:14.22m Building height:8.57m				
9.	Location of all l	buildings and struce from side, rear	actures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )				
	EXISTING Front yard setback Rear yard setback Side yard setback	N/A N/A N/A					
	Side yard setback	N/A					
Fi R S	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	5.77m 7.38m 0.65m(L) 1.41m(R)					
10.	Date of Acquisition	of subject land:	July 19 2022				
11.	Existing uses of sub	oject property:	Residential				
12.	Proposed uses of s	ubject property:	Residential				
13.	Existing uses of abo	utting properties:	Residential				
14.	Date of construction	n of all buildings & stru	actures on subject land: 2023				
15.	Length of time the	existing uses of the sub	oject property have been continued: Vacant land				
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)				
(b)	What sewage dispo Municipal Septic	osal is/will be provided?	Other (specify)				
(c)	What storm drainag Sewers Ditches	ge system is existing/pi	roposed? Other (specify)				



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS. STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES, IF MIN, DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENS

BUILDING STATISTICS				
REG. PLAN No.	43M-2102			
ZONE	R1F-13-2368			
LOT NUMBER	LOT 1			
LOT AREA(m) <sup>2</sup>	341.30			
BLDG AREA(m) <sup>2</sup>	X			
LOT COVERAGE(%)	X			
No OF STOREYS	2			
MEAN HEIGHT(m)	8.57			
INT. GARAGE DIMS(m)	5.59 x 5.80			
GARAGE DOOR(m)	2 - 2.44m			

GARAGE DOOR(m)

LEGEND

FFE FINSHED ROOR

ITHW TOP OF POUNDATION

IBS. 100 PG BASEMENT ISLA

USFG WORKERED FOOTING

USFR WAR UNDER SIDE FOOTING

USFG WORKERED FOOTING

USFG WORKERED FOOTING

USFG WORKERED FOOTING

ITH TOP OF SIDE FOOTING

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ILSPE WAR UNDER SIDE FOOTING

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ITH TOP OF SIDE FOOTING

WORKERED FOOTING

INTO WORKERED FOOTING

WALE DIRECTION

WATER WAR USFALL

INTO WORKERED FOOTING

WATER WALE OF WORKERED

WATER WALE

WATER WA CONNECTED TO SIM SWALE DIRECTION SIMAL DIRECTI

SWALE DIRECTION

CHAINLINK FENCE

XX.— PRIVACY FENCE

XX.— SOUND BARRIER

FOOTING TO BE EXTENDED

TO 122 (MIN) BELOW GRADE

LIST IS BASED ON 150mm (8) FOOTING DEPTH. CONTRACTO

NOTICE WITH WORKING DRAWINGS FOR SPECIME SIZE FIRST

NO.	DESCRIPTION	DATE	NWC	СНК
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21		
2	ISSUED FOR REVIEW	05AUG-21	D.H	
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC
			F	
			F	F
			$\vdash$	-
				1

PAPERIANI POCINICA NOTE:

- IT S THE RESPONSIBILITY OF THE SHILDER TO VERREY FROM THE
ACCHITICATION LORAWINGS REPORTE CONSTRUCTION, WHETHER
ACCHITICATION LORAWINGS REPORTE CONSTRUCTION, WHETHER
ACCHITICATION LORAWINGS REPORTED THE METERS OF THE METERS OF

DESIGN

WWW.RNDESIGN.COM T:905-738-3177 WWW,THEPLUSGROUP.CA

MAYFIELD (RCH) PROPERTIES INC MAYFIELD VILLAGE PHASE 6

**BRAMPTON** 

SITE PLAN

5CALE 1:250
LOT NUMBER

90°E1 124% DITS" \*\*\* INFILTRATION TRENCH AS PER CITY STANDARD 38-03 STD. NETTLETON B BLOCK 163 FFE TFW TBS USF 3R 1.50 1.44 134 V 249.34 ₽ V 14.22 BLOCK 2478 JSFG= 247.97 5.77 249.03 248.97 11.27 STM= 246.35 SAN= 246.10 245 SAN

2

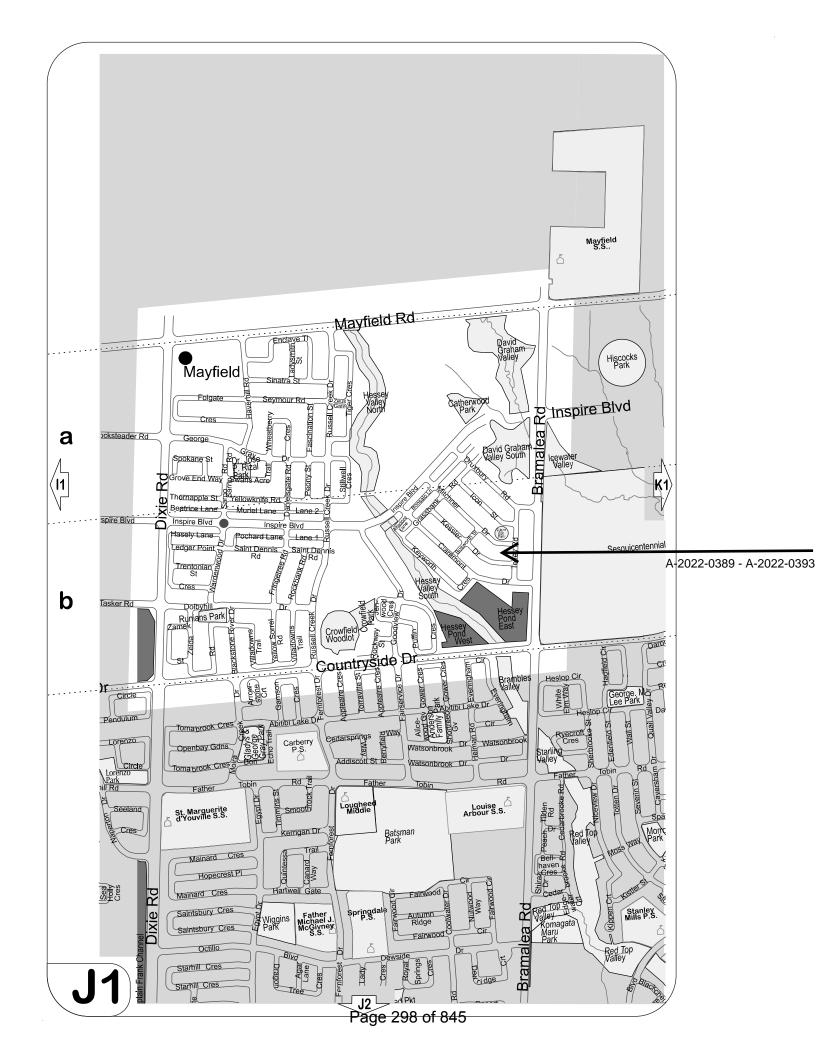
**KESSLER DRIVE** 

ING CERTIFICATION:
PROPOSED LOT GRAING AND DRAINAGE IS APPROVED AS
IN CONFORMITY WITH THE OVERALL APPROVED GRADING
FOR THE SUBDIVISION
BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL THE

LITIES ON SITE. HE SUILDER MUST TOPSOIL AND SOD ALL BOLLEVARDS COWNSPOUTS SHALL DISCHARGE TO THE GROUND VIA

ii TO BE 150mm TO 200mm ABOVE FINAL GRADE AT

17.		-	ect proper or conse	-	ct of an a	pplication u	inder 1	the Planning A	ACT, TOF	approval of a plan	DΤ
	Yes [			No 🔽							
	If answ	er is	s yes, prov	ide details:	File#				Status		_
18.	Has a p	ore-c	onsultatio	n applicatio	n been file	ed?					
	Yes			No 🗹							
19.	Has the	e sul	bject prop	erty ever be	en the sub	ject of an a	pplica	ation for minor	variano	ce?	
	Yes			No 🗵		Unknown					
	if answ	ver is	s yes, prov	ide details:							
	Fi	le#		Decision				Relief			
		le#] le#		Decision Decision				Relief Relief			
		-		9) <del>-</del>							
								D.Dyc	e		
						Si	gnatur	e of Applicant(	s) or Aut	thorized Agent	
DAT	ED AT T	HE ,	CITY		OF	BRAMPTON				<u>.</u> 9	
THIS	S <u>25</u>		DAY OF	NOVEMBER		, 20 <u>22</u> .					
THE SUB	JECT L	AND Is	S, WRITTE A CORPO	N AUTHOR	IZATION C	OF THE OW LICATION S	NER N Shall	MUST ACCOM	PANY T	HAN THE OWNER IN THE APPLICATION.  N OFFICER OF T	ΙF
ĺ	l,		David I	luie		_, OF T	HE	City	OF	Brampton	
IN THE	E_Provi	nce	OF	Ontario		_SOLEMNL	Y DEC	CLARE THAT:			
BELIEVIN OATH.	NG IT TO	) BE ORE		O KNOWING	STHAT IT Sign while 2022	IS OF THE ned electronic the Declara 2 in accorda	SAME cally b ant wa nce wi	FORCE AND refore me in Ma as located in Bra	EFFECT rkham, ( ampton, and the	ON on November 28 Ontario Electronic	ER
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IN THE		Pro	ovince	- OF							
Ontario	TH	IS	28th	- DAY OF			$\langle \cdot \rangle$	David )	tuic		
Novem	ber		, <b>20</b> _22		a light mussessess	Wante	Signat	ture of Applican David	t or Auti Huie	horized Agent	
G	Who to				NOTA	reh y		Submit b		_	
		mmis	ssioner etc		PUB	LIC J					
Hailian Wa Licensed I Law Socie	Paralegal a	and No	otary Public ensee #P163	91	WINDATA	RIO SE					
					FOR OF	FICE USE C	NLY				
	Prese	nt O	fficial Plar	Designatio	n:						
	Present Zoning By-law Classification: R1F-9-2368										
	This	appl	lication has	been review said revie	red with res w are outli	spect to the ned on the a	varian ttache	ces required ar ed checklist.	nd the re	sults of the	
			LB	erbuto				Decembe	er 5, 20	022	
				g Officer		<b>→</b> 9		-	Date		
				- DEACT / -	10			5 2022			
		Dat		E RECEIVED		ecembe	<u> </u>	. 2028		Revised 2020/01/07	
	Co			Municipality							





# Report Committee of Adjustment

Filing Date: Hearing Date: December 15, 2022 January 24, 2023

File:

A-2022-0389 through to A-2022-0393

Owner/

Applicant:

MAYFIELD (RCH) PROPERTIES INC / DAVID DYCE HUIE (RN DESIGN LTD)

Address:

4, 8 and 6 Kessler Drive

Ward:

WARD 9

Contact:

Megan Fernandes, Planning Technician

#### **Recommendations:**

That application A-2022-0389 through to A-2022-0393 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- That a clause be provided within the Agreement of Purchase and Sale advising of the variance affecting the property. If the property has already been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged and accepted the variance; and
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Single Detached F Special Section 2367 (R1F-13-2367)', according to By-law 270-2004, as amended.

#### Requested Variances:

A-2022-0389 (6 Kessler Drive) and A-2022-0390 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.);

A-2022-0391 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.40m (24.28 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

A-2022-0392 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.20 (23.62 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

A-2022-0393 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7 .41m (24.31ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

#### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The subject properties are designated as 'Residential' in the Official Plan and 'Low Density Residential' in the Countryside Villages Secondary Plan (Area 48b). The requested variances to reduce the rear yard setback are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The variances are requested for applications A-2022-0389 through to A-2022-0393 are to permit a rear yard setback ranging from 7.20 (23.62 ft.) to 7.41 (24.31 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space sufficient space area is provided for the rear yard amenity area for the property.

The applicant is proposing to develop 3 lots (4, 6 and 8 Kessler Drive) for single detached dwellings with reduced rear yard setbacks. A reduced range of 0.10m-0.30m (0.32ft-0.98ft.) is requested from what the by-law requires. As a result of the configuration (pie shaped) of the lots, the side lot lines converge towards the front and left (northern) side of the lots. Although a reduction to the rear yard setback is requested, the remaining rear yard area is not anticipated to significantly limit the area provide for amenity space. The variances are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to allow reductions to the rear yard for three lots. The variances will facilitate the development of single detached dwellings. Due to the size of the properties, the reduced setback at the rear yard of the property is not anticipated to negatively impact the outdoor amenity area provided on the property. A condition of approval is recommended that a clause be provided within the Agreement of Purchase and Sale advising of the variance affecting the property. If the property has already been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged and accepted the variance. Subject to the recommended conditions of approval, the variances related to applications A-2022-0389 through to A-2022-0393 are considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

The requested variance to permit a reduced rear yard setback is not anticipated to negatively impact the provision of the outdoor amenity space on the subject properties and will facilitate the configuration of a future residential lots. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0391 WARD #9

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MAYFIELD (RCH) PROPERTIES INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Block 163, Plan 43M-2102 and Part of Block 247, Plan 43M-2103 municipally known as **KESSLER DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.40m (24.28 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

### **OTHER PLANNING APPLICATIONS:**

The land which is subject of	this application is	the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed **TUESDAY**, **January 24**, **2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers**, **4th Floor**, **City Hall**, **2 Wellington Street West**, **Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN, DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE

#### BUILDING STATISTICS 43M-2102-43M-2103 REG. PLAN No. R1F-13-2368 ZONE LOT BLK 163&247 LOT NUMBER LOT AREA(m) $^2$ 341.29 BLDG AREA(m)<sup>2</sup> No. OF STOREYS 8.22 MEAN HEIGHT(m) 5.59 x 6.10 INT: GARAGE DIMS(m) 2 - 2.44m GARAGE DOOR(m)



NO.	DESCRIPTION	DATE	DWN	СНК
-1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-21	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC
	/			

MPORTANT FOOTING NOTE:

IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER ADDITIONAL THICKNESS MY BE REQUIRED.

LOT GRADING PLANS ASSUME A TRIS TO USF DISTANCE OF 0.23, BASED ON FOOTING THICKNESS IP TO 6':

IF ADDITIONAL FOOTING THICKNESS IS REQUIRED THE USF IS TO BE COWERED BY THE FOULDWING AMOUNTS:

UP TO 9' FOOTING, LOWER USF BY 0.10

11' FOOTING, LOWER USF BY 0.13

12' FOOTING, LOWER USF BY 0.15

13' FOOTING, LOWER USF BY 0.18

14' FOOTING, LOWER USF BY 0.18



WWW.RNDESIGN.COM T:905-738-3177 WWW.THEPLUSGROUP.CA

I, NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LTD, UNDER DIVISION C, PART-3 SUBSECTION-3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN: FIRM BCIN: DATE:

MAYFIELD (RCH) PROPERTIES INC.

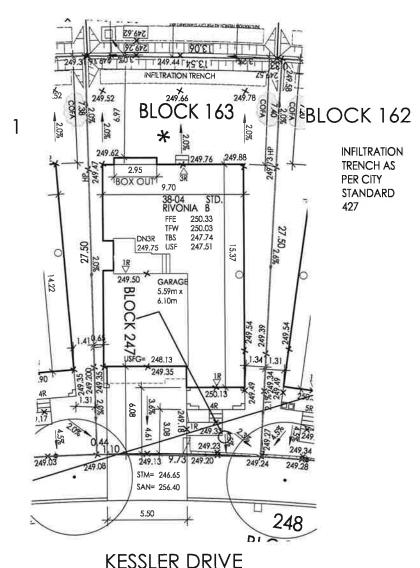
PROJECT/LOCATION

MAYFIELD VILLAGE PHASE 6 **BRAMPTON** 

DRAWING

SITE PLAN

DRAWN BY	5CALE 1:250
PROJECT No.	LOT NUMBER
21034	LOT BLK 163&247



GRADING CERTIFICATION:

1. THE PROPOSED LOT GRAING AND DRAINAGE IS APPROVED AS BEING IN COMPORNITY WITH THE OVERALL APPROVED GRADING PLANS FOR THE SUBDIVISION.

2. THE BULLDER IS RESPONSIBLE FOR RELOCATION OF ALL THE UNIT PLANS FOR THE SUBDIVISION.

5. BRICKLINE TO BE 150mm TO 200mm ABOVE FINAL GRADE AT

NOTE:
LATERIAL SEWERS AS-BUILT ELEVATIONS AND UNTILITY
LOCATIONS WERE NOT AVAILABLE AT THE TIME OF
CERTIFICATION. SCHAEFFER'S WILL NOT ACCEPT
LIABILITY ARISING FROM THIS MATTER. REVISIONS MAY
BE REQUIRED UPON AVAILABILITY OF LATERAL
ELEVATIONS AND UTILITY LOCATIONS.
ALSO UNDERGROUND SEWERS WHERE NOT
CONSTRUCTED WHEN SITE PLANS REVIEWED AND
APPROVED.



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, January 19, 2023.** 

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or ieanie.myers@brampton.ca by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

• All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **Flower City**



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

FILE NUMBER: A -2022-0391

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

1.	Name of Owner(s)	MAYFIELD (RCH) Prop	perties INC		
	Address 171 Basalti	Homes Rd#1 Cond	ord, ON L4K 1G4		
	Phone #			Fax #	
	Email				
_		De del Decembro (DN F	Design LTD)		
2.		David Dyce Huie (RN [	Design LTD)		
	Address 8395 Jane	Street			
	Vaughan, C	ON M2J OA4			
	Db #			Fax #	
	Phone # 905 738 3177	nian com			
	Email DavidH@rnde	sign.com		<del></del> -	
2	Nature and extent of	rolled applied for /v	ariancae roquaetor	۸۰	
3.	Nature and extent of				
	Requesting a rear	yard reduction fro	om required 7.50	m setback to 7.40m	
	0 10 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0				
	2				
4.	Why is it not possible	e to comply with th	e provisions of the	by-law?	
				ging towards the front	of the lot. Note
	Due to the ple sha	peu ioi, ille side i	not inics are diver	7 FOm roor word roqui	romont
	that the opposite s	ide of the nome of	complies with the	7.50m rear yard requi	rement.
	1				
	t				
	1				
_	Legal Description of	the cubiect land:			
5.					
	Lot Number Block 163/2		4214 0400/4214 040	2	
	Plan Number/Conces		43M-2102/43M-210		
	Municipal Address	KESSLER DRIVE			
6.	Dimension of subject	t land ( <u>in metric un</u>	<u>its</u> )		
	Frontage 11.27m				
	<b>Depth</b> 27.50m				
	<b>Area</b> 341.29m				
7.	Access to the subject	et land is hv			
19	Provincial Highway	A faile to by.		Seasonal Road	
		atained All Voor	河	Other Public Road	$\equiv$
	Municipal Road Main		Ħ	Water	Ħ
	Private Right-ot-Wav	/		· rate	

8.	Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)						
	EXISTING RUII DING	S/STRUCTURES on th	e subject land: List all structures (dwelling, shed, gazebo, etc.)				
	N/A	O/OTROOTORES ON AL	G G G G G G G G G G G G G G G G G G G				
		11					
	PROPOSED BUILDIN	NGS/STRUCTURES on	the subject land:				
	Single detached d		•				
	Ground floor Area Gross area: N/A		Building length:15.37m Building height:8.22m				
	Stories: 2 Building width: 9.7	′0m					
9.			uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )				
	EXISTING						
	Front yard setback	N/A					
	Rear yard setback Side yard setback	N/A N/A					
	Side yard setback	N/A					
	PROPOSED Front yard setback	4.61m					
	Rear yard setback Side yard setback	7.40m 0.65m(L)					
	Side yard setback	1.34m(R)					
10.	Date of Acquisition	of subject land:	July 19 2022				
11.	Existing uses of sub	oject property:	Residential				
12.	Proposed uses of se	ubject property:	Residential				
13.	Existing uses of abo	utting properties:	Residential				
14.	Date of construction	n of all buildings & strเ	uctures on subject land: 2023				
15.	Length of time the e	existing uses of the sul	bject property have been continued: Vacant land				
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)				
(b)	What sewage dispo Municipal Septic	osal is/will be provided 	? Other (specify)				
(c)	What storm drainag Sewers E Ditches Swales	ge system is existing/p	roposed? Other (specify)				

17.		•	n or conse	-	ct of all a	ppiication ui	iuei u	ie Planing A	ACL, IOI	approval of a plan of
	Yes			No 🔽						
	if an	ıswer i	s yes, prov	/ide details:	File#				Status	
18.	Has	a pre-	consultatio	on application	n been file	ed?				
	Yes			No 🗹						
19.	Has	the su	bject prop	erty ever be	en the sub	ject of an ap	plicat	ion for minor	varian	ce?
	Yes			No 🗵		Unknown				
			s vas nro	vide details:						
	ıı aı	File#		Decision				Relief		
		File #		Decision			_	Relief		
		File #		Decision				Relief		
								D.Dyc	e	
						Sig	nature	of Applicant(	s) or Au	thorized Agent
DAT	ED A	T THE	CITY		OF	BRAMPTON				_
THIS	S 25		DAY OF	NOVEMBER	20	, <b>20</b> <sup>22</sup> .				=
IF THIS A	APPI I					OLICITOR OF	ς ΔΝΥ	PERSON OF	HFR T	HAN THE OWNER OF
THE SUB	JECT	LAND	S, WRITTI	EN AUTHOR	IZATION C	F THE OWN	IER M	UST ACCOM	PANY 1	THE APPLICATION. IF
						LICATION SI IALL BE AFF			BYA	N OFFICER OF THE
										Brampton
)	l,			Huie		OF TH	łE -	City	OF	- Brampton
IN THE	E_Pr	ovince	OF	Ontario ———		SOLEMNLY	DECI	ARE THAT:		
										N CONSCIENTIOUSLY T AS IF MADE UNDER
		EODE	ME AT TH	ıc				fore me in Ma located in Bra		Ontario ON on November 28,
					2022	2 in accordan	ce with		and the	Ontario Electronic
City	<b>—</b> 23	OF	Markhar	n ————————————————————————————————————				•		9
IN THE		Pr	ovince	_ OF						
<u>Ontario</u>	_ 7	гніѕ	28th	DAY OF			7	David of	fuir	
Novem	ber		, <b>20</b> _22			Marines S	ignatu	re of Applican	t or Aut	horized Agent
(	Also .	T			NOTA NOTA	IRY NAME OF THE PROPERTY OF TH		Submit b		
>	A	Commi	ssioner etc		PUBL	10		Guonne	<i>y</i> =	
	ang Paraleg	al and N	otary Public		NAN ONTA	RIO SEE				
Law Socie	ty of O	ntario Lic	ensee #P163	91	FOR OF	FICE USE OF	NLY			
	Pre	esent C	Official Plan	n Designatio	n:					
	Pre	esent Z	onina Bv-l	aw Classific	ation:			R1F-9-23	68	
Present Zoning By-law Classification:  R1F-9-2308  This application has been reviewed with respect to the variances required and the results of the										
	said review are outlined on the attached checklist.									
			12	ash.t				Decembe	r 5 21	N22
	-		Zonir	ng Officer		_	3	Decembe	Date	<u> </u>
			DAT	E RECEIVED		ecember	5	, 2022		
				tion Deemed Municipality						Revised 2020/01/07



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES, IF MIN DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE,

#### **BUILDING STATISTICS** 43M-2102-43M-2103 REG. PLAN No. R1F-13-2368 ZONE LOT BLK 163&247 LOT NUMBER LOT AREA(m)<sup>2</sup> 341.29 BLDG AREA(m)<sup>2</sup> LOT COVERAGE(%) No. OF STOREYS 8.22 5.59 x 6.10 INT. GARAGE DIMS(m) 2 - 2.44m GARAGE DOOR(m)

FINISHED FLOOR ELEVATION TFW TOP OF FOUNDATION WALL X BELL PEDESTAL CABLE PEDESTAL TOP OF BASEMENT SLAB TBS CATCH BASIN USF UNDER SIDE FOOTING UNDER SIDE FOOTING @ REAR DBL. CATCH BASIN ENGINEERED FILL UNDER SIDE FOOTING @ GARAGE USFG HYDRO CONNECTION GARAGE TOP OF ENGINEERED FILL FIRE HYDRANT STREET LIGHT R NUMBER OF RISERS TO GRADE

OB LOOKOUT BASEMENT MAIL BOX TRANSFORMER SEWER CONNECTIONS 2 LOTS SEWER CONNECTIONS 1 LOT LOB WALK OUT BASEMENT WALK UP BASEMENT 7 REVERSE PLAN WATER CONNECTION WATER VALVE CHAMBER HYDRANT AND VALVE HYDRO METER GAS METER STD STANDARD PLAN DOOR **Q** B Αđ AIR CONDITIONING DOWN SPOUT TO SPLASH PAD MANHOLE - STORM • MANHOLE - SANITARY CHAINLINK FENCE PRIVACY FENCE SOUND BARRIER NOTE: USF IS BASED ON 150mm (8) FOOTING TO BE EXTENDED TO 1.22 (MIN) BELOW GRADE NOTE: USF IS BASED ON 150mm (8) FOOTING DEFIH. CONTRACTOR TO CONFIRM WITH MORKING DRAWINGS FOR SPECIFIC SIZES THAT MAY SUPERSEDE THIS SIZE.

	ISSUED OR REVISION		DWN	CUK
NO.	DESCRIPTION		-	CHK
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21		_
2	ISSUED FOR REVIEW	05-AUG-21	DH	NC
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC
_				_
		-		
		-		+
_			-	-

INFORTANT FOOTING NOTE:

IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE
ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION WHETHER
ADDITIONAL THICKNESS MY BE REQUIRED.

LOT GRADING PLANS ASSUME A TBS TO USF DISTANCE OF 0.23, BASED
ON FOOTING THICKNESS UP 10 0'S'.

IF ADDITIONAL FOOTING THICKNESS IS REQUIRED THE USF IS TO BE
LOWERED BY THE FOLLOWING AMOUNTS:

- UP TO 9" FOOTING, LOWER USF BY 0.07

- 10" FOOTING, LOWER USF BY 0.10

- 11" FOOTING, LOWER USF BY 0.13

- 12" FOOTING, LOWER USF BY 0.13

- 12" FOOTING, LOWER USF BY 0.15

- 13" FOOTING, LOWER USF BY 0.15

- 13" FOOTING, LOWER USF BY 0.16

- 14" FOOTING, LOWER USF BY 0.16

- 14" FOOTING, LOWER USF BY 0.18

DESIGN

WWW.RNDESIGN.COM T:905-738-3177 WWW.THEPLUSGROUP.CA

I, NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LTD, LINDER DIVISION C, PART-3 SUBSECTION-3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE RIFM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

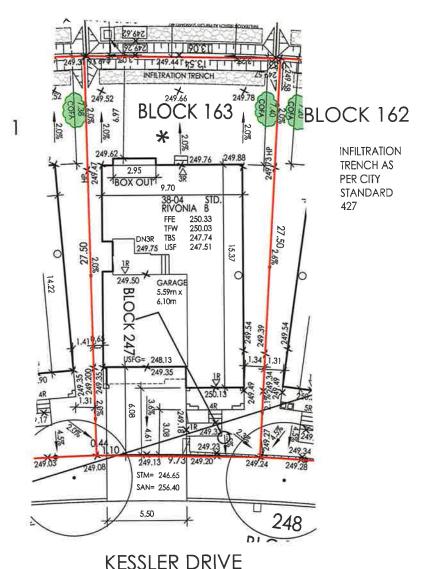
SIGNATURE

MAYFIELD (RCH) PROPERTIES INC.

MAYFIELD VILLAGE PHASE 6 BRAMPTON

SITE PLAN

DRAWN BY	SCALE
D.H	1:250
PROJECT No. 21034	LOT NUMBER LOT BLK 163&247

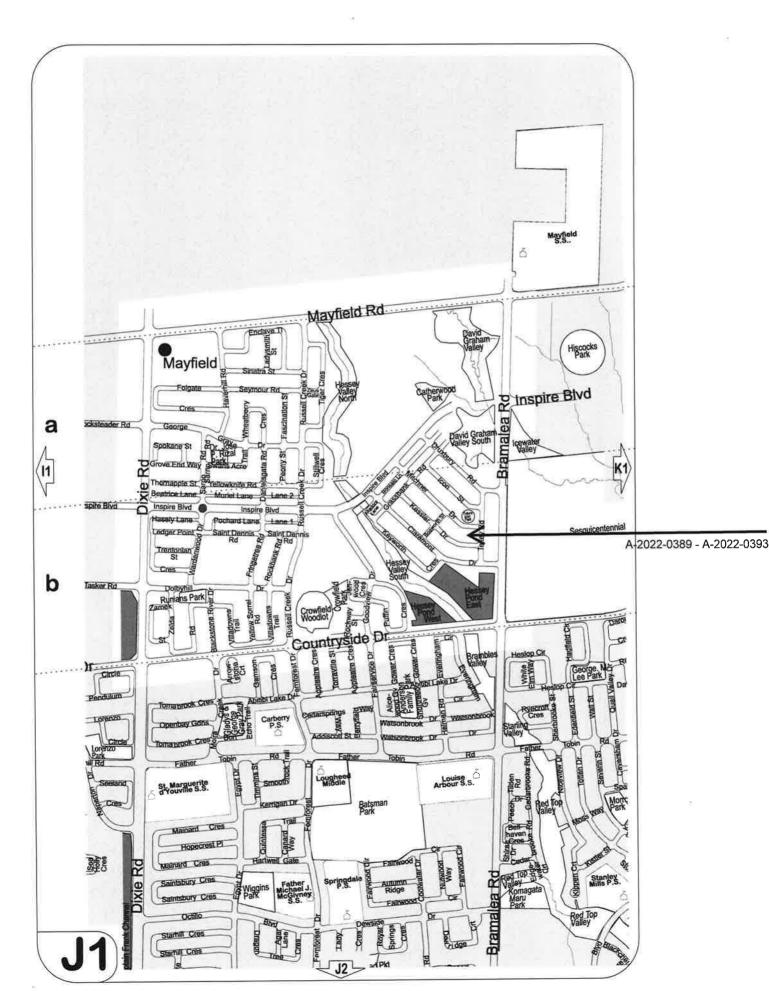


- GRADING CERTIFICATION:

  1, THE PROPOSED LOT GRAING AND DRAINAGE IS APPROVED AS BEING IN COMPORMITY WITH THE OVERALL APPROVED GRADING PLANS FOR THE SUBDIVISION.

  2. THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL THE
- SPLASH PADS. 5. BRICKLINE TO BE 150mm TO 200mm ABOVE FINAL GRADE AT

NOTE:
LATERIAL SEWERS AS-BUILT ELEVATIONS AND UNTILITY
LOCATIONS WERE NOT AVAILABLE AT THE TIME OF
CERTIFICATION. SCHAEFFERS WILL NOT ACCEPT
LIABILITY ARISING FROM THIS MATTER, REVISIONS MAY
BE REQUIRED UPON AVAILABILITY OF LATERAL
ELEVATIONS AND UTILITY LOCATIONS.
ALSO UNDERGROUND SEWERS WHERE NOT
CONSTRUCTED WHEN SITE PLANS REVIEWED AND
APPROVED.





# Report Committee of Adjustment

Filing Date:

December 15, 2022 January 24, 2023

Hearing Date:

•

File:

A-2022-0389 through to A-2022-0393

Owner/

Applicant:

MAYFIELD (RCH) PROPERTIES INC / DAVID DYCE HUIE (RN DESIGN LTD)

Address:

4, 8 and 6 Kessler Drive

Ward:

WARD 9

Contact:

Megan Fernandes, Planning Technician

#### **Recommendations:**

That application A-2022-0389 through to A-2022-0393 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- That a clause be provided within the Agreement of Purchase and Sale advising of the variance
  affecting the property. If the property has already been sold, the applicant shall provide written
  confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged
  and accepted the variance; and
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Single Detached F Special Section 2367 (R1F-13-2367)', according to By-law 270-2004, as amended.

#### Requested Variances:

A-2022-0389 (6 Kessler Drive) and A-2022-0390 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.);

A-2022-0391 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.40m (24.28 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

A-2022-0392 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.20 (23.62 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

A-2022-0393 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7 .41m (24.31ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

#### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The subject properties are designated as 'Residential' in the Official Plan and 'Low Density Residential' in the Countryside Villages Secondary Plan (Area 48b). The requested variances to reduce the rear yard setback are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The variances are requested for applications A-2022-0389 through to A-2022-0393 are to permit a rear yard setback ranging from 7.20 (23.62 ft.) to 7.41 (24.31 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space sufficient space area is provided for the rear yard amenity area for the property.

The applicant is proposing to develop 3 lots (4, 6 and 8 Kessler Drive) for single detached dwellings with reduced rear yard setbacks. A reduced range of 0.10m-0.30m (0.32ft-0.98ft.) is requested from what the by-law requires. As a result of the configuration (pie shaped) of the lots, the side lot lines converge towards the front and left (northern) side of the lots. Although a reduction to the rear yard setback is requested, the remaining rear yard area is not anticipated to significantly limit the area provide for amenity space. The variances are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to allow reductions to the rear yard for three lots. The variances will facilitate the development of single detached dwellings. Due to the size of the properties, the reduced setback at the rear yard of the property is not anticipated to negatively impact the outdoor amenity area provided on the property. A condition of approval is recommended that a clause be provided within the Agreement of Purchase and Sale advising of the variance affecting the property. If the property has already been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged and accepted the variance. Subject to the recommended conditions of approval, the variances related to applications A-2022-0389 through to A-2022-0393 are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The requested variance to permit a reduced rear yard setback is not anticipated to negatively impact the provision of the outdoor amenity space on the subject properties and will facilitate the configuration of a future residential lots. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0392 WARD #9

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MAYFIELD (RCH) PROPERTIES INC.** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Block 162, Plan 43M-2102 and Part of Block 248, Plan 43M-2103 municipally known as **KESSLER DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.20m (23.62 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

### OTHER PLANNING APPLICATIONS:

The land which is subject of	this application	is the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

#### PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca



13.05 [249.55] 120% 1249.6812.732.0% INFILTRATION TRENCH EBLOCK 162249.75 В 7.20 COF 2.0% BLOCK 161 INFILTRATION BLOCK 163 kg TRENCH AS 249.88 PER CITY 2.95 BOX OUT 4R WOD **STANDARD** 9.70 427 38-04 REV. RIVONIA A FFE 250.58 TFW 250.28 TBS 247.79 USF 247.76 27.50 1.36 15.37 249.83 15.37 249.8 249.39 USFG= 248.46 6.05 5R 6.05 3.20 249 42

KESSLER DRIVE

BLOCK

248

SAN 246.€

- GRADING CERTIFICATION:

  1. THE PROPOSED LOT GRAINS, AND DRAINAGE IS APPROVED AS BEING IN CONFORMITY WITH THE OVERALL APPROVED GRADING PLANS FOR THE SUBDIVISION.

  2. THE BULLER IS RESPONSIBLE FOR RELOCATION OF ALL THE UTILITIES ON SITE.

  3. THE BULLER NUST TOPSOIL AND SOD ALL BOULEVARDS.

  4. DOWNSPOUTS SHALL DISCHARGE TO THE GROUND VIA SPLASH PADS.

  5. BRICKLINE TO BE 150mm TO 200mm ABOVE FINAL GRADE AT HOUSE.

NOTE:
LATERIAL SEWERS AS-BUILT ELEVATIONS AND UNTILITY
LOCATIONS WERE NOT AVAILABLE AT THE TIME OF
CERTIFICATION. SCHAEFFER'S WILL NOT ACCEPT
LIABILITY ARISING FROM THIS MATTER. REVISIONS MAY
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ALSO UNDERGROUND SEWERS WHERE NOT
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NOTE; BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN., DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSI

#### **BUILDING STATISTICS** 43M-2102-43M-2103 REG\_PLAN No. R1F-13-2368 ZONE LOT BLOCK 162&248 LOT NUMBER LOT AREA(m)<sup>2</sup> 341.14 BLDG AREA(m)<sup>2</sup> LOT COVERAGE(%) No. OF STOREYS 8.33 MEAN HEIGHT(m) 5.59 x 6.10 INT GARAGE DIMS(m 2 - 2.44m GARAGE DOOR(m)

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NO.	ISSUED OR REVISION DESCRIPTION		DWN	СНК
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-21	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC
0				
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			_	_

LI WPORTANT FOOTING NOTE:

IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE RICHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER VADITIONAL THICKNESS MAY BE REQUIRED. LOT GRADING PLANS ASSUME A 735 TO USF DISTANCE OF 0.23, BASED ON FOOTING THICKNESS IS REQUIRED THE USF IS TO BE OWERED BY THE FOULDWING AMOUNTS:

UP 10 9' FOOTING, LOWER USF BY 0.10

11' FOOTING, LOWER USF BY 0.13

12' FOOTING, LOWER USF BY 0.15

13' FOOTING, LOWER USF BY 0.15

13' FOOTING, LOWER USF BY 0.15

14' FOOTING, LOWER USF BY 0.16



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I, NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LTD, LIDDER DIVISION C, PART-3 SUBSECTION-3,2.4 OF THE BULDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN: FIRM BCIN: DATE:

SIGNATURE:

MAYFIELD (RCH) PROPERTIES INC.

PROJECT/LOCATION

MAYFIELD VILLAGE PHASE 6 **BRAMPTON** 

DRAWING

SITE PLAN

DRAWN BY	SCALE 1:250
PROJECT No. 21034	LOT NUMBER LOT BLOCK 162&248

STM= 246.85 SAN= 246.60

249

BLOCK-7



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act*, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
  - To participate in-person, please email the Secretary—Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **Flower City**



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

FILE NUMBER: A -2022 - 0392

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

1.	Name of O	wner(s) MAYFIELD (RCH) Pi	ronerties INC		
٠.		171 Basaltic Homes Rd#1 Co			***************************************
		11 1 Dasanie Flories IXell 1 00	1100101. 013 2113 101		
	Phone # Email		<del>.</del>	Fax # 	
_		D. M.D. and Halle (DA	J.D. sien J.TD)		
2.	Name of A		N Design LTD)		
		8395 Jane Street			
		Vaughan, ON M2J OA4			
	Phone #	905 738 3177		Fax #	
		DavidH@rndesign.com		-	
	Liliali	David N. G. Made Sg. Made M.		-	
3.	Nature and	d extent of relief applied for	(variances requeste	ed):	
•		ng a rear yard reduction			
	Requesti	ng a rear yard reduction	ironi required 7.5	OIII Selback to 7.20III	
	1				
	1				
				ar is the	
4.		not possible to comply with			
	Due to th	ne pie shaped lot, the side	e lot lines are dive	erging towards the front o	f the lot. Note
	that the o	opposite side of the home	e complies with th	ne 7.5m rear yard require	ment.
		Sphootic class of missing		· ·	
	4				
	L				
5.	Logal Dos	scription of the subject land:			
5.		er BLOCK 162/248			
		ber/Concession Number	43M-2102/43M-2	103	
	Municipal		10/// 2/10/2/10/2/		
	Mullicipal	Address			
6.	Dimensio	n of subject land ( <u>in metric ı</u>	units)		
٠.	Frontage	11.27m			
	Depth	27,50m			
	Area	341.14m			
	, 🗸	•			
7.	Access to	the subject land is by:			_
		ll Highway		Seasonal Road	$\sqsubseteq$
		I Road Maintained All Year	V	Other Public Road	
		ight-of-Way		Water	$\sqcup$

8,	land: (specify i	<u>in metric units</u> gr	structures on or proposed for the subject round floor area, gross floor area, number of c., where possible)
	EXISTING BUILDING	S/STRUCTURES on th	e subject land: List all structures (dwelling, shed, gazebo, etc.)
	N/A	S/STROSTORES SITE	Est an structures (unclining, since, gameser ster)
	Single detached d	NGS/STRUCTURES on	the subject land:
	Ground floor Area Gross area: N/A		Building length:15.37m Building height:8.33m
	Stories: 2 Building width: 9.7	′0m	
9.	Location of all	buildings and str	uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )
	EVICTING		
	EXISTING Front yard setback	N/A	
	Rear yard setback Side yard setback	N/A N/A	
	Side yard setback	N/A	
	PROPOSED Front yard setback	4.72m	
	Rear yard setback Side yard setback	7.20m 0.65m (R)	
	Side yard setback	1.31m (L)	
10.	Date of Acquisition	of subject land:	July 19 2022
11.	Existing uses of sub	oject property:	Residential
12.	Proposed uses of se	ubject property:	Residential
13.	Existing uses of abo	utting properties:	Residential
14.	Date of construction	n of all buildings & stru	uctures on subject land: 2023
15.	Length of time the e	existing uses of the su	bject property have been continued: Vacant land
16. (a)	What water supply in Municipal Well	is existing/proposed?	Other (specify)
(b)	What sewage dispo Municipal Septic	esal is/will be provided	? Other (specify)
(c)	What storm drainage Sewers Ditches Swales	ge system is existing/p	roposed?  Other (specify)

17.		ject proper n or conse		ct of an a	pplication u	nder ti	ne Planning A	Act, for	approval of a pla	n of
	Yes		No 🔽							
	If answer	is yes, prov	ide details:	File #				Status		
18.	Has a pre-	consultatio	n applicatio	n been file	ed?					
	Yes		No 🗹							
19.	Has the su	ıbject prope	erty ever be	en the sub	oject of an a	pplicat	ion for mino	varian	ce?	
	Yes		No 🗹		Unknown					
	If answer	is yes, prov	ide details:							
	File #		Decision Decision				Relief Relief			
	File #		Decision			_	Relief			
							D.Dyc	e		
					Sig	gnature	of Applicant(	s) or Au	thorized Agent	_
DATE	ED AT THE	CITY		OF	BRAMPTON		907 90		=	
THIS	25	DAY OF	NOVEMBER		, <b>20</b> 22				<del></del>	
IE THIS A	DDI ICATIO	N IS SIGNE		GENT SO	OLICITOR O	P ANV	PERSON OF	THER T	HAN THE OWNER	? OF
THE SUB. THE APP	JECT LAND	S, WRITTE	N AUTHOR	IZATION O	OF THE OWI	NER M	UST ACCOM BE SIGNED	PANY 1	THE APPLICATION IN OFFICER OF	N. IF
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	Province		Ontario			_	ARE THAT:			
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Oity	- OF	- Walkilaii								
IN THE	Pr	ovince	OF .				-			
Ontario	THIS	28th	DAY OF			7	David 9	tuic		
Novemb	per	_, <b>20</b> _22		ilian	Wanter	Signatu	re of Applicar	t or Aut Huie	horized Agent	
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	A Commi	issioner etc.		PUB	LIC /					
	aralegal and N			WATA ONTA	RIO see					
Law Societ	y of Ontario Li	censee #P1639	91	FOR OF	FICE USE O	NLY				$\neg$
	Present 0	Official Plan	Designatio	n:						
			aw Classific				R1F-9-23	68		
	This app	lication has			spect to the v		es required ar checklist.	d the re	esults of the	
		12	. 6. +				Decembe	ar 5 20	n22	
			g Officer		_		Decembe	Date		
			. DEAE" (==	10		5	2022			
	D-		RECEIVED		ecember		, 2022		Revised 2020/01/0	7
			ion Deemed Municipality							



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES, IF MIN, DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE.

**BUILDING STATISTICS** 43M-2102-43M-2103 REG. PLAN No. R1F-13-2368 ZONE LOT BLOCK 162&248 LOT NUMBER 341.14 LOT AREA(m)<sup>2</sup> BLDG AREA(m)<sup>2</sup> LOT COVERAGE(%) No. OF STOREYS 8.33 5.59 x 6.10 INT, GARAGE DIMS(m) 2 - 2.44m GARAGE DOOR(m)

LEGEND

FFE FINISHED FLOOR SUMP PUMP BELL PEDESTAL

CABLE PEDESTAL TOP OF FOUNDATION WALL TOP OF BASEMENT SLAB CATCH BASIN USF UNDER SIDE FOOTING
USFR CONTING @ REAR ENGINEERED FILL UNDER SIDE FOOTING @ GARAGE TOP OF ENGINEERED FILL USFG HYDRO CONNECTION FIRE HYDRANT STREET LIGHT NUMBER OF RISERS TO GRADE WALKOUT DECK R MAIL BOX TRANSFORMER LOOKOUT BASEMENT LOB SEWER CONNECTIONS 2 WALK OUT BASEMENT WALK UP BASEMENT SEWER CONNECTIONS T REVERSE PLAN WATER CONNECTION STD STANDARD PLAN WATER VALVE CHAMBER DOOR HYDRANT AND VALVE Ŷ WINDOW HYDRO METER GAS METER H Ad AIR CONDITIONING DOWN SPOUT TO SPLASH PAD MANHOLE - STORM ۰ DOWNSPOUT CONNECTED TO STM SWALE DIRECTION MANHOLE - SANITARY CHAINLINK FENCE PRIVACY FENCE SOUND BARRIER FOOTING TO BE EXTENDED

FOOTING TO BE EXTENDED

TO 1.22 (MIN) BELOW GRADE

NOTE: USF IS BASED ON 150mm (6") FOOTING DETH. CONTRACTO

TO CONFIRM WITH WORKING DRAWINGS FOR SPECIFIC SIZES THAT MAY SUPERSEDE THIS SIZE.

_	ISSUED OR REVISION			
NO.	DESCRIPTION	_	DWN	CHK
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-21	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC
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MOORIAN FOOTING NOTE

TIS THE RESPONSBUTY OF THE BUILDER TO VERIFY FROM THE
ACHITICTURAL DRAWINGS BEFORE CONSTRUCTION, WHEIHER
ADDITIONAL THICKNESS MAY BE REQUIRED,
LOT GRADING PLANS ASSUME A TBS TO USF DISTANCE OF 0.23, BASED
ON FOOTING THICKNESS UP TO 6".

IF ADDITIONAL FOOTING THICKNESS IS REQUIRED THE USF IS TO BE
LOWERED BY THE FOLLOWING AMOUNTS:

- UP TO 9"FOOTING, LOWER USF BY 0.07

- 10"FOOTING, LOWER USF BY 0.13

- 12"FOOTING, LOWER USF BY 0.15

- 13"FOOTING, LOWER USF BY 0.16

- 14"FOOTING, LOWER USF BY 0.18

- 14"FOOTING, LOWER USF BY 0.18

- 14"FOOTING, LOWER USF BY 0.18

DESIGN

WWW.RNDESIGN.COM T:905-738-3177 WWW.THEPLUSGROUP.CA

L NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LTD, UNDER DIVISION C, PART-3 SUBSECTION-3.2.4 OF THE BULLIONG CODE. I AM QUALIFIED AND THE REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN: FIRM BCIN: DATE:

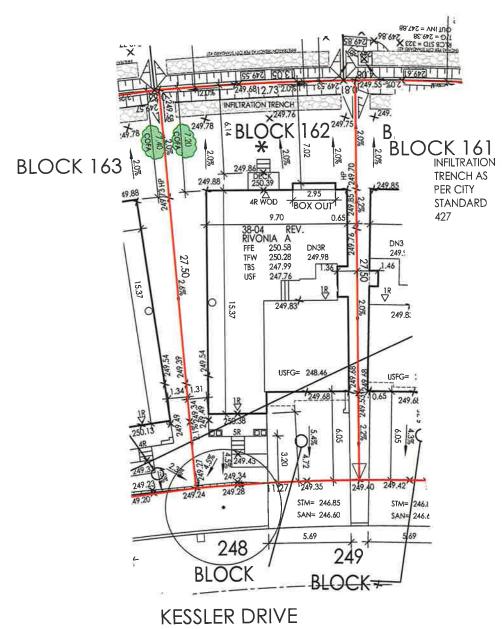
SIGNATURE

MAYFIELD (RCH) PROPERTIES INC.

MAYFIELD VILLAGE PHASE 6 **BRAMPTON** 

SITE PLAN

DRAWN BY D.H	1:250
PROJECT No.	LOT NUMBER
21034	LOT BLOCK 162&248



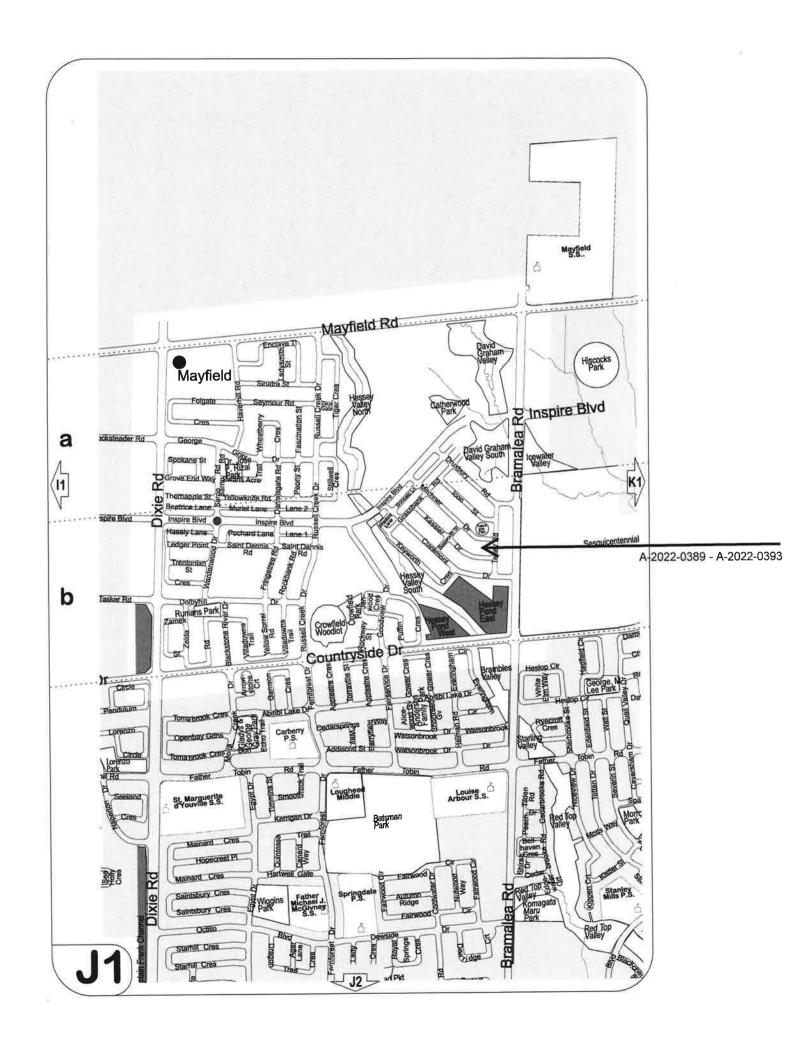
- GRADING CERTIFICATION:

  1, THE PROPOSED LOT GRAING AND DRAINAGE IS APPROVED AS BEING IN CONFORMITY WITH THE OVERALL APPROVED GRADING PLANS FOR THE SUBDIMISION.

  2, THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL THE LIVE OFFICE ALL THE

- SPLASH PADS... 5. BRICKLINE TO BE 150mm TO 200mm ABOVE FINAL GRADE AT

NOTE:
LATERIAL SEWERS AS-BUILT ELEVATIONS AND UNTILITY
LOCATIONS WERE NOT AVAILABLE AT THE TIME OF
CERTIFICATION. SCHAEFFER'S WILL NOT ACCEPT
LIABILITY ARISING FROM THIS MATTER REVISIONS MAY
BE REQUIRED UPON AVAILABILITY OF LATERAL
ELEVATIONS AND UTILITY LOCATIONS.
ALSO UNDERGROUND SEWERS WHERE NOT
CONSTRUCTED WHEN SITE PLANS REVIEWED AND
APPROVED.





# Report Committee of Adjustment

Filing Date: Hearing Date: December 15, 2022 January 24, 2023

File:

A-2022-0389 through to A-2022-0393

Owner/

Applicant:

MAYFIELD (RCH) PROPERTIES INC / DAVID DYCE HUIE (RN DESIGN LTD)

Address:

4, 8 and 6 Kessler Drive

Ward:

WARD 9

Contact:

Megan Fernandes, Planning Technician

#### **Recommendations:**

That application A-2022-0389 through to A-2022-0393 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- That a clause be provided within the Agreement of Purchase and Sale advising of the variance
  affecting the property. If the property has already been sold, the applicant shall provide written
  confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged
  and accepted the variance; and
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Single Detached F Special Section 2367 (R1F-13-2367)', according to By-law 270-2004, as amended.

#### Requested Variances:

A-2022-0389 (6 Kessler Drive) and A-2022-0390 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.);

A-2022-0391 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.40m (24.28 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

A-2022-0392 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.20 (23.62 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

A-2022-0393 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7 .41m (24.31ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

#### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The subject properties are designated as 'Residential' in the Official Plan and 'Low Density Residential' in the Countryside Villages Secondary Plan (Area 48b). The requested variances to reduce the rear yard setback are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The variances are requested for applications A-2022-0389 through to A-2022-0393 are to permit a rear yard setback ranging from 7.20 (23.62 ft.) to 7.41 (24.31 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space sufficient space area is provided for the rear yard amenity area for the property.

The applicant is proposing to develop 3 lots (4, 6 and 8 Kessler Drive) for single detached dwellings with reduced rear yard setbacks. A reduced range of 0.10m-0.30m (0.32ft-0.98ft.) is requested from what the by-law requires. As a result of the configuration (pie shaped) of the lots, the side lot lines converge towards the front and left (northern) side of the lots. Although a reduction to the rear yard setback is requested, the remaining rear yard area is not anticipated to significantly limit the area provide for amenity space. The variances are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to allow reductions to the rear yard for three lots. The variances will facilitate the development of single detached dwellings. Due to the size of the properties, the reduced setback at the rear yard of the property is not anticipated to negatively impact the outdoor amenity area provided on the property. A condition of approval is recommended that a clause be provided within the Agreement of Purchase and Sale advising of the variance affecting the property. If the property has already been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged and accepted the variance. Subject to the recommended conditions of approval, the variances related to applications A-2022-0389 through to A-2022-0393 are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The requested variance to permit a reduced rear yard setback is not anticipated to negatively impact the provision of the outdoor amenity space on the subject properties and will facilitate the configuration of a future residential lots. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0393 WARD #9

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MAYFIELD (RCH) PROPERTIES INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Block 161, Plan 43M-2102 and Part of Block 249, Plan 43M-2103 municipally known as **KESSLER DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for a proposed single detached dwelling:

1. To permit a rear yard setback of 7.41m (24.31ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

### **OTHER PLANNING APPLICATIONS:**

File Number:
File Number:

The Committee of Adjustment has appointed **TUESDAY**, **January 24**, **2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers**, **4th Floor**, **City Hall**, **2 Wellington Street West**, **Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

#### PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES, IF MIN. DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE

#### BUILDING STATISTICS 43M-2102-43M-2103 REG. PLAN No. R1F-13-2368 LOT BLOCK 161&249 LOT NUMBER LOT AREA(m) $^2$ 341.29 BLDG AREA(m)2 LOT COVERAGE(%) No. OF STOREYS 8.58 MEAN HEIGHT(m) 5.59m x 5.80m INT, GARAGE DIMS(m) 2 - 2.44 GARAGE DOOR(m)

FFE FINISHED FLOOR TFW TOP OF FOUNDATION WALL
TBS TOP OF BASEMENT SLAB BELL PEDESTAL CABLE PEDESTAL UNDER SIDE FOOTING UNDER SIDE FOOTING @ REAR USF DBL. CATCH BASIN ENGINEERED FILL USFG UNDER SIDE FOOTING @ GARAGE
TEF TOP OF ENGINEERED FILL HYDRO CONNECTION FIRE HYDRANT R NUMBER OF RISERS TO GRADE WOLKOUT DECK ST STREET LIGH WOD TRANSFORMER
SEWER CONNECTIONS 2
LOTS WALK OUT BASEMENT SEWER CONNECTIONS I WALK UP BASEMENT REVERSE PLAN STD STANDARD PLAN WATER VALVE CHAMBER CHAMBER
HYDRANT AND
VALVE
HYDRO METER
GAS METER
MANHOLE - STORM WINDOW AIR CONDITIONING DOWN SPOUT TO SPLASH PAD ⊕+ MANHOLE - SANITARY CHAINLINK FENCE PRIVACY FENCE SOUND BARRIER 

NO.	DESCRIPTION	DATE	DWN	CHK
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-21	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	D,H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC

IMPORTANT FOOTING NOTE:

-IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER ARCHITECTURAL DRAWINGS BEFORE CONSTRUCTION, WHETHER ADDITIONAL THICKNESS MY BE REQUIRED.

-LOT GRADING PLANS ASSUME A 785 TO USF DISTANCE OF 0.23, BASED ON FOOTING THICKNESS UP TO 6'.

-IF ADDITIONAL FOOTING THICKNESS US REQUIRED THE USF IS TO BE LOWERED BY THE FOLLOWING AMOUNTS:

- UP TO 9' FOOTING, LOWER USF BY 0.10

- 11' FOOTING, LOWER USF BY 0.13

- 12' FOOTING, LOWER USF BY 0.15

- 13' FOOTING, LOWER USF BY 0.15

- 13' FOOTING, LOWER USF BY 0.15

- 14' FOOTING, LOWER USF BY 0.18

- 14' FOOTING, LOWER USF BY 0.18



WWW.RNDESIGN.COM T:905-738-3177 WWW.THEPLUSGROUP.CA

I, NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LTD, UNDER DIVISION C., PART-3 SUBSECTION-3.2. OF THE BUILDING CODE: I AM GUALHIED AND THE FIRM I REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN: FIRM BCIN: DATE:

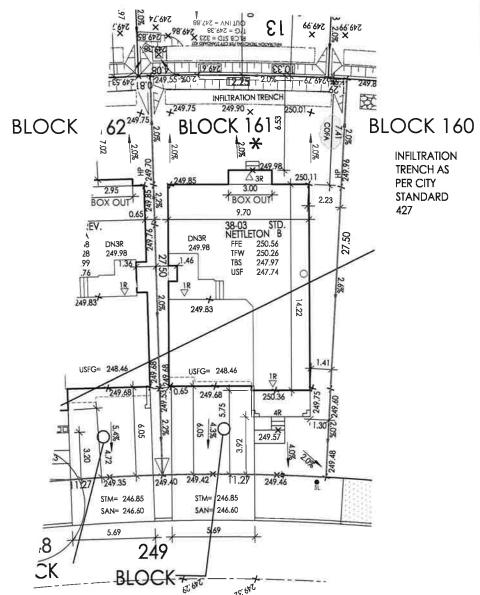
SIGNATURE:

MAYFIELD (RCH) PROPERTIES INC.

MAYFIELD VILLAGE PHASE 6 BRAMPTON

SITE PLAN

DRAWN BY D.H	SCALE 1:250
PROJECT No.	LOT NUMBER
21034	LOT BLOCK 161&249



KESSLER DRIVE

GRADING CERTIFICATION:

1. THE PROPOSED LOT GRAING AND DRAINAGE IS APPROVED AS BEING IN CONFORMITY WITH THE OVERALL APPROVED GRADING PLANS FOR THE SUBDIVISION.

2. THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL THE

UTILITIES ON SITE.
3. THE BUILDER MUST TOPSOIL AND SOD ALL BOULEVARDS.
4. DOWNSPOUTS SHALL DISCHARGE TO THE GROUND VIA

NOTE:
LATERIAL SEWERS AS-BUILT ELEVATIONS AND UNTILITY
LOCATIONS WERE NOT AVAILABLE AT THE TIME OF
CERTIFICATION. SCHAEFFER'S WILL NOT ACCEPT
LUBALITY ANISING FROM THIS MATTER REVISIONS MAY
BE REQUIRED UPON AVAILABILITY OF LATERAL
ELEVALIONS AND UTILITY LOCATIONS.
ALSO UNDERGROUND SEWERS WHERE NOT
CONSTRUCTED WHEN SITE PLANS REVIEWED AND
ADDRIVEN.



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options;
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## Flower City



brampton.ca FII

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

FILE NUMBER: A - 2022 - 0 3 93

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

1.	Name of 0 Address		MAYFIELD (RCH) Faltic Homes Rd#1 Co		K 1G4	
	Phone #	-			Fax #	
	Email					
2.	Name of	Agent	David Dyce Huie (R	N Design LTD)		
		8395 Jan				
		Vaughan	, ON M2J OA4			
	Phone #	905 738 3177			Fax #	
	Email	DavidH@rn	design.com			
3.	Naturo ar	nd extent (	of relief applied for	(variances re	quested):	
J.				1.5		
	Request	ting a rea	ar yard reduction	from require	ed 7.50m setback to 7.41m	
	1					
	140		L. L	the provision	a of the by law?	
4.			ble to comply with			-Cil I-t Nata
	Due to t	he pie sh	naped lot, the sid	e lot lines ar	e diverging towards the front	of the lot. Note
	that the	opposite	side of the hom	e complies v	vith the 7.5m rear yard require	ement.
	1					
	1					
5.	l egal De	scription	of the subject land	:		
٥.			61/249 (Part block)			
			ession Number	43M-210	2 / 43M-2103	
	Municipa	al Address	KESSLER DRIVE			
_	<b>.</b>			··mita)		
6.			ect land ( <u>in metric</u>	unit <u>s</u> )		
	Frontage Depth	27.50m				
	Debai					
	-	.34   79				
	Area	341.29				
	-	341.29				
7.	Area Access t	to the sub	ject land is by:			
7.	Access to Provinci	to the sub	y		Seasonal Road	
7.	Access to Provinci Municipal	to the sub	y aintained All Year		Seasonal Road Other Public Road Water	

8.	land: (specify i	<u>n metric units</u> gr	structures on or proposed for the subject ound floor area, gross floor area, number of c., where possible)
	EXISTING BUILDING	S/STRUCTURES on the	e subject land: List all structures (dwelling, shed, gazebo, etc.)
	N/A	<u> </u>	
	PROPOSED BUILDIN	IGS/STRUCTURES on	the subject land:
	Single detached d Ground floor Area: Gross area:N/A Stories: 2 Building width: 9.7	welling :138.52m2	Building length: 14.22m Building height: 8.58m
9.	Location of all (specify distance	buildings and str e from side, rear	uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )
	EXISTING		
	Front yard setback	N/A	
	Rear yard setback Side yard setback	N/A N/A	
	Side yard setback	N/A	
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	5.75m 7.41m 2.23m (R) 0.65m (L)	
10.	Date of Acquisition	of subject land:	July 19 2022
11.	Existing uses of sub	pject property:	Residential
12.	Proposed uses of s	ubject property:	Residential
13.	Existing uses of abo	utting properties:	Residential
14.	Date of construction	n of all buildings & stru	uctures on subject land: 2023
15.	Length of time the	existing uses of the sul	bject property have been continued: Vacant Land
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)
(b)	What sewage dispo Municipal Septic	sal is/will be provided 	? Other (specify)
(c)		ge system is existing/p	roposed? Other (specify)

17.		-	ect proper 1 or conse	-	ct of an ap	pplicatio	on under	the Planning	ACT, TOF	approval of a plan of
	Yes			No 🔽						
	If ansv	ver is	s yes, prov	ride details:	File#				Status	
18.	Has a	pre-c	onsultatio	n applicatio	n been file	ed?				
	Yes			No 🔽						
19.	Has th	e su	bject prop	erty ever be	en the sub	ject of a	ın applic	ation for mino	r variano	ce?
	Yes			No 🔽		Unknov	vn 🗀	]		
	if ansv	ver is	s yes, prov	ride details:						
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		ile#		Decision				Relief		
								D.Duc	o.	
							•	re of Applicant(	s) or Au	thorized Agent
DAT	ED AT T	HE ,	CITY		OF	BRAMP	TON			<u> </u>
THIS	25		DAY OF	NOVEMBER		_, <b>20</b> 22	<u>_</u> ·			
IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.										
1	ı.		David I	Huie		. 0	F THE	City	OF	Brampton
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	Prese	ent Z	oning By-l	aw Classific	ation:			R1F-9-23	68	
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	Co			ion Deemed Municipality						



NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES, IF MIN, DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE

#### BUILDING STATISTICS 43M-2102-43M-2103 REG. PLAN No. R1F-13-2368 ZONE LOT BLOCK 161&249 LOT NUMBER 341.29 LOT AREA(m)<sup>2</sup> BLDG AREA(m)<sup>2</sup> LOT COVERAGE(%) No. OF STOREYS 8.58 5.59m x 5.80m INT, GARAGE DIMS(m) 2 - 2.44 GARAGE DOOR(m)

FFE FINISHED FLOOR ELEVATION TOP OF FOUNDATION WALL M BELL PEDESTAL CABLE PEDESTAL TOP OF BASEMENT SLAB TBS USF UNDER SIDE FOOTING
USFR UNDER SIDE FOOTING @
REAR CATCH BASIN DBL, CATCH BASIN ENGINEERED FILL UNDER SIDE FOOTING @ GARAGE TOP OF ENGINEERED FILL USFG HYDRO CONNECTION STREET LIGHT NUMBER OF RISERS TO GRADE WALKOUT DECK MAIL BOX WOD M TRANSFORMER LOOKOUT BASEMENT WALK OUT BASEMENT SEWER CONNECTIONS 2 SEWER CONNECTIONS I WOB WUB WALK UP BASEMENT REVERSE PLAN WATER CONNECTION WATER VALVE CHAMBER HYDRANT AND VALVE STD STANDARD PLAN DOOR **Q** HYDRO METER GAS METER H AC AIR CONDITIONING DOWN SPOUT TO SPLASH PAD MANHOLE - STORM ٥ DOWNSPOUT CONNECTED TO STM SWALE DIRECTION MANHOLE - SANITARY CHAINLINK FENCE PRIVACY FENCE SOUND BARRIER SOUND BARRIER

— POOTING TO BE EXTENDED
TO 1,22 (MIN) BELOW GRADE
NOTE; USF IS BASED ON 150mm (e) FOOTING DEFIT, CONTRACTO
TO CONFIRM WITH WORKING DRAWINGS FOR SPECIFIC SIZES THAT
MAY SUPERSEDE THIS SIZE.

NO.	ISSUED OR REVISION DESCRIPTION		DWN	СНК
1	ISSUED FOR PRE-SITE ONLY	18-JUN-21	D.H	
2	ISSUED FOR REVIEW	05-AUG-21	D.H	NC
3	REVISED PER ENG COMM	23-AUG-21	D.H	NC
4	ISSUED FINAL	05-MAY-22	D.H	NC
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IMPORTANT FOOTING NOTE:

IT IS THE RESPONSIBILITY OF THE BUILDER TO VERIFY FROM THE

ADDITIONAL DRAWINGS BEFORE CONSTRUCTION, WHETHER THE RESPONSIBLITY OF THE BUILDER TO VERIFY FROM THE HITCUTUAL DRAWINGS BEFORE CONSTRUCTION, WHETHER HITCUTUAL DRAWINGS BEFORE CONSTRUCTION, WHETHER HITCHALL DRAWINGS ASSUME A TRESTO USE DISTANCE OF 0.23, BASED CODING THICKNESS UP 10 6', DOTING THICKNESS IS REQUIRED THE USF IS TO BE REPEB BY THE FOLLOWING AMOUNTS:

LIP TO 9' FOOTING, LOWER USF BY 0.10

11' FOOTING, LOWER USF BY 0.10

12' FOOTING, LOWER USF BY 0.13

12' FOOTING, LOWER USF BY 0.15

13' FOOTING, LOWER USF BY 0.15

14' FOOTING, LOWER USF BY 0.15

14' FOOTING, LOWER USF BY 0.16

14' FOOTING, LOWER USF BY 0.18



WWW.RNDESIGN.COM T:905-738-3177 WWW.THEPLUSGROUP.CA

I. NELSON CUNHA DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RM DESIGN LTD. UNDER DIVISION C, PART-3 SUSSECTION-3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE RIFM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

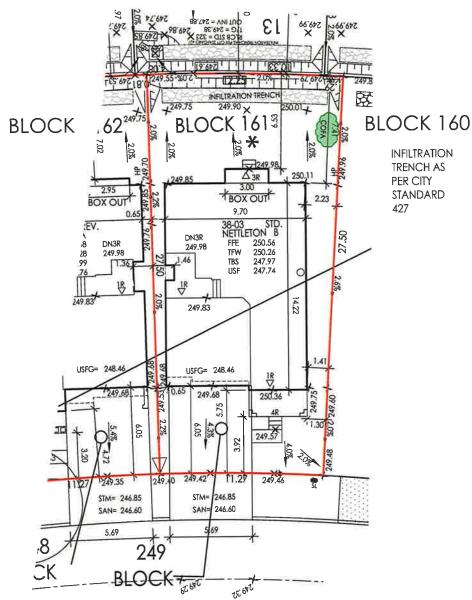
SIGNATURE:

MAYFIELD (RCH) PROPERTIES INC

MAYFIELD VILLAGE PHASE 6 BRAMPTON

SITE PLAN

DRAWN BY	== scale 1:250
PROJECT No.	LOT NUMBER
21034	LOT BLOCK 161&249



KESSLER DRIVE

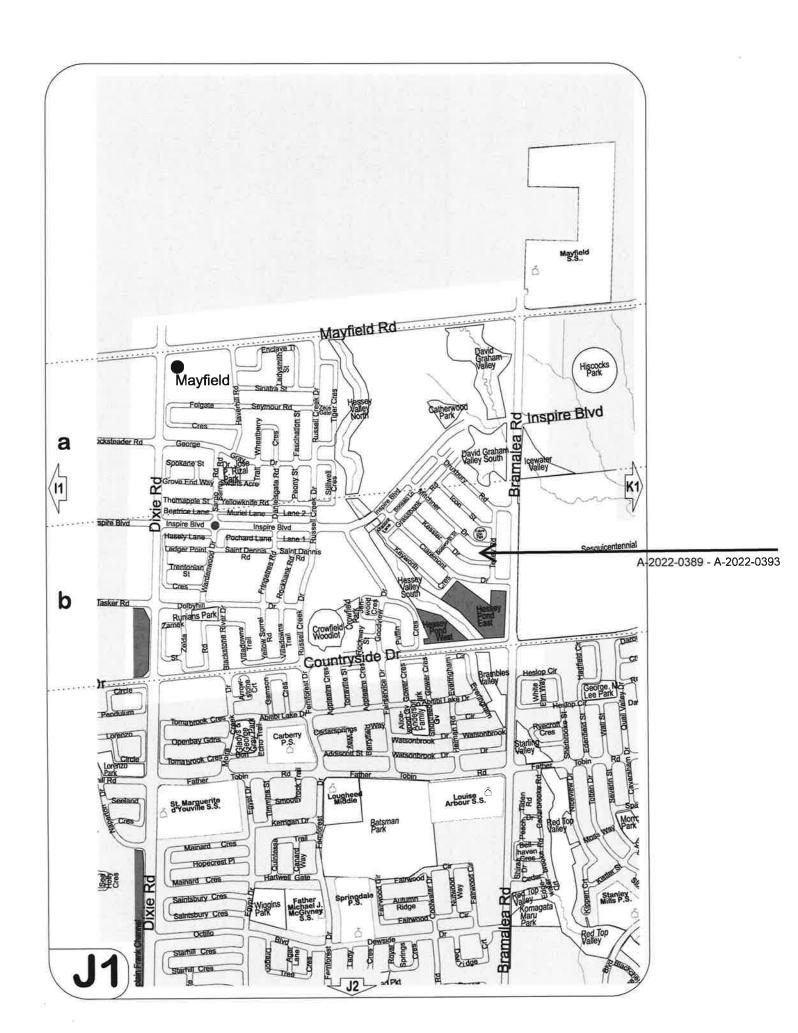
GRADING CERTIFICATION:

1. THE PROPOSED LOT GRAING AND DRAINAGE IS APPROVED AS
BEING IN COMPORMITY WITH THE OVERALL APPROVED GRADING
PLANS FOR THE SUBDIVISION.

2. THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL THE

SPLASH PADS. 5. BRICKLINE TO BE 150mm TO 200mm ABOVE FINAL GRADE AT

NOTE:
LATERIAL SEWERS AS-BUILT ELEVATIONS AND UNTILITY
LOCATIONS WERE NOT AVAILABLE AT THE TIME OF
CERTIFICATION, SCHAEFFER'S WILL NOT ACCEPT
LIABILITY ARISING FROM THIS MATTER REVISIONS MAY
BE REQUIRED UPON AVAILABILITY OF LATERAL
ELEVATIONS AND UTILITY LOCATIONS,
ALSO UNDERGROUND SEWERS WHERE NOT
CONSTRUCTED WHEN SITE PLANS REVIEWED AND
APPROVED.





## Report Committee of Adjustment

Filing Date:

December 15, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0389 through to A-2022-0393

Owner/

**Applicant:** 

MAYFIELD (RCH) PROPERTIES INC / DAVID DYCE HUIE (RN DESIGN LTD)

Address:

4, 8 and 6 Kessler Drive

Ward:

WARD 9

Contact:

Megan Fernandes, Planning Technician

#### **Recommendations:**

That application A-2022-0389 through to A-2022-0393 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- That a clause be provided within the Agreement of Purchase and Sale advising of the variance
  affecting the property. If the property has already been sold, the applicant shall provide written
  confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged
  and accepted the variance; and
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Single Detached F Special Section 2367 (R1F-13-2367)', according to By-law 270-2004, as amended.

#### Requested Variances:

A-2022-0389 (6 Kessler Drive) and A-2022-0390 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.38m (24.22 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.);

A-2022-0391 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.40m (24.28 ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

A-2022-0392 (4 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7.20 (23.62 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

A-2022-0393 (8 Kessler Drive) proposes the following variance:

1. To permit a rear yard setback of 7 .41m (24.31ft.) whereas the bylaw requires a minimum rear yard setback of 7.5m (24.60 ft.)

#### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The subject properties are designated as 'Residential' in the Official Plan and 'Low Density Residential' in the Countryside Villages Secondary Plan (Area 48b). The requested variances to reduce the rear yard setback are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The variances are requested for applications A-2022-0389 through to A-2022-0393 are to permit a rear yard setback ranging from 7.20 (23.62 ft.) to 7.41 (24.31 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space sufficient space area is provided for the rear yard amenity area for the property.

The applicant is proposing to develop 3 lots (4, 6 and 8 Kessler Drive) for single detached dwellings with reduced rear yard setbacks. A reduced range of 0.10m-0.30m (0.32ft-0.98ft.) is requested from what the by-law requires. As a result of the configuration (pie shaped) of the lots, the side lot lines converge towards the front and left (northern) side of the lots. Although a reduction to the rear yard setback is requested, the remaining rear yard area is not anticipated to significantly limit the area provide for amenity space. The variances are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variances are requested to allow reductions to the rear yard for three lots. The variances will facilitate the development of single detached dwellings. Due to the size of the properties, the reduced setback at the rear yard of the property is not anticipated to negatively impact the outdoor amenity area provided on the property. A condition of approval is recommended that a clause be provided within the Agreement of Purchase and Sale advising of the variance affecting the property. If the property has already been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser(s) of the dwelling have acknowledged and accepted the variance. Subject to the recommended conditions of approval, the variances related to applications A-2022-0389 through to A-2022-0393 are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The requested variance to permit a reduced rear yard setback is not anticipated to negatively impact the provision of the outdoor amenity space on the subject properties and will facilitate the configuration of a future residential lots. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician



## **Public Notice**

### **Committee of Adjustment**

APPLICATION # A-2022-0394 WARD #2

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **CHARANJEET SANDHU AND KULJEET KAUR SANDHU** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 523, Plan 43M-1748, Part 49, Plan 43R-32503 municipally known as **12 CALLALILY ROAD**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- 1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard;
- 2. To permit an interior side yard setback of 0.15m (0.50 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
- 3. To permit a driveway width of 8.21m (26.9 ft.) whereas the by-law permits a maximum driveway width of 5.2m (17 ft.);
- 4. To permit a permeable landscaping strip of 0.15m (0.50 ft.) whereas the by-law requires a minimum 0.6m (1.97 ft.) permeable landscaping strip abutting one property line.

#### OTHER PLANNING APPLICATIONS:

The land which is subject of	this application	is the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

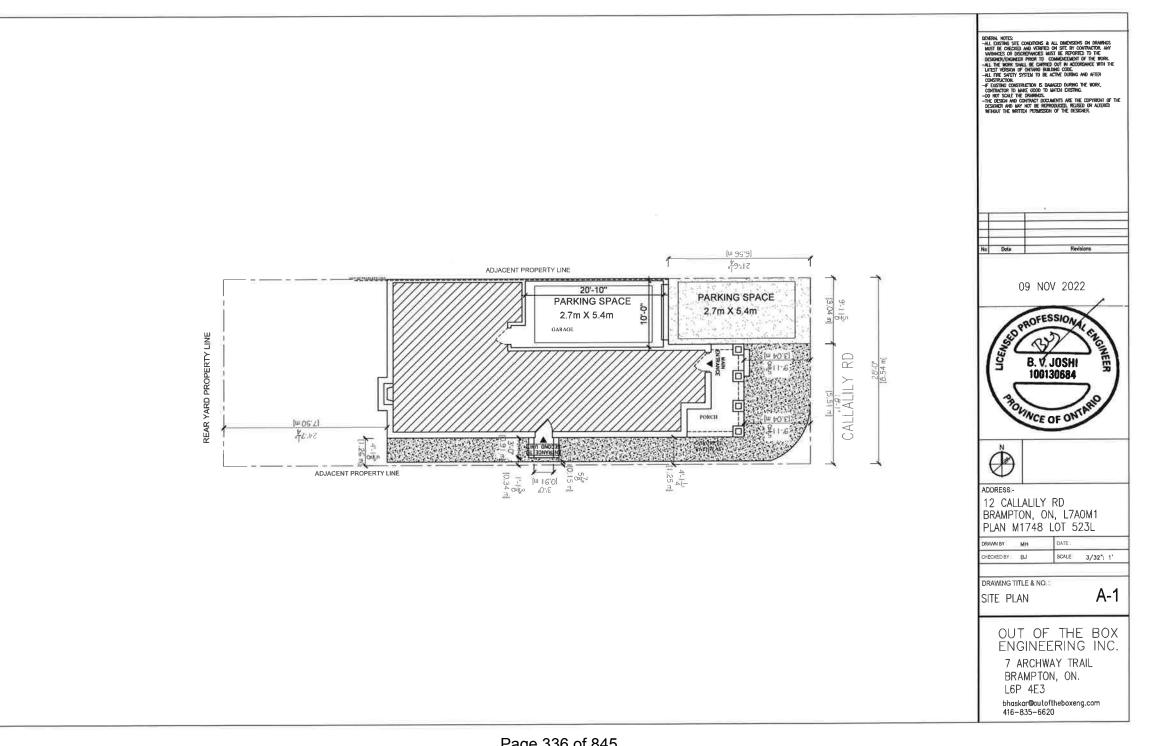
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act*, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

### **How to Participate in the Hearing:**

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

### AMENDMENT LETTER

Januaruy 12, 2023

To: Committee of Adjustment

RE: CHARANJEET SINGH SANDHU AND KULHEET KAUR SANDHU

**PART OF LOT 523, PLAN 43M-1748,** 

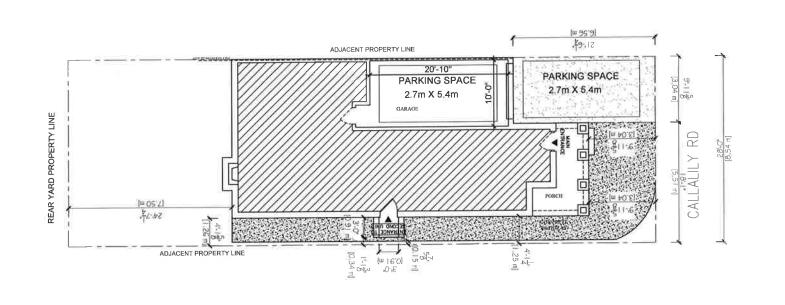
PART 49, PLAN 43R-32503

A-2022-0394 - 12 CALLALILY ROAD

Please amend application A-2022-0394 to reflect the following:

- To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard;
- 2. To permit an interior side yard setback of 0.15m (0.50 ft.) to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
- 3. To permit a driveway width of 8.21m (26.9 ft.) whereas the by-law permits a maximum driveway width of 5.2m (17 ft.).
- 4. To permit a permeable landscaping strip of 0.15m (0.50 ft.) whereas the by-law requires a minimum 0.6m (1.97 ft.) permeable landscaping strip abutting one property line.

Applicant/Authorized Agent

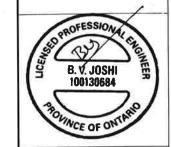


GOMENA NOTE:

\*\*ALL DESIRES SITE CONDITIONS & ALL DISDOCIOUS ON DIAMNOS AND SITE SITE CONTINUEDOS ANY MINISTED ON SITE SITE CONTINUEDOS ANY MINISTED ON SITE SITE CONTINUEDOS ANY MINISTEROS ON SITE CONTROLO CONTINUEDOS ON SITE CONTROLO CONTINUEDOS ON SITE CONTROLO CONTROLO SITE CONT



09 NOV 2022





ADDRESS:-

12 CALLALILY RD BRAMPTON, ON, L7AOM1 PLAN M1748 LOT 523L

 DRAWN BY:
 MH
 DATE

 CHECKED BY
 BJ
 SCALE: 3/32": 1'

DRAWING TITLE & NO

SITE PLAN

A-1

OUT OF THE BOX ENGINEERING INC.

7 ARCHWAY TRAIL BRAMPTON, ON. L6P 4E3

bhaskar@outoftheboxeng.com 416-835-6620

## **Flower City**



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

FILE NUMBER:

A-2022-0394

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

1. Name of Owner(s) Charanjeet singh sandhu Kuljeet kaur sandhu Address 12 CALLALILY RD. BRAMPTON. L7A0A1

Phone # Email	716-603-6461 CHANNSHANDHU9@GMAIL,COM	Fax #
Name of Address	Agent BHASKAR JOSHI, AAKASH JOSH A 7 ARCHWAY TRAIL, BRAMPTON, L6P4	
Phone #	416-835-6620	Fax #
Email	INFO@OUTOFTHEBOXENG.COM	

Nature and extent of relief applied for (variances requested):

allow a below grade entrance in the interior sideyard. To permit a driveway width of 8.54m, whereas the by-law permits a maximum driveway width of 5.2m.

4. Why is it not possible to comply with the provisions of the by-law?

AS PER BY LAWS BELOW GRADE IS NOT ALLOWED ON THE SIDE, IF ONE DOES NOT HAVE 1.5 SIDE YARD ON ONE SIDE AND 1.2M ON THE OTHER SIDE.

Plan Number/Conc	ession Number	M1748
<b>Municipal Address</b>	12 CALLALILY RD	

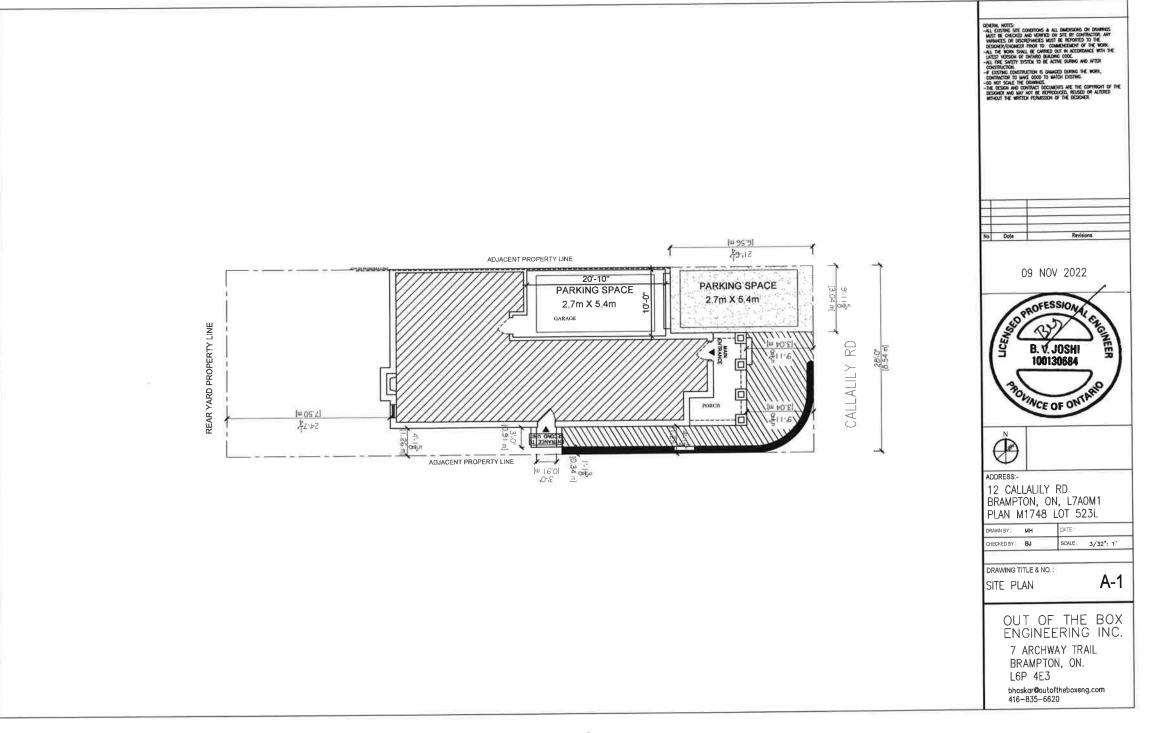
	Depth	8.54			
	Area	230.5			_
7.		o the subject land is by: al Highway		Seasonal Road	
		al Road Maintained All Year	7	Other Public Road	

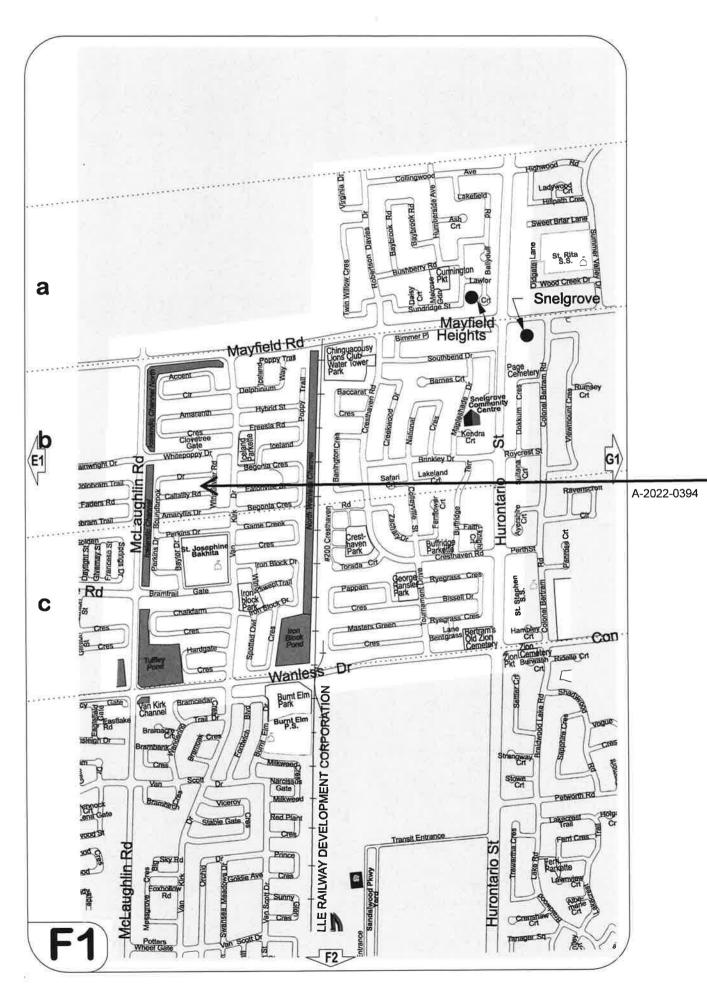
Private Right-of-Way

Water

8.,	land: (specify	in metric units g	d structures on or proposed for the subject round floor area, gross floor area, number of cc., where possible)
	EXISTING BUILDIN	GS/STRUCTURES on the	ne subject land: List all structures (dwelling, shed, gazebo, etc.)
	FIRST FLOOR-7 SECOND FLOOI	9.4SQM	
	PROPOSED BUILD	INGS/STRUCTURES on	the subject land:
	N/A		
9.		_	ructures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )
	EXISTING	2.04	
	Front yard setback Rear yard setback	3.04 7.5	
	Side yard setback	1.25	
	Side yard setback	N/A	
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	3.04 7.5 1.25 N/A	
10.	Date of Acquisition	of subject land:	
11.	Existing uses of su	ıbject property:	RESIDENTIAL
12.	Proposed uses of	subject property:	RESIDENTIAL
13.	Existing uses of al	outting properties:	RESIDENTIAL
14.	Date of construction	on of all buildings & str	uctures on subject land: 07/10/2007
15.	Length of time the	existing uses of the su	bject property have been continued: 16 YEARS
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)
(b)	What sewage disp Municipal [ Septic [	osal is/will be provided	? Other (specify)
(c)	What storm draina Sewers [ Ditches [ Swales [	ge system is existing/p	Other (specify)

17.	Is the subject property the subject subdivision or consent?	t of an application unde	er the Planning Act, for a	ipproval of a plan of		
	Yes No V					
	If answer is yes, provide details:	File #	Status _			
18.	Has a pre-consultation application	n been filed?				
	Yes No 🗸					
19.	Has the subject property ever bee	n the subject of an appli	cation for minor varianc	e?		
	Yes No 🗸	Unknown				
	If answer is yes, provide details:					
	File # Decision _		Relief			
	File # Decision _ File # Decision _		Relief Relief			
			<b>A</b> .			
			Jak.			
	2	-	ure of Applicant(s) or Auth	norized Agent		
DAT	ED AT THE CITY	OF BRAMP	<u>ron</u>			
THE	S 08 DAY OF DEC	, 20 <u>22</u> .				
THE SUE	APPLICATION IS SIGNED BY AN A BJECT LANDS, WRITTEN AUTHORI PLICANT IS A CORPORATION, T RATION AND THE CORPORATION'S	ZATION OF THE OWNER HE APPLICATION SHA	RMUST ACCOMPANY TH LL BE SIGNED BY AN	HE APPLICATION. IF		
	0.1			0 1		
		OF THE		Brampton		
IN TH	EREGION OF PEEL	SOLEMNLY DI	ECLARE THAT:			
	THE ABOVE STATEMENTS ARE THE NG IT TO BE TRUE AND KNOWING					
DECLAR	OF Drampton  Control  Control	a Comr Provinc for the ( City of F	Cecilia Myers missioner, etc., e of Ontario Corporation of the Brampton April 8, 2024			
- We	20 > 2	Sign	ature of Applicant or Author	orized Agent		
_	Acommissioner etc.		Submit by Email			
г -		FOR OFFICE USE ONLY	<u> </u>			
	Present Official Plan Designation	1:				
	Present Zoning By-law Classifica		R2E - 8.5 - 3464			
	This application has been reviewe			ults of the		
	L Barbuto		November 29, 2022			
	Zoning Officer		Date			
	DATE RECEIVED December 8 2022					
	Date Application Deemed			Revised 2022/02/17		
	Complete by the Municipality			<u>J</u>		







## Report Committee of Adjustment

Filing Date:

December 9, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0394

Owner/

Applicant:

CHARANJEET SANDHU AND KULJEET KAUR SANDHU

Address:

12 Callalily Road

Ward:

WARD 2

Contact:

Samantha Dela Pena, Assistant Development Planner

#### Recommendations:

That application A-2022-0394 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the below grade entrance shall not be used to access an unregistered second unit;
- That the applicant provides a side yard drainage design that ensures that the drainage from the applicant's side yard follows the approved drainage design for the property, is contained within the subject property, and does not impact the adjacent lands;
- 4. That the owner shall obtain a building permit for the below grade entrance within 60 days of the decision of approval; and
- 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Semi-Detached (R2E-8.5-3464)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

- 1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in the required interior side yard
- 2. To permit an interior side yard setback of 0.15m (0.50 ft.) to the below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
- 3. To permit an existing driveway width of 8.21m (26.93 ft.) whereas the by-law permits a maximum driveway width of 5.2m (17 ft.);
- 4. To permit a permeable landscaping strip of 0.15m (0.50 ft.) whereas the by-law requires a minimum of 0.6m (1.97 ft.) permeable landscaping strip abutting one property line.

#### **Current Situation:**

#### 2. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and is further designated 'Low/Medium Density Residential' in the Northwest Sandalwood Parkway Secondary Plan (Area 2a). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is requested to permit a below grade entrance in the interior side yard setback whereas the by-law prohibits below grade entrances in the interior side yard setback. Variance 2 is requested to permit an interior side yard setback of 0.15m (0.50 ft.) to the below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.). The intent of the by-law in requiring a minimum amount of interior side yard setback is to ensure sufficient space is provided to allow for drainage and access to the rear yard. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit and that the applicant provide a side yard drainage design that ensures that the drainage from the applicant's side yard follows the approved drainage design for the property, is contained within the subject property, and does not impact the adjacent lands. Variances 1 and 2 are considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit an existing driveway width of 8.21m (26.93 ft.) whereas the by-law permits a maximum driveway width of 5.2m (17 ft.). Variance 4 is requested to permit a permeable landscaping strip of 0.15m (0.50 ft.) whereas the by-law requires a minimum of 0.6m (1.97 ft.) permeable landscaping strip abutting one property line. The intent of the by-law in regulating the maximum permitted driveway width and requiring a minimum permeable landscaped strip abutting one property line is to ensure that the driveway does not dominate the front yard landscaped area, that

sufficient space is provided for drainage, and that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling.

The existing driveway width is 3.01m (9.8 ft.) wider than what the by-law permits. The portions of the existing driveway that were widened consist of concrete and are not considered to significantly impact drainage or contribute to a substantial loss of landscaped open space on the property. Furthermore, the existing driveway's curved design allows for the property to maintain its existing street tree and landscaped open space, which also prevents additional vehicles from being parked. Therefore, regardless of the wider driveway dimensions and reduced permeable landscaping strip, the overall design and layout of the driveway prevents any additional vehicles from being parked. While the driveway does not maintain the full front yard landscaping requirements, the existing conditions of the driveway are not out of character for the area. Subject to the recommended conditions of approval, Variances 3 and 4 are considered to maintain the general intent and purpose of the Zoning By-law.

#### 3. Desirable for the Appropriate Development of the Land

The variances are requested to permit existing site conditions for driveway width, the existing location of a below grade entrance, a reduced interior side yard setback, and a reduced permeable landscaping strip. Staff do not anticipate any negative impacts to drainage or access to portions of the property and consider the location of the below grade entrance appropriate given the site context. Subject to the recommended conditions of approval, Variances 1, 2, 3, and 4 are desirable for the appropriate development of the land.

A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit and that the owner shall obtain a building permit for the below grade entrance within 60 days of approval. Furthermore, a condition of approval that the applicant provides a side yard drainage design that ensures that the drainage from the applicant's side yard follows the approved drainage design for the property, is contained within the subject property, and does not impact the adjacent lands is also recommended.

#### 4. Minor in Nature

The existing location of the below grade entrance and reduced interior side yard setback are not considered to impact access to the rear yard or drainage on adjacent properties. Staff have determined that sufficient space is provided to allow for drainage and access to the rear yard, no negative impacts to drainage or access are anticipated, and that the below grade entrance is appropriate given the site context.

Subject to the recommended conditions of approval, Variances 1, 2, 3 and 4 are considered minor in nature.

Respectfully Submitted,

falls-

Samantha Dela Pena, Assistant Development Planner



## **Public Notice**

### **Committee of Adjustment**

APPLICATION # A-2022-0395 WARD #2

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **SONAL PATEL** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Block 2, Plan 43M-1680, Parts 1 and 2, Plan 43R-30448 municipally known as **142 BRUSSELS AVENUE**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- To permit a below grade entrance to be located between the main wall of the dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the flankage lot line;
- 2. To permit an existing fence having a maximum fence height of 2.4m (7.87 ft.) whereas the by-law permits a maximum height of 2.0m (6.56 ft.).

#### OTHER PLANNING APPLICATIONS:

The land which is subject of	this application is	the subject of an application under the Planning Act	for:
Plan of Subdivision:	NO	File Number:	
Application for Consent:	NO	File Number:	
broadcast from the Counc	il Chambers, 4th	UESDAY, January 24, 2023 at 9:00 A.M. by electr Floor, City Hall, 2 Wellington Street West, Bramp porting or opposing these applications.	

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

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RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

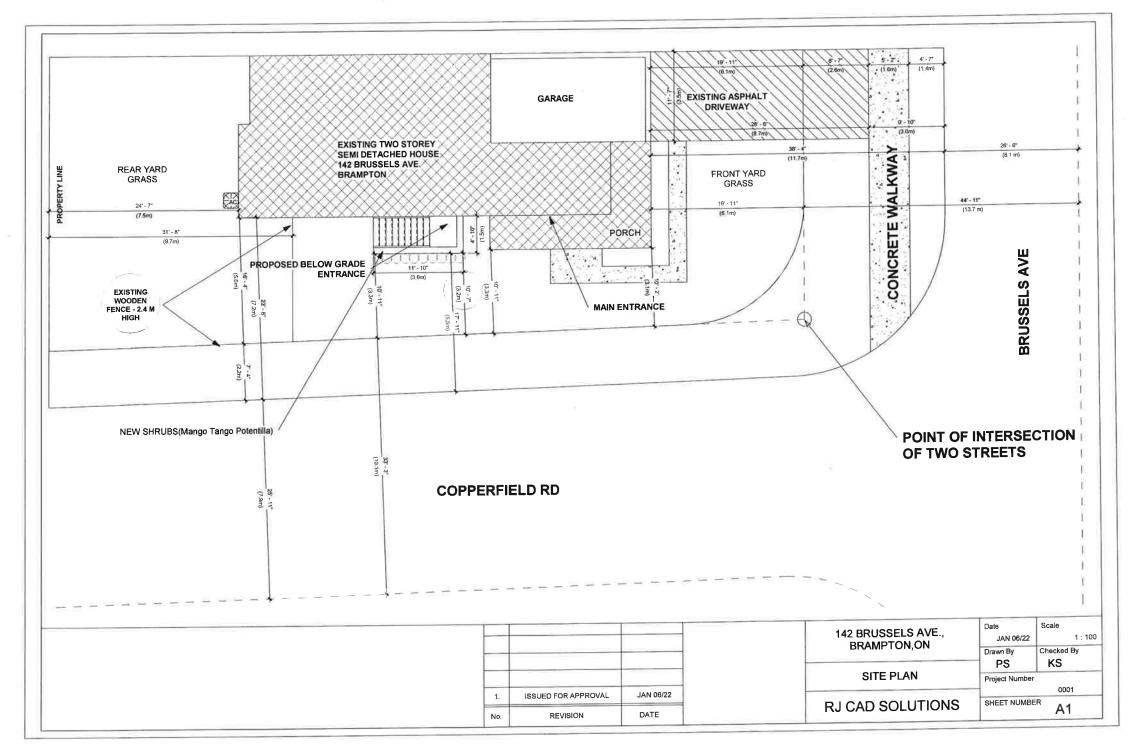
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca





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  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



Date: 2023/01/06 Committee of Adjustment City of Brampton 2 Wellington Street West, Brampton ON L3Z 2A9

A-2022-0395

RE: Minor Variance application for 142 Brussels ave., Brampton

Dear member of the Committee of Adjustment and Secretary-Treasurer,

I am writing this cover letter for the property of 142 Brussels ave., Brampton, ON, on behalf of a homeowner who wants to build a below-grade Separate entrance on an exterior side yard. As per the property survey, the setback between the dwelling and side lot line is 5 m from house and 3.3 m from porch.

Reasons for Separate Entrance from sideyard:

- The homeowner wants to keep privacy in the backyard since he has a side yard of 3.3 m which has a deficit of only 0.1m from porch.
- This supports design in the basement as well.
- The existing minimum setback of the side yard from the property line is 3.3 m, we are proposing a below-grade separate entrance setback is 3.2m.
- The existing fence height is 2.4 M.

My kind request is to consider this application and grant a permit for the above matter.

Thank you,

Kruti Shah, P.Eng.

Digitally signed by Kruti Shah Reason: I am the author of the Contact tribe rigardating-gamail com Date. 2023 01 06

**RJ Cad Solutions** 

## **Flower City**



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

FILE NUMBER: <u>A -2022</u> → 395

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

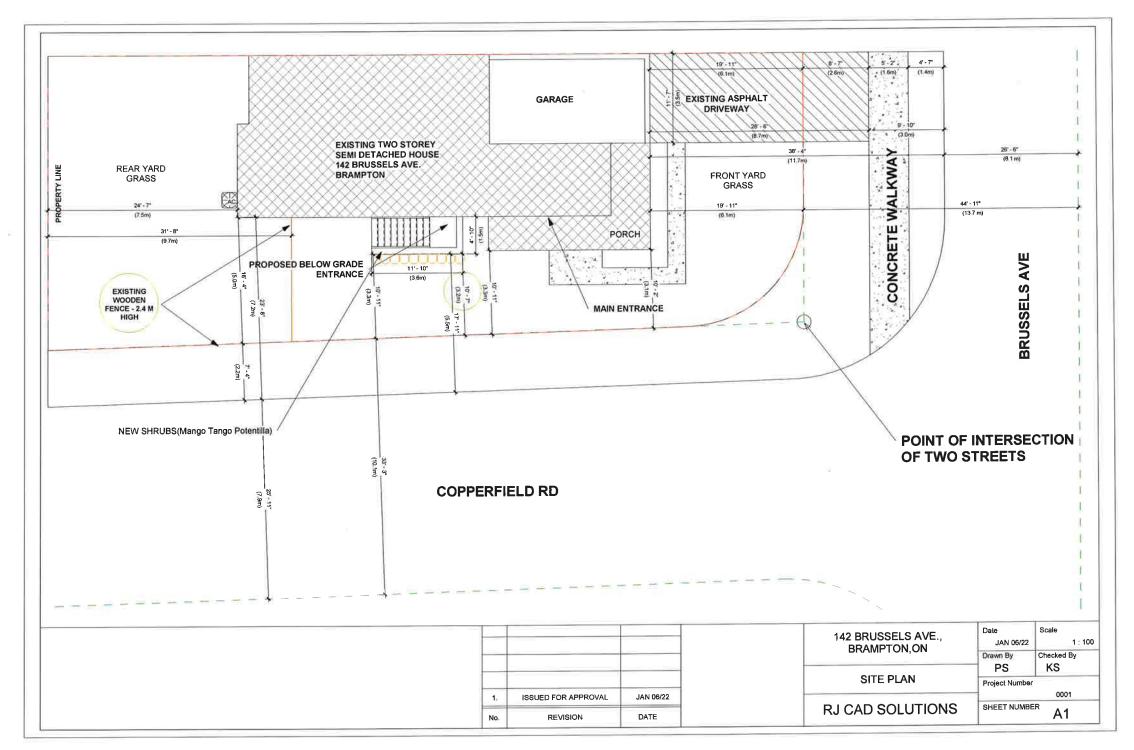
**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

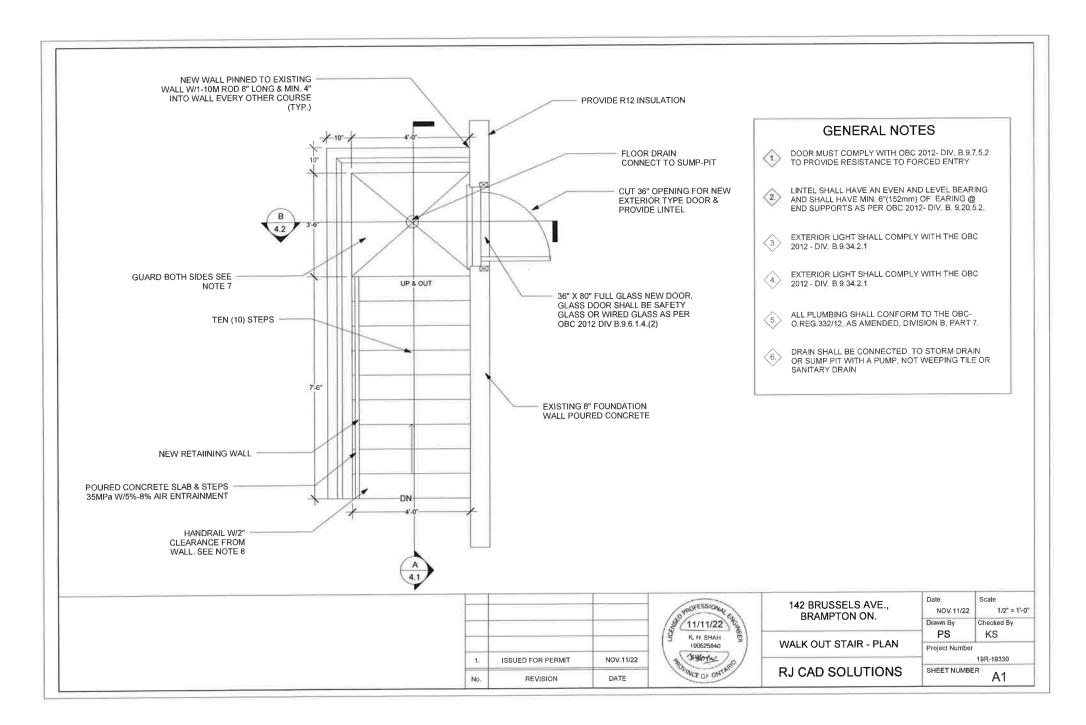
The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

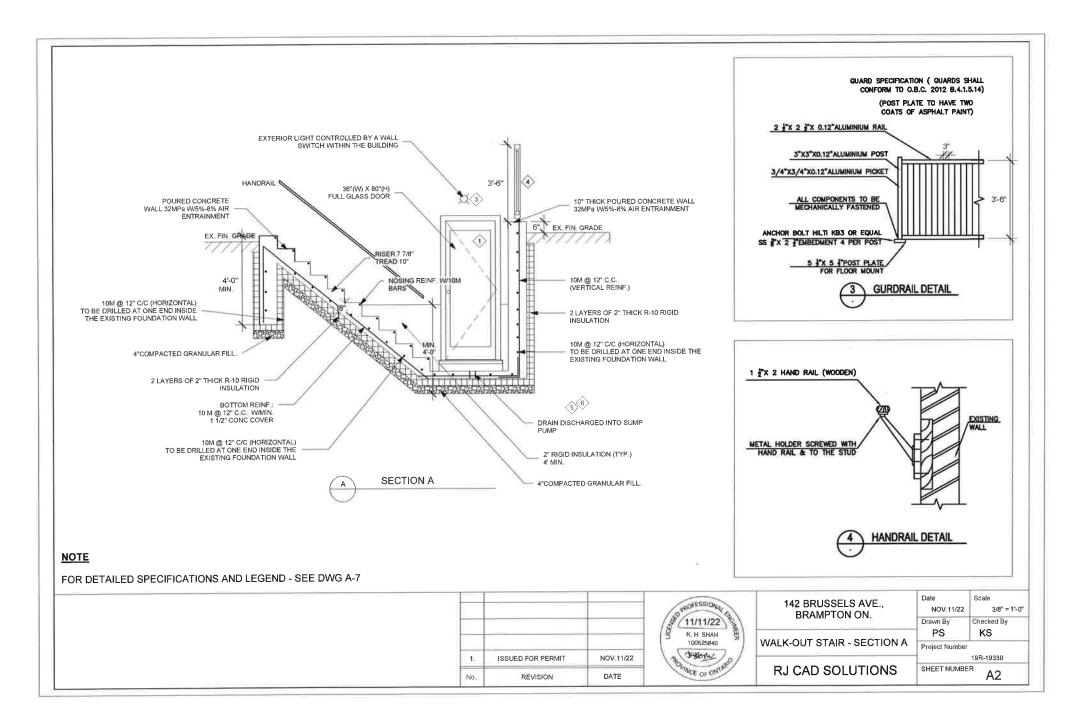
Address	Owner(s) SONAL PATEL  142 BRUSSELS AVE., Bra	ampton, ON, L6Z 0	E1		
Phone #	647-215-1614		Fax #		
Email	sonalgoti@yahoo.com				
	. <del></del>				
Name of					
Address	4 Abacus rd, Brampton, Ol	N, L6T 5J6			
	97				
Phone #	6475323593		Fax #		
Email	kruti@rjcadsolutions.com		<del></del>		
Nature ar	nd extent of relief applied f	or (variances req	uested):		
1. TO P	ERMIT A BELOW GRA	DE ENTRANCE	TO BE LOCATED BETWE	EEN THE MAII	
The second second	F THE BUILDING AND				
			,		
2. TO P	ERMIT AN EXTERIOR	SIDE YARD SE	TBACK OF 3.2m TO A BE	LOW GRADE	
ENTRA	NCE (THE BY-LAWS R	EQUIRES A M	NIMUM OF 3 m)		
	`		ŕ		
3. TO P	ERMIT 2.4 M HIGH EXI	ISITNG FENCE			
Why is it	not possible to comply with	th the provisions	of the by-law?		
			NG OF EXTERIOR SIDE Y	ARD IS 3.3 m	
1			ARE PROPOSING BELOW		
			IDE YARD WHICH IS 3.2m		
				02 12/10/	
TO SUPPORT THE DESIGN OF BASEMENT.  2. TO ALLOW 2.4 M HIGH EXISTING FENCE (BY LAW - 2 M HIGH).					
2. 10 A	ELOW 2.4 WITHOIT EXI	OTHIOT ENGE	(BT B (VV Z WITHOLD):		
Legal De	scription of the subject lar	nd:			
	ber BLOCK 12, PART 1				
	nber/Concession Number	43M-1680			
Municipa	Address 142 BRUSSELS AVE				
Dimensio	on of subject land ( <u>in metri</u>	ic units)			
Frontage		<u>,                                     </u>			
Depth	25,18				
Area	329.4				
A	a the subject land is but				
	o the subject land is by:		Occasional Dane		
Drovinci	al Highway		Seasonal Koao	1 1	
Provincia Municipa	al Highway al Road Maintained All Yea	, H	Seasonal Road Other Public Road	H	

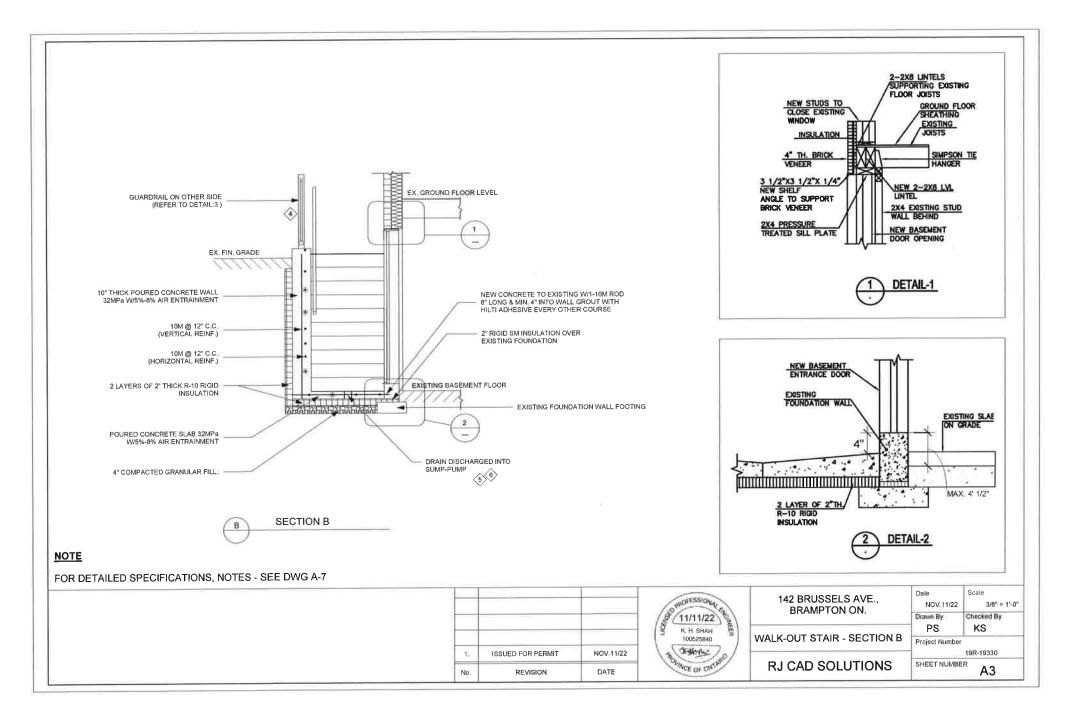
8.	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)						
	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)						
	GROUND FLOOR AREA - 76.6 SQ. M., GROSS FLOOR AREA - 175.6 SQ.M., NUMBER OF STOREY - 2						
	PROPOSED BUILDINGS/STRUCTURES on the subject land:						
			TERIOR SIDE YARD				
9.		Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)					
	EXISTING						
	Front yard setback	4.41					
	Rear yard setback Side yard setback	7.5					
	Side yard setback	3,3, 5					
	PROPOSED Front yard setback Rear yard setback Side yard setback	4.41 7.5 0					
	Side yard setback	3.3, 3.2					
10.	Date of Acquisition	of subject land:	2010				
11.	Existing uses of su	bject property:	SINGLE UNIT DWELLING				
12.	Proposed uses of s	ubject property:	SINGLE UNIT DWELLING(TWO UNIT DWELLING APPLICATION WILL BE SUBMITTED LATER)				
13.	Existing uses of ab	utting properties:	RESIDENTIAL				
14.	Date of constructio	n of all buildings & str	uctures on subject land: 2010				
15.	Length of time the	existing uses of the su	bject property have been continued: 12 years				
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)				
(b)	What sewage dispo Municipal Septic	osal is/will be provided	? Other (specify)				
(c)	What storm drainages Sewers Ditches Swales	ge system is existing/p	roposed?  Other (specify)				

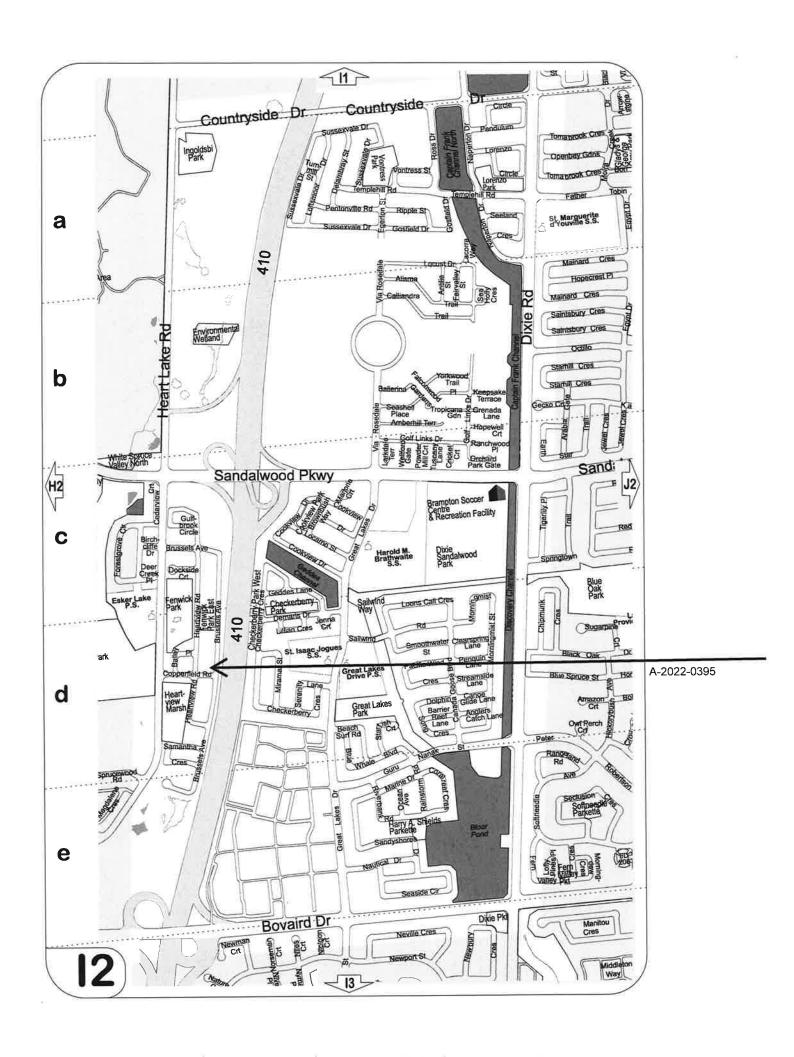
	ls the subject prope subdivision or cons		of an a	pplication u	nder the	Planning Act, for a	pproval of a plan of
,	Yes 🔲	No 🗹					
1	If answer is yes, pro	vide details:	File #			Status_	
18.	Has a pre-consultati	on application	been file	ed?			
,	Yes	No 🔽					
19.	Has the subject prop	perty ever beer	the sut	ject of an a	oplicatio	on for minor variance	?
	Yes	No 🔽		Unknown			
	lf answer is yes, pro	vide details:					
	File # File #	_ Decision Decision				Relief	
	File #	Decision			=	Relief	
					A	and	
					4	Manager August	orized A cent
	D AT THE OF		0.5		gnature	of Applicant(s) or Auth	onzed Agent
	D AT THE CITY  M B DAY OF		OF CEMB	BRAMPTON			
THE SUBJ	IECT LANDS, WRITT LICANT IS A CORI	TEN AUTHORIZ	ATION (	OF THE OWI	NER MU	IST ACCOMPANY TH	AN THE OWNER OF IE APPLICATION. IF OFFICER OF THE
	ATION AND THE COP	RPORATION'S	SEAL SI	HALL BE AF	FIXED.		
	KBURI SHAH, P.ENG			_, OF TI	HE <u>0</u>	OF	BRAMPTON
IN THE	PROVINCE OF	ONTARIO		_SOLEMNL	Y DECL	ARE THAT:	
							CONSCIENTIOUSLY AS IF MADE UNDER
	D BEFORE ME AT T	HE					
CITY	OF BRAMPTON						
	-	OF				1	
IN THE	PROVINCE	_			9	Truck.	• •
ONTARIO	THIS 40 8	_ DAY OF			150	M	
NOVEMBER	, 20 22				Signatur	e of Applicant or Author	orized Agent
	Lanie ~	ty les	Ď,			Submit by Email	
/	A Commissioner et	ic.O					
			FOR OF	FICE USE O	NLY		
	Dana and Official Dia	n Decignation					
	Present Official Pla				-	R3B – SECTION	N 1270
	Present Zoning By				-		
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.							
	Q.(	Chau		_	s-	January 10, 20	23
	Zor	ing Officer				Date	
	DA	TE RECEIVED	N	ecenha	8,	2022	
	Date Applic	ation Deemed					Revised 2022/02/17
	Complete by th	e Municipality					_













## Report Committee of Adjustment

Filing Date:

December 8, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0395

Owner/

Applicant:

**Sonal Patel** 

Address:

142 Brussels Avenue

Ward:

WARD 2

Contact:

Rajvi Patel, Assistant Development Planner

#### Recommendations:

That application A-2022-0395 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the applicant implement planting to screen the proposed below grade entrance as shown on the sketch in a manner satisfactory to the Director of Development Services;
- 3. That the below grade entrance shall not be used to access an unregistered second unit;
- 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Street Townhouse B (R3B-1270)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

- 1. To permit a below grade entrance to be located between the main wall of the dwelling and the flankage lot line, whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and the flankage lot line.
- 2. To permit an existing fence in the exterior side yard having a height of 2.4m (7.87 ft.), whereas the by-law permits an existing fence to a maximum height of 2.0m (6.56 ft.).

#### **Current Situation:**

## Maintains the General Intent and Purpose of the Official Plan

The subject lands are designated 'Residential' in the Official Plan and 'Medium Density Residential' in the Springdale Secondary Plan (Area 2). The Residential designation supports the current use and the requested variances are not anticipated to have any significant impacts in the context of the Official Plan and Secondary Plan policies, and is considered to maintain the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject lands are currently zoned 'Residential Street Townhouse B,' Special Section 1270 (R3B-1270), according to By-law 270-2004, as amended.

Variance 1 is requested to permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law prohibits below grade entrances between the main wall of the dwelling and the flankage lot line. The intent of the by-law in prohibiting below grade entrances between the main wall of a dwelling and the flankage lot line is to ensure that sufficient space is provided to allow for drainage and access to the rear yard and that the appearance of the below grade entrance does not negatively impact the overall streetscape.

The applicant is proposing new landscaping (shrubs) along the access to the below grade entrance which is intended to provide screening. The proposed landscaping (mango tango potentilla) are low-growing shrubs which may not adequately screen the proposed below grade entrance from the streetscape and public. A condition of approval is recommended that the applicant implement planting to screen the proposed below grade entrance as shown on the sketch in a manner satisfactory to the Director of Development Services.

Furthermore, the proposed stairway leading to the below grade entrance encroaching into the required exterior side yard is not considered to have a significant impact on drainage and sufficient space of 3.2m is maintained for access to the rear yard. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. Subject to the recommended condition of approval, Variance 1 maintains the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit an existing fence in the exterior side yard having a height of 2.4m (7.87 ft.) whereas the by-law permits an existing fence to a maximum height of 2.0m (6.56 ft.). The intent of the by-law in regulating maximum fence height is to ensure that fences do not create

adverse impacts such as limiting views or excessive shadows to neighbouring properties or adjacent streetscapes.

The owner has installed a 2.4m (7.87 ft.) high privacy fence with lattice which is 0.40m (1.31 ft.) higher than what the by-law permits. The fencing has been installed along a small portion of the side yard on the corner lot to provide screening from the public. The fencing does not create any adverse impacts to the subject lot. The requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit a below grade entrance between the main wall of the dwelling and flankage lot line which will encroach into the exterior side yard setback. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. Staff do not anticipate any negative impacts to drainage or access to portions of the property and consider the location of the below grade entrance appropriate given the site context. Subject to the recommended condition of approval, the variance is considered desirable for the appropriate development of the land.

Variance 2 is requested to permit the existing fencing to remain and is not considered to alter the character of the property or create any adverse impacts. A condition of approval is recommended that the privacy fence with lattice not be extended further along the existing fence on the property. Subject to the recommended conditions of approval, the variance is considered to be desirable for the appropriate development of the land.

## 4. Minor in Nature

The requested variances to permit the below grade entrance and increased fence height are not expected to create adverse impacts related to access, drainage and shadowing on-site or off-site. Subject to the recommended condition of approval, the proposed landscaping would provide screening from the street and public view which would thereby eliminate negative impacts to the streetscape and reduce visibility of the below grade entrance from the public. As a result, the variances are considered minor in nature.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner

## Appendix A – Existing Site Conditions





## Myers, Jeanie

From:

Robin Singh

Sent:

2023/01/19 12:43 PM

To:

City Clerks Office; Myers, Jeanie

Subject:

[EXTERNAL]Electronic Hearing-#A-2022-0395 Ward#2

Caution: This email originated from outside the organization. Do not click links or open attachments that you do not trust or are not expecting.

Hello,

My name is Pawan Singh; I reside at 140 Brussels Ave. I am a neighbour of Sonal Patel residing at 142 Brussels Ave.

I have no objection regarding her application for Minor Variance but would like to join the hearing electronically.

## Please send me a link.

Best Regards, Pawan Singh 140 Brussels Ave, Brampton, ON L6Z 0E1



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0396 WARD #6

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by INDARJIT RAMLAGAN AND KALOUTI RAMLAGAN under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from By-law 270-2004;

AND WHEREAS the property involved in this application is described as Lot 14, Plan 43M-1583 municipally known as **162 LUELLA CRESCENT,** Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- 1. To permit a below grade entrance having a setback of 9.7m (31.82 ft.) to the TransCanada Pipeline right-of-way whereas the by-law does not permit any permanent structures and excavations to be located within 10.0m (32.80 ft.) of the TransCanada pipeline right-of-way;
- 2. To permit a rear yard setback of 0.6m (1.97 ft.) to an existing accessory structure (shed) whereas the bylaw does not permit any permanent structures to be located within 10.0m (32.80 ft.) of the TransCanada pipeline right-of-way;
- 3. To permit an existing driveway width of 7.5m (24.60 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

## OTHER PLANNING APPLICATIONS:

Name of Orchaliciations	NO	File Number:
Plan of Subdivision:	NO NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed **TUESDAY**, **January 24**, **2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers**, **4th Floor**, **City Hall**, **2 Wellington Street West**, **Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

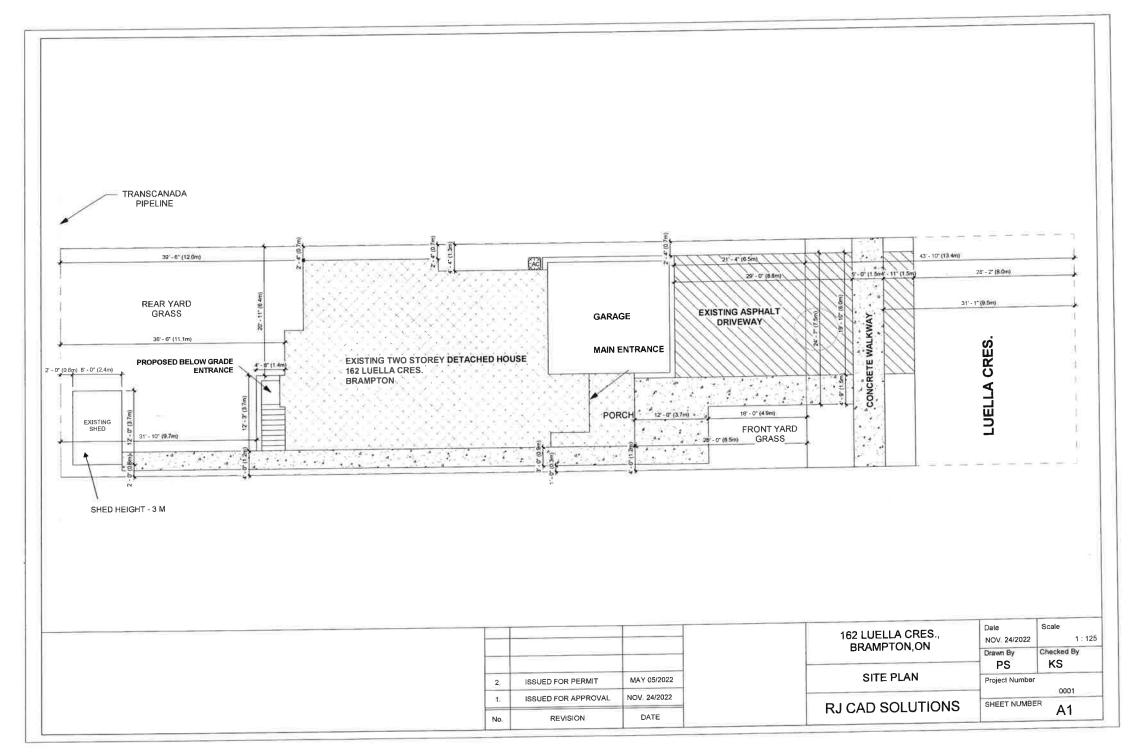
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, January 19, 2023.** 

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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Date: 2022/11/24 Committee of Adjustment City of Brampton 2 Wellington Street West, Brampton ON L3Z 2A9

RE: Minor Variance application for 162 Luella cres., Brampton

Dear member of the Committee of Adjustment and Secretary-Treasurer,

I am writing this cover letter for the property of 162 Luella cres., Brampton, ON, on behalf of a homeowner who wants to build a below-grade Separate entrance in the rear yard. As per the property survey, the setback between the dwelling and rear yard lot line is 11.1m. The TransCanada pipeline is passing near the rear yard lot line from where we need to leave 10m as per zoning. But we have setback of 9.7m of the below grade entrance from the rear yard lot line.

Reasons for Separate Entrance from backyard:

- The homeowner wants to make below grade entrance from the rear yard for second unit entrance with setback 9.7m, we are deficient of 0.3m.
- This supports design in the basement as well.
- The existing minimum setback of the side yard from the property line is 11.1 m and 10 m from TransCanada pipeline, we are proposing a belowgrade separate entrance setback is 9.7m.
- Width of driveway is 7.5 m, when minimum requirement is 6.71m.

My kind request is to consider this application and grant a permit for the above matter.

Thank you,

Kruti Shah, P.Eng.

Kruti Shah
Cognate to Krul Shah
Cocrean feet ricadefine@genal.com
Date: 2022 11 29 15-52-37-0500

**RJ Cad Solutions** 

## **Flower City**



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

FILE NUMBER: A -2022-0396

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

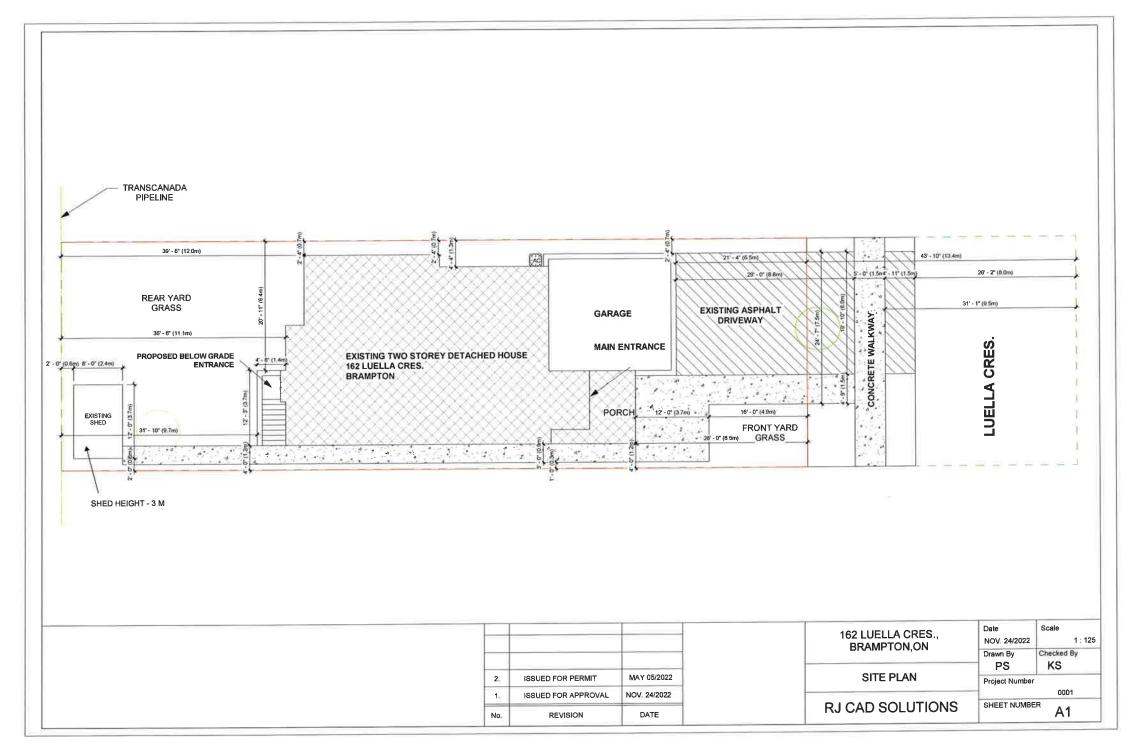
**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

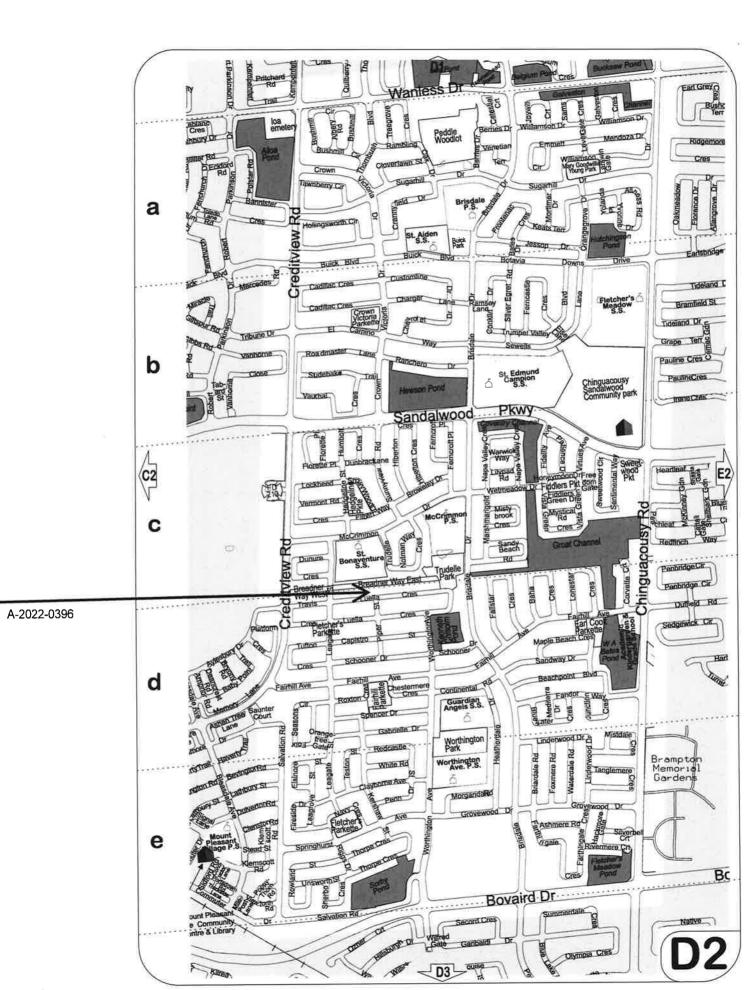
The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

1.	Name of (	Owner(s) INDARJIT RAMLAGAN,	KALOUTI RAMLAGAN						
		162 LUELLA CRES., Brampt	on, ON, L7A 3H8						
	Phone # Email	-		Fax # 					
•	N	A							
2.	Name of Address	Agent Kruti Shah  4 Abacus rd, Brampton, ON,	1.6T 5.J6						
	, , , , , , , , , , , , , , , , , , , ,	47 badde 1d, Brampton, G11,	201 000						
				F #					
	Phone # Email	kruti@rjcadsolutions.com	7	Fax #					
	Liliali	Nation Journal of the Control of the							
3.	Nature ar	nd extent of relief applied for	(variances requeste	ed):					
		ERMIT A BELOW GRADI							
	DO NOT WITHOUT	F THE BUILDING AND T	HE REAR LOT LI	NE WHERE TRANSCA	NADA				
	PIPELIN	IE IS RUNNING, AND							
	2 TO D	ERMIT A REAR YARD SI	ETRACK OF 9.7m	TO A BELOW GRADE	ENTRANCE				
	and the same of th	Y-LAWS REQUIRES A M			LIVITOL				
	(IIIE B	I-LAVVO NEQUINES A IVI	INTERIOR OF TOTAL	)					
	3 WIDT	H OF DRIVEWAY IS 7.5	M WHEN MINIM	UM REQUIREMENT IS	6.71m				
4.	Why is it	not possible to comply with	the provisions of the	e hv-law?					
30		BACK FROM THE EXIST			m WF ARF				
		SING BELOW GRADE S							
	9.7m HOWEVER ZONING BY LAW COMPLIES 10M, WE ARE DEFICIENT 0.3M.								
	2. WIDT	TH OF DRIVEWAY IS 7.5	M, WHEN MINIM	UM REQUIREMENT IS	6.71m.				
5.	l anal De	scription of the subject land	-						
J.	Lot Num	=	5 						
	-	nber/Concession Number	43M-1583						
	Municipa	Al Address 162 LUELLA CRES							
6.	Dimension	on of subject land ( <u>in metric</u>	units)						
	Frontage	• '							
	Depth	37							
	Area	418							
7		to the subject land is by:	_						
		al Highway	片	Seasonal Road	H				
		al Road Maintained All Year Right-of-Way	ä	Other Public Road Water	H				
	i iivate i	ugur or rray							

8.	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)								
	EVISTING BILLI DING	SS/STRUCTURES on th	e subject land: List all structures (dwelling, shed, gazebo, etc.)						
	GROUND FLOOR AREA - 122.5 SQ. M. , GROSS FLOOR AREA - 322 SQ.M., NUMBER OF STOREY - 2								
		NGS/STRUCTURES on							
	BELOW GRADE	ENTRANCE IN REA	R YARD.						
9.		_	uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )						
	EXISTING		×						
	Front yard setback Rear yard setback	11.2							
	Side yard setback	0,6							
	Side yard setback	1,2							
	PROPOSED Front yard setback Rear yard setback	<b>6.4</b> 9.7							
	Side yard setback	0.6							
	Side yard setback	1.2							
10.	Date of Acquisition	of subject land:	2010						
11.	Existing uses of su	bject property:	SINGLE UNIT DWELLING						
12.	Proposed uses of s	subject property:	SINGLE UNIT DWELLING(TWO UNIT DWELLING APPLICATION WILL BE SUBMITTED LATER)						
13.	Existing uses of ab	outting properties:	RESIDENTIAL						
14.	Date of construction	on of all buildings & stru	uctures on subject land: 2010						
15.	Length of time the	existing uses of the su	bject property have been continued: 12 years						
16. (a)	What water supply Municipal [ Well	is existing/proposed?	Other (specify)						
(b)	What sewage disp Municipal [ Septic [	osal is/will be provided	? Other (specify)						
(c)	What storm draina	ge system is existing/p	roposed?						
. ,	Sewers Ditches Swales		Other (specify)						

11.		n or conse	-	CL OI AII A	pplication u	nder trie	riailling A	ici, ior a	pproval of a plan of
	Yes		No 🔽						
	If answer	is yes, prov	ide details:	File #				Status_	
18.	Has a pre-	consultatio	n applicatio	n been fil	ed?				
	Yes		No 🔽						
19.	Has the su	ubject prope	erty ever be	en the sub	oject of an ap	plication	for minor	variance	?
	Yes		No 🔽		Unknown				
	If answer	is yes, prov	ide details:						
	File #		Decision				Relief		
	File #		Decision				Relief		
	File #		Decision				Keller	_	
							A	W.	-,
							(M)		
					Sig	nature of	Applicant(s	) or Auth	orized Agent
DATE	ED AT THE	CITY		OF	BRAMPTON				
THIS	18' 8	DAY OF	N <del>OVEMBE</del> R	e cem b	, <b>20</b> <sup>22</sup> .				
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		te Applicati	on Deemed	1					Revised 2022/02/17
	Compl	ete by the M	<i>l</i> lunicipality						







Authorized commenting Agency for



KITCHENER WOODBRIDGE LONDON BARRIE BURLINGTON

January 18, 2023

Jeanie Myers Secretary-Treasurer Committee of Adjustment, City Clerk's Office

Brampton City Hall 2 Wellington Street West Brampton, ON L6Y 4R2 A= 2022-0396

Via email: Jeanie.myers@brampton.ca

Dear: Jean Myers

RE: Minor Variance 162 Luella Crescent

Indarjit & Kalouti Ramlagan (Owner); Kruti Shah (Agent)

Your File: A-2022-0396 Our File: PAR 50143

MacNaughton Hermsen Britton Clarkson (MHBC) are the planning consultants for TransCanada PipeLines Limited (TCPL). This letter is in response to a notification and request for comments for the minor variance application outlined above. We understand that the purpose of the proposed variances is to permit a reduced setback from TCPL's right-of-way to facilitate a below-grade entrance and a shed structure on the lands identified as 162 Luella Crescent (the "Subject Lands"). TCPL has two (2) high-pressure natural gas pipeline(s) contained within a right-of-way (easement) abutting the rear lot line of the Subject Lands.

TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board (NEB). As such, certain activities must comply with the Canadian Energy Regulator Act ("Act") and associated Regulations. The Act and the Regulations noted can be accessed from the CER's website at www.cer-rec.gc.ca.

As outlined in Zoning By-law 270-2004, the following setbacks apply to the Subject Lands:

"1162.2(8) no permanent structures and excavations shall be located within 10.0 metres of the limit of the TransCanada Pipeline right-of-way;"

The zoning regulations that provide minimum setbacks to TCPL's right-of-way are established as a public safety requirement and to ensure that access to the pipelines for maintenance and emergency service is maintained.

Upon review of the proposed reduced setbacks, due to the location of the pipeline within the right-of-way and the nature of the proposed development, **TCPL** is in support of both variances. The applicant shall apply for Written Consent from TCPL for the below-grade entrance (see instructions below) and adhere to the following regulatory requirements for any work within 30 metres of TCPL's right-of-way:

- 1. Written consent from TCPL must be obtained in Canada before any of the following:
  - Constructing or installing a facility across, on, along or under a TCPL pipeline right-of-way;
  - Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres from the centerline of a pipeline);
  - Driving a vehicle, mobile equipment or machinery across a TCPL pipeline right-of-way outside the travelled portion of a highway or public road;
  - Using any explosives within 300 metres TCPL's right-of-way; and
  - Use of the prescribed area for storage purposes.

## How to apply for written consent:

- Determine the location of your work relative to TCPL's facilities.
  - o When planning, and before any of the work or activities, listed above, can begin, a request for written consent must be submitted to TCPL through our online application form
  - o We no longer accept applications through email
  - o Location of the work is required, along with the proximity to TCPL's rights-of-way
  - o This information can be obtained through survey plans, or through a locate request
- Make a locate request either online (<u>ClickBeforeYouDig.com</u>) or by calling your <u>local One-Call Centre</u>.
  - o The One-Call Centre will notify owners of buried utilities in your area, who will send representatives to mark these facilities with flags, paint or other marks, helping you avoid damaging them. Often written consent for minor activities can be obtained directly from a regional TC Energy representative through a locate request.
- Apply for written consent using TCPL's online application form at <a href="https://writtenconsent.tcenergy.com/">https://writtenconsent.tcenergy.com/</a> or call <a href="1-877-872-5177">1-877-872-5177</a>.
- **Application assessment and consent.** Once your information has been assessed and potential impacts have been evaluated, TCPL may:
  - o Grant consent without any conditions
  - o Grant consent that requires certain conditions to be met to assure safety, or
  - Not grant consent
- 2. During any construction activities in proximity of the right-of-way, the owner must install and maintain temporary fencing along the limits of TCPL's right-of-way to prevent unauthorized access onto the pipeline right-of-way with heavy equipment. The fence must meet TCPL's specifications concerning type, height and location and must be maintained by the owner for the duration of construction.
- 3. Storage of materials and/or equipment on TCPL's right-of-way is not permitted.
- 4. In the event that TCPL's pipelines suffer contact damage or other damage as a result of an Owner's operations, work shall stop work immediately and TCPL shall be notified at once.
- 5. The Owner shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions.

Enclosed is a copy of TC Energy's Work Safely Handbook for additional information on constructing near TCPL's pipelines.

Sincerely,

Kaitlin Webber, MA Planner | MHBC Planning

R. Willer

on behalf of TransCanada PipeLines Limited

# Work safely.

## Development near our pipelines and facilities

These guidelines are intended to provide useful and timely safety information. TC Energy endeavors to ensure the information is as current and accurate as possible.

## TCEnergy.com



#### About us

For over 65 years, TC Energy has proudly delivered the energy millions of North Americans rely on to power their lives and fuel industry.

Guided by our values of safety, responsibility, collaboration and integrity, our more than 7,000+ employees are deeply rooted in their communities and ensure that we develop and operate our facilities safely, reliably and with minimal impact on the environment. We are committed to listening to our neighbours and working with all our stakeholders to develop better project plans and create long-term opportunities and economic benefits in the communities where we operate across Canada, the U.S. and Mexico.

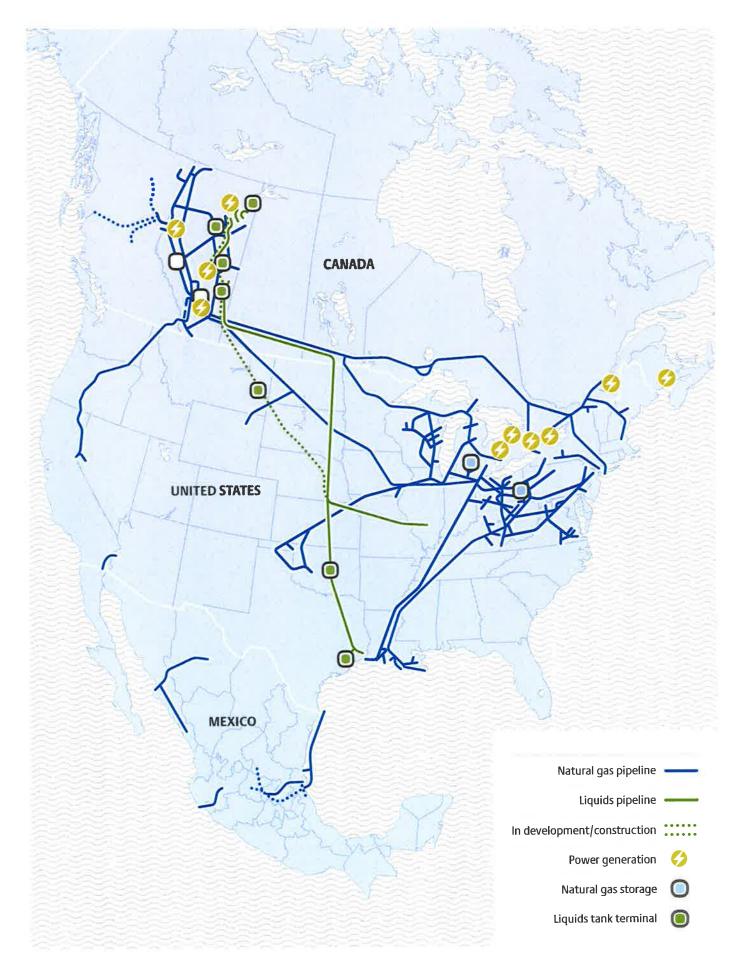
In May 2019, we changed our name from TransCanada to TC Energy to better reflect the scope of our operations and to reinforce our position as a leading North American energy infrastructure company. Whether our stakeholders know us as TC Energy in English, TC Énergie in French, or TC Energía in Spanish, our neighbours, partners and investors can continue to count on us to follow through on our commitments and live up to our values in everything we do.

## **Our pipelines**

Pipelines are the safest and most efficient method to transport natural gas and oil to market. Natural gas is odourless, colourless and will dissipate quickly when released because it is lighter than air. However, the gas is flammable and can be explosive if ignited. Crude oil is a liquid mixture of naturally occurring petroleum hydrocarbons and can possess a rotten egg, gasoline, tar or "skunk-like" odour. Crude oil vapours are volatile, and can be flammable and explosive.

Typically, TC Energy does not own the land where our pipelines are located, but instead acquires the right prior to construction to install and operate the pipeline and related facilities within a pipeline right-of-way through an easement or right-of-way agreement with the landowner. The terms of the right-of-way agreements vary but generally provide TC Energy with the right to access, construct, operate, maintain and abandon the pipeline within the right-of-way.

The width of the right-of-way is based on the size and type of the pipeline and related facilities. By contrast, TC Energy does typically own the land where both compressor stations, which re-pressurize gas along the pipeline to ensure the gas flows continuously at a desired flow rate, and pump stations, which pump oil through the pipeline from one point to the next, are located. The lands required for meter stations, which measure product volume, are either leased directly from landowners or owned by TC Energy.



Page 379 of 845

#### Regulatory requirements

TC Energy's pipeline design, construction and maintenance programs meet or exceed industry and government standards. In Canada, our operations are regulated by provincial and federal authorities including the Canada Energy Regulator (CER). Legislation and regulations set out the requirements governing activities in proximity and on pipeline rights-of-way, including vehicle and equipment crossings, construction of facilities on or near a right-of-way, and other activities that could cause ground disturbances, which might impact the pipeline. Such legislation and regulations aim to ensure the safety and protection of the public, our employees, the environment as well as our pipeline facilities and other property.

### Safety

At TC Energy, we seek to anticipate and minimize hazards of every description. From design and construction to operation and maintenance, safety is an integral part of everything we do. TC Energy regularly communicates pipeline safety information to stakeholders through our public awareness program.

Our safety practices include monitoring changes in land use near our pipeline facilities. This can involve meetings with landowners, municipal decision makers, administrative staff and land use planners.

TC Energy also has an extensive pipeline maintenance program that ensures our pipeline facilities are regularly monitored, inspected and repaired in order to meet or exceed best industry practices and regulatory requirements. Our entire pipeline transmission system is monitored from our control centres 24 hours a day, 7 days a week. In addition, TC Energy carries out the following activities as part of our pipeline maintenance program:

Aerial patrols – TC Energy carries out aerial patrols of the pipeline route to identify hazards from outside sources, including unauthorized construction and ground disturbances near the pipeline. Sensitive detection equipment may be used during these patrols to identify gas leaks.

In-line cipelline inspections – TC Energy conducts in-line pipeline inspections using tools that travel through the pipeline collecting data and looking for locations where corrosion, metal loss or dents may have occurred.

Hydrostatic testing – TC Energy uses hydrostatic testing, typically at the completion of pipeline construction, but to verify the safety of existing pipelines. Sections of the pipeline are filled with water and the pressure is increased beyond normal operating pressure to test pipeline strength and identify any pipeline leaks.

**Cathodic protection** – TC Energy uses cathodic protection, which involves applying a low-voltage electrical current to the metal pipe to protect the pipeline against corrosion. The cathodic protection system is monitored regularly to ensure proper protection against pipeline corrosion.

**Pipeline signage** – TC Energy installs pipeline signs at all road, rail, and waterbody crossings and at other strategic points along the pipeline route to identify the approximate location of our pipelines. Pipeline signs contain important information such as:

- · The owner of the pipeline
- The product shipped in the pipeline
- Emergency contact numbers

**BE AWARE**: Pipeline signs will not designate the exact location, depth or number of pipelines in the area. Contact your local one-call centre and TC Energy will send a representative to the proposed excavation site to mark the pipeline.



# Approvals for working around TC Energy's facilities

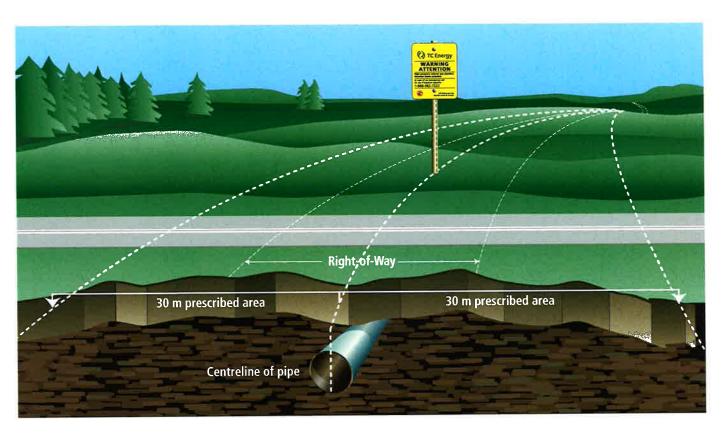
To ensure our pipelines and facilities operate safely, written consent from TC Energy must be obtained in Canada before any of the following:

- Constructing or installing a facility across, on, along or under a TC Energy pipeline right-of-way
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres or 100 feet from the centreline of the pipeline)
- Driving a vehicle, mobile equipment or machinery across a TC Energy pipeline right-of-way outside the travelled portion of a highway or public road
- Using any explosives within 300 metres or 1,000 feet of TC Energy's pipeline right-of-way
- Use of the prescribed area for storage purposes

## The following are examples of ground disturbances:

- · Digging
- Excavation
- Trenching
- Tunneling
- Boring/drilling/pushing
- Augering
- Topsoil stripping
- Land leveling/grading
- Plowing to install underground infrastructure
- Tree or shrub planting
- · Cleaning and stump removal

- Subsoiling
- Blasting/using explosives
- Quarrying
- Grinding and milling of asphalt/concrete
- Seismic exploration
- Driving fence posts, bar, rods, pins, anchors or pilings
- In-ground swimming pools



#### Locate request

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must request a locate service.

Locate requests can be made online (www.clickbeforeyoudig.com), via mobile apps (Saskatchewan and Quebec) or via phone (see the back of this booklet for more details). The locate request must be made at least three working days in advance of the ground disturbance, construction activity, or vehicle or mobile equipment crossing.

The One-Call Centre will notify TC Energy to send a representative to mark the facilities with flags, paint or other markings in order to help you avoid damaging them. The TC Energy representative will explain the significance of the markings and provide you with a copy of the locate report. The service is free and could prevent accidents, injuries or deaths.

#### Written consent

After you apply for written consent, TC Energy will assess the planned work to ensure it does not pose a risk of damage to the pipeline and to ensure that access to the pipeline for maintenance or emergency purposes is not impeded.

Obstacles on a right-of-way, such as sheds, trailers, boats, garbage and vegetation can interfere with TC Energy's pipeline maintenance program (detailed in safety section above). In some cases, TC Energy may require additional time to assess the situation prior to providing consent.

In review, prior to commencing any activities in proximity to the pipeline, you must:

- Make a locate request
- Obtain TC Energy's written consent (apply online at writtenconsent.transcanada.com or call 1-877-872-5177).
   Often written consent for minor activities can be obtained directly from regional TC Energy representative through a locate request.
- Obtain TC Energy's safety practices to be followed while working in the vicinity of its pipes or prescribed area and information that clearly explains the significance of the locate markings.

## Mobile equipment and vehicle crossings

The operation of a vehicle or mobile equipment across a TC Energy right-of-way requires TC Energy's written consent, except in the following circumstances:

- Vehicle or mobile equipment is operating within the travelled portion of a highway or public road across the right-of-way
- Vehicle and mobile equipment is being used to perform an agricultural activity and the following conditions are being met:
  - The loaded axle weight and tire pressures of the vehicle is being operated within the manufacturer's approved limits and operating quidelines; and
  - 2. The point of crossing has not been identified by TC Energy as a location where a crossing could impair the pipeline's safety or security

#### Agricultural activities

Agricultural activity involves the work of producing crops and raising livestock and includes tillage, plowing, disking, harrowing, and pasturing but does not include the construction of new buildings or the placement of footings, foundations, pilings or posts.

The following agricultural activities do not require written consent from TC Energy:

- Cultivation activities (e.g. tillage, plowing, disking and harrowing) to a depth of less than 45 centimetres, as these activities are exempt from the applicable statutory definitions of a ground disturbance (See the Approvals for Working Around TC Energy's Facilities section).
- Agricultural vehicle and mobile equipment crossings as described in the mobile equipment and vehicle crossings section above.



## Development on or near the pipeline right-of-way

It is important for municipal authorities, developers and landowners to consult with TC Energy early in the planning stage of a development project on or near a right-of-way to ensure that TC Energy's pipelines and facilities are appropriately incorporated into the plan and that any new development near our facilities meets regulatory and TC Energy requirements.

Contact TC Energy before developing within 750 metres of TC Energy compressor stations and pump stations so that we can analyze potential impacts and recommend measures to protect adjacent lands from industrial impacts.

TC Energy requires significant advance notice for any development which increases the population density within approximately 200 metres of a pipeline. Population growth means potential changes to the operating requirements of the pipeline, and could result in a revision to operating pressure, a pipeline replacement, and/or other mitigation actions as necessary. Failure to consult with TC Energy in advance may result in significant delays and costs to the development. during these patrols to identify gas leaks.

Municipalities often prescribe minimum setback distances to restrict the building of a structure within a prescribed distance from a curb, property line, right-of-way or structure. These setbacks can help to minimize the risk of damage to buried infrastructure. As municipal setback requirements vary, contact the local authority and TC Energy to determine the requirements in your area.

Any ground disturbance within 30 metres of the centerline of the pipe, construction of a facility across, on, along or under a pipeline (including the right-ofway), or vehicle or mobile equipment crossing the pipeline right-of-way may not occur without TC Energy's written consent.

For detailed guidelines about applying for written consent from TC Energy, visit **writtenconsent.transcanada.com** or call **1-877-872-5177**. A copy of the guidelines can also be provided upon request.

The following must be taken into consideration when planning a development project.

**Subdivisions** – Contact TC Energy early in the design process so that we can comment on the proposed subdivision plans. TC Energy's practice is that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.

**Roads and Utilities** – Contact TC Energy when designing roads and utilities. Roads may be permitted to cross and/or run parallel to the right-of-way, but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). TC Energy will also review the location of utilities, which are often proposed to be installed within road allowances.

Blasting – Contact TC Energy before conducting any blasting activities within 300 metres of the pipeline right-of-way so TC Energy can review your plans for potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40 metres of a federally regulated pipeline right-of-way require permission from the CER.

Landscaping – Contact TC Energy for written consent before landscaping. Projects such as pedestrian pathways and the planting of trees and shrubs may be permitted as long as they do not impede TCEnergy's access along its right-of-way for operational or maintenance activities. Our written consent will specify the permitted landscaping requirements.

## Important contact information

Canadian One-Call centres
British Columbia
Alberta
Saskatchewan
Manitoba
Ontario
Quebec
www.clickbetoreyoudig.com
Mobile phone apps
Saskatchewan
Quebec
Emergency
General inquiries
Phone
Email
1 da in aviidae
<b>Landowner inquiries</b> Phone
Email
Applying for written consent
Online writtenconsent.transcanada.com
Phone
Crossings inquiries
Email
Quebec email
Quebec citian

The majority of TC Energy's pipelines are regulated by the Canada Energy Regulator in Canada, with some pipelines regulated provincially. For more information on

CER-regulated pipelines, visit www.cer-rec.gc.ca.







# Report Committee of Adjustment

Filing Date:

December 09, 2022 January 24, 2023

Hearing Date:

A-2022-0396

Owner/

File:

Applicant:

INDARJIT RAMLAGAN & KALOUTI RAMLAGAN

Address:

162 Luella Cres

Ward:

WARD 6

Contact:

Simran Sandhu, Assistant Development Planner

#### Recommendations:

That application A-2022-0396 is supportable in part, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision:
- 2. That variance 3 for a driveway width of 7.5 m (24.60 ft.) be refused;
- 3. That the below grade entrance shall not be used to access an unregistered second unit and,
- 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

## Background:

Correspondence has been received from MHBC Planning on behalf of TransCanada Pipelines Limited outlining their support for variances 1 and 2. The applicant is to apply for written consent from TransCanada Piplines Limited for the below-grade entrance and adhere to the regulatory requirements for any work within 30 metres of the pipeline right-of-way as stated in the correspondence.

#### Existing Zoning:

The property is zoned 'Residential Single Detached D (R1D-1162)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

- 1. To permit a below grade entrance with a setback of 9.7m (31.82 ft.) to the TransCanada Pipeline right-of-way whereas the by-law does not permit any permanent structures and excavations within 10.0m (32.80 ft.) of the limit of the TransCanada Pipeline right-of-way;
- 2. To permit a rear yard setback of 0.6m (1.97 ft.) to an existing accessory structure (shed) whereas the by-law does not permit any permanent structures within 10.0m (32.80 ft.) of the limit of the TransCanada Pipeline right-of-way;
- 3. To permit an existing driveway width of 7.5m (24.60 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

#### **Current Situation:**

## 1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and 'Low/Medium Density Residential' in the Fletcher's Meadow Secondary Plan (Area 44). The nature and extent of the proposed variances are considered to maintain the general intent and purpose of the official plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is requested to permit a below grade entrance with a setback of 9.7m (31.82 ft.) to the TransCanada Pipeline right-of-way whereas the by-law does not permit any permanent structures and excavations within 10.0m (32.80 ft.) of the limit of the TransCanada Pipeline right-of-way. Variance 2 is requested to permit a rear yard setback of 0.6m (1.97 ft.) to an existing accessory structure (shed) whereas the by-law does not permit any permanent structures within 10.0m (32.80 ft.) of the limit of the TransCanada Pipeline right-of-way. The intent of the by-law in prohibiting any structure in the TransCanada Pipeline right-of-way is to provide adequate distance from the infrastructure feature and ensure there is no negative impacts.

The applicant is proposing to construct a below grade entrance and having an existing accessory structure (shed) encroach into the required setback to the TransCanada Pipeline. The below grade entrance nor the existing shed are expected to negatively impact the pipeline and adequate distance will be provided from the stairway to the pipeline. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. Variances 1 and 2 are considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit an existing driveway width of 7.5m (24.60 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). The intent of the by-law in regulating the maximum permitted driveway width is to ensure that the driveway does not dominate the front yard landscaped area and that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling.

Page 2 of 5

The subject property currently contains a double car garage. Furthermore, it would appear the current driveway at the allowable 6.71m (22 ft.) can accommodate a minimum of two vehicles, allowing for a minimum of four vehicles to be parked without the need of a variance to the driveway width. The widened area of the driveway leads into a walkway for the main entrance of the dwelling. Upon conducting a site visit, staff noticed a vehicle parked in this area (See Appendix A) which blocks the access to the main entrance. In this respect the widened area of the driveway undermines the overall intent of the by-law as noted above. Variance 3 is not considered to maintain the general intent of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

The applicant is requesting a variance to facilitate the construction of a proposed below grade entrance with a 9.7m (31.82 ft.) setback and an existing accessory structure with a 0.6m (1.97 ft.) setback to the TransCanada Pipeline right-of-way. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. Subject to the recommended condition of approval, variances 1 and 2 are considered desirable for the appropriate development of the land.

The widening of the driveway to accommodate extra vehicle parking will have negative impacts on streetscape. Upon conducting a site visit, staff observed that the driveway has already been widened but not fully paved. The proposed driveway would facilitate an excess number of vehicles to be parked in front of the dwelling. Variance 3 is not desirable for the appropriate development of the land.

## 4. Minor in Nature

The requested variance for the construction of a below grade entrance and the existing shed to encroach into the TransCanada Pipeline right-of-way is not considered to have significant negative impact on to the infrastructure. Subject to the recommended conditions of approval, variances 1 and 2 are considered minor in nature.

The variance to allow an increase in driveway width contributes to a driveway area that facilitates the parking of additional vehicles in front of the dwelling and its front entrance. The requested variance is not considered to be minor in nature.

Respectfully Submitted,

Simran Sandhu, Assistant Development Planner

## APPENDIX A



Page 4 of 5





Page 5 of 5



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0397 WARD #10

#### APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **JAGDEV SINGH UPPAL AND KAMALJIT KAUR UPPAL** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 58, Plan 43M-1442 municipally known as **49 EASTBROOK WAY**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- 1. To permit an existing driveway width of 7.61m (24.97 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
- 2. To permit 0.0m of permeable landscaping along the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip between the driveway and the side property line:
- 3. To permit an interior side yard setback of 0.14m (0.60 ft.) to a proposed below grade entrance whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling.

## OTHER PLANNING APPLICATIONS:

Plan of Subdivision:	NO	File Number:	
Application for Consent:	NO	File Number:	

purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

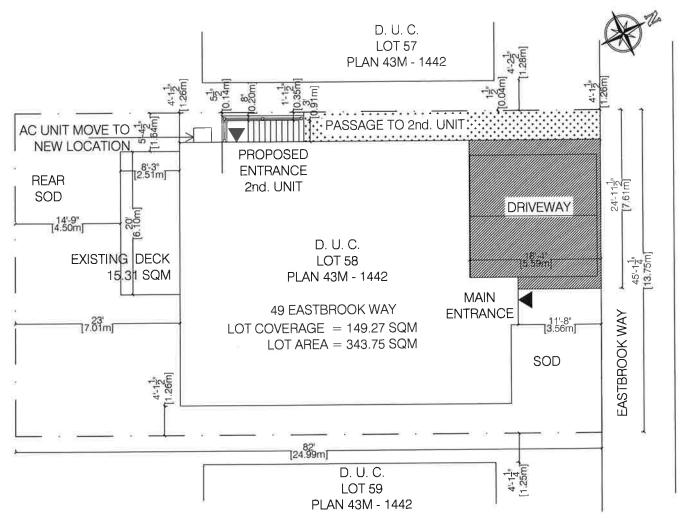
DATED at Brampton Ontario, this this 12th Day of January, 2023.

THE ADDRESS OR FAX NUMBER LISTED BELOW.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca



PROPOSED NEW BELOW GRADE ENTRANCE IN SIDE-YARD, UNDER BY-LAW # 10.23.2 (OCTOBER 2020)

- 1. TO PERMIT 0.00 M PERMEABLE LANDSCAPING ABUTTING THE SIDE LOT LINE
- 2. TO PERMIT 0.14 M MINIMUM SETBACK TO THE BELOW GRADE STAIRWAY AS REQUIRED BY BY-LAW 10.32.2
- 3. TO PERMIT 7.61 M DRIVEWAY WIDTH FOR DRIVEWAY AND PASSAGE TO 2nd. UNIT INSTEAD OF 6.71 M ALLOWED

Page 391 of 845

## ABDUL QAMAR P.Eng.

Ph:647-802-9008

Email: abdul9008@gmail.com

#### Professional Engineering Services

2565 Steeles Ave. E. Unit 11 Brampton Web: https://agamar.com

#### PROJECT:

BASEMENT 2ND. UNIT WITH BELOW GRADE ENTRANCE MINOR VARIANCE APPLICATION

#### ADDRESS:

# 49 EASTBROOK WAY BRAMPTON

- 1. CONTRACTOR MUST CHECK & VERIFY ON SITE ALL EXISTING STRUCTURAL MEMBERS, DIMENSIONS TO MATCH WITH THE DRAWINGS AND REPORT ANY DISCREPANCIES BETWEEN THE SITE CONDITIONS AND DRAWINGS TO THE DESIGNER PRIOR TO PROCEEDING WITH WORK
- 2. ALL WORK SHALL BE CARRIED OUT AS PER ONTARIO BUILDING CODE, SPECIFICATIONS & MUNICIPAL BY-LAWS.

THE UNDERSIGNED HAS REVIEWED & TAKEN RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

ABDUL QAMAR P. ENG.



# Drawing Title: SITE PLAN MINOR VAR Drawing Number A \_ 01



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## Abdul Rauf Qamar, Professional Engineering Services

2565 Steeles Ave. East, unit 11, Brampton Ontario L6T 4L6

Date: November 09, 2022

A-2022-0397

The Secretary
The Committee of Adjustments
City of Brampton
2 Wellington Street West
Brampton, Ontario, L6Y 4R2

Re: Request for Minor Variance – 49 Eastbrook Way, Lot 58 Plan 43M1442, Brampton, Ontario

Dear Sir / Madame,

The subject property is a detached home located in a sub-division built in 2007. The home is owned by the same owners who bought it from the builder. There has been no addition or alterations done to the property since then. The minor variance is proposed due to following reasons.

- 1. The landlord wants to convert the property into 2 unit dwelling as allowed under the city by-laws.
- 2. A 1.26 meter, wide passageway exists in the west side of the property.
- 3. The adjacent home is also a detached property and has a setback of 1.28 meter.
- 4. There is an existing deck in the backyard, allowing no room for below grade entrance in backyard.
- 5. A below grade entrance is proposed in the side yard and there will be a setback of 0.14 meter from the stairway structure wall, and a 0.35-meter setback from the stairs.
- 6. Minor variance is required to provide the passage to 2<sup>nd</sup> unit as follows.
  - a. To permit 0.00 meter permeable landscaping abutting the side lot line.
  - b. To permit 0.14 meter minimum setback to the below grade stairway as required by By-law 10.32.2.
  - c. To permit a 7.61 meter wide driveway instead of 6.71 allowed (combined for passage to 2<sup>nd</sup>. Unit and driveway)

The approval of minor variance to allow the passage to 2<sup>nd</sup>. Unit will help to create more residential units with parking and won't have any adverse effect on the adjacent properties.

The By-law 10.32.2 allows a below grade entrance if a setback of 0.3 meter is maintained from the below grade stairway. Clarification is requested the setback is from the stairs or from the exterior wall of the stairway structure.

Submitted for favorable consideration.

Regards,

Abdul Rauf Qamar, P.Eng.

647-802-9008

abdul9008@gmail.com

Page 1 of 1

## Flower City



brampton.ca

For Office Use Only

(to be inserted by the Secretary-Treasurer after application is deemed complete)

FILE NUMBER: A - 2022- 6397

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission**

(Please read Instructions)

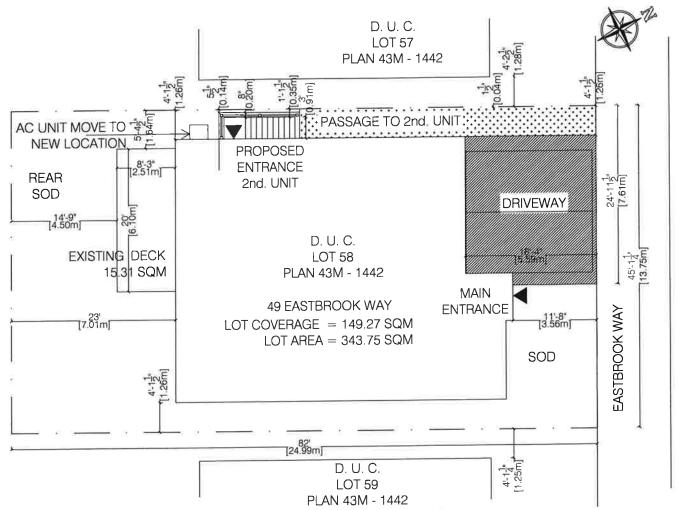
It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be NOTE: accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of

		ng Act, 1990, for relief as descri	5		
1.	Name of 6 Address	Owner(s) JAGDEV SINH UPP 49 EASTBORRK WAY, BRAM	PTON, L6P 1K5	AUR UPPAL	
	Dh #			Fax #	
	Phone # Email	uppaljarjasan@gmail.com			
2.	Name of Address	Agent ABDUL RAUF QAM 11 - 2565 STEELES AVE. EAS	MAR P. Eng. ST, BRAMPTON, L	6T 4L6	
	Phone #	647-802-9008		Fax #	-
	Email	abdul9008@gmail.com			
3.	Nature a	nd extent of relief applied for (	variances request	ed):	
	ALLOW	ING BELOW GRADE ENT	RANCE FROM	SIDE YARD UNDER BY-	LAW 10.32.2
	1 TO A	LLOW 0.00 M LANDSCAP	ING ABUTING	THE SIDE LOT LINE	
	2. TO A	LLOW 0.14 M SETBACK T	O THE BELOW	GRADE ENTRANCE ST	AIRWAY WALL
	3. TO A	LLOW A 7.61 M DRIVEWA	Y WIDTH INST	EAD OF 6.71M ALLOWE	D, FOR
	COMBII	NED DRIVEWAY AND PAS	SAGE TO 2nd.	UNIT	
	-	×	2		
4.	Why is it	not possible to comply with to EXISTING LOCATION O	he provisions of t	NOR AND DECK IN BAC	K YARD NO
	SPACE	LEFT FOR A WORKABLE	LOCATION FO	OR BELOW GRADE ENT	RANCE.
	0, 7,02				
5.	Legal De	escription of the subject land:			
		nber LOT # 58 mber/Concession Number	PLAN 43M - 1	142	
		al Address 49 EASTBROOK W			
	•				
6.	Dimens	ion of subject land ( <u>in metric u</u>	ınits)		
0.		e 13,75 M			
	Depth	25 M			
	Area	343.75 Sqm			
7	٨٥٥٥٥	to the subject land is by:			
7.	Provinc	ial Highway		Seasonal Road	
	Municip	oal Road Maintained All Year	宫	Other Public Road	H
	Private	Right-of-Way		Water	

8.	land: (specify i	<u>n metric units</u> gr	structures on or proposed for the subject round floor area, gross floor area, number of c., where possible)
	EXISTING BUILDING EXISTING TWO S	S/STRUCTURES on th TORY HOME 149.2	ne subject land: List all structures (dwelling, shed, gazebo, etc.)  27 SQM
	PPOPOSED RUII DIN	NGS/STRUCTURES on	the subject land:
	NO NEW STRUCT	TURE PROPOSED	9
	Λ		
9.	Location of all (specify distant	buildings and str ce from side, rear	ructures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )
	EXISTING Front yard setback	559 M	
	Rear yard setback	7.01 M	
	Side yard setback	1.26 M	
	PROPOSED Front yard setback Rear yard setback	NO CHANGE NO CHANGE	
	Side yard setback	NO CHANGE	
	Side yard setback	NO CHANGE	
10.	Date of Acquisition	of subject land:	MAY 2001
11.	Existing uses of sub	bject property:	RESIDENTIAL SINGLE FAMILY
12.	Proposed uses of s	ubject property:	RESIDENTIAL 2 UNITS
13.	Existing uses of abo	utting properties:	RESIDENTIAL
14.	Date of construction	n of all buildings & str	uctures on subject land: 2007
15.	Length of time the e	existing uses of the su	bject property have been continued: 15 YEARS
16. (a)	What water supply i Municipal	is existing/proposed?	Other (specify)
(b)	What sewage dispo Municipal ✓ Septic	osal is/will be provided ] ]	Other (specify)
(c)	What storm drainag	ge system is existing/p	proposed?
ŕ	Sewers Ditches Swales		Other (specify)

17.		ect property 1 or consen	y tne subjec t?	t or an a	ррисацоп ч	nder tile	: Platining	ACL, IOI a	ipprovai oi	a pian oi
	Yes $\square$	1	No 🗸		×					
	lf answer is	s yes, provi	de details:	File #				Status		
18.	Has a pre-	onsultation	n applicatior	been fil	ed?					
	Yes 🔲	i	No 🔽							
19.	Has the su	hiect prope	rty ever bee	n the sul	biect of an a	pplicatio	on for mino	r varianc	e?	
	Yes 🗆		No 🔽		Unknown					
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		s yes, provi					Delief			
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	File #		Decision_				Relief			
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	Present Z	oning By-la	w Classifica	ation:		-				£1
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	-	Zonino	g Officer			<u> </u>		Date		Ē
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PROPOSED NEW BELOW GRADE ENTRANCE IN SIDE-YARD, UNDER BY-LAW # 10.23.2 (OCTOBER 2020)

- 1. TO PERMIT 0.00 M PERMEABLE LANDSCAPING ABUTTING THE SIDE LOT LINE
- 2. TO PERMIT 0.14 M MINIMUM SETBACK TO THE BELOW GRADE STAIRWAY AS REQUIRED BY BY-LAW 10.32.2
- 3. TO PERMIT 7.61 M DRIVEWAY WIDTH FOR DRIVEWAY AND PASSAGE TO 2nd. UNIT INSTEAD OF 6.71 M ALLOWED

Page 397 of 845

## ABDUL QAMAR P.Eng.

Ph:647-802-9008

Email: abdul9008@gmail.com

Professional Engineering Services 2565 Steeles Ave. E. Unit 11 Brampton

Web: https://agamar.com

#### PROJECT:

BASEMENT 2ND. UNIT WITH BELOW GRADE ENTRANCE MINOR VARIANCE APPLICATION

#### ADDRESS:

49 EASTBROOK WAY BRAMPTON

- 1. CONTRACTOR MUST CHECK & VERIFY ON SITE ALL EXISTING STRUCTURAL MEMBERS, DIMENSIONS TO MATCH WITH THE DRAWINGS AND REPORT ANY DISCREPANCIES BETWEEN THE SITE CONDITIONS AND DRAWINGS TO THE DESIGNER PRIOR TO PROCEEDING WITH WORK
- 2. ALL WORK SHALL BE CARRIED OUT AS PER ONTARIO BUILDING CODE, SPECIFICATIONS & MUNICIPAL BY-LAWS,

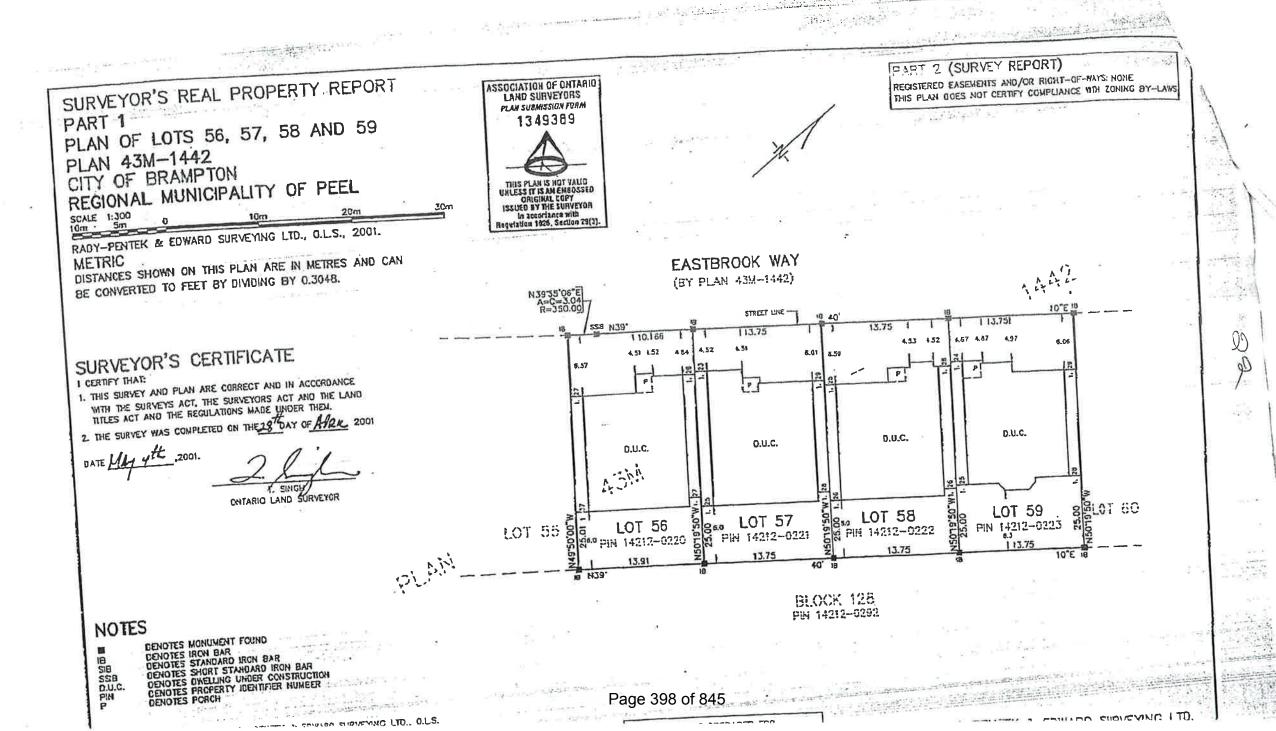
THE UNDERSIGNED HAS REVIEWED & TAKEN RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

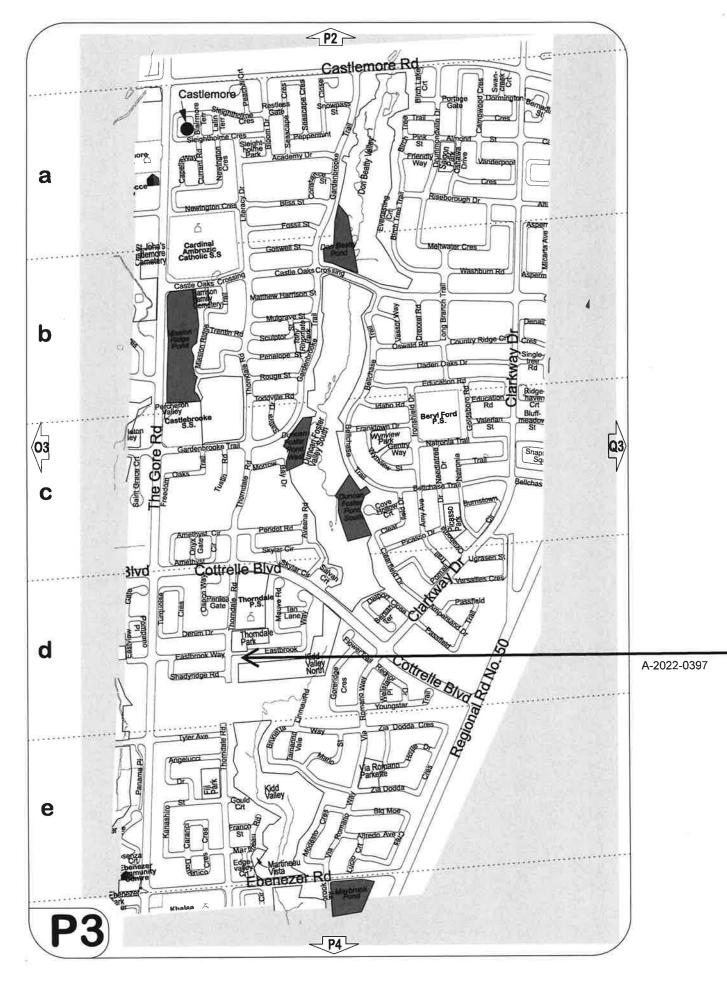
ABDUL QAMAR P. ENG.



Drawing Title:	
SITE PLAN MI	NOR VAR
Drowing Number	4 04

Drawing Numb	C1	A - 01
Drawing Scale:	N. T	. S.
Date:	Nov.	03, 2022
Rev. 1		
Rev. 2		







# Report Committee of Adjustment

Filing Date:

December 9, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0397

Owner/

Applicant:

JAGDEV SINGH UPPAL AND KAMALJIT KAUR UPPAL

Address:

49 Eastbrook Way

Ward:

**WARD 10** 

Contact:

Megan Fernandes, Planning Technician

#### Recommendations:

That application A-2022-0397 is supportable in part, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That Variance 2 to permit 0.0m of permeable landscaping along the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip between the driveway and the side property line be refused. Staff recommend that a 0.3 m permeable landscaping strip along the west side property line be approved.
- That a revised sketch depicting a 0.3m reinstated permeable landscaping along the west side
  property line be submitted and approved by the Director of Development Services within 60 days
  of the decision of approval or extended at the discretion of the Director of Development Services;
- 4. That the applicant shall obtain a Building permit for the existing deck within 60 days of the decision of approval or extended at the discretion of the Chief Building Official;
- 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

Following a staff visit to the subject property, staff viewed an as-built deck located in the rear yard. Although the deck is compliant with the required Zoning By-law setbacks, staff have provided a condition that the applicant obtain a building permit for the deck.

#### **Existing Zoning:**

The property is zoned 'Residential Single Detached B Special Section 1675 (R1B-1675)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

- 1. To permit an existing driveway width of 7.61m (24.97 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
- 2. To permit 0.0m of permeable landscaping along the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip between the driveway and the side property line;
- 3. To permit an interior side yard setback of 0.14m (0.60 ft.) to a proposed below grade entrance whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling.

#### **Current Situation:**

#### 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated as 'Residential' in the Official Plan and Low/Medium Density Residential in the Bram East Secondary Plan (Area 41). The nature and extent of the proposed variances maintain the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is requested to permit existing driveway width of 7.61m (24.97 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). The intent of the by-law in regulating the maximum permitted driveway width is ensure that the driveway does not dominate the front yard landscaped area and that the driveway does not allow for an excessive number of vehicles to be parked in front of the dwelling.

The existing driveway width is approximately 0.9m (2.97 ft.) wider than what the by-law permits. The increased width is not considered to significantly impact the drainage or access to the property. While the driveway does not maintain the full front yard landscape requirements, the existing condition of the driveway is not out of character for the neighbourhood. As such, the general intent and purpose of the Zoning By-law is maintained.

Page 2 of 4

Variance 2 is requested to permit 0.0m of permeable landscaping along the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip between the driveway and the side property line. The intent in requiring a minimum permeable landscape strip abutting the side lot line is to ensure that sufficient space is provided for drainage purposes and that drainage on adjacent properties are not impacted.

The elimination of the permeable landscape strip along the side lot line and cumulative hardscaping on the property creates an abundance of hard surfacing throughout the property which can potentially lead to drainage issues. The variance does not maintain the general intent and purpose of the Zoning Bylaw. Following a discussion with the applicant, the applicant has agreed to provide a permeable landscape strip of 0.3m (0.98 ft.) to ensure that sufficient space is provided for drainage and that drainage on adjacent properties are not impacted. Subject to the recommended conditions of approval, Variance 2 is not considered to maintain the general intent and purpose of the Zoning by-law.

A condition of approval is recommended that the applicant provide a revised sketch depicting a 0.3m reinstated permeable landscaping along the side property line be submitted and approved by the Director of Development Services.

Variance 3 is requested to permit an interior side yard setback of 0.14m (0.60 ft.) to a proposed below grade entrance whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) provided that a continuous side yard width of no less than 1.2m (3.94 ft.) is provided on the opposite side of the dwelling. The intent of the by-law in prohibiting below grade entrances in the interior side yard where the opposite side yard setback is not less than 1.2m (3.94 ft.) and where the setback to the stairs is less than 0.3m (0.98 ft.) is to ensure that sufficient space is maintained to access the rear yard of the property and that the drainage between the stairs and the property line is not impacted.

The configuration of the below grade entrance contemplates the construction of a stairwell consisting of approximately 8 steps leading to a landing and door accessing the basement. The below grade entrance and stairwell are proposed on the west side of the dwelling. There is an existing entrance to the garage door located along the west wall, additionally there is an existing AC unit proposed to be moved to facilitate the below grade entrance. The requested minimum setback of 0.14m (0.60 ft.) represents a 0.16 (0.52 ft.) reduction from what the by-law requires. The rear yard can be accessed on the opposite side of the dwelling, this setback considered to provide sufficient space to access the rear of the property. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent and purpose of the Zoning by-law.

#### 3. Desirable for the Appropriate Development of the Land

Variances 1 is intended to permit an existing driveway width and is not anticipated to have a significant impact on drainage or the streetscape. Subject to the recommended conditions of approval, Variance 1 is considered appropriate development of the land.

Variance 2 is requested to permit 0.0m of permeable landscaping along the side lot lines. In addition to the extended paved driveway surface, a majority of the site is hardscaped which results in the loss of permeability for site drainage. Variance 3 is not considered desirable and appropriate for the development of the land.

Page 3 of 4

Variance 3 requested to permit a below grade entrance and stairwell in the side yard of the property. The stairwell is proposed to consist of 8 steps leading to an entrance located one storey below ground. The setback between the stairs leading to the entrance and the side lot line is considered to be a sufficient distance for proper drainage on the side of the property. Additionally, access to the rear yard along the maintained along the opposite side of the dwelling. Subject to the recommended conditions of approval, Variance 3 is considered appropriate development of the land.

#### 4. Minor in Nature

Variances 1 relating to the increased driveway width is not considered to present negative impacts related to the existing conditions of the driveway. Subject to the recommended conditions of approval, the requested variance 1 is considered to be minor in nature.

Variance 2 regarding the elimination of permeable landscaping represents a substantial change with potential negative drainage impacts as most of the property has hardscaping and is therefore not considered to be minor in nature.

Variance 3 relating to the proposed stairwell and below grade entrance anticipated to provide adequate space between the dwelling and the side property line to provide for adequate access to the rear yard, maintenance, or for drainage purposes. The size and depth of the proposed stairwell is considered desirable and minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician



## **Public Notice**

#### **Committee of Adjustment**

APPLICATION # A-2022-0398 WARD #6

#### APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **GOBITHA PIRATHEEPAN AND PIRANTHEEPAN KULENDRAN** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 152, Plan 43M-1614 municipally known as **9 FERNCASTLE CRESCENT**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

1. To permit a 0.66m (2.17 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit.

#### OTHER PLANNING APPLICATIONS:

The land which is subject of	this application is	the subject of an application under the Planning	Act for:
Plan of Subdivision: Application for Consent:	NO NO	File Number: File Number:	_
The Committee of Adjustme	il Chambers, 4th	TUESDAY, January 24, 2023 at 9:00 A.M. by e Floor, City Hall, 2 Wellington Street West, B porting or opposing these applications.	electronic meeting rampton, for the
This notice is sent to you be	ecause you are eith	er the applicant, a representative/agent of the a	applicant, a person

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2117 jeanie.myers@brampton.ca

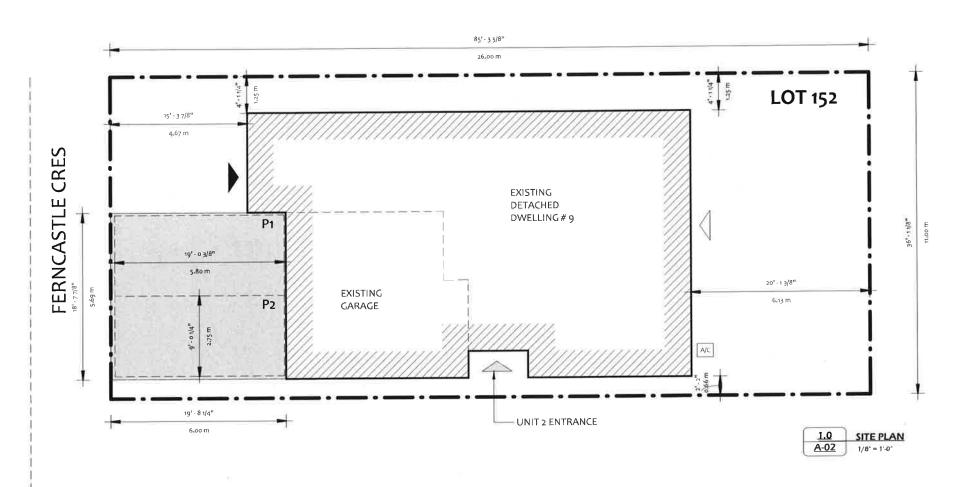


MAIN ENTRANCE

SECONDARY ENTRANCE

BASEMENT ENTRANCE

FLOOR / UNIT	AR	EA
AREA	SQFT	SQM
BASEMENT (UNIT 2)	830.58	77.16
BASEMENT (UNIT 1)	N/A	N/A
FIRST FLOOR (UNIT 1)	733-39	68.13
SECOND FLOOR (UNIT 1)	1153.23	107.14
TOTAL BUILDING AREA	2717.2	252.43





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9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2



Page 405 of 845



SITE PLAN

Project number

Date

22RE500-206





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act*, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options;
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:ieanie.myers@brampton.ca">ieanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **Flower City**



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

FILE NUMBER: A-2022-0398

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of

	the <u>Planni</u>	ing Act, 1990, for relief as desc	ribed in this applicati	ion from By-Law <b>270-2004.</b>	
1.	Name of	Owner(s) Gobitha Pirathee	epan and Piratheep	oan Kulendran	
	Address	9 Ferncastle Crescent			
		Brampton, ON, L7A 3P2			
	Phone #	647-708-3546		Fax #	
	Email	gobitha1@live.com			
2.	Name of	Agent AMR ROBAH AT '	YEJ STUDIO AND CO	ONSULTING INC	
۷.		104 Crockford Blvd , Scarbor			
	Phone #	416,483,5393		Fax #	
	Email	PERMITS@YEJSTUDIO.COM			
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3.		nd extent of relief applied for			NUT OF A COLL
	C. C. C. C.	RMIT A PATH OF TRAVEL		ACE OF SECONDARY U	NIT OF 0.66M
	WIDE V	VHEREAS THE BYLAW R	REQUIRES 1.2M		
		v		1	
4.	Why ie if	not possible to comply with	the provisions of the	he by-law?	
4.		NTRANCE WAS BUILT BY			DE VADO SET
		S 0.66M BY CREATING A			DE TAND SET
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5.	_	escription of the subject land	:		
	Lot Num	mber/Concession Number	43M-1614		
		al Address 9 Ferncastle Cresce		BP2	
		· ·			
			** *		
6.		on of subject land ( <u>in metric</u>	units)		
	Frontag Depth	e 11 M 26 M			
	Area	286 M2			
_		4 - 41			
7.		to the subject land is by: ial Highway		Seasonal Road	
		al Road Maintained All Year	$\overline{\Box}$	Other Public Road	
	•	Right-of-Way		Water	

8.

Particulars of all buildings and structures on or proposed for the subject

land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible) EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.) EXISTING 2 STORY DETACHED DWELLING TOTAL GFA=252.9 M2 PROPOSED BUILDINGS/STRUCTURES on the subject land: ALL EXISTING STRUCTURES TO REMIAN, NO ALTERATION Location of all buildings and structures on or proposed for the subject lands: 9. (specify distance from side, rear and front lot lines in metric units) **EXISTING** Front yard setback 4.67M Rear yard setback 6.13 M Side yard setback 1.25M 0.66M Side yard setback **PROPOSED** Front yard setback EXISTING TO REMAIN Rear yard setback EXISTING TO REMAIN Side yard setback **EXISTING TO REMAIN** EXISTING TO REMAIN Side yard setback 2004 10. Date of Acquisition of subject land: RESIDENTIAL 11. Existing uses of subject property: 12. Proposed uses of subject property: RESIDENTIAL RESIDENTIAL 13. Existing uses of abutting properties: SINCE BUILD Date of construction of all buildings & structures on subject land: 14. SINCE BUILT Length of time the existing uses of the subject property have been continued: 15. 16. (a) What water supply is existing/proposed? Other (specify) Municipal (b) What sewage disposal is/will be provided? Other (specify) Municipal Septic (c) What storm drainage system is existing/proposed? Sewers **Ditches** Other (specify) Swales

17.		ect propert n or consei		t of an a	pplication u	nder th	ne Planning Act, for approval (	or a plan or
	Yes		No 🔽					
	lf answer i	s yes, prov	ide details:	File #			Status	
18.	Has a pre-	consultatio	n application	n been fil	ed?			
	Yes		No 🔽					
19.	Has the su	ıbject prop	erty ever bee	n the sul	oject of an a	pplicati	tion for minor variance?	
	Yes 🔲		No 🔽		Unknown			
	If answer	is yes, prov	ide details:					
	File #		Decision_				ReliefRelief	
	File #		Decision_				Relief	
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1.5	OF	B					a Commissioner, etc., Province of Ontario	
<u></u>	10	nan	Motoc				for the Corporation of the City of Brampton	
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Pel	THIS	9	DAY OF			1	Pers	
M	ec.	_, 20_2?				Signatu	are of Applicant or Authorized Ag	jent
	1	0000	14 40				Submit by Email	
/	A Comm	issioner etc		<u>.</u>				
				FOR OF	FICE USE C	NLY		
	Present (	Official Plai	n Designatio	n:				_
	Present 2	Zoning By-l	aw Classific	ation:				_
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		ate Applica	tion Deemed					ised 2020/01/07
	Comp	lete by the	Municipality	1				



#### INDEX Sheet Name Number **COVER PAGE** A-00 SURVEY A-01 SITE PLAN A-02 EXT. BASEMENT A-03 EXT. MAIN FLOOR A-04 EXT. SECOND FLOOR A-05 PROP. BASEMENT A-06 PROP. MAIN FLOOR A-07 PROP. SECOND FLOOR A-08 **SECTION** A-09 **SCHEDULES** A-12 **GENERAL NOTES** AN-01 CONSTRUCTION NOTES AN-02 **CONSTRUCTION NOTES** AN-03

# BASEMENT SECOND UNIT

# **GøBÎTHA THANABALASINGAM**

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2



WWW.YEJSTUDIO.COM

STUDIO + CONSULTING 888.236.9958 | 416.483.5393 | 905.821.0728 INFO@YEJSTUDIO.COM

9 FE

BASEMENT SECOND UNIT

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2 THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND METER THE REQUIREMENTS SET OUT IN THE ONTAR O BUILDING CODE TO BE A DESIGNEP.

QUALIFICATION INFORMATION

QUALIFICATION INFORMATION
LEQUIFED UNILES DESIGN IS EXEMPT UNDER 3-6-30 OF EIVISION "C" OF O.D.C

NAME
BCIN
AMB ROBAH
4-3-6-3
4-3-6-3

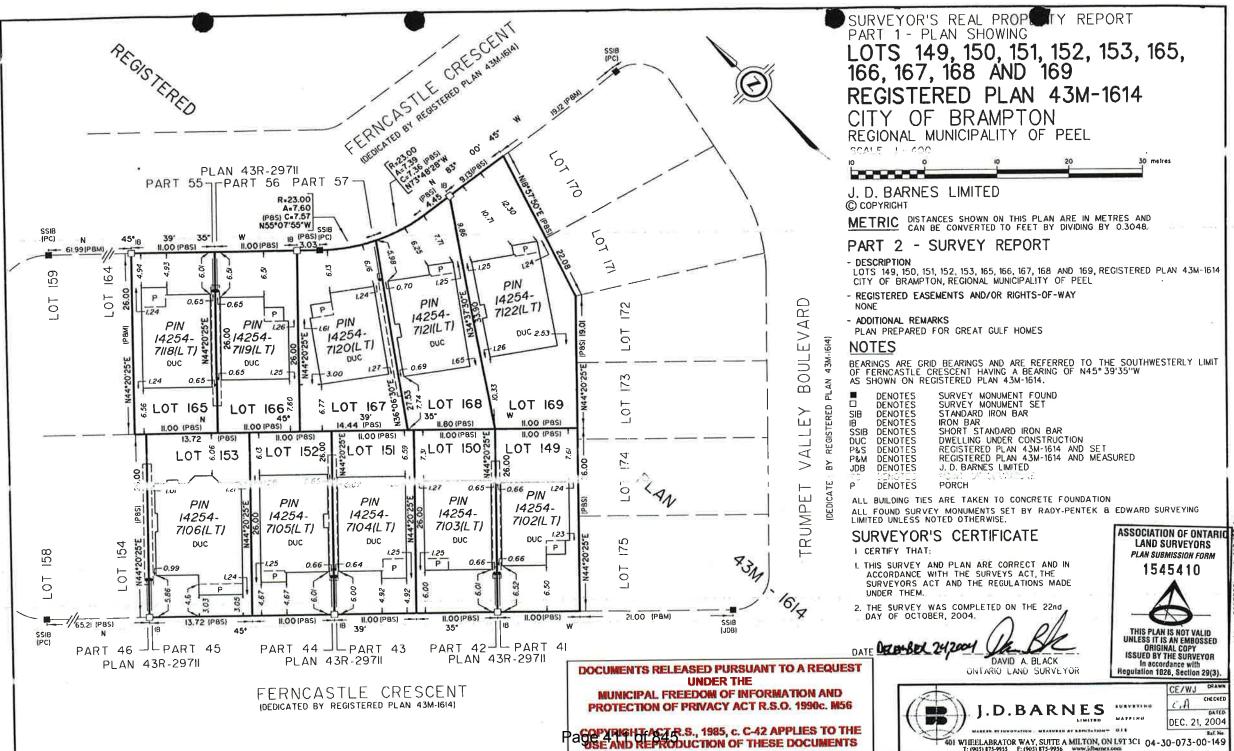


**COVER PAGE** 

Project number

22RE500-206

A-00
Drawn by H.F.



DEC. 21, 2004

401 WIEELABRATOR WAY, SUITE A MILTON, ON L9T 3C1 04-30-073-00-149
T: (903) 873-9935 F: (903) 875-9936 www.jubarners.com



MAIN ENTRANCE

SECONDARY ENTRANCE

**BASEMENT ENTRANCE** 

FERNCASTLE CRES 18-27/18" 569m	15'-37/8"  4.67'm  P1  19'-03/8"  5.80 m	EXISTING DETACHED DWELLING#9	LOT.152.
-	19' - 8 1/4" 6.00 m	UNIT 2 ENTRANCE	1.0 SITE PLAN

85' - 3 5/8" 26.00 m

FLOOR / UNIT	AREA		
AREA	SQFT	SQM	
BASEMENT (UNIT 2)	830.58	77.16	
BASEMENT (UNIT 1)	N/A	N/A	
FIRST FLOOR (UNIT 1)	733-39	68.13	
SECOND FLOOR (UNIT 1)	1153.23	107.14	
TOTAL BUILDING AREA	2717.2	252.43	



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9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2 THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND METTS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION
REQUIRED UNICESS DESIGN BE EXEMPT UNDER 3 + 3 + 10 F DIVISION \*C\*\* OF O. C.

PERM.

AMR ROBAH

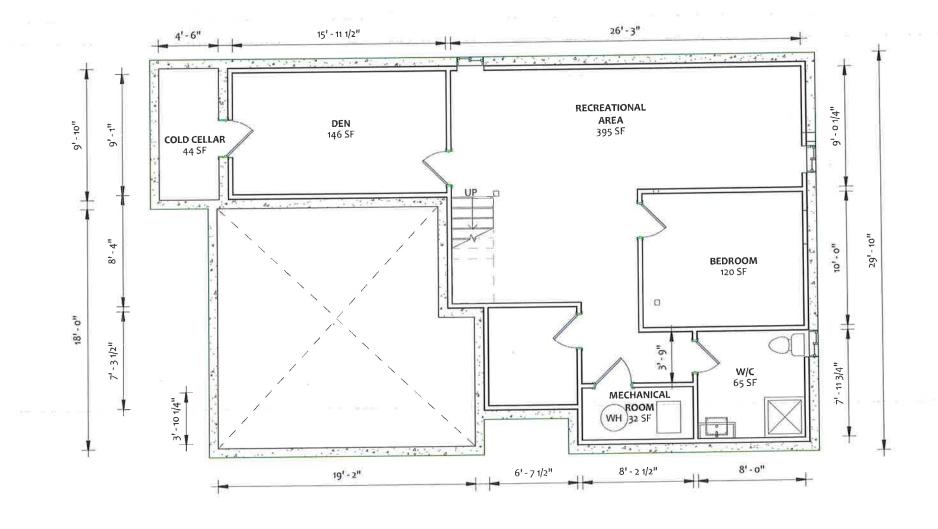
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SITE PLAN

Project number

22RE500-206 2022.08.02 Drawn by K.D.
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		WINDOW S	CHEDULE EXISTING	Value of the same
Туре	Width	Height	Phase Created	Level
W1	2'-0"	1' - 0"	Existing	BASEMENT
W1	2'-0"	1' - 0"	Existing	BASEMENT
W1	2'-0"	1' - 0"	Existing	BASEMENT





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9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2



Page 413 of 845



EXT. BASEMENT

Project number

22RE500-206 2022.08.02

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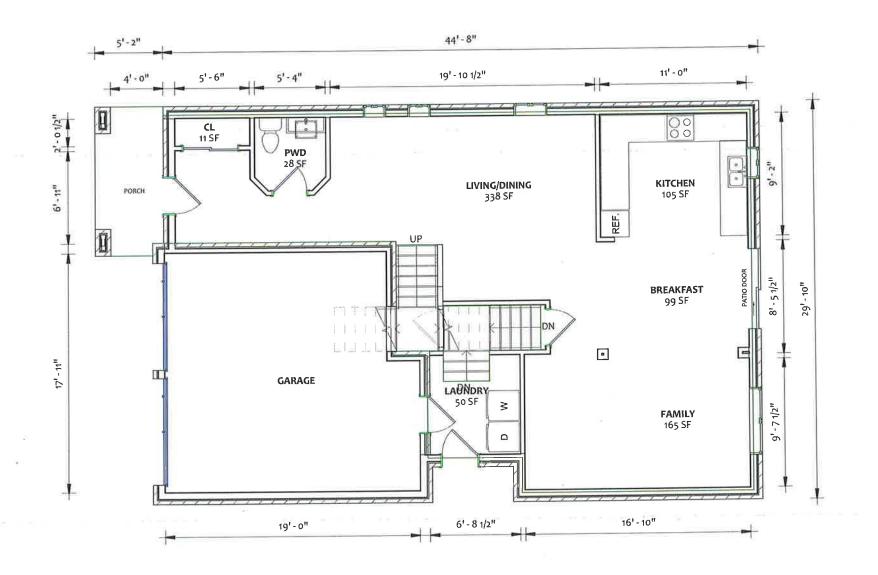
A-03

Drawn by

K.D.

Scale

3/16" = 1'-0"





888.236.9958 l 416.483.5393 l 905.821.0728 INFO@YEJSTUDIO.COM WWW.YEJSTUDIO.COM **BASEMENT SECOND UNIT** 

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REQUIRED UNICSS DESIGNED SCHOOL TOWNS TO SESSION TO SUMMET UNDER 15-5-10 OF DIVISION "C" OF O.D.C.

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EXT. MAIN FLOOR

Project number

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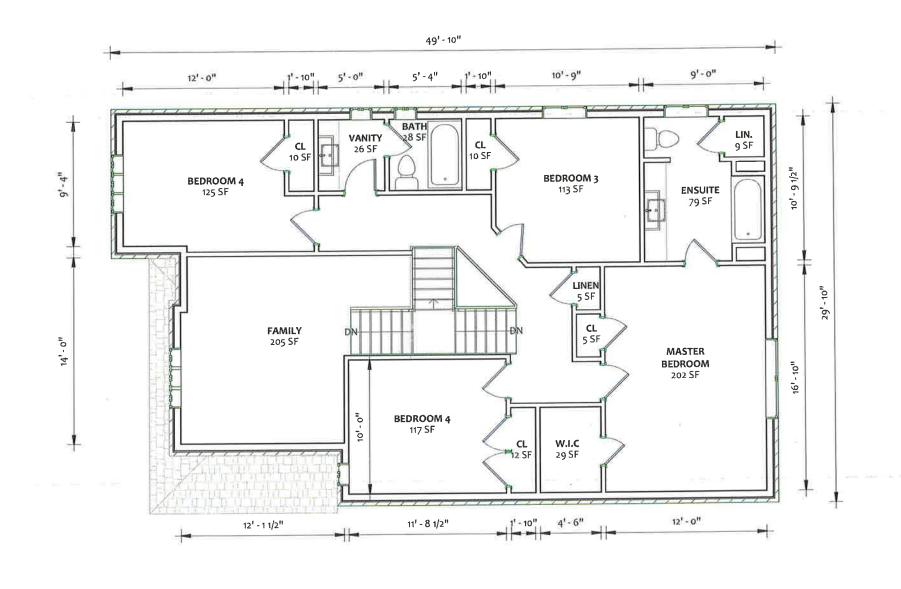
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Page 414 of 845





BASEMENT SECOND UNIT

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2 AMR ROBAH

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EXT. SECOND FLOOR

Project number

22RE500-206 2022.08.02 <u>A-05</u>

Drawn by

3/16" = 1'<u>-0"</u>

K.D.

# OBC DIV. B, PART 11 C.A. APPLIED: - C.A. #152 APPLIED FOR VERTICAL & HORIZONTAL FIRE SEPARATION FOR RESIDENTIAL SUITES. 15 MIN FOR HORIZONTAL & 30 MIN VERTICAL.

C.A. #153 APPLIED FOR FURNACE ROOM FIRE SEPARATION. SPRINKLER HEAD IS PROVIDED. FIRE SEP. NOT REQUIRED.

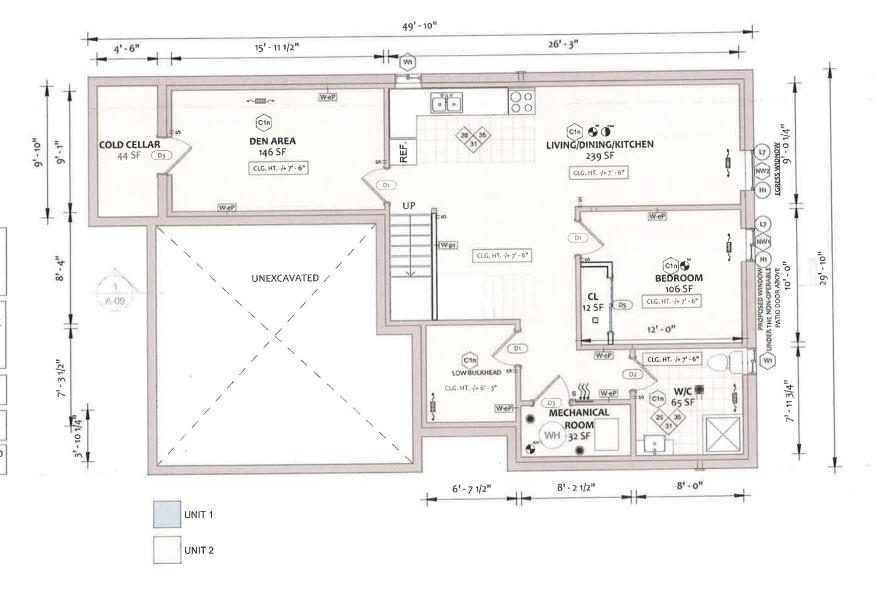
PIPING, TUBING, DUCTS, CHIMNEYS, WIRING, CONDUIT, ELECTRICAL OUTLET BOXES & OTHER SIMILAR EQUIPMENT THAT PENETRATE A FIRE SEPERATION SHALL BE TIGHTLY FITTED OR FIRE STOPPED TO MAINTAIN INTEGRITY OF THE FIRE SEPERATION.

DUCT TYPE SMOKE DETECTOR SHALL BE PROVIDED IN SUPPLY OR RETURN AIR DUCT SYSTEM SERVING THE ENTIRE HOUSE WHICH WOULD TURN OFF THE FUEL SUPPLY AND ELECTRICAL POWER TO THE HEATING SYSTEM UPON ACTIVATION OF SUCH DETECTOR.

ALL PLUMBING MUST CONFORM TO O.REG. 332/12, DIV. B PART 7 OF THE OBC.

ALL SMOKE ALARMS TO BE INTERCONNECTED WITHIN ENTIRE BUILDING AND COMMON AREAS

ENSURE FIRE RESISTANCE RATING AROUND ALL BEAMS AND COLUMNS TO MATCH SUPPORTED FLOOR ABOVE





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9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2 THE UNDERSORID WAS REVIEW AND TAKES RESPONSIBILITY FOR THE RESIGN, AND WAS THE QUALIFICATIONS AND MEETS THE FREQUENCEMENTS SET GUT IN THE ONLARD BUILDING CODE TO BE A DESIGNE.

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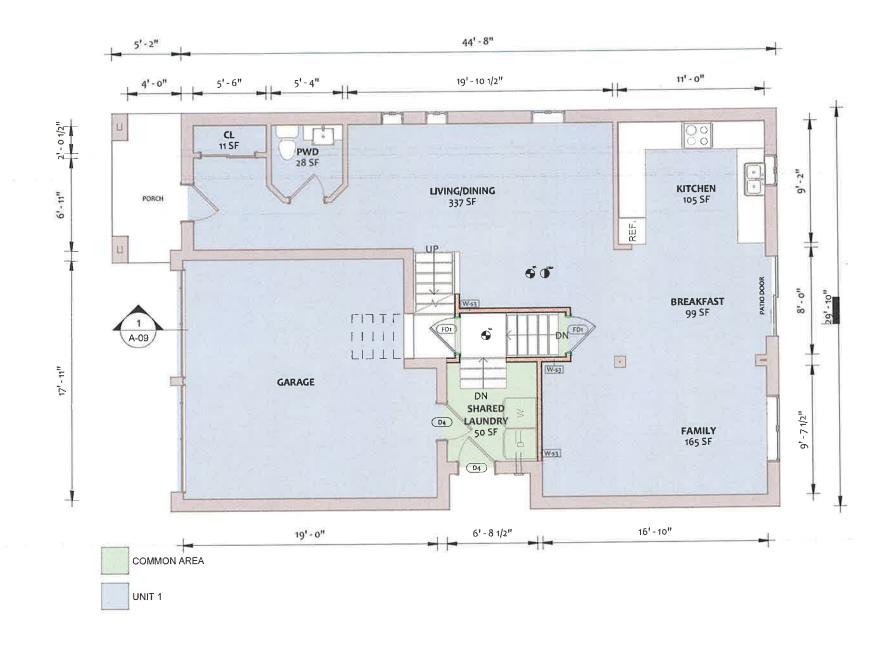
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<u>A-06</u>

3/16" = 1'-0"

K.D.



ALL PLUMBING MUST CONFORM TO O.REG. 332/12, DIV. B PART 7 OF THE OBC.

ALL SMOKE ALARMS TO BE INTERCONNECTED WITHIN ENTIRE BUILDING AND COMMON AREAS.



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**BASEMENT SECOND UNIT** 

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2

THE UNDERSIGNED MAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS. SET GUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNEP. QUALIFICATION INFORMATION

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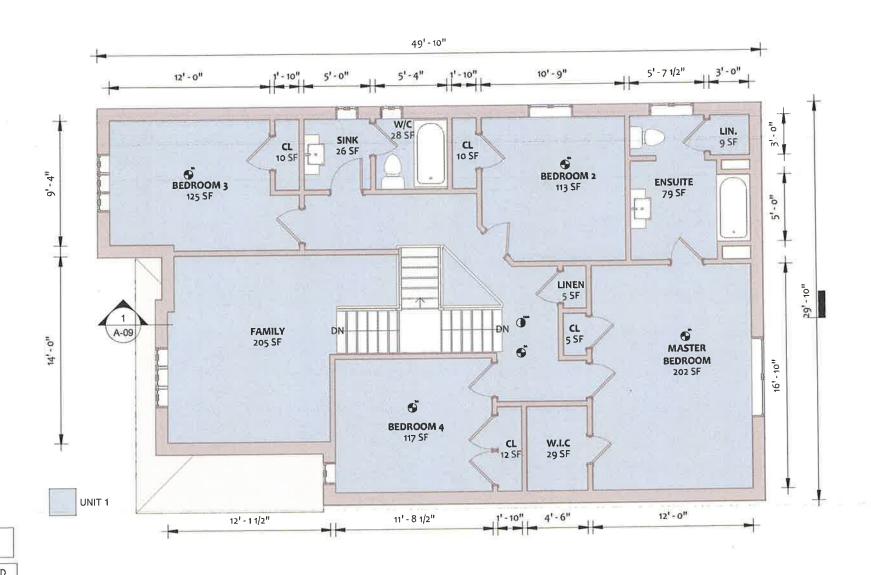
Project number Date

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2022.08.02

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A-07



ALL PLUMBING MUST CONFORM TO O.REG. 332/12, DIV. B PART 7 OF THE OBC.

ALL SMOKE ALARMS TO BE INTERCONNECTED WITHIN ENTIRE BUILDING AND COMMON AREAS.



888.236.9958 | 416.483.5393 | 905.821.0728 INFO@YEJSTUDIO.COM WWW.YEJSTUDIO.COM **BASEMENT SECOND UNIT** 

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2 THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE CONTARD BUBLIONIC CORT TO BE DESIGNED.

QUALIFICATION INFORMATION

REQUIEED UNICES DESIGN IS EXEMPT UNDER \$1.50 FOR DESIGNED ON "C" UP O D.C.

NAME

BEIN

ARE EXEMPT.

AMR ROBAH

BCIN 42582

BCIN 42582

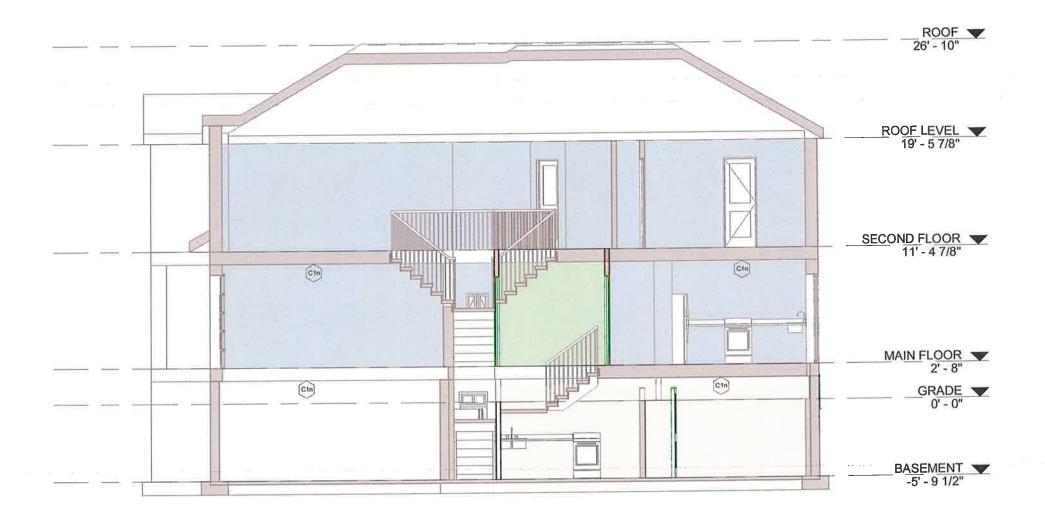
PROP. SECOND FLOOR

Project number

22RE500-206

2022.08.02

Drawn by K.D.
Scale 3/16" = 1'-0"





STUDID + CONSULTING

888.236.99581.416.483.53931.905.821.0728

INFO@YEJSTUDIO.COM

WWW.YEJSTUDIO.COM

**BASEMENT SECOND UNIT** 

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2 THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HASTINE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION
REQUIRED UNLESS DESERN IS DEMANT UNBECT, 3-4-5-4 OF ENVISION "C" OF O.B.C.

NAME
AIR ROBAN
47592
47592



SECTION

Project number

22RE500-206 2022.08.02 Orawn by K.D. Scale  $3/16^{\circ} = 1^{\circ}.0^{\circ}$ 

DOOR SCHEDULE						
Туре	Ct.	Level	Width	Height	Phase Created	Comments
D5	1	BASEMENT	4' - 0"	6' - 8"	New Construction	Bedroom Closet
FD1	1	MAIN FLOOR	2' - 8"	6' - 8"	New Construction	At Stair
FD1	1	MAIN FLOOR	2' - 8"	6' - 8"	New Construction	At Stair

WINDOW SCHEDULE							
Type	Ct.	Level	Width	Height	GLASS AREA	Phase Created	
NW1	1	BASEMENT	2'-6"	2'-6"	5.63 SF	New Construction	
NW2	1	BASEMENT	3'-0"	4'-0"	10.80 SF	New Construction	
W1	1	BASEMENT	2'-0"	1'-0"	1,80 SF	Existing	
W1	1	BASEMENT	2'-0"	1'-0"	1.80 SF	Existing	

BASEMENT (UNIT2)								
No.	Elevation	Room Name	Room Area (sqft)	Req. Win.	Req. Win. Area (sqft)	Glass Area (sqft)		
NW1		BEDROOM	106sqft	2.5 %	2.65 sqft	5.63 sqft		
NW2 W1		LIVING/ DINING/ KITCHEN	239 sqft	5 %	11.95 sqft	12.6 sqft		

#### STRUC. ELEMENTS LINTEL SCHEDULE DESCRIPTION NO. 2-2x8 H<sub>1</sub> H2 3-2x8 Н3 2 - 2X10 H4 3 - 2X10 H5 2 - 2X12 Н6 3 - 2X12 L-5 x 3 1/2 x 5/16 L7 L8 L-5 x 5 x 5/16 L9 L-5 x 5 x 1/2

#### **CEILING SCHEDULE**



Gin FULL HT CLG - 1HR, FIRE SEPARATION (F9d) 545TC

-EX. FLOOR FINISH -EX. FLOOR JOIST

-EA FLOOR JOISI
-NEW 3 1/2" ROXUL INSULATION IN CAVITIES
-NEW RESILIENT CHANNEL @24" O.C.
-NEW 2 LAYERS OF 5/8" TYPE X GWB

\* NOTE: NO OPENINGS ARE PERMITTED



[C2] BULKHEAD 45 min FIRE SEPARATION

- NEW 2 LAYERS 5/8" TYP X GYPSUM BOARD -1 LAYER 1/2" TYPE X GYPSUM BOARD IN UNIT 1 \*NOTE: NO OPENINGS ARE PERMITED



FULL HT CLG - 15MIN. FIRE SEPARATION (C.A. #152)

-EX. FLOOR FINISH

-EX. FLOOR JOIST

OPTIONAL INSULATION IN CAVITIES

1 LAYER 1/2" GYPSUM BOARD

\* NOTE: NO OPENINGS ARE PERMITTED \* PART 11 COMPLIANCE ALTERNATIVE APPLIED



BULKHEAD IS min FIRE SEPARATION NEW 1 LAYERS 1/2" GYPSUM BOARD

\*NOTE: NO OPENINGS ARE PERMITED

HEADER

1' - 10"

550 mm

GRADE

6" LAYER OF 3/4" CRUSHED STONE

4" DRAINAGE PIPE

WEEPING TILE

EXTENDING DOWN TO

#### WALL SCHEDULE



W-eF EXISTING FOUNDATION WALL

W-eX EXISTING EXTERIOR WALL W-eP EXISTING STUD PARTITION WALL



W-ps NEW INTERIOR - STUD PARTITION

+ 1/2" GYP5UM WALL BOARD +2"x4" @16" o.c. WOOD STUDS

1/2" GYPSUM WALL BOARD



W/Su EXTERIOR - BASEMENT INSULATED STUD WALL

- EXT. R20 ( OR R12) INSULATION TO REMAIN - EXT. AIR/VAPOUR BARRIER

- NEW 2"x4" @ 16" o.c. STUDS - NEW 1/2" GYPSUM WALL BOARD



W-fsu EXTERIOR - BASEMENT INSULATED STUD WALL

- NEW 2"x4" @ 16" o.c. STUDS W/ R14 INSULATION

- NEW AIR/VAPOUR BARRIER

- NEW 1/2" GYPSUM WALL BOARD



W-53 NEW INTERIOR - 30min FIRE SEP. (Wic)

\*1 LAYER 1/2" REGULAR GWB \*2"x4" WOOD STUDS @ 16"o.c.

- ROXUL INSULATION IN CAVITIES -1 LAYER 1/2" REGULAR GWB



- MIN 15" FOR OPENABLE PORTION OF WINDOW

- MIN AREA OF UNOBSTRUCTED OPENING NOT LESS THAN 3.8 SQ. FT



TIE INTO EXISTING

A-12

D17.2 - EGRESS WINDOW BSMT - WINDOWELL



3/8" = 1'-0"



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INFO@YEJSTUDIO.COM

WWW.YEJSTUDIO.COM

BASEMENT SECOND UNIT

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2

THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS. SET OUT IN THE ONTARYO BUILDING CODE TO BE A DESIGNED.

QUALIFICATION INFORMATION



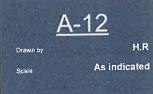


**SCHEDULES** 

Project number

22RE500-206

2022.08.02



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#### **GENERAL NOTES:**

#### I. ALL CONSTRUCTION SHALL MEET WITH THE LATEST REQUIREMENTS OF:

- AUTHORITIES HAVING JURISDICTION.
- ZONING RESTRICTIONS AND COMMITTEE OF ADJUSTMENT DECISIONS.
- ONTARIO BUILDING CODE
- ONTARIO REGULATIONS UNDER THE HEALTH AND PROMOTION ACT.
- ONTARIO FIRE CODE
- ALL SUPPLIERS SPECIFICATIONS RE: THE TECHNICAL METHODS TO USE MATERIALS AND THE SAFEST SYSTEM TO INSTALL BREAKABLE OR HANGING MATERIALS SUCH AS GLASS OR LIGHT FIXTURES ETC.

#### II. CONTRACTOR SHALL:

- CONFIRM ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES OR ERRORS TO THE ARCHITECT AND THE PARTIES INVOLVED.
- . WORK ONLY FROM THE APPROVED PERMIT DRAWINGS AND SPECIFICATIONS THAT ARE STAMPED AND SIGNED BY THE ARCHITECT.
- RETAIN A CERTIFIED SURVEYOR TO CHALK OUT ALL PROPERTY LINES, BUILDING BOUNDARIES AND LIMITATIONS AND CONFIRM GRADES OF THE
- PRIOR TO EXCAVATION, TAKE PRECAUTION IN SUCH A MANNER TO PREVENT DAMAGE TO ADJACENT PROPERTIES, EXISTING STRUCTURE, UTILITIES, ROADS AND SIDEWALKS.
- PRIOR TO CONSTRUCTION CHECK WITH ALL INSPECTORS OF ALL AUTHORITIES HAVING JURISDICTION ON THE PROJECT REGARDING SCHEDULES OF INSPECTIONS AND ARRANGE FOR THEIR SITE VISITS AND CALL ALL UTILITY COMPANIES (GAS, HYDRO, CABLE, WORKS DEPT.,..etc.) TO CHECK ALL EXISTING LINES, PIPES, TREES, ....
- PROVIDE ALL REQUIRED LATERAL FRAMING SUPPORTS (TO ENSURE RIGIDITY AND STURDINESS) THAT DO NOT SHOW ON DRAWINGS
- NOT PLACE MATERIALS NOR PLACE OR OPERATE EQUIPMENT IN OR ADJACENT TO AN EXCAVATION IN A MANNER THAT MAY ENDANGER THE INTEGRITY OF THE EXCAVATION OR ITS SUPPORTS.
- NOT SCALE DRAWINGS UNLESS OTHERWISE MENTIONED
- COMPLY BY SOIL REPORT WHENEVER APPLICABLE.
- USE ONLY APPROVED SUPPLIERS & INSTALLERS

#### **III. SHOP DRAWINGS:**

- THE REVIEW OF SHOP DRAWINGS IS FOR THE SOLE PURPOSE OF ASCERTAINING CONFORMANCE WITH THE GENERAL DESIGN CONCEPT. IT SHALL NOT MEAN APPROVAL OF THE DETAIL DESIGN INHERENT IN THE SHOP DRAWING, RESPONSIBILITY FOR WHICH SHALL REMAIN WITH THE CONTRACTOR SUBMITTING SAME, AND SUCH REVIEW SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY FOR MEETING ALL REQUIREMENTS OF THE CONTRACT DOCUMENTS. THE CONTRACTOR IS RESPONSIBLE FOR DIMENSIONS TO BE CONFIRMED AND CORRECTED AT THE JOB SITE, FOR INFORMATION THAT PERTAINS SOLELY TO FABRICATION, PROCESSES OR TO TECHNIQUES OF CONSTRUCTION AND INSTALLATION AND OR COORDINATION OF THE WORK OF ALL SUB-TRADES.
- ALL SHOP DRAWINGS SHALL BE STAMPED BY THE MANUFACTURER'S STRUCTURAL ENGINEER PRIOR TO SUBMITTING FOR REVIEW BY ARCHITECT.
- SEQUENCE OF SHOP DRAWINGS REVIEW: - CONTRACTOR STRUCTURAL ENGINEER - ALL OTHER INVOLVED CONSULTANTS ARCHITECT
- SHOP DRAWINGS SHALL BE PROVIDED FOR: - STEEL - PREFAB. - CANOPIES - WINDOWS - DOORS CONC.

#### **GENERAL NOTES:**

#### IV.RENOVATION AND ADDITION CONSTRUCTION:

- •REPAIR ALL DEFECTIVE OR DAMAGED CONDITIONS IN BUILDING AND SITE THEN FINISH THEM TO MATCH
- ALL EXISTING CONSTRUCTION SHALL BE ALL FINISHED UNLESS OTHERWISE MENTIONED, CHECK WITH ARCHITECT.

#### V. BONDING EXISTING TO NEW CONSTRUCTION:

- PROVIDE 1/2" DIA. X 6" LONG ANCHOR BOLTS SPACED 3'-0" O/C VERTICALLY OR HORIZONTALLY BETWEEN EXISTING AND NEW STUDS AND ROOF FRAMINGS.
- PROVIDE OVERLAPPED VERTICAL JOINTS BETWEEN EXISTING AND NEW MASONRY VENEERS, WALLS AND FOUNDATION.
- SAND BLASTED AREA SHALL BE FINISHED WITH A CLEAR SEALANT.

#### CONSTRUCTION SPECIFICATIONS

#### 1. WOOD

- ALL WOOD CONSTRUCTION SHALL BE IN ACCORDANCE WITH CSA 086
- BEAMS AND LINTELS & JOISTS SHALL BE KILN DRIED, STAMPED SPRUCE #2, UNLESS
- OTHERWISE MENTIONED:
- ALL WOOD MEMBERS WHICH ARE PLACED IN SOIL SHOULD BE PRESSURE TREATED WITH A WOOD PRESERVATIVE.
- ALL EXTERIOR WOOD SHALL BE STAINED OR PAINTED.

#### 2. CONCRETE

- SHALL COMPLY WITH CSA A23 SERIES INCL. COLD WEATHER CONCRETING.
- MINIMUM COMPRESSIVE STRENGTH OF UNREINFORCED CONCRETE: 25 MPA AND 35 MPA FOR LOADING DOCK AND FOR ALL EXPOSED CONCRETE AFTER 28 DAYS WITH AIR ENTRAINMENT 6 %
- MAXIMUM SLUMP 3"
- PROVIDE SEALANT-TOPPED EXPANSION JOINT BETWEEN EXISTING AND NEW CONCRETE FLOORS.
- REINFORCEMENT SHALL CONFORM CSA 30.12 GRADE 58

#### 3. STEEL

- SHALL CONFORM TO CSA STANDARDS & CAN 3-G40.21 (STRUCTURAL STEEL QUALITY)
- SHALL BE TREATED ON THE OUTSIDE SURFACE WITH AT LEAST ONE COAT OF RUST INHIBIT PAINT.
- ALL EXPOSED STEEL SHALL BE GALVANIZED.
- STEEL GRADE
  - I) HOLLOW SECTION: G 40.21-M 350W
- II) I BEAMS & COLUMNS: G 40.21-M 350W
- · O.W.S.J.: LIVE LOAD DEFLECTION SHALL NOT EXCEED 1/360 OF SPAN, TOTAL LOAD DEFLECTION SHALL NOT EXCEED 1/300 OF SPAN.
- WELDING SHALL COMPLY WITH CSA W59 AND EXECUTED BY CERTIFIED WELDER.
- ALL BOLTS A 325 BOLTS.
- FOR ALL STEEL FABRICATION, PROVIDE SHOP DRAWINGS AND CALCULATIONS STAMPED BY P. ENG.

#### CONSTRUCTION SPECIFICATIONS

#### 4. MINIMUM STRUCTURAL BEARING

#### (PROVIDE 2 SOLID MASONRY BLOCKS BELOW BEARING)

- WOOD JOIST: 2"
- . WOOD BEAMS: 4"
- STEEL BEAM: 6"
- STEEL LINTEL: 8"
- O.W.S.J.: 6" ON MASONRY & 2 1/2" ON STEEL & SHALL HAVE 4" DEEP SHOES

#### 5. MASONRY

- SHALL HAVE 1000 PSI MIN, CRUSHING STRENGTH.
- PROVIDE GALVANIZED STANDARD BLOCK-LOK EACH 2ND COURSE.
- VERTICAL JOINTS SHALL BE STAGGERED & CORNERS INTERLOCKED.
- PROVIDE SHOP DRAWINGS STAMPED BY P. ENG. FOR STONE VENEER & PREFAB PANELS.
- VERTICAL CRACK CONTROL JOINTS (DESIGNED TO RESIST MOISTURE PENETRATION AND KEYED TO PREVENT RELATIVE DISPLACEMENT OF THE WALL PORTIONS ADJACENT TO THE JOINT) SHALL BE PROVIDED IN FOUNDATION WALLS MORE THAN 82'-0" LONG AT INTERVALS OF 50'-0" MAX. AND FLUSH WITH OPENING JAMBS.

#### 6. FOUNDATION

- · FOOTING AND SONO TUBE FOUNDATION SHALL BEAR ON UNDISTURBED SOIL OR COMPACTED ENGINEERED FILL (TO 98 % STANDARD PROCTOR DENSITY) CAPABLE OF A BEARING OF 3000 PSF, SOIL SHALL BE CHECKED BY SOIL ENGINEER
- DEPTH OF FOOTING ARE PROVISIONAL & SUBJECT TO VERIFICATION ON SITE BY A SOIL ENGINEER.
- ALL EXTERIOR (OR EXPOSED TO EXTERIOR) WALLS, PARTITION, COLUMNS SHALL BE PROVIDED WITH 4'-0" DEEP FOUNDATION.
- PROVIDE 5/8" DIA. X 16" LONG ANCHOR TIES (8" IN NEW CONSTRUCTION).
- TOP TWO COURSES OF CONCRETE BLOCKS SHALL BE FILLED WITH CONCRETE.
- PROVIDE MIN 8"X2'-0" WIDE STRIP FOOTING BELOW ANY INTERIOR LOAD BEARING WALL

#### 7. COLUMNS

 SHALL BE SECURELY FASTENED TO CENTER OF FOUNDATIONS AND TO THE SUPPORTED MEMBERS TO PREVENT LATERAL MOVEMENT.

#### 8. DESIGN LOADS

#### UN FACTORED DESIGN LOADS

- 1. SNOW LOAD = kPa (PART 4 DESIGN, Ss= 2.0 kPa, Sr = 0.4kPa)
- 2. ROOF DEAD LOAD = 0.75kPa
- 3. SECOND FLOOR DEAD LOAD=0.75kPa
- 4. MAIN FLOOR DEAD LOAD=1.0kPa
- 5. OCCUPANCY LIVE LOAD=1.9kPa
- WIND PRESSURE q(1/50) = 0.44 Kpa
- 7. ASSUMED SOIL BEARING CAPACITY =75 kPa
- 8. GUARDS TO BE BUILT ACCORDING TO OBC 2012 SB-7



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**BASEMENT SECOND UNIT** 

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2

THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND ONTABIO BUILDING CODE TO BE A DESIGNER

QUALIFICATION INFORMATION INDER 3 65-1 OF DIVISION "C" OF O.B.C.

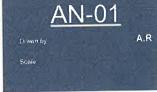


**GENERAL NOTES** 

Date

22RE500-206 Project number

2022.08.02



#### **CONSTRUCTION NOTES**

ALL CONSTRUCTION TO ADERE TO THESE PLANS AND SPECS AND TO CONFORM TO ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE CODE AND AUTHORITIES HAVING JURISDICTION THES REQUIREMENTS ARE TO BE TAKEN AS MINIMUM SPECIFICATIONS ONT.REG.350/06



#### ROOF CONSTRUCTION

NO210 ROOF ASPHALT SHINGLES ON 1/8" PLYWOOD SHEATHING WITH H-CLIPS.APPROUVED WOOD TRUSSES @24" O.C. MAX APPROUVED EAVES PROTECTION TO EXTEND 3' FROM EDGE OF ROOF AND MIN. 12" INNER FACE OF EXTERIOR WALL. 2"X4" TRUSS BRACING @6' O.C. BOTTOM CORD.PREFIN. ALUM. EAVSTROUGH, FASCIA, RWL&VENTED SOFFIT. ATTIC VENTILATION 1:300 OF INSULATED EILING AREA WITH 50% AT EAVS.



#### STONE VENEER WALL CONSTRUCTION

4" FACE STONE ,1" AIR SPACE 0.03 THICK X 7/8 WIDE GALVANIZED METAL TIES INSRALLED W/ GALVANIZED SPIRAL NAILS 32" O..C HORIZ,16" O.C VERT. SHEATHING PAPER. LAYERS TO OVERLAP EACH OTHER ON 1/2" EXTERIOR TYPE SHEATHING . a"X6" WOOD STUDS @16" O.C. R24 BATT INSULATION IN CONTINUOUS CONTACT W/SHEATHING AND VAPOUR BARIER /AIR BARIOUR BOUBLE PLAT AT THE TOP, SINGLE PLATE AT THE BOTTOM



#### STONE VANEER @ FDN. WALL

20 MM POLY FLASHING MINIMUM 6" UP BEHIND SHEATHING PAPER WEEPING HOLES @ MIN 2'-7" APART



#### STUCCO WALL CONSTRUCTION

COATS OF STUCCO FINISH ON STUCCO LATH ON 1 1/2" T&G EPS INULATION BOARD FASTENED WITH NAILS OF MIN 3.2 MM DIA. W/ MIN 11.1 MM HEAD SAPCED @ MAX. 6" O. C VERTICALLY AND 16" O.C. HORIZONTALLY OR 4" O.C VERTICALLY AND 24" HORIZONTALLY ON SHEATHING PAPER. @ NOT LESS THAN 8" ABOVE FINISHED GROUND



#### WOOD SIDING WALL CONSTRUCTION

FRAME WALL CONSTRUCTION FINISH WITH VYNEL SIDING SIDING PAPER LAYERS TO OVERLAP EACH OTHER EXTERIOR TYPE SIDING ON 2X6 WOOD STUDS @ 16" O.C DOUBLE PLATE AT THE TOP SINGLE PLATE @ BOTTOM R24 BATT INSULATION IN CAVITIES.



#### FOUNDATION WALLS

BITUMINOUS DAMPROOFING ON 1/4" PARGING ON 10" CONCRETE BLOCKS FDN. WALL TOP COURSE FILLED W/ CONCRETE PROVIDE PARGING COVED OVER 24"X12" POURED CONCRETE FOOTING TO BEAR ON UNDISTURBED SOIL PROVIDE DRAINAGE LAYER: - MIN 3/4" MINERAL FIBRE INSULATION W/ A DENSITY OF

- NOT LESS THAN 3.6 LB/FT OR
- MIN. 4" OF FREE DRAINAGE GRANULAR MATERIAL OR - A B.M.E.C. APPROVED DRAINAGE LAYER MATERIAL



#### REDUCTION IN FOUNDATION WALL THICKNESS

WHERE THE TOP OF FOUNDATION WALL IS REDUCED IN THICKNESS TO PERMIT THE INSTALLATION OF FLOOR JOIST, THE REDUCED SECTION SHALL BE NOT MORE 13 3/4" HIGHT AND NOT LESS THAN 3 1/2" THICK. WHERE THE TOP OF FOUNDATION WALL IS REDUCED IN THICKNESS TO PERMIT THE INSTALLATION OF A MASONRY EXTERIOR FACING .THE REDUCED SECTION SHALL BE NOT LESS 3 1/2" THICK AND TIED TO THE FACING MATERIAL W/ METAL TIES.



#### INTERIOR STUD PARTITIONS (NO BEARING)

NO BEARING PATITIONS 1/2" DRYWALL FINISH ON BOTH SIDES OF 2"X4" WOOD STUDS @16" O.C. 2 TOP PLATES & 1 BOTTOM PLATE PROVIDE SOUND ATTENUATION INSULATION IN BATHROOM WALLS & WHERE INDICATED ON PLANS.



#### INTERIOR STUD PARTITIONS (BEARING)

BEARING PATITIONS 1/2" DRYWALL FINISH ON BOTH SIDES OF 2"X6" WOOD STUDS @16" O.C. 2 TOP PLATES & 1 BOTTOM PLATE PROVIDE SOUND ATTENUATION INSULATION IN BATHROOM WALLS & WHERE INDICATED ON PLANS.



#### WALL INSULATION

MIN. R24 INSULATION BATTS TO COVER THE INTERIOR FACE OF THE EXTERIOR WALLS WITH CONTINUOUS AIR / VAPOUR BARIER

#### **FOUNDATION INSULATION**

R20 INSULATION BLANKET WITH AIR/VAPOUR BARRIER FROM SUB-FLOOR TO BASEMENT SLAB. DAMPPROOF W/ BLDG. PAPER BETWEEN THE FOUNDATION WALL AND INSULATION UP TO GRADE LEVEL



#### STUD WALL REINFORCEMENT

PROVIDE WOOD BLOCKING REINFORCEMENT TO STUD WALLS FOR FUTLIRE GRAB BARS INSTALATION IN MAIN BATHROOM 33"-36" A.F.F. BEHIND TOILET 33" A.F.F ON THE WALL OPPOSITE THE ENTERANCE TO THE TUB AND SHOWER



#### SILL PLATE

2"X6" SILL PLATE FASTENED TO FOUNDATION WALL WITH MIN. 1/2" DIA. ANCHOR BOLTS EMBEDDED MIN. 4" IN CONCRETE @ 7'-10" O.C MAX. PROVIDE CAULKING FOR GASKET BETWEEN PLATE AND FOUNDATION WALL



#### FLOOR FRAMING

5/8" T&G PLYWOOD NAILED AND GLUED ON 2" X 8" I-JOIST WITH MIN, 11/2" END BEARING ON EACH SIDE WITH CROSS BRIDGING OR SOLID BLOCKING @ MAX. 6'-11" O.C.



#### ENGINEERED FLOOR FRAMING

5/8" T&G PLYWOOD NAILED AND GLUED ON 2" X 10" JOIST WITH MIN, 11/2" END BEARING ON EACH SIDE WITH CROSS BRIDGING OR SOLID BLOCKING @ MAX. 6'-11" O.C



#### BASEMENT SLAB

MIN. 3" 25 MPA CONC. SLAB ON 4" COARSE GRANULAR FILL WITH DAMP PROOFING BELOW SLAB.



#### STEEL BASEMENT COLUMN

MIN 3" DIA. AND WALL THIKNESS OF MIN. 3/16" WITH 4"X4"X1/4" THICK STEEL PLATE WELDED TOP AND BOTTOM AND SUPPORTED ON A 36"X36"X18" THK CONCRETE FOOTING.



W 150X22 SITTING ON STEEL COLUMN ON ONE END AND 3 1/2" END BEARING ON FOUNDATION WALL ON THE OTHER END WITH 1"X3" CONTINUS WOOD STRAPPING ON EACH SIDE OF THE BEAM



#### GRADE

SLOPE GRADE AWAY FROM BUILDING FACE & PROVIDE SEMI SOLID BLOCK COURSE AT OR BELOW GRADE LEVEL



4" DIA, WEEPING TILE W/ 6" CRUSHED STONE OVER AND ARROUND



#### CRAWL SPACE ACCESS HATCH

CRAWL SPACE CLEARANCE MIN. 24" CLEAR TO U/S OF STRUCTURE PROVIDE 1/64" POLY GROUND COVER MIN. 11 13/16" OVERLAP, SEALED AT JOISTS & FUNDATIONS WALL & WEIGHTED DOWN W/MIN ACCESS OPENING OF 2' 7" X 1' 10"



#### **ATTIC ACCESS**

ATTIC ACCESS HATCH 22"X28" WITH WEATHERSTRIPPING (MIN.3.4FT2) RSI 8.8 (R50) RIGID INSULATION BACKING.



#### CEILING CONSTRUCTION

MIN 5/8" DRYWALL FINISH ON ALL CEILINGS .WITH CONTINUOS AIR VAPOUR BARIER WITH MIN, R40 INSULATION FOR ATTIC



#### DRYER VENT

CAPPED DRYER EXHAST VENTED TO EXTERIOR DUCT SHALL CONFORM TO OBC 2012 DIV. B PART 6

#### WASHROOM EXHAUST

MECHANICAL EXHAST FAN, VENTED TO EXTERIOR, TO PROVIDE AT LEAST ONE AIR CHANGE PER HOUR . PROVIDE DUCT SCREEN AS PER OBC 2012 DIV. B 9.32.3.12

#### CABINETRY ABOVE RANGE

FRAMING FINISHES AND CABINETRY ABOVE A RANGE MUST HAVE MIN 2'-6" CLEARANCE , UNLESS FRAMING , FINISHES AND CABINETRY ARE NON-COMBUSTABLE OR ARE PROTECTED AS PER 9.10.22.(2)(10)(1)



#### SMOKE ALARM O.B.C. 9.10.19

PROVIDE ONE PER FLOOR NEAR THE STAIRS CONNECTING THE FLOOR LEVEL, ALARMTO BE CONNECTED TO AN ELECTRICAL CIRCUT AND INTERCONECTED TO ACTIVATE ALL ALARMS IF 1 SOUNDS, IT SHOULD BE INSTALED IN CONFORMANCE WITH CAN/ULC-5553



#### CARBON MOMOXIDE ALARM O.B.C. 9.33.4.

PROVIDE CARBON MONOXIDE DETECTOR ADJACENT TO EACH SLEEPING



#### EXCAVATION AND BACKFILL

- \* EXCAVATION SHOULD BE UNDER TAKEN IN SUCH A MANNER SO AS TO PREVENT DAMAGE TO EXISTINF STRUCTURES ADN ADJACENT PROPERTY
- \* THE TOPSOIL AND VEGETABLE MATTER IN UNEXCAVATED AREAS UNDER A BUILDING SHALL BE REMOVED . THE BOTTOM OF EXCAVATIONS FOR FOUNDATIONS SHALL BE FREE OF ALL ORGANIC MATERIALS.
- \* IF TERMITES ARE KNOWN TO EXIST, ALL STUMPS, ROOTS AND WOOD DEBRIS SHALL BE REMOVED TO A MIN DEPTH OF 11 3/4" IN EXCAVATED AREAS UNDER A BUILDING AND THE CLEARANCE BETWEEN UNTREATED STRUCTURAL WOOD ELEMENTS AND THE GROUND SHALL BE NOT LESS THAN 17 3/4"
- \* BACK FILL WITHIN 23 5/8" OF THE FOUNDATION WALLS SHALL BE FREE OF DELETERIOUS DEBRIES AND BOULDERS OVER 7/8" IN DIAMETER.



#### NOTCHING AND DRELLING OF TRUSSESS, JOISTS AND RAFTERS

#### \* HOLES IN FLOORS, ROOFS AND CEILING MEMBES TO BE MAX.1/4 X ACTUAL

- DEPTH OF MEMBER AND NOT LESS THAN 2" FROM EDGES. \* NOTCHES IN FLOORS, ROOF, CEILING MEMBERS TO BE LOCATED ON TOP OF THE MEMBER WITHIN 1/2 THE ACTUAL DEPTH FROM THE EDGE OF BEARING AND
- NOT GREATER THAN 1/3 JOIST DEPTH. \* WALL STUDS MAY BE NOTCHED OR DRILLED PROVIDE THAT NOT LESS THAN 2/3 THE DEPTH OF THE STUD REMAINS, IF LOAD BEARING AND 11/2 IF NON LOAD BEARING WALL.
- \* ROOF TRUSS MEMBERS WHALL NOR BE NOTCHED , DRILLED, OR WEAKENED UNLESS ACCOMMODATED IN THE DESIGN.



WHEN CERAMIC TILES APPLIED TO A MORTAR BED WITH ADHISEVE, THE BED SHALL BE A MIN. OF 1/2" THICK & REINFORCED WITH GALVANIZED DIAMOND MESH LATH, APPLIED OVER POLYYETHYLENE ON SUBFLOORING ON JOISTS AT NO MORE THAN 16" O.C. WITH AT LEAST 2 ROWS CROSS BRIDGING.



#### 32 2 STORY VOLUME SPACE

2 STORY HIGH (18'-o") EXTERIOR WALL STUDS TO BE 2-2"X6" CONTINUOS STUDS @12" O.C. TRIPLE UP AT EVERY THIRD DOUBLE STUDS C/W 3/8" EXTERIOR PLYWOOD SHEATHING, PROVIDE SOLID WOOD BLOCKING BETWEEN WOOD STUDS @(4'-0") O.C. VERTICALY .FOR HORIZONTAL DISTANCE NOT EXCEEDING (9'-6") PROVIDE (2-2"X6") TOP PLATE AND A SINGLE BOTTOM PLATE MIN, OF 3-2"X8" CONTINUS HEADER AT GROUND CEILING LEVEL TOE-NAILED AND GLUED AT TOP, BOTTOM PLATES AND HEADERS FOR 9' HIGH GROUND/FIRST FLOOR CEILING ADD TRIPPLE HEADERS NAILED ONTOP OF FOUNDATION WALL SILL PLATE AND ADD 1-2"X6" CONTINUS BOTTOM PLATE NAILED ON TOP OF HEADERS.

#### (33) FOOTING

24"X12" DEEP POURED CONCRETE 2200 PSI ON UNDISTERBED SOIL.MIN. 48" BELOW FINISHED GRADE

#### (34) BUILT UP POST

3-2"X4" BUILT UP POST WITH DAMPPROOFING MATERIAL WRAPPED AT

#### END OF POST ANCHORED TO 24"X24"X12" CONC. FOOTING.

MECHANICAL EXHAST HOOD WITH MIN 100 CFM AND 6" DIM. RIGID STEEL DUCT

#### <35 RANGE HOOD EXHUST

OR EQUIVALENT TO OUTDOOR. 36 SHOWER AND TUB VALVES

1, ALS SHOWER VALVES SHALL CONFORM TO OBC DIV. B 7.6.5.2 2. WATERPROOF FINISH REQUIRED AT SHOWER AND TUB AREAS TO CONFIRM TO OBC DIV B 9.29.2

#### WALL REINFORCEMENT FOR FUTURE GRAB BARS INSTALLATION IN WASHROOM

SEE WASHROOM DETAIL SHEET

#### (38) GARAGE WALL-GAS PROOFING

ATTACHED GARAGES MUST BE COMPLETELY SEALED TO PREVENT THE INFILTRATION OF CARBON MONOXIDE & GASOLINE FUMES INTO THE DWELLING .

- 1. PROVIDE 1/2" DRYWALL W/ MIN. 2 COATS OF JOINT COMPOUND AT ALL WALLS ADJACENT TO DWELLING.
- 2. CAULK BETWEEN GYPSUM BOARD AND OTHER SURFACES W/ ACOUSTIC SEALANT.
- 3. CAULK ALL PENETRATIONS SUCH AS HOSE BIBS W/ FLEXIBLE CAULKING.
- 4. DOORS BETWEEN GARAGE & DWELLING SHALL BE TIGHT FITTING & WEATHER STRIPPED & PROVIDED W/ A SELF CLOSING DEVICE, DOOR MUST NOT OPEN INTO A ROOM INTENDED FOR SLEEPING.
- 5. GARAGE SLAB SHALL BE SLOPED TO DRAIN OUTDOORS.
- 6. UNIT MASONRY WALLS FORMING THE SEPARATION BETWEEN THE DWELLING, ATTACHED GARAGE SHALL BE PROVIDED W/ 2 COATS OF SEALER OR COVERED W/ PLASTER OR GYPSUM BOARD ON THE GARAGE SIDE.

#### 39 PRECAST STAIRS

PRECAST CONCRETE STEPS OR WOOD STEPS (PERMITTED TO A MAX. OF 3 RISERS) WHER NOT EXPOSED TO WHETHER MAX RISE 7-7/8" MIN. THREAD 9-1/2". GREATER THAN 3 RISERS WILL REQUIRE LANDING/GUARD / HANDRAIL AND FOUNDATION UNDER CONC. STEPS.

#### (40) WOOD FRAME STAIRS

#### MAX RISE = 8.1/4" MIN RUN MIN TREAD = 9-1/4" = 1" - 0 MAX NOSIN MIN HEADROOM = 61-511 RAIL@LANDING = 2'11" RAIL@STAIRS = 21-811

STAIRS DETAILS

#### **CURVED STAIRS** MIN AVG. RUN

MIN RUN = 5'-7/8" RAILING FINISHED RAILING ON PICKETS SPACED MAX, 4".

INFERIOR GUARDS 2'-11" MIN.

EXTERIOR GUARDS 3'-6" MIN.

#### MIN STAIRS WIDTH (41) INSULATION VALUES

ABOVE GRADE WALLS BASEMENT WALLS

CEILING WITH ATTIC SPACE CEILING WITHOUT ATTIC SPACE

22RE500-206

CONTINUOUS R-10 RIGID INSULATION +

R-12 MIN BATT INSULATION R-31

STUDIO + CONSULTING -

888.236.9958 | 416.483.5393 | 905.821.0728

INFO@YEJSTUDIO.COM

WWW.YFISTUDIO.COM

BASEMENT SECOND UNIT

9 FERNCASTLE CRESCENT

BRAMPTON, ON L7A 3P2

THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE FEQUIREMENTS. SET DUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER QUALIFICATION INFORMATION

JNDER 3 2 3 1 OF DIVISION "C" OF OB C

AMR ROBAH ( Om BOIN 42582

**CONSTRUCTION NOTES** 

Project number

2022.08.02

A.R

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#### 42 WINDOWS

- WINDOWS TO BE SEALED TO THE AIR AND VAPOR BARRIER
- WINDOWS THAT SEPERATE HEATED SPACE FROM UNHEATED SPACE
- SHALL HAVE AN OVERALL COEFFICIENT OF HEAT TRANSFER OF 1.6 OR
   AN ENERGY RATING OF NOT LESS THAN 21 FOR OPERABLE WINDOWS AND 31 FOR
- FIXED WINDOWS
- SKYLIGHTS SHALL HAVE AN OVERALL COEFFICIENT OF HEAT TRANSFER OF 2.8W/(M2,K)

#### 43

#### DOORS AND WINDOWS

- EVERY FLOOR LEVEL CONTAINING A BEDROOM AND NOT SERVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST ONE WINDOW HAVING AN UNOBSTRUCTED OPEN AREA OF 0.35 m². AND NO DIMENSION LESS THAN 380MM, WHICH IS OPENABLE FROM THE INSIDE WITHOUT TOOLS.
- EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 2000MM FROM GRADE SHALL BE CONSTRUCTED TO RESIST FORCED ENTRY AND SHALL HAVE A DEADBOLT LOCK.
- THE PRINCIPAL EXTRY DOOR SHALL HAVE EITHER A DOOR VIEWER, TRANSPARENT GLAZING OR A SIDELIGHT.

#### 44

#### **HVAC NOTES**

- 1. CONTRACTOR TO COORDINATE DUCTS INSTALLATION WITH PIPES, ELECTRICAL LIGHTING & BUILDING STRUCTURE.
- 2. ALL MECHANICAL DUCTWORK SHALL BE CONCEALED IN ATTIC SPACE OR BULKHEADS UNLESS OTHERWISE NOTED.
- 3. PROVIDE FLUE VENT, COMBUSTION AIR AND TERMINATION KIT FOR FURNACE AND INSTALL AS PER MANUFACTURER WRITTEN INSTRUCTION.
- 4. PROVIDE BALANCING DAMPERS AT ALL AIR SUPPLY TAKE-OFFS:
- (A.) AT BRANCH DUCT OFF MAIN TRUNK DUCT.
- (B) IN DRY WALL AREA, PROVIDE DAMPER AT GRILLE WITH APPROVED LOCKING DEVICE TO ENGINEER'S APPROVAL.
- 5. CUTTING FOR DUCTS SHALL BE DONE BY THIS CONTRACTOR OBTAIN APPROVAL BEFORE CUTTING IN ANY WALL, STRUCTURAL BEAM, FLOOR AND ROOF.
- 6. COORDINATE LOCATION OF EACH S.A. GRILLE AND RETURN AIR GRILLE ON SITE BEFORE CUTTING AND ROUGH-IN.
- 7. INSULATE ALL EXHAUST AIR DUCTS MIN. 150MM FROM WALLS OR ROOF.
- 8. CONNECT GAS PIPE TO EACH UNIT COMPLETE WITH SHUT OFF VALVE, ALL GAS PIPING SHALL
- BE CSA AND CGA APPROVED. INSTALL PIPES IN ACCORDANCE TO 8149.1 CODE. g. INSULATE ALL DUCTS IN CEILING SPACE, ATTIC SPACE AND GARAGE.
- 10. TEST AND BALANCE SYSTEM. SUBMIT BALANCING REPORT.
- 11. COORDINATE ROUTING DUCTS AND LOCATION OF EACH GRILLE, FAN AND FURNACE WITH STRUCTURAL MEMBERS, PIPING, CONDUITS AND LIGHTING. OFFSET AS REQUIRED AND MAINTAIN REQUIRED SERVICE ACCESS.
- 12. PROVIDE R.A. GRILLES AT HIGH AND LOW LEVELS. EACH GRILLE SHALL BE COMPLETED WITH BALANCING DAMPER.
- USE SPACE BETWEEN JOISTS AND WALL STUDS FOR RETURN WHERE APPLICABLE, PROVIDE SHEET METAL JOISTS LINER (JL) AS REQUIRED.



#### MECHANICAL VENTILATION:

A MECHANICAL VENTILATION SYSTEM IS REQUIRED WITH A TOTAL CAPACITY AT LEAST EQUAL TO THE SUM OF:
10.0 L/S FACH FOR BASEMENT AND MASTER BEDROOM
5.0 L/S FOR EACH OTHER ROOM
-A PRINCIPAL DWELLING EXHAUST FAN SHALL BE INSTALLED AND
CONTROLLED BY A CENTRALLY LOCATED SWITCH IDENTIFIED AS SUCH.
-SUPPLEMENTAL EXHAUST SHALL BE INSTALLED SO THAT THE TOTAL
CAPACITY OF ALL KITCHEN, BATHROOM AND OTHER EXHAUSTS, LESS
THE PRINCIPAL EXHAUST, IS NOT LESS THAN THE TOTAL REQUIRED

CAPACITY.

-A HEAT RECOVERY VENTILATOR MAY BE EMPLOYED IN LIEU OF EXHAUST TO PROVIDE VENTILATION. AN HRV IS REQUIRED IF ANY SOLID FUEL BURNING APPLIANCES ARE INSTALLED.

-SUPPLY AIR INTAKES SHALL BE LOCATED SO AS TO AVOID CONTAMINATION FROM EXHAUST OUTLETS.

## 46

#### NATURAL VENTILATION

VENTILATED WITH UNDESTRUCTED OPENINGS EQUAL TO NOT LESS THAN 1/300 OF THE INSULATED CEILING AREA.
INSULATED ROOF SPACES NOT INCORPORATING AN ATTIC SHALL BE VENTILATED WITH UNDESTRUCTED OPENINGS EQUAL TO NOT LESS THAN 1/50 OF THE INSULATED CEILING AREA.
ROOF VENTS SHALL BE UNIFORMLY DISTRIBUTED WITH MIN. 25% AT TOP OF THE SPACE AND 25% AT BOTTOM OF THE SPACE DESIGNED TO PREVENT THE ENTRY OF RAIN, SNOW, OR INSECTS.

-UNHEATED CRAWL SPACES SHALL BE PROVIDED WITH 0,1m

-EVERY ROOF SPACE ABOVE AN INSULATED CEILING SHALL BE

#### 47

#### **BASEMENT EGRESS WINDOW**

MIN. UNO OPENIN	BTRUCTE IG SIZES
WIDTH	HEIGHT
18"	30"
19"	28.8"
20"	27-36"
21"	26.04"
22"	24.84"
23"	23.76"
24"	22.8"
25"	21.84"
26 <sup>11</sup>	21"
27"	20.16"

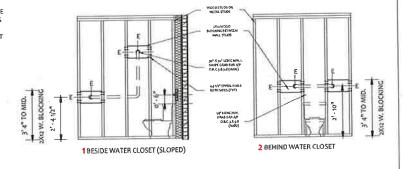


#### MINIMUN ROOM AREAS

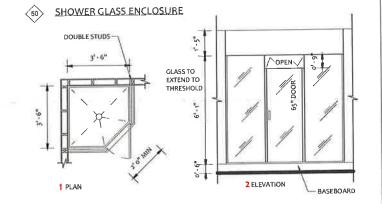
	ONE BEI	DROOM APPARTEMENT
LIVING AREA	13.5M <sup>2</sup>	145,3ft <sup>2</sup>
	11.0M <sup>2</sup>	118,4ft <sup>2</sup> ігілоксаяса із сом риз в муріниські тогін
DINING AREA	7.0M <sup>3</sup>	75.3ft²
	3.25M <sup>2</sup>	35.0ft <sup>2</sup> ненныкальначасомымерчества масе
1 BEDROOM	9.8M²	105.5ft²
	8.8M <sup>3</sup>	94.7ft FABULI IN CLOSETIS PROVIDED
	4.2M³	45.2ft <sup>2</sup> и тис в шилогия жиллегоны мар ин отнол зала-
OTHER BEDROOMS	7.0M²	75.3ft²
	6.0M3	64.6ft2 BABULINGDEN KPROZOED
	4.2M <sup>2</sup>	45.2ft2 of the BEDROOM ARLA IS COMBINED WE OTHER SPACE

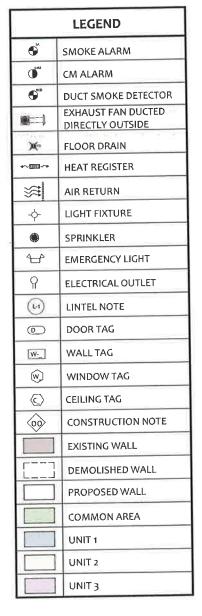
T	WO BED	ROOM APPARTEMENT
LIVING AREA	13.5M <sup>2</sup>	145.3ft²
	13.5M <sup>1</sup>	145-3ft² иглинсанда сомыно w/dinnobkit chin
DINING AREA	7.0M <sup>2</sup>	75.3ft <sup>a</sup>
	3.25M <sup>2</sup>	35.0ft BOHENGAMA IS COMBINED WYOTHER SPACE

#### 49 STUD WALL REINFORCEMENT











888.236.9958 | 416.483.5393 | 905.821.0728 INFO@YEJSTUDIO.COM WWW.YEJSTUDIO.COM **BASEMENT SECOND UNIT** 

9 FERNCASTLE CRESCENT BRAMPTON, ON L7A 3P2 THE UNDERSIGNED HAS REVIEW AND TAXES RESPONSIBILITY FOR THE DESIGN, AND MAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARYO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN & EXEMPT UNDER SUBSTITUTE OF DIVISION "C" OF O.B.C

NAME
NAME
AND REPORT

12582

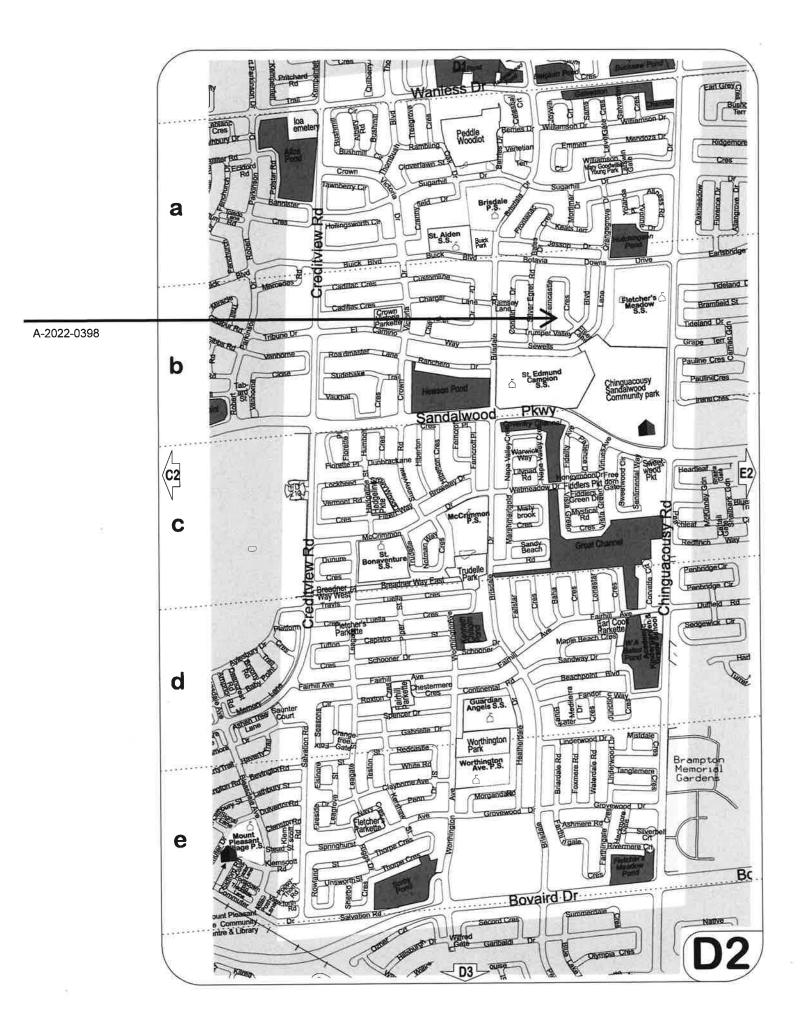


#### CONSTRUCTION NOTES

Project number

22RE500-206 2022.08.02 Drawn by A.R.
Scale As indicated

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# Report Committee of Adjustment

Filing Date: Hearing Date:

December 9, 2022 January 24, 2023

File:

A-2022-0398

Owner/

Applicant:

Gobitha Piratheepan and Piratheepan Kulendran

Address:

9 Ferncastle Crescent

Ward:

WARD 6

Contact:

Rajvi Patel, Assistant Development Planner

#### Recommendations:

That application A-2022-0398 be refused.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Single Detached D (R1D-1205)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicants are requesting the following variances:

1. To permit a 0.66m (2.17 ft.) path of travel leading to a principal entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) to be provided as a path of travel from the front yard to the entrance for a second unit.

#### **Current Situation:**

Maintains the General Intent and Purpose of the Official Plan

The subject lands are designated 'Residential' in the Official Plan and 'Medium Density Residential' in the Fletcher's Meadow Secondary Plan (Area 44).

Official Plan Section 3.2.8.2 provides the policies for second units. Policy 3.2.8.2 (ii) states that "A second unit must be in compliance with the Ontario Building Code and/or Fire Code and Property Standards By-law and other applicable approval requirements."

In this instance, the requested variance would result in non-compliance with the Ontario Building Code and is not considered to maintain the general intent and purpose of the Official Plan.

# 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject lands are currently zoned 'Residential Single Detached D,' Special Section 1205 (R1D-1205), according to By-law 270-2004, as amended.

The variance is requested to permit a 0.66m (2.17 ft.) path of travel leading to the principal entrance for a second unit whereas the by-law requires a minimum side yard width of 1.2m (3.94 ft.) to be provided as a path of travel from the front yard to the entrance to the second unit. The intent of the By-law in requiring a minimum path of travel is to ensure that there is sufficient area to act as the primary access to a second unit for both every day and emergency purposes.

The proposed path of travel measuring 0.66 m (2.16 ft.) is anticipated to negatively affect the ability to access a second unit. In addition, as per the Ontario Building Code (OBC), the proposed primary entrance to the second unit is not sufficient for the required egress path to a public throughfare as outlined in the Building Code to provide sufficient access to the entrance of the second unit. The requested variance is not considered to maintain the general purpose of the Zoning By-law.

# 3. Desirable for the Appropriate Development of the Land

The variance is requested to permit a reduced path of travel to a second unit. The variance is not deemed desirable for the development of the lands as it fails to meet the minimum requirement of the OBC. Following a review of the requested variance, the City's Building Division has advised that 0.66m (2.17 ft.) is not sufficient for the required egress path to a public throughfare as outlined in the OBC. Should the Committee approve the requested variance for the 1.2m (3.94 ft.) path of travel required in the Zoning By-law, the side door will not be permitted as a primary entrance to a registered or unregistered second dwelling unit. The path of travel is not supported by the City's Building Division as building permits would not be issued, nor is it considered safe for emergencies and everyday use from a Planning perspective.

#### 4. Minor in Nature

The variance is deemed unsafe for emergencies, everyday travel use, and do not meet the minimum OBC requirements. The reduced path of travel leading to the primary entrance for a second unit has the potential to negatively impact safety. Therefore, the variance is not considered minor in nature.

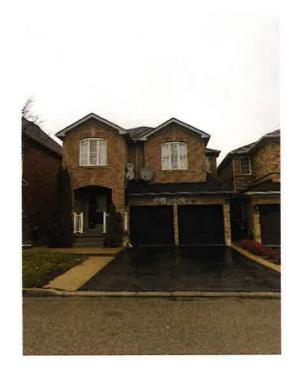
Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner

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Appendix A – Existing Site Conditions







Page 3 of 3



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0399 WARD #8

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **VINCE D'AGATE AND ALESSANDRA FARGIOINE-D'AGATE** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**:

AND WHEREAS the property involved in this application is described as Lot 287, Plan 43M-1622 municipally known as **32 HIGHVALLEY CIRCLE**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- 1. To permit an accessory structure having a building height of 3.05m (10 ft.) whereas the by-law permits a maximum height of 3.0m (9.84 ft.) for an accessory structure;
- 2. To permit an accessory structure having a gross floor area of 22.4 sq. m (241.11 sq. ft.) whereas the bylaw permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
- 3. To permit an accessory structure (cabana) to include habitable space (installation of a washroom) whereas the by-law does not permit an accessory structure to be used for human habitation.

#### OTHER PLANNING APPLICATIONS:

The land which is subject of this application is the subject of an application under the Planning Act for:				
Plan of Subdivision:	NO	File Number:		
Application for Consent:	NO	File Number:		

The Committee of Adjustment has appointed **TUESDAY**, **January 24**, **2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers**, **4th Floor**, **City Hall**, **2 Wellington Street West**, **Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

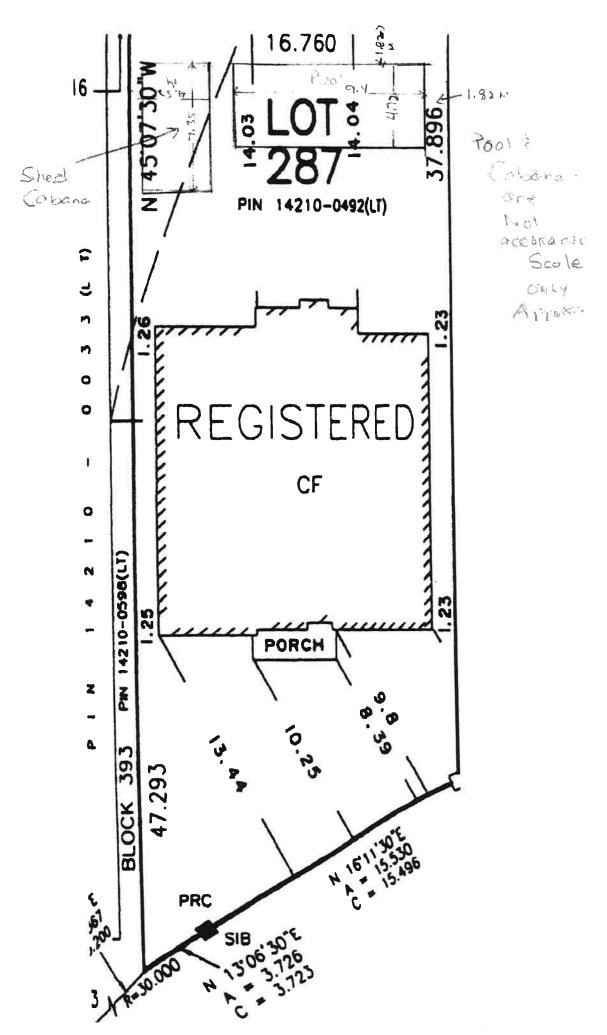
### PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca



Variance 1 – To permit building height of 3.05m (cabana)

Variance 2 - To permit building area of 22.4 sq. m (cabana)

Variance 3 – To include habitable space (installation of washroom in the cabana)



Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday, January 19, 2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **Flower City**



FILE NUMBER: A-2022-0399

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

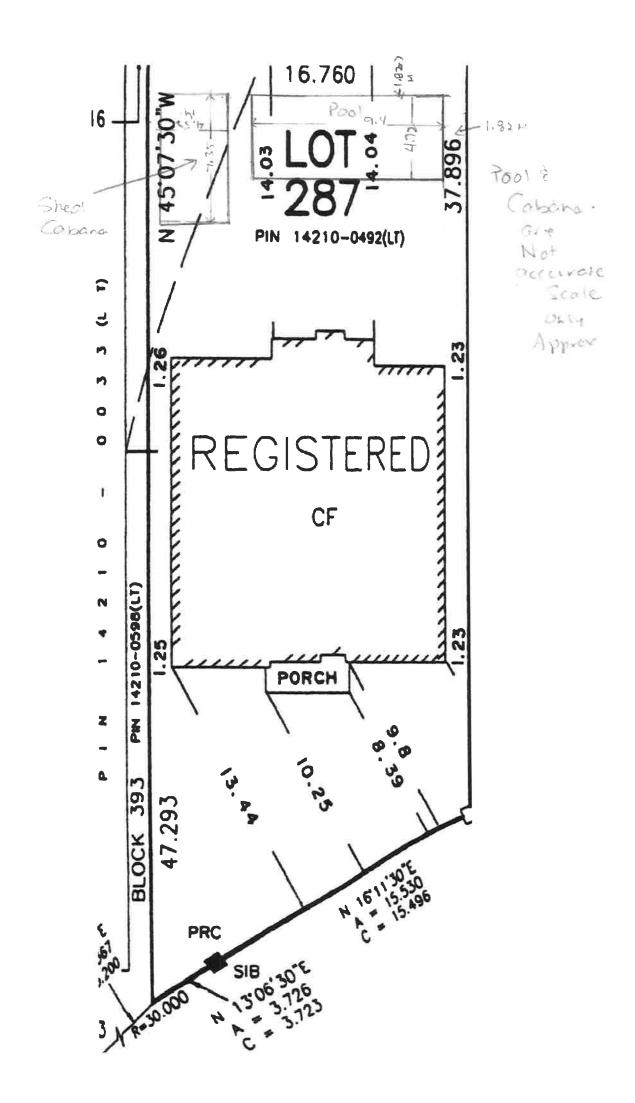
**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

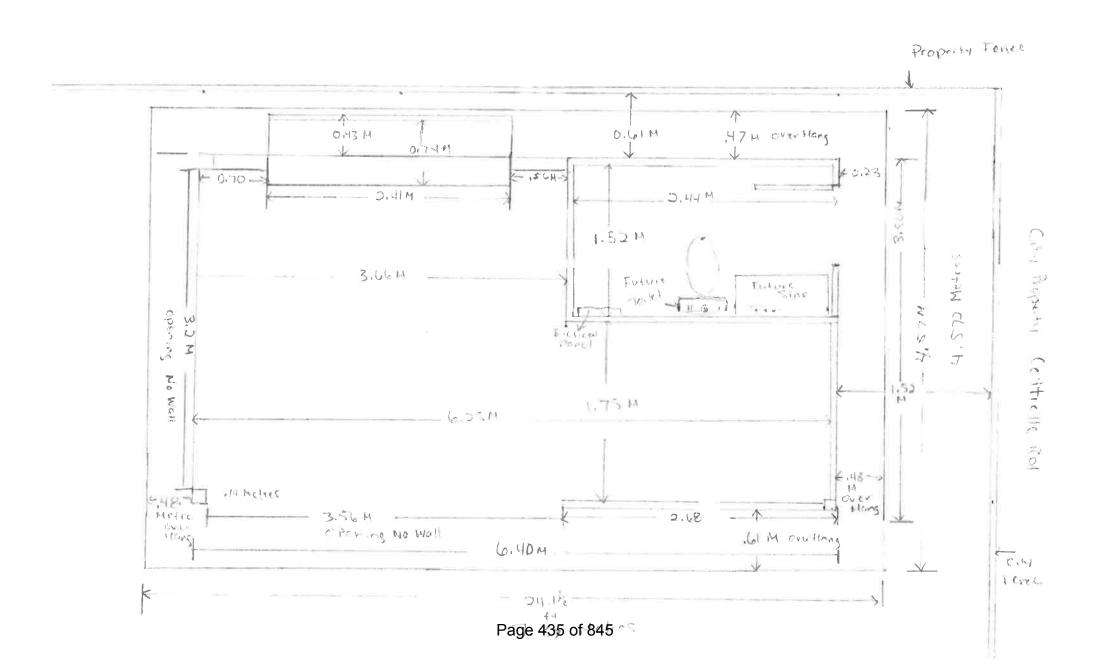
. Nam	e of Owner(s) Vince D'Agate and Alessandra Fargione-D'Agate
Add	ress 32 Highvalley circle Brampton L6P 2C7
Pho Ema	- 10-33-07-37 <u>01-41030300</u> 07
. Nam Add	e of Agent
Pho Ema	
—To	re and extent of relief applied for (variances requested):  permit an accessory structure having a building height of 3.05m (by-law permits a maximum ight of 3.0m);
	To permit an accessory structure with a gross floor area of 22.4 sq. m (by-law permits a aximum of 15 sq. m);
	To permit an accessory structure (cabana) to include habitable space (installation of a shroom). ,  is it not possible to comply with the provisions of the by-law? cause of existing inground pool requires washroom for guest and fami
sin	ce the home washroom is not that accesible
Lot Plar Mur	Al Description of the subject land:  Number 287  Number/Concession Number  licipal Address 32 Highvalley  le .Brampton 16p 2c7
Pro Mui	ess to the subject land is by: vincial Highway Seasonal Road Inicipal Road Maintained All Year Other Public Road Vater

8.	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)					
3	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)  3600 sq foot two storey dwelling home proposing a cabana/shed					
8						
% 03 97						
	PROPOSED BUILDINGS/STRUCTURES on the subject land: Cabana/Shed shaded seating area to protect from sun since backyard has no shaded seating area.					
	22.4 sq m plumbing for w non vented out	ashroom and outs tdoor gas fire plac	side shower e			
9.		•	actures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )			
	EXISTING Front yard setback	39 410 m				
	Rear yard setback Side yard setback Side yard setback	1.524m				
	Rear yard setback					
	Side yard setback Side yard setback					
10.	Date of Acquisition	of subject land:	July 5 2005			
11.	Existing uses of sub	ject property:	Residential			
12.	Proposed uses of su	ubject property:	residential			
13.	Existing uses of abu	utting properties:	residential			
14.	Date of construction	of all buildings & struc	ctures on subject land: <u>July 5 2005 and August 1 20</u> 22			
15.	Length of time the e	xisting uses of the sub	ject property have been continued: 17 years			
l6. (a)	What water supply i Municipal X Well	s existing/proposed?	Other (specify)			
(b)	What sewage dispo Municipal x Septic	sal is/will be provided?	Other (specify)			
(c )	What storm drainag Sewers X Ditches Swales	e system is existing/pro	Other (specify)			

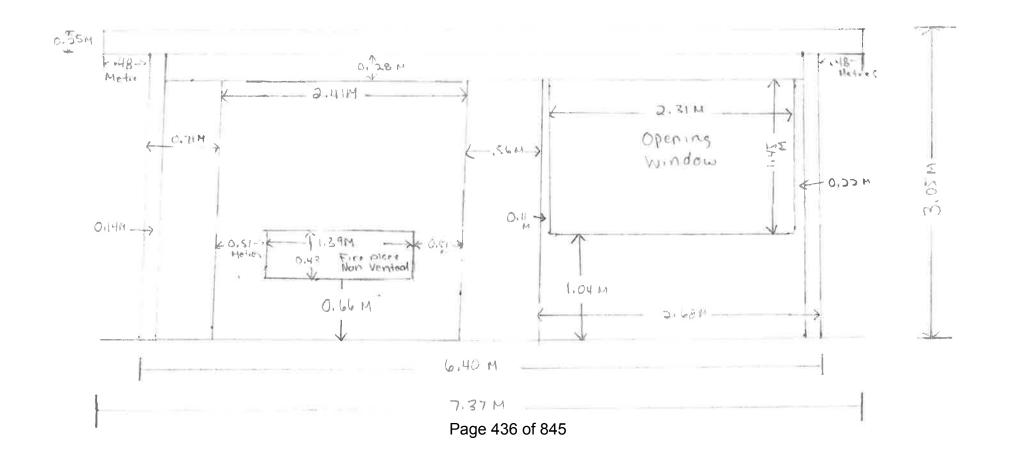
17.	Is the subject property subdivision or consent		f an application u	nder the Planning Act, for approval of a plan	of
	Yes .	lo 🗓			
	If answer is yes, provid	de details:	File #	Status	
18.	Has a pre-consultation	application be	een filed?		
	Yes 🔲 N	io X			
19.	Has the subject proper	rty ever been th	he subject of an aլ	oplication for minor variance?	
	Yes 🔲 N	lo X	Unknown		
	If answer is yes, provid	de details:			
	File #	Decision		Relief Relief	<u> </u>
	File #	Decision		Relief	
				D'Agate Alessandra Fargione D'Agate pature of Applicant(s) or Authorized Agent	<b>—</b> ₽
DATI	ED AT THE City		OF Bram	ptom	
THIS	6_27 DAY OF _	October	, <b>20_22</b>		
	PPLICATION IS SIGNE	D BY AN AGEN	NT, SOLICITOR OI	R ANY PERSON OTHER THAN THE OWNER (	
				IER MUST ACCOMPANY THE APPLICATION. HALL BE SIGNED BY AN OFFICER OF TH	
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H2	20. 20. 2.2		S	ignature of Applicant or Authorized Agent Jeanie Cecilia Myers	_
	1	~ cas	S.	a Commissioner, etc., Province of Ontario	
	A Commissioner etc.	19		for the Corporation of the City of Brampton	
		O		Expires April 8, 2024.	_
			OR OFFICE USE OI	NLY	-
	Present Official Plan I	_		-	
	Present Zoning By-lav			-	- 1
	This application has b		vith respect to the value of the value on the attention of the attention o	ariances required and the results of the tached checklist.	
	Zoning	Officer		Date	
			, 0	9 2057	
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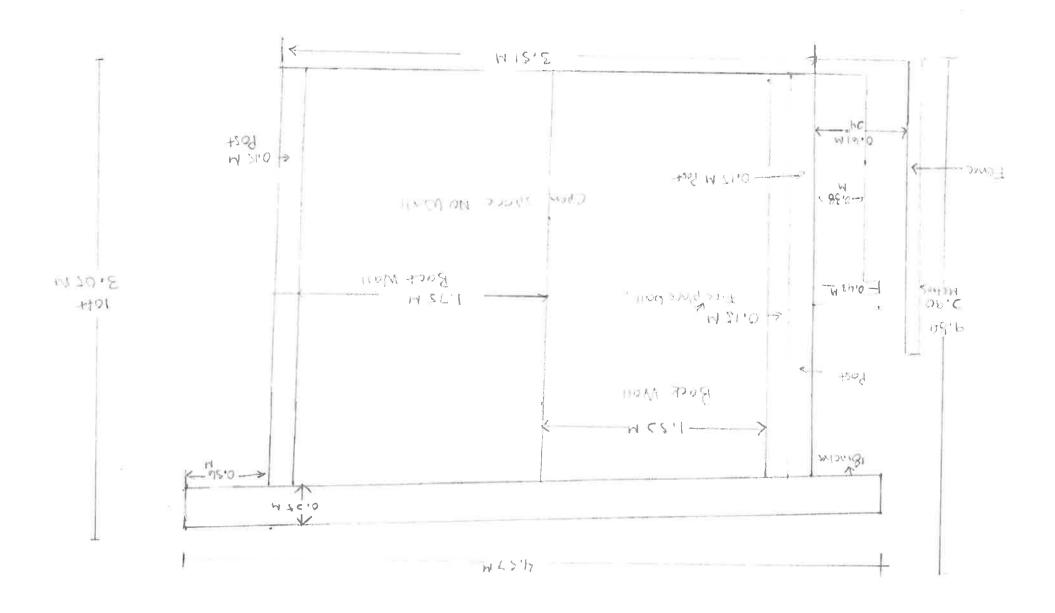


Neighbour's Property



Front Elevation

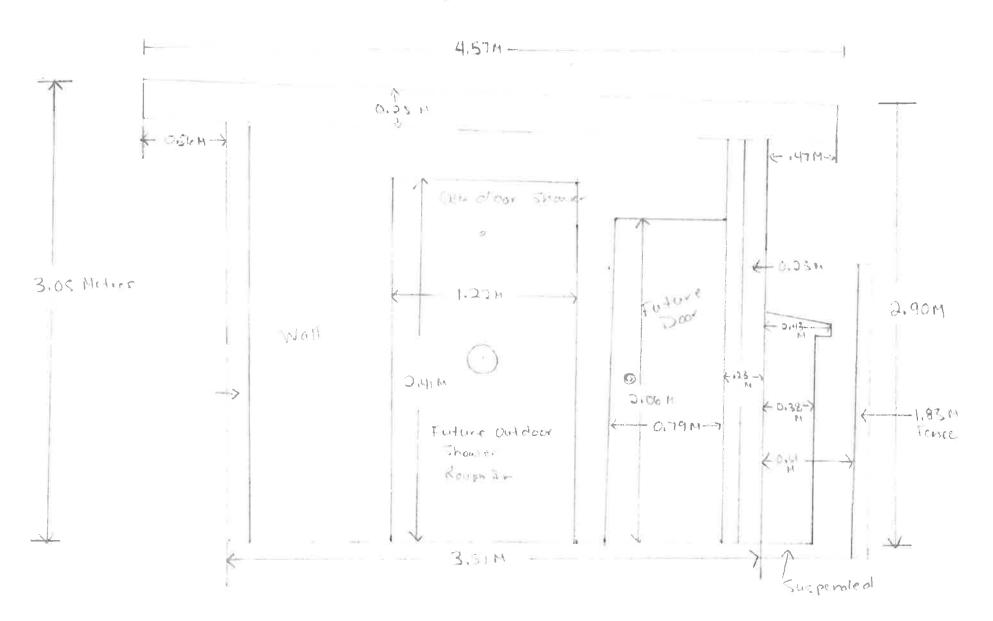




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Page 437 of 845

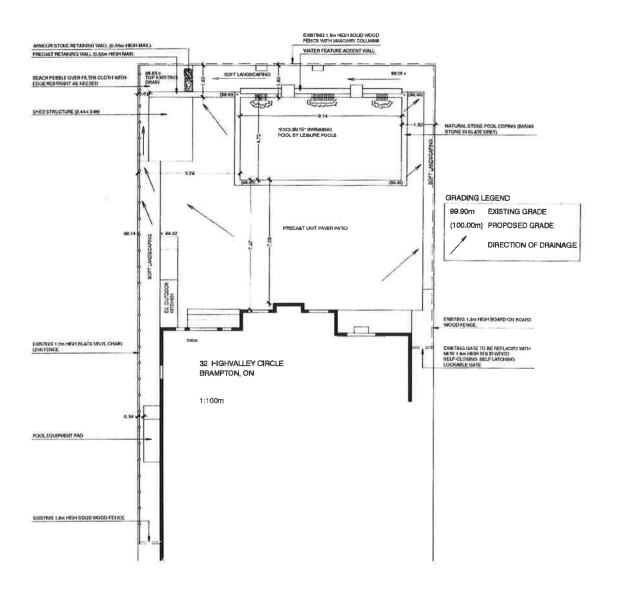
Right Side

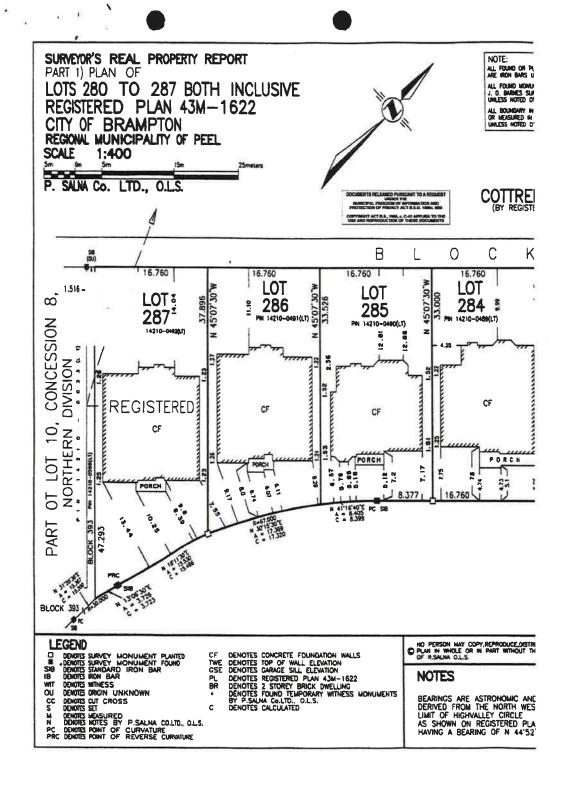


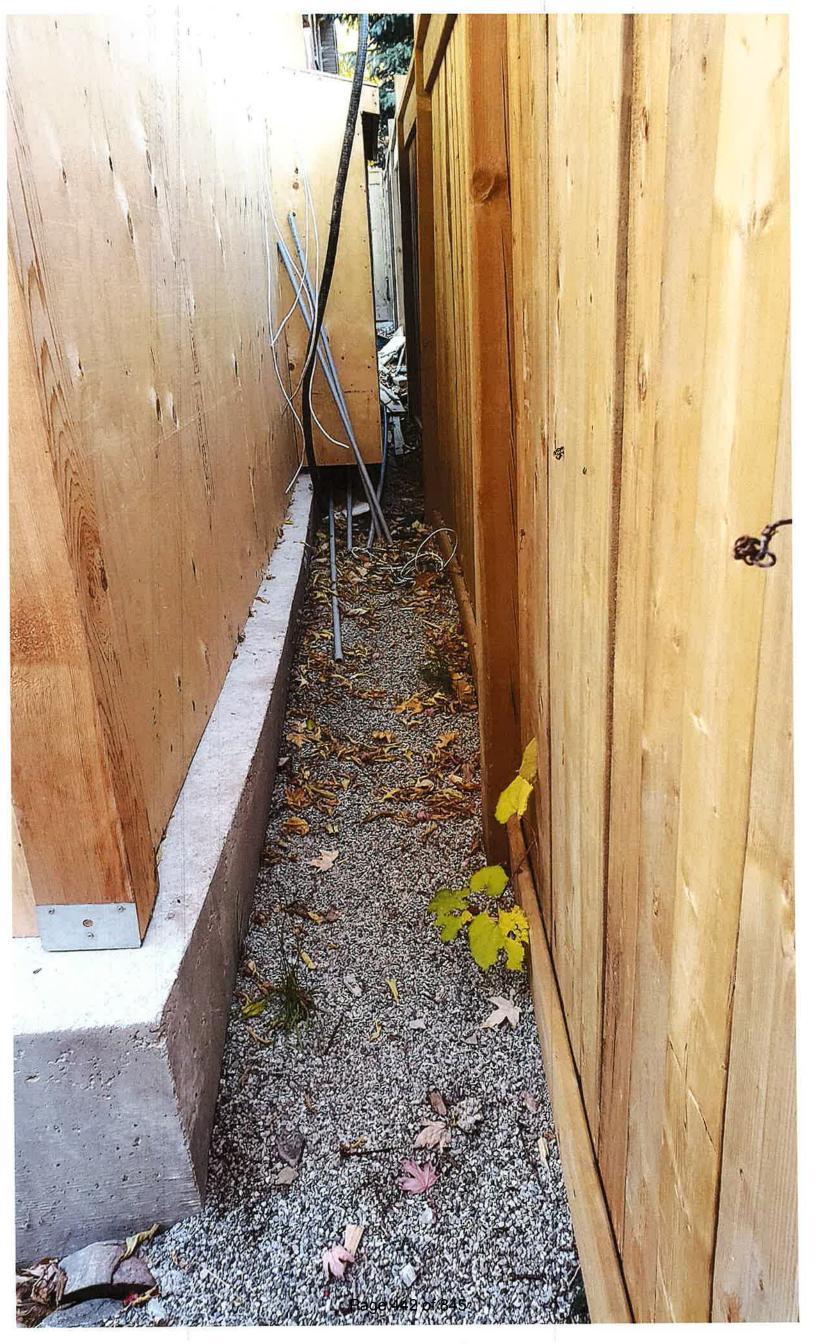
Page 438 of 845

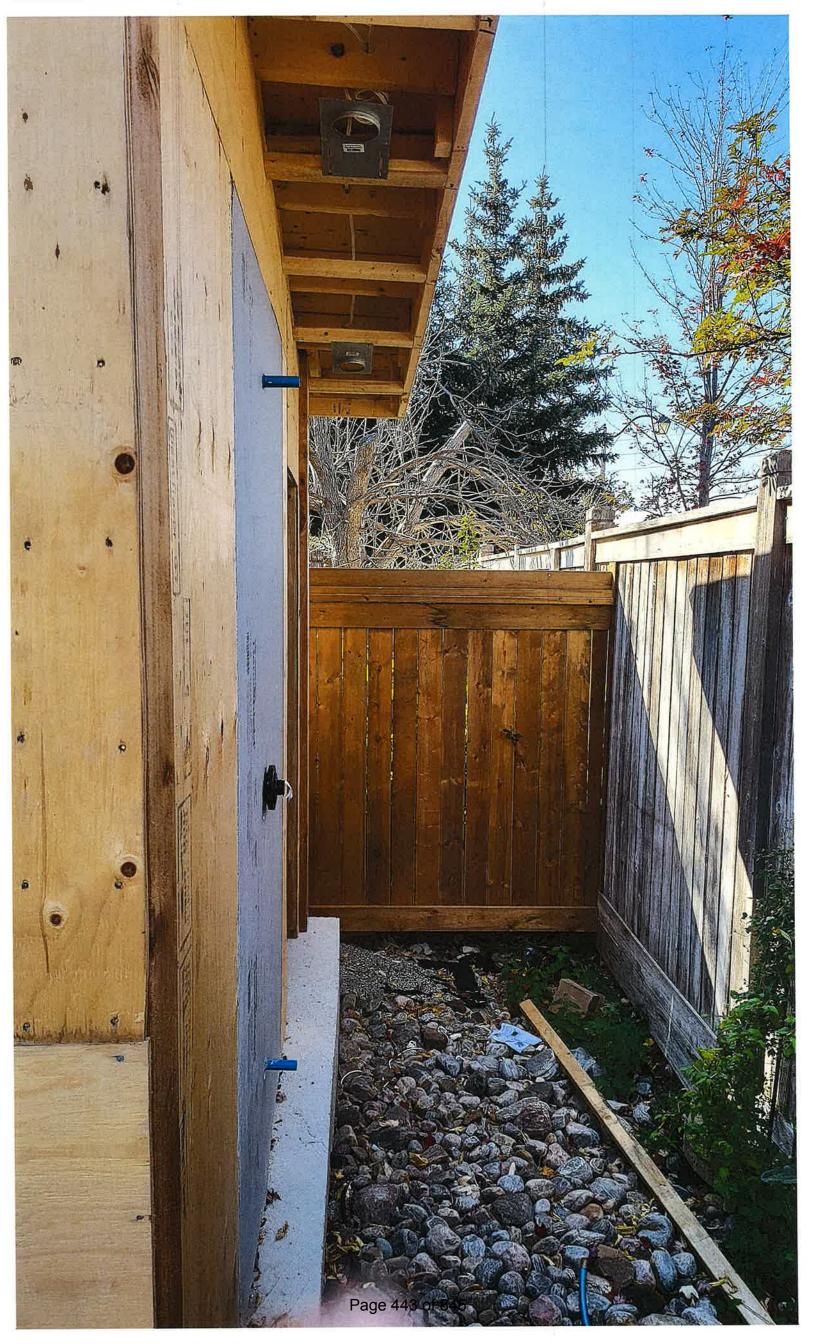
Rack of Shed/Cohora 7.3714 4-0,254 K.48-7 148 Back of Gress 1 - 1 P GCC No Vented 6.40 M

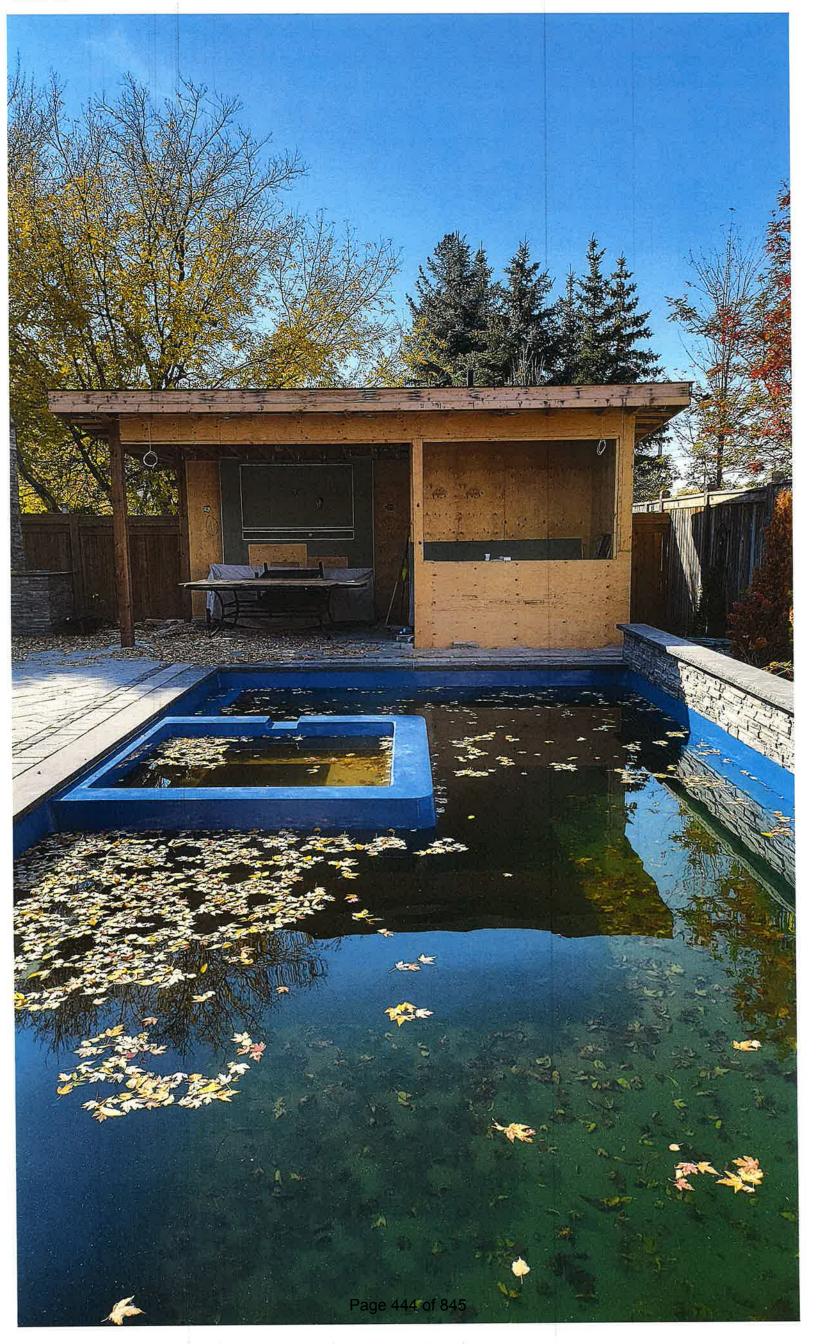
## From Pool Hermit

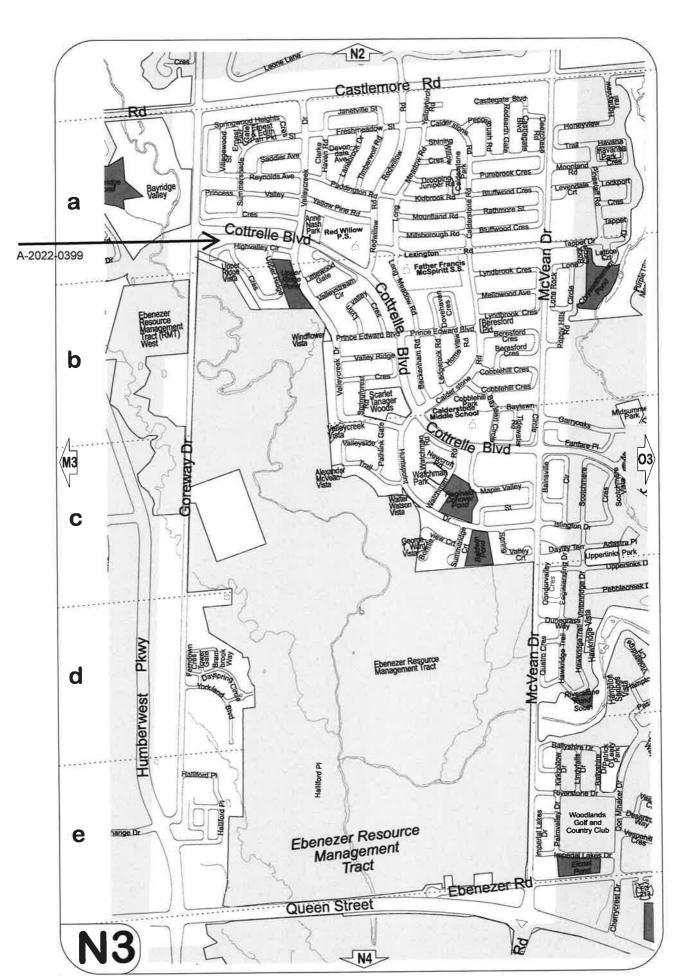














# Report Committee of Adjustment

Filing Date: December 9, 2022 Hearing Date: January 24, 2023

**File:** A-2022-0399

Owner/

Applicant: Vince D'Agate and Alessandra Fargione-D'Agate

Address: 32 Highvalley Circle

Ward: WARD 8

**Contact:** Rajvi Patel, Assistant Development Planner

#### Recommendations:

That application A-2022-0399 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the accessory structure (existing cabana) shall not be used as a separate dwelling unit and that the permission for habitable space in the accessory building shall be limited to the provision of one washroom, sink, and outdoor shower;
- 3. That the owner shall obtain a building permit for the accessory structure (cabana) within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official;
- 4. That the rear lot catch basin shall be free of debris and drainage unobstructed;
- 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

## Background:

## **Existing Zoning:**

The property is zoned 'Residential Single Detached C (R1C-1802)', according to By-law 270-2004, as amended.

## Requested Variances:

The applicants are requesting the following variances:

- 1. To permit an accessory structure (cabana) to include habitable space (installation of a washroom), whereas the by-law does not permit an accessory structure to be used for human habitation;
- 2. To permit an accessory structure with a gross floor area of 22.4 sq. m (241.11 sq. ft.), whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
- 3. To permit an accessory structure having a building height of 3.05 m (10.01 ft.), whereas the by-law permits a maximum building height of 3.0 m (9.84 ft.) for an accessory structure.

## **Current Situation:**

## 1. Maintains the General Intent and Purpose of the Official Plan

The subject lands are designated 'Residential' in the Official Plan and 'Executive Housing,' in Special Policy 4a – McVean Corridor of the Bram East Secondary Plan (Area 41). The Residential designation supports the current use and the requested variances are not anticipated to have any significant impacts in the context of the Official Plan and Secondary Plan policies, and is considered to maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject lands are currently zoned 'Residential Single Detached C,' Special Section 1802 (R1C-1802), according to By-law 270-2004, as amended.

Variance 1 is requested to permit an accessory structure (cabana) to include habitable space, whereas the by-law does not permit an accessory structure to be used for human habitation. The intent of the by-law in prohibiting habitable space within accessory structures is to ensure that the structures are not used for human habitation and remain accessory to the primary residential dwelling.

The accessory structure contains plumbing for a powder room and outdoor shower which according to the Zoning By-law, is classified as habitable space within the accessory structure. The cabana is intended to remain accessory to the primary residential dwelling. A condition of approval is recommended that the accessory structure (cabana) shall not be used as a separate dwelling unit and that the permission for habitable space in the accessory structure shall be limited to the provision of one washroom, sink and outdoor shower. Subject to the recommended conditions of approval, the requested variance maintains the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit an accessory structure (shed) with a gross floor area of 22.4 sq. m (241.11 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure. The intent of the by-law in regulating the maximum permitted gross floor area of an accessory structure is to ensure that the property is not dominated by structures and that they do not negatively impact the provision of outdoor amenity space or adjacent properties.

The accessory structure is intended to enhance the outdoor amenity space in the rear yard and to provide for enclosed storage. While the size of the existing cabana is 7.4 sq. m (79.65 sq. ft.) is larger than what the by-law permits, the size of the property is not anticipated to create unfavourable circumstances that the property is dominated by accessory structures. Given the size of the property, the accessory structures are not considered to negatively impact the provision of outdoor amenity space for the property. The requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit a building height of 3.05 m (10.01 ft.) for an accessory structure, whereas the by-law permits a maximum building height of 3.0 m (9.84 ft.) for an accessory structure. The intent of the by-law in regulating the permitting height of an accessory structure is to ensure that the structure does not have negative massing impacts on adjacent properties.

The variance is a seeking an additional 0.5m (1.64 ft.) for the accessory structure which is not anticipated to have negative massing impacts. The accessory structure is located on the north-western corner of the property which abuts Cottrelle Boulevard and the rear yard of the adjacent property that has a large lot size. The location of the structure relative to the property and surrounding site context ensures that the increase in height will not generate adverse impacts as it maintains minimum setbacks. The variance does not cause any adverse impacts related to privacy and shadowing and is therefore considered to maintain the general intent and purpose of the Zoning Bylaw.

## 3. Desirable for the Appropriate Development of the Land

The applicant is requesting variances to facilitate the construction of a cabana located in the rear yard of the property. An additional variance is requested to allow plumbing for the powder room in the existing cabana. The subject property is located on a large lot that has sufficient separation between adjacent properties. Given the size of the lot and rear yard, the overall size of the cabana is not anticipated to cause negative visual impacts or limit the overall provision of amenity space. It is noted that the accessory structure will maintain minimum setback requirements. As a result, no negative impacts are anticipated on-site or off-site. A condition of approval is recommended that the owner shall obtain a building permit for the accessory structure within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official. Subject to the recommended conditions of approval, the variances are deemed desirable for the appropriate development of the land.

#### 4. Minor in Nature

The subject lands are located within a residential area with relatively large lot sizes. Considering the size and conditions of the property, the existing accessory structure is not anticipated to detract outdoor amenity space or create adverse impacts on-site or off-site. The location and scale of the accessory structure in relation to the surrounding land context does not generate privacy or shadowing impacts. The cabana enhances the use of outdoor amenity space and is intended to remail accessory to the primary residential dwelling. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner

## Appendix A – Existing Site Conditions











## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0400 WARD #8

#### APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **CHIRAG NANALAL SHAH AND KESHA RAMESHBHAI SHAH** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 37, Plan 43M-1545 municipally known as 23 GORE VALLEY TRAIL, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

1. To permit a driveway width of 10.15m (33.30 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

## OTHER PLANNING APPLICATIONS:

The land which is subject of	this application is the	e subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:
The Committee of Adjustme	nt has appointed <b>TU</b>	ESDAY, January 24, 2023 at 9:00 A.M. by electronic meet

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

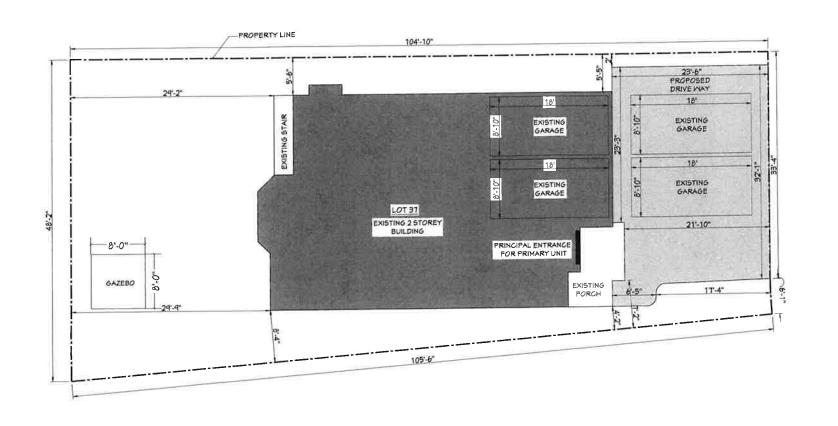
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

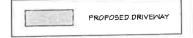
Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca



SITE LAYOUT (SCALE : 3/32" = 1'-0")



23 GORE VALLEY TRAIL, BRAMPTON, ON SITE PLAN

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ALL DRAYINGS ARE THE PROPERTY OF BLUE PRINTS PERMIT
AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN
PART WITHOUT WRITTEN CONSENT FROM BLUE PRINTS
PERMIT.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS

BEFORE COMMENCIA WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER UNITS AS MENTIONED ON THE DRAWINGS ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING COPE





83 Garth Massey Drive, Cambridge, ON,Canada, N1T2GT

M: 647-770-2966 O: 905-566-9690 Email: Info@blueprintspermit work Website: www.blueprintspermit work



Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **Flower City**



FILE NUMBER: 4-2022-0400

The Personal Information collected on this form is collected pursuant to section 46 of the Pleaning 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 flee 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 thought by the Processor Processor Committee of Adjustment City of Branchisto.

-	APPLICATION
	Minor Variance or Special Permission
	(Please read Instructions)
NOTE:	It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.
	The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u> , 1990, for relief as described in this application from By-Law <b>270-2004</b> .
1.	Name of Owner(s) CHIRAG NANALAL SHAH & KESHA RAMESHBHAI SHAH Address 23 GORF VALLEY TRAIL BRAMPTON, ON, LEPINE
	Phone # 647-766-9785 Fax # Fax #
2.	Name of Agent BLUE PRINTS PERMIT CIO MALAV SHAH.  Address 88 GARTH MASSEY DRIVE  CAMBRIDGE, ON , HITZGF
	Phone# 647-770-2966 Fax# Email info@blueprintspermit work
3.	Nature and extent of relief applied for (variances requested):
	REQUESTING THE RELIEF FOR THE EXTENDED DRIVEWAY
	TO BE DISM THAN ALLOWABLE TO BE 6.71M
4.	Why is it not possible to comply with the provisions of the by-lew?
	DUE TO MISGIUIDED BY THE CONTRACTOR, HOME OWNER
	SPENT MONEY TO COMPLETE THE DRIVEWAY AND IT COSTED
	HIM FORTUNE WE REQUEST THE ACCEPTANCE AS PER
	SITE PLAN
5.	Legal Description of the subject land: PL 43M 1545 LOT 37  Lot Number  Plan Number/Concession Number
	Municipal Address 23 GORE VALLEY TRAIL
6.	Dimension of subject land (in metric units)
٠.	Frontage 12· M
	Depth 31.96 m / 32.15 m
	Area 396.94 m²

Seasonal Road Other Public Road Water

Access to the subject land is by: Provincial Highway Municipal Road Maintained All Year Private Right-of-Way

EXISTING BUILDING	GS/STRUCTURES of	n the subject land: List all structures (dwelling, shed, gazebo, etc.)
DWELLING	UNIT , GA	ZEBO IN BACK YARD
5.76 M2 OF gazeho	area	
227 m2 of the Gross	Floor area	
BBOBOSED BUILDI	NC6/6TDUCTUBEO	on the subject land:
	NSS/STROUTURES	on the subject land.
_N/A		***
4		
Location of all	buildings and	structures on or proposed for the subject lan
		ear and front lot lines in metric units)
EXISTING Front yard setback	6.60m	
Rear yard setback	8.86m	
Side yard setback	1.64m / 1.65m	
Side yard setback	1.26m 2.53m	
PROPOSED		
Front yard setback	No Change	
Rear yard setback	No Change	
Side yard setback	No Change	<del></del>
Side yard setback	No Change	
Date of Acquisition	of subject land:	2022
Date of Audicinon	or conjust land.	7-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1
Existing uses of sui	blect property:	SINGLE FAMILY DWELLING U
•		
Proposed uses of s	ubject property:	NO CHANGIC
Existing uses of abo	utting properties:	RESIDENTIAL USE
		structures on subject land: 2003
Date of construction	n of all buildings & 1	structures on subject land: 2005
Length of time the c	existing uses of the	subject property have been continued: 19 YEAR
	-	· · · · · · · · · · · · · · · · · · ·
What water supply	s existing/proposed	
Municipal 👱		Other (specify)
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5 60***		·
What sewage dispo	as istanti de biologi J	Other (specify)
What sewage dispo	San istanti pe bionio	Other (specify)
What sewage dispo Municipal Septic	3	
What sewage dispo	3	

17.	subdivision or consent?	ect of an application under the Planning Act, for approval of a plan of
	Yes No 🗹	
	If answer is yes, provide details:	File#Status
18.	Has a pre-consultation applicati	on been filed?
	Yes No 🖂	
19.	Has the subject property ever be	een the subject of an application for minor variance?
	Yes No	Unknown
	If answer is yes, provide details	:
	File # Decision  File # Decision	Relief
	File # Decision	Relief
		Signeture of Applicant(s) or Authorized Agent
DAT	EDATTHE CITY	OF CAMBRIDGE
	S 03 DAY OF NOVE	
		AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF
ORPOR	ATION AND THE CORPORATION	THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE S SEAL SHALL BE AFFIXED.  EPMIT OF CITY OF CAMBRIDGE RLOO SOLEMNLY DECLARE THAT:
LL OF T ELIEVIN ATH.	THE ABOVE STATEMENTS ARE 1	TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY OF THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER Jeanie Cecilia Myers a Commissioner, etc., Province of Ontario
THE	OF A ampter OF THIS DAY OF	for the Corporation of the City of Brampton Expires April 8, 2024.
1-0	20 22	Signature of Applicant or Authorized Agent
	A Commissioner etc.	ws.
		FOR OFFICE USE ONLY
	Present Official Plan Designation	n: R1C - 1689
	Present Zoning By-law Classific	RTC - 1009
	This application has been review said review	wed with respect to the variances required and the results of the ware outlined on the attached checklist.
	нотні s.	NOV 30 2022
	Zoning Officer	Date
	DATE RECEIVED	h) ecember 9,2022

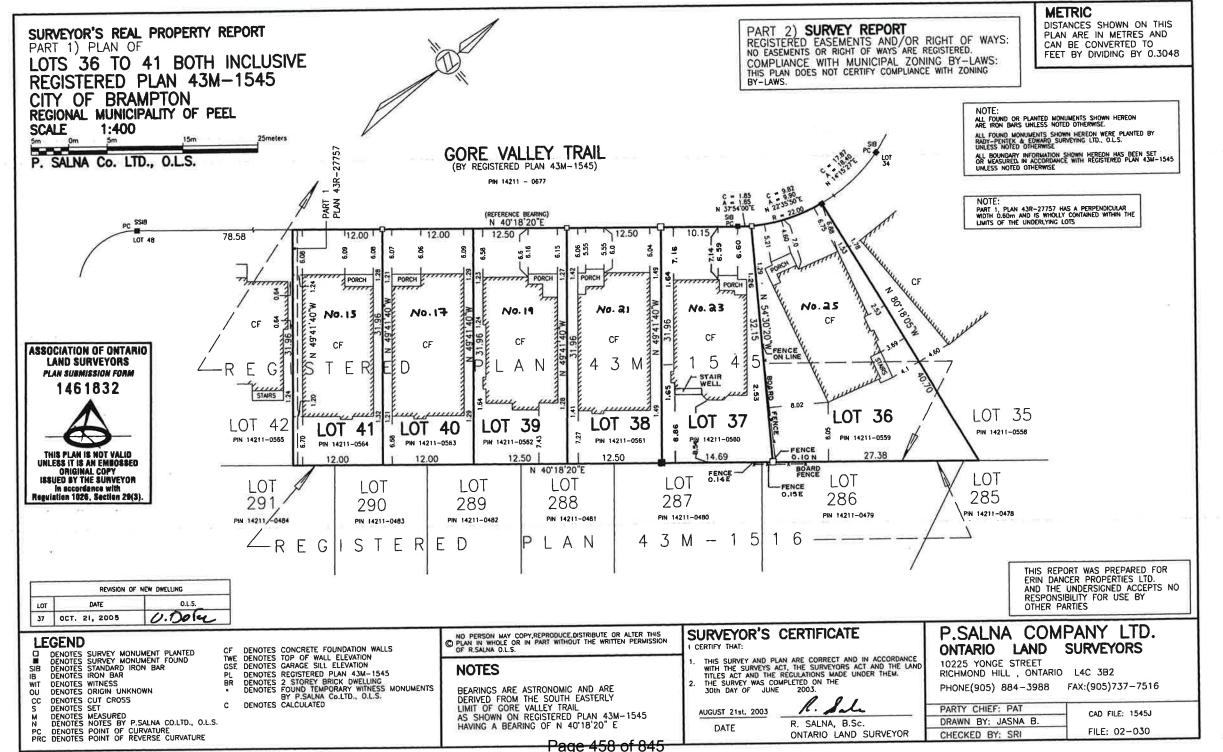
## 23 GORE VALLEY TRAIL, BRAMPTON

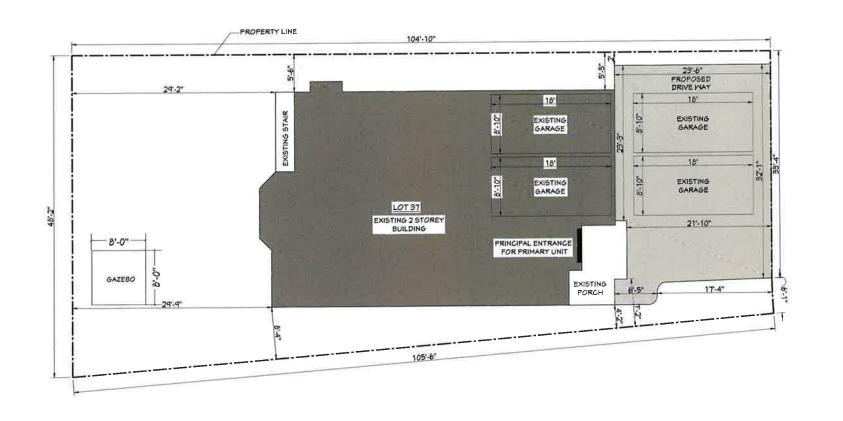
	DRIVEWAY WIDENING
+ =	DRAWING INDEX
SHEET	DESCRIPTION
A101	COVER PAGE
A102	SITE PLAN



23 GORE VALLEY TRAIL, BRAMPTON, ON COVER PAGE PROJECT INFORMATION 22-199 23 GORE VALLEY TRAIL DESIGNER INFORMATION ALL DRAWINGS ARE THE PROPERTY OF BLUE PRINTS PERMIT AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM BLUE PRINTS CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCIN WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER. UNITE AS HENTIONED ON THE DRAVINGS, ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE 83 Garth Massey Drive, Cambridge, ON,Canada, N1T2G7 M: 647-170-2966 O: 905-566-9690 Email: Info@blueprintspermit work
Prebatte: www.blueprintspermit work







SITE LAYOUT (SCALE : 3/32" = 1'-0")



23 GORE VALLEY TRAIL, BRAMPTON, ON SITE PLAN

FROJECT INFORMATION
FROJECT 199
CATHER

23 GORE VALLEY TRAIL

DESIGNER INFORMATION

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SPP

What

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MAR

S 2022 11-00

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C-8064234

ALL DRAYINGS ARE THE PROPERTY OF BLUE PRINTS PERMIT AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM BLUE PRINTS PERMIT.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCIN MORK AND TO REFORT ANY DISCREPANCIES TO THE ENGINEER UNITS AS MENTIONED ON THE DRAWINGS. ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE

A102

Blue Prints Permit

83 Garth Massey Drive, Cambridge, ON, Canada, N17267 M: 647-770-2966 O: 905-566-9690 Email: info@blueprintspermit.work Website: www.blueprintspermit.work





## Report Committee of Adjustment

Filing Date:

December 9, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0400

Owner/

Applicant:

Chirag Nanalal Shah and Kesha Rameshbhai Shah

Address:

23 Gore Valley Trail

Ward:

WARD 8

Contact:

Rajvi Patel, Assistant Development Planner

#### **Recommendations:**

That application A-2022-0400 be deferred no later than the last hearing of March 2023.

## Background:

## **Existing Zoning:**

The property is zoned 'Residential Single Detached C (R1C-1689)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicants are requesting the following variances:

1. To permit a driveway width of 10.15m (33.30 ft.), whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

#### **Current Situation:**

The applicant is requesting a variance to permit a driveway width of 10.15m (33.30 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

Upon a site visit and a review of the application, there were concerns regarding the existing driveway width accommodating an excessive number of vehicles and the loss of permeable landscaping in the front yard. Open Space staff have advised that they do not support the proposed minor variance and have expressed concerns with the driveway width being excessive, leaving only 11% of landscaped area in the front yard. Furthermore, Open Space staff have requested that the applicant shall revise

the proposal to reduce the driveway width and provide a minimum of 25% landscaped area. Staff have provided the applicant with the comments received and have advised the applicant to provide an updated proposal and site plan to address the landscaping concerns.

Staff are recommending a deferral of the application to a date no later than the last hearing of March 2023 to allow sufficient time for the applicant to provide an updated sketch and for staff to review and provide additional feedback as necessary. Staff have discussed the matter with the applicant and will be working closely with them to resolve any concerns prior to presenting a recommendation to the Committee of Adjustment.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner



## **Public Notice**

## **Committee of Adjustment**

**APPLICATION # A-2022-0401** WARD #1

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by SUKHPAL SINGH AND GURJANT SINGH under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from By-law 270-2004;

AND WHEREAS the property involved in this application is described as Lot 160, Plan M-175 municipally known as 73 BLACKTHORN LANE, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

To permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit below grade entrances between the main wall of the dwelling and the flankage lot line

#### 0

OTHER PLANNING APPLIC	ATIONS:		
The land which is subject of	this application is th	e subject of an application under	the Planning Act for:
Plan of Subdivision: Application for Consent:	NO NO	File Number: File Number:	
broadcast from the Counc	il Chambers, 4th Fl	JESDAY, January 24, 2023 at 9: loor, City Hall, 2 Wellington Str orting or opposing these applicat	:00 A.M. by electronic meeting reet West, Brampton, for the tions.
having an interest in the pro ENSURE THAT THEIR TEN POSTED BY THE OWNER LOCATION THAT IS VISIB participate in the hearing, th	perty or an owner of IANTS ARE NOTIFI OF ANY LAND THA LE TO ALL OF THE e Committee may pr WRITTEN SUBMISS	SIONS MAY BE SENT TO THE	ERS ARE REQUESTED TO HIS NOTICE IS TO BE RE RESIDENTIAL UNITS IN A
IE VOLI WISH TO BE NOTI	FIFD OF THE DECL	SION OF THE COMMITTEE OF	ADJUSTMENT IN RESPECT

OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

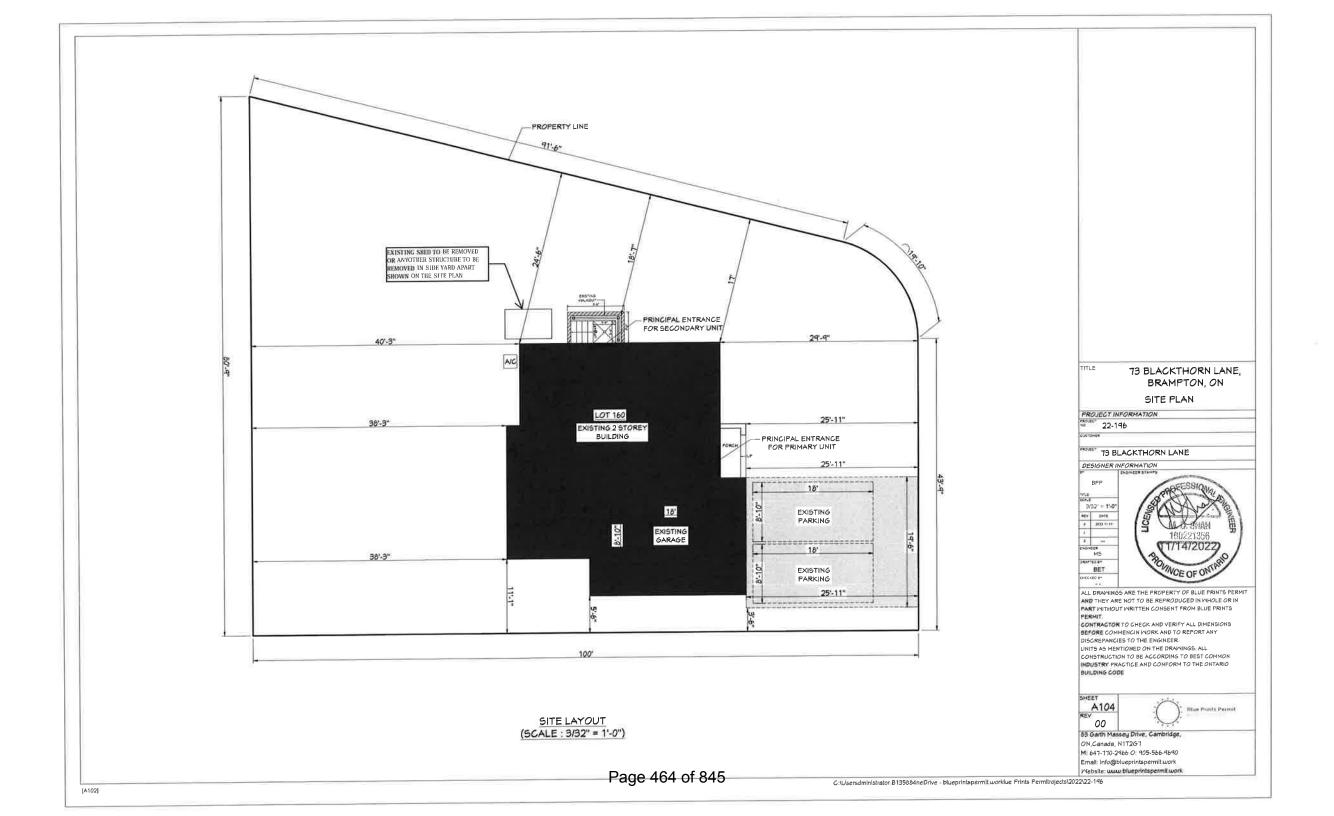
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

(905)874-2119 Fax: jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, January 19, 2023.** 

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **Flower City**



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

FILE NUMBER: A - 2022 - 0401

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

1.	Name of Owner(s) Sukhpal Singh and Gurjant Singh	
	Address 73 Blackthorn Lane, Brampton, ON, L6V 3K9	
	Phone # 3062622018	Fax #
	Email aulakhsukhpal@ymail.com	
	/ <del></del>	
2.	Name of Agent Blue Prints Permit c/o Malav Sha	
	Address 83 Garth Massey Drive, Cambridge, ON, N1	T 2G7
	Phone # 6477702966	Fax #
	Email info@blueprintspermit.work	, <del>,</del>
		<del></del>
3.	Nature and extent of relief applied for (variances req	uested):
٥.	Requesting to approve the construccted below	grade entrance in side yard towards
		grade chiralice in side yard towards
	flankage lot line.	
4.	Why is it not possible to comply with the provisions	of the by-law?
	Below grade stairs not permitted. This applicat	ion request it to permit constructed below
	grade entrance.	
	9,333	
	1	
5.	Legal Description of the subject land:	
Э.	Lot Number 160	
	Plan Number/Concession Number M175	
	·	
	Municipal Address 73 Blackthorn Lane	
∶6.	Dimension of subject land ( <u>in metric units</u> )	
	Frontage 13.22m	
	<b>Depth</b> 30.48m	
	Area	
7.	Access to the subject land is by:	
	Provincial Highway	Seasonal Road
	Municipal Road Maintained All Year	Other Public Road
	Private Right-of-Way	Water
	i iivate ixigiit-oi-vvay	

Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of

	Dwelling Unit	1450 Sq	·ft / 135.546 m2
	PROPOSED BUILDIN Single family dwell		on the subject land: nd unit dwelling in basement
			tructures on or proposed for the subject lands
	EXISTING Front yard setback Rear yard setback Side yard setback	7.89m 11.683m 1.67m	ar and front lot lines in <u>metric units</u> )
	Side yard setback  PROPOSED Front yard setback	5.182m / 7.46m  No Change	
	Rear yard setback Side yard setback Side yard setback	No Change No Change	
	Date of Acquisition	of subject land:	2021
	Existing uses of sub	pject property:	Residential
	Proposed uses of s	ubject property:	Residential
	Existing uses of abo	utting properties:	Residential
•	Date of construction	n of all buildings & s	tructures on subject land:
•	Length of time the	existing uses of the s	subject property have been continued: 25 years
a)	What water supply Municipal	is existing/proposed ] ]	Other (specify)
b)	What sewage dispo Municipal Septic	sal is/will be provide	ed? Other (specify)
<b>c</b> )	What storm drainag Sewers Ditches Swales	ge system is existing	n/proposed? Other (specify)

17.		bject prope on or cons	•	subject	of an a	pplication	und	er the Pi	annı	ng Act,	tor a	oproval of a plan of
	Yes 🗆	3	No	<b>7</b>								
	If answe	r is yes, pro	vide de	etails:	File #					Sta	tus_	
18.	Has a pr	e-consultat	ion app	olication	been fil	ed?						
	Yes 🗆		No	<b>7</b>								
19.	Has the	subject pro	perty e	ver been	the sul	bject of an	app	lication f	or m	inor var	iance	?
	Yes [	].	No			Unknow	1 [	<b>✓</b>				
	If answe	r is yes, pro	ovide d	etails:								
	File		_	cision_					Relie			
	File File		_	cision cision					Relie Relie			
									_		Digitally sig DN: G-CA	ned by Malax Shah E-info@claspreagemet.work, O-Blue Prints Permit,
						Malav Shah	Λ	/lala	/ S	Shah	CN-Mater Lacetion: Co Reason: 1 a Contact info Date: 2022	Dush markdge in the suffer of this document is APT 770 2065 12.07 13.37-27-05'00'
						S	Signa	ature of A	pplic	ant(s) or	Auth	orized Agent
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THI	IS <u>07</u>	_ DAY OF	DEC	EMBER		2022	_80					
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BELIEVI OATH.	NG IT TO I	RE ME AT T	HE DA	OF Y OF	JE AND	IS OF TH	ia <sup>*</sup>	v Sh	na App	ND EFF	Jeania Correction of the Corre	CONSCIENTIOUSLY AS IF MADE UNDER e Cecilia Myers nmissioner, etc., nce of Ontario e Corporation of the of Brampton es April 8, 2024  av Shah upprinspermit work, 0-8lue Prints Permit, ar of this document: 2000 prized Agent
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# 73 BLACKTHORN LANE, BRAMPTON

SECOND UNIT DWELLING					
	DRAMING INDEX				
SHEET	DESCRIPTION				
A101	COVER PAGE				
A102	LEGEND & SCHEDULES				
A103	GENERAL NOTES				
A104	SITE PLAN				
A105	EXISTING BASEMENT				
A106	PROPOSED BASEMENT				
A107	EXISTING FIRST FLOOR				
A108	PROPOSED FIRST FLOOR				
A109	EXISTING SECOND FLOOR				
A110	WALKOUT PLAN				
A111	SECTION - AA				
A112	SECTION - BB				
A113	GUARDRAIL DETAILS AND NOTES				

73 BLACKTHORN LANE, BRAMPTON, ON COVER PAGE



ALL DRAWINGS ARE THE PROPERTY OF BLUE PRINTS FERM AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM BLUE PRINTS PERMIT.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCIN MORK AND TO REFORT ANY DISCREPANCIES TO THE PROVINCES AND WISCOMMENT OF THE DRAWINGS, ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO

A101 REV 00

BUILDING CODE



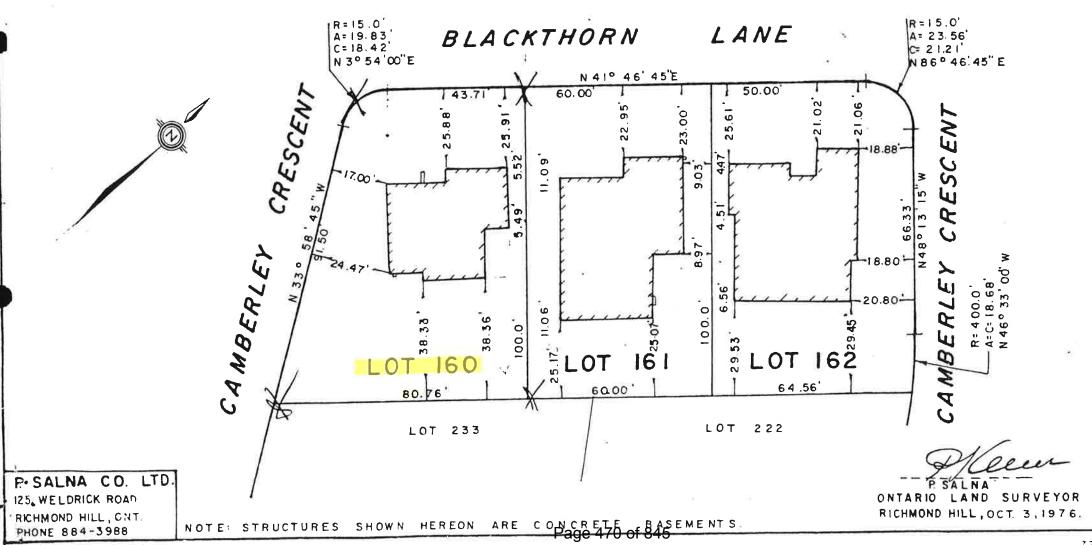
83 Garth Massey Drive, Cambridge, ON, Canada, N1726T M: 647-170-2966 O: 905-566-9690 Email: Info@blueprintspermit work Website: unun blueprintspermit work

# PLAN SHOWING LOTS 160,161 AND 162 PLAN M·175 CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL SCALE I\*= 30'

DOCUMENTS RELEASED PURSUANT TO A REQUEST UNDER THE

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT R.S.O. 1990c. M56

COPYRIGHT ACT R.S., 1985, c. C-42 APPLIES TO THE USE AND REPRODUCTION OF THESE DOCUMENTS



#### DOOR SCHEDULE

	DOOR TYPE								
TAG	FLUSH	FRR	SLIDING	DBL DOOR	EXTERIOR				
(D24)	1								
(D28)	1								
ФЭ0	1	1							
(D32)	3				1				
(D34)									
(D36)									

#### GENERAL NOTES

- **ELEVATIONS WITH THE** ARCHITECTURAL DRAWINGS AND RESOLVE ANY DISCREPANCIES WITH THE ENGINEER PRIOR TO START
- BUILDING CODE 2012, AND THE CITY BYLAMS AND STANDARDS.
- EXPERIENCED CONTRACTOR AND/OR WORKMEN HAVING WORKING KNOWLEDGE OF THE APPLICABLE STANDARDS, INSURANCE REQUIREMENTS OF INDUSTRY ACCEPTED STANDARD, AS NOT

EYERY CONDITION

OR ELEMENT IS (OR CAN BE) EXPLICITLY SHOWN ON THESE DRAWINGS.

4. BY COMMENCING THE CONSTRUCTION OF A BUILDING FROM THESE DRAWINGS, THE OWNER AND/OR

(074)	R SIZE I X 80" H
-------	---------------------

DUPLEX RECEPTACLE OUTLET

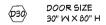
3 MAY SMITCH AT TOP AND

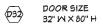
BOTTOM OF THE STAIR TO A

SINGLE POLE SWITCH

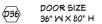
LIGHT FIXTURE

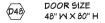
(D28)	DOOR SIZE
(D20)	28" M X 80" H











COLUMN - 15 MIN FIRE RESISTING RATING

**EMERGENCY LIGHT** 

EXTERIOR LIGHT

20 MIN FIRE RATED LOCKABLE & SELF-CLOSING DOOR

UNDERSIDE & CEILING OF STAIRS - FIRE RATING 2 LAYERS 5/8" TYPE X GYP. BOARD (1HR FFR)

#### TITLE 73 BLACKTHORN LANE. BRAMPTON, ON

# LEGEND & GENERAL NOTES



ALL DRAWINGS ARE THE PROPERTY OF BLUE PRINTS PERMIT AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM BLUE PRINTS PERMIT

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCIN WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER UNITS AS MENTIONED ON THE DRAWINGS. ALL

CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE

A102 00



ON, Canada, N1T2G7 M: 647-770-2966 O: 905-566-9690 Email: Info@blueprintspermit.work Mebalte: www.blueprintspermit.work

1.THE CONTRACTOR SHALL VERIFY ALL THE DIMENSIONS, SITE CONDITION AND OF THE WORK.

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH PART 9 AND 4 OF THE ONTARIO

3. IT IS ASSUMED THAT ALL THE WORK DEPICTED WILL BE PERFORMED BY AN

BUILDER ACKNOWLEDGE THAT THE GENERAL NOTES HAVE BEEN UNDERSTOOD.

Page 471 of 845

EXHAUST

SPRINKLER

POT LIGHT 30 MIN FRR

EXISTING MALL

DEMOLISHED WALL

9.10.19 LOCATION OF PROPOSED

& CARBON MONOXIDE DETECTOR

INTERCONNECTED SMOKE DETECTORS

(CONNECTED TO A DUCT TYPE SMOKE

NEW MALL

DETECTOR)

DETECTOR

W 6MIL POLY

PARTITION

00

DUCT TYPE SMOKE

EXISTING CONC. WALL

6MIL VAPOR BARRIER

1/2" GYPSUM BOARD

INTERIOR DRYMALL

2"X4 SPRUCE STUD @16

INTERIOR DRYWALL PARTITION

2"X4 SPRUCE STUD @16 O.C. W

SAFE & SOUND INSULATION

1/2" GYPSUM BOARD

1/2" GYP. BOARD

(30 MIN. FRR)

89MM THICK

1/2" GYP. BOARD

1/2" GYP. BOARD

2"X4 STUDS @24 O.C. WALL

R12 BATT EXISTING INSULATION

SUPPLY VENT

RETURN GRILLE LIGHT FIXTURE

 $\oplus$ 

-

SA

M1

M2

#### GENERAL NOTES

- ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, O.REG. 332/12; AND ANY CONSTRUCTION CHANGES MADE THAT ARE NOT A PART OF THE ISSUED REVIEWED PERMIT DRAWINGS WILL REQUIRE AN ADDITIONAL REVISION PERMIT.
- EXCEPT FOR PERMITTED OPENINGS SUCH AS TIGHTLY FITTER ELECTRICAL OUTLET BOXES, CERTAIN DUCT; FIRE SEPARATION SHALL BE CONTINUOUS TO ANOTHER FIRE SEPARATION, EXTERIOR WALL OR ROOF.
- DOORS IN A FIRE SEPARATION MUST BE 20 MINUTE RATED OR BE 45mm SOLID CORE WOOD DOORS WITH A SELF CLOSING DEVICE. UNRATED WOOD DOOR FRAMES MUST BE A MINIMUM OF 38mm THICK. DOOR FRAME INSTALLATION MUST BE SMOKE TIGHT.
- FIRE BLOCKS SHALL BE PROVIDED AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES IN INTERIOR COVED CEILINGS, DROP CEILINGS AND SOFFITS WHERE THE EXPOSED CONSTRUCTION MATERIALS WITHIN THE CONCEALED SPACES HAVE A SURFACE FLAME-SPREAD RATING GREATER THAN 25.
- EXCEPT FOR BATHROOMS, PUBLIC CORRIDORS AND EXITS, INTERIOR WALL AND CEILING FINISHES SHALL HAVE A SURFACE FLAME SPREAD RATING OF NOT MORE THAN 150.
- NEW SPRINKLERS IN THE FURNACE ROOM MUST BE INSTALLED IN ACCORDANCE WITH THEIR LISTING, SPRINKLER PIPING SHALL BE A RESIDENTIAL FULL FLOW-THROUGH SYSTEM CONSISTING OF MIN, 3/4" COPPER OF PEX SUPPLY PIPE AND FITTINGS.
- SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING AND IN CONFORMANCE
  WITH CAN/ULC-5553, "INSTALLATION OF SMOKE ALARMS", SMOKE SHALL INCLUDE A VISUAL
  SIGNALING COMPONENT AND BE HARDWIRED AND INTERCONNECTED IN ACCORDANCE
  WITH THE REVIEWED DRAWINGS, SMOKE ALARMS SHALL HAVE BATTERY BACKUP POWER
  CAPABLE OF LASTING FOR 7 DAYS WHILE IN THE NORMAL CONDITION, FOLLOWED BY 4M
  MINUTES OF ALARM SIGNALING.
- BATTERY POWERED EMERGENCY LIGHTING UNITS CONFORMING TO CSA C22.2 NO. 14.
   EMERGENCY LIGHTING EQUIPMENT' SHALL BE PROVIDED IN ALL COMMON MEANS OF ESCAPE.
- PROVIDE CARBON MONOXIDE ALARMS CONFORMING TO CAN/CSA-6.19,"RESIDENTIAL
  CARBON MONOXIDE ALARMING DEVICES" ADJACENT TO EACH SLEEPING AREA WITHIN EACH
  DWELLING UNIT. CARBON MONOXIDE ALARMS MAY BE HARDWIRED BATTERY OPERATED OR
  THE TYPE THAT CAN BE PLUGGED INTO AN ELECTRICAL OUTLET.
- WHERE NEW CONSTRUCTION COULD RESTRICT THE SUPPLY OF COMBUSTION AIR OF ANY
  EXISTING FUEL-FIRE APPLIANCE, AN ADEQUATE COMBUSTION AIR SUPPLY SHALL BE
  PROVIDED TO ENSURE PROPER COMBUSTION AND SAFE OPERATION OF THE FURNACE
  ANDIOR SERVICE WATER SUPPLY.
- PROVISIONS SHALL BE MADE FOR RETURN-AIR FROM ALL ROOMS BY LEAVING GAPS
  BENEATH DOORS, USING LOUVERED DOORS OR INSTALLING RETURN-AIR INLETS SHALL NOT
  BE INSTALLED IN AN ENCLOSED ROOM OR CRAINL SPACE THAT PROVIDES COMBUSTION AIR
  TO THE FURNACE OR SERVICE WATER HEATER.
- NATURAL VENTILATION FOR LIVING ROOM, DINING ROOM, BEDROOMS AND KITCHEN MUST BE PROVIDED BY MEANS OF AN OPENABLE WINDOW AREA OF 0.26M2 PER ROOM OR COMBINATION OF ROOMS, NATURAL VENTILATION FOR BATHROOMS OR WATER CLOSET ROOMS MUST BE PROVIDED BY MEANS OF AN OPENABLE WINDOW AREA OF 0.09M2; WHERE A ROOM OR SPACE IS NOT PROVIDED WITH NATURAL VENTILATION, MECHANICAL VENTILATION SHALL BE PROVIDED. EXHAUST FANS SHALL DISCHARGE DIRECTLY TO THE EXTERIOR.
- ELECTRICAL WORK MUST BE INSPECTED BY THE ELCTRICAL SAFETY AUTHORITY.

#### NOTES

- MINIMUM HEADROOM: 6'5" (1950mm)
- MIN. 15 MIN. FIRE SEPARATION FOR ALL CEILINGS
- 15 MIN HORIZONTAL FIRE SEPARATION IS ACCEPTABLE WHERE, SMOKE ALARMS INSTALLED IN EVERY DWELLING UNIT AND IN COMMON AREA IN CONFORMANCE WITH 9.10.195MOKE ALARMS ARE INTERCONNECTED AND HAVE A VISUAL SIGNAL
- FURNACE MAY SERVE BOTH UNITS PROVIDE A SMOKE DETECTOR IS INSTALLED IN THE SUPPLY OR RETURN AIR DUCT SYSTEM WHICH WOULD TURN OFF FUEL SUPPLY AND ELECTRICAL POWER TO THE HEATING SYSTEM UPON ACTIVATION OF SUCH DETECTOR.
- TWO SPRINKLERS REQUIRED IN THE FURNACE ROOM
- INSTALL MECHANICAL VENTILATION AS PER OBC DIV B 9.32.1.3(3) REQ'S.
- EXHAUST FAN SHALL DISCHARGE DIRECTLY TO OUTSIDE.
- RETURN AIR FROM A DWELLING UNIT SHALL NOT BE RECIRCULATED TO ANY OTHER DWELLING UNIT - 6.2.4.7 (10).
- EXIT STAIR IS TO BE PROTECTED FROM FIRE EXPOSURE.

#### PLUMBING NOTES

- ONLY A LICENSED, INSURED, CERTIFIED PLUMBER SHALL BE USED FOR THE WORK.
- THE MAXIMUM HOT WATER TEMPERATURE SUPPLIED TO FIXTURES IN RESIDENTIAL OCCUPANCIES SHALL NOT EXCEED 49° C(120° F) AS PER OBC ARTICLE 1.6.5.1.
- DISHWASHERS AND CLOTHES WASHERS ARE EXEMPT FROM THIS REQUIREMENT.
- ALL THERMOSTATIC MIXING VALVES SHALL CONFORM TO CAN/CSA-B125,"PLUMBING FIXTURES" AND SHALL BE LABELED ACCORDINGLY.
- ALL SOLDER JOINTS MUST BE LEAD FREE AND MEET ALL REGULATORY REQUIREMENTS.
- ALL SANITARY PIPING TO HAVE CLEANOUTS TO SUIT OBC & PLUMBING CODES.
- SUPPLY AND INSTALL CLEAN OUTS WHETHER SHOWN OR NOT, AS REQUIRED BY CODE OR BY AUTHORITIES HAVING JUSTIDICTION ON SANITARY DRAINS.
- VENT ALL SANITARY FIXTURES AS REQUIRED BY THE ONTARIO BUILDING CODE.
- PROVIDE ONE PIECE CHROME PLATE ESCUTCHEONS ON ALL PIPING PASSING INTO EXPOSED AREAS.
- REFER TO OBC 2012 DIV. B 9.23.5 FOR NOTCHING AND DRILLING OF WOOD STRUCTURAL MEMBERS.

73 BLACKTHORN LANE, BRAMPTON, ON

GENERAL NOTES

PROJECT INFORMATION

73 BLACKTHORN LANE

DESIGNER INFORMATION

BPP

BPP

(A.E. N. T.5.

M. T. 5.

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ALL DRAWINGS ARE THE PROPERTY OF BLUE PRINTS PERMIT AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM BLUE PRINTS PERMIT.

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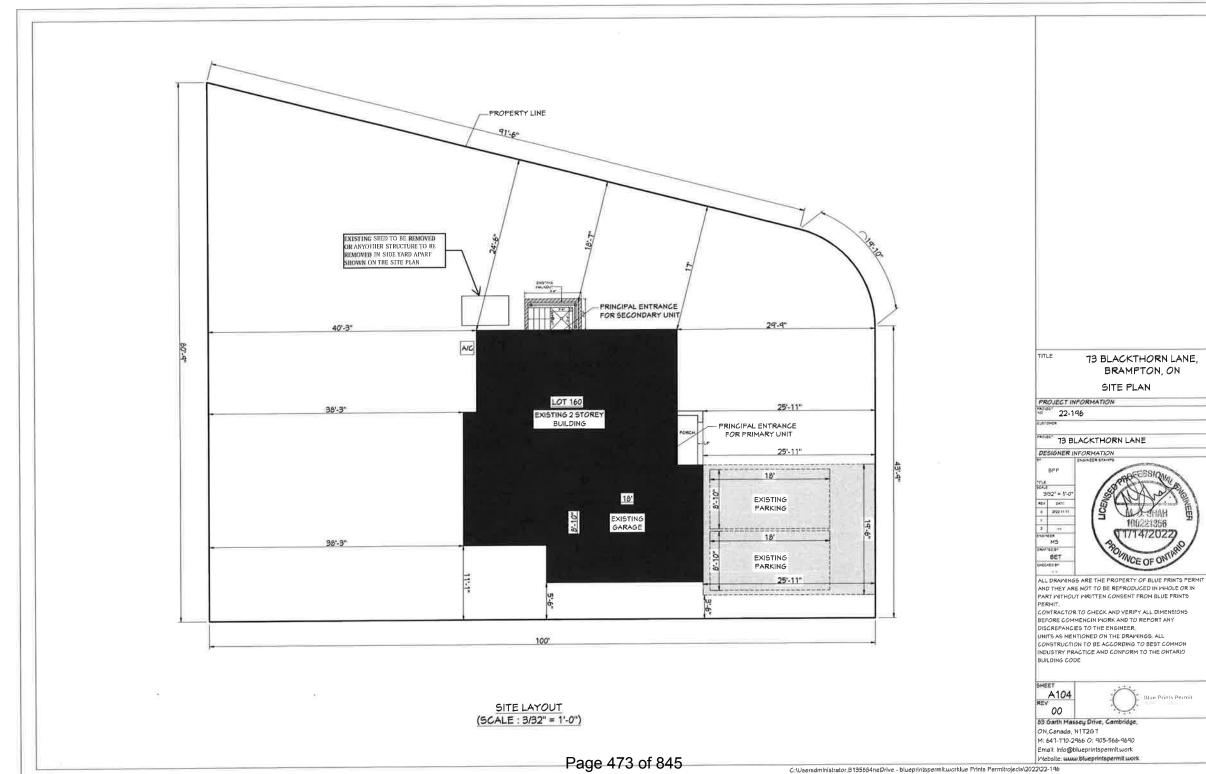
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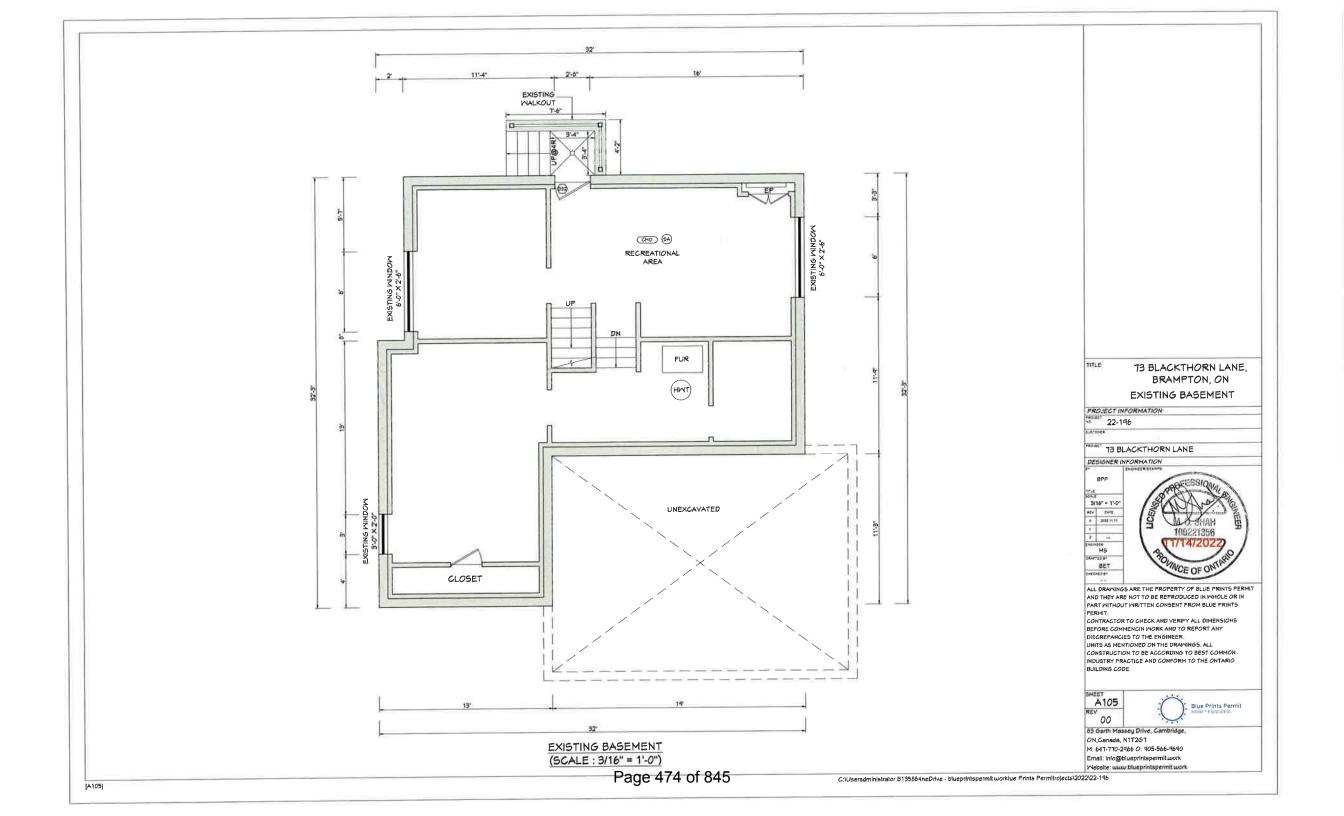
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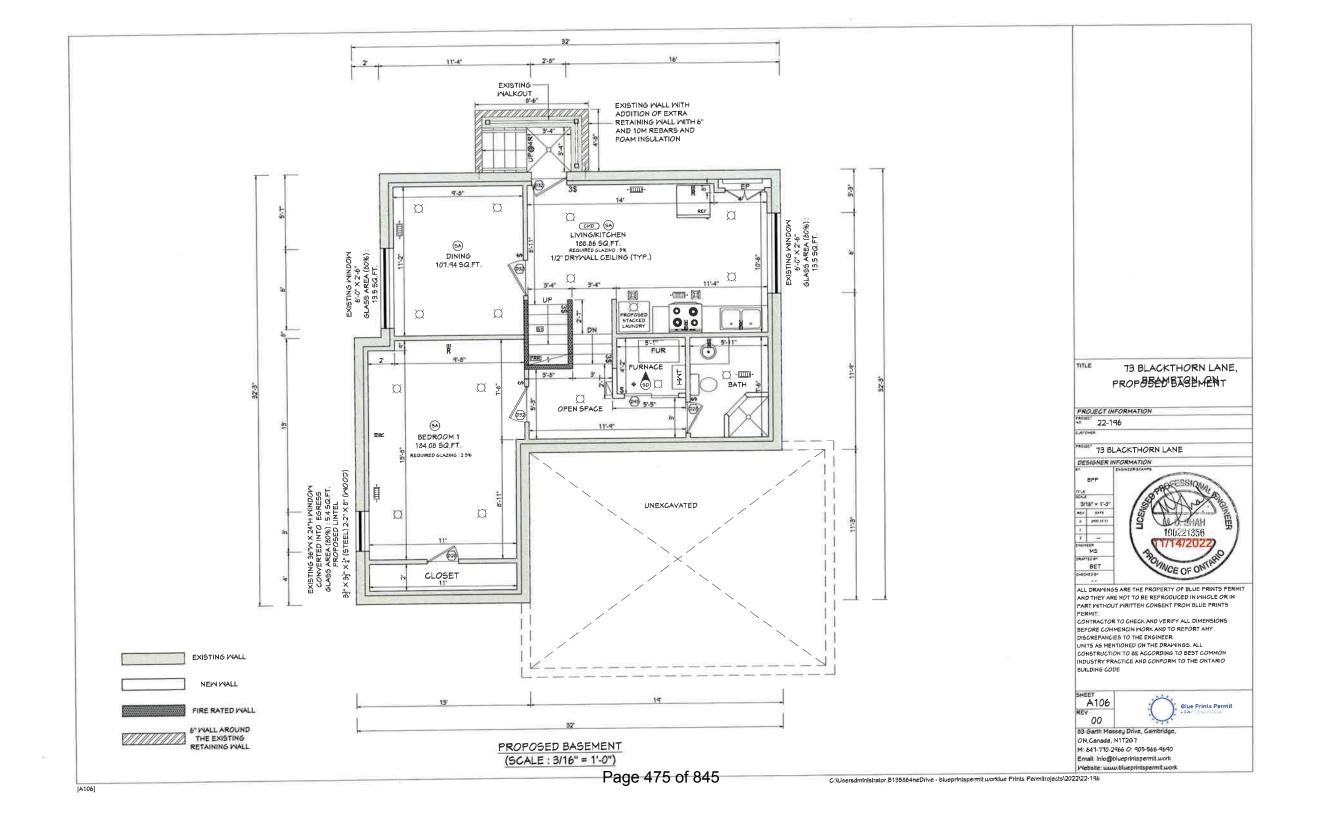


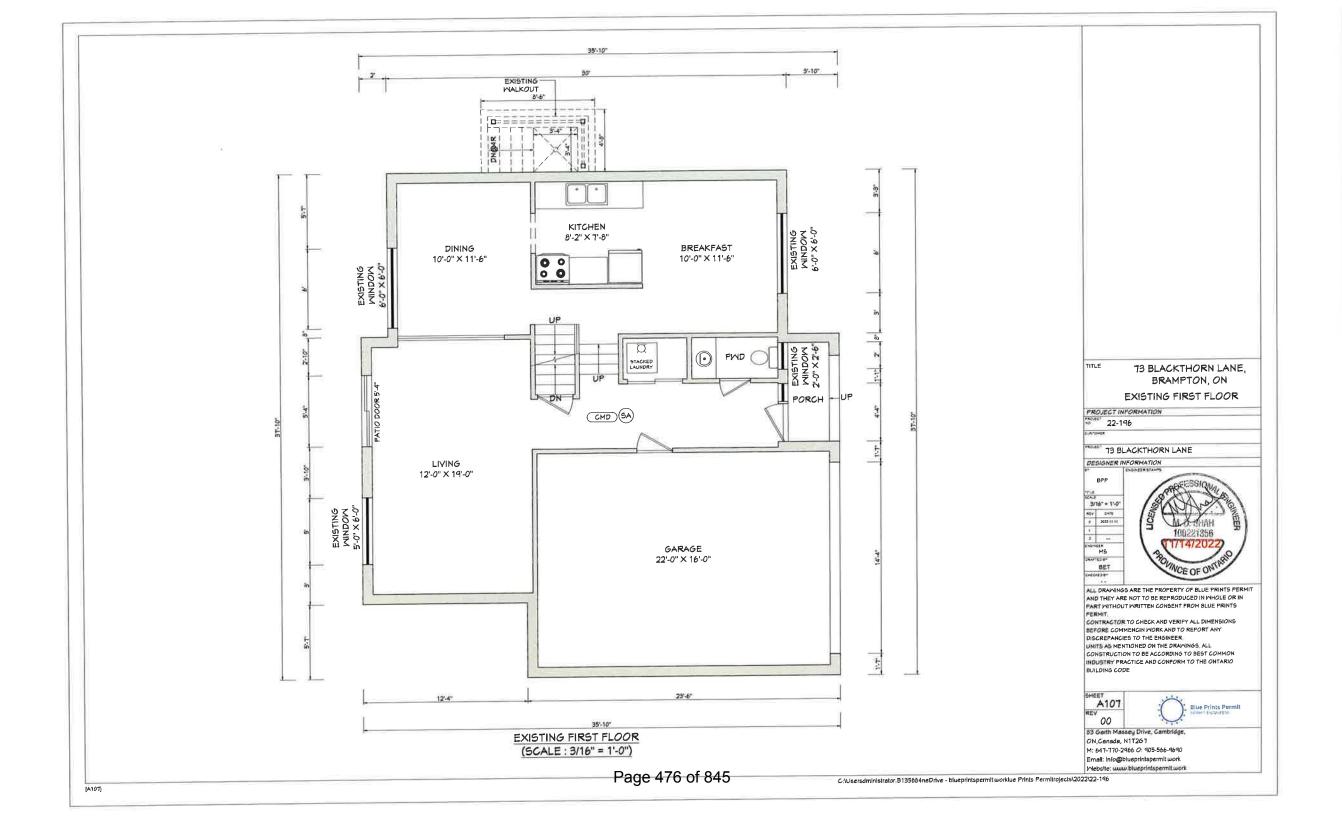
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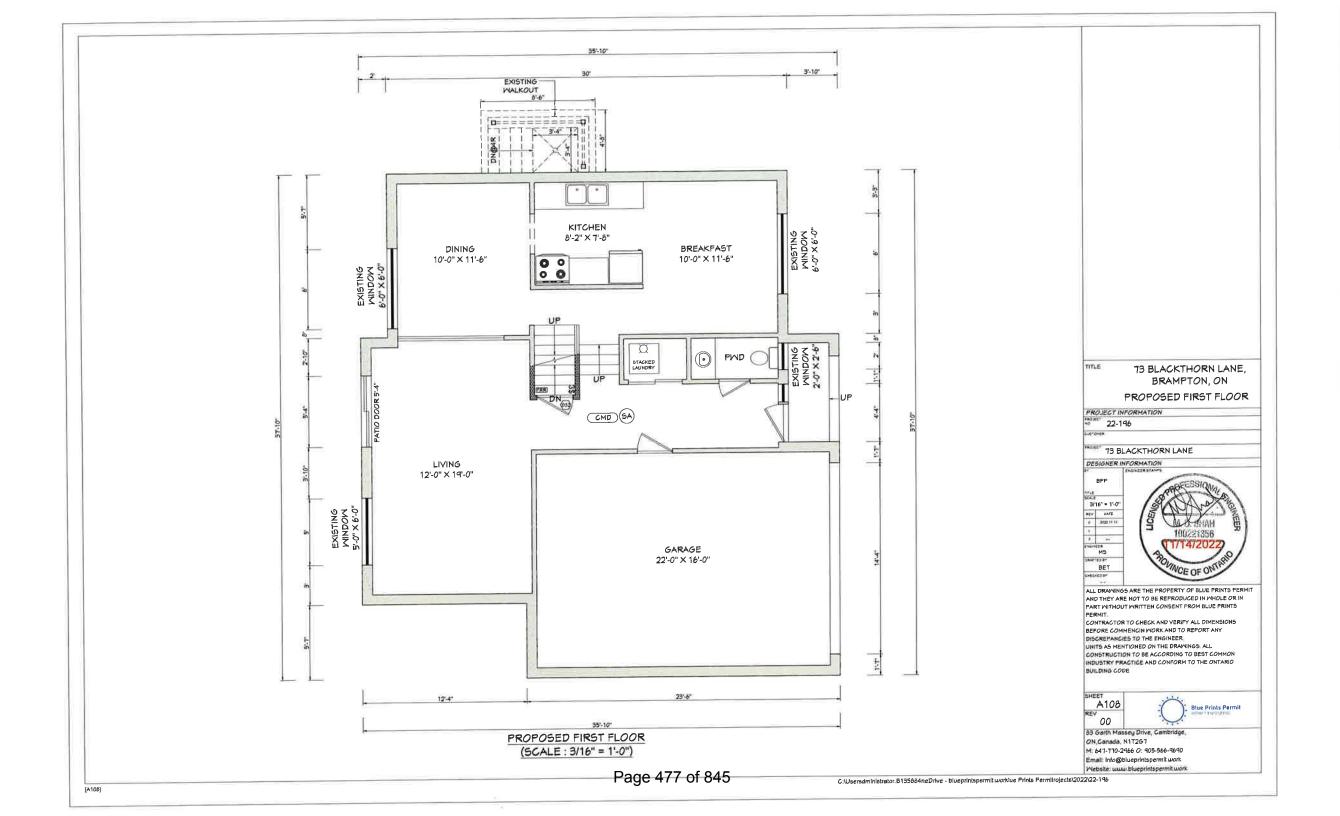
83 Garth Massey Drive, Cambridge, ON, Canada, N17267 M: 647-170-2466 O: 405-566-4640 Emall: info@blueprintspermit work Website: www.blueprintspermit work

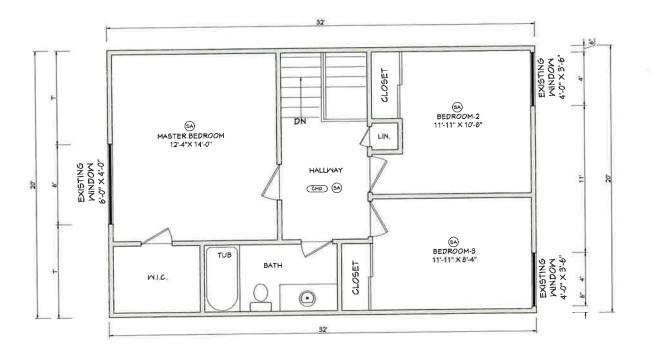












EXISTING SECOND FLOOR (SCALE : 3/16" = 1'-0") E

#### 73 BLACKTHORN LANE, BRAMPTON, ON EXISTING SECOND FLOOR

PROJECT INFORMATION
PROJECT 22-196
CATOMIA TO BLACKTHORN LANE
DESIGNER INFORMATION
BY
BPP
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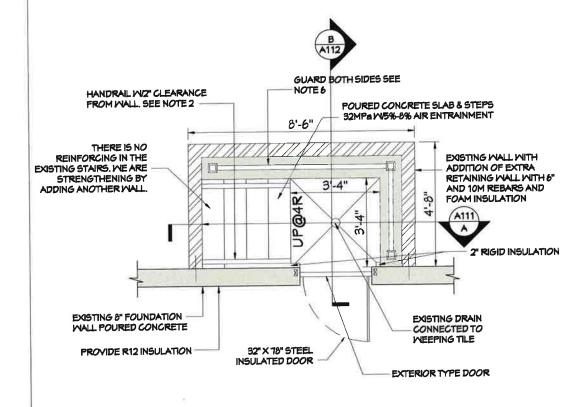
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63 Garth Massey Drive, Cambridge, ON, Canada, N17261 M: 647-770-2966 O: 905-566-9690 Email: Info@blueprintspermit work Website: www.blueprintspermit work



MALKOUT PLAN (SCALE: 3/8" = 1'-0")

# GENERAL NOTES:

1.THE CONSTRUCTION OF GUARDS SHALL CONFORM TO THE LOADING CRITERIA IN OBC DIVISION B. ARTICLE 4.1.5.15 OR SUPP. STD SB-7

- 2. ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH OBC AND REGULATIONS
- 3. MATERIALS SHALL BE AS FOLLOWS -
- 3.1 CONC. 32Mpa AT 28 DAYS WITH 5-8% AIR ENTRAINMENT
- 3.2 REINFORCEMENT STEEL, CSA G30, 18M GRADE 400
- 3.3 GROUT, HILTI HIT HY 150 OR EQUAL
- 3.4 INSULATION, 100mm DOW STYROFOAM SM
- 3.5 BACKFILL TO BE OPS GRANULAR OR SUITABLE EXCAVATED MATERIAL
- 4. ELECTRIC FEED FOR THE LIGHT TO BE SEPARATE FROM ANY OTHER SWITCHED CIRCUIT
- 5. EXTERIOR DOOR SHALL CONFORM TO O.B.C. STANDARD 9.7.5. AND RESIST FORCED ENTRY PER O.B.C. STD. 9.7.5.2
- 6. EXTRUDED POLY STYRENE TO ACHIEVE A MINIMUM COMPRESSIVE STRENGTH OF 30PSI/207KPA AND A MINIMUM R-VALUE AS PER THE EXISTING INSULATION.

73 BLACKTHORN LANE, BRAMPTON, ON

MALKOUT PLAN

PROJECT INFORMATION

FRANCE 22-196

C.05\*Chiefe

TRADRIC\* T3 BLACKTHORN LANE

DESIGNER INFORMATION

BPP

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SIGNER SAME 11-00

SIGNER SAME 11-10

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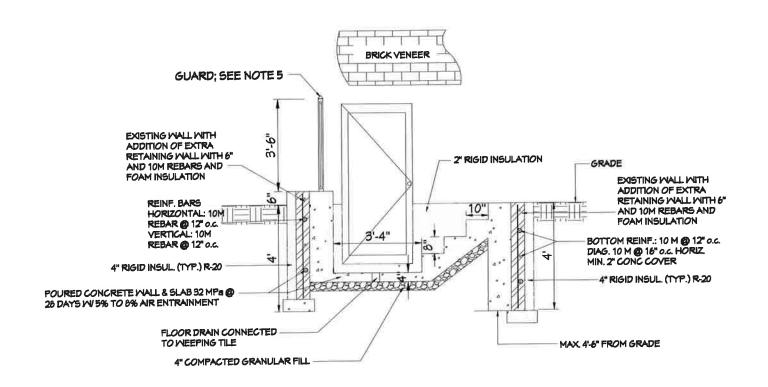
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<u>SECTION -AA</u> (SCALE : 3/8" = 1'-0")



INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO

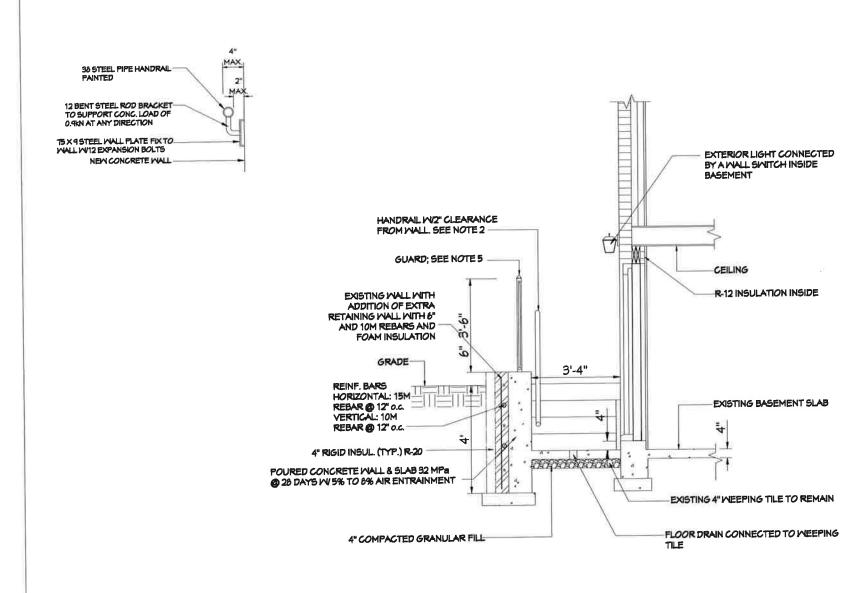
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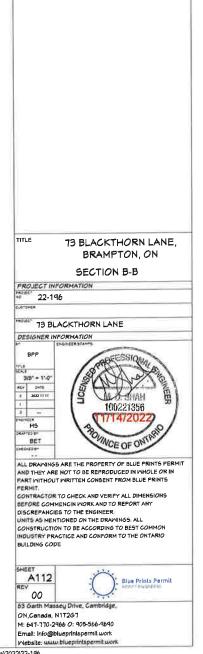
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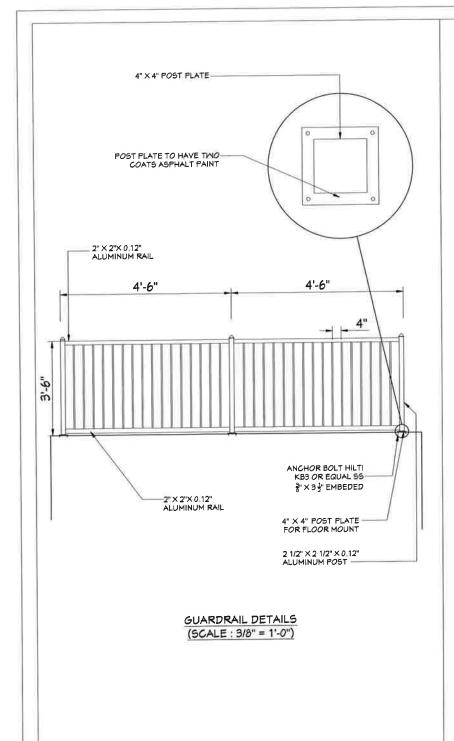
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83 Garth Massey Drive, Cambridge, ON, Canada, N17267 M: 641-170-2966 O: 905-566-9690 Emall: Info@blueprintspermit work Website: www.blueprintspermit work



<u>SECTION -BB</u> (SCALE : 3/8" = 1'-0")





- FOOTINGS: FOOTINGS SHALL REST ON NATURAL UNDISTRUBED SOIL OR COMPACTED GRANULAR FILL WITH A MINIMUM SOIL BEARING CAPACITY OF 75 kPa
- 2 HANDRAILS HANDRAILS SHOULD BE BETWEEN 34 TO 38 IN ABOVE THE TREAD AT THE LEADING EDGE LINE. 2 IN CLEARANCE FROM THE WALL IS REQUIRED START AND END POINT OF HANDRAILS MUST NOT OBSTRUCT PEDESTRIAN TRAFFIC OR CREATE A HAZARD BOTH SIDE HANDRAILS REQUIRED IF STAIRS ARE 43 IN OR WIDER.
- EXTERIOR ST AIRS 4 7/8" MINIMUM 7 7/8" RISE MAXIMUM 14" MAXIMUM 8 1/2" RUN MINIMUM 14" MAXIMUM 9 1/4" TREAD MINIMUM
- RETAINING WALL PROVIDE 10M REBAR @ 12" o.c.
- GUARDS (PRE-ENGINEERED) 42 INCH HIGH WHERE DISTANCE FROM GRADE TO BOTTOM OF WALKOUT EXCEEDS 5'-11" 36" FOR LESSER HEIGHTS. MAXIMUM 4" BETWEEN VERTICAL PICKETS.
- 6 ELECTRIC FEED FOR THE LIGHT TO BE SEPARATE FROM ANY OTHER SWITCHED CIRCUIT.
- EXTERNAL DOOR EXTERIOR DOOR GENERAL PERFORMANCE CRITERIA AND THERMAL RESISTANCE TO COMPLY WITH OBC 9. 7.3 INSTALLATION OF MANUFACTURED AND PRE-ASSEMBLED DOORS SHALL CONFORM TO THE MANUFACTURER'S INSTRUCTIONS. ALL UNFINISHED PORTIONS OF THE GRAME AND OTHER COMPONENTS OF DOORS IN CONTACT WITH THE EDGES OF
- INSULATION DETAILS RIGID INSULATION TO HAVE FOLLOWING SPECIFICATIONS:
  - STYROFOAM™ Brand SM Extruded Polystyrene Foam Insulation

MASONRY OR CONCRETE SHALL BE PROTECTED WITH CAULKING.

- RSI value of 0.87/25 mm [R-5 PER 1 INCH]
- Board Size: [as Indicated on Drawings].
- Compressive Strength: 210 kPa
- Draining Capacity: > 0.72 m3/hr/m
- INSULATION FINISHING INSTALL RIGID INSULATION ON EXISTING FOUNDATION WALL MIN 4 FT ABOVE EXISTING FOOTING INSULATIONS TO BE INSTALLED ON EXPOSED FOUNDATION WALL ONLY STARTING FROM GRANULAR FILL UNDER STEPS COVER INSULATION WITH 1/2" CEMENT BOARD INSTALL 21 1/2" GALVANIZED 'J' TRACK TO SECURE AND PROTECT ALL EXPOSED EDGES ALL JOINTS TO THE EXISTING WALL AND NEW STEPS MUST BE CAULKED APPLY SEAL GUARD TO ALL JOINTS ON CEMENT BOARD PARGE CEMENT BOARD OR APPLY ACRYLIC FINISH

73 BLACKTHORN LANE, BRAMPTON, ON

GUARDRAIL DETAILS AND NOTES



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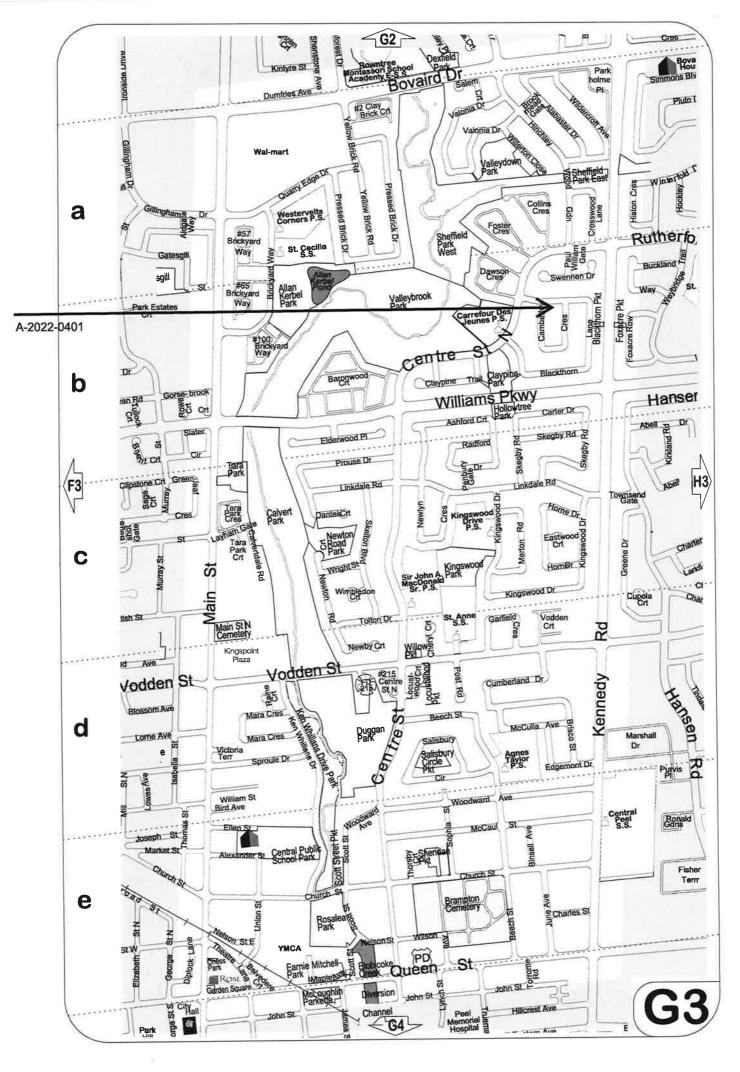
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CONSTRUCTION TO BE ACCORDING TO BEST COMMON INDUSTRY PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE





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# Report Committee of Adjustment

Filing Date:

December 9, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0401

Owner/

Applicant:

**Sukhpal Singh and Gurjant Singh** 

Address:

73 Blackthorn Lane

Ward:

WARD 1

Contact:

Rajvi Patel, Assistant Development Planner

#### Recommendations:

That application A-2022-0401 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision:
- 2. That the owner shall obtain a building permit for the below grade entrance within 60 days of the decision of approval or as extended at the discretion of the Chief Building Official;
- 3. That the below grade entrance shall not be used to access an unregistered second unit;
- That the fence used to screen the below grade entrance shall be maintained as currently constructed, and shall no be removed or lowered, but may be repaired or replaced when necessary;
- 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

# Existing Zoning:

The property is zoned 'Residential Single Detached B(3) (R1B(3)-153)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicants are requesting the following variances:

 To permit a proposed below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit below grade entrances between the main wall of the dwelling and the flankage lot line.

#### **Current Situation:**

#### 1. Maintains the General Intent and Purpose of the Official Plan

The subject lands are designated 'Residential' in the Official Plan and 'Medium Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). The Residential designation supports the current use and the requested variances are not anticipated to have any significant impacts in the context of the Official Plan and Secondary Plan policies, and is considered to maintain the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject lands are currently zoned 'Residential Single Detached B(3),' Special Section 153 (R1B(3)-153), according to By-law 270-2004, as amended.

The requested variance is to permit a below grade entrance between the main wall of a dwelling and the flankage lot line whereas the by-law prohibits below grade entrances between the main wall of the dwelling and the flankage lot line. The intent of the by-law in prohibiting below grade entrances between the main wall of a dwelling and the flankage lot line is to ensure that the appearance of the below grade entrance does not negatively impact the overall streetscape.

The existing below grade entrance is constructed along the eastern wall of the detached dwelling located on a corner lot. The below grade entrance will be accessed by four steps leading to a below grade landing and a door. Upon staff visit, it was noted that the existing below grade entrance is located behind an existing fence. As a result, the below grade entrance is not considered to negatively impact the overall streetscape as it will be screened from the streetscape by the fence and not be visible. A condition of approval is recommended that the fence used to screen the below grade entrance shall be maintained as currently constructed, and shall not be removed or lowered, but may be repaired or replaced when necessary. Additionally, the below grade entrance shall not be used to access an unregistered second unit. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

# Desirable for the Appropriate Development of the Land

The requested variance is requested to permit a below grade entrance between the main wall of the dwelling and flankage lot line on a corner lot. The location of the below grade entrance is adequately fenced and screened to the satisfaction of the Planning Department. Subject to the recommended conditions of approval, the variance is considered desirable and appropriate for the development of the land as it is not anticipated to generate negative impacts to the streetscape.

#### 4. Minor in Nature

Page 2 of 4

The requested variance to facilitate the existing below grade entrance between the main wall of a dwelling and the flankage lot line. Given the below grade entrance is adequately screened behind an existing fence, staff are satisfied that the existing streetscape will not be negatively impacted. Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner

# Appendix A – Existing Site Conditions









Page 4 of 4



# **Public Notice**

# **Committee of Adjustment**

APPLICATION # A-2022-0402 WARD #4

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **KANEFF PROPERTIES LTD.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Block 283, Plan 43M-1886 municipally known as **0 FINANCIAL DRIVE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

- 1. To permit a minimum building height of 6.02m (19.75 ft.) whereas the by-law permits a maximum building height of 9.5m (31.17 ft.);
- 2. To permit an interior side yard setback of 3.0m (9.84 ft.) to a hydro transformer whereas the by-law requires a minimum interior side yard setback of 9.0m (29.53 ft.).

## OTHER PLANNING APPLICATIONS:

The land which is subject of	this application is	the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:
The Committee of Adjustmen	nt has appointed "	TUESDAY January 24 2022 at 9:00 A M by electronic meetin

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

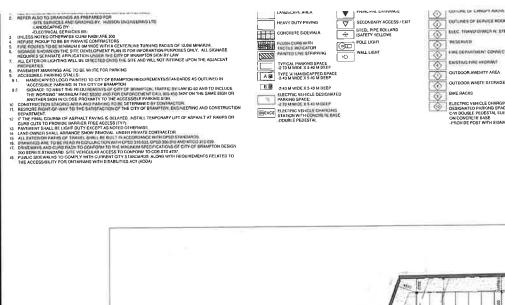
# PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

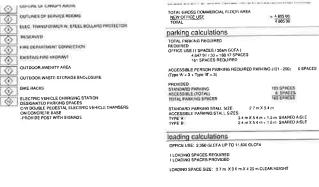
DATED at Brampton Ontario, this this 12th Day of January, 2023.

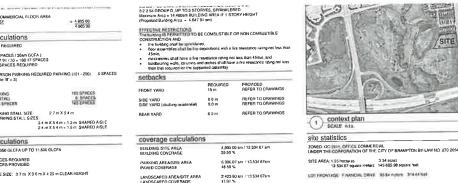
Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca







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Pearce McCluskey Architects 2203 Dumin Drive - Missianups, Ontario + 1.51, 11/2 www.proarchitects.co 1.605,607,2444

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OWNER MANEET GROUP OF COMPANIES

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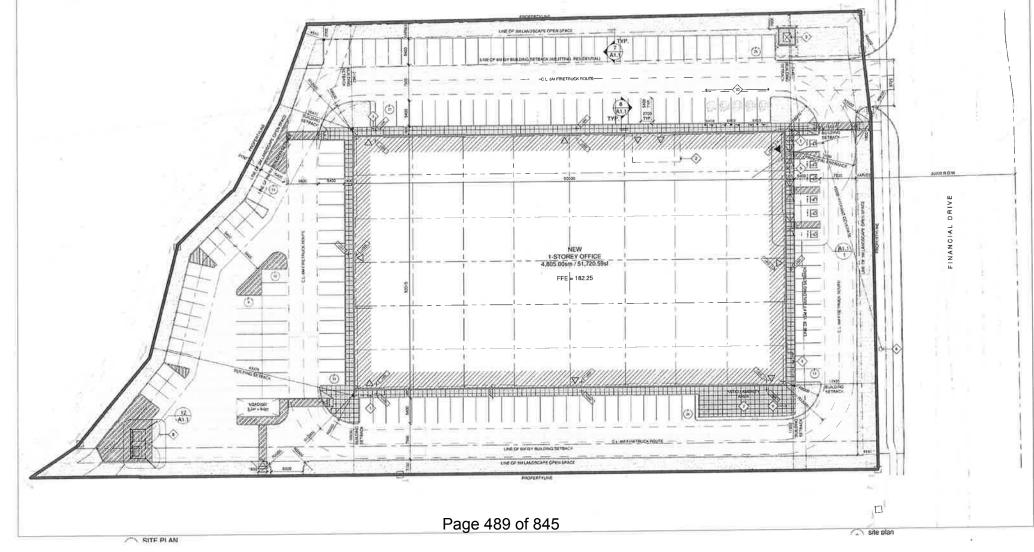
New 1-Storey Shell Office Building

Burney Division

SITE PLAN

21019

A1.0





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday, January 19, 2023.** City staff will contact you and provide you with further details.

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

• All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



December 22, 2022

The Corporation of the City of Brampton City Clerk's Office 2 Wellington Street West Brampton, ON L6Y 4R2

Attn: Ms. Jeanie Myers, Secretary-Treasurer, Committee of Adjustment

Re: Applications to the Committee of Adjustment - Minor Variance

0 Financial Drive (north of Highway 407, west side of Financial Drive)

Part of Lot 13, Concession 4, W.H.S.

Ward: 6

A-2022-0402

Dear Ms. Myers,

Please find enclosed a completed application form and minor variance request for our property located at 0 Financial Drive. The following minor variances are required to facilitate relief from Sections 2911.2 (5) and (11) of the by-law:

- 1. To permit a minimum building height of 6.02 metres whereas the by-law requires a minimum building height of 9.5 metres; and,
- 2. To permit an interior side yard setback of 3.0 metres to a hydro transformer whereas the by-law requires a minimum setback of 9.0 metres.

A site plan application for the subject property has been filed with the City and is currently under review to permit the construction of a one-storey, 4,805m² (51,720 ft²) office building (City File: SPA-2022-0199). An office use is a permitted use as-of-right per Section 2911(1) of the Zoning By-law. No additional variances are required to facilitate the proposed development.

# Property Description & Background:

The subject property is 1.36 hectares in total area, has a frontage of approximately 96 metres along Financial Drive and is currently vacant and undeveloped. The subject property previously operated as a public golf course (Streetsville Glen Golf Course); however, it was recently severed from the golf course in 2021 through a consent application that was approved by the Committee of Adjustment (City File: B-2021-0016). A concurrent minor variance application was also approved by the Committee of Adjustment in 2021 to permit a minimum lot area of 1.36 hectares whereas the by-law requires a minimum lot area of 2.0 hectares (City File: A-2021-0173).

Kaneff Group of Companies, 8501 Mississauga Road, Brampton ON L6Y 5G8



## Surrounding Land Uses:

The surrounding land uses may be described as follows:

- North: Existing single-family dwellings.
- East: Financial Drive and an existing secondary school (Ecole Secondaire Jeunes Sans Frontieres).
- South: A Kaneff owned property that is currently under construction for a new research and development lab building and 4 storey office building.
- West: An existing stormwater management pond (Linda Steven Pond) and beyond is the Streetsville Glen Golf Course.

# Policy & Zoning:

- Official Plan: The property is designated "Office" in the Official Plan according to Schedule A General Land Use Designations.
- Secondary Plan: The property is designated "Office Centre" according to Schedule SP40(a) of the Bram West Secondary Plan.
- Block Plan: The lands are designated "Future Business/Prestige Industrial" according to the Block Plan for Sub Area 40-2.
- Zoning: The lands are zoned "Office Commercial Section 2911 (OC-2911)", according to Bylaw 270-2004, as amended.

## Submission:

The following items are included with the submission:

- A completed copy of the Minor Variance Application form including Owner's Authorization
- A copy of a site plan identifying the extent of the variance requested
- A cheque in the amount of \$2,662.00

Do not hesitate to contact the undersigned should you have any questions or require anything further.

Sincerely,

Kevin Freeman, MCIP, RPP

umm

Director of Planning and Development

Kaneff Group

Kaneff Group of Companies, 8501 Mississauga Road, Brampton ON L6Y 5G8

# **Flower City**



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

FILE NUMBER: 4-2022-040Z

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

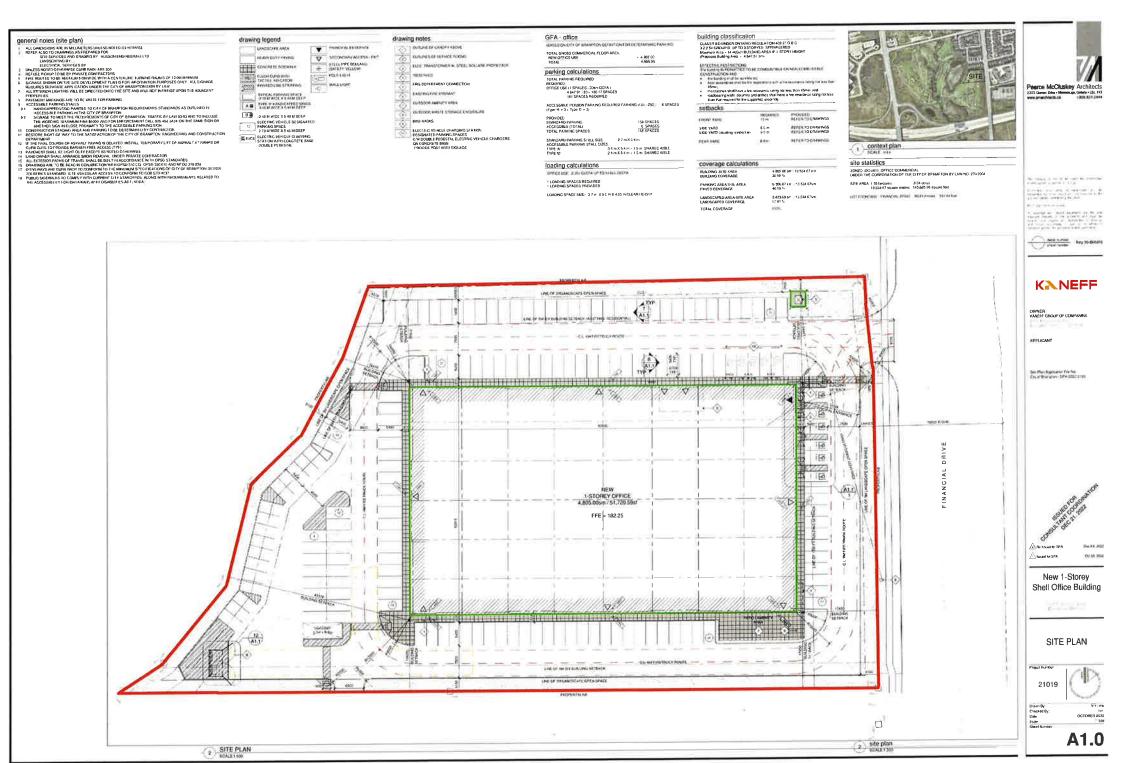
NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

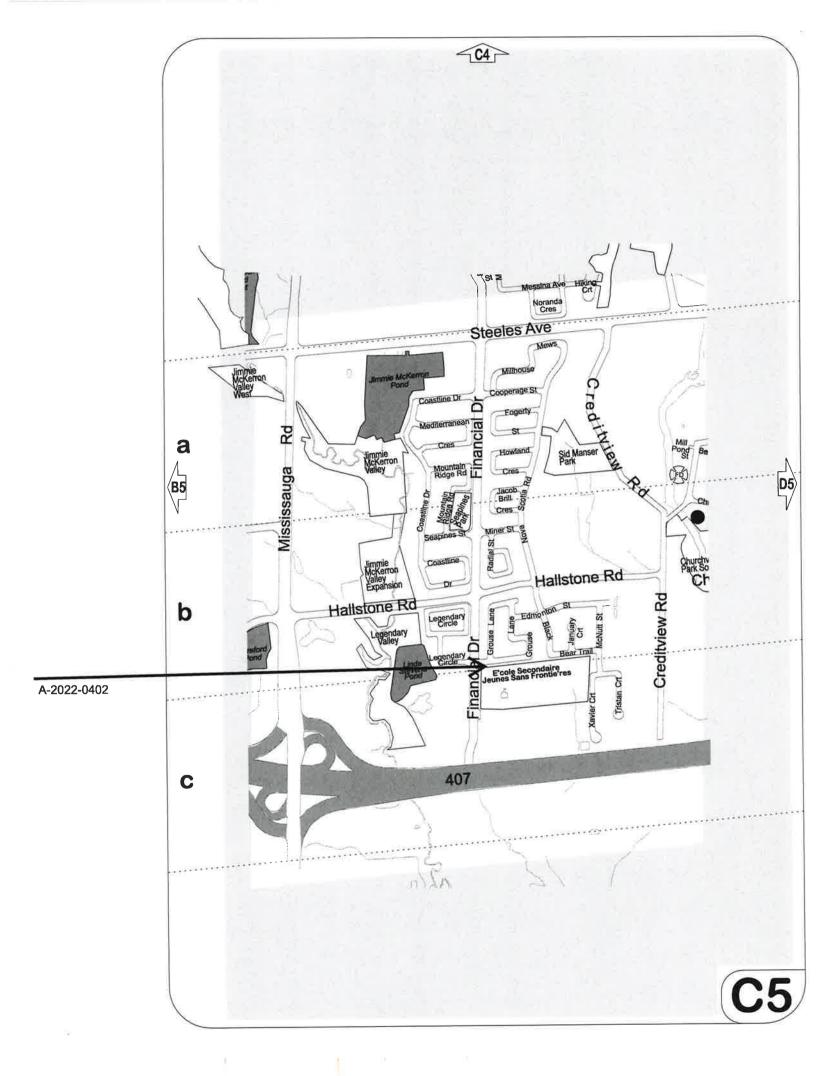
The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

1.	Name of	Owner(s) KANEFF PROPE	RTIES LTD.							
		8501 Mississauga Road								
		Brampton, ON L6Y 5G8								
	Phone #	416-578-2328		Fax #						
	Email	kfreeman@kaneff.com								
2.	Name of	Agent Kevin Freeman, I	Kaneff Group							
	Address	8501 Mississauga Road								
		Brampton, ON L6Y 5G8								
	Phone #	416-578-2328		Fax #						
	Email	kfreeman@kaneff.com								
		20.00	2 2	YW.						
3.		nd extent of relief applied for								
	1. To pe	ermit a building height of 6	6.02 metres where	reas the by-law requires a	minimum					
		height of 9.5 metres.		-						
	3	3								
	2 To pe	2. To permit an interior side yard setback of 3.0 metres to a hydro transformer whereas the								
		equires a minimum setba								
	Dy-law i	equires a minimum conse		•						
	1									
	1									
4.	Why is it	not possible to comply with	the provisions of	the by-law?						
				ng that must satisfy the sp	ocific					
	vve are	proposing to construct a	new office building	ing that must satisfy the sp	trop to 7.29					
	requirer	ments of our tenant. The	neight of the par	apet varies from 6.02 me	lies to 7.20					
	metres.	The hydro transformer is	proposed to be	located in an area within	ine requirea					
	interior	side yard setback where	it may be effective	vely screened with landsc	aping.					
	1									
	•									
5.		escription of the subject land								
		ber Part of Lot 13, Con 4, W.H.S								
	Plan Nur	mber/Concession Number	43R-40143							
	Municipa	al Address 0 Financial Drive								
6.		on of subject land ( <u>in metric</u>	<u>units</u> )							
	Frontage	Frontage 96 metres								
	Depth	140 metres								
	Area	1.36 hectares								
7		to the subject land is by:								
		ial Highway	片	Seasonal Road	$\vdash$					
		al Road Maintained All Year	<b>⊬</b>	Other Public Road	H					
	Private	Right-of-Way		Water						

8.	land: (specify	<u>in metric units</u> gı	structures on or proposed for the subject round floor area, gross floor area, number of c., where possible)
	EXISTING BUILDING	S/STRUCTURES on th	e subject land: List all structures (dwelling, shed, gazebo, etc.)
	N/A		
			William and the control of the contr
		NGS/STRUCTURES on m <sup>2</sup> (50,029 ft <sup>2</sup> ) office	
	One-storey, 4,047	in- (50,029 it-) oliio	e building.
9.	Location of all	buildings and str	uctures on or proposed for the subject lands:
	(specify distance	ce from side, rear	and front lot lines in metric units)
	EXISTING		
	Front yard setback	N/A	
	Rear yard setback	N/A	
	Side yard setback	N/A	
	Side yard setback	N/A	
	PROPOSED		
	Front yard setback	16.8 metres	
	Rear yard setback	18.2 metres	
	Side yard setback	22.1 metres	
	Side yard setback	16.7 metres	
10.	Date of Acquisition	of subject land	1990
10.	Date of Acquisition	or subject land.	
11.	Existing uses of su	bject property:	Vacant
12.	Proposed uses of s	ubiact property	Office
12.	Proposed uses of s	ubject property.	Office
13.	Existing uses of ab	utting properties:	Office, Residential
14.	Date of construction	n of all buildings & stri	actures on subject land: N/A
14.	Date of Constitution	ii or an bananiga a sar	2014100 011 020)001 141141
15.	Length of time the	existing uses of the sul	bject property have been continued: N/A
6. (a)	What water cupply	is existing/proposed?	
o. (a)	Municipal		Other (specify)
	Well	<u> </u>	
(b)		sal is/will be provided	
	Municipal	4	Other (specify)
	Septic		
(c)	What storm drainage	ge system is existing/p	roposed?
10)	Sewers		
	Ditches	<b>_</b>	Other (specify)
	Swales		

	17.		subject prop		subject	of an a	pplication (	ınder th	e Planning /	Act, fo	r approval of a plan of	
		Yes		No	<b>V</b>							
		If ansv	ver is yes, pr	ovide d	etails:	File #				Statu	s	
	18.	Has a	pre-consultat	tion app	plication	been fik	ed?					
		Yes	<b>V</b>	No								
	19.	Has th	e subject pro	perty e	ver beer	the sub	ject of an a	pplicati	ion for minor	variar	nce?	
		Yes	Ø	No			Unknown					
		If ansv	wer is yes, pr	ovide d	etails:							
			ile # <u>A-2021-017</u> ile #	_	cision <u>Ar</u> cision				Relief Mir	n. lot ar	rea 1.36 ha	
			ile #		cision			_	Relief			
								M	mile	1.1	/	
							Si	gnature	of Applicant(s	s) or A	uthorized Agent	
	DAT	ED AT T	HE C	ity		OF		Bramp		,		
			DAY OF				2022				_	
							· · · · · · · · · · · · · · · · · · ·	R ANY	PERSON OT	HER 1	THAN THE OWNER OF	
Т	HE SUB	SJECT L	ANDS, WRIT	TEN AU	JTHORIZ	ATION C	F THE OW	NER MU	JST ACCOM	PANY	THE APPLICATION. IF	
		RATION	AND THE CO		-					J. ,	ar officer of the	
	4	, Ann	a Maria	Kane	off-		_ OF T	HE	City	OF	Brampton	
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			ent Official Pla					-	00.201	1		
		Prese	ent Zoning By	-law Cl	assificat	ion:		-	OC-291	-		
		This	application ha				pect to the red on the a			d the r	esults of the	
			SH									
		~	Zon	ning Offi	cer			9	DEC.12	.22 Date		
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# Report Committee of Adjustment

Filing Date:

December 9, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0402

Owner/

Applicant:

**Kaneff Properties** 

Address:

**0 Financial Drive** 

Ward:

WARD 6

Contact:

Rajvi Patel, Assistant Development Planner

#### Recommendations:

That application A-2022-0402 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### **Background:**

The Minor Variance application is submitted to facilitate the future development of a 4,805 sq. m (51, 720 sq. ft.) one storey office building related to an ongoing Site Plan Approval application (SPA-2022-0199). The subject lands were previously used as a public golf course (Streetsville Glen Golf Course) that were severed following an approved consent application by the Committee of Adjustment in 2021 (B-2021-0016). A concurrent minor variance application was also approved by the Committee of Adjustment in 2021 to permit a minimum lot area of 1.36 hectares, whereas the by-law requires a minimum lot area of 2.0 hectares (A-2021-0173).

#### Existing Zoning:

The property is zoned 'Office Commercial (OC-2911)', according to By-law 270-2004, as amended.

## Requested Variances:

The applicants are requesting the following variances:

1. To permit a minimum building height of 6.02m (19.75 ft.) whereas the by-law requires a minimum building height of 9.5m (31.17 ft.);

2. To permit an interior side yard setback of 3.0m (9.84 ft.) to a hydro transformer whereas the by-law requires a minimum setback of 9.0m (29.53 ft.).

#### **Current Situation:**

# 1. Maintains the General Intent and Purpose of the Official Plan

The subject lands are designated 'Office' in the Official Plan, 'Office Centre' in the Bram West Secondary Plan (Area 40c) and 'Future Business/ Prestige Industrial' in the Bram West Sub Area 40-2 Block Plan.

The 'Office' Official Plan designation is intended to provide employment opportunities ranging from small professional offices to large scale headquarters, permitting uses such as business, professional or administrative offices. Furthermore, the Office designation supports placemaking which result in a concentration of uses and activities which contribute to a strong image and identity of the area.

The subject lands are further designated as 'Office Centre' in the Bram West Secondary Plan (Area 40c). The Office Centre designation permits office uses and research and development facilities which are developed in accordance with urban design principles which aim to create a distinctive gateway character. As per Section 3.5.5, the scale and character of the uses shall be compatible with adjacent residential neighbourhoods and be developed in a manner that minimizes the impact on natural areas associated with the Levi Creek.

Moreover, the subject lands are designated as 'Future Business/ Prestige Industrial' in the Bram West Sub Area 40-2 Block Plan. One of the objectives of the Block Plan is to create attractive neighbourhood edges, gateways and corridors which promote a sense of place and identity. Lands designated as Future Business/ Prestige Industrial are located south, north and west of the Streetsville Glen West residential neighbourhood and the proximity of development of lands to the residential development requires sensitive treatment.

The proposed application for an office building will be used as a research facility which is anticipated to provide employment opportunities for the City of Brampton and will contribute to creating a distinctive gateway character as a result of the site and building design. The proposed variances maintain the general intent and purpose of the Official Plan.

# Maintains the General Intent and Purpose of the Zoning By-law

The subject lands are currently zoned 'Office Commercial,' Special Section 2911 (OC-2911), according to By-law 270-2004, as amended.

Variance 1 is requesting to permit a minimum building height of 6.02m (19.75 ft.) whereas the by-law requires a minimum building height of 9.5m (31.17 ft.). The intent of the by-law in requiring a minimum building height is to establish urban design guidelines that contribute to placemaking. While the building height is being reduced, the design form of the building will ensure that a high quality urban form prevails throughout the site. Additionally, the site abuts a residential neighbourhood consisting of single detached dwellings and the height of the proposed office building will assist with the transitioning between the residential and office-industrial land uses.

Variance 2 is requesting to permit an interior side yard setback of 3.0m (9.84 ft.) to a hydro transformer whereas the by-law requires a minimum setback of 9.0m (29.53 ft.). The intent of the by-law in requiring a minimum interior side yard setback to a hydro transformer is to ensure that adequate separation exists between buildings or structures or adjacent properties.

In this case, the hydro transformer is proposed to be located 3.0m (9.84 ft.) from the rear property line abutting the residential neighbourhood. In this case, structures such as a hydro transformer are subject to the same building setback requirements. The location of the proposed hydro transformer is not anticipated to negatively impact the functionality of the site or generate adverse visual impacts off-site as there will be adequate buffering between the residential and office use. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

# Desirable for the Appropriate Development of the Land

The proposed variance for a reduced building height is considered desirable for the appropriate development of the lands as it is compatible with the surrounding mix of land uses consisting of residential, institutional and office uses. Furthermore, the proposed office building contributes to establishing a distinct gateway area of employment opportunities.

The proposed hydro transformer will provide power to the office building on site. A condition of approval is recommended that the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision in order to ensure that the location of the transformer is consistent with what is presented in this application. Subject to the recommended conditions of approval, the location of the hydro transformer is not expected to generate negative impacts on-site or off-site. The variances are considered desirable for the appropriate development of the land.

#### 4. Minor in Nature

The proposed variance to permit a one storey office building is considered minor in nature as the reduced height does not impact surrounding land uses, nor does it reduce the importance of creating a distinctive gateway character as will provide employment opportunities.

The requested variance seeks permission to allow a hydro transformer to be located within 3.0m (9.84 ft.) from the rear property line. The location of the hydro transformer is not expected to negatively impact the functionality of the site or generate adverse impacts off-site. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

Rajvi Patel

Rajvi Patel, Assistant Development Planner

# Appendix A – Existing Site Conditions







# Report Committee of Adjustment

Filing Date:

July 27, 2021 Hearing Date: August 24, 2021

File:

B-2021-0015, B-2021-0016, A-2021-0172, & A-2021-0173

Owner/

Applicant:

**KANEFF PROPERTIES LIMITED** 

Address:

1876 Hallstone Road

Ward:

WARD 6

Contact:

François Hémon-Morneau, Planner I

#### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 33.22 hectares (82.09 acres). The severed land (Parcel A) has a frontage of approximately 270 metres (885.92 feet) on Financial Drive, a depth of approximately 200 metres (656.17 feet) and an area of approximately 3.90 hectares (9.64 acres). It is proposed that the severed land be developed with an Office/Research and Development Lab. (Concurrent Consent Application B-2021-0016)

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 33.22 hectares (82.09 acres). The severed land (Parcel B) has a frontage of approximately 91 metres (298.56 feet) on Financial Drive, a depth of approximately 140 metres (459.32 feet) and an area of approximately 1.36 hectares (3.36 acres). It is proposed that the severed land be developed with a Warehouse/Office. (Concurrent Consent Application B-2021-0015)

#### Recommendations:

That application B-2021-0015 is supportable, subject to the following conditions being imposed:

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



# Report Committee of Adjustment

- 2. That Kaneff Properties Limited acknowledges in writing to the City that they will be gratuitously conveying the NHS to the City as part of the Site Plan approval process (SPA-2021-0042).
- 3. There is Regional water infrastructure on the subject property that may not be protected by a Region of Peel Easement. The Region will require an easement over this portion of infrastructure. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of the possible required easement.

That application B-2021-0016 is supportable, subject to the following conditions being imposed:

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

That application A-2021-0172 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the owner finalize site plan approval under City File SPA-2021-0042, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and,
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

That application A-2021-0173 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision; and,
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

# Background:

The applicant is requesting consent to sever two parcels of land from the Streetsville Glen Golf Course currently addressed as 1876 Hallstone Road. Parcel 'A' is intended to facilitate the



# Report Committee of Adjustment

construction of a new research and development laboratory and Parcel 'B' is intented to be for a Warehouse and Office building, related to an existing Site Plan application (SPA-2021-0042).

- Official Plan: The subject property is designated 'Office' & 'Open Space' in the Official Plan;
- Secondary Plan: The subject property is designated 'Valleyland' & 'Office Centre' in the Bram
  West Secondary Plan (Area 40c);
- Zoning By-law: The subject property is zoned 'Office Commercial (OC-2911)' & 'Floodplain (F)' according to By-Law 270-2004, as amended.

#### Requested Severances:

The applicant is requesting the following severances:

#### B-2021-0015:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 33.22 hectares (82.09 acres). The severed land (Parcel A) has a frontage of approximately 270 metres (885.92 feet), a depth of approximately 200 metres (656.17 feet) and an area of approximately 3.90 hectares (9.64 acres). It is proposed that the severed land be developed with an Office/Research and Development Lab. (Concurrent Consent Application B-2021-0016)

## B-2021-0016:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 33.22 hectares (82.09 acres). The severed land (Parcel B) has a frontage of approximately 91 metres (298.56 feet), a depth of approximately 140 metres (459.32 feet) and an area of approximately 1.36 hectares (3.36 acres). It is proposed that the severed land be developed with a Warehouse/Office. (Concurrent Consent Application B-2021-0015)

# **Consent Applications:**

Staff has undertaken a thorough review of the proposals, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent applications are considered to represent proper and orderly planning and can be supported from a land use perspective.

# A-2021-0172 Requested Variance (Parcel A):

The applicant is requesting the following variances associated with the proposed severed lot under consent application B-2021-0015:

1. To permit a 0.0 metre landscaped open space strip along the northerly property line whereas the by-law requires a minimum 3.0 metre wide landscaped open space strip.

# A-2021-0173 Requested Variance (Parcel B):

The applicant is requesting the following variances associated with the proposed severed lot under consent application B-2021-0016:

The Corporation of The City of Brampton 2 Wellington Street West, Brampton, ON L6Y 4R2 T: 905.874.2000 TTY: 905.874.2130

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# Report Committee of Adjustment

1. To permit a minimum lot area of 1.36 hectares whereas the by-law requires a minimum lot area of 2.0 hectares.

#### Minor Variance Applications:

#### A-2021-0172

#### 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Office' and 'Open Space' in the Official Plan and 'Valleyland' and 'Office Centre' in the Bram West Secondary Plan (Area 40c). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject property is zoned 'Office Commercial (OC-2911)' & 'Floodplain (F)' according to By-Law 270-2004, as amended.

The variance is requested to permit a 0.0 metre landscaped open space strip along the northerly property line whereas the by-law requires a minimum 3.0 metre wide landscaped open space strip. The intent of the by-law in requiring a minimum width of landscaped open space is to ensure that there is sufficient separation between uses on the property and adjacent properties.

The applicant is proposing a 0.0m landscaped open strip along the northerly property line adjacent to the lot intended for a proposed office building. The adjacent lot to the north will maintain a 3.0m wide landscaped open space strip. Additionally, a 3.0m wide landscaped open space strip will be maintained around the rest of the property. The two properties (Parcel 'A' and 'B') are intended for employment uses which are compatible to one another. Therefore, the reduction in the landscaped buffer is not anticipated to negatively impact the aesthetics of the property or functioning of the uses on site. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

## Desirable for the Appropriate Development of the Land

The variance is requested to reduce the landscaped open space strip on the northerly property line. The adjacent property will maintain a 3.0m landscaped buffer separating the two properties. Furthermore, the employment use on the property to the north will be interrelated in terms of their functionality as sites of employment. No negative impacts are anticipating resulting from the variance. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2021-0042, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. Subject to the recommended condition of approval, the variance is considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature



# Report Committee of Adjustment

The requested variance is required in order to facilitate the development of the severed lot and it is not considered to have significant impact on the function and character of the property or adjacent lands. Subject to the recommended conditions of approval, the variance is considered minor in nature.

#### A-2021-0173

#### 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Office' and 'Open Space' in the Official Plan and 'Valleyland' and 'Office Centre' in the Bram West Secondary Plan (Area 40c). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject property is zoned 'Office Commercial (OC-2911)' & 'Floodplain (F)' according to By-Law 270-2004, as amended.

The variance is requested to permit a minimum lot area of 1.36 hectares whereas the by-law requires a minimum lot area of 2.0 hectares. The intent of the By-law in requiring a minimum lot area is to ensure that the property can accommodate the intended uses.

The development of the site is the subject of an existing Site Plan application (SPA-2021-0042) and through this process, it has been determined that size of the lot is sufficient to accommodate the warehouse/manufacturing/office uses while maintaining all other provisions of the Zoning By-law. No negative impacts are anticipated from the reduced size of the lot. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

The variance is requested to permit a minimum lot area of 1.36 hectares. The size of the lot is not anticipated to impact the functionality of the site. The variance is considered to be desirable for the appropriate development of the land.

## 4. Minor in Nature

The requested variance is required in order to facilitate the development of the severed lot and it is not considered to have significant impact on the function of the property or adjacent lands. Subject to the recommended conditions of approval, the variance is considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner I

The Corporation of The City of Brampton 2 Wellington Street West, Brampton, ON L6Y 4R2 T: 905.874.2000 TTY: 905.874.2130

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## SCHEDULE "A"

## CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

	CRITERIA TO BE CONSIDERED	ANALYSIS
а)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed consents to sever have no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed consents to sever are neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed consents to sever do not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The consents to sever are suitable for the purposes for which it is to be subdivided.
е)	The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	The proposed consents to sever do not present any concern with regard to the adequacy of the roadwork network.
f)	The dimensions and shapes of the proposed lots;	The shape and dimension of the proposed and retained lots are appropriate for the intended uses.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands included in the lease area.
h)	The conservation of natural resources and flood control;	The proposed consents to sever present no concerns with regard to flood control and the conservation of natural resources. The Natural Heritage System (NHS) lands on Parcel A will be gratuitously conveyed to the

The Corporation of The City of Brampton 2 Wellington Street West, Brampton, ON L6Y 4R2 T: 905.874.2000 TTY: 905.874.2130



# Report Committee of Adjustment

		City as part of the associated Site Plan application.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The proposed consents to sever present no concerns with regard to the adequacy of school sites.
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 concerns related to conveyances for public purposes.
1)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed consents to sever have no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	The proposed consents to sever have no impact on matters of Site Plan Control under the Planning Act.



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0403 WARD #10

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MOHINDER PHARWAHA**, **MANDEEP PHARWAHA** and **SURINDER PHARWAHA** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 27, Plan M-304 municipally known as **1 BOWMAN AVENUE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit a building height of 13.15m (43.14 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 ft.).

#### **OTHER PLANNING APPLICATIONS:**

The latte without to subject of	tino application to	the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

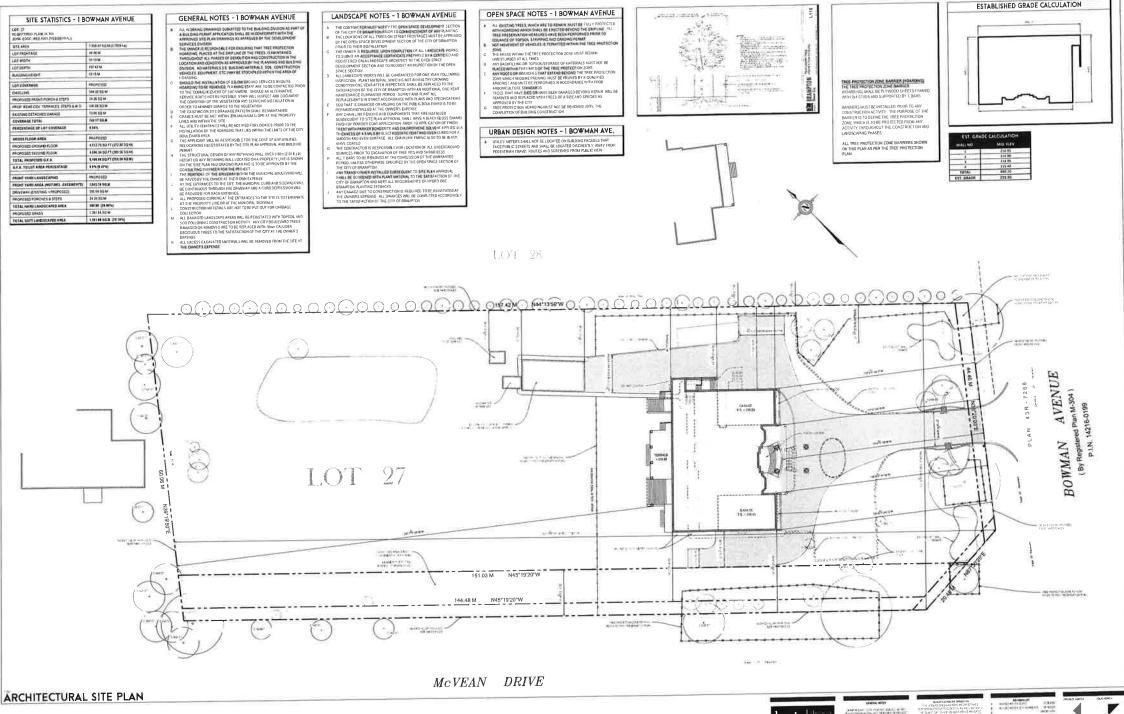
### PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

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All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
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For Office Use Only (to be inserted by the Secretary-Treasurer after application is deemed complete)

FILE NUMBER: A-2022-0403

The Personal Information collected on this form is collected pursuant to section 45 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** Minor Variance or Special Permission

		(Please read Instructions)
NOTE:		ed that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be ied by the applicable fee.
		signed hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of ng Act, 1990, for relief as described in this application from By-Law <b>270-2004.</b>
1.	Name of C	
	Address	1 Bowman Avenue, Brampton, ON L6P 0Y1
	Phone # Email	905-457-1600 Fax # mohinder@crownaccounting.ca
2.	Name of A Address	Agent Shane Edwards / Kurtis Van Keulen (Huis Design Studio Ltd.)  1A Conestoga Drive, Unit 301, Brampton, ON L6Z 4N5
	Phone # Email	1-833-456-4847 (ext. 2) Fax # shane@huisdesigns.ca
3.		d extent of relief applied for (variances requested):  By-law Section 11.2.2 (h) - Maximum building height is 10.6 metres.
4.	Why is it i	not possible to comply with the provisions of the by-law?
•	Section roof style	n 11.2.2 (h) - Due to the size and sprawling nature of the dwelling, an appropriate e/slope was designed to suit the dwelling aesthetically. The steeper slope results height that exceeds what is permitted under the by-law.
5.	Legal Des	scription of the subject land:
	Plan Num	Iber/Concession Number RP-M304 / CON. 9 N.D.  Address 1 Bowman Avenue, Brampton, ON L6P 0Y1
6.	Frontage	
	Depth Area	157.42 m 7,959.07 sq.m / 0.7959 ha
7.	Access to	o the subject land is by:

**Provincial Highway** 

Private Right-of-Way

Municipal Road Maintained All Year

Seasonal Road

Water

**Other Public Road** 

T.	storeys, width,	length, height, etc	c., where possible)
	EXISTING BUILDIN	GS/STRUCTURES on th	e subject land: List all structures (dwelling, shed, gazebo, etc.)
	<ul> <li>Existing Dwelling</li> <li>Ground Floor Are</li> <li>Building Height =</li> <li>Existing Detact</li> </ul>	g (to be demolished) ea = 224.93 sq.m (ap 9.5 m (approx.), Bui ned Garage	
	Gloss Floor Alea	1 - 73.00 sq.m, Lengt	12.21 III, Widti - 0.10 III, Height - 4.00 III (apix.)
	PROPOSED BUILD	NGS/STRUCTURES on	the subject land:
	Ground Floor Are	ea = 372.80 sq.m (ap	co single family dwelling. prox.), Gross Floor Area = 753.36 sq.m (approx.) Building Length & Width = 30.00 m & 20.14 m
9.			uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )
	EXISTING		
	Front yard setback	Dwelling = 39.13 m	
	Rear yard setback	Dwelling = 101.77 m	
	Side yard setback Side yard setback	Dwelling = 16.08 m (nor Dwelling = 15.93 m (sou	
	Side yard Selback	Dwelling - 15.55 m (sou	ui)
	PROPOSED		
	Front yard setback		
	Rear yard setback	Dwelling = 92.85 m Dwelling = 13.69 m (north	.h)
	Side yard setback Side yard setback	Dwelling = 15.93 m (sou	
	Jido yai a Joinson		
10.	Date of Acquisition	of subject land:	November 15, 2005
11.	Existing uses of su	bject property:	Residential single family dwelling.
12.	Proposed uses of s	subject property:	Residential single family dwelling.
13.	Existing uses of ab	outting properties:	All abutting properties are residential dwellings.
14.	Date of construction	on of all buildings & stru	uctures on subject land: 1985 (subdivision assumption)
15.	Length of time the	existing uses of the sul	bject property have been continued: 37 years
16. (a)	What water supply Municipal D Well	is existing/proposed?	Other (specify)
(b)	What sewage disp Municipal [ Septic [	osal is/will be provided <sup>*</sup>	? Other (specify)
(c )	What storm draina Sewers [ Ditches [	ge system is existing/p	roposed?  Other (specify)
	Swales [		

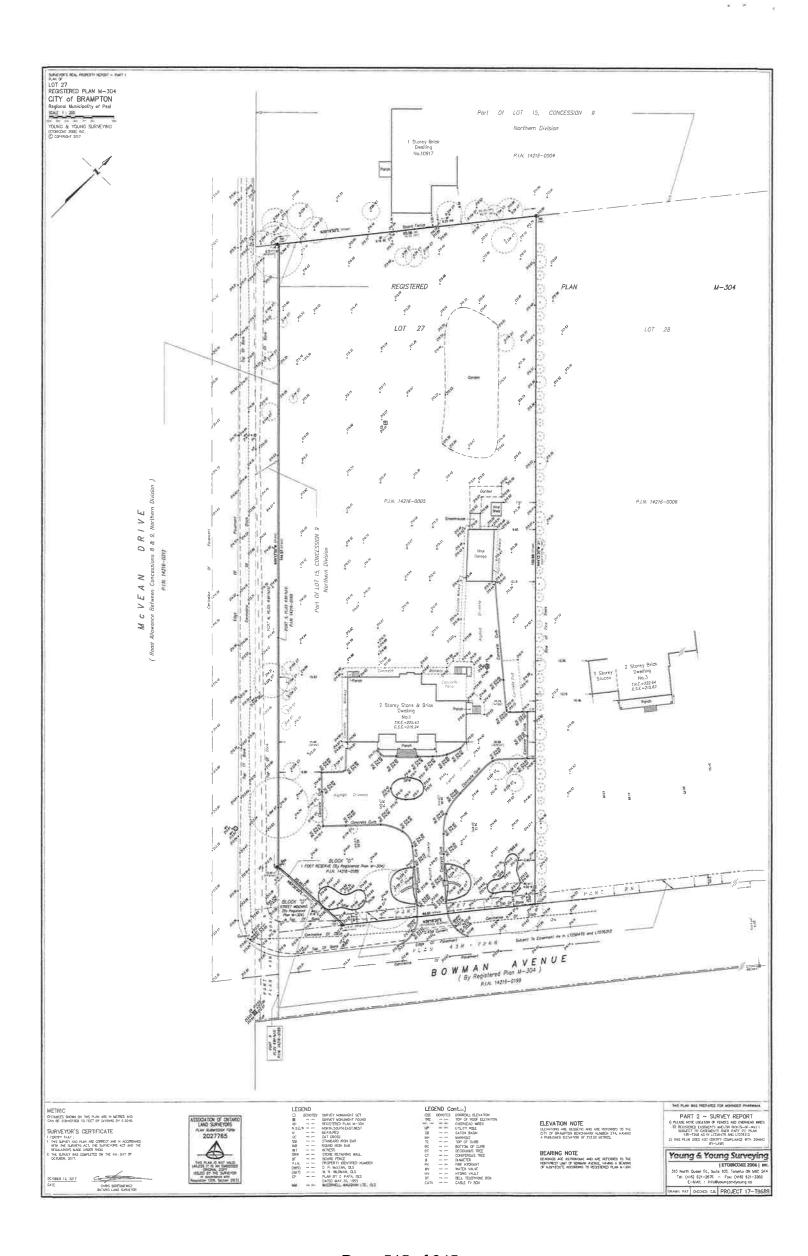
Particulars of all buildings and structures on or proposed for the subject

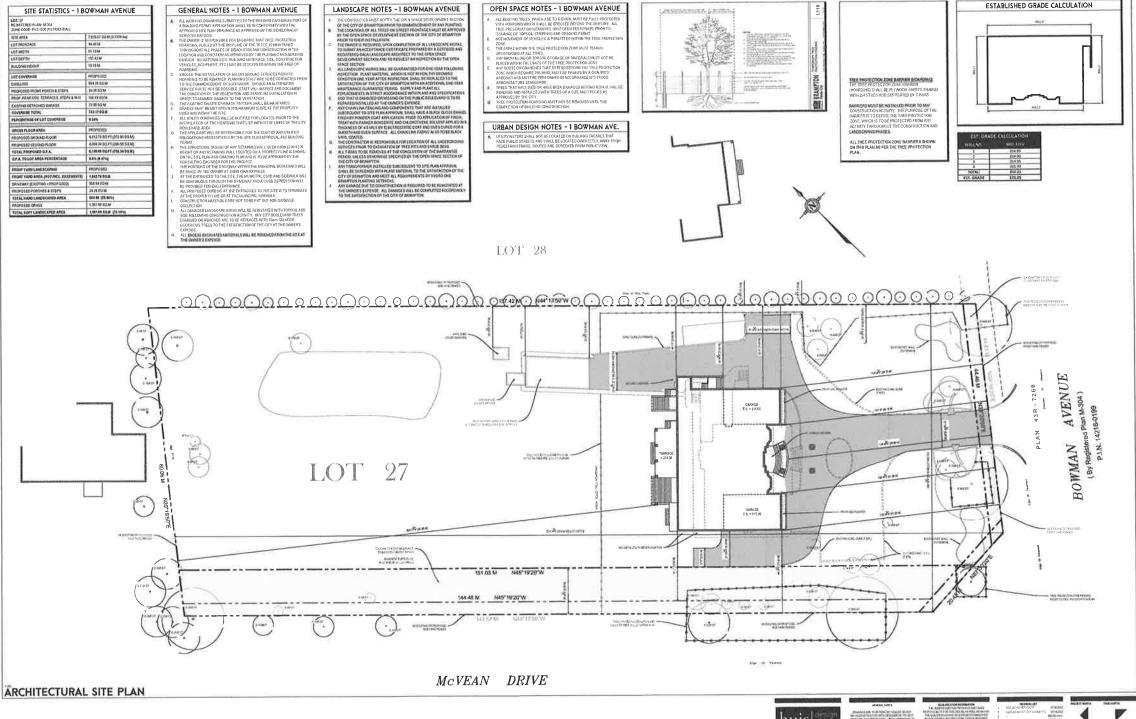
land: (specify in metric units ground floor area, gross floor area, number of

- 8.

∋e <b>17.</b> ∓	subdivision or co		or an application	under the Planning	**Termi	nated by the City of on Planning
	If answer is ves.	provide details:	File # SPA-2022	-0128		nent due to the recei
40	•	•	1.	0120	Cuitao paronis	
18.		Itation application	been mea?			
	Yes L	No 🗹				
19.	Has the subject	property ever been	the subject of an	application for mind	or variance?	
	Yes	No 🗆	Unknown	V		
	If answer is yes,	provide details:				
	File #	Decision				
	File # File #	Decision		Relief_ Relief		=4
	1110 #				n=	
			·	ignature of Applicant	s) or Authorized	Agent
ΠΔΤ	ED AT THE _Com	u.	OF BRAMF	2-6.1)	5050	
		M. je	7.		<del></del>	
THIS	S_\S_\DAY	OF DECEMBE	20 <u>22</u>	•		
THE API	PLICANT IS A CO		E APPLICATION	MER MUST ACCOM SHALL BE SIGNE FFIXED.		
	I, SHANE &	SOWARDS.	, OF 1	HE CITY	OF GUEL	PH
IN TH	EPROVWEE O	F NOTARIO	SOLEMNI	Y DECLARE THAT:		
				HIS SOLEMN DECL SAME FORCE AND		
DECLAR C;T.	ED BEFORE ME A	TTHE rampton OF		a Comm Province for the C City of E	Cecilia Myers hissioner, etc., e of Ontario Corporation of the Brampton April 8, 2024.	
Red	THIS 13	DAY OF		(6)		
Ja (	20		_	Signature of Applica	ont or Authorized A	cent
	1	ani My las	_		by Email	gont
/	A Commissione	r etc.				
		F	OR OFFICE USE	ONLY		
	Present Official	Plan Designation:		#	.,	
	Present Zoning	By-law Classificati	on:	RE2 -	1500	_
	This application		with respect to the are outlined on the a	variances required a attached checklist.	and the results of t	ne
		нотні s.		DEC 13	3 2022	
	Z	Zoning Officer	<del></del>		Date	_
		ATE DECEMEN	Wecomber	13, 2022		
		DATE RECEIVED lication Deemed [	Nyscendu	,	Rev	rised 2022/02/17
	Complete by	the Municipality				

Page 514 of 845



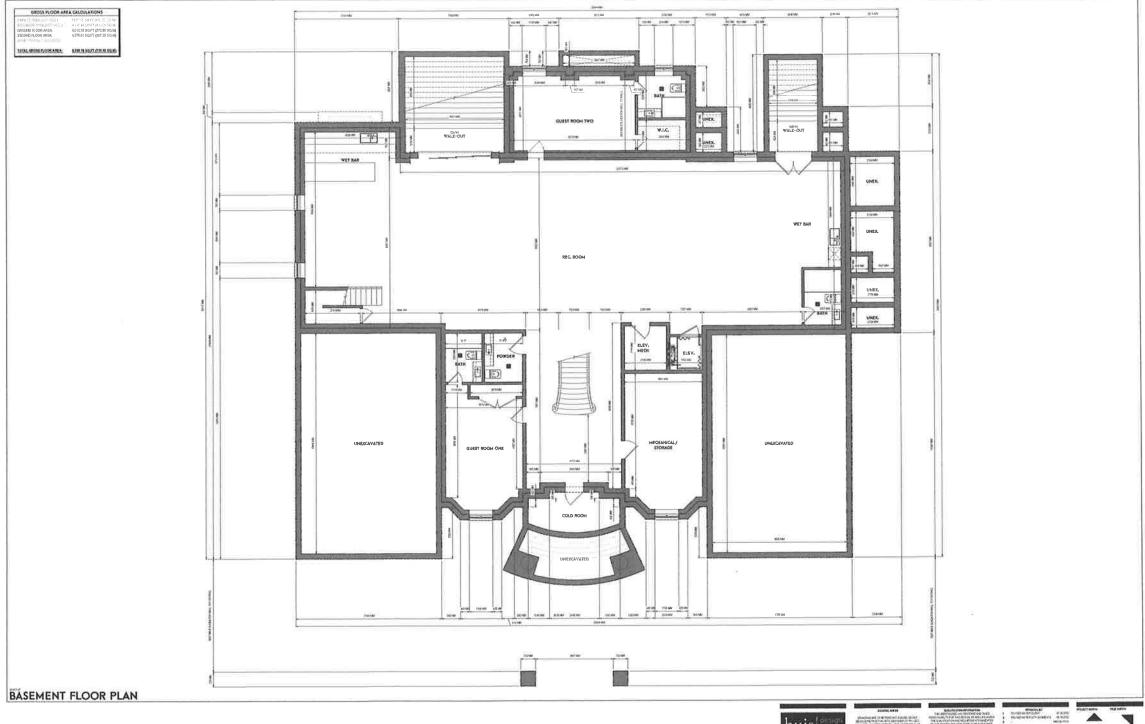




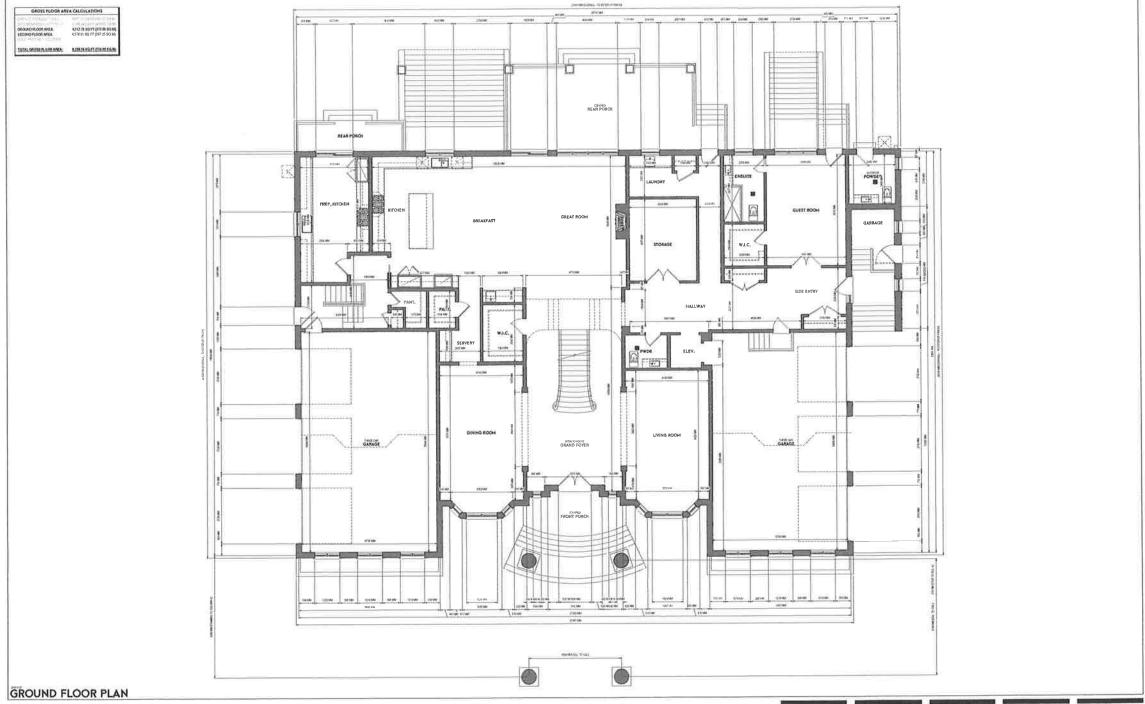




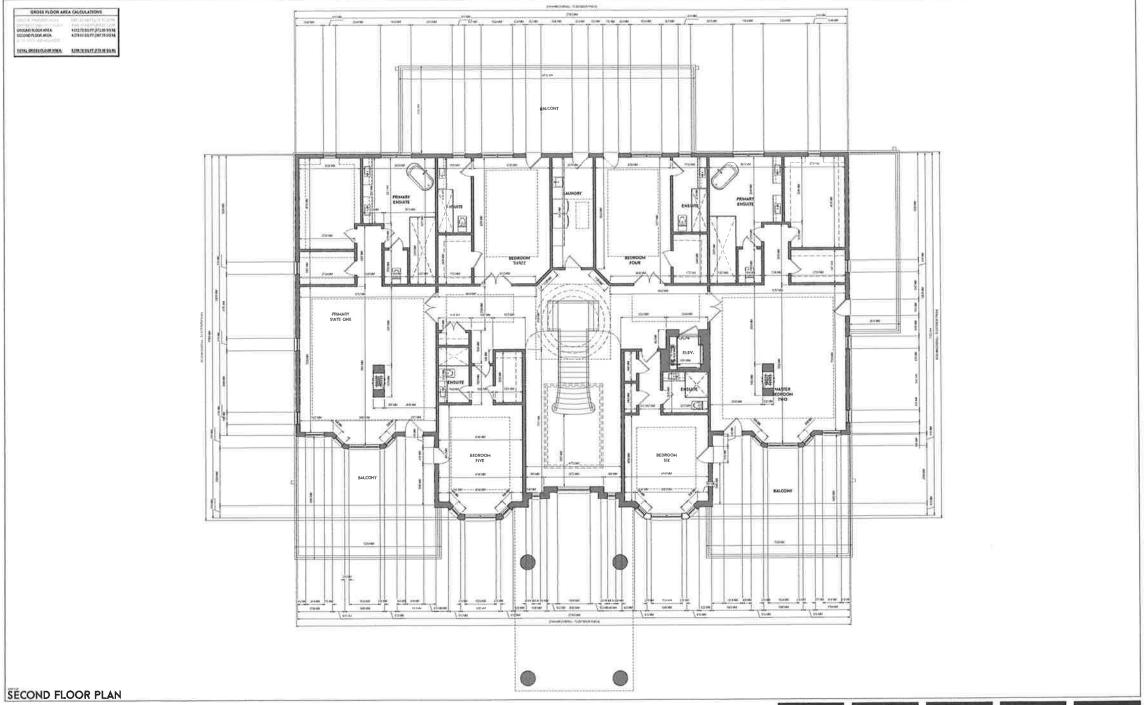










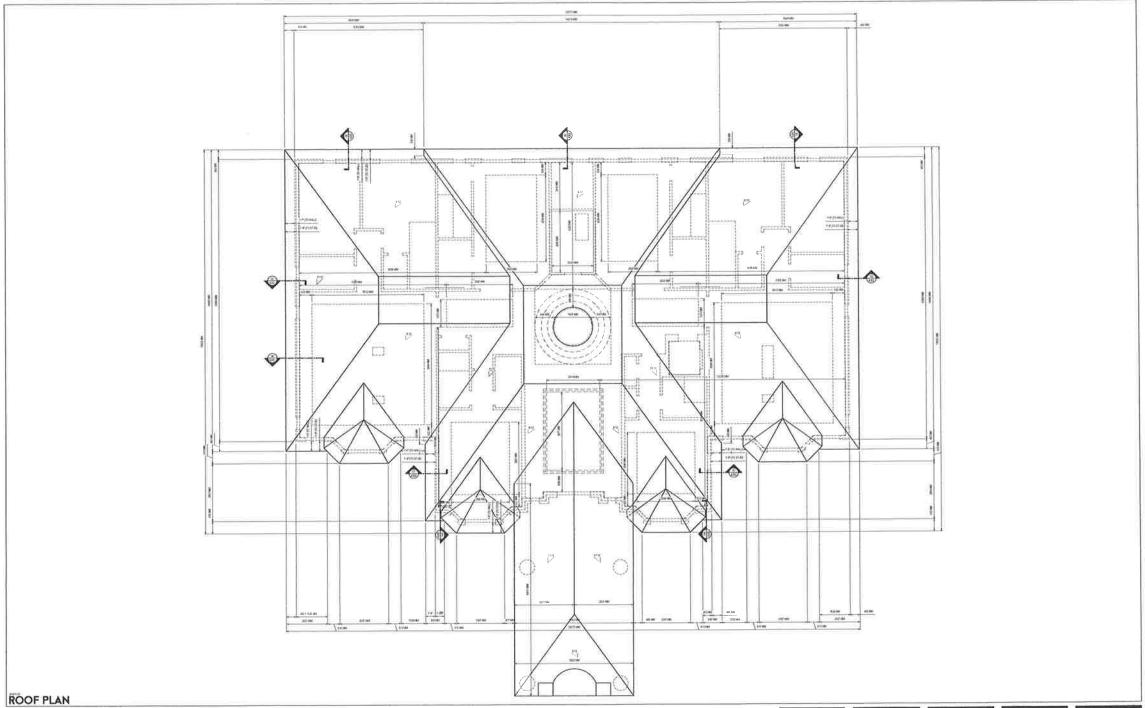






























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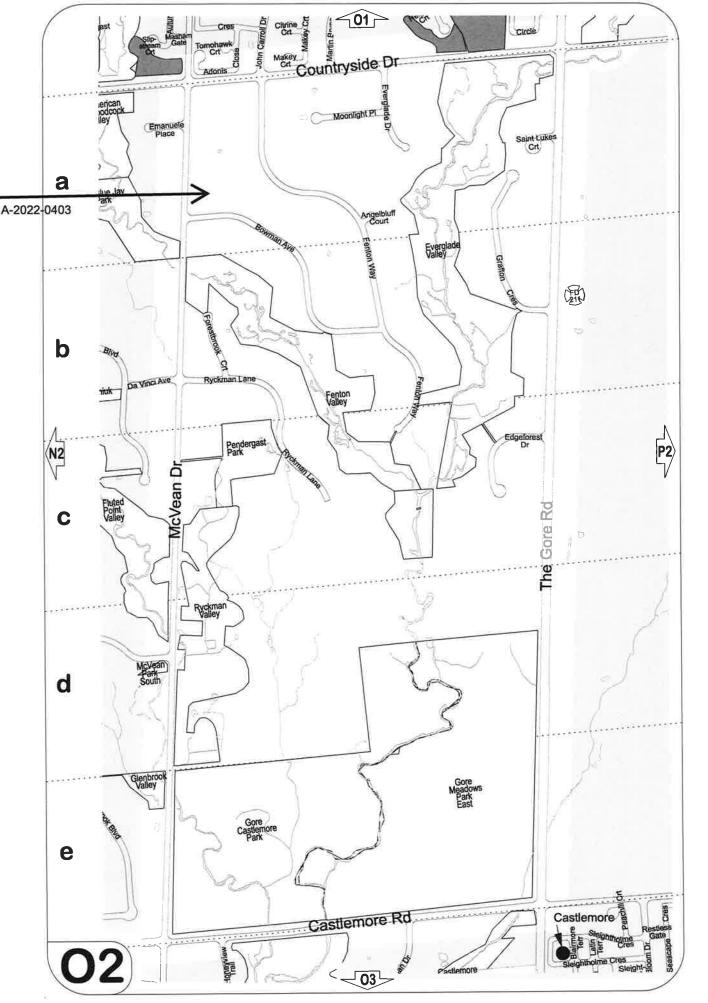
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## Report Committee of Adjustment

Filing Date: Hearing Date: December 13, 2022 January 24, 2023

File:

A-2022-0403

Owner/

Applicant:

MOHINDER, MANDEEP & SURINDER PHARWAHA/HUIS DESIGN STUDIO LTD.

Address:

1 Bowman Avenue

Ward:

WARD 10

Contact:

Chinoye Sunny, Planner I

#### **Recommendations:**

That application A-2022-0403 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision; and
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

The applicant is requesting one (1) Minor Variance for an increased building height for a proposed new dwelling.

#### **Existing Zoning:**

The property is zoned 'Residential Rural Estate Two (RE2-1500)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicants are requesting the following variance(s):

1. To permit a building height of 13.15m (43.14 ft.) whereas the by-law permits a building height of 10.6m (34.78 ft.);

#### **Current Situation:**

#### 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Estate Residential' in the Official Plan. The subject property is also located in the Toronto Gore Rural Estate Secondary Plan (Area 26) which is currently undergoing a policy review. The nature and extent of the requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Residential Rural Estate Two (RE2-1500)', according to By-law 270-2004, as amended.

The Minor Variance requested is to permit a building height of 13.15m (43.14 ft.) whereas the by-law permits a building height of 10.6m (34.78 ft.). The intent of the by-law in regulating the maximum permitted building height for a property is to ensure that there are no negative massing impacts on adjacent properties. There is currently an existing dwelling, detached garage, greenhouse, and shed on the property. The proposal is to demolish the existing dwelling, greenhouse and shed and rebuild a custom home on the property. The existing detached garage is intended to remain on the property. The subject property is located within the Estate Residential area, the Brampton Official Plan describes this hosing type as, "low density form of residential development, characterized by large individual lots". Despite the increased height, the proposed new dwelling is significantly setback from neighbouring lots and the street line. The increased building height is not anticipated to negatively impact massing on adjacent properties as the proposed dwelling location is not setback near neighbouring dwellings. As such, the general intent and purpose of the Zoning By-law is maintained.

#### Desirable for the Appropriate Development of the Land

The variance requested is to permit an increased building height for a proposed new dwelling. The subject property is located within the Rural Estate area of the City. Lot sizes are larger in this area, which constitute to larger dwellings in the area. The subject property lot size is large and is able to satisfactorily accommodate a proposed dwelling height of 13.15m without causing significant massing issues on neighbouring properties. Surrounding lots in the area are not anticipated to be negatively impacted by the proposed dwelling. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The variance requested is to permit an increased building height for a proposed new dwelling. The requested variance is not considered to impact massing on adjacent properties as the proposed dwelling location is not setback near neighbouring dwellings. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Page 2 of 3

Respectfully Submitted,

Chinoye Sunny, Planner I



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0405 WARD #8

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **FORESTSIDE ESTATES INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lots 4 and 5, Concession 9 ND municipally known as **4320 QUEEN STREET EAST,** Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

- 1. To permit 298 dwelling units whereas the by-law permits a maximum of 272 dwelling units;
- 2. To provide a parking rate of 0.98 parking spaces per dwelling unit whereas the by-law requires a minimum of 1.0 parking spaces per dwelling unit.

#### OTHER PLANNING APPLICATIONS:

Plan of Subdivision:	NO	File Number:	_ :
Application for Consent:	NO	File Number:	

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

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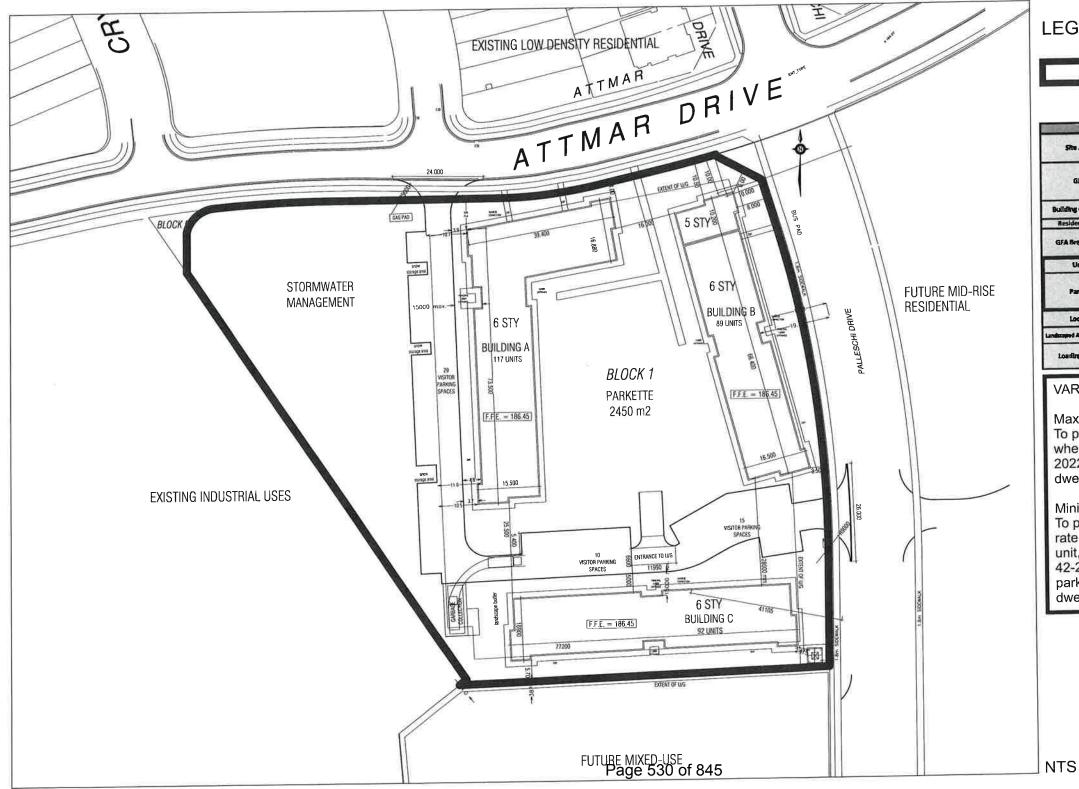
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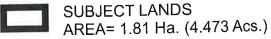
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Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca



## **LEGEND**



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NI DESCRIPTION OF THE PERSON O		18097.1			m2
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		23383			m2
	Above Grade	251155			ft2
GFA			341		m2
	Below Grade		3670		112
		3917			m2
Building Coverage		42157			112
Residential FSI	1.3				
- HEAVENING THE -	Retail	N/A	m2,	H/A	
GFA Breakdown	Office	N/A	m2	N/A	ft
	Residential	23674	m2	254825	
Units	No. of Units		196		
		Residents	1.0/unit	298	397
	Required	Visitor	0.2/unit	59	- 50
Parking		- 6	if .	54	
	Provided		7	299	
Lockers			302		ft2 m2 ft2 ft2 ft2 ft2
Landscaped Aron Porcustage			50%		
Loading Spaces			1		

## VARIANCE AREA

Maximum number of dwelling units To permit a maximum of 298 dwelling units, whereas Site Specific Zoning By-law 42-2022 permits a maximum number of dwelling units to be 272;

Minimum number of parking spaces
To permit a minimum residential parking rate of 0.98 parking spaces per dwelling unit, whereas Site Specific Zoning By-law 42-2022 permits a minimum residential parking rate of 1.0 parking space per dwelling unit.





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## TRANSMITTAL



To:

Jeanie Myers

From: Secretary Treasurer, City of Brampton

Committee of Adjustment

Ally Krstajic - KLM Planning Partners Inc.

File:

P-3195

Date:

December 13, 2022

Re:

 $4320\,Queen\,Street\,East-Block\,1\,of\,Draft$ Approved Plan

Minor Variance Application

☐ Urgent ☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

A-2022-0405

On behalf of our client Forestside Estates Inc., KLM Planning Partners Inc. is pleased to submit the enclosed hard copy submission for the Block 1 Minor Variance Application.

In accordance with the Minor Variance submission requirements, please see enclosed the following materials:

- 1. One (1) copy of the Executed Minor Variance Application form;
- 2. One (1) copy of the Site Plan Minor Variance Sketch in legal size format, prepared by KLM Planning Partners, dated December 2, 2022;
- 3. One (1) copy of the Parking Justification Memo, prepared by Candevcon Ltd., dated October 31, 2022.
- 4. One (1) copy of the Draft Approved Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., dated January 18, 2022; and
- 5. One (1) cheque in the amount of \$2,662.00 for the Minor Variance Application fee.

Should you require anything further, do not hesitate to contact the undersigned.

Yours truly,

Ally Krstajic B.U.R.PI

Intermediate Planner

akrstajic

GTA WEST OFFICE (CORPORATE) 9358 GOREWAY DRIVE BRAMPTON, ONTARIO L6P 0M7 T: (905) 794-0600 F: (905) 794-0611 PROVIDING CONSULTING SERVICES IN: MUNICIPAL ENGINEERING
TRANSPORTATION PLANNING
TRAFFIC & PARKING STUDIES
ROADS & BRIDGES
DEVELOPMENT ENGINEERING SERVICES
WATER RESOURCES
ENVIRONMENTAL NOISE STUDIES
LAND USE & ENVIRONMENTAL PLANNING
STHUCTURAL ENGINEERING

October 31st 2022

City of Brampton
Engineering Division / Public Works & Engineering Department
1975 Williams Parkway
Brampton, ON
L6Y 4R2

Attn: Mr. Scott McIntyre

Traffic Technologist

Re: Parking Review

Forestside Estates Inc.

**Proposed Residential Development – Block 1** 

Palleschi Drive/Queen Street East

City of Brampton

**City File No. SPA-2022-0096** 

Our File No. W21094

Dear Scott:

This letter summarizes the results of our Parking Review for the proposed Residential Development in Block 1 of the subject subdivision.

### PROPOSED DEVELOPMENT

Block 1 of the proposed Subdivision is located immediately south of Attmar Drive and west of the proposed Palleschi Drive Extension and comprises three (3) mid-rise apartment buildings of 6 storeys, with a total of 298 apartment units, with 353 parking spaces both at grade and in one (1) level of underground parking. The proposed Site Plan for Block 1 is provided in **Figure 1**.

## PARKING REQUIREMENT BASED ON ZONING BY-LAW AND PROPOSED PARKING SUPPLY

Based on the current City of Brampton parking standard, the minimum parking rate requirement is 1.0 parking space per residential unit and 0.20 parking space per unit for visitors. The requirements are summarized in **Table 1**.



October 31st 2022

Attn: Mr. Scott McIntyre

Traffic Technologist

Re:

**Parking Review** 

Forestside Estates Inc.

Proposed Residential Development - Block 1

Palleschi Drive/Queen Street East

City of Brampton

**City File No. SAP-2022-0096** 

Our File No. W21094

TABLE 1
THE PROPOSED PARKING REQUIREMENT AND SUPPLY

Uses	Units		Parking Rate	Parking Spaces Required Based on By-Law	Parking Spaces Provided
	298	Residents	1.0 / unit	298	299
Apartment	298	Visitors	0.2 / unit	59	54
			Total	357	353

The Subject Development requires 357 parking spaces based on the City of Brampton's Zoning By-law. The proposed parking supply is 353 parking spaces in total, as per the Site Plan prepared by Graziani and Corazza Architect<sup>1</sup>.

Based on the above information, the proposed parking supply will be deficient by 4 parking spaces, which is equivalent to approximately 1% deficiency (combined parking rate of 1.18 spaces/unit).

<sup>&</sup>lt;sup>1</sup> Drawing A101 and A102 - Site Plan, Graziani and Corazza Architect, October 20th 2022



October 31<sup>st</sup> 2022

Attn: Mr. Scott McIntyre

Traffic Technologist

Re:

Parking Review

Forestside Estates Inc.

Proposed Residential Development - Block 1

Palleschi Drive/Queen Street East

City of Brampton

**City File No. SAP-2022-0096** 

Our File No. W21094

#### REVIEW OF PARKING REQUIREMENTS

With the recent emerging trends of more transit-oriented communities and more emphasis on active transportation initiatives, the need to reduce the overall parking supply is evident. The objective of the current on-going City of Brampton's "Parking Plan" Study is to evaluate parking usage and trends in similar size Municipalities in North America pursuant to optimizing the parking requirements for the City.

The following are existing and proposed infrastructure elements which will assist in reducing the overall parking requirement:

#### **Existing Transit Facilities**

The subject site is adjacent to Queen Street East, which is a major transit corridor. It is serviced by 1) Zum Queen bus 501, 501A and 501C, which runs in the east-west direction daily, 2) McVean bus 31, which runs along Queen Street and north and south direction on McVean Drive daily and 3) Queen bus 1 and 1A which runs along Ebenezer Road and ultimately on Queen Street towards downtown.

Accordingly, the subject site is well serviced by transit and a reduced parking supply will encourage the use of transit and support higher level transit infrastructure.

#### **Active Transportation**

Active transportation infrastructure including pedestrian networks (wider sidewalks, direct connections etc.), bicycle networks and trails and paths help promote alternative modes of transportation.

There is currently a multi-use trail on Queen Street and existing and proposed sidewalks on Attmar Drive and Palleschi Drive connecting to Queen Street, The Gore Road and Ebenezer Road.



October 31st 2022

Attn: Mr. Scott McIntyre

Traffic Technologist

Re: Park

Parking Review

Forestside Estates Inc. Proposed Residential Development – Block 1

Palleschi Drive/Queen Street East

City of Brampton

**City File No. SAP-2022-0096** 

Our File No. W21094

## **Bicycle Parking**

The subject site will provide long-term and short-term bicycle parking, of which no more than 50% of spaces are vertical spaces with a potential bike repair station in the main bicycle parking area. Typically, 1-5 bicycle parking spaces can substitute for a parking space.

## **Making Housing More Affordable**

The provision of parking spaces, particularly underground parking, is a significant cost which reduces the affordability of housing particularly to entry level purchasers. With ready access to transit there is an opportunity to offer purchasers the choice of not paying for a parking space.

As noted above, the combined parking supply is 1.18/unit which exceeds the parking requirement (1.15/unit) for a similar residential development on the east side of The Gore Road, north of Queen Street East as per By Law 172-021 (copy attached). Based on this By Law, the subject development will have a surplus in overall parking of nine (9) parking spaces.



October 31st 2022

Attn: Mr. Scott McIntyre

Traffic Technologist

Re: Parking Review

Forestside Estates Inc.

Proposed Residential Development - Block 1

Palleschi Drive/Queen Street East

City of Brampton

City File No. SAP-2022-0096

Our File No. W21094

We submit that the proposed parking supply of 353 spaces is acceptable in consideration of the factors and conditions as outlined above. However, if you have any questions or concerns or if we may be of further assistance, please do not hesitate to call us.

Yours truly,

**CANDEVCON LIMITED** 

David Lee, P. Eng.

Manager, Transportation and Noise

BI / ID/Z1

Diarmuid Horgan, P. Eng. Principal

Attachments: Drawing A101 and A102 - Site Plan, Graziani and Corazza Architect, October

20th 2022

By Law 172-2021

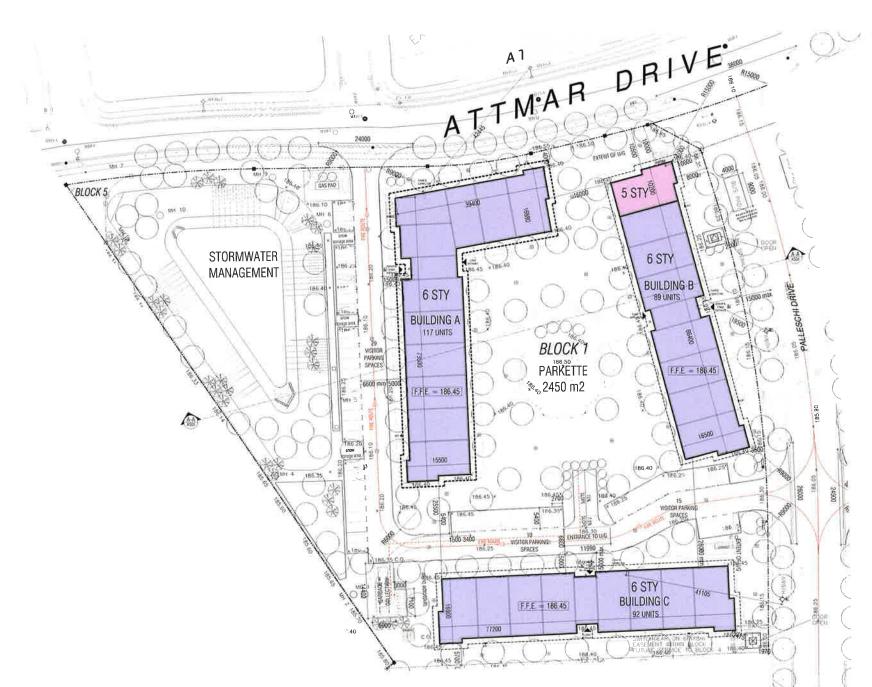
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cc Alex Sepe

Marshall Smith

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PRE-CONSULTATION FILE NO DZS-2021-0021

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#### **FORESTSIDE PHASE 7**

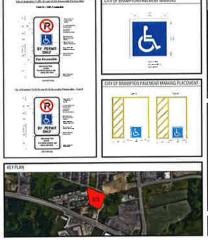
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	SITE PLAN
	BLOCK 1

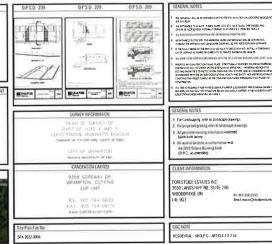


A101

10/2000 FG +9W

		LOCK 1							
	18097.1								
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		1.81			ha				
	Above Grade		23333		m2				
	Above Grade		251155		ft2				
GFA	Balani Canda		341		m2				
	Below Grade		3670		ft2				
	3917								
Building Coverage	42157								
Residential FSI	1,3								
	Retail	N/A	/#2	N/A	ft2				
GFA Breakdown	Office	N/A	m2	N/A	ft2				
	Residential	23674	m2	254826	ft2				
Units	No. of Units		298						
		Residents	1.0 / unit	298	357				
	Required	Visitor:	0.2 / unit	59	35.				
Parking	Provided	GF 54		353					
	Provided	P	1	299	303				
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dscaped Area Percentage			50%						
Loading Spaces			1						





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CITY FILE NO - SPA 2022 0096 PRE CONSULTATION FILE NO 025 2021 0021

MUNICIPAL ADDRESS 100 PALLESCHI DR - BLOG B 110 PALLESCHI DR - BLOG A 120 PALLESCHI DR - BLOG C



WIGHTH ADDRESS.

#### FORESTSIDE PHASE 7

Horita	QUEEN AND GORE	person
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GENERAL NOTES BLOCK 1

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INTLEBLOCK SIZE 610 + 500



#### THE CORPORATION OF THE CITY OF BRAMPTON

## **BY-LAW**

Number 172 -2021

To amend Comprehensive Zoning By-law 270-2004, as amended

The Council of the Corporation of the City of Brampton, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

- 1. By-law 270-2004, as amended, is hereby further amended:
  - (1) By amending thereto the following paragraphs in Subsection 4 of Section 5 Residential High Density Zone of Minister's Zoning Order 171/20:
    - a. By deleting paragraph 8 in its entirety and replacing with the following:
      - "8. The maximum building height is 35 storeys."
    - By deleting paragraph 9 in its entirety and replacing with the following:
      - "9. The maximum lot coverage of the buildings is 60 per cent of the total lot area."
    - c. By deleting paragraph 10 in its entirety and replacing with the following:
      - "10. The minimum area of the lot to be landscaped is 18 per cent."
    - d. By deleting paragraph 13 in its entirety and replacing with the following:
      - "13. The minimum parking requirement for an apartment dwelling is 1.0 parking space per dwelling unit for residents and 0.15 parking spaces per dwelling unit for visitors."
  - (2) By adding thereto the following paragraphs to Subsection 4 of Section 5 Residential High Density Zone:
  - "14. No additional parking shall be required for commercial uses in subsection (3). Residential visitor parking spaces may also be used for permitted commercial uses.
  - 15. Underground buildings or structures shall have a minimum setback of 0 metres from all lot lines."

ENACTED and PASSED this 11th day of August, 2021.

Approved as to form.

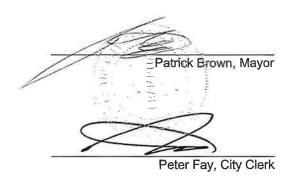
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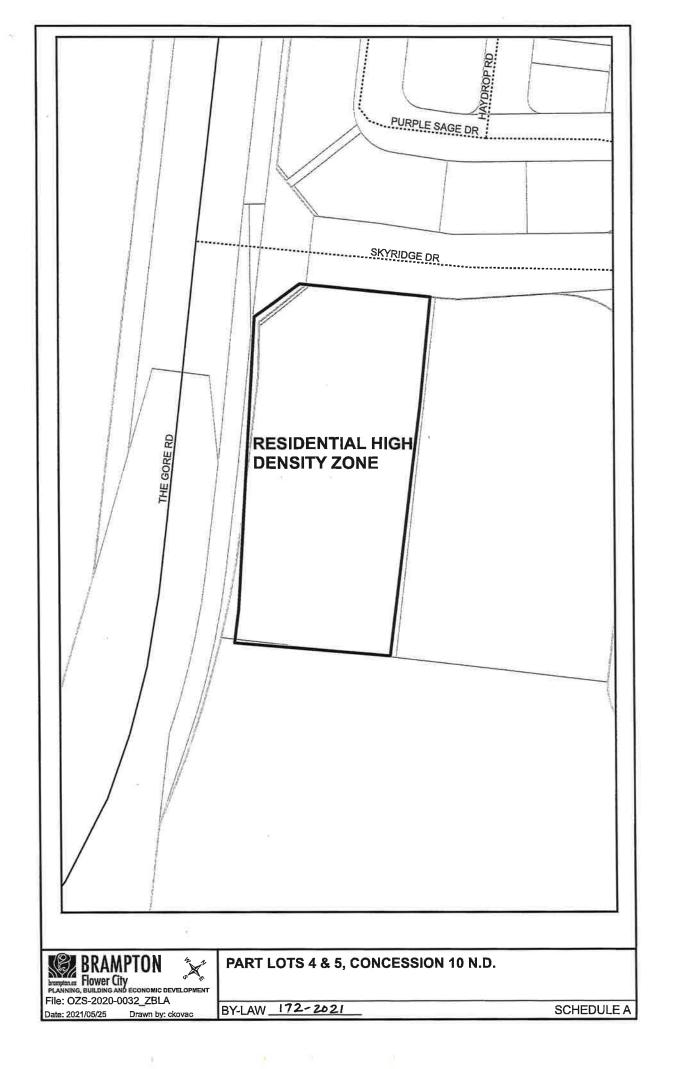
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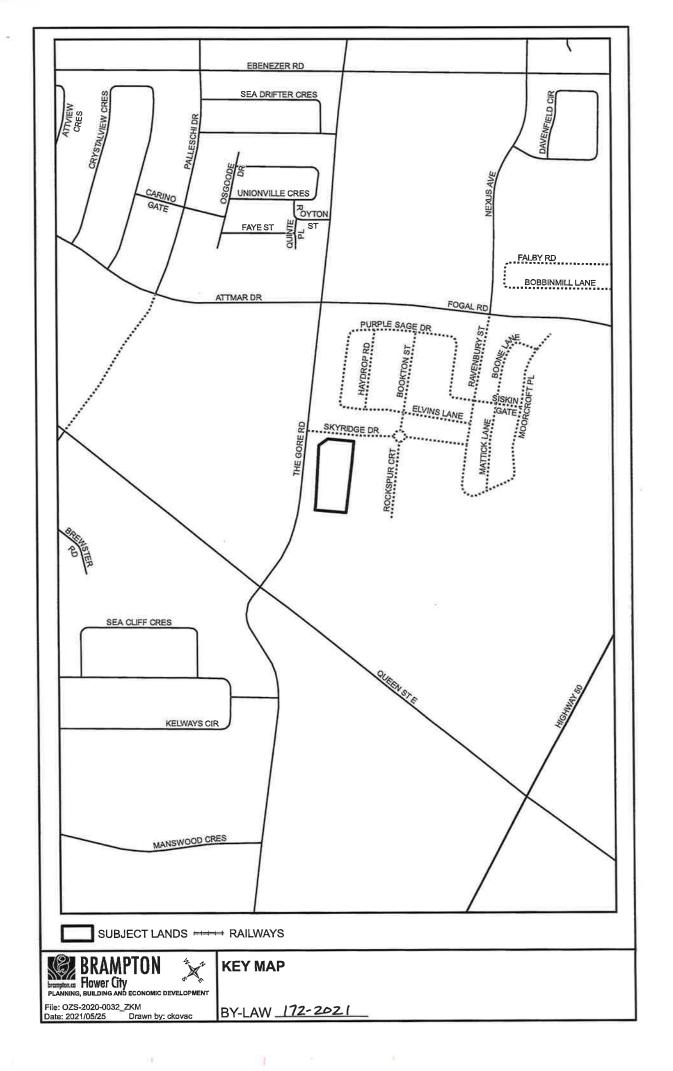
Approved as to content.

2021/07/05 AAP

(OZS-2020-0032)







## **Flower City**



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

FILE NUMBER: A-2022-040 5

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

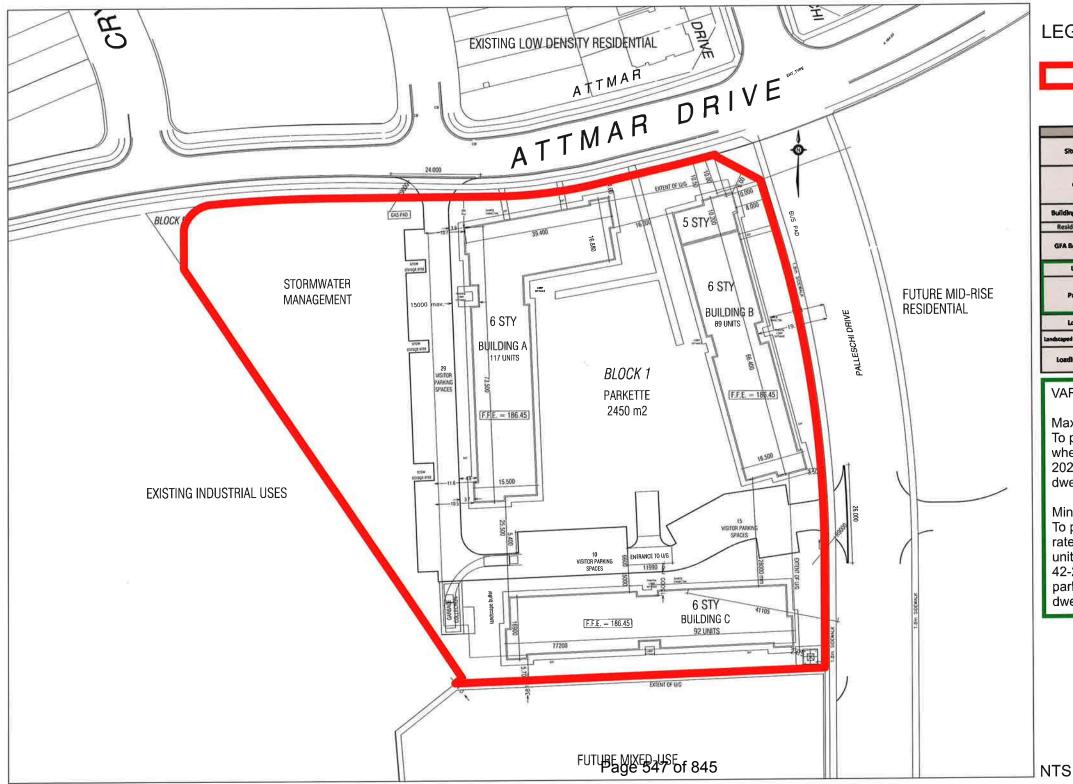
	3550 Langstaff Road . Woodbridge ON	I, L4L 9G3
Phone #	416 213 7181	Fax #
Email	marco@royalpinehomes.com	
Name of	Agent KLM Planning Partners Inc M	larshal Smith
	64 Jardin Drive, Concord, ON L4K 3P3	
Phone #	416 788 7859	Fax #
Email	msmith@klmplanning.com	<u> </u>
272; Minimur	n number of parking spaces: To p	permit a minimum residential parking rate of 0
parking	spaces per dwelling unit, whereas	permit a minimum residential parking rate of 0. s Site Specific Zoning By-law 42-2022 permits
ımınımur	n residential parking rate of 1.0 pa	arking space per dwelling unit.
Varianc	not possible to comply with the provi es are required to facilitate the site d by KLM Planning Partners Inc.,	e plan. Please see attached Zoning Letter,
	scription of the subject land:	
Legal De		
	ber Part of Lots 4 and 5	
Lot Numi Plan Nun	nber/Concession Number Con	ncession 9, Norther Division
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8.

Particulars of all buildings and structures on or proposed for the subject

- 1	EXISTING BUILDING	S/STRUCTURES ON II	ne subject land: List all structures (dwelling, shed, gazebo, etc.)
	Site is vacant.		
	PROPOSED BUILDIN	NGS/STRUCTURES on	the subject land:
			ential apartment dwelling units across three (3)
	apartment building		50m2 parkette and 353 parking spaces located
			ructures on or proposed for the subject lands r and front lot lines in <u>metric units</u> )
	EXISTING		
	Front yard setback	N/A	
	Rear yard setback Side yard setback	N/A N/A	
	Side yard setback	N/A	
	BBOBOSED		
	PROPOSED Front yard setback	4m (Attmar Drive)	
	Rear yard setback	5.7m	
	Side yard setback	3,5m (Exterior)	
	Side yard setback	12m (Interior)	
	Date of Acquisition	of subject land:	2007
	Existing uses of sul	piect property:	Residential Apartment A - Section 3617 (R4A-3617)
	ū		
:-	Proposed uses of s	ubject property:	Residential
š.	Existing uses of abo	utting properties:	Future Mixed use (south), Residential (North), Future Mid-rise residential (East) and Industrial (Wi
١.	Date of construction	n of all buildings & str	ructures on subject land: 2023
5.	Length of time the	existing uses of the su	bject property have been continued: 1 year
(a)	What water supply Municipal ☑ Well ☐	is existing/proposed?	Other (specify)
(b)	What sewage dispo Municipal	osal is/will be provided	1? Other (specify)
(c )	What storm drainag	ge system is existing/p	proposed?
(c )	What storm drainag Sewers	ge system is existing/p	oroposed? Other (specify)

17.	Is the subject property the subsubdivision or consent?	oject of an a	pplication unde	er the Planning Act, for approval of a plan of
	Yes 🗸 No 🗆	]		
	If answer is yes, provide detail	s: File#	21T-21007B/OZS-2021-00	Status Draft Approved
18.	Has a pre-consultation applica	tion been fil	led?	
	Yes 🗸 No 🗆	]		
19.	Has the subject property ever	been the su	bject of an appli	ication for minor variance?
	Yes No	3	Unknown 🗔	<b>7</b>
	If answer is yes, provide detail	s:		
	File # Decision			Relief
	File # Decision			ReliefRelief
	s <del></del>	<u>-</u>		
				Me
			Signa	ture of Applicant(s) or Authorized Agent
DAT	ED AT THE City	OF	Vaughan	
THIS	S 30 DAY OF November		_ , <b>20</b> _22	
IF THIS A	APPLICATION IS SIGNED BY A	N AGENT, S	OLICITOR OR A	ANY PERSON OTHER THAN THE OWNER OF
THE SUB	JECT LANDS, WRITTEN AUTH	ORIZATION (	OF THE OWNER	R MUST ACCOMPANY THE APPLICATION. IF
	RATION AND THE CORPORATION			
	I, Marshall Smith - KLM Planning Partn	ers Inc.	_, OF THE	City OF Central Elgin
IN THI	E County OF Elgin		_SOLEMNLY D	ECLARE THAT:
				SOLEMN DECLARATION CONSCIENTIOUSLY ME FORCE AND EFFECT AS IF MADE UNDER
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V-4.	THIS 30 DAY O	_		
York	- x	r		1 Dice
November			Sigr	nature of Applicant or Authorized Agent
Non	Ruby Lyn Salas del Mando a Commissioner, etc., Province of Ontario,			Submit by Email
- Comment	A Compaint squares p. 2024	$\dashv$		
		FOR OF	FICE USE ONL	Y
	Present Official Plan Designa	tion:		
	Present Zoning By-law Class	ification:		
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ľ	said re	view are outli	ined on the attac	nea checklist.
	Zoning Officer			Date
L	DATE RECEIV	ED 10	rember 13	3 2022
	Date Application Deem	ned		Revised 2022/02/17
	Complete by the Municipa	lity L		



## **LEGEND**



SUBJECT LANDS AREA= 1.81 Ha. (4.473 Acs.)

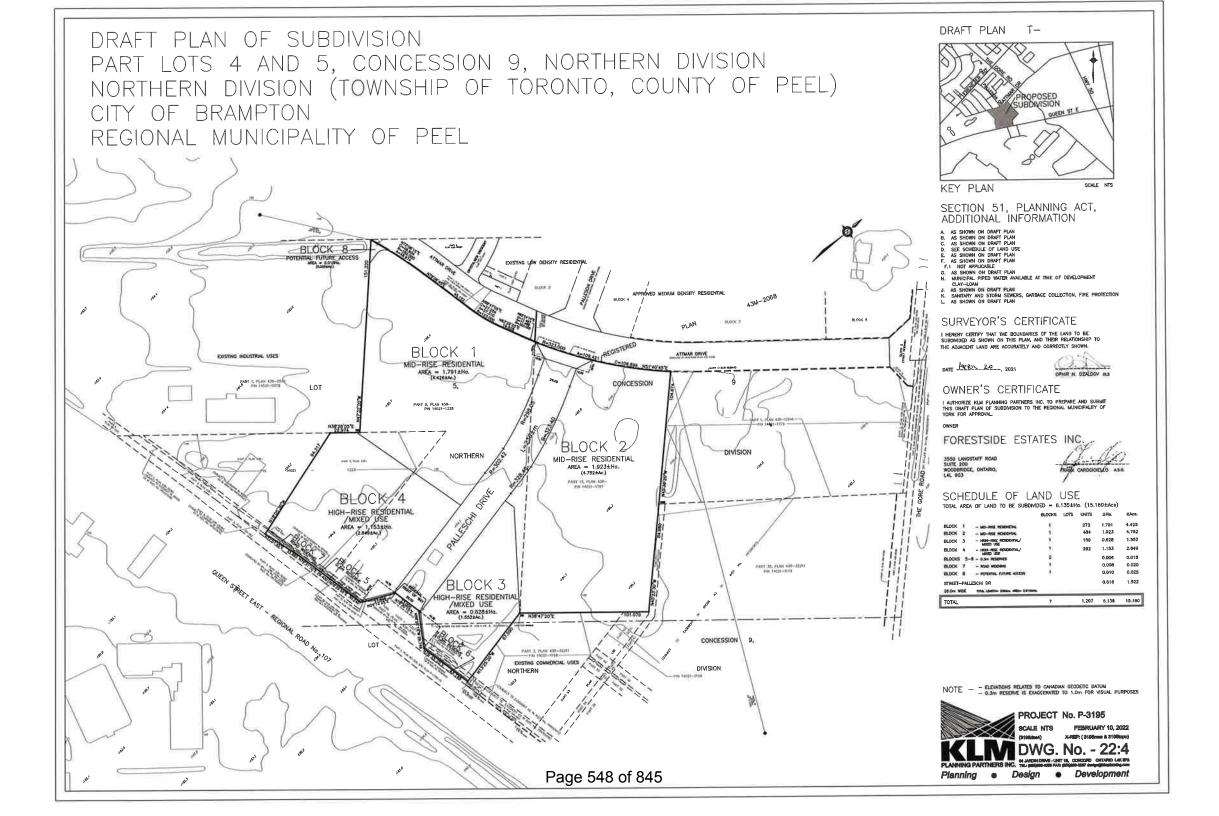
		LOCK 1		-		
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Site Area	194795.A					
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GFA	Below Grade	341 3670			m2	
	Below Grade		ft2			
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Building Coverage	42157					
Residential FSI		1.1				
	Retail	N/A	m2	N/A	ft2	
GFA Breakdown	Office	N/A	m2	N/A	ft2	
	Residential	23674	m2	254826	ft2	
Units	No. of Units		296			
	m	Residents	1.0/unit	298	357	
Budden .	Required	Visitor	0.2/unit	59	33.	
Parking	Provided	GF		54	953	
	Provided		299	299 353		
Lockers	302					
andscaped Area Percentings			50%			
Loading Spaces			1			

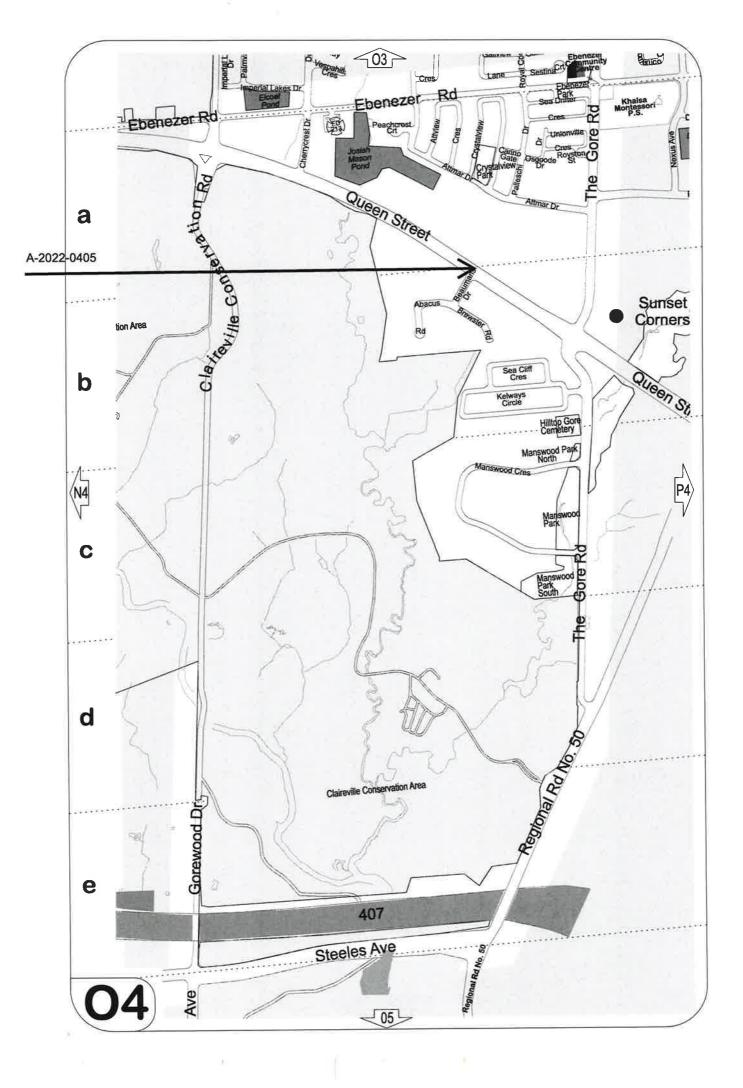
#### VARIANCE AREA

Maximum number of dwelling units To permit a maximum of 298 dwelling units, whereas Site Specific Zoning By-law 42-2022 permits a maximum number of dwelling units to be 272;

Minimum number of parking spaces To permit a minimum residential parking rate of 0.98 parking spaces per dwelling unit, whereas Site Specific Zoning By-law 42-2022 permits a minimum residential parking rate of 1.0 parking space per dwelling unit.









# Report Committee of Adjustment

Filing Date:

December 13, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0405

Owner/

Applicant:

FORESTSIDE ESTATES INC. / KLM PLANNING PARTNERS INC.

Address:

4320 Queen Street East

Ward:

WARD 8

Contact:

Chinoye Sunny, Planner I

#### Recommendations:

That application A-2022-0405 is supportable, subject to the following conditions being imposed:

- 1. That the owner finalize site plan approval under City File SPA-2022-0096, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
- 2. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision; and
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

The applicant is requesting two (2) Minor Variances to increase the quantity of dwelling units within Block One (1) and a reduced parking rate. Particularly, the requested variances are associated with Block One (1) of the current Site Plan Approval application SPA-2022-0096. The proposed development for Block One (1) includes three (3) residential buildings, a parkette, and a Stormwater Management Pond. The site-specific Official Plan and Zoning By-law amendment was approved on March 2, 2022, the last date of appeal being April 5<sup>th</sup>, 2022. The site-specific amendments permitted a mixed-use development of 1207 apartment dwelling units and employment uses. The associated Draft Plan of Subdivision received draft approval on June 23<sup>rd</sup>, 2022.

#### **Existing Zoning:**

The property is zoned 'Residential Apartment A (3) (R4A-3616), Residential Apartment A (3) (R4A-3617), Office Commercial (OC-3619) & Office Commercial (OC-3618)', according to By-law 270-2004, as amended. Particularly, the requested variances are associated with Block One (1) of the current Site Plan Approval application SPA-2022-0096. Block One (1) is zoned Residential Apartment A (3) (R4A-3616).

#### Requested Variances:

The applicants are requesting the following variance(s):

- 1. To permit 298 dwelling units whereas the by-law permits a maximum of 272 dwelling units; and
- 2. To provide a parking rate of 0.98 parking spaces per dwelling unit whereas the by-law requires a minimum of 1.0 parking spaces per dwelling unit.

#### **Current Situation:**

#### Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Residential' and 'Special Land Use Policy Area 15' in the Official Plan and is further designated 'Residential Cluster/High Density', 'Employment Office Node' and 'Special Policy Area 19 and 20' (Office Node) in the Brampton East Secondary Plan (Area 41).

The 'Residential' and 'Special Land Use Policy Area 15' designation allows for a range of medium/high and medium density residential uses. The future development for the subject property will be for mixed use residential purposes, as such the requested variances will be consistent with the policies of the Official Plan.

The 'Residential Cluster/High Density', 'Employment Office Node' and 'Special Policy Area 19 and 20' (Office Node) designation allows for high density residential uses and offices uses including but not limited to: professional administrative offices, a supermarket, food and beverage establishments, convenience retail uses, and business support activities.

The requested variances are to permit an increased amount of dwelling units and a reduced parking rate on the subject property. Despite the increased dwelling units and reduced parking rate, the requested variances are not anticipated to negatively impact the mixed-use residential and office character of the lands. Subject to the conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Residential Apartment A (3) (R4A-3616), Residential Apartment A (3) (R4A-3617), Office Commercial (OC-3619) & Office Commercial (OC-3618)', according to By-law 270-2004, as amended. Particularly, the requested variances are associated with Block One (1) of the

current Site Plan Approval application SPA-2022-0096. Block One (1) is zoned Residential Apartment A (3) (R4A-3616).

Variance 1 is to permit 298 dwelling units whereas the by-law permits a maximum of 272 dwelling units. The intent of the site-specific Zoning By-law which applies to these lands was to accommodate 272 dwelling units. The requested variance seeks an additional twenty-six (26) dwelling units to be incorporated into the proposed development. The application cover letter for SPA-2022-0096 states that due to the addition of twenty-six (26) dwelling units Block One (1), there will be similar reduction in dwelling units to Block Two (2) to ensure there is no impact with respect to servicing of the site. Since the approval of the site-specific Zoning By-law and the review of the current Site Plan Approval application (SPA-2022-0096), it is clear that the proposed building can accommodate additional units efficiently without requiring additional variances for density and height.

Variance 2 is to provide a parking rate of 0.98 parking spaces per dwelling unit whereas the by-law requires a minimum of 1.0 parking spaces per dwelling unit. The intent of the site-specific Zoning By-law which applies to these lands is to ensure that there is one (1) parking space provided per each dwelling unit. Given the proposed decrease in parking rate, the applicant has submitted a Parking Review in support of the reduced parking rate. The reduced parking is supportable as the required visitor parking rate of 0.2 remains and there is only a reduction of residential parking spaces. The location of the subject property is on Queen Street East which is regionally designated a Major Transit Station Area (MTSA) which is meant to achieve transit supportive development. The minor parking reduction will continue to support transit use in the MTSA and continue to foster intensification within the area. As such, subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Zoning By-law.

#### Desirable for the Appropriate Development of the Land

The variances requested are to permit an increased amount of dwelling units and a reduced parking rate. The variances are related to Site Plan Approval application (SPA-2022-0096) submitted for Block One (1). The form and configuration of the proposed development will continue to contribute to the efficient use of the lands and will encourage transit use within the designated MTSA. The proposed development is not anticipated to compromise the existing surrounding area as it maintains the general policies and provisions of the Official Plan and Zoning By-law. The increased dwelling units and reduced parking rate will not physically alter the built form of the existing neighbourhood as the proposed development will maintain the existing character of the neighbourhood while also achieving efficient use and appropriateness of the lands.

A condition of approval is recommended that the owner finalize site plan approval under City File SPA 2022-0096, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. Subject to the recommended conditions of approval, the variances are deemed by staff to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

Page 3 of 4

The variances requested are to permit an increased amount of dwelling units and a reduced parking rate. The variances are not considered to significant impact or alter the proposed development configuration and are considered to facilitate the efficient use of the lands. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

Chinoye Sunny, Planner I



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0406 WARD #1

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MADHUPARNA DEBNATH AND SOTABDO DEBNATH** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 357, Plan 43M-1613, Part 11, Plan 43R-29370 municipally known as **48 DEEPCORAL COURT,** Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

1. To permit a driveway width of 5.2m (17.06 ft.) whereas the by-law permits a maximum driveway width of 4.9m (16.07 ft.).

#### **OTHER PLANNING APPLICATIONS:**

ine iand which is subject of	this application is	the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed **TUESDAY**, **January 24**, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

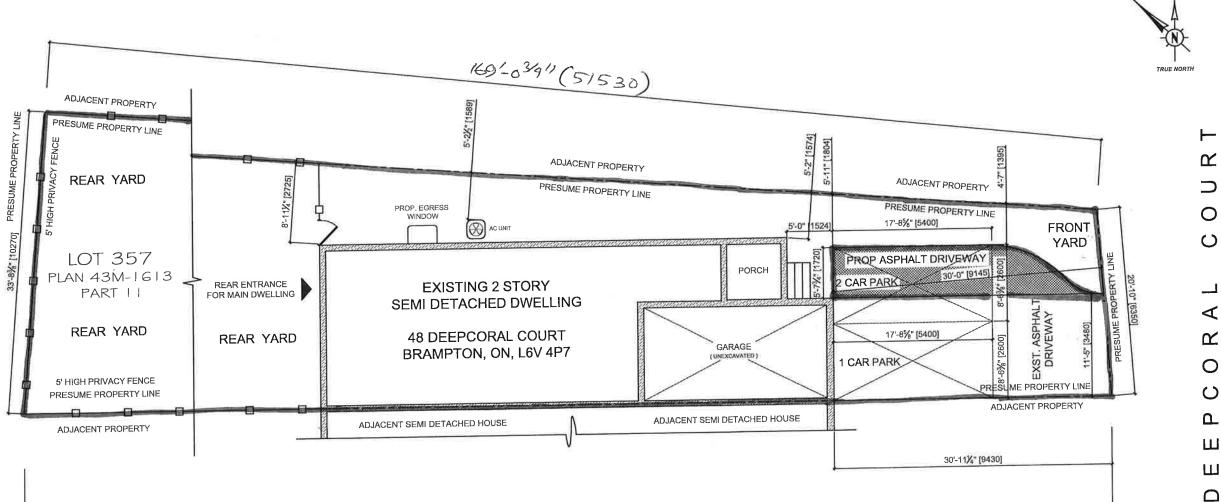
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 12th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca



# $\circ$ $\triangleleft$ K 0 $\circ$

PROJECT NORTH

## SITE PLAN

SCALE: 3/32" = 1"

172'-7%" [52620]

Date: Nov 19, 2022 Scale: 1/8":1' Drawing Title: Project Location : Project Consultant: Checked by: Drawing Revisions: Drawing No.: NORTH ARROW CONSULTANCY INC SITE PLAN 48 DEEPCORAL COURT 90 OLIVIA MARIE ROAD, BRAMPTON ON, L6Y ON1, Cell: (647) 51 Page 555 of 845 PTON, ON, L6V 4P7 info@nacons.ca



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

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#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
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- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **Flower City**



FILE NUMBER: 4-2022-0466

The Personal Information collected on this form is collected pursuant to section 45 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** Minor Variance or Special Permission

(Please read Instructions)

It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be NOTE: accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of

	the <u>Planning Act</u> , 1990, for relief as described in this application from By-Law <b>270-2004.</b>
1.	Name of Owner(s) MADHUPARNA DEBNATH & SOTABDO DEBNATH Address 10 Crocus ST, BRAMPTON, ON, L6X 0X3
	Phone # 905 457 2168 Fax # Email madhuparna - de yahoo com
2.	Name of Agent JAHANGIR ALAM OF NORTH ARROW CONSULTANCE Address 90 OLIVIA MARIE ROAD, BRAMPTON, ON, LGY ON) INC.
	Phone # 697 519 6547 Fax # Email info@ nacons. Ca
3.	Nature and extent of relief applied for (variances requested):  PROPOSED DRIVE WAY WIDTH INCREASED TO  ACCOMUDATE TWO CAR, PROPOSED WIDTH OF DRIVE WAY IS 5.20 M, FRUDWED 4.9M,  VARIANCE FOR 0.3 M WIDTH OF EXTENSION OF  ALLOWED DRIVE WAY
4.	Why is it not possible to comply with the provisions of the by-law? DRIVEWAY WIDTH  AS ALLOWED TO 4.9M, BUT LOOKING FOR  5.2M WIDTH, VARIANCE FOR 0.3M WIDE  EXTRA TO ALLOWED DRIVE WAY WIDTH
5.	Legal Description of the subject land:  Lot Number 357 R  Plan Number/Concession Number 43 M - 1613, PART II  Municipal Address 48 DEEP CORAL COURT, BRAMPTON, ON, L6V 4P7
6.	Dimension of subject land (in metric units)  Frontage 6.35 M  Depth 52.62 M  Area 431.20 Sm.
7.	Access to the subject land is by:  Provincial Highway  Municipal Road Maintained All Year  Private Right-of-Way  Seasonal Road  Other Public Road  Water

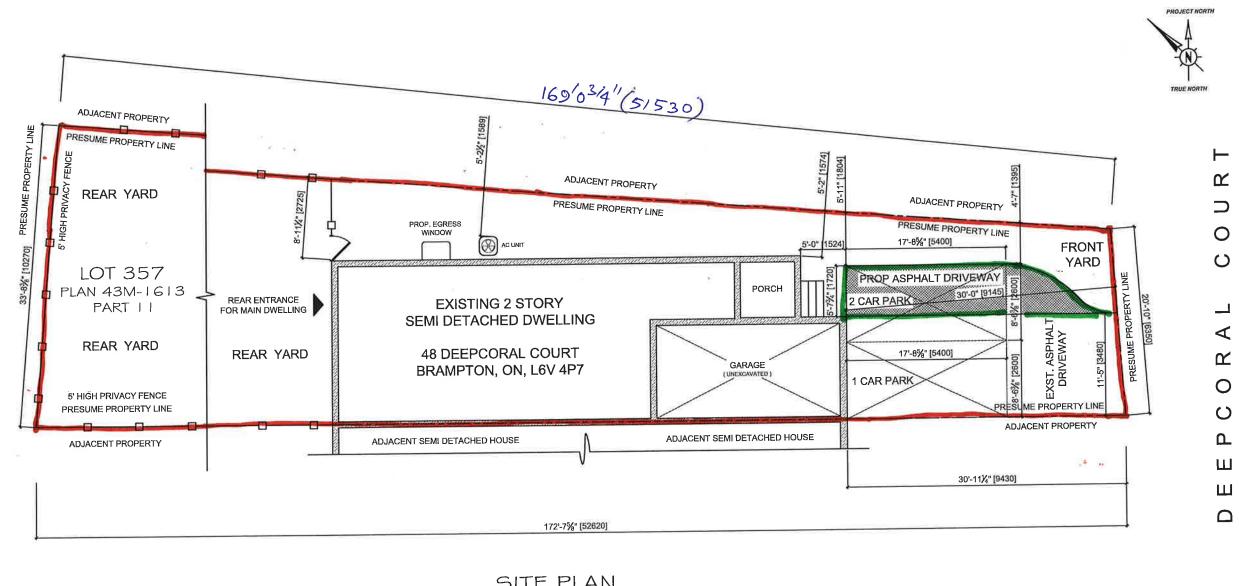
Particulars of all buildings and structures on or proposed for the subject

	EXISTING BUILDINGS/STRUCTURES	on the subject land: List all structures (dwelling, shed, gazebo, etc.)
	SEMI DETACHED	2 STOREY DWELLING, GF 164.0359m
=	N/A	
-		
11	PROPOSED BUILDINGS/STRUCTURE	ES on the subject land:
W	NIA NIA	THE STATE OF THE S
72	7. 41	
-		
5		
9	Location of all buildings and	d structures on or proposed for the subject lands:
0,1		
	(specify distance from side,	rear and front lot lines in metric units)
	EXISTING 9.	430 M
	Tront yard Sciback	-
	Rear yard setback25'	
	Side yard setback	2.725 M
	Side yard setback	1.574 W
	DROBOSED	
	PROPOSED	.430 m
	Front yard setback	
	Rear yard setback	72 C na
	Side yard setback 2 Side yard setback 1	· 725 M
	Side yard Setback	1 574 m
10.	Date of Acquisition of subject land:	30.09,2004
		DIGITIAL
11.	Existing uses of subject property:	SINGLE FAMILY DWELLING
40	Despessed upon of aubicot proporty	2ND DWELLING
12.	Proposed uses of subject property:	2 DWELLING
13.	Existing uses of abutting properties	: SEMIDETACHED HOUSE
10.	Existing uses of abatting proportion	
14.	Date of construction of all buildings	& structures on subject land: 2003 - 2004
		SINGE 20,00, 20
15.	Length of time the existing uses of t	the subject property have been continued: SINCE 30:09: 200
		the subject property have been continued: SINCE 30.09. 200
16. (a)	What water supply is existing/propo	
	Municipal 🔛	Other (specify)
	Well	
4.5	Net at a survey of the week in health he was	nidod2
(p)	What sewage disposal is/will be pro	
	Municipal 🔀	Other (specify)
	Septic	
(5.1	What storm drainage system is exis	ting/proposed?
(c)	Sewers	ning, proposed .
	prince of the second	O(1) (
	Ditches	Other (Specify)
	Ditches Swales	Other (specify)

17.	Is the subject property the subject of an a subdivision or consent?	pplication under the Planning Act, for approval of a plan of
	Yes No 🖂	9
	If answer is yes, provide details: File #	Status
18.	Has a pre-consultation application been fil	ed?
	Yes No 🔀	
19.	Has the subject property ever been the sub	pject of an application for minor variance?
	Yes No 🖂	Unknown
	If answer is yes, provide details:	
	File # Decision	ReliefRelief
	File # Decision	Relief
		Man
		Signature of Applicant(s) or Authorized Agent
DAT	EDATTHE <u>City</u> OF S <u>13th</u> DAY OF <u>Dec</u>	Bramplon
THIS	5 13th DAY OF Dec	, 20 <u>22</u> -
HE SUB	JECT LANDS, WRITTEN AUTHORIZATION (	DLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF LICATION SHALL BE SIGNED BY AN OFFICER OF THE HALL BE AFFIXED.
	- A	2
	REGION OF PEEL	OF THE CITY OF BRAMPTON
	\	SOLEMNLY DECLARE THAT:  I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY
		IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER
DECLAR	ED BEFORE ME AT THE	
C:1.	OF Grampton	
N THE	Region OF	
Prece	THIS	)//min
hp.	ec., 20 2 2	Signature of Applicant or Authorized Agent Jeanie Cecilia Myers
`	1 1000 171 44	a Commissioner, etc., Province of Ontario
//	A Commissioner etc.	for the Corporation of the City of Brampton Expires April 8, 2024.
	FOR OF	FICE USE ONLY
	Present Official Plan Designation:	
	Present Zoning By-law Classification:	R2B-1189
	This application has been reviewed with re-	spect to the variances required and the results of the ned on the attached checklist.
	111	Dec 44, 2022
	Zoning Officer	
	ι Λ	
	DATE RECEIVED	ecember) 13.2022

Page 559 of 845

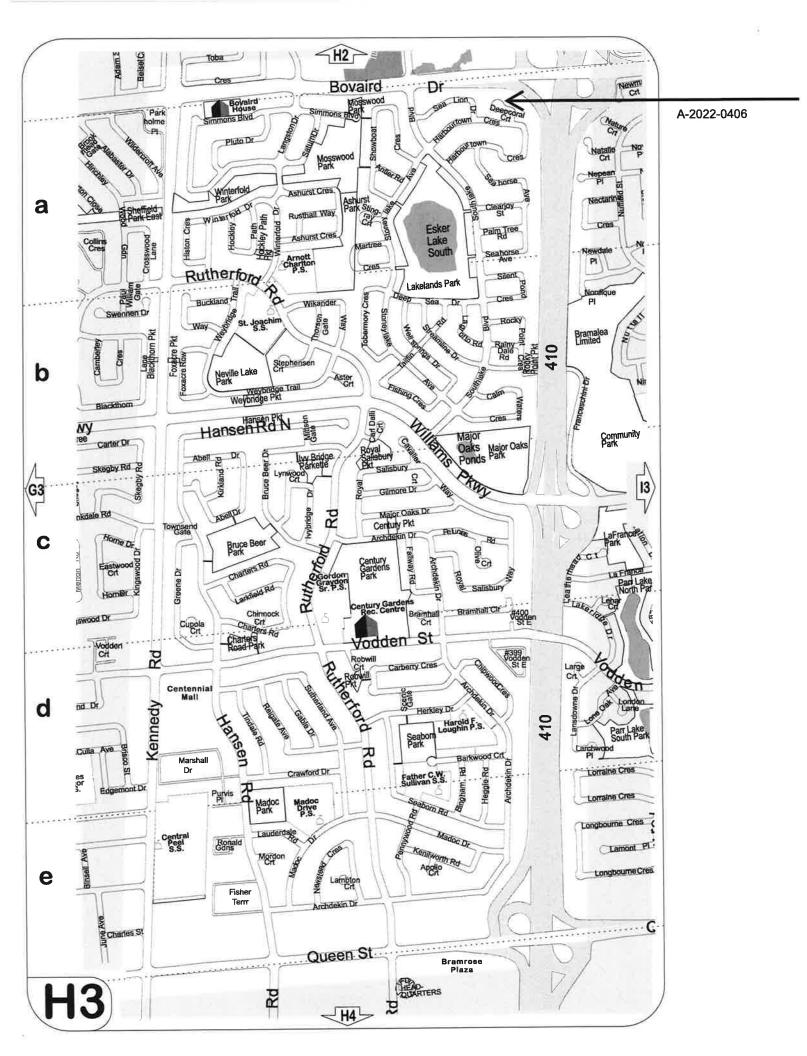
Revised 2020/01/07



## SITE PLAN

SCALE: 3/32" = 1'

Scale: 1/8":1' Date: Nov 19, 2022 Drawing Title: Project Location: Checked by: Project Consultant : Drawing Revisions: NORTH ARROW CONSULTANCY INC Drawing No.: SITE PLAN 48 DEEPCORAL COURT 90 OLIVIA MARIE ROAD, BRAMPTON ON, L6Y ON1, Cell: (647) 51 Page 5 60 ob845 PTON, ON, L6V 4P7





# Report Committee of Adjustment

Filing Date:

December 15, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0406

Owner/

Applicant:

**MADHUPARNA DEBNATH AND SOTABDO** 

Address:

48 Deepcoral Court

Ward:

WARD 1

Contact:

Samantha Dela Pena, Assistant Development Planner

#### Recommendations:

That application A-2022-0406 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

#### Existing Zoning:

The property is zoned 'Residential Extended Zone (R2B-1189)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variance:

1. To permit a proposed driveway width of 5.20m (17.06 ft.) whereas the by-law permits a maximum driveway width of 4.9m (16.07 ft.)

#### **Current Situation:**

#### 1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and is further designated 'Medium Density Residential' in the Brampton Flowertown Secondary Plan (Area 6). The nature and extent of the proposed variance, subject to the recommended conditions of approval, maintains the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

The variance requests to permit a proposed driveway width of 5.20m (17.06 ft.) whereas the by-law permits a maximum driveway width of 4.9m (16.07 ft.). The intent of the by-law in regulating the maximum permitted driveway width is to ensure that the driveway does not dominate the front yard landscaped area and that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling.

The existing driveway width is 3.48m (11.41 ft). Both the existing and proposed driveway will consist of asphalt that are not considered to significantly impact drainage or contribute to a substantial loss of landscaped open space on the property. While the proposed driveway would not maintain the full front yard landscaping requirements, the proposed condition of the driveway continues to maintain the overall intent of the Zoning By-law, as the proposed widening does not dominate the front yard landscaped area and/or allow an excessive number of vehicles to be parked in the driveway. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

#### Desirable for the Appropriate Development of the Land

The variance requests to allow a proposed driveway width which exceeds the requirements of the Zoning By-law. While the proposed driveway does not maintain the full landscaping requirements of the Zoning By-law, the materials and design maintain a certain aesthetic quality which does not detract from the streetscape. Furthermore, approximately 1.15m of landscaping continues to be maintained on the right side of the driveway after the proposed widening.

Subject to the recommended conditions of approval, the variances are considered desirable for the appropriate development of the land.

#### 4. Minor in Nature

The requested variance to accommodate the proposed widened driveway maintains intent of the Zoning By-law and would be constructed with asphalt. The visual impact of the driveway is minimal and not considered to impact drainage. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Samantha Dela Pena, Assistant Development Planner



## **Public Notice**

### **Committee of Adjustment**

APPLICATION # A-2022-0407 WARD #9

#### APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **ROHIT PRASAD AND NEHA PRASAD** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 13, Plan 43M-1299 municipally known as **125 SUNNY MEADOW BOULEVARD**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

1. To permit a proposed below grade entrance in the interior side yard having a setback of 0.06m (0.20 ft.) whereas the by law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard provided there is a continuous 1.2m (3.94 ft.) side yard on the opposite side of the dwelling.

#### OTHER PLANNING APPLICATIONS:

Plan of Subdivision:	NO	File Number:	
Application for Consent:	NO	File Number:	

broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

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This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

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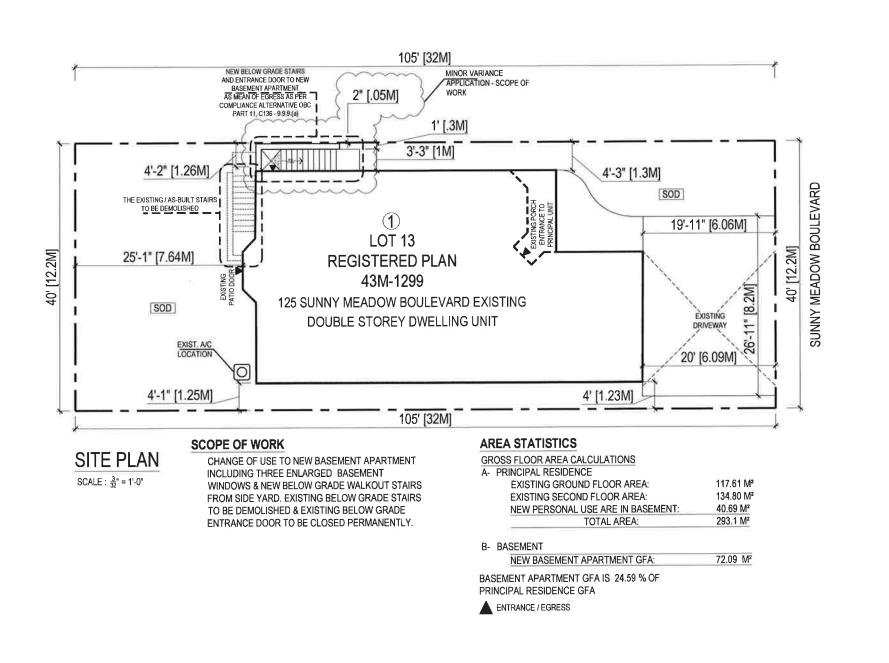
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DATED at Brampton Ontario, this this 12th Day of January, 2023.

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Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca



DATE DESCRIPTION

PROJECT NORTH

preDanigodkalid inc.



#### weDesignBuild Inc.

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuild.ca www.weDesignBuild.ca

PROJECT TITLE

## BASEMENT APARTMENT AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

DRAWING TITLE

SITE PLAN

PROJECT NO. 20220912

DRAWN M.N.

CHECKED H.M.

DRAWING NO.

A102

DATE MODIFIED

JAN. 10, 2023



Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

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## **Flower City**



FILE NUMBER: A - 2022-6407

The Personal Information collected on this form is collected pursuant to section 45 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** Minor Variance or Special Permission

(Please read Instructions)

It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be NOTE: accompanied by the applicable fee.

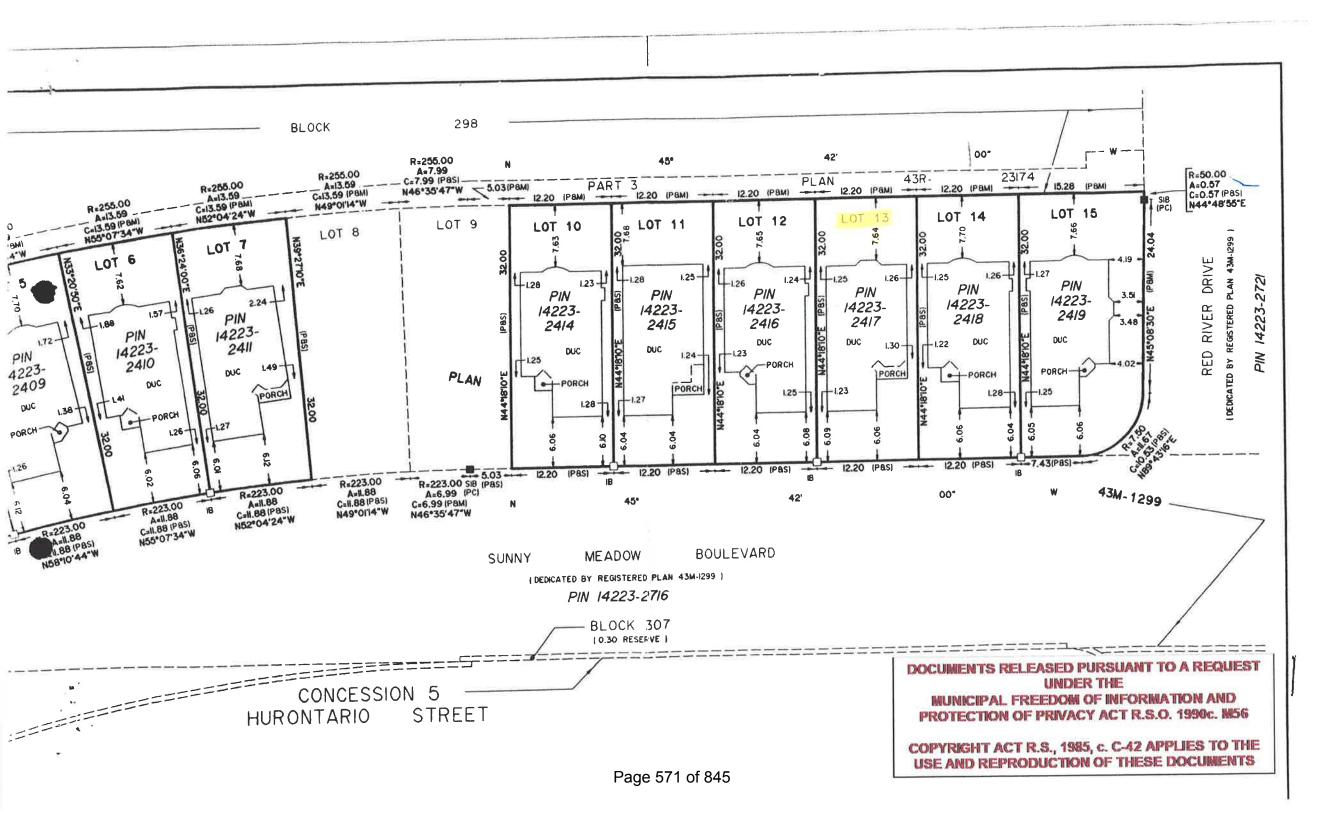
The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

Addres	s 125 Sunny Meadow Blvd, Brampton, ON L6R	2H8				
	***************************************	F#				
Phone :		Fax #				
Email	rohit08bm8009@gmail.com					
Name o	of Agent weDesignBuild Inc. C/O Haroon s 14 Torrance Woods Brampton ON L6Y 2N3	Malik				
Addres	14 Torrance vydods Brampton ON Cor 2N3					
Phone	# 647-770-3230	Fax #				
Email	haroon@wedesignbuild.ca					
	and extent of relief applied for (varian	ces requested):				
To permit		e outside edge of the below grage concrete wall to property line whereas				
minimum	allowed set back is 0.3m as per below mentioned of	dause 10.23.2.				
10.23.	2 Notwithstanding 10.23.1, for a si	ingle detached dwelling, with or without a second ur				
exterio	or stairways constructed below the	established grade shall be permitted in a				
require	d interior side vard, provided that a continuous side yard width of not less than 1.2					
	is provided on the opposite side of the dwelling and a minimum setback of 0.3					
metres	s is provided on the opposite side	of the dwelling and a minimum setback of 0.3				
metre:	s to the below grade stairway is many is to the below grade stairway is many it not possible to comply with the pro-	visions of the by-law?				
Why is	it not possible to comply with the pro-	aintained.				
Why is The prop This prop  Legal I Lot Nu Plan N	it not possible to comply with the pro- erty owner wants to get use of side yard for below go erty has a continous 1.2m wide side yard as clear pro- Description of the subject land: mber 13	visions of the by-law? grade stairs to keep the complete backyard in his own use. path of travel from frontyar to backyard on the opposite side of dwelling.				
Why is The prop This prop Legal I Lot Nu Plan N Munici	it not possible to comply with the proverty owner wants to get use of side yard for below greety has a continous 1.2m wide side yard as clear proverty has a continous 1.2m wide side yard as clear proverty has a continous 1.2m wide side yard as clear proverty has a continous 1.2m wide side yard as clear proverty has a continous 1.2m wide side yard as clear proverty has a continous 1.2m wide side yard as clear proverty has a continous 1.2m wide side yard as clear proverty has a continous 1.2m wide side yard for below greety has a continous 1.2m wide side yard for below greety has a continous 1.2m wide side yard for below greety has a continous 1.2m wide side yard for below greety has a continous 1.2m wide side yard for below greety has a continous 1.2m wide side yard for below greety has a continous 1.2m wide side yard for below greety has a continous 1.2m wide side yard as clear proventy has a contin	visions of the by-law? grade stairs to keep the complete backyard in his own use. path of travel from frontyar to backyard on the opposite side of dwelling.				
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Particulars of all buildings and structures on or proposed for the subject

land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible) EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.) Ground Floor Area: 134.80 meter square Gross Floor Area(main floor): 134.80 meter square
Number of Storeys: 2
Width: 12.20m Length: 32.0m Height: 9m (approximately) PROPOSED BUILDINGS/STRUCTURES on the subject land: 9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units) **EXISTING** Front yard setback 6:06m Rear yard setback 7.64m Side yard setback 1.26m Side yard setback 1.23m **PROPOSED** Front yard setback 6.06m Rear yard setback 7.64m Side yard setback 1.23m 1.26m, however 0.06m (2") setback prposed from outside wall of below grade concrete wall to property line. Side yard setback 10. Date of Acquisition of subject land: Year 2000 11. Existing uses of subject property: Single unit dwelling 12. Proposed uses of subject property: Two unit dwelling 13. Existing uses of abutting properties: Residential detached Date of construction of all buildings & structures on subject land: 2000 14. 22 years 15. Length of time the existing uses of the subject property have been continued: What water supply is existing/proposed? 16. (a) Municipal Other (specify) Well What sewage disposal is/will be provided? Other (specify) Municipal Septic (c) What storm drainage system is existing/proposed? Sewers Other (specify) **Ditches Swales** 

17	subdivision or	conser	nt?							
	Yes	1	No 🗸							
	If answer is ye	s, provi	ide details:	File	#		<b>-</b> 5	Status	·	
18.	Has a pre-cons	sultatio	n applicati	on been	filed?					
	Yes	١	No 🔽							
19.	Has the subject	ct prope	erty ever be	en the s	ubject	of an appli	cation for min	or variar	ice?	
	Yes	100	No 🗸		Unk	known [	]			
	If answer is ye	es, provi	ide details							
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## LIST OF DRAWINGS

Sr.No.	DESCRIPTION	DWG#
1	GENERAL NOTES	A101
2	SITE LAYOUT PLAN	A102
3	EXISTING / AS BUILT BASEMENT PLAN	A103
4	NEW BASEMENT APARTMENT PLAN	A104
5	EXISTING GROUND FLOOR PLAN	A105
6	EXISTING SECOND FLOOR PLAN	A106
7	NEW / EXISTING LEFT SIDE ELEVATION	A107
8	NEW / EXISTING RIGHT SIDE ELEVATION	A108
9	WALK OUT STAIR DETAILS - PLAN	A109
10	WALK OUT STAIR DETAILS - SECTION & NOTES	A110
11	WALK OUT STAIR DETAILS - SECTIONS	A111

#### GENERAL NOTES:

١	REV	DATE	DESCRIPTION			
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1						





### weDesignBuild Inc.

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuild ca www.weDesignBuild.ca

#### PROJECT TITLE

#### **BASEMENT APARTMENT** AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

DRAWING TITLE

#### LIST OF DRAWINGS

PROJECT NO. 20220912

DRAWN M.N.

CHECKED H.M.

DRAWING NO.

- ALL WORK ACCORDING TO ONTARIO BUILDING CODE 2012 AND TOWN OF BRAMPTON BY-LAWS AND STANDARDS
- ALL DIMENSIONS AND LOCATIONS TO BE VERIFIED ON SITE PRIOR TO CONSTRUCTION.
- ALL WOOD USED IN THE CONSTRUCTION SHALL BE SPF NO.1 OR NO.2
- . MINIMUM BEARING OF STEEL LINTELS 150 MM.
- MINIMUM BEARING OF WOOD BEAM / LINTELS 90 MM
- MINIMUM BEARING OF WOOD JOISTS 40MM
- VERIFY EXISTING SUPPORT SYSTEM, INCLUDING FOUNDATIONS, FOR LOADS IMPOSED BY THE PROPOSED CONSTRUCTION

- PROVIDE ALL BRACING, SHORING AND NEEDLING NECESSARY FOR THE SAFE EXECUTION OF THIS WORK
- INFORM CITY OF ALL INSPECTION AHEAD OF TIME AND AT EACH STAGE OF CONSTRUCTION
- MINIMUM 6'-5" CLEAR CEILING HEIGHT MUST BE MAINTAINED THROUGHOUT THE NEW FINISH BASEMENT

#### **SPECIFICATIONS**

- FOUNDATION WALL WITH EXISTING INSULATION EXISTING FOUNDATION WALL, MOISTURE BARRIER, 2X4 STUDS @ 16" O.C., R12 INSULATION, 6 MIL POLYETHYLENE V.B., 3" GYPSUM DRYWALL JOINTS TAPED AND SEALED AND PAINTED
- FOUNDATION WALL WITH NEW INSULATION NEW FOUNDATION WALL, MOISTURE BARRIER, 2X4 STUDS @ 16" O.C., R20ci INSULATION, 6 MIL POLYETHYLENE V.B., ½ GYPSUM DRYWALL JOINTS TAPED AND SEALED AND PAINTED
- INTERIOR WALLS NEW or EXISTING WOOD FRAMED WALL CONSISTING OF 2x4 WOOD STUDS @ 16" O.C. WITH 1/2" DRY WALL ON BOTH SIDES, JOINTS TAPED AND SEALED. WATER RESISTANT GWB ON BATHROOMS' WALLS.
- INTERIOR FIRE RATED WALLS PROVIDE W4d from SB-3 AS FIRE SEPARATION WALL SEPARATING FINISHED BASEMENT FROM THE PRINCIPAL RESIDENCE AND BETWEEN FURNACE ROOM AND FINISHED BASEMENT SB-3, W4d. FIRE RESISTANCE: 60 MIN, STC: 53
- "REGULAR DRY WALL CEILING ATTACHED TO BOTTOM OF JOISTS OF FLOOR ASSEMBLY ABOVE, JOINTS TAPED AND SEALED AND PAINTED.
- 5/8" TYPE X DRYWALL CEILING ATTACHED TO RESILIENT CHANNELS @406 MM O.C. WITH OR WITHOUT ABSORPTIVE MATERIAL IN CAVITY, TO BOTTOM OF JOISTS OF FLOOR ASSEMBLY ABOVE . FIRE RESISTANCE: 30 MIN WITHOUT INSULATION AS PER WALL ASSEMBLY OBC S8-3; F10c
- NEW CEILING (FOR COLD ROOM TO BE FINISHED) DRYWALL CEILING ATTACHED TO BOTTOM OF FLOOR JOISTS OF GROUND FLOOR ASSEMBLY. JOINTS TAPED AND SEALED AND PAINTED. 2" REGULAR GYPSUM BOARD WITH ABSORPTIVE MATERIAL IN CAVITY AND R31 INSULATION

- EXISTING CEILING
  - EXISTING DRY WALL CEILING ATTACHED TO BOTTOM OF FLOOR JOISTS OF THE GROUND FLOOR ASSEMBLY SHALL SATISFY THE HORIZONTAL FIRE SEPARATION REQUIREMENT AS PER COMPLIANCE ALTERNATIVE C-152b OF PART 11 OF OBC 2012
- 20 MIN. RATED DOOR WITH SELF CLOSING DEVICE FOR FURNACE ROOM AND BETWEEN FINISHED BASEMENT AND BASEMENT AREA WHICH IS PART OF PRINCIPAL RESIDENCE
- EXISTING DUCT WORK LOCATED IN THE CEILING SHALL BE RELOCATED SO 5 THAT THE DIRECTION OF THE HEAT FLOW IS TOWARDS THE FLOOR
- MECHANICAL VENTILATION 6 50 CFM EXHAUST FAN VENTED TO EXTERIOR COMPLETE WITH RATED CAP. 5 L/S EXHAUST FANS IN KITCHEN AND WASHROOM AND 37.5 L.S FOR PRINCIPAL EXHAUST
- INTERCONNECTED AND WIRED SMOKE + STROBE (VISUAL SIGNALING DEVICE) ALARMS ONE AT EACH BEDROOM AND ONE IN COMMON FLOOR AREA INCLUDING BASEMENT - AS PER OBC 9.10.19
- INTERCONNECTED AND WIRED CARBON MONOXIDE DETECTOR AS PER OBC 2012 B 9.33.4.3, & CAN/CSA-6.19
- FOR ALL ELECTRICAL WORK AND PERMIT CONTACT ELECTRICAL SAFETY
- SELF CONTAINED EMERGENCY LIGHTING UNIT CONFORMING TO CSA C22.2 10 NO.141, \*EMERGENCY LIGHTING EQUIPMENT\* - AS PER OBC 9.9.12
- [11] EXHAUST SYSTEM SHALL DISCHARGE DIRECTLY TO THE OUTDOORS AS PER OBC 6.2.3.8.
- CLOTHES DRYER SHALL COMPLY WITH OBC 6.2.4.11, REQUIREMENTS.

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## **SCHEDULES**

ROOM FINISH SCHEDULE

ROOM ROOM	FLOOR		BASE		WALLS	CEILING		_	REMARKS	
NO. NAME	MATERIAL	FINISH	MATERIAL	FINISH	MATERIAL	FINISH	MATERIAL	FINISH	HEIGHT	
BASEMENT FLOOR										
1) LIVING/DINING	doow	STAIN	VINYL		DRYWALL	PAINT	DRYWALL	PAINT	7'-6"	
2) BEDROOMS (2 No.)	WOOD	STAIN	VINYL		DRYWALL	PAINT	DRYWALL	PAINT	7'-6"	
3) W.I.C./CLOSET/STORAGE	WOOD	STAIN	VINYL		DRYWALL	PAINT	DRYWALL	PAINT	7'-6"	
4) BATH	CERAMIC		VINYL		DRYWALL	PAINT	DRYWALL	PAINT	7'-6"	
5 UTILITY / FURNACE	CONC.		VINYL		DRYWALL	PAINT	DRYWALL	PAINT	7'-6"	
8 KITCHEN	CERAMIC		VINYL		DRYWALL	PAINT	DRYWALL	PAINT	7'-6"	
7) LAUNDRY	CERAMIC		VINYL		DRYWALL	PAINT	DRYWALL	PAINT	7'-6"	

## DOOR SCHEDULE

1- ALL INTERIOR DOORS ARE SLAB DOOR 1-3/8 TH. HOLLOW CORE. THE SIZES ARE MENTIONED ON THE FLOOR PLAN. THE HEIGHT OF ALL DOORS IS 80" UNLESS OTHERWISE MENTIONED ON PLANS. 2- EGRESS DOOR - NEW BELOW GRADE EXTERIOR TYPE STEEL DOOR PROVIDES ACCESS TO THE OUTSIDE

3-ALL FIRE RATED DOORS SHALL HAVE SELF CLOSING DEVICES Page 573 of 845

## WINDOW SCHEDULE

ONE WINDOW PER FLOOR TO HAVE AN UNOBSTRUCTED OPEN PORTION W/A MIN. AREA OF 0.35m2 W/ NO DIMENSION LESS THAN 380mm & MAXIMUM SILL HEIGHT OF1 M ABOVE FLOOR WINDOW SIZES HAVE BEEN PROVIDED ON THE FLOOR PLANS SEE NOTE-1 ON BASEMENT FLOOR PLAN

ALL WINDOW SIZES AR MENTIONED ON THE FLOOR PLAN

#### GENERAL NOTES:

COPYRIGHT REMAINS THE PROPERTY WEDESIGNBUILD INC. THESE PLANS, DESIGN

THE BUILDER SHALL VERIFY THAT SITE CONSTITUNG ARE CONSISTENT WITH THE BROWNATION PROVIDED IN MICHES PROVINGED BEFORE STATE OF PRICE AND A SEA OF THE SHAPE CONTINUE OF THE SHAPE

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PROJECT NORTH



QUALIFICATION INFO

BEGISTRATION INFORMATION



weDesignBuild Inc. MAKE IDEAS HAPPEN

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuilo ca www.weDesignBuild ca

PROJECT TITLE **BASEMENT APARTMENT** AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW **BOULEVARD BRAMPTON** 

DRAWING TITLE

**GENERAL NOTES** 

PROJECT NO. 20220912 DRAWN

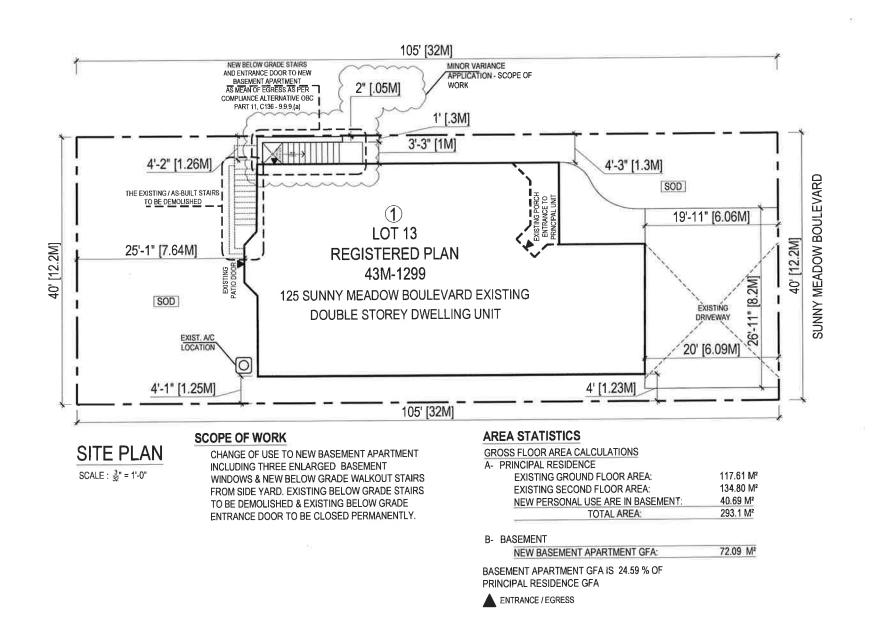
M.N.

CHECKED H.M.

DRAWING NO

DATE MODIFIED

DEC 14, 2022



DESCRIPTION





#### weDesignBuild Inc. MAKE IDEAS HAPPEN

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuild ca

BASEMENT APARTMENT AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW **BOULEVARD BRAMPTON** 

DRAWING TITLE

SITE PLAN

PROJECT NO. 20220912

DRAWN M.N.

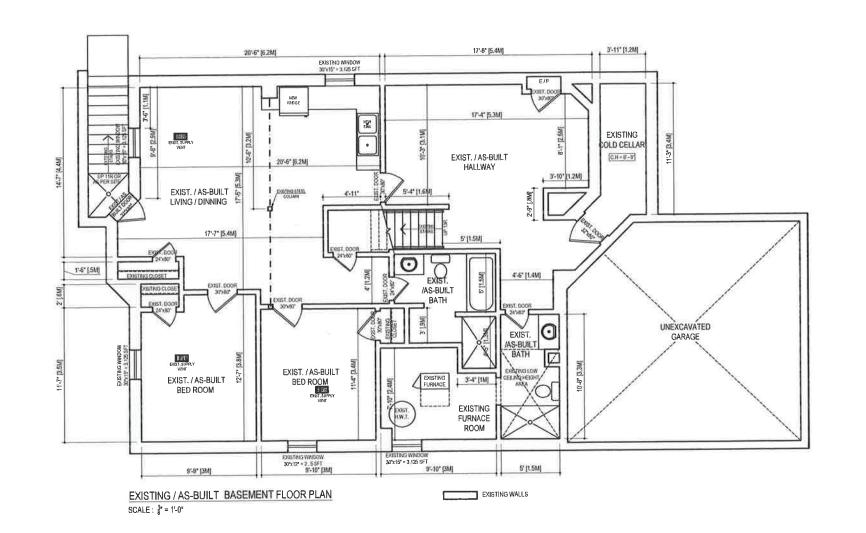
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DRAWING NO.

A102

DATE MODIFIED

JAN. 10, 2023



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#### weDesignBuild Inc.

MAKE IDEAS HAPPEN

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuild ca www.weDesignBuild.ca

PROJECT TITLE

## BASEMENT APARTMENT AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

DRAWING TITLE

EXIST. BASEMENT FLOOR PLAN

PROJECT NO. 20220912

DRAWN M.N.

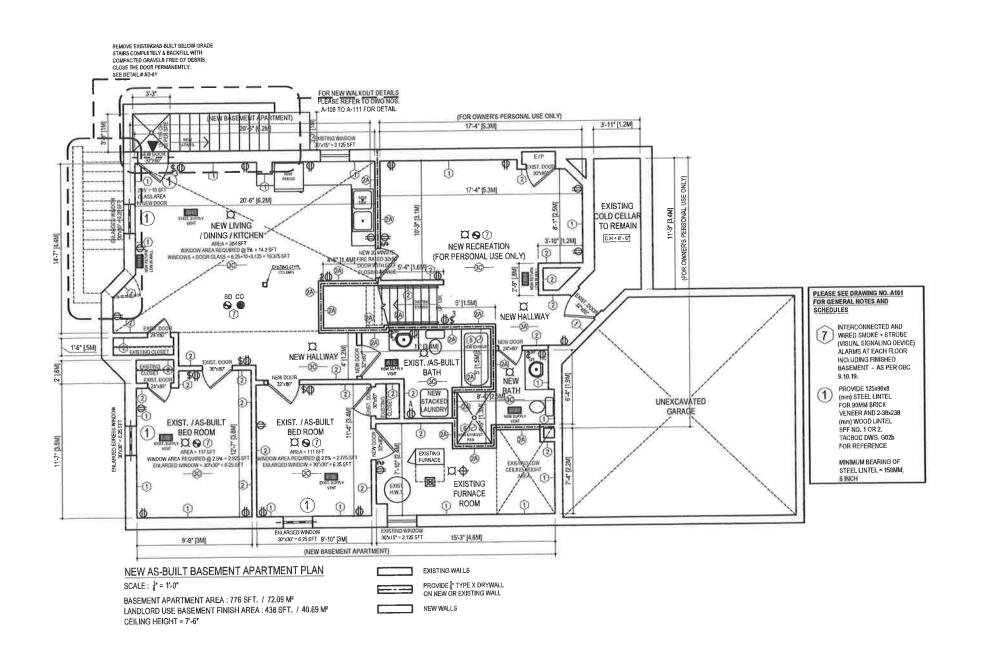
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#### weDesignBuild Inc.

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuild @ www.weDesignBuildica

PROJECT TITLE

BASEMENT APARTMENT AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

DRAWING TITLE

**NEW BASEMENT** FLOOR PLAN

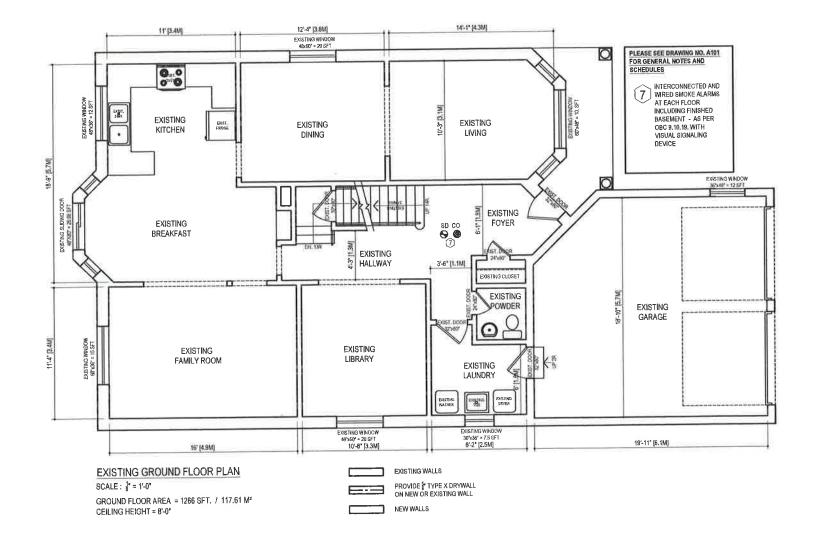
PROJECT NO. 20220912

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DATE MODIFIED

DEC 14, 2022



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PROJECT TITLE

#### **BASEMENT APARTMENT** AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

DRAWING TITLE

**EXISTING GROUND** FLOOR PLAN

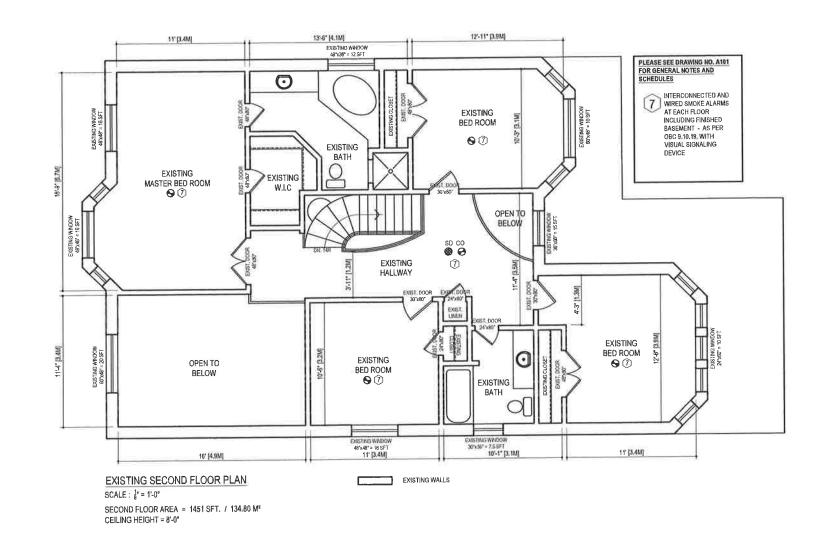
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QUALIFICATION INFORMATION

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### weDesignBuild Inc.

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205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 Info@weDesignBuildica www.weDesignBuildica

#### PROJECT TITLE

# BASEMENT APARTMENT AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

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FLOOR PLAN
PROJECT NO.

20220912

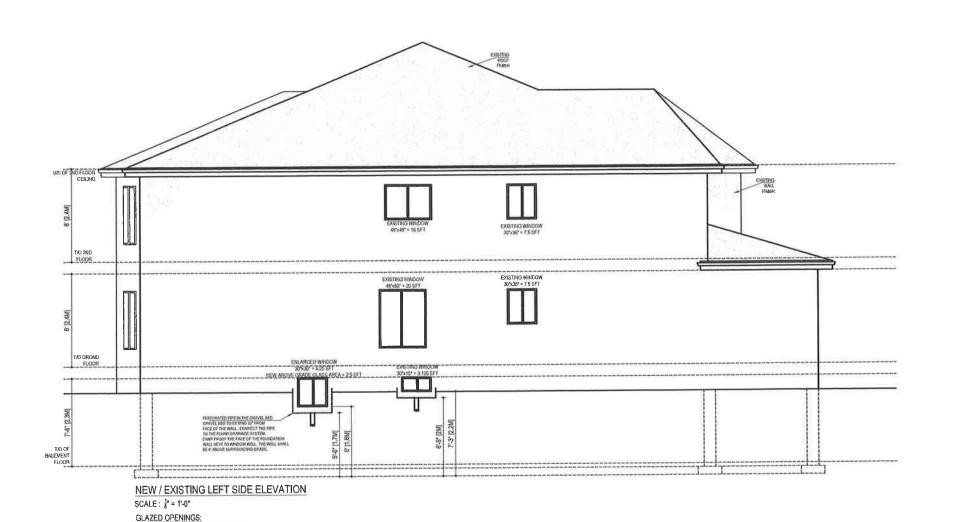
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DATE MODIFIED



WALL AREA: 1030 SFT / 95.69 M<sup>2</sup>

WINDOW AREA PROVIDED: 16+7.5+20+7.5+2.5+3,125

LIMITING DISTANCE = 1.26 M

= 56.625 SFT / 5.26 M2 (5.49%)

WINDOW AREA ALLOWED: 07%

GENERAL NOTES:

REV DATE DESCRIPTION

PROJECT NORTH



weDesignBuild Inc. MAKE IDEAS HAPPEN

205 Agvance Blvd Brampton ON L6T 4V9

(647) 770 3230 info@weDesignBuildica www.weDesignBuildica

## PROJECT TITLE

**BASEMENT APARTMENT** AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

DRAWING TITLE

**LEFT SIDE ELEVATION** 

PROJECT NO 20220912

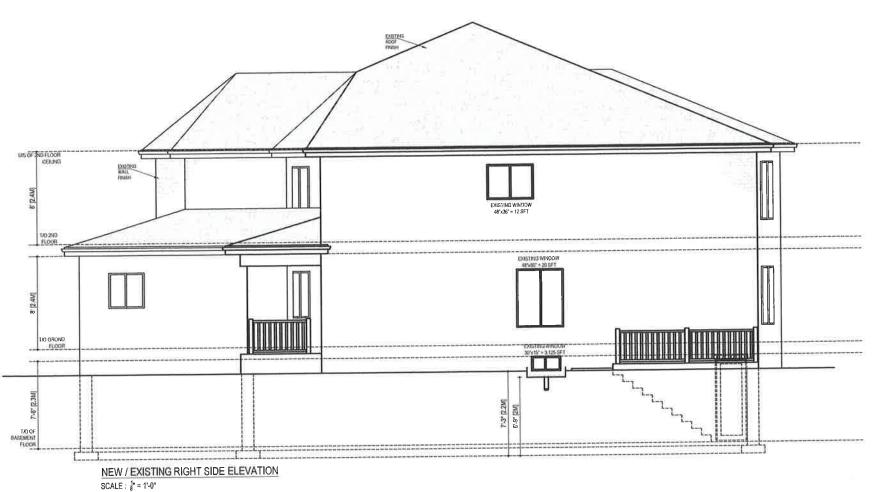
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DRAWING NO.

DEC 14, 2022

DATE MODIFIED



GLAZED OPENINGS: WALL AREA: 719 SFT / 66.79 M² LIMITING DISTANCE = 1.26 M WINDOW AREA PROVIDED: 12+20+3,125 = 35.125 SFT / 3.26 M2 (4.88%) WINDOW AREA ALLOWED: 07%

GENERAL NOTES:

DATE DESCRIPTION







weDesignBuild Inc.

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuild co www.weDesignBuild.ca

PROJECT TITLE

#### **BASEMENT APARTMENT** AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

DRAWING TITLE

RIGHT SIDE **ELEVATION** 

PROJECT NO. 20220912

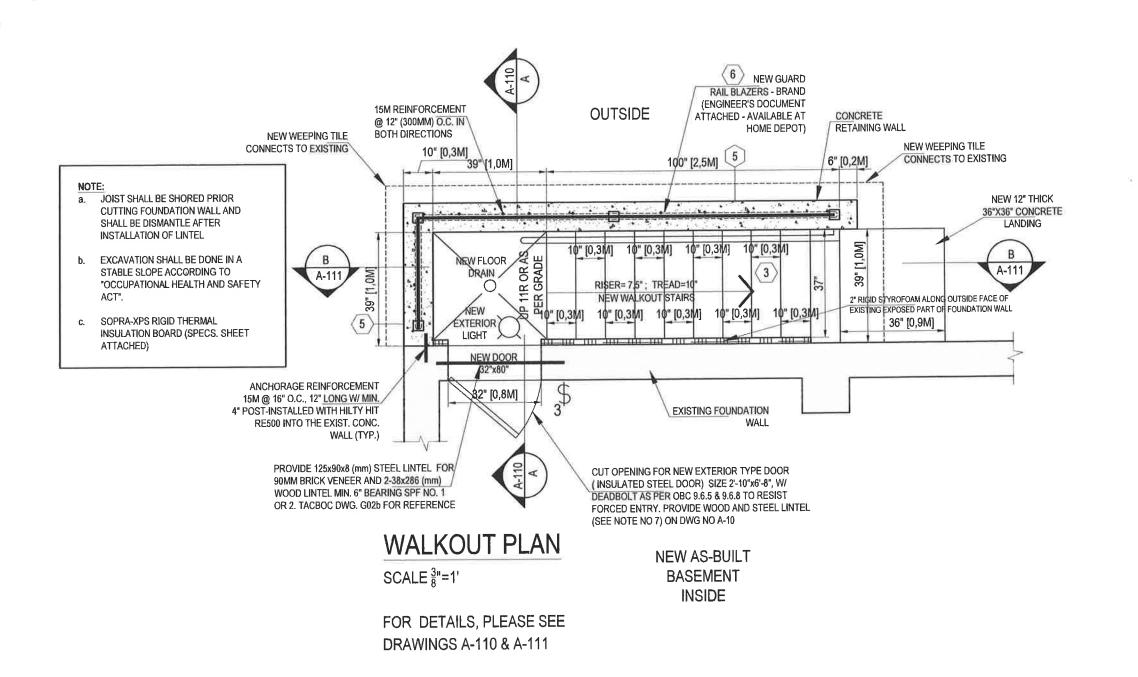
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DRAWING NO.

DEC 14, 2022

DATE MODIFIED



GENERAL NOTES:

DATE

PROJECT NORTH





## weDesignBuild Inc.

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PROJECT TITLE

#### **BASEMENT APARTMENT** AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW **BOULEVARD BRAMPTON** 

DRAWING TITLE

WALKOUT STAIR DETAIL

PROJECT NO. 20220912

DRAWN M.N.

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DRAWING NO.

A109

DATE MODIFIED

## **GENERAL NOTES**

- ALL WORK ACCORDING TO ONTARIO BUILDING CODE 2012 AND CITY OF BRAMPTON BY-LAWS
- ALL WORKING ACCORDING TO GOOD CONSTRUCTION PRACTICES
- ALL FOOTINGS SHALL REST ON NATURAL UNDISTURBED SOIL OR COMPACTED GRANULAR FILL WITH A MINIMUM BEARING CAPACITY OF 75
- WHERE THE FOUNDATIONS OF A BUILDING ARE TO BE CONSTRUCTED BELOW THE LEVEL OF THE FOOTINGS OF AN ADJACENT BUILDING AND WITHIN THE ANGLE OF REPOSE OF THE SOIL, OR THE UNDERPINNING EXCEEDS 1200mm OF I ATERALLY UNSUPPORTED HEIGHT OR THE SOIL IS CLAY OR SILT, THE UNDERPINNING & RELATED CONSECUTION SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER.
- **EXCAVATION SHALL BE UNDERTAKEN IN A** MANNER SO AS TO PREVENT MOVEMENT WHICH WOULD CAUSE DAMAGE TO ADJACENT PROPERTIES, STRUCTURES, UTILITIES, ROADS & SIDEWALKS, CONTACT YOUR LOCAL UTILITIES PRIOR TO COMMENCING EXCAVATION.
- SHORE & BRACE WHERE NECESSARY TO ENSURE THE SAFETY & STABILITY OF THE EXISTING STRUCTURE DURING UNDERPINNING.

#### CONCRETE

- MINIMUM COMPRESSIVE STRENGTH OF CONCRETE 32MPa @ 28 DAYS W/5% TO 8% AIR ENTRAINMENT.
- MINIMUM YIELD STRENGTH OF STEEL 60 KSI.

### 3. EXTERIOR STAIRS

RISE 7 7/8" MAXIMUM 4 7/8" MINIMUM RUN 8 1/2" MINIMUM 14" MAXIMUM TREAD 10" MINIMUM 14" MAXIMUM ADJUST STEP SIZE TO SUIT SITE ALL SIZES SHALL CONFIRM TO O.B.C. TABLE 9.8.4.1

#### 4. INSULATION

- 4a. MIN. RSI 2.11 (R12) INSULATION & VAPOR BARRIER ON THE INSIDE FACE OF THE EXPOSED FOUNDATION WALL.
- 4b. 4" RIGID STYROFOAM UNDER STAIR SLAB, LOWER LANDING AND OUTSIDE FACE OF RETAINING WALLS

### 5. RETAINING WALL

10" POURED CONCRETE WALL W/NO REINFORCING REQUIRED FOR WALL HEIGHTS TO A MAX. OF 1200mm, UNLESS MENTIONED OTHERWISE.

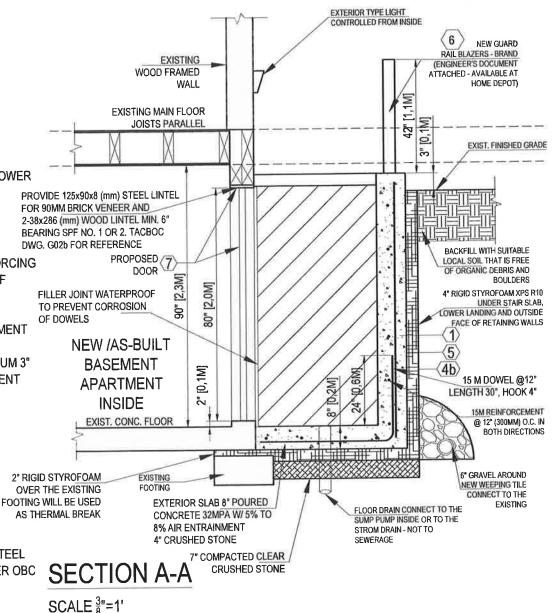
PROVIDE 15M VERTICAL STEEL REINFORCEMENT @ 12" O.C. AND 10M DISTRIBUTION REINFORCEMENT @12" O.C. PROVIDE MINIMUM 3" CONCRETE COVER FOR MAIN REINFORCEMENT PLACED TOWARD EARTH SIDE

### 6. GUARDS -

42" HIGH WHERE DISTANCE FROM GRADE TO BOTTOM OF WALKOUT EXCEEDS 5'-11" 36" FOR LESSER HEIGHTS. MAXIMUM 4" BETWEEN VERTICAL PICKETS

## 7. EXTERIOR DOOR

EXTERIOR TYPE DOOR (42MM INSULATED STEEL DOOR) SIZE 2'-8"x6'-8", W/ DEADBOLT AS PER OBC 9.6.5 & 9.6.8TO RESIST FORCED ENTRY.



GENERAL NOTES:

PROJECT NORTH

REGISTRATION INFORMATION



weDesignBuild Inc.

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuild.co www.weDesignBuild @

PROJECT TITLE BASEMENT APARTMENT AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW **BOULEVARD BRAMPTON** 

DRAWING TITLE

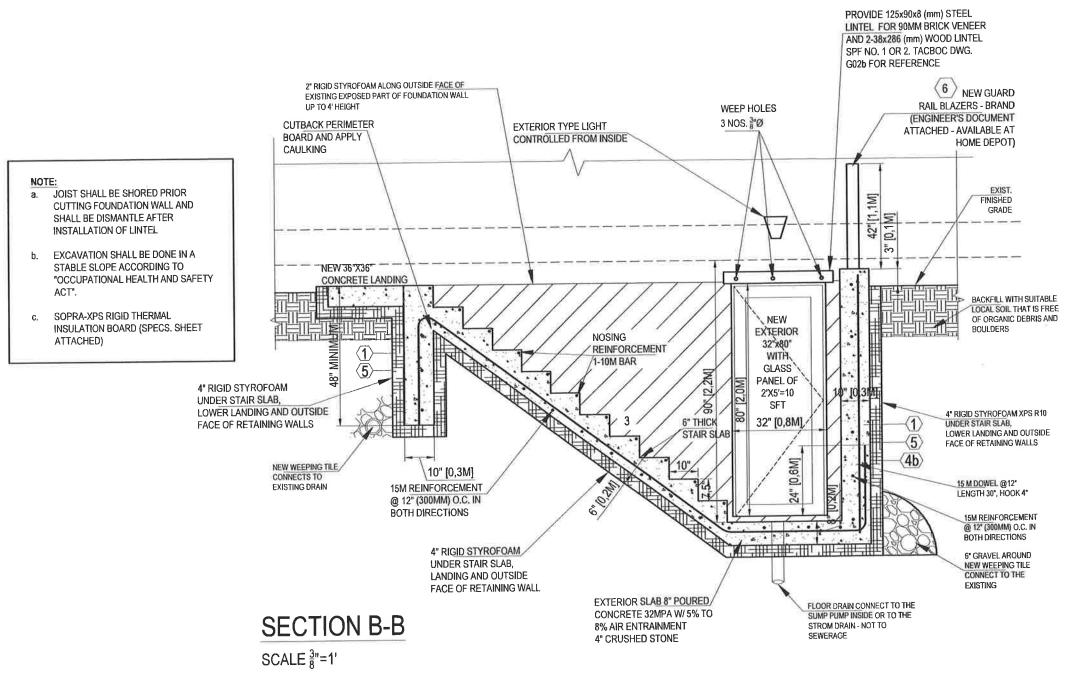
**WALKOUT STAIR** DETAIL

PROJECT NO. 20220912

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weDesignibeld inc.





weDesignBuild Inc.

205 Advance Blvd Brampton ON L6T 4V9 (647) 770 3230 info@weDesignBuild ca

PROJECT TITLE
BASEMENT APARTMENT
AS SECOND UNIT

PROJECT ADDRESS

125 SUNNY MEADOW BOULEVARD BRAMPTON

DRAWING TITLE

WALKOUT STAIR DETAIL

PROJECT NO. 20220912

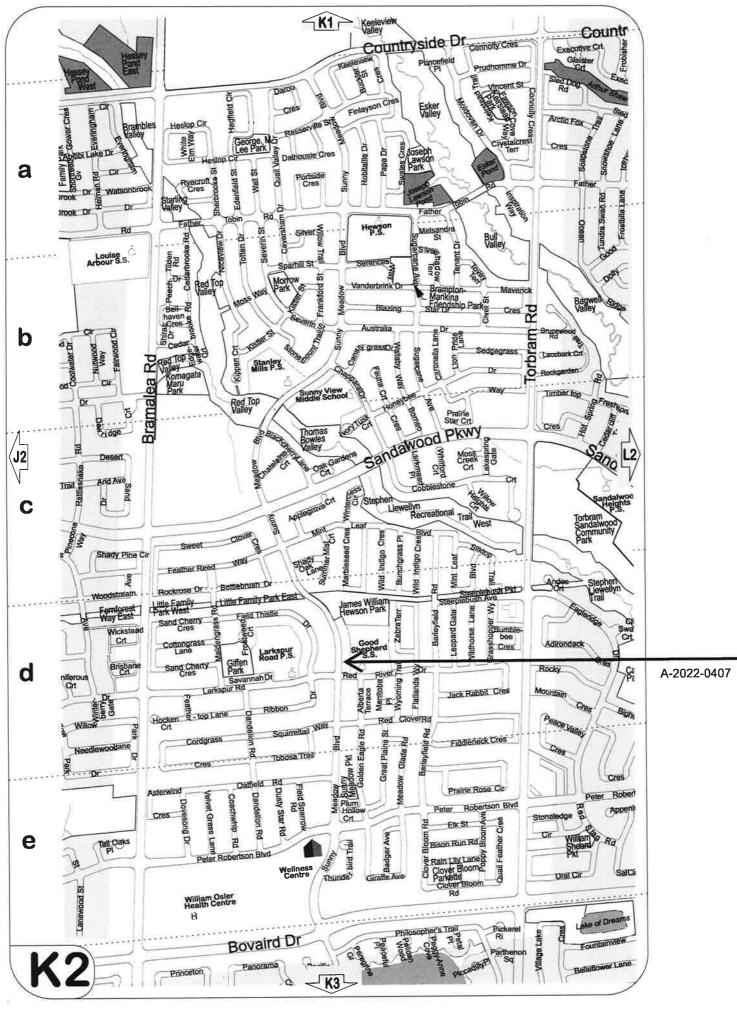
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DATE MODIFIED





# Report Committee of Adjustment

Filing Date: Hearing Date:

December 15, 2022 January 24, 2023

File:

A-2022-0407

Owner/

Applicant: ROHIT PRASAD & NEHA PRASAD

Address: 125 Sunny Meadow Blvd

Ward:

WARD 9

Contact:

Simran Sandhu, Assistant Development Planner

## Recommendations:

That application A-2022-0407 is supportable, subject to the following conditions being imposed:

- That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That the below grade entrance shall not be used to access an unregistered second unit and,
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

Existing as-built stairs and below grade entrance are currently located within the rear yard, and are proposed to be demolished. The current driveway for the property is legal non-conforming and is measured at a width of 8.2m (26.11 ft.), therefore, no variance is required to permit the current use of the driveway. Any changes to the current site conditions will require further review.

#### Existing Zoning:

The property is zoned 'Residential Single Detached C (R1C-846)', according to By-law 270-2004, as amended.

### Requested Variance:

The applicant is requesting the following variance:

To permit a below grade entrance in the interior side yard having a setback of 0.06m (0.20 ft.) whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard provided there is a continuous 1.2m (3.94 ft.) side yard on the opposite side of the dwelling.

## **Current Situation:**

# 1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Springdale Secondary Plan (Area 2). The nature and extent of the proposed variances are considered to maintain the general intent and purpose of the official plan.

# 2. Maintains the General Intent and Purpose of the Zoning By-law

The variance is requested to permit a below grade entrance in the interior side yard having a setback of 0.06m (0.20 ft.) whereas the by-law requires a minimum setback of 0.3m (0.98 ft.) to a below grade entrance in a required side yard provided there is a continuous 1.2m (3.94 ft.) side yard on the opposite side of the dwelling. The intent of the by-law in not allowing below grade entrances in the interior side yard, and requiring a minimum interior side yard setback is to ensure that there is adequate room available to allow for drainage and access to the rear yard.

The applicant is proposing to construct a below grade entrance encroaching into the required interior side yard. The entrance is not expected to impact drainage and a continuous side yard width of 1.2m (3.94 ft.) is provided on the opposite side of the dwelling to maintain access to the rear yard. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. The variance is considered to maintain the general intent and purpose of the Zoning Bylaw.

# 3. Desirable for the Appropriate Development of the Land

The applicant is requesting a variance to facilitate the construction of a proposed below grade entrance in the interior side yard between the main wall of the dwelling and the interior lot line. The owner is advised that drainage on the adjacent properties shall not be adversely affected. A condition of approval is recommended that the below grade entrance shall not be used to access an unregistered second unit. Subject to the recommended condition of approval, the variance is considered desirable for the appropriate development of the land.

## 4. Minor in Nature

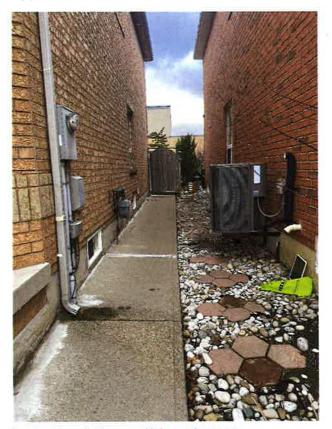
The requested variance for the construction of a below grade entrance are not considered to have significant negative impact on drainage or limiting access to the property. Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

Respectfully Submitted,



Simran Sandhu, Assistant Development Planner

# Appendix A



Interior side yard with proposed below grade entrance



Opposite side yard from proposed below grade entrance



Existing below grade entrance in rear yard to be demolished



Page 5 of 5



# **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0039 WARD #8

#### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an **amended** application for minor variance has been made by **2441925 ONTARIO LTD.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 5, Concession 7 ND, Parts 1, 3, 5, 10, 17, 28 and 35 municipally known as **2 AUCTION LANE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0020:

- 1. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots;
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 3. To permit a landscaped open space of 4.3 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 4. To permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuge to be screened within an enclosure.

#### OTHER PLANNING APPLICATIONS:

The land which is subject of	this application is	the subject of an applicat	ion under the Planning Act for:
Plan of Subdivision:	NO	File Number:	
Application for Consent:	YES	File Number:_	A-2022-0020
The Committee of Adjustme	ont has annointed "	THESDAY Januay 24 20	023 at 9:00 A M by electronic m

The Committee of Adjustment has appointed TUESDAY, Januay 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

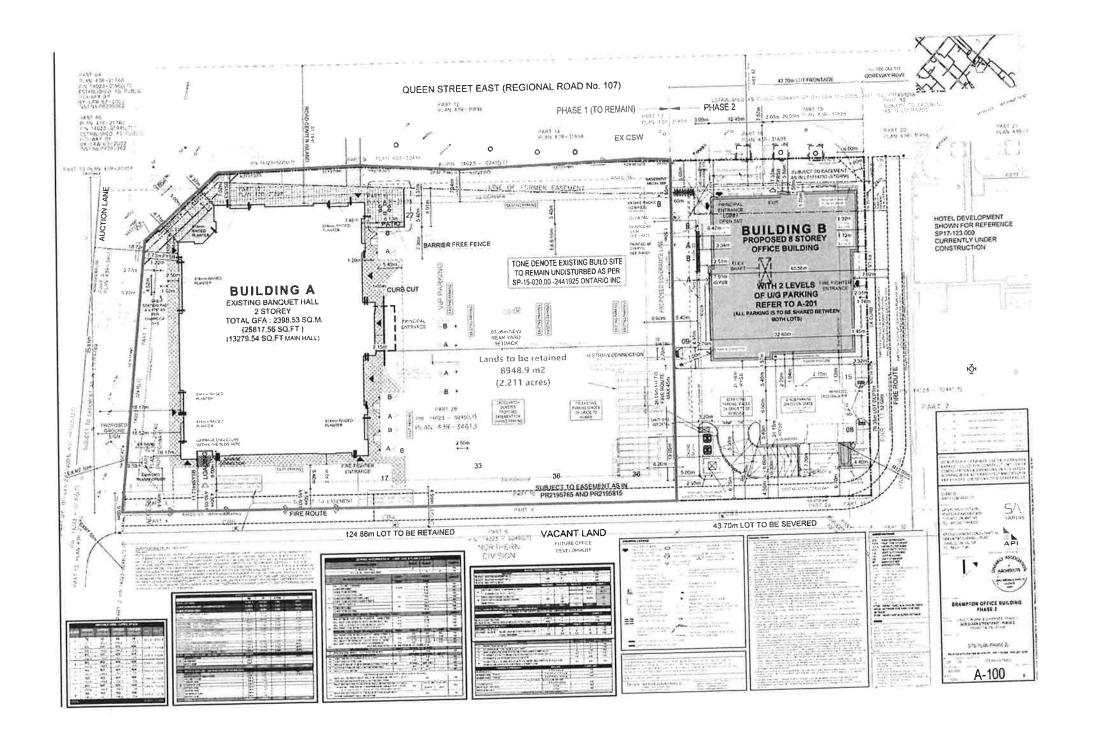
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 5th Day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options;
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

October 18, 2022

A-2022-0039 (AMENDED)

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

#### Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

- To provide 302 parking spaces on site whereas the by-law requires a minimum of 527 parking spaces;
- To permit a rear yard depth of 1.72m (5.64 ft.) to a proposed office building whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines;
- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

1

MB1 Urban
Planning

2 Auction Lane – Consent and Minor Variance Applications

The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

2

MB1 Urban

2 Auction Lane – Consent and Minor Variance Applications

October 18, 2022

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

#### Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

- To provide 302 parking spaces on site whereas the by-law requires a minimum of 527 parking spaces;
- To permit a rear yard depth of 1.72m (5.64 ft.) to a proposed office building whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines;
- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

1

MB1 Urban

2 Auction Lane - Consent and Minor Variance Applications

The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

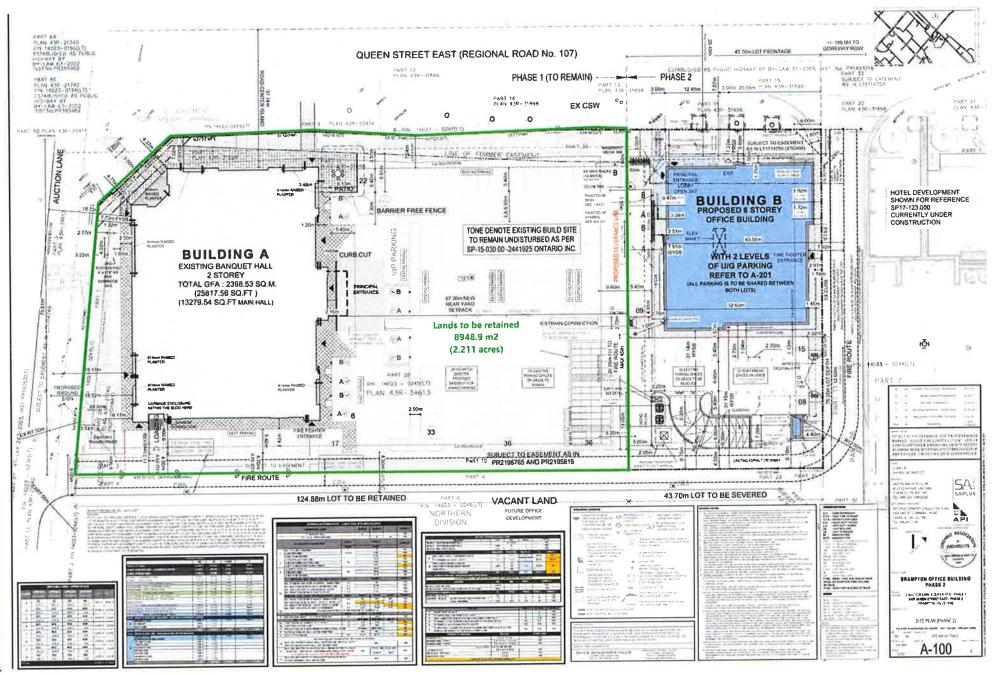
michael@mb1consulting.com

(905) 599-9973

2

MB1 Urban

2 Auction Lane – Consent and Minor Variance Applications



# Flower City





The Personal Information collected on this form is collected pursuant to section 45 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.

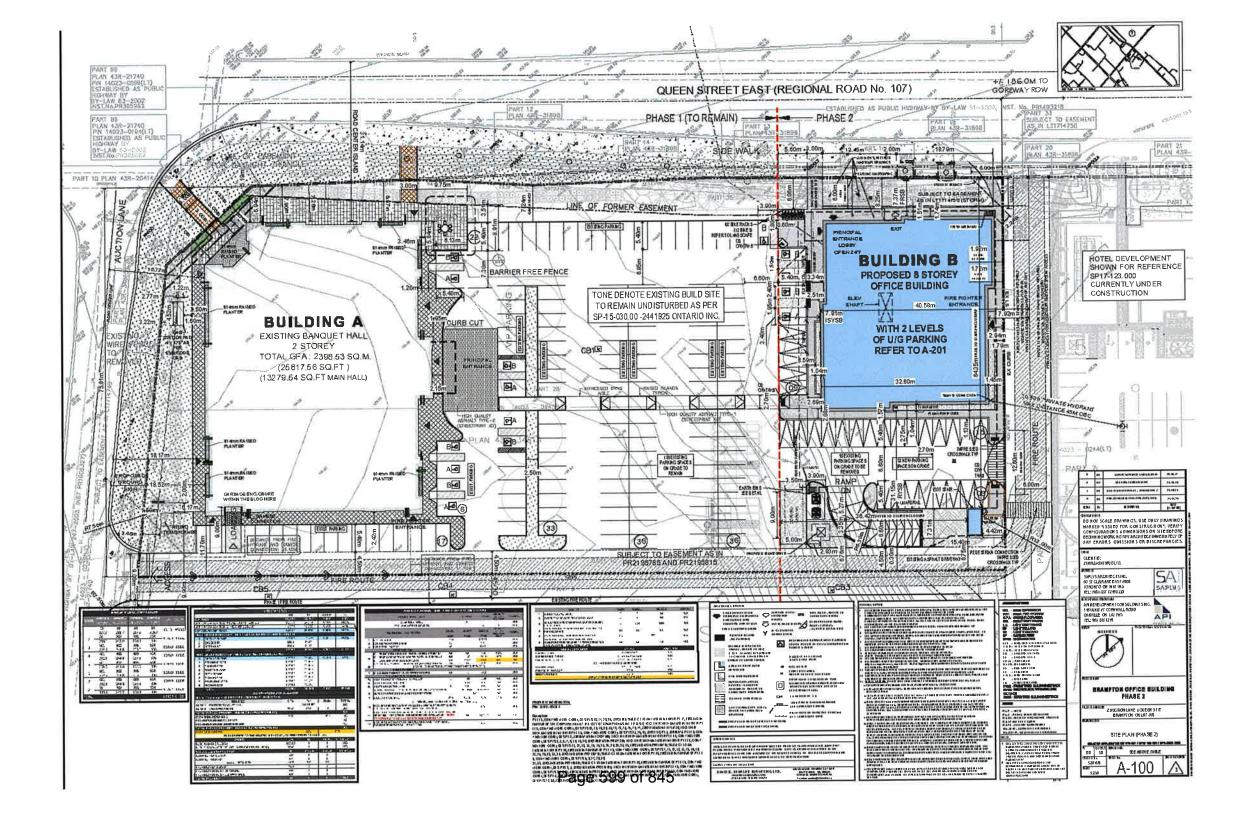
# APPLICATION **Minor Variance or Special Permission**

(Please read Instructions)

It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be NOTE: accompanied by the applicable fee.

olies to the Committee of Adjustment for the City of Brampton under section 45 of

	the <u>Planning Act</u> , 1990, for relief as described in this application from By-Law <b>270-2004</b> .					
1.	Name of Owner(s) 2441925 Ontario Ltd (SUKH SANDHU)					
	Address 2494 Mississauga Road Mississauga   5H2L5					
	Phone # 416-898-9080 Fax #					
	Phone # 416-898-9080					
2	API Development Consultants inc. Barnard/ Natalia Garavito					
	Address 1464 Comwall Rd, Oakville L6J 7W5 ON					
	Phone # 905 337 7249 Ext 206/207 Fax #					
	Email dbarnard@apiconsultants.net/ngaravito@apiconsultants.net					
3.	Nature and extent of relief applied for (variances requested):					
	To allow the following:  1. Parking - Proposed 302, Where the Bylaw requires 527, Shortfall of 225					
	2. Side Yard to the Exterior Exit Stair Enclosure - Proposed 4.42, where the Bylaw requires 6m  3. Side Yard - Proposed 1.72, where the Bylaw requires 6m					
4.	Why is it not possible to comply with the provisions of the by-law?					
	To allow the following:  1. Parking - A Parking Study was undertaken for the development which clearly supports the application. In short the cities bylaw does not speak to peak parking demands in relation to shared rates. So in considering this development we looked at the shared relations in peak demand in operation as well as proximity sites. Note Conference centers peak after 6 pm and and Offices uses peak. The subject site is also in high transit route which is spoken to in the Official Plan.  2. Side Yard. The proposed exit stair location has been placed for best function to the building circulation.  3. Side Yard - The Building has been placed up against the Property line to work best with the existing parking. There is a Access easement buffer against the adjacent development which is the purpose of the 6m setback.					
5.	Legal Description of the subject land:  Lot Number Lot 5, Part 1,3 17,28,35 subject to easement as in PR2195765 and PR215815 PIN 14023-0247(LT), LT 171475  Plan Number/Concession Number Plan 43R-21740 Concession 7					
	Municipal Address   2 Auction lane, Brampton On					
6.	Dimension of subject land ( <u>in metric units</u> )					
	Frontage 75.8m  Depth 168.6m					
	Depth 168.6m 124738					
7.:	Access to the subject land is by:					
	Provincial Highway Seasonal Road Municipal Road Other Public Road					
	Private Right-of-Way Water					



# Flower City



FILE NUMBER: A -2022-0039

The Personal Information collected on this form is collected pursuant to section 45 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** Minor Variance or Special Permission

(Please read Instructions)

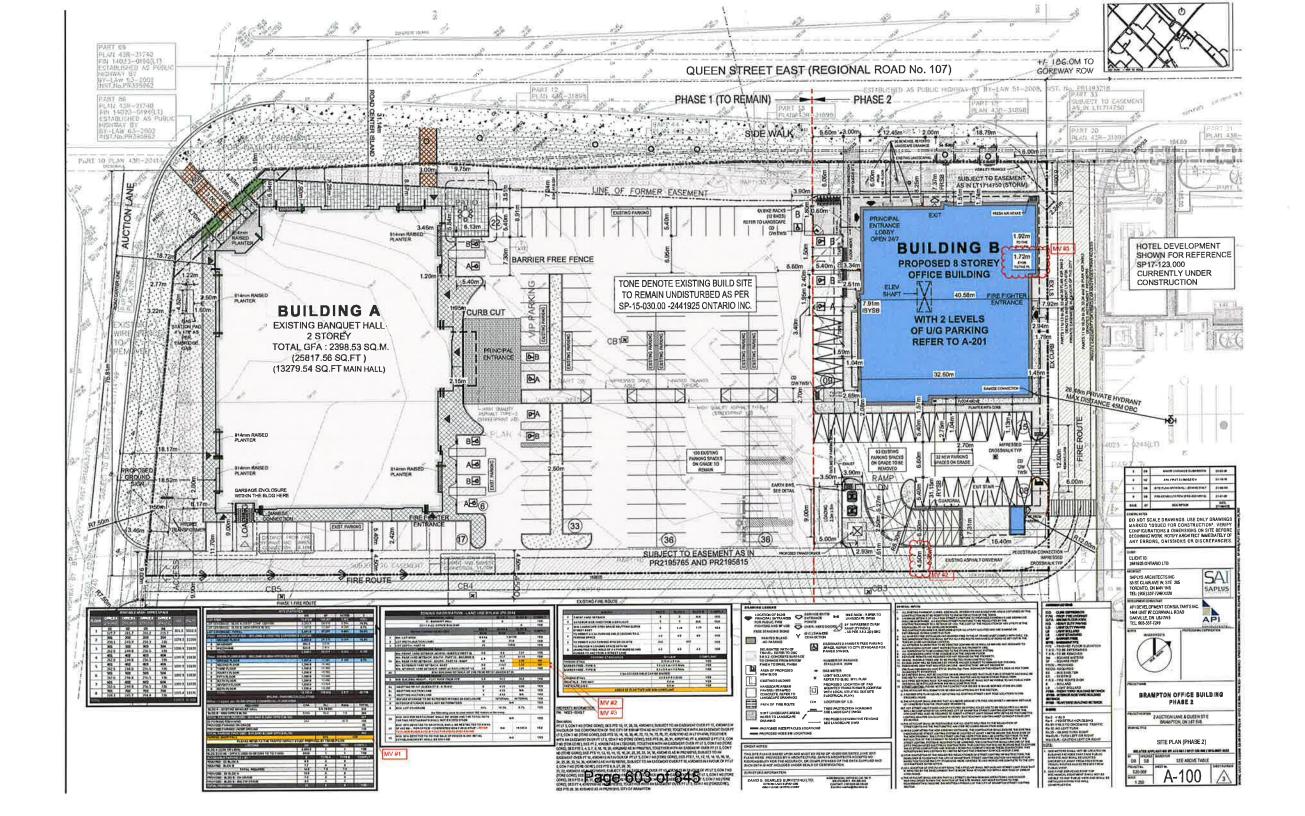
It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be NOTE: accompanied by the applicable fee.

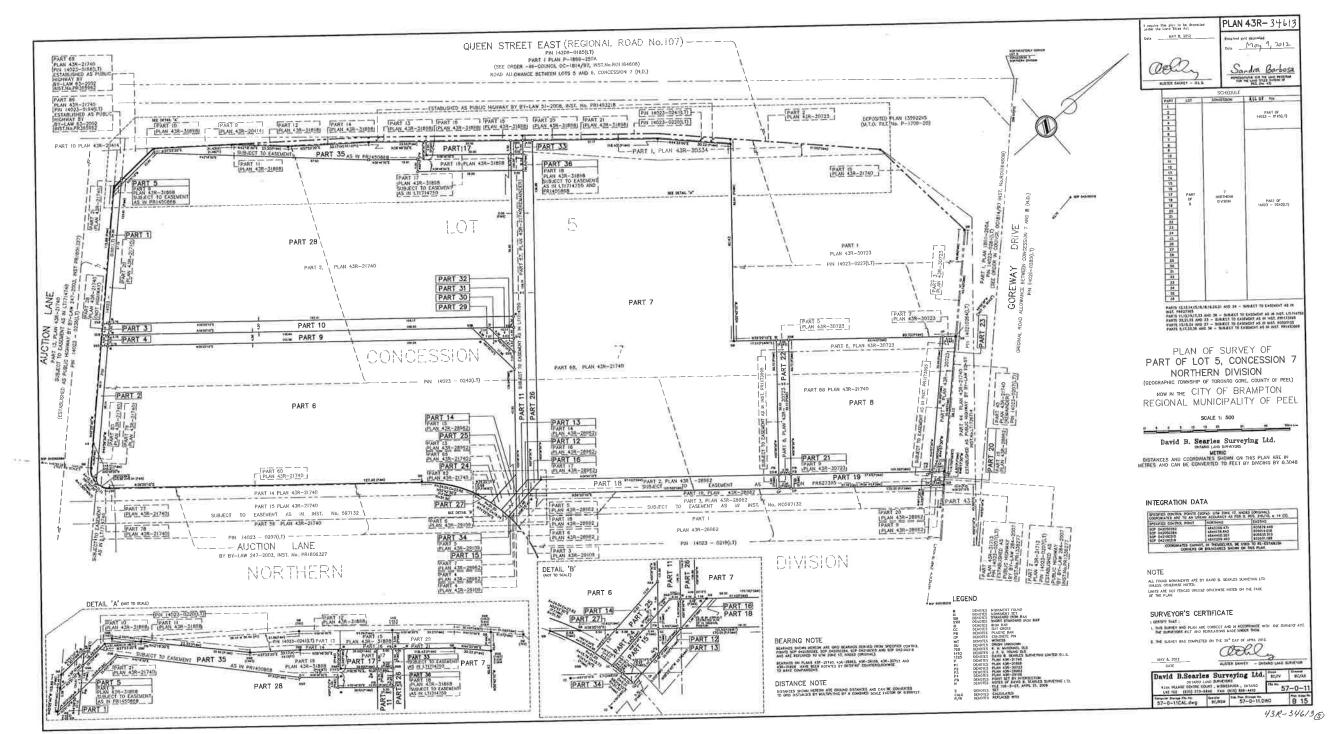
The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of

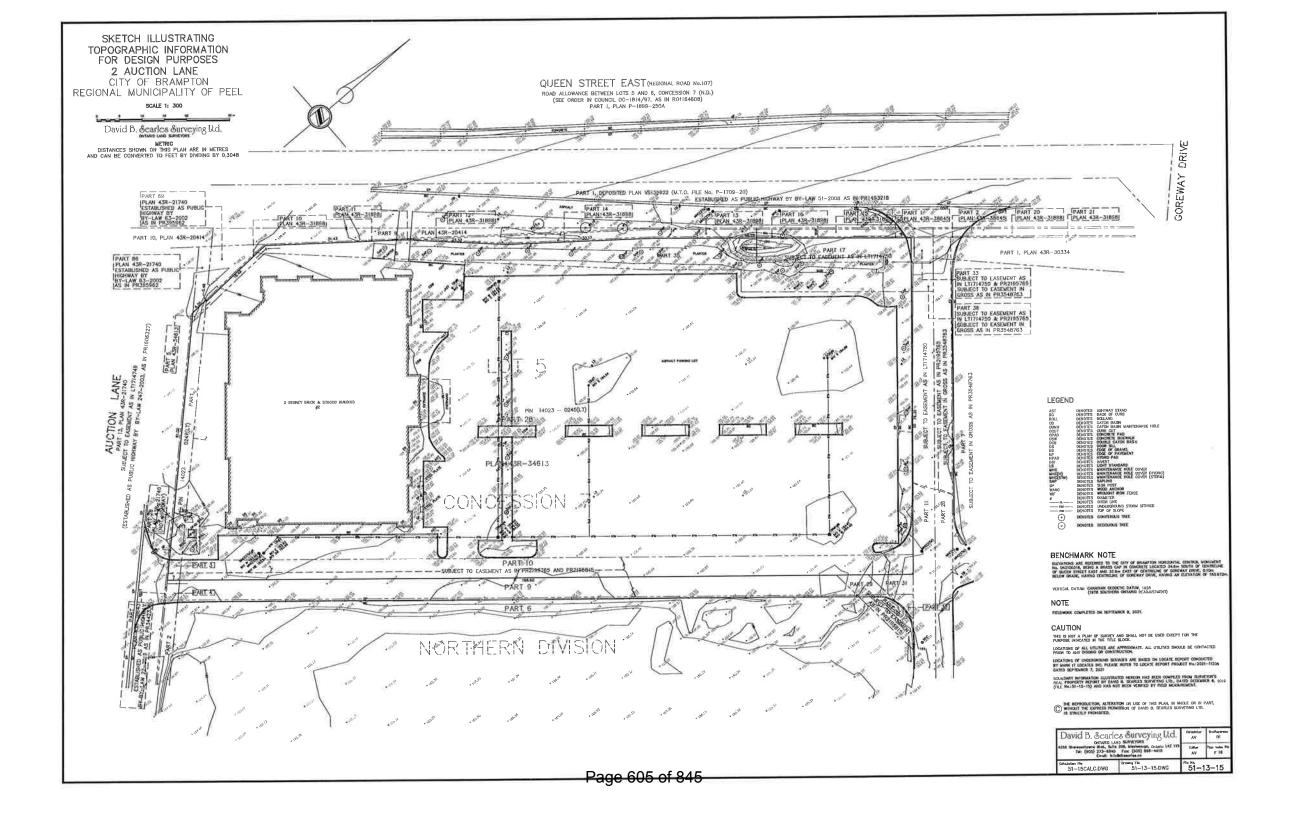
1.	Name of 0 Address	Owner(s) 2441925 Ontario Ltd (SUKH SANDHU)  2494 Mississauga Road Mississauga   5H2  5
	Phone #	416-898-9080 Fax #
	Email	sestate707@gmail.com
2.	Name of Address	Agent API Development Consultants inc. Barnard/ Natalia Garavito  1464 Cornwall Rd, Oakville L6J 7W5 ON
	Phone #	905 337 7249 Ext: 206/207
	Email	dbarnard@apiconsultants.net/ngaravito@apiconsultants.net
3.	Nature an	nd extent of relief applied for (variances requested):
	<ol> <li>Parking</li> <li>Rear Ya</li> </ol>	re following: - Proposed 302, Where the Bylaw requires 527, Shortfall of 225 rd - Proposed 4.5m at the Ramp to the underground, where the bylaw required 6.m rd - Proposed 1.72, where the Bylaw requires 6m
4.		not possible to comply with the provisions of the by-law?
1	does not spe relations in p peak. The si 2. Rear Yard 3. Side Yard	A Parking Study was undertaken for the development which clearly supports the application. In short the cities bylaw eak to peak parking demands in relation to shared rates. So in considering this development we looked at the shared beak demand in operation as well as proximity sites. Note Conference centers peak after 6 pm and and Offices uses subject site is also in high transit route which is spoken to in the Official Plan.  If the proposed ramp position has been placed for best function to the site.  If the Building has been placed up against the Property line to work best with the existing parking. There is a Access uffer against the adjacent development which is the purpose of the 6m setback.
5.	Lot Numl	scription of the subject land:  ber Lot 5, Part 1,3 17,28,35 subject to easement as in PR2195765 and PR215815 PIN 14023-0247(LT), LT 17147  nber/Concession Number Plan 43R-21740 Concession 7
	Municipa	Al Address 2 Auction lane, Brampton On
6.	Frontage Depth	168.6m
	Area	124738
7.	Provincia Municipa	o the subject land is by:  al Highway  Seasonal Road  Other Public Road  Right-of-Way  Water

8.	land: (specify i	<u>in metric units</u> gr		roposed for the subject ss floor area, number of	
	EXISTING BUILDING	SSSTRUCTURES on th	e subject land: List all struc	ctures (dwelling, shed, gazebo, etc.)	
	Existing 2 Storey Banquet Hall total GFA 2398.53 sm and Existing parking lot with 242 parking spaces.				
	PROPOSED BUILDINGS/STRUCTURES on the subject land:  The proposed is a 8 Storey Office Building with a total GFA of -10.185.4 sm. The office building will have 2 levels of underground parking and 32 surface parking for a total of 152 spaces. All Parking is to be shared with the Existing Banquet Hall, which will have 150 spaces remaining of its 242 space.				
9.		_	uctures on or propos and front lot lines in	sed for the subject lands:	
	EXISTING Front yard setback Rear yard setback Side yard setback Side yard setback	6.9			
	PROPOSED Front yard setback Rear yard setback Side yard setback				
10.	Date of Acquisition	of subject land:	March 30, 2015		
11.	Existing uses of sub	pject property:	Commercial/Banquet Hall	<del></del> <del></del>	
12.	Proposed uses of subject property:		Commercial/Office Building		
13.	Existing uses of abo	utting properties:	Commercial		
14.	Date of construction	າ of all buildings & stru	uctures on subject land:	Construction started January 2019, and was completed August 2021	
15.	Length of time the e	existing uses of the sub	bject property have been co	Existing uses are in place since the purchase of the property.	
16. (a)	What water supply i Municipal Well	is existing/proposed?	Other (specify)		
(b)	What sewage dispo Municipal Septic	sal is/will be provided'	? Other (specify)		
(c)	What storm drainag Sewers Ditches Swales	ge system is existing/pr			

	bject property the subject on or consent?	of an application under	the Planning Act, for	approval of a plan of
Yes 🗀	] No 🗹		3	
İfanswer	is yes, provide details:	Fîle #	Status	
18. Has a pre	-consultation application	been filed?		
Yes 🔽	No 🗆	•		
19. Has the s	subject property ever been	ıttıe subject of an applic	ation for minor varian	ce?
Yes 🔼	No 🗆	Unknown 🔲	Ī	
lf answer	is yes, provide details:			
File File File	# CA 16-03 Decision Decision Decision Decision	APRIVED	Relief COPY Relief FILM	of pecision
rite :	m Decision		Relief	)
			17	
	7/20	Signatu	re of Applicant(s) or Au	thorized Agent
	CITY		TO NO	4
THIS 07-	DAY OF MARC	14 , 20 22		
CORPORATION AN	S A CORPORATION, THE CORPORATION'S	SEAL SHALL BE AFFIXE	D.	
ı,PA	n of Halt	OF THE	TINN OF	MILTON
IN THE Roy	n of Halt	SOLEMNLY DE	CLARE THAT:	
ALL OF THE ABOV	E STATEMENTS ARE TRUE AND KNOWING	UE AND I MAKE THIS SO	OLEMN DECLARATION	N CONSCIENTIOUSLY
DECLARED BEFOR	E ME AT THE		Jennie Ceci	lia Myers oner. etc.,
C.Tw OF	Diameter		Province of	Ontario coration of the
DI TUE	OF OF		City of Bran Expires Apr	noton
IN THE	- 0		4	10
THIS	2 DAY OF			1
11 and	_, 20_22	Signa	ture of Applicant or Aut	$\leq$
To			Submit by Ema	ail j
A Com	missioner etc.			
		FOR OFFICE USE ONLY		
Present	Official Plan Designation	:		
	t Zoning By-law Classifica		SC-1923	
	onlication has been reviewe	ed with respect to the varian	nces required and the re	esults of the
	said review	are outlined on the attach	ed checklist.	
•	STALL		MARCH 2, 20	22
	Zoning Officer		Date	
1	DATE RECEIVED	March 2, 202	2	
1	Date Application Deemed			Revised 2022/02/17
^	whom he the Municipality	1		









# **Notice of Decision**

# **Committee of Adjustment**

FILE NUMBER A16-031

**HEARING DATE MAY 24, 2016** 

APPLI	CATION MADE BY 2441925 ONTARIO LIMITED			
IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCES:				
1.	To permit a minimum front yard setback of 3.0m (9.84 ft.) to the building;			
2.	To permit a minimum exterior side yard setback from the daylight triangle of 3.0m (9.84 ft.) to the building;			
3.	To permit a minimum landscape open space area of 6.0m (19.68 ft.) abutting Queen Street East;			
4.	To permit 242 parking spaces on site;			
5.	To permit a 4.50m (14.76 ft.) parking aisle leading to a parking space;			
6.	<ol> <li>To provide a loading space with an unobstructed aisle of 4.5m (14.76 ft.) for Ingress and egress to and from a street or lane.</li> </ol>			
	(0 AUCTION LANE - PART OF LOT 5, CONC. 7 ND)			
THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS (APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)				
DEAG	SEE SCHEDULE "A" ATTACHED			
REAS				
This d	ecision reflects that in the opinion of the Committee:			
1.	The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and			
2.	The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.			
MOVED BY: R. Nurse SECONDED BY: R. Crouch				
SIGNA	ATURE OF CHAIR OF MEETING:			
MEMBER MEMBER MEMBER MEMBER MEMBER MEMBER				
DATED THIS 24TH DAY OF MAY, 2016				
MOTI	CE IS REDEDY CIVEN THAT THE LAST DAY FOR ADDEAU NO THIS DECISION TO THE			

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE  $\underline{\sf JUNE~13,~2016}$ 

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

SECRETARY-TREASURER COMMITTEE OF ADJUSTMENT

Page 606 of 845

# Flower City



## THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: A16-031

DATED: MAY 24, 2016

### Conditions:

- 1. That the owner obtain site plan approval (SP15-079.000), which shall include the requirements associated with the delivery of an acceptable access aisle (subject to reciprocal vehicular/pedestrian access and egress easements) located along the southerly property boundary. The owner shall obtain site plan approval, execute a Site Plan Agreement and post any financial securities and insurance to the satisfaction of the Director of Development Services within one (1) year from the final date of the decision of the Committee, or as extended at the discretion of the Director upon receipt of a written request for an extension from the owner; and.
- 2. That failure to comply with and maintain the condition of the Committee will render the approval null and void.

Jeanie Myers

Secretary-Treasurer

Committee of Adjustment



6.59m (21.62ft) (38.38ft)

116.38m (381.82ft)

(9.84ft)

11.70m

3,00m

TOTAL FLOOR AREA:

NORTH:

SOUTH:

EAST:

WEST:

325.27m<sup>2</sup> (3,501.17ft<sup>2</sup>) BASEMENT: 2,267.79m2 (24,410.29ft3) GROUND FLOOR: 200.62m1 (2,159.45ft1) SECOND FLOOR:

2,793.68m2 (30,070.92ft3) TOTAL FLOOR AREA:

TOTAL FLOOR AREA

2,392,25m2 (25,749,96ft2) for PARKING CALCULATION:

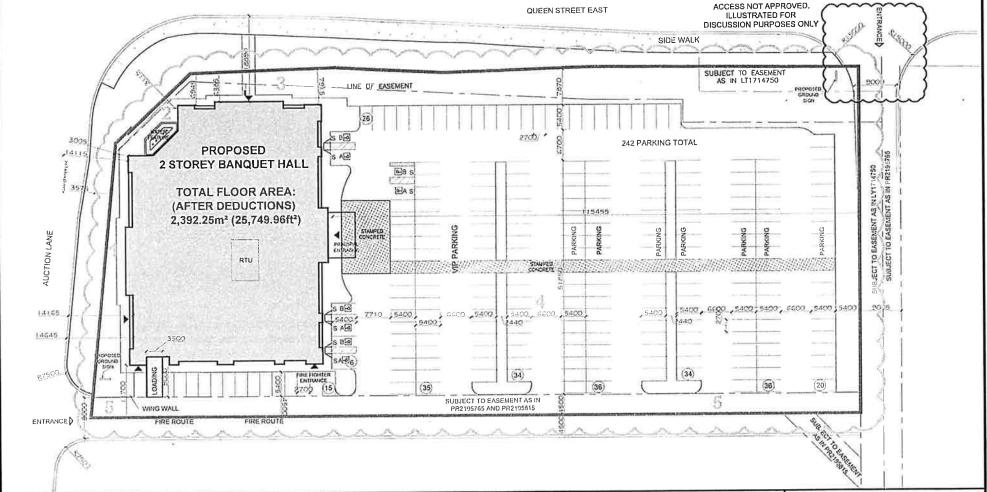
2,267.79m3 (24,410.29ft3) LOT COVERAGE: (18.18%)

PARKING CALCULATIONS

1 space per 8m2 PARKING RATE:

300 SPACES REQUIRED PARKING:

PROVIDED PARKING: 242 SPACES



# **LEGEND** PROPERTY BOUNDARY



MINOR VARIANCES

COMMITTEE of ADJUSTMENT MINOR VARIANCE O AUCTION LANE CITY of BRAMPTON

#### MINOR VARIANCES

- 1. To permit a minimum front yard setback of 3.0 metres (9.84 feet) to the building whereas the By-law requires 6.0 metres (19.68 feet) to the building;
- 2. To permit a minimum exterior side yard setback from the daylight triangle of 3.0 metres (9.84 feet) to the building whereas the By-law requires 6.0 metres (19.68 feet) setback to the daylight triangle;
- To permit a minimum landscape open space area of 6.0 metres (19.68 feet) abutting Queen Street East whereas the By-law requires a minimum landscape open space area of 9.0 metres (29.52 feet) abutting Queen Street East except at approved access locations;
- 4. To permit 242 parking spaces whereas the By-law requires 300 parking spaces to be provided on site; and
- 5. To permit a 4.50 metre (14.76 feet) parking aisle leading to a parking space; whereas the By-law requires 6.60 metres (21.65 feet).



23 Bonnington Place Toronto, ON, M2N 4V2 T:416,303,4821 F:1,866.340.5265 E: info@narchitecture.com www.narchitecture.com

n Architecture Inc.

Date: May 2, 2016 P.N.: 15.2116.00 Scale: N.T.S File No.:2116\_Minor Variance\_May\_2016 Drawn By: D.S.





# Report **Committee of Adjustment**

Date:

May 24, 2016

File:

A16-031

Subject: 2441925 ONTARIO LIMITED

Part of Lot 5, Concession 7 ND

0 Auction Lane

WARD: 8

Contact: Michelle Gervais, Manager, Development Services

### Recommendations:

That application A16-031 is supportable, subject to the following conditions being imposed:

- That the owner obtain site plan approval (SP15-079.000), which shall include the (1) requirements associated with the delivery of an acceptable access aisle (subject to reciprocal vehicular/pedestrian access and egress easements) located along the southerly property boundary. The owner shall obtain site plan approval, execute a Site Plan Agreement and post any financial securities and insurance to the satisfaction of the Director of Development Services within one (1) year from the final date of the decision of the Committee, or as extended at the discretion of the Director upon receipt of a written request for an extension from the owner; and.
- That failure to comply with and maintain the condition of the Committee will (2)render the approval null and void.

## Background:

This application was heard at the February 9, 2016 Committee of Adjustment hearing. The applicant requested a deferral to update their Parking Study. The Committee granted the deferral.

The applicant has updated their Parking Study and has also revised the convention centre/banquet hall proposal. The total gross floor area of the two-storey convention centre/banquet hall facility (with basement) has been reduced in size from 3,250.6 square metres (34,989 square feet) to 2,392.25 square metres (25,750 square feet). The reduction in the building gross floor area required an amendment to the requested parking variance. This application was also amended to include an additional variance to provide a loading space with an unobstructed aisle of 4.5m (14.76 ft.) for ingress and egress to and from a street or lane whereas the by-law requires 6.0m (19.68 ft.).

> The Corporation of The City of Brampton 2 Wellington Street West, Brampton, ON L6Y 4R2 T: 905.874.2000 TTY: 905.874.2130

The property is subject to a registered easement on title that allows reciprocal vehicular/pedestrian access and egress easements with the abutting lands to the east and south.

### **Existing Zoning:**

The property is zoned 'Service Commercial – Section 1923 (SC-1923)', according to Bylaw 270-2004, as amended.

## Requested Variances:

The applicant is requesting the following variances:

- 1. To permit a minimum front yard setback of 3.0m (9.84 ft.) to the building whereas the by-law requires 6.0m (19.68 ft.) to the building;
- 2. To permit a minimum exterior side yard setback from the daylight triangle of 3.0m (9.84 ft.) to the building whereas the by-law requires 6.0m (19.68 ft.) setback to the daylight triangle;
- 3. To permit a minimum landscape open space area of 6.0m (19.68 ft.) abutting Queen Street East whereas the by-law requires a minimum landscape open space area of 9.0m (29.52 ft.) abutting Queen Street East except at approved access locations;
- 4. To permit 242 parking spaces on site whereas the by-law requires a minimum of 300 parking spaces on site;
- 5. To permit a 4.50m (14.76 ft.) parking aisle leading to a parking space whereas the by-law requires 6.6m (21.65 ft.); and,
- 6. To provide a loading space with an unobstructed aisle of 4.5m (14.76 ft.) for ingress and egress to and from a street or lane whereas the by-law requires 6.0m (19.68 ft.).

### **Current Situation:**

## 1. Conforms to the Intent of the Official Plan

This property is designated 'Business Corridor' in the Official Plan and 'Mixed Industrial/Commercial' in the Airport Road Highway 7 Business Centre Secondary Plan (Area 37). These designations permit a range of industrial uses and large commercial uses such as community clubs, recreation centres, garden centres, service shops and banquet halls.

The requested variances for relief to building setbacks, landscape open space area, driveway aisle widths and parking have no impact within the context of the policies of the Official Plan. The intent of the Official Plan is maintained.

## 2. Conforms to the Intent of the Zoning By-law

The property is zoned 'Service Commercial – Section 1923 (SC-1923)', according to Bylaw 270-2004, as amended. The zoning of the property permits the convention centre/banquet hall use. The applicant seeks six (6) variances to the Zoning By-law.

The first variance is to permit a reduction in the front yard setback (from 6.0 metres to 3.0 metres) and the second variance is to permit a reduction in the exterior side yard setback from the daylight triangle (from 6.0 metres to 3.0 metres). The intent of building setbacks is to ensure that there is sufficient space to maintain a building, to allow room to access public utilities, to provide separation distances between abutting uses and to ensure that buildings do not interfere with vehicle sightlines. The reduction in the building setbacks will locate the building closer to the street edge. The proposed location of the building still provides adequate space to access and maintain the building and it does not interfere with daylight triangle sightlines for vehicles turning at the intersection of Queen Street and Auction Lane.

The third variance is to permit a reduction in the landscape open space area abutting Queen Street East (from 9.0 metres to 6.0 metres). The intent of providing a 9.0 metre wide landscape open space area along Queen Street East is to ensure that a high quality streetscape is provided along this major arterial road, and that a sufficient landscape open space area is provided to adequately screen parking and loading areas from public view. The proposed 6.0 metre wide landscape open space area is located only on a small portion of the site that is located in close proximity to the intersection of Queen Street East and Auction Lane. The landscape open space area gradually increases in width along the frontage of the property towards the easterly property limits. Adequate landscaping can be accommodated within the proposed landscape open space area.

The fourth variance is to permit a reduction in the required number of parking spaces (from 300 to 242). The intent of regulating minimum parking standards is to ensure that the parking demand for the use can be accommodated on-site. The applicant submitted a Parking Study prepared by LMM Engineering Inc. dated May 3, 2016. The Parking Study conducted parking utilization studies for three (3) similar proxy sites in the City Brampton and the City of Mississauga and it concludes that the proposed parking supply of 242 parking spaces would satisfy the parking demand (213 spaces) of the proposed convention centre/banquet hall use. The City's Transportation Division has reviewed the study and agrees with its conclusions.

The fifth variance seeks a reduction in the parking aisle width leading to a parking space (from 6.6 metres to 4.5 metres). This provision of the by-law is intended to provide for safe vehicular on-site circulation. The proposed parking aisle from Auction Lane will align with an existing registered easement that has been established between the property and the adjacent property to the south for the purpose of accommodating a shared driveway. In addition, there are two vehicular/pedestrian access and egress registered easements that are situated along the south and east limits of the property. The easement located on the subject property and the abutting property to the south each measure 4.5 metres in width. When combined, the easements will provide a parking aisle that has a total width of 9.0 metres (29.5 feet), which is approximately 2.0 metres greater than the minimum parking aisle width By-law requirement of 6.6 metres. With the existing easements in place, an adequate parking aisle will be in place to provide safe vehicular on-site circulation for the proposed convention centre/banquet hall use.

The sixth variance requests permission for a loading space with an unobstructed aisle of 4.5 metres for ingress and egress to and from a street or lane whereas the By-law requires 6.0 metres. This provision of the By-law is intended to provide for safe ingress and egress for trucks that are accessing the loading area of the building. As discussed above, with the existing easement in place on both the subject property and on the abutting property to the south, an adequate parking aisle width (total of 9.0 metres) will be in place to provide safe ingress and egress to the loading space that is proposed to be located on the southerly portion of the building that is located in close proximity to the Auction Lane parking aisle.

All six (6) variances meet the intent of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

The requested variances will locate the convention centre/banquet hall closer to the street line, which is in keeping with the City's urban design objectives to site buildings that will frame the street edge. Adequate space is available within the proposed landscape open space area to provide plantings to create an attractive streetscape along Queen Street, including the appropriate amount of landscape open space area to screen the parking area from the public realm. With the existing easements in place, there will be safe on-site circulation for both vehicles and pedestrians and for safe ingress and egress movements for trucks that require access to the loading space. Based on the conclusions of the Parking Impact Study, the proposed parking supply is sufficient for the anticipated needs of the proposed convention centre/banquet hall. The property is located along a Bus Rapid Transit (BRT) corridor on Queen Street East that provides high frequency transit service that links major destinations both within and beyond the City.

There will be no adverse impact to the overall function of the site or to adjacent properties. The requested variances are desirable and appropriate for the development of the land.

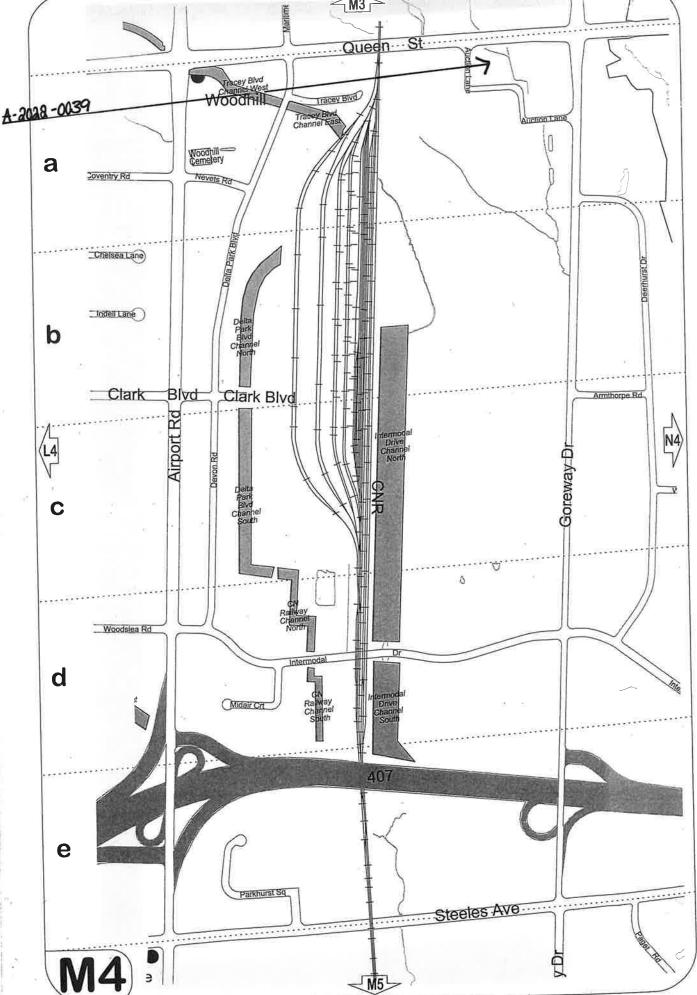
## 4. Minor in Nature

The requested variances to facilitate the development of the site for a convention centre/banquet hall will create no adverse impacts. Subject to the recommended condition, which requires the owner to obtain site plan approval, the variances are minor in nature.

Respectfully Submitted,

Michelle Gervais, MCIP, RPP

Manager, Development Services





## Report Committee of Adjustment

Filing Date: Hearing Date:

March 2, 2022 January 24, 2023

File:

B-2022-0020, A-2022-0039 & A-2022-0349

Owner/

Applicant:

2441925 Ontario Ltd / API Development Consultants Inc.

Address:

2 Auction Lane

Ward:

8

Contact:

François Hémon-Morneau, Planner III

#### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.229 hectares (3.04 acres), together with easements for parking, access, sanitary and water servicing and storm servicing. The proposed severed lot has a frontage of approximately 43.7 metres (143.37 feet), a depth of approximately 76.35 metres (250.50 feet) and an area of approximately 0.334 hectares (0.825 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot with a new 8 storey office building with 2 levels of underground parking. The retained lands will continue to be occupied by a banquet hall.

#### Recommendations:

That application **B-2022-0020** is supportable, subject to the following conditions being imposed:

- 1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
- Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received;
- The applicant shall submit a proper document showing shared above and under ground parking and access as required in perpetuity between retained and severed land for review and approval;

4. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements. Region of Peel shall be circulated on any draft easement documents for review and comment;

That application A-2022-0039 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

That application A-2022-0349 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision:
- 2. That the owner finalize site plan approval under City File SPA-2021-0220, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and,
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

Concurrent Consent application (B-2022-0020) and Minor Variance applications (A-2022-0039 and A-2022-0349) have been submitted to facilitate the severance of the subject property. The proposed severed lot is subject to a Site Plan Approval application (SPA-2021-0220) to facilitate the development of an 8-storey office building. The applications were deferred at the November 15, 2022 Committee of Adjustment hearing in order for the applicant to amend the applications and for City staff to review new information pertaining to sanitary and storm servicing easements.

- Official Plan: The subject property is designated 'Business Corridor' in the Official Plan;
- Secondary Plan: The subject property is designated 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4); and
- **Zoning By-law:** The subject property is zoned 'Service Commercial 1923 (SC-1923)' according to By-law 270-2004, as amended.

#### **Current Situation:**

The consent application is to sever the property and create reciprocal easements. Detailed sanitary and water easements in addition to storm sewer easements are requested as part of this application. The applicant has amended their sketch to further refine the boundaries of the proposed servicing easements from the originally requested reciprocal blanket easement. City staff have reviewed the proposal and found it to be satisfactory and supportable.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

## Requested Variances:

## A-2022-0039 - 2 Auction Lane (Retained parcel)

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0020:

- 1. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots:
- 2. To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 3. To permit a landscaped open space of 4.3 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 4. To permit garbage and refuse not screened within an enclosure whereas the bylaw requires garbage and refuse to be screened within an enclosure.

### Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Business Corridor' in the Official Plan and 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4). Lands designated Mixed Employment Commercial on Schedule 4 shall be used for non-obnoxious industrial uses, activities that combine industrial and commercial purposes, and specialized or space-extensive commercial purposes. The variances seek to facilitate shared parking between severed and retained lots, allow a reduction to the width of landscaped open space, and to permit garbage and refuse area to not be screened within an enclosure. The variances are not considered to be contrary to the general intent and

purpose of the Official Plan. The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots. The second variance is requested to permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided. The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the service commercial uses on the site. The intent of the by-law in requiring parking to be provided on the same lot is to prevent instances of overflow parking generated from a use on a property onto an adjacent site.

In this case, the subject property is being severed to create two separate lots via concurrent Consent application B-2022-0020. Through the related severance application, reciprocal easements for parking, access will be established. Therefore, the severed and retained lots will be developed in an interconnected manner allowing parking of vehicles on the entireity of the two lots. The applicant has submitted a Transportaton Impact Study conducted in May 2022 which justifies the reduction in parking spaces. Traffic Services staff have reviewed the study and have found it to be satisfactory to support the requested variances and ultimate development of the site. The requested variances maintain the general intent and purpose of the Zoning By-law.

The third variance is requested to permit a landscaped open space of 4.3 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107. The intent of the by-law in requiring a minimum landscaped area along the lot line abutting a street or a lot line is to ensure that the aesthetic quality of the property and overall streetscape is maintained.

A 4.3m (14.11 ft.) wide landscaped open space strip is requested for the entire length of the norther property line abutting Queen St West. The area in question is capable of accommodating landscaping and it is being implemented through the review of the associated Site Plan Approval application. It is noted that through the Site Plan application review, the proposed building is carefully located close to the street line to reinforce the street edge to create a more desireable streetscape. Through the resubmission of the Site Plan Approval application and subsequent review, the applicant will be required to implement an intensified landscape treatment to compensate for the reduced setback along Queen Street East in a manner satisfactory to Open Space and Planning staff. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fourth variance is requested to permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuse to be screened within an enclosure. The intent of the by-law in requiring garbage and refuse to be screened within an enclosure is to limit negative visual impact associated with traditional garbage areas.

The by-law states that all garbage and refuse storage, including containers for the storage of recyclable materials, shall be screened within an enclosure. The property is being developed to incorporate Molok (Earth Bins) garbage system. The Molok containers will be located primarily below grade and as a result, are not aniticipated to generate negative visual impacts on-site or off-site. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

The variances are requested in conjunction with a consent application to sever the property and create easements to facilitate the development of the severed lot. Given that reciprocal access and parking easements are proposed, the two lots will operate in an interconnected manner. The proposed reduction to the landscaped open space strip is not considered to negatively impact the streetscape or significantly reduce the amount of open space between the building and Queen Street West. The property continues to maintain a desirable streetscape and no negative impacts are anticipated. The variance associated with the proposed Molok containers are also not anticipated to generate negative visual impacts on-site or off-site given that they will primarily be located underground. The variances are considered to be desireable for the appropriate development of the land.

## 4. Minor in Nature

The variances are intended to facilitatre the severance of the property and creation of a new lot. Given that easements are being proposed between the severed and retained lot, staff have no concerns over variances 1 and 2 to allow shared parking and access. The reduced landscape open space and elimination of garbage enclosures are not considered to negatively impact the site or adjacent properties. The variances are deemed minor in nature.

## A-2022-0349 – 2 Auction Lane (Severed parcel)

The applicant is requesting the following variance(s) in conjunction with the proposed severed lot under Consent Application B-2022-0020:

- 1. To permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares:
- 2. To permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres;

- 3. To permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres;
- 4. To permit a rear yard setback of 4.5 metres to the parking ramp whereas the bylaw requires a minimum rear yard depth of 6.0 metres;
- 5. To permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%;
- 6. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots:
- 7. To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 8. To permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 9. To permit garbage and refuse not screened within an enclosure whereas the bylaw requires garbage and refuge to be screened within an enclosure;
- 10. To permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive;
- 11. To permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width.

### 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Business Corridor' in the Official Plan and 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4). Lands designated Mixed Employment Commercial on Schedule 4 shall be used for non-obnoxious industrial uses, activities that combine industrial and commercial purposes, and specialized or space-extensive commercial purposes. The variances seek to facilitate the lot dimensions of the newly created parcel and permit a number of technical associated with the resulting site conditions as proposed through SPA-2021-0220. The variances are not considered to be contrary to the general intent and purpose of the Official Plan. The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares. The second variance is requested to permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres. The intent of the by-law in requiring a minimum lot area and width in commercial area is to ensure that the property is appropriately sized for its commercial user.

In the case of the subject property, the proposed reduced area and width are a result of the severance and the property will still allow sufficient space for proposed office development on site. The reduced lot area and lot width are not anticipated to negatively impact the exiting and future land uses and opertations of the properties. Subject to the recommended conditions of approval, variances 1 and 2 are considered to maintain the general intent of the Zoning By-law.

The third variance is requested to permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres. The intent of the by-law in requiring minimum side yard setbacks is to ensure that there is appropriate separation between buildings and adjacent properties. It is noted that through the Site Plan application review, the proposed building is carefully located close to the interior side yard lot line to reinforce the street edge to create a more desireable streetscape. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fourth variance is requested to permit a rear yard setback of 4.5 metres to the parking ramp whereas the by-law requires a minimum rear yard depth of 6.0 metres. The intent of the by-law in requiring minimum setbacks to parking ramps is to ensure that parking ramps are appropriately positioned relative to adjacent properties in order to limit potential negative impacts.

The parking ramp is proposed to be located 1.5m closer to the rear property line from what the by-law permits. The reduction is not anticipated to generate negative impacts to the subject property or adjacent properties with respect to functionality, safety, or from a visual perspective. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fifth variance is requested to permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%. The intent of the by-law in regulating maximum lot coverage is to ensure that the size of the building is appropriate relative to the size of the property and does not detract from the functioning of the property.

The applicant is requesting a 1.5% increase to the lot coverage from what the Zoning By-law permits. The related development is currently under Site Plan application review. Although a variance is requested for the increased lot coverage, the balance of the development complies with the by-law. The building is considered to be appropriately sized and positioned on the property. As such, the property can accommodate the larger building footprint and resulting coverage beyond the applicable 35% maximum lot coverage. The increase is not considered as over development of the property as the Site

Plan demonstrates that the sites' functionality will not be negatively impacted. The variance maintains the general intent and purpose of the Zoning By-law

The sixth variance is requested to provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots. The seventh variance is requested to permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided. The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the service commercial uses on the site. The intent of the by-law in requiring parking to be provided on the same lot is to prevent instances of overflow parking generated from a use on a property onto an adjacent site.

In this case, the subject property is being severed to create two separate lots via concurrent Consent application B-2022-0020. Through the related severance application, reciprocal easements for parking, access and servicing will be established. Therefore, the severed and retained lots will be developed in a interconnected manner. The applicant has submitted a Transportaton Impact Study conducted in May 2022 which justifies the reduction in parking spaces. Traffic Services staff have reviewed the study and have found it to be satisfactory to support the requested variances and ultimate development of the site. The requested variances maintain the general intent and purpose of the Zoning By-law.

The eighth variance is requested to permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107. The intent of the by-law in requiring a minimum landscaped area along the lot line abutting a street or a lot line is to ensure that the aesthetic quality of the property and overall streetscape is maintained.

A 3.25m (10.66 ft.) wide landscaped open space strip is requested for the entire length of the norther property line abutting Queen St West. The area in question is capable of accommodating landscaping and it is being implemented through the review of the associated Site Plan Approval application. It is noted that through the Site Plan application review, the proposed building is carefully located close to the street line to reinforce the street edge to create a more desireable streetscape. Through the resubmission of the Site Plan Approval application and subsequent review, the applicant will be required to implement an intensified landscape treatment to compensate for the reduced setback along Queen Street East in a manner satisfactory to Open Space and Planning staff. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The ninth variance is requested to permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuge to be screened within an

enclosure. The intent of the by-law in requiring garbage and refuse to be screened within an enclosure is to limit negative visual impact associated with traditional garbage areas.

The by-law states that all garbage and refuse storage, including containers for the storage of recyclable materials, shall be screened within an enclosure. The property is being developed to incorporate Molok (Earth Bins) garbage system. The Molok containers will be located primarily below grade and as a result, are not aniticipated to generate negative visual impacts on-site or off-site. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The tenth variance is requested to permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive. The intent of the by-law in requiring offices to be located within 180 metres of Goreway Drive is to direct development and commercial uses along arterial roads such as Goreway Drive. The proposed office building will be located on the northeast corner of the severed lot and be within approximately 200m from Goreway Drive. Allowing the introduction of the use beyond 180m of Goreway Drive is not considered to be a significant deviation from what the by-law permits. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The eleventh variance is requested to permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width. The intent of the by-law in requiring a minimum parking aisle width of 6.6m is to ensure that there is an adequate amount of space to safely maneuver a vehicle into, and out, of an associated parking space.

In this case, the variance is a result of the proposed severance and resulting lot line. There is also an active site plan application currently underway where Traffic Services Staff has reviewed the application and found that there are no expected negative impacts to the maneuverability of vehicles. The variance is technical in nature and is considered to maintain the general intent and purpose of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

The requested variances are required in conjunction with a proposed severance that will facilitate the development of an office building on the lot while the existing banquet hall operations on the retained lands continue. The requested reductions in lot standards are not anticipated to negatively impact the ability of the lot to function for its intended purposes. The variances are not anticipated to generate negative on-site or off-site impacts. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

The variances are intended to facilitate the severance of the property and creation of a new lot. The lot area and width are not expected to limit functionality of the site. Given

that easements are being proposed between the severed and retained lot, staff have no concerns over negative impacts generated from variances associates with parking, access, drive aisles. The reduced landscape open space and elimination of garbage enclosures are not considered to negatively impact the site or adjacent properties. The variances are technical in nature. Subject to the recommended conditions of approval, the requested variances are considered minor in nature.

Respectfully Submitted, *Trançois Hémon-Morneau*François Hémon-Morneau, Planner III

## SCHEDULE "A"

## CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed severance and easements have no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed severance and easments are neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance and easements do not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The severance and easements are suitable for the purposes for which it is to be subdivided. A new office building is proposed on the severed lot.
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 the adequacy of them;	The proposed severance does not present any concern with regard to the adequacy of the roadwork network.
f)	The dimensions and shapes of the proposed lots;	The proposed lots are appropriate in size and shape for their purpose. Minor Variances A-2022-0039 and A-2022-0349 are requested to permit reductions to the lot performance standards. The size and shapes of both the severed and retained lots are generally consistent with the predominant service commercial

		character of adjacent properties in the area.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands included in the lands to de subdivided.
h)	The conservation of natural resources and flood control;	The proposed severance and easements present no concerns with regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The proposed severance and easements present no concerns with regard to the adequacy of school sites.
k)	The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	No conveyances of lands are required.
1)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed severance has no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	A concurrent Site Plan application (SPA-2021-0220) is under review to facilitate the development of the severed lot.



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0158 WARD #3

## **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **2466482 ONTARIO INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 1, Concession 2 E.H.S. municipally known as **26 BRAMSTEELE ROAD**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

- 1. To permit a motor vehicle sales establishment whereas the by-law does not permit a motor vehicle sales establishment;
- 2. To permit 33 parking spaces whereas the by-law requires a minimum of 50 parking spaces;
- 3. To permit an existing convenience restaurant having a gross floor area of 250 square metres whereas the by-law permits a maximum gross floor area of 102 square metres for a convenience restaurant.

## OTHER PLANNING APPLICATIONS:

The land which is subject of	this application is	the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:
		<del></del>

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant or another member of the public.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

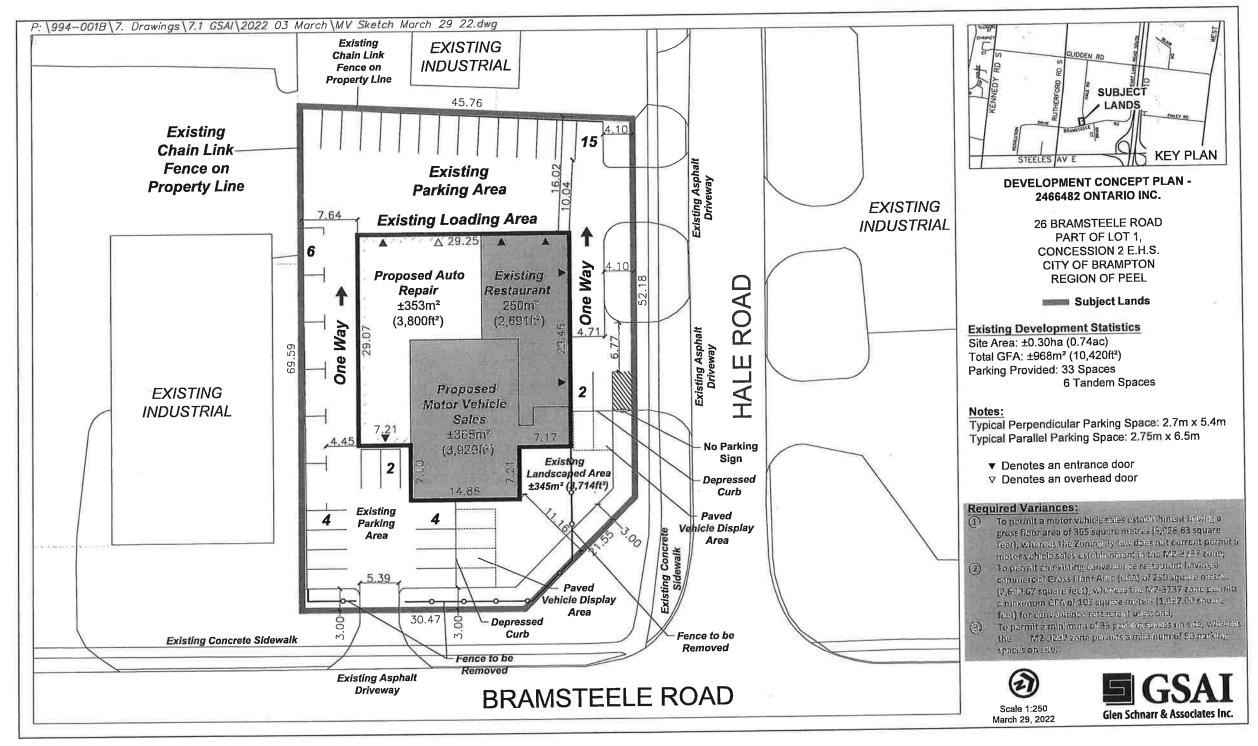
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th Day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



GLEN SCHNARR, MCIP, RPP GLEN BROLL, MCIP, RPP

PARTNERS.

COLIN CHUNG, MCIP, RPP JIM LEVAC, MCIP, RPP

April 22<sup>nd</sup>, 2022 GSAI File: 994-001B

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

A-2022-0158

**Attention:** Jeanie Myers

Legislative Coordinator and Secretary-Treasurer

Committee of Adjustment

Re: Application for Minor Variance

Owner: 2466482 Ontario Inc.

26 Bramsteele Road, City of Brampton

PT LT 1 CON 2 EHSCH PT 2, 43R459 EXCEPT PT 1, 43R1794;

**BRAMPTON** 

Glen Schnarr & Associates Inc. ("GSAI") is the planning consultant for 2466482 Ontario Inc., owner of the above-noted lands. In this regard, we are pleased to submit a Minor Variance application for the lands municipally known as 26 Bramsteele Road (the 'subject property').

## Site and Surroundings

The subject property is situated on the northwest corner of Bramsteele Road and Hale Road. It has a frontage and depth of approximately 30.47 metres (99.96 feet) along Bramsteele Road and 52.8 metres (173 feet) on Hale Road, respectively, and an area of 0.30 ha (0.74 acres).

The subject property is occupied by a one-storey, three-unit industrial building with a total gross floor area of approximately 966 m2 (10,398 ft2), that was constructed in 1972. The building contains the previously approved motor vehicle sales establishment, motor vehicle repair shop, and convenience restaurant. Adjacent land uses include motor vehicle repair facilities to the north, east, and west, as well manufacturing uses to the south and west.

10 Kingsbridge Garden Circle Suite 700 Mississauga, Ontario L5R 3K6 Tel (905) 568-8888 Fax (905) 568-8894 www.gsgi.cg



## Official Plan Policies and Zoning Provisions

## City of Brampton Official Plan (2006)

City of Brampton Official Plan (2006) Schedule A - General Land Use Designations, designates the subject property "Industrial", which permits a range of light to heavy industrial uses such as manufacturing, distribution, mixed industrial/commercial, as well as limited service and retail uses. Within the Highway 410 and Steeles Secondary Plan Area 5, the subject property is designated "General Employment 2", which provides additional policies and permits a broad range of industrial uses including warehousing, manufacturing, distribution centres, motor vehicle repair, and body shops.

## City of Brampton Zoning By-law 270-2004

Zoning By-law 270-2004 zones the subject property "Industrial Two – Exception 3237 – M2-3237", which permits a range of industrial uses. Specifically, the M2 zone currently permits a motor vehicle repair shop, whereas the Special Exception 3237 permits a convenience restaurant where the Gross Commercial Floor Area does not exceed 102 square meters.

The property was the subject of a previous Minor Variance application (A16-017), which was approved in 2016, to permit a 365 square metre (3,929 square feet) motor vehicle sales establishment and a 250 square metre (2,691 square feet) convenience restaurant, providing a total of 33 parking spaces. In support of the application, a Parking Utilization study dated December 2015 was completed by Crozier & Associates. This Minor Variance was granted for a temporary period of three (3) years subject to a number of conditions including a requirement that the proposed uses be restricted to the configuration outlined in the approved Site Plan Application.

In 2019, a second Minor Variance application (A19-214) was submitted to extend the land use permissions which were approved in the original Minor Variance application (A16-017) for an additional one (1) year. This Minor Variance application was approved subject to additional conditions which included removing any derelict/scrap vehicles on the site and adhering to the approved Site Plan. Our client has cleared the subject property of all derelict/scrap material and has indicated they have been operating in conjunction with the approved Site Plan since the 2019 extension approval. Considering this, we would like to request the previously approved land use permission on a full-time basis.

## **Proposed Variances:**

The purpose of this application is therefore to permanently permit the following variances:

- 1. To permit a motor vehicle sales establishment having a gross floor area of 365 square metres (3,928.83 square feet), whereas the Zoning By-law does not currently permit a motor vehicle sales establishment in the M2-3237 zone;
- 2. To permit an existing convenience restaurant having a commercial Gross Floor Area



(GFA) of 250 square metres (2,690.67 square feet), whereas the M2-3237 zone permits a maximum GFA of 102 square meters (1,097.00 square feet) for convenience restaurant uses; and,

3. To permit a minimum of 33 parking spaces on-site, whereas the M2-3237 zone permits a minimum of 50 parking spaces on site.

## **Policy Considerations**

The following section provides an analysis illustrating how the proposed variances satisfy the four tests for a minor variance as set out in Section 45(1) of the *Planning Act*, R.S.O. 1990, C. P. 13, as amended.

1. Maintains the Intent and Purpose of the Official Plan:

The subject property is designated "Industrial" in the City of Brampton Official Plan, and "General Employment 2" in the Highway 410 and Steeles Secondary Plan Area 5. The proposed variances meet the intent of the Official Plan as the proposed *Motor Vehicle Repair Shop* and *Convenience Restaurant* uses are in line with the broad range of uses that are permitted uses in the applicable land use designations. Moreover, Section 2.1.1.b. of the Highway 410 and Steeles Secondary Plan Area 5 indicates that uses that serve as ancillary to the principal use are permitted. The proposed *Motor Vehicle Sales Establishment* is an ancillary use to the *Motor Vehicle Repair Shop*, therefore also a permitted use in the Official Plan. It is our opinion the proposed development meets the purpose and intent of the Official Plan.

2. Maintains the Intent and Purpose of the Zoning By-law:

The proposed variances meet the intent of the Zoning By-law as the subject property is zoned "Industrial Two – Exception 3237 - M2-3237", which permits the existing motor vehicle repair shop and convenience restaurant. Though the proposed motor vehicle sales use is not listed as a permitted use, it is consistent with other motor vehicle related uses permitted on the subject property and in the surrounding area. Moreover, a Site Plan Application has been approved on the subject property to regulate the parking and fire circulation on the site. The subject property also complies with all other zoning standards applicable to the "Industrial Two" zoning, and therefore generally maintains the intent of the Zoning By-law.

3. Desirable for the Appropriate Development of Land:

The proposed motor vehicle sales use is consistent and compatible with other motor vehicle related uses permitted on the subject property, on the adjacent lands, and in the surrounding area. As demonstrated in the previous Parking Utilization Study completed by Crozier & Associates dated December 2015, sufficient parking exists on the subject to accommodate the proposed uses. Moreover, a Site Plan Application has been approved on the subject



property which ensures appropriate parking and circulation on site. The proposed development has been in operation for over six (6) years and has been a contributor to the local economy. Therefore, it is our opinion that the proposed development is desirable and appropriate.

## 4. Minor in Nature:

The proposed motor vehicle sales use will only occupy 38% of the total building floor area and can therefore be considered minor in nature. Similarly, the convenience restaurant occupies only 26% of the building floor area. The proposed variance for the restaurant recognizes an existing situation that has existed for many years without any adverse impact on the adjacent properties. The Parking Utilization Study previously submitted demonstrates that sufficient parking is provided on site for the uses. The subject property complies in all other respects with the requirements of the Zoning By-law. For these reasons, the proposed variances are minor in nature.

## **Summary**

In summary, the proposed Minor Variance application conforms to the City of Brampton Official Plan, the Highway 410 and Steeles Secondary Plan Area 5, and generally conforms to the provisions of Zoning By-law 270-2004. The proposed uses and reduction in parking are compatible with the adjacent lands uses and have not negatively affected these properties. The proposed variances are minor in nature, desirable, and are consistent with existing motor vehicle related uses on the subject property and the area.

This application is being submitted to achieve approval for a Minor Variance to permanently extend the permission of the existing *Motor Vehicle Sales Establishment* and existing *Convenience Restaurant* as well as the 33 parking spaces on the subject property.

## Supporting Materials

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

- One (1) digital signed copy of the Variance Application form, Authorization letter, and Permission to Enter form;
- One (1) digital copy of the Committee of Adjustment Sketch, prepared by Glen Schnarr & Associates Inc., dated March 29<sup>th</sup>, 2022; and,
- Fees will be paid once the application is reviewed and fees are requested.

We look forward to your review of the enclosed application. Please do not hesitate to contact us if you require anything further or wish to clarify anything contained in this application.



Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Patrick Pearson, MCIP, RPP

Associate

E: <u>ppearson@gsai.ca</u> P: 416-648-2111

## **Flower City**



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

FILE NUMBER: A - 2022 - 0158

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

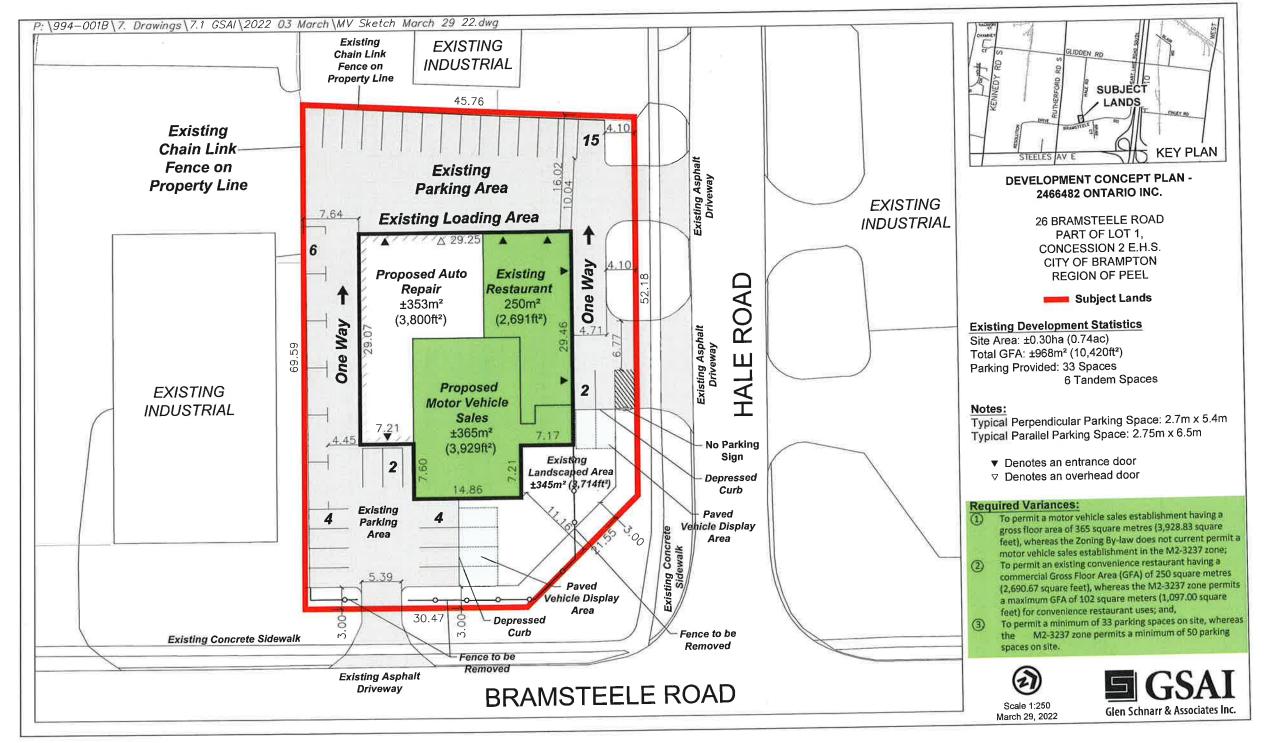
Phone # Email Name of A Address	26 Bramsteele Rd  416-566-4925 bgharial@hotmail.com  gent Glen Schnarr & Associates 10 Kingsbridge Garden Circle, Suite	Inc.	Fax#		
Email  Name of A  Address	bgharial@hotmail.com  gent Glen Schnarr & Associates	Inc.	Fax #		
Email  Name of A  Address	bgharial@hotmail.com  gent Glen Schnarr & Associates	Inc.	I dx #		
Name of A Address	gent Glen Schnarr & Associates				
Address	90116				
Address	90116				
	10 Kingsbridge Garden Circle, Suite		0111.55	01/0	
		e 700. Mississaug	a, ON L5R	3K6	
Phone #	905-568-8888 ext. 266		Fax #	905-568-8894	
Email	patrickp@gsai.ca		176		
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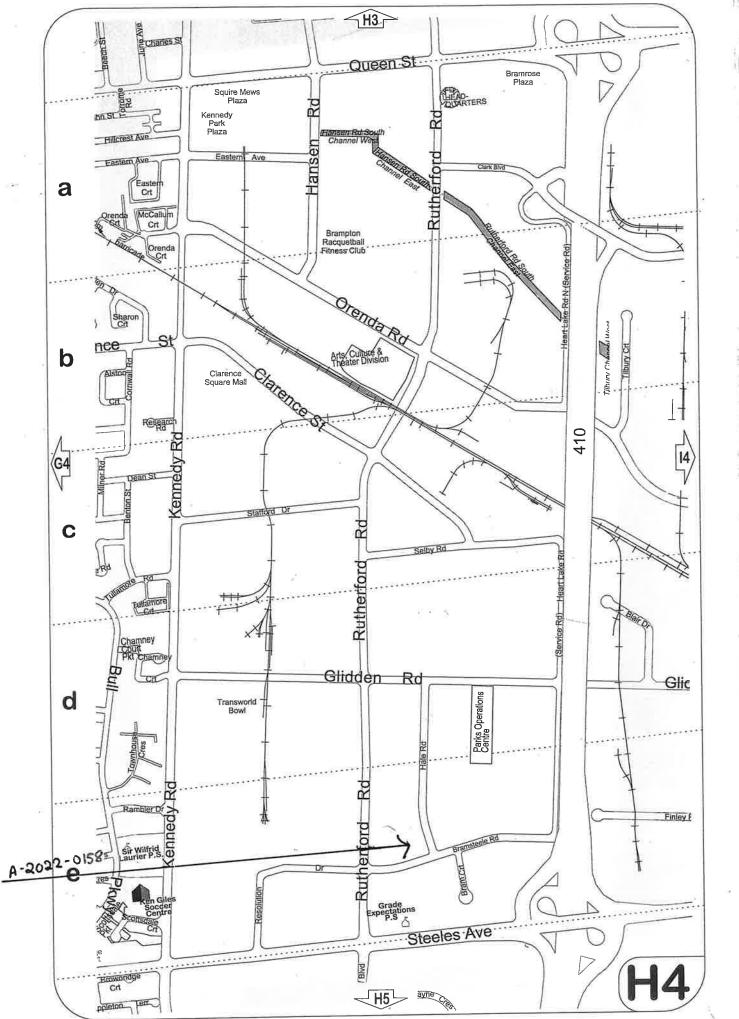
8.

Particulars of all buildings and structures on or proposed for the subject

	land: (specify <u>i</u> storeys, width, l	n <u>metric units</u> gr ength, height, et	round floor area, gross floor area, number of c., where possible)
	EVICENC DI III DINC	COTDUCTURES on th	ne subject land: List all structures (dwelling, shed, gazebo, etc.)
		g with an approxima	ate area of 966 square metres, with a width of 29
1	PROPOSED BUILDIN	IGS/STRUCTURES on	the subject land:
	No proposed char		
9.	Location of all (specify distant	buildings and str	ructures on or proposed for the subject lands: r and front lot lines in <u>metric units</u> )
	EXISTING		
	Front yard setback	15.07 metres	
	Rear yard setback	16.02 metres	
	Side yard setback	8,77 metres 7.64 metres	
	Side yard setback	7.04 metres	
	PROPOSED		
	Front yard setback	No change	
	Rear yard setback	No change	
	Side yard setback Side yard setback	No change No change	
	Side yard semack	140 change	
10.	Date of Acquisition	of subject land:	July 31st, 2015
11.	Existing uses of su	bject property:	Motor Vehicle Repair Shop, Motor vehicle sales establishment and convenience restaurant (A16-017)
12.	Proposed uses of s	ubject property:	No Change.
13.	Existing uses of ab	utting properties:	North & East - motor vehicle repair, South and West - manufacturing.
14.	Date of constructio	n of all buildings & str	ructures on subject land: 1972/1973
15.	Length of time the	existing uses of the su	ubject property have been continued:  Restaurant: Minimum of 15 years
16. (a)	What water supply Municipal Well	is existing/proposed? 	Other (specify)
(b)	What sewage dispo Municipal Septic	osal is/will be provided	d? Other (specify)
(c)	What storm drainage	ge system is existing/	proposed?
, ,	Sewers	4	
	Ditches L Swales L	<b>=</b>	Other (specify)

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18.	Has a pre-	consultation	n applicatio	n been file	ed?				
	Yes	ı	No 🔽						
19.	Has the su	bject prope	rty ever bee	n the sub	ject of an a	pplicatio	n for minor v	rariance	?
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Parking Justification Study

**Existing Commercial Development** 

26 Bramsteele Road City of Brampton, ON

UT-22-076

January 17, 2023

Page 640 of 845



9275 Markham Road, Suite 146 Markham ON L6E 0H9

Tel: 437-236-7085 annosan@uteng.ca

January 17, 2023

2466482 Ontario Inc. C/O Glen Schnarr & Associates 700-10 Kingsbridge Garden Circle Mississauga ON L5R 3K6

RE: Parking Justification Study

Existing Commercial Development 26 Bramsteele Road, City of Brampton

Reference No.: UT-22-076

UrbanTrans Engineering Solutions Inc. was retained by 2466482 Ontario Inc. (the "Client") to complete this Parking Justification Study in support of a Minor Variance application. The proposed development is located at the northeast corner of Bramsteele Road and Hale Road intersection municipally known as 26 Bramsteele Road, in the City of Brampton.

The subject lands currently provide a one-storey commercial building comprising of a motor vehicle sales, auto repair shop and a restaurant with approximately 365 square metres, 353 square metres and 250 square metres of gross floor area (GFA), respectively. A total of 39 parking spaces are provided on site including six (6) tandem parking spaces. Based on discussion with the client, the purpose of the minor variance application is to renew the existing commercial uses that were temporarily permitted.

The Parking Justification Study concludes that the existing parking supply of 39 parking spaces including six (6) tandem parking spaces is reasonable and justified based on the justifications provided in this Study. It is understood that the City of Brampton is the Municipal authority to review and approve the Parking Justification Study for the proposed development.

We trust the enclosed comply with your requirements. Should you have any questions, please do not hesitate to contact the undersigned.

Kind Regards,

UrbanTrans Engineering Solutions Inc.

Signature

Engineer's Seal

Annosan Srikantha, P.Eng. President



#### **DISCLAIMER**

This document entitled '26 Bramsteele Road – Parking Justification Study' or named part thereof (the "project") was prepared by UrbanTrans Engineering Solutions Inc. ("UrbanTrans") for the account of 2466482 Ontario Inc. (the "Client"). This document is confidential and prepared solely for approval and commenting municipalities and their agencies in their review and approval of this project. The materials in this report reflect the best judgement based on the information available at the time the document was issued. Any reliance on this document by any third party is strictly prohibited and UrbanTrans accepts no responsibility for damages, if any, suffered by any third party by reason of decisions made or actions based on this document.

#### **RECORD OF REVISIONS**

Revision	Date	Identification	Description
0	January 17, 2023	Final Report	Final Submission





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Demand)

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Appendix C: 2016 TTS Data (City of Brampton, Ward 3)





## 1.0 INTRODUCTION

## 1.1 Background

UrbanTrans Engineering Solutions Inc. was retained by 2466482 Ontario Inc. (the "Client") to complete this Parking Justification Study in support of a Minor Variance application.

## 1.2 Objective

The study will assess the following components:

- Determine whether the existing shared commercial uses vehicle parking supply can sufficiently accommodate the peak parking demands of the existing commercial uses within the existing buildings.
- Undertake parking utilization surveys at the subject site to derive existing peak parking demands for the site. Furthermore, UrbanTrans will recommend reduced parking rates and identify alternative strategies that can sufficiently accommodate the peak parking demand/requirement of the proposed development (if applicable).

## 1.3 Development Proposal

The proposed development is located at the northeast corner of Bramsteele Road and Hale Road intersection municipally known as 26 Bramsteele Road, in the City of Brampton.

The subject lands currently provide a one-storey commercial building comprising of a motor vehicle sales, auto repair shop and a restaurant with approximately 365 square metres, 353 square metres and 250 square metres of gross floor area (GFA), respectively. A total of 39 parking spaces are provided on site including six (6) tandem parking spaces. Based on discussion with the client, the purpose of the minor variance application is to renew the existing commercial uses that were temporarily permitted.

The location of the proposed development is illustrated in **Figure 1**. The existing site plan is illustrated in **Figure 2**; **Appendix A** also provides a larger scale version of the existing site plan.

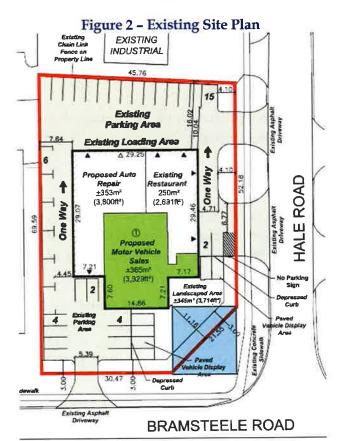




Figure 1 - Site Location



Source: Google Map



Source: Glen Schnarr & Associates Inc.





Table 1 details the existing tenant site operations and GFA.

**Table 1: Existing Building Occupancies** 

Land Use	Tenant	GFA (sq.m.)	Hours of Operation
			Monday to Friday (9am-5pm)
Auto Repair Shop	Collision Linx	353	Saturday (10am-2pm)
			Sunday (Closed)
Motor Vehicle	ACEZ Auto Sales	365	Monday to Saturday (8:30am-7pm)
Sales Shop			Sunday (10am-1pm)
			Sunday to Wednesday (12pm-7pm)
Restaurant	Steel Bar & Grill	250	Thursday (12pm-11pm)
			Friday & Saturday (12pm-1am)

## 2.0 EXISTING CONDITIONS

This section documents the transportation network in the study area in 2023, including existing roadways, transit services, active transportation network, traffic control measures, and intersection performances.

#### 2.1 Road Network

To provide clarity throughout this report, Rutherford Road South and Hale Road have been given a north-south orientation, and Steeles Avenue East and Bramsteele Road have been given an east-west orientation. On this basis, the characteristics of the roads and intersections within the vicinity of the subject site are described below:

- ➤ Rutherford Road South is a minor arterial road under the jurisdiction of the City of Brampton. It operates as a 4-lane cross section with exclusive left and right turn lanes at the signalized Steeles Avenue East intersection and exclusive left turn lanes at the signalized Bramsteele Road intersection. Rutherford Road South maintains a posted speed limit of 60 km/hr.
- > Steeles Avenue East is a major arterial road under the jurisdiction of the Region of Peel. It operates as a 4-lane cross-section with exclusive left and right turn lanes at the signalized





- Rutherford Road South intersection. Steeles Avenue East maintains a posted speed limit of 70 km/hr.
- ➤ Bramsteele Road is a local road under the jurisdiction of the City of Brampton. It operates as a 2-lane cross-section with exclusive left turn lanes at the signalized Rutherford Road South intersection. Bramsteele Road maintains an unposted speed limit of 50 km/hr.
- ➤ Hale Road is a local road under the jurisdiction of the City of Brampton. It operates as a 2-lane cross-section and maintains an unposted speed limit of 60 km/hr.

### 2.2 Transit Network

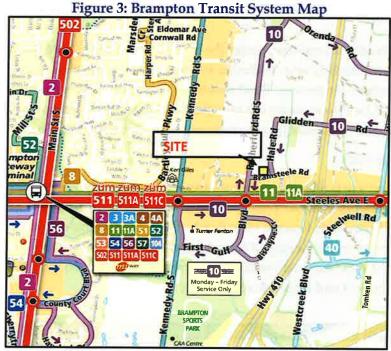
The proposed subject site is situated within an area that is currently well serviced by the existing Brampton transit network and GO Transit. Brampton Transit Bus stops are located right at the site intersection of Bramsteele Road & Hale Road. The transit routes are provided in **Appendix** B and the route services in the vicinity of the subject site are summarized in **Table 2**. The existing Brampton Transit System Map and Transit Frequency Schedule by the vicinity of the subject site are illustrated in **Figure 3** and **Figure 4**, respectively.

**Table 2: Area Transit Context** 

Bus Route	Route Description	Frequency
511/ 511A Züm Steeles (East of Brampton Gateway Terminal)	Operates in a mostly east-west direction between Lisgar GO Station, Mississauga to Humber College Terminal, Toronto. The 511/511A bus operates from Monday to Sunday.	
511C Züm Steeles (East of Brampton Gateway Terminal)	Operates in a mostly east-west direction between Lisgar GO Station, Mississauga to Humber College Terminal, Toronto. The 511C bus operates from Monday to Friday, no evening service.	
7/7A Kennedy	Operates in a mostly north-south direction between Hurontario Street @ Courtneypark Drive, Mississauga to Hurontario Street south of Mayfield Road, Brampton. The 7 Kennedy bus operates Monday to Sunday, and the 7A operates from Monday to Saturday.	See Figure 4
10 South Industrial	Operates in a north-south direction with service between Kennedy Road north of First Gulf Boulevard to Bramalea Terminal, Brampton. The 10 Industrial South bus operates from Monday to Friday, no evening service.	
11/11A Steeles	Operates in an east-west direction between Lisgar GO Station, Mississauga to Humber College Terminal, Toronto. The 11/11A Steeles bus operates from Monday to Sunday.	
Kitchener GO Train Line	Operates in an east-west direction between Downtown Kitchener to Union Station, Toronto. The Kitchener Go train line operates from Monday to Friday from 4:30 am to 10:00 pm.	30 minutes







Source: Brampton Transit Route Map

Figure 4: Transit Route Frequency Guide

	equency Guide ervice frequency in minutes					until furthe e during pea			
Route Name		Monday-Friday		Saturday		Sunday			
	& Number	AM/PM Peak	Midday	Evening After 7 pm	Day	Evening	Day	Evening	Notes
511/511A	zum Steeles (East of Gateway Terminal)	7.5	10	15/20	15/12	20	20	20	
511C	Zim Steeles (To Sheridan College)	15	20	—		-		-	
7/7A	Kennedy¹	7.5	15	20/30	12	25/30	15	30	
10	South Industrial	25	50	_	_	_	7	-	
11/11A	Steeles¹ (East)	10/8	20	30	30	30	30	30	

## 2.3 Active Transportation Network

Active transportation network involves human-powered forms of travel with walking and cycling being the most dominant and can be combined with other modes such as public transit.

#### 2.3.1 Sidewalk Network

Currently, there are sidewalks located on both sides of Rutherford Road South, west side of Bramsteele Road and south side of Hale Road. The proposed development provides direct sidewalk connections to the surrounding road network. The sidewalk connections to the surrounding intersections and roadways will facilitate pedestrian movement to and from the development.



## 2.3.2 Bicycle Network

Source: Brampton Cycling Map

Currently, cycling routes do not exist within the general area of the proposed development, as seen in **Figure 5**. However, in general, cyclists will have to share the road with automobile traffic. This is an area of improvement that the Region of Peel and the City of Brampton should fast track. This provision will facilitate and encourage new residents and employees to take alternative and sustainable modes of transportation to work, school, shopping, or other discretionary trips during the peak periods.

Based on the above, it is UrbanTrans' opinion that the area surrounding the proposed development is well served by existing active transportation, including walking, cycling, and transit. The existing and future network will continue to reduce the demand of single occupancy vehicular use.



# 3.0 TRANSPORATION DEMAND MANAGEMENT (TDM)

Transportation Demand Management (TDM) Plan discusses measures to reduce congestion, minimize the number of single-occupant vehicle and encourage non-auto modes of travel such as walking, cycling and transit as well as ridesharing. TDM plans consist of specialized policies, targeted plans, innovative mobility services and products that encourage people to use sustainable modes of transportation, rather than driving alone, or make fewer trips by car.

TDM strategies have multiple benefits including reduce auto-related emissions to improve air quality, decreased traffic congestion to reduce travel time, increased travel options, reduce personal transportation costs and energy consumption and support Provincial smart growth objectives.

The primary objective of this TDM plan are as follows:

- ➤ Provision of facilities/operations to promote behavioural change for reduced automobile uses and encourage the use of alternative sustainable transportation modes aside from single-occupancy vehicle (SOV).
- Maximize average auto occupancies, with the intent of a net minimization of site-related auto trips.
- ➤ Create and support opportunities for an inclusive transportation system to accommodate and facilitate all potential road uses in a safe and efficient manner.

#### 3.1 Smart Commute

In accordance with UrbanTrans review of the 2016 Transportation Tomorrow Survey Data Ward 3, in the City of Brampton provided in **Appendix** C, it is suggested that there is a considerable number of trips made by residents in Ward 3 and trips made to Ward 3 that are passenger (carpool), and active transportation with approximately 35% and 30%, respectively.

The Smart Commute Brampton-Caledon are non-profit Transportation Management Associations (TMAs) that promote commuter options and transportation services to employers as well as promoting sustainable transportation which are ways of travelling between places with little or no effect on the environment. The Smart Commute aims to reduce traffic and fight climate change by encouraging people to use more environmentally friendly ways of travelling in and around Brampton and Caledon. Furthermore, Smart Commute works with employers to provide easier, less stressful ways for employees to get to and from work. Smart Commute offers employers:

- Site assessments and surveys to understand employee commute behaviour.
- Customized action plans to encourage employees to explore and try out smart travel options including exclusive carpool ride-matching programs, emergency ride home. programs, discounted transit pass programs, walking and cycling programs.
- Executing employee trip reduction programs at local workplaces.
- Reduce traffic congestion and improve air quality and health by reducing vehicle emissions.





- Enhance employee efficiency and confidence, and reduce employee turnover
- > Support for improved transit service, and increased local transportation infrastructure
- Bus-only and cycling lanes, and a wider network of subway and light rapid transit.
- > Encourage the benefits of transit-supportive development and smart-growth strategies
- Promote legislative flexibility in support of high value, cost effective transportation strategies such as vanpools, telework, transit subsidies and shuttle services; and,
- Increase opportunities for TMA collaboration with business and government

Smart Commute offers one-on-one support for staff to use sustainable modes and provides promotions and incentives on an on-going basis. A web-based car matching tool is provided to allow carpoolers to easily identify ride matching options among a large membership base and form carpooling arrangements. It is recommended the Owner enrolls in the Smart Commute program as the benefits of this program include the following:

Employer/Property Owners & Managers Benefits:

- > A more attractive workplace for potential recruits
- > Better employee retention
- Increased employee productivity
- Less employees will need to park on-site

#### **Employee Benefits:**

- Reduced commuting time and costs
- Increased job satisfaction
- Improved health and safety

#### Community Benefits:

- > Less cars on the roads
- > Less need to build or widen roads
- Cleaner air
- Better health

#### 3.2 TDM Implementation

Based on our experience, excessive parking supply imposes environmental costs, contradicts community development objects for more livable and walkable communities, and tends to increase driving and discourage the use of alternative mode of travel. It is anticipated that the combination of reduced parking supply and an efficient public transit system will encourage the use of alternative modes of travel.

Sustainable Transportation Strategy recognizes and identifies Region of Peel's role to build awareness relating to sustainable modes of commuting. Travel Demand Management / Active Transportation Design recommendations have a vital role in the design of urban environments and its influence on travel choices. The Region of Peel – Sustainable Transportation and Strategic Initiatives (STSI) aim to achieve outcomes by integrating TDM/AT and development to provide





more attractive streetscapes that are inclusive and inviting for everyone: motorists, pedestrians, and cyclists; and promotes a healthy and active lifestyle.

Based on our review of the context of the proposed development in relation to the Regions' TDM/AT recommendations, **Table 3** details TDM measures and incentives recommended for the proposed development.

Table 3: TDM/AT Recommendations

Table 5. IDMAT Recommendations					
Transportation Mobility Plan Category Guidelines Recomme	nded Actions Responsibility				
spaces, it is recommended that development provides PRESTO Transit cards with discounted pricing as an incentive to staff to use transit rather than vehicle travel.  - The applicant with Region of Brampton to deithe Transit Incerpackages and premployees. The packages includ Transit and GO schedules, commended that development provides PRESTO - Tresto Card with each to be provided a one-time provide a one-time	shall coordinate Peel and City of liver and promote ntive information rograms to e information le Brampton maps and munity and where appropriate. enrolls in the e Program and Commute				

# 4.0 Transportation Planning Context in the Area

# 4.1 City of Brampton Official Plan (September 2020)

The City of Brampton Official Plan provides direction for the next stage of the Cities growth and provides a vision for a future Brampton through specific guidance for both the public and private sectors. The most recent office consolidation of Brampton's Official Plan was updated September 2020.

The Official Plan indicates that: "In order to provide for more sustainable transportation practices in the future, Brampton must find ways and design policies to assist in reducing the number and length of automobile trips, by accommodating and encouraging increased transit ridership, by encouraging active transportation such as cycling and walking, by increasing car occupancy (i.e. carrying passengers, carpooling, etc.). This Plan endeavours to increase the modal share of transit and alternative modes by improving the features – passenger and pedestrian amenities, routes, operating speeds, interregional connections, multi-use paths – that make transit and other transportation alternatives convenient,





attractive and reliable. Streets will be designed to be complete streets; their design and operation will provide for the needs of all users, including pedestrians, bicyclists and transit passengers of all ages and abilities, as well as trucks, buses and automobiles."

Based on our review of the Official Plan Transportation Policies and directions, the City indicates that there is a desire to steer development towards a transit-oriented transportation network. This will have the effect to reduce single-occupant-vehicle trips and to support other modes of transportation such as public transit and active transportation.

## 5.0 PARKING REQUIREMENT

## 5.1 Zoning By-law Review

As previously mentioned, the subject lands currently provide a one-storey commercial building comprising of a restaurant, auto repair shop and a motor vehicle sales with approximately 250 square metres, 353 square metres and 365 square metres of gross floor area (GFA), respectively. A total of 39 parking spaces are provided on site including six (6) tandem parking spaces.

The City of Brampton's Zoning By-law No. 270-2004 is applied to the proposed commercial development. The subject lands are designated M2 – SECTION 3237 on Sheet 61 of Schedule A to this by-law which specifies a minimum of 50 parking spaces shall be provided on the site.

Based on the applicable Zoning By-law, the proposed development is required to provide 50 vehicle parking spaces. The proposed development will provide a total of 39 parking spaces including six (6) tandem parking spaces resulting in a parking deficiency of 11 spaces.

As previously mentioned, based on our review of the City of Brampton's Official Plan, policies and directions indicate that there is a need to reduce automobile trips by managing parking in the City to reduce single-occupant vehicle trips and to steer development towards a transit-oriented transportation network.

## 5.2 ITE Parking Generation Manual 5th Edition

The Parking Generation Manual 5th Edition (January 2019) published by the Institute of Transportation Engineers (ITE) is an educational tool for planners, transportation professionals, zoning boards, and others who are interested in estimating parking demand of a proposed development. For the purposes of this assessment, **Table 4** calculates the existing Land Use's average peak period parking demand per 1000 sq.ft GFA. The calculated peak parking demands for each land use summarized in Table 4 was multiplied by the time-of-day distribution fractions for their respective ITE Land Use Code to get the hourly land use parking demands over the course of a typical weekday at study sites in a general urban/suburban setting. The land use hourly parking demands were added together to calculate the total onsite parking demand estimates over the course of a typical weekday and is summarized in **Table 5**.



Table 4: ITE Parking Generation 5th Edition (Land Use Average Peak Parking Demand)

GFA (sq.ft.)		Average Parking Rates	Parking Requirement
Automobile Sale (Used) Land Use (841)	3,928.83	3.08 parking spaces / 1000 sq.ft. GFA	12
Automobile Parts and Service Centre Land Use (943)	3,799.66	1.69 parking spaces / 1000 sq.ft. GFA	6
High Turnover (Sit- Down) Restaurant Land Use (932)	2,690.98	3.08 parking spaces / 1000 sq.ft. GFA	25

Table 5: ITE Parking Generation 5th Edition

(Time of Day Distribution Average Peak Parking Demand) Automobile Sales **Automobile Parts** High Turnover (Sit-Total On-site (Used) and Service Centre Down) Restaurant **Parking LUC 841** LUC 943 **LUC 932** Demand % of Time % of % of Vehicle Vehicle Vehicle Vehicle Weekday Weekday Weekday Parking **Parking** Parking **Parking** Parking Parking **Parking** Demand Demand Demand Demand Demand Demand Demand 8:00 AM 14% 2 45% 3 0% 0 5 9:00 AM 44% 5 84% 5 0% 0 10 10:00 AM 69% 8 97% 9% 6 2 16 11:00 AM 90% 11 100% 6 15% 4 21 12:00 PM 79% 9 87% 5 100% 25 39 79% 1:00 PM 9 81% 5 81% 20 34 2:00 PM 75% 9 87% 5 54% 14 28 3:00 PM 92% 11 91% 5 33% 8 24 4:00 PM 94% 11 86% 5 7 26% 23 5:00 PM 100% 12 71% 4 7 29% 23 6:00 PM 63% 8 23% 1 15 58% 24 7:00 PM 32% 4 6% 0 70% 18 22 2 8:00 PM 13% 0% 0 77% 19 21 9:00 PM 0% 0 0% 0 61% 15 15 10:00 PM 0% 0 0% 0 41% 10 10 **Total Parking Required** 39 **Total Parking Demand** 39 Difference 0



Based on the recommended parking rates outlined in the ITE Parking Generation Manual 5<sup>th</sup> Edition detailed in Table 5, the proposed development is required to provide 39 vehicle parking spaces. The proposed development will provide a total of 39 vehicle parking spaces, thereby meeting the parking requirement based on the recommended ITE parking rates.

#### 5.3 Parking Utilization Survey

As previously mentioned, a total of 39 parking spaces are provided on site including six (6) tandem parking spaces which falls short of the Zoning By-law requirement of a minimum of 50 parking spaces.

As requested by City Staff, to determine the existing peak parking demands at 26 Bramsteele Road, parking utilization surveys were conducted on a typical weekday and weekend during the operating hours of the proposed development. The survey time periods selected to capture the expected peak periods of the combined site land uses were based on the ITE Parking Generation forecast detailed in Table 5. On this basis, parking utilization surveys were conducted by UrbanTrans Engineering on the following days in 30-minute intervals:

- Thursday, January 12, 2023, between 11:00 AM to 5:00 PM
- Saturday, January 14, 2023, between 8:30 AM to 5:00 PM

**Table 6** details the existing peak parking demands at the subject site on a typical weekday and weekend.

Table 6: Parking Utilization Survey (26 Bramsteele Road, City of Brampton)

Time Period	Thursday, January 12, 2023			Saturday, January 14, 2023		
	Total	Utilization	Available	Total	Utilization	Available
(Starting)	Demand	Rate	Spaces	Demand	Rate	Spaces
Supply			39 S	paces		
11:00 AM	33	85%	6	29	74%	10
11:30 AM	34	87%	5	30	77%	9
12:00 PM	34	87%	5	30	77%	9
12:30 PM	29	74%	10	30	77%	9
1:00 PM	29	74%	10	30	77%	9
1:30 PM	30	77%	9	30	77%	9
2:00 PM	30	77%	9	30	77%	9
2:30 PM	33	85%	6	30	77%	9
3:00 PM	33	85%	6	30	77%	9
3:30 PM	33	85%	6	30	77%	9
4:00 PM	33	85%	6	27	69%	12
4:30 PM	28	72%	11	25	64%	14
5:00 PM	27	69%	12	24	61%	15
Max Demand	34			30		
Max Utilization		87%		77%		

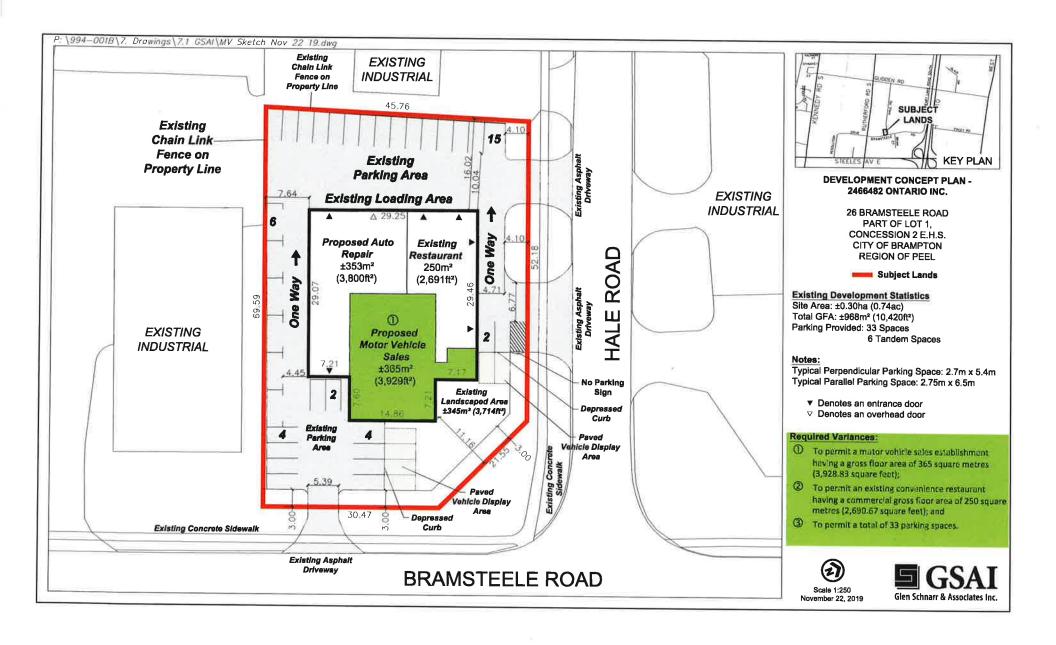


As shown from the parking utilization survey results above, of the 39 parking spaces made available at 26 Bramsteele Road, a peak parking demand of 34 and 30 parking spaces (or approximately 87% and 77%) were utilized during the highest peak parking demands over the course of two survey days. As such, a total of five (5) parking spaces are technically always made available during the expected peak periods.

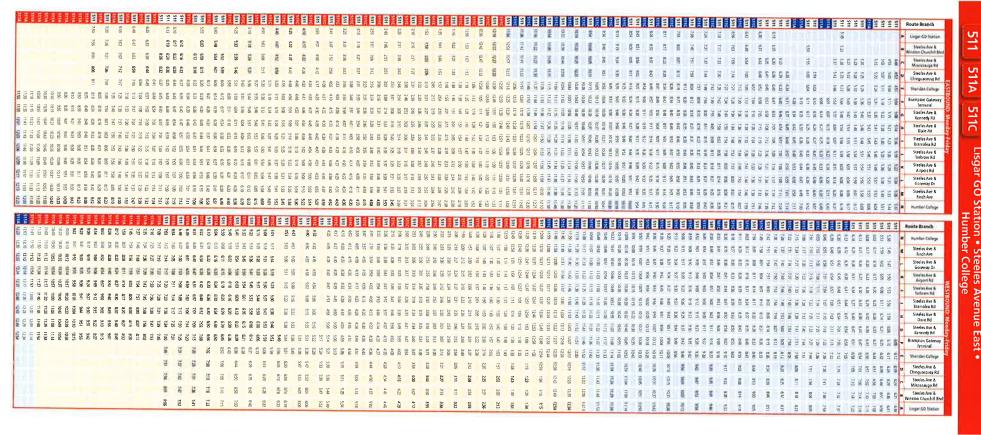
It is UrbanTrans' opinion that the minimum of 50 parking spaces based on the Zoning By-law is overly conservative. Furthermore, parking management is the best TDM measure to encourage employees to walk and cycle to and from the proposed development. The City continues to evolve into an increasingly urban environment with more pervasive and frequent public transportation and has recognized the need to review its parking standards. High minimum parking requirements contribute to an oversupply of parking, inefficient use of land, and dispersed development patterns, which in turn strengthen automobile dependence and discourages alternative forms of transportation such as transit and walking.

It is UrbanTrans' opinion the existing parking provision to accommodate all future parking demands on the subject site comprising of a motor vehicle sales, auto repair shop and a restaurant with approximately 365 square metres, 353 square metres and 250 square metres of gross floor area (GFA), respectively is reasonable and justified based on the justifications and TDM measures and incentives provided in this Study without adversely impacting users of the 26 Bramsteele Road property users.

# Appendix Existing Site Plan



# Appendix B Existing Transit Routes



# **moovit** 7 bus time schedule & line map



# Kennedy

View In Website Mode

The 7 bus line (Kennedy) has 6 routes. For regular weekdays, their operation hours are:

(1) 7 Kennedy North: 12:17 AM - 11:47 PM (2) 7 Kennedy North To Heart Lake Terminal: 12:00 AM - 11:30 PM (3) 7 Kennedy Sb-Htlk: 1:30 AM - 11:43 PM (4) 7 Kennedy South: 12:08 AM - 11:37 PM (5) 7a Kennedy North: 12:13 AM - 10:57 PM (6) 7a Kennedy South: 5:11 AM - 11:39 PM

Use the Moovit App to find the closest 7 bus station near you and find out when is the next 7 bus arriving.

#### Direction: 7 Kennedy North

60 stops

VIEW LINE SCHEDULE

Hurontario St At Courtneypark Dr E

Hurontario St At Ambassador Dr

Hurontario St At Superior Blvd

Hurontario St At Admiral Blvd

Hurontario St At Derry Rd E

Derry Rd At Edwards Blvd

Derry Rd Btwn Edwards Blvd And Kenderry Gate

Derry Rd At Kenderry Gate

Kennedy Rd S N/Of Derry Rd

Kennedy Rd S at Secretariat Crt

Kennedy Rd S at Caa Centre

Kennedy Rd at 7580 Kennedy Rd

Kennedy Rd at 7725 Kennedy Rd

Kennedy Rd S N/Of First Gulf Blvd

Kennedy Rd S/Of Steeles Ave

Kennedy Rd S N/Of Steeles Ave E

Kennedy Rd S at 370 Kennedy Rd S

Kennedy Rd Opp Rambler Dr

Kennedy Rd S N/Of Rambler Dr

Kennedy Rd S at Glidden Rd

Kennedy Rd S Opp Tullamore Rd

#### 7 bus Time Schedule

7 Kennedy North Route Timetable:

 Sunday
 12:04 AM - 11:03 PM

 Monday
 6:28 AM - 11:03 PM

 Tuesday
 4:25 AM - 11:47 PM

 Wednesday
 12:17 AM - 11:47 PM

 Thursday
 12:17 AM - 11:47 PM

 Friday
 12:17 AM - 11:34 PM

 Saturday
 12:17 AM - 11:34 PM

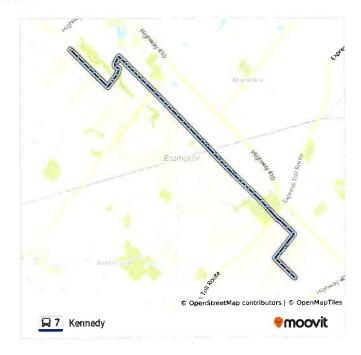
7 bus Info

Direction: 7 Kennedy North

**Stops:** 60

**Trip Duration:** 49 min **Line Summary:** 

Kennedy Rd S at Stafford Dr Kennedy Rd S Opp Dean St (At 110 Kennedy Rd) Kennedy Rd S Opp Research Rd (At 90 Kennedy Rd) Kennedy Rd S at Clarence St Kennedy Rd S N/Of Orenda Rd Kennedy Rd S at Eastern Ave Kennedy Rd S at Queen St E Kennedy Rd N Opp Church St Kennedy Rd N Opp Edgemont Dr Kennedy Rd N at Centennial Mall Kennedy Rd N at Vodden St E Kennedy Rd N at Townsend Gate Kennedy Rd N at Williams Pky E Kennedy Rd N N/Of Williams Pky E Kennedy Rd N at Rutherford Rd N Kennedy Rd N Btwn Rutherford Rd N & Bovaird Dr Ε Kennedy Rd N at Bovaird Dr E Kennedy Rd N at Notre Dame Ave Kennedy Rd N Btwn Notre Dame Ave & Cochrane Ave Kennedy Rd N at Cochrane Ave Kennedy Rd N at Heart Lake Medical Kennedy Rd N at Piedmont Dr Kennedy Rd N N/Of Piedmont Dr Kennedy Rd N at Sandalwood Pky E Kennedy Rd N N/Of Sandalwood Pky E Conestoga Dr at Mondragon Circle



Sandalwood Pky E W/Of Conestoga Dr Sandalwood Pky E Opp 95 Sandalwood Pky E

Conestoga Dr at Loafers Lake Lane

Heart Lake Terminal

(Firestat

Sandalwood Pky E at Braidwood Lake Rd

Sandalwood Pky E W/Of Braidwood Lake Rd

Sandalwood - Zum Main Station Stop Nb

Hurontario St S/Of Petworth Rd

Hurontario St Opp 10866 Hurontario St

Hurontario St S/Of Conservation Dr

Hurontario St S/Of Perth St

Hurontario St S/Of Roycrest St

Hurontario St S/Of Mayfield Rd

Direction: 7 Kennedy North To Heart Lake **Terminal** 

48 stops

VIEW LINE SCHEDULE

Hurontario St At Courtneypark Dr E

Hurontario St At Ambassador Dr

Hurontario St At Superior Blvd

Hurontario St At Admiral Blvd

Hurontario St At Derry Rd E

Derry Rd At Edwards Blvd

Derry Rd Btwn Edwards Blvd And Kenderry Gate

Derry Rd At Kenderry Gate

Kennedy Rd S N/Of Derry Rd

Kennedy Rd S at Secretariat Crt

Kennedy Rd S at Caa Centre

Kennedy Rd at 7580 Kennedy Rd

Kennedy Rd at 7725 Kennedy Rd

Kennedy Rd S N/Of First Gulf Blvd

Kennedy Rd S/Of Steeles Ave

Kennedy Rd S N/Of Steeles Ave E

Kennedy Rd S at 370 Kennedy Rd S

Kennedy Rd Opp Rambler Dr

Kennedy Rd S N/Of Rambler Dr

Kennedy Rd S at Glidden Rd

Kennedy Rd S Opp Tullamore Rd

Kennedy Rd S at Stafford Dr

Kennedy Rd S Opp Dean St (At 110 Kennedy Rd)

Kennedy Rd S Opp Research Rd (At 90 Kennedy

Rd)

Kennedy Rd S at Clarence St

Kennedy Rd S N/Of Orenda Rd

Kennedy Rd S at Eastern Ave

Kennedy Rd S at Queen St E

#### 7 bus Time Schedule

7 Kennedy North To Heart Lake Terminal Route Timetable:

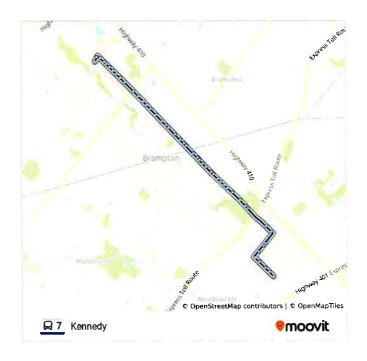
Sunday 12:00 AM - 11:30 PM Monday 12:00 AM - 11:30 PM Tuesday 12:00 AM - 11:30 PM 12:00 AM - 11:30 PM Wednesday Thursday 12:00 AM - 11:30 PM Friday 12:00 AM - 11:30 PM Saturday 12:00 AM - 11:30 PM

#### 7 bus Info

Direction: 7 Kennedy North To Heart Lake Terminal

**Stops**: 48

Trip Duration: 34 min **Line Summary:** 



Kennedy Rd N Opp Church St Kennedy Rd N Opp Edgemont Dr Kennedy Rd N at Centennial Mall Kennedy Rd N at Vodden St E Kennedy Rd N at Townsend Gate Kennedy Rd N at Williams Pky E Kennedy Rd N N/Of Williams Pky E Kennedy Rd N at Rutherford Rd N Kennedy Rd N Btwn Rutherford Rd N & Bovaird Dr Kennedy Rd N at Bovaird Dr E Kennedy Rd N at Notre Dame Ave Kennedy Rd N Btwn Notre Dame Ave & Cochrane Ave Kennedy Rd N at Cochrane Ave Kennedy Rd N at Heart Lake Medical Kennedy Rd N at Piedmont Dr Kennedy Rd N N/Of Piedmont Dr Kennedy Rd N at Sandalwood Pky E Kennedy Rd N N/Of Sandalwood Pky E

Conestoga Dr at Mondragon Circle

Heart Lake Terminal

## Direction: 7 Kennedy Sb-Htlk

12 stops

VIEW LINE SCHEDULE

Hurontario St S/Of Mayfield Rd

Mayfield Rd Opp Summer Valley Dr

Mayfield Rd W/Of Inder Heights Dr

Mayfield Rd W/Of Kennedy Rd

Kennedy Rd N S/Of Kenpark Ave

Kennedy Rd N at Carnforth Dr

Kennedy Rd N Opp Christie Dr

Kennedy Dr N S/Of Conservation Dr

Kennedy Rd N Opp Mcfadden Dr

Kennedy Rd N S/Of Somerset Dr

Conestoga Dr at Mondragon Circle

Heart Lake Terminal

#### 7 bus Time Schedule

7 Kennedy Sb-Htlk Route Timetable:

Sunday	1:16 AM - 11:43 PM
Monday	8:11 PM - 11:43 PM
Tuesday	3:39 PM - 11:43 PM
Wednesday	1:30 AM - 11:43 PM
Thursday	1:30 AM - 11:43 PM
Friday	1:30 AM - 11:43 PM
Saturday	1:30 AM - 11:43 PM

#### 7 bus Info

Direction: 7 Kennedy Sb-Htlk

**Stops:** 12

**Trip Duration:** 8 min **Line Summary:** 



#### Direction: 7 Kennedy South

60 stops

VIEW LINE SCHEDULE

Hurontario St S/Of Mayfield Rd

Mayfield Rd Opp Summer Valley Dr

Mayfield Rd W/Of Inder Heights Dr

Mayfield Rd W/Of Kennedy Rd

Kennedy Rd N S/Of Kenpark Ave

Kennedy Rd N at Carnforth Dr

Kennedy Rd N Opp Christie Dr

Kennedy Dr N S/Of Conservation Dr

Kennedy Rd N Opp Mcfadden Dr

Kennedy Rd N S/Of Somerset Dr

Conestoga Dr at Mondragon Circle

Heart Lake Terminal

Conestoga Dr at Loafers Lake Lane

Sandalwood Pky E E/Of Conestoga Dr

Sandalwood Pkwy W/Of Kennedy Rd

Kennedy Rd N Opp Piedmont Dr

Kennedy Rd N Opp Heart Lake Medical Bldg

Kennedy Rd N at Ruth Ave

Kennedy Rd N Btwn Ruth Ave & Wexford Rd

Kennedy Rd N at Wexford Rd

Kennedy Rd N at Bovaird Dr E

Kennedy Rd N Btwn Bovaird Dr E & Centre St N

Kennedy Rd N at Centre St N

Kennedy Rd N Btwn Centre St N & Williams Pky E

Kennedy Rd N at Williams Pky E

Kennedy Rd N at Linkdale Rd

Kennedy Rd N at Vodden St E

Kennedy Rd N Opp Centennial Mall Private Entrance

#### 7 bus Time Schedule

7 Kennedy South Route Timetable:

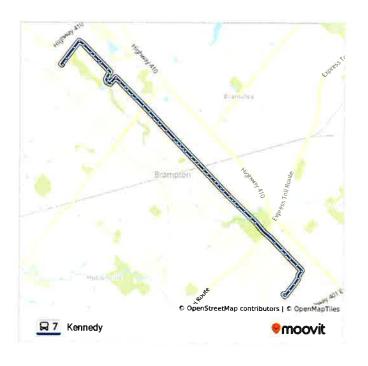
Sunday	12:21 AM - 11:19 PM
Monday	6:42 AM - 11:19 PM
Tuesday	4:35 AM - 11:37 PM
Wednesday	12:08 AM - 11:37 PM
Thursday	12:08 AM - 11:37 PM
Friday	12:08 AM - 11:37 PM
Saturday	12:08 AM - 11:52 PM

#### 7 bus Info

Direction: 7 Kennedy South

Stops: 60

**Trip Duration**: 48 min **Line Summary**:



Kennedy Rd N at Mccaul St Kennedy Rd N at Church St E Kennedy Rd S S/Of Queen St E Kennedy Rd S S/Of Eastern Ave Kennedy Rd S at Orenda Rd Kennedy Rd S at Clarence St Kennedy Rd S at Research Rd Kennedy Rd S at Dean St Kennedy Rd S at Tullamore Crt (Tullamore Nursing) Kennedy Rd S S/Of Tullamore Crt Kennedy Rd S at Chamney Crt Kennedy Rd S/Of Chamney Crt Kennedy Rd S S/Of Rambler Dr Kennedy Rd S at 365 Kennedy Rd S Kennedy Rd N/Of Steeles Ave Kennedy Rd S S/Of Steeles Ave E Kennedy Rd S at Hartford Trail Kennedy Rd S at Brampton Golf Club (7700 Kennedy) Kennedy Rd S Opp Caa Centre Kennedy Rd S Opp Secretariat Court Kennedy Rd S N/Of Derry Rd Kennedy Rd At Gibraltar Dr Kennedy Rd S at Admiral Blvd Kennedy Rd At Ambassador Dr Kennedy Rd At Courtneypark Dr Courtneypark Dr E W/Of Kennedy Rd Courtneypark Dr E at Innovator Dr Courtneypark Dr Btwn Innovator Dr And Edwards ΒI Courtneypark Dr at Edwards Blvd

Courtneypark Dr At Hurontario St

Kennedy Rd N at Edgemont Dr

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#### Direction: 7a Kennedy North

48 stops

VIEW LINE SCHEDULE

Hurontario St At Courtneypark Dr E

Hurontario St At Ambassador Dr

Hurontario St At Superior Blvd

Hurontario St At Admiral Blvd

Hurontario St At Derry Rd E

Derry Rd At Edwards Blvd

Derry Rd Btwn Edwards Blvd And Kenderry Gate

Derry Rd At Kenderry Gate

Kennedy Rd S N/Of Derry Rd

Kennedy Rd S at Secretariat Crt

Kennedy Rd S at Caa Centre

Kennedy Rd at 7580 Kennedy Rd

Kennedy Rd at 7725 Kennedy Rd

Kennedy Rd S N/Of First Gulf Blvd

Kennedy Rd S/Of Steeles Ave

Kennedy Rd S N/Of Steeles Ave E

Kennedy Rd S at 370 Kennedy Rd S

Kennedy Rd Opp Rambler Dr

Kennedy Rd S N/Of Rambler Dr

Kennedy Rd S at Glidden Rd

Kennedy Rd S Opp Tullamore Rd

Kennedy Rd S at Stafford Dr

Kennedy Rd S Opp Dean St (At 110 Kennedy Rd)

Kennedy Rd S Opp Research Rd (At 90 Kennedy Rd )

Kennedy Rd S at Clarence St

Kennedy Rd S N/Of Orenda Rd

Kennedy Rd S at Eastern Ave

Kennedy Rd S at Queen St E

#### 7 bus Time Schedule

7a Kennedy North Route Timetable:

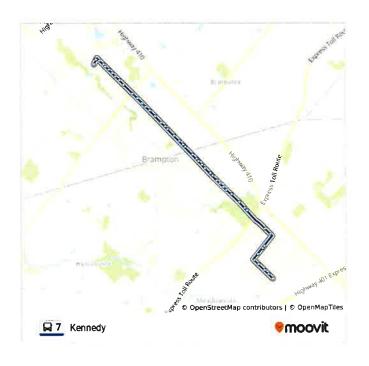
Sunday	Not Operational
Monday	Not Operational
Tuesday	6:10 AM - 10:57 PM
Wednesday	12:13 AM - 10:57 PM
Thursday	12:13 AM - 10:57 PM
Friday	12:13 AM - 10:57 PM
Saturday	12:13 AM - 7:06 PM

#### 7 bus Info

**Direction:** 7a Kennedy North

Stops: 48

Trip Duration: 47 min Line Summary:



Kennedy Rd N Opp Church St Kennedy Rd N Opp Edgemont Dr Kennedy Rd N at Centennial Mall Kennedy Rd N at Vodden St E Kennedy Rd N at Townsend Gate Kennedy Rd N at Williams Pky E Kennedy Rd N N/Of Williams Pky E Kennedy Rd N at Rutherford Rd N Kennedy Rd N Btwn Rutherford Rd N & Bovaird Dr Kennedy Rd N at Bovaird Dr E Kennedy Rd N at Notre Dame Ave Kennedy Rd N Btwn Notre Dame Ave & Cochrane Ave Kennedy Rd N at Cochrane Ave Kennedy Rd N at Heart Lake Medical Kennedy Rd N at Piedmont Dr Kennedy Rd N N/Of Piedmont Dr Kennedy Rd N at Sandalwood Pky E Kennedy Rd N N/Of Sandalwood Pky E Conestoga Dr at Mondragon Circle

#### Direction: 7a Kennedy South

49 stops

VIEW LINE SCHEDULE

Heart Lake Terminal

Conestoga Dr at Loafers Lake Lane

Sandalwood Pky E E/Of Conestoga Dr

Sandalwood Pkwy W/Of Kennedy Rd

Kennedy Rd N Opp Piedmont Dr

Kennedy Rd N Opp Heart Lake Medical Bldg

Kennedy Rd N at Ruth Ave

Kennedy Rd N Btwn Ruth Ave & Wexford Rd

Kennedy Rd N at Wexford Rd

Kennedy Rd N at Bovaird Dr E

Kennedy Rd N Btwn Bovaird Dr E & Centre St N

Kennedy Rd N at Centre St N

Kennedy Rd N Btwn Centre St N & Williams Pky E

Kennedy Rd N at Williams Pky E

Kennedy Rd N at Linkdale Rd

Kennedy Rd N at Vodden St E

Kennedy Rd N Opp Centennial Mall Private **Entrance** 

Kennedy Rd N at Edgemont Dr

Kennedy Rd N at Mccaul St

Kennedy Rd N at Church St E

Kennedy Rd S S/Of Queen St E

Kennedy Rd S S/Of Eastern Ave

Kennedy Rd S at Orenda Rd

Kennedy Rd S at Clarence St

Kennedy Rd S at Research Rd

Kennedy Rd S at Dean St

Kennedy Rd S at Tullamore Crt (Tullamore Nursing)

Kennedy Rd S S/Of Tullamore Crt

#### 7 bus Time Schedule

7a Kennedy South Route Timetable:

Sunday	Not Operational
Monday	Not Operational
Tuesday	5:11 AM - 11:39 PM
Wednesday	5:11 AM - 11:39 PM
Thursday	5:11 AM - 11:39 PM
Friday	5:11 AM - 11:39 PM
Saturday	10:09 AM - 6:58 PM

#### 7 bus Info

Direction: 7a Kennedy South

Stops: 49

Trip Duration: 43 min Line Summary:



Kennedy Rd S at Chamney Crt Kennedy Rd S/Of Chamney Crt Kennedy Rd S S/Of Rambler Dr Kennedy Rd S at 365 Kennedy Rd S Kennedy Rd N/Of Steeles Ave Kennedy Rd S S/Of Steeles Ave E Kennedy Rd S at Hartford Trail Kennedy Rd S at Brampton Golf Club (7700 Kennedy) Kennedy Rd S Opp Caa Centre Kennedy Rd S Opp Secretariat Court Kennedy Rd S N/Of Derry Rd Kennedy Rd At Gibraltar Dr Kennedy Rd S at Admiral Blvd Kennedy Rd At Ambassador Dr Kennedy Rd At Courtneypark Dr Courtneypark Dr E W/Of Kennedy Rd Courtneypark Dr E at Innovator Dr

Courtheypark Dr E at Illilovator Dr

Courtneypark Dr Btwn Innovator Dr And Edwards Bl

Courtneypark Dr at Edwards Blvd

Courtneypark Dr At Hurontario St

Hurontario St At Courtneypark Dr E

7 bus time schedules and route maps are available in an offline PDF at moovitapp.com. Use the <u>Moovit App</u> to see live bus times, train schedule or subway schedule, and step-by-step directions for all public transit in Toronto.

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# **Check Live Arrival Times**







# moovit 10 bus time schedule & line map

# ₽10

# South Industrial

View In Website Mode

The 10 bus line (South Industrial) has 2 routes. For regular weekdays, their operation hours are: (1) 10 South Industrial Northbound: 5:53 AM - 7:20 PM (2) 10 South Industrial Southbound: 5:25 AM - 6:55 PM Use the Moovit App to find the closest 10 bus station near you and find out when is the next 10 bus arriving.

#### Direction: 10 South Industrial Northbound

28 stops

VIEW LINE SCHEDULE

Kennedy Rd S N/Of First Gulf Blvd

Kennedy Rd S/Of Steeles Ave

Kennedy - Zum Steeles Station Stop Eb

Rutherford Rd S N/Of Steeles Ave E

Rutherford Rd S/Of Bramsteele Rd

Rutherford Rd S N/Of Bramsteele Rd

Rutherford Rd S at Glidden Rd

Rutherford Rd S at Selby Rd

Rutherford Rd S Opp Stafford Rd

Rutherford Rd S at Clarence St

Orenda Rd E/Of Rutherford Rd S

Orenda Rd Btwn Rutherford Rd S & Heart Lake Rd

Orenda Rd Opp Heart Lake Rd

Orenda Rd Opp Tilbury Crt

Orenda Rd at 237 Orenda Rd

Orenda Rd at Titan Rd

West Dr N/Of Orenda Rd

West Dr S/Of Clark Blvd (55 West Dr)

Clark Blvd E/Of West Dr

Clark Blvd at 185 Clark Blvd

Clark Blvd at Terese Rd

Clark Blvd at Braemar Dr

#### 10 bus Time Schedule

10 South Industrial Northbound Route Timetable:

Sunday	Not Operational
Monday	Not Operational
Tuesday	5:53 AM - 7:20 PM
Wednesday	5:53 AM - 7:20 PM
Thursday	5:53 AM - 7:20 PM
Friday	5:53 AM - 7:20 PM
Saturday	Not Operational

#### 10 bus Info

**Direction:** 10 South Industrial Northbound

**Stops: 28** 

**Trip Duration:** 22 min **Line Summary:** 

Clark Blvd at Briar Path

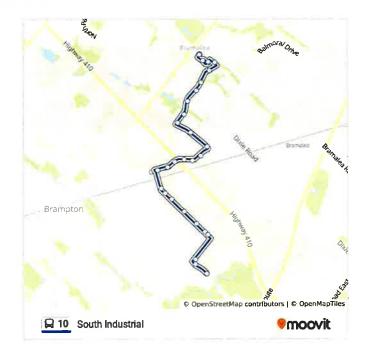
Clark Blvd W/Of Central Park Dr

Central Park Dr N/Of Clark Blvd

Knightsbridge Rd W/Of Central Park Drive

Team Canada Dr Btwn Knightsbridge & Peel Cente Dr

Bramalea Terminal



#### Direction: 10 South Industrial Southbound

28 stops

VIEW LINE SCHEDULE

Bramalea Terminal

Central Park Dr N/Of Clark Blvd

Clark Blvd W/Of Peel Centre Dr

Clark Blvd E/Of Dixie Rd

Clark Blvd at Lisa St

Clark Blvd Opp 185 Clark Blvd

West Dr S/Of Clark Blvd

West Dr at 60 West Dr

West Dr at Norpak Whse

West Dr S/Of Orenda Rd

Glidden Rd W/Of West Dr

Glidden Rd at Blair Dr

Glidden Rd at Heart Lake Rd

Glidden Rd W/Of Heart Lake Rd

Glidden Rd at Hale Rd

Hale Rd S/Of Glidden Rd

Hale Rd Btwn Glidden Rd & Bramsteele Ave

Hale Rd N/Of Bramsteele Ave

Bramsteele Ave E/Of Rutherford Rd

Rutherford Rd S at Steeles Ave E

First Gulf Blvd N/Of Biscayne Cres (N)

Biscayne Cres E/Of First Gulf Blvd (S)

Biscayne Cres E/Of Clipper Crt

Biscayne Cres at 150 Biscayne Cres

Biscayne Cres E/Of First Gulf Blvd (N)

First Gulf Blvd at Biscayne Cres S

First Gulf Blvd Btwn Biscayne Cres (S) And Kennedy

Kennedy Rd S N/Of First Gulf Blvd

#### 10 bus Time Schedule

10 South Industrial Southbound Route Timetable:

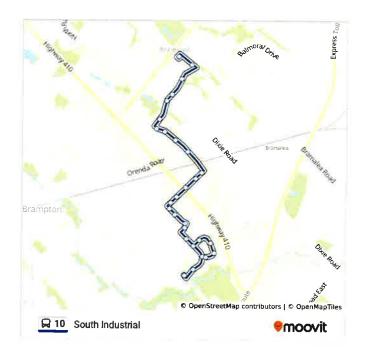
Sunday	Not Operational
Monday	Not Operational
Tuesday	5:25 AM - 6:55 PM
Wednesday	5:25 AM - 6:55 PM
Thursday	5:25 AM - 6:55 PM
Friday	5:25 AM - 6:55 PM
Saturday	Not Operational

#### 10 bus Info

Direction: 10 South Industrial Southbound

**Stops**: 28

**Trip Duration:** 24 min **Line Summary:** 



10 bus time schedules and route maps are available in an offline PDF at moovitapp.com. Use the <u>Moovit App</u> to see live bus times, train schedule or subway schedule, and step-by-step directions for all public transit in Toronto.

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# **Check Live Arrival Times**







# moovit 11 bus time schedule & line map

# ₽11

## 11 Steeles Eastbound

View In Website Mode

The 11 bus line (11 Steeles Eastbound) has 8 routes. For regular weekdays, their operation hours are: (1) 11 Steeles Eastbound: 1:45 AM - 11:50 PM (2) 11 Steeles Eb - Gate: 7:17 AM - 6:23 PM (3) 11 Steeles Westbound: 12:08 AM - 11:41 PM (4) 11a Steeles Eastbound: 1:00 AM - 11:57 PM (5) 11a Steeles Westbound: 12:11 AM - 11:56 PM (6) 11d Steeles Eb - Gate: 12:15 AM - 11:36 PM (7) 11d Steeles Eb - Humber: 7:24 AM (8) 11d Steeles Wb - Lisgar: 5:50 AM - 9:50 PM

Use the Moovit App to find the closest 11 bus station near you and find out when is the next 11 bus arriving.

#### Direction: 11 Steeles Eastbound

63 stops
<u>VIEW LINE SCHEDULE</u>

Lisgar Go Station

Argentia - Zum Steeles Stop Eb

Winston Churchill - Zum Steeles Station Stop Eb

Heritage - Zum Steeles Station Stop Eb

Hereford - Zum Steeles Station Stop Eb

Mississauga Road - Zum Steeles Station Stop Eb

Financial - Zum Steeles Station Stop Eb

Steeles Ave W at Churchville Rd

Steeles Ave Opp Polonia Ave

Steeles Ave W at Clementine Dr

Steeles Ave W/Of Mavis Rd

Steeles Ave W E/Of Mavis Rd

Steeles Ave W Btwn Mavis Rd & Windmill Blvd

Steeles Ave W at Windmill Blvd

Steeles Ave W at Mclaughlin Rd S

Sheridan College

Sheridan College

Malta - Zum Steeles Station Stop Eb

Gateway Terminal at Shoppers World

Steeles Ave E E/Of Hurontario St

#### 11 bus Time Schedule

11 Steeles Eastbound Route Timetable:

 Sunday
 5:07 AM - 11:50 PM

 Monday
 5:07 AM - 11:50 PM

 Tuesday
 4:25 AM - 11:50 PM

 Wednesday
 1:45 AM - 11:50 PM

 Thursday
 1:45 AM - 11:50 PM

 Friday
 1:45 AM - 11:50 PM

 Saturday
 1:45 AM - 11:50 PM

#### 11 bus Info

**Direction:** 11 Steeles Eastbound

Stops: 63

Trip Duration: 70 min

**Line Summary:** 

Steeles Ave E Btwn Hurontario St & Hartford Tr Steeles Ave At Hartford Trail Kennedy - Zum Steeles Station Stop Eb Steeles Ave E/Of Resolution Dr Steeles Ave At First Gulf Blvd Tomken - Zum Steeles Station Stop Eb Steeles Ave E Btwn Tomken Rd & Dixie Rd Steeles Ave W/Of Dixie Rd Dixie - Zum Steeles Station Stop Eb Steeles Ave E at Advance Blvd Bramalea Go Station-Route 11/11a/511/A/C Eb Steeles Ave E/Of Bramalea Rd Steeles Ave At Melanie Dr Steeles Ave At Melanie Dr Torbram - Zum Steeles Station Stop Eb Steeles Ave Opp Pearson Convention Centre Steeles Ave At Airport Rd Steeles Ave E Opp Parkhurst Sq Steeles Ave E at 3389 Steeles Ave E (Bombay Whse) Steeles Ave E at Goreway Dr Goreway Dr S/Of Steeles Ave E Kenview Blvd E/Of Goreway Dr Kenview Blvd at 5 Kenview Blvd Kenview Blvd at 11 Kenview Blvd Kenview Blvd E/Of Castleview Dr (19 Kenview Blvd) Kenview Blvd at Parkshore Dr Finch Ave N/Of Kenview Blvd Finch Ave S/Of Steeles Ave Steeles Ave W/Of Hwy 50 Steeles Ave W/Of Alcide St Steeles Ave W/Of Signal Hill Ave



Signal Hill Ave N/Of Steinway Blvd

Steinway Blvd W/Of Signal Hill Ave

Steinway Blvd N/Of Albion Rd

Humberline Dr S/Of Albion Rd

Humberline Dr At Hudersfield Rd

Humberline Dr at 310 Humberline Dr

Humberline Dr N/Of Claireville Dr (S)

Finch Ave E/Of Humberline Dr

Finch Ave Btwn Humberline Dr And Humber College Bl

Finch Ave At Humber College Blvd

Humber College Blvd S/Of Humberline Dr

Humber College Terminal - Route 11/11a Stop

#### Direction: 11 Steeles Eb - Gate

19 stops

VIEW LINE SCHEDULE

Lisgar Go Station

Argentia - Zum Steeles Stop Eb

Winston Churchill - Zum Steeles Station Stop Eb

Heritage - Zum Steeles Station Stop Eb

Hereford - Zum Steeles Station Stop Eb

Mississauga Road - Zum Steeles Station Stop Eb

Financial - Zum Steeles Station Stop Eb

Steeles Ave W at Churchville Rd

Steeles Ave Opp Polonia Ave

Steeles Ave W at Clementine Dr

Steeles Ave W/Of Mavis Rd

Steeles Ave W E/Of Mavis Rd

Steeles Ave W Btwn Mavis Rd & Windmill Blvd

Steeles Ave W at Windmill Blvd

Steeles Ave W at Mclaughlin Rd S

Sheridan College

Sheridan College

Malta - Zum Steeles Station Stop Eb

Gateway Terminal at Shoppers World

#### 11 bus Time Schedule

#### 11 Steeles Eb - Gate Route Timetable:

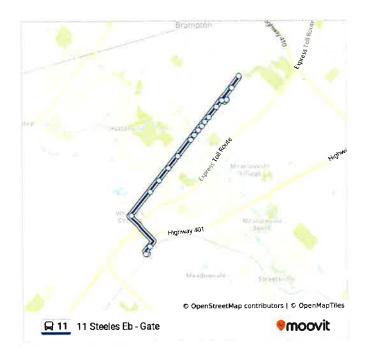
Sunday	7:17 AM - 12:48 PM
Monday	7:17 AM - 12:48 PM
Tuesday	7:17 AM - 6:23 PM
Wednesday	7:17 AM - 6:23 PM
Thursday	7:17 AM - 6:23 PM
Friday	7:17 AM - 6:23 PM
Saturday	7:17 AM - 12:48 PM

#### 11 bus Info

Direction: 11 Steeles Eb - Gate

**Stops**: 19

**Trip Duration:** 25 min **Line Summary:** 



#### **Direction: 11 Steeles Westbound**

49 stops

VIEW LINE SCHEDULE

Humber College Terminal - Route 11/11a Stop

Finch Ave West at Woodbine Downs Blvd

Finch Ave W/Of Humber College Blvd

Finch Ave At Humberline Dr

Finch Ave At Longo Circle

Finch Ave N/Of Longo Circle

Kenview Blvd W/Of Finch Ave

Kenview Blvd W/Of Parkshore Dr

Kenview Blvd at 26 Kenview Blvd

Kenview Blvd at 14 Kenview Blvd

Kenview Blvd at Paget Rd

Kenview Blvd at Goreway Dr

Goreway Dr Btwn Kenview Blvd And Steeles Ave E

Steeles Ave At Goreway Dr

Steeles Ave E at Parkhurst Sq

Steeles Ave At Airport Rd

Torbram - Zum Steeles Station Stop Wb

Steeles Ave At Melanie Dr

Steeles Ave At Melanie Dr

Steeles Ave E/Of Bramalea Rd

Bramalea Go Station-Route 11/11a/511/A/C Wb

Stop

Steeles Ave W/Of Advance Blvd

Dixie - Zum Steeles Station Stop Wb

Steeles Ave E Btwn Dixie Rd & West Dr

West Drive - Zum Steeles Station Stop Wb

Rutherford - Zum Steeles Station Stop Wb

Steeles Ave E E/Of Resolution Dr

Steeles Ave E/Of Kennedy Rd

#### 11 bus Time Schedule

### 11 Steeles Westbound Route Timetable:

Sunday	12:02 AM - 11:34 PM
Monday	6:27 AM - 11:34 PM
Tuesday	5:46 AM - 11:41 PM
Wednesday	12:08 AM - 11:41 PM
Thursday	12:08 AM - 11:41 PM
Friday	12:08 AM - 11:41 PM
Saturday	12:08 AM - 11:34 PM

#### 11 bus Info

**Direction:** 11 Steeles Westbound

**Stops**: 49

**Trip Duration:** 68 min **Line Summary:** 



Steeles Ave At Kennedy Rd Steeles Ave At Orchard Dr Steeles Ave E at 152 Steeles Ave Steeles Ave E/Of Main St Gateway Terminal at Shoppers World Mcmurchy - Zum Steeles Station Stop Wb Sheridan College Steeles Ave W at Tait Blvd Steeles Ave W at Beaconsfield Walkway Chinguacousy - Zum Steeles Station Stop Wb Steeles Ave W W/Of James Potter Dr Steeles Ave W at Polonia Ave Steeles Ave at Churchville Rd Steeles Ave W E/Of Financial Dr Financial - Zum Steeles Station Stop Wb Mississauga Road - Zum Steeles Station Stop Wb Rivermont - Zum Steeles Station Stop Wb Heritage - Zum Steeles Station Stop Wb

Winston Churchill - Zum Steeles Station Stop Wb

Argentia - Zum Steeles Stop Wb

Lisgar Go Station

#### Direction: 11a Steeles Eastbound

45 stops

VIEW LINE SCHEDULE

Gateway Terminal at Shoppers World

Steeles Ave E E/Of Hurontario St

Steeles Ave E Btwn Hurontario St & Hartford Tr

Steeles Ave At Hartford Trail

Kennedy - Zum Steeles Station Stop Eb

Steeles Ave E/Of Resolution Dr

Steeles Ave At First Gulf Blvd

Tomken - Zum Steeles Station Stop Eb

Steeles Ave E Btwn Tomken Rd & Dixie Rd

Steeles Ave W/Of Dixie Rd

Dixie - Zum Steeles Station Stop Eb

Steeles Ave E at Advance Blvd

Bramalea Go Station-Route 11/11a/511/A/C Eb Stop

Steeles Ave E/Of Bramalea Rd

Steeles Ave At Melanie Dr

Steeles Ave At Melanie Dr

Torbram - Zum Steeles Station Stop Eb

Steeles Ave Opp Pearson Convention Centre

Steeles Ave At Airport Rd

Steeles Ave E Opp Parkhurst Sq

Steeles Ave E at 3389 Steeles Ave E (Bombay Whse)

Steeles Ave E at Goreway Dr

Goreway Dr S/Of Steeles Ave E

Kenview Blvd E/Of Goreway Dr

Kenview Blvd at 5 Kenview Blvd

Kenview Blvd at 11 Kenview Blvd

Kenview Blvd E/Of Castleview Dr (19 Kenview Blvd)

#### 11 bus Time Schedule

11a Steeles Eastbound Route Timetable:

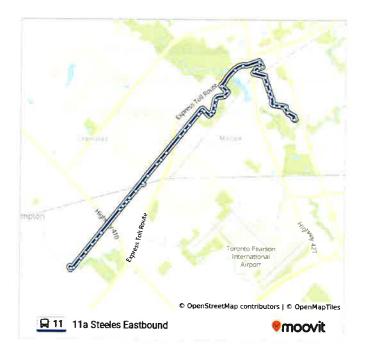
Sunday	7:51 AM - 10:45 PM
Monday	7:51 AM - 10:45 PM
Tuesday	4:24 AM - 11:57 PM
Wednesday	1:00 AM - 11:57 PM
Thursday	1:00 AM - 11:57 PM
Friday	1:00 AM - 11:57 PM
Saturday	1:00 AM - 11:48 PM

#### 11 bus Info

**Direction:** 11a Steeles Eastbound

Stops: 45

Trip Duration: 48 min Line Summary:



Kenview Blvd at Parkshore Dr
Finch Ave N/Of Kenview Blvd
Finch Ave S/Of Steeles Ave
Steeles Ave W/Of Hwy 50
Steeles Ave W/Of Alcide St
Steeles Ave W/Of Signal Hill Ave
Signal Hill Ave N/Of Steinway Blvd
Steinway Blvd W/Of Signal Hill Ave
Steinway Blvd N/Of Albion Rd
Humberline Dr S/Of Albion Rd
Humberline Dr At Hudersfield Rd
Humberline Dr at 310 Humberline Dr
Humberline Dr N/Of Claireville Dr (S)
Finch Ave E/Of Humberline Dr

Finch Ave Btwn Humberline Dr And Humber College Bl

Finch Ave At Humber College Blvd

Humber College Blvd S/Of Humberline Dr

Humber College Terminal - Route 11/11a Stop

#### Direction: 11a Steeles Westbound

33 stops

VIEW LINE SCHEDULE

Humber College Terminal - Route 11/11a Stop

Finch Ave West at Woodbine Downs Blvd

Finch Ave W/Of Humber College Blvd

Finch Ave At Humberline Dr

Finch Ave At Longo Circle

Finch Ave N/Of Longo Circle

Kenview Blvd W/Of Finch Ave

Kenview Blvd W/Of Parkshore Dr

Kenview Blvd at 26 Kenview Blvd

Kenview Blvd at 14 Kenview Blvd

Kenview Blvd at Paget Rd

Kenview Blvd at Goreway Dr

Goreway Dr Btwn Kenview Blvd And Steeles Ave E

Steeles Ave At Goreway Dr

Steeles Ave E at Parkhurst Sq

Steeles Ave At Airport Rd

Torbram - Zum Steeles Station Stop Wb

Steeles Ave At Melanie Dr

Steeles Ave At Melanie Dr

Steeles Ave E/Of Bramalea Rd

Bramalea Go Station-Route 11/11a/511/A/C Wb

Stop

Steeles Ave W/Of Advance Blvd

Dixie - Zum Steeles Station Stop Wb

Steeles Ave E Btwn Dixie Rd & West Dr

West Drive - Zum Steeles Station Stop Wb

Rutherford - Zum Steeles Station Stop Wb

Steeles Ave E E/Of Resolution Dr

Steeles Ave E/Of Kennedy Rd

#### 11 bus Time Schedule

11a Steeles Westbound Route Timetable:

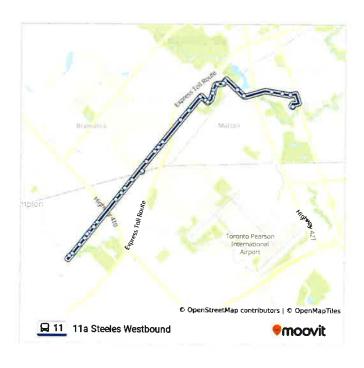
Sunday	1:02 AM - 11:56 PM
Monday	6:55 AM - 11:56 PM
Tuesday	5:05 AM - 11:56 PM
Wednesday	12:11 AM - 11:56 PM
Thursday	12:11 AM - 11:56 PM
Friday	12:11 AM - 11:56 PM
Saturday	12:11 AM - 11:56 PM

#### 11 bus Info

Direction: 11a Steeles Westbound

**Stops:** 33

**Trip Duration:** 45 min Line Summary:



Steeles Ave At Kennedy Rd

Steeles Ave At Orchard Dr

Steeles Ave E at 152 Steeles Ave

Steeles Ave E/Of Main St

Gateway Terminal at Shoppers World

#### Direction: 11d Steeles Eb - Gate

21 stops

VIEW LINE SCHEDULE

Lisgar Go Station

Argentia - Zum Steeles Stop Eb

Winston Churchill Blvd N/Of Steeles Ave

Winston Churchill Blvd at Maple Lodge Farms

Winston Churchill - Zum Steeles Station Stop Eb

Heritage - Zum Steeles Station Stop Eb

Hereford - Zum Steeles Station Stop Eb

Mississauga Road - Zum Steeles Station Stop Eb

Financial - Zum Steeles Station Stop Eb

Steeles Ave W at Churchville Rd

Steeles Ave Opp Polonia Ave

Steeles Ave W at Clementine Dr

Steeles Ave W/Of Mavis Rd

Steeles Ave W E/Of Mavis Rd

Steeles Ave W Btwn Mavis Rd & Windmill Blvd

Steeles Ave W at Windmill Blvd

Steeles Ave W at Mclaughlin Rd S

Sheridan College

Sheridan College

Malta - Zum Steeles Station Stop Eb

Gateway Terminal at Shoppers World

#### 11 bus Time Schedule

11d Steeles Eb - Gate Route Timetable:

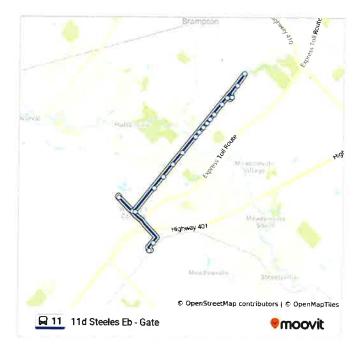
Sunday	Not Operational
Monday	Not Operational
Tuesday	2:23 PM - 11:36 PM
Wednesday	12:15 AM - 11:36 PM
Thursday	12:15 AM - 11:36 PM
Friday	12:15 AM - 11:36 PM
Saturday	12:15 AM - 12:21 AM

#### 11 bus Info

Direction: 11d Steeles Eb - Gate

Stops: 21

**Trip Duration:** 30 min **Line Summary:** 



Direction: 11d Steeles Eb - Humber

65 stops

VIEW LINE SCHEDULE

Lisgar Go Station

Argentia - Zum Steeles Stop Eb

Winston Churchill Blvd N/Of Steeles Ave

Winston Churchill Blvd at Maple Lodge Farms

Winston Churchill - Zum Steeles Station Stop Eb

Heritage - Zum Steeles Station Stop Eb

Hereford - Zum Steeles Station Stop Eb

Mississauga Road - Zum Steeles Station Stop Eb

Financial - Zum Steeles Station Stop Eb

Steeles Ave W at Churchville Rd

Steeles Ave Opp Polonia Ave

Steeles Ave W at Clementine Dr

Steeles Ave W/Of Mavis Rd

Steeles Ave W E/Of Mavis Rd

Steeles Ave W Btwn Mavis Rd & Windmill Blvd

Steeles Ave W at Windmill Blvd

Steeles Ave W at Mclaughlin Rd S

Sheridan College

Sheridan College

Malta - Zum Steeles Station Stop Eb

Gateway Terminal at Shoppers World

Steeles Ave E E/Of Hurontario St

Steeles Ave E Btwn Hurontario St & Hartford Tr

Steeles Ave At Hartford Trail

Kennedy - Zum Steeles Station Stop Eb

Steeles Ave E/Of Resolution Dr

Steeles Ave At First Gulf Blvd

Tomken - Zum Steeles Station Stop Eb

11 bus Time Schedule

11d Steeles Eb - Humber Route Timetable:

Sunday Not Operational

Monday Not Operational

Tuesday 7:24 AM

Wednesday 7:24 AM

Thursday 7:24 AM

Friday 7:24 AM

Saturday Not Operational

11 bus Info

Direction: 11d Steeles Eb - Humber

**Stops:** 65

**Trip Duration:** 88 min **Line Summary:** 



Steeles Ave W/Of Dixie Rd Dixie - Zum Steeles Station Stop Eb Steeles Ave E at Advance Blvd Bramalea Go Station-Route 11/11a/511/A/C Eb Stop Steeles Ave E/Of Bramalea Rd Steeles Ave At Melanie Dr Steeles Ave At Melanie Dr Torbram - Zum Steeles Station Stop Eb Steeles Ave Opp Pearson Convention Centre Steeles Ave At Airport Rd Steeles Ave E Opp Parkhurst Sq. Steeles Ave E at 3389 Steeles Ave E (Bombay Whse) Steeles Ave E at Goreway Dr Goreway Dr S/Of Steeles Ave E Kenview Blvd E/Of Goreway Dr Kenview Blvd at 5 Kenview Blvd Kenview Blvd at 11 Kenview Blvd Kenview Blvd E/Of Castleview Dr (19 Kenview Kenview Blvd at Parkshore Dr Finch Ave N/Of Kenview Blvd Finch Ave S/Of Steeles Ave Steeles Ave W/Of Hwy 50 Steeles Ave W/Of Alcide St Steeles Ave W/Of Signal Hill Ave Signal Hill Ave N/Of Steinway Blvd Steinway Blvd W/Of Signal Hill Ave Steinway Blvd N/Of Albion Rd Humberline Dr S/Of Albion Rd Humberline Dr At Hudersfield Rd Humberline Dr at 310 Humberline Dr Humberline Dr N/Of Claireville Dr (S)

Finch Ave E/Of Humberline Dr

Finch Ave Btwn Humberline Dr And Humber College Bl

Finch Ave At Humber College Blvd

Humber College Blvd S/Of Humberline Dr

Humber College Terminal - Route 11/11a Stop

# Direction: 11d Steeles Wb - Lisgar

19 stops

VIEW LINE SCHEDULE

Gateway Terminal at Shoppers World

Mcmurchy - Zum Steeles Station Stop Wb

Sheridan College

Steeles Ave W at Tait Blvd

Steeles Ave W at Beaconsfield Walkway

Chinguacousy - Zum Steeles Station Stop Wb

Steeles Ave W W/Of James Potter Dr

Steeles Ave W at Polonia Ave

Steeles Ave at Churchville Rd

Steeles Ave W E/Of Financial Dr

Financial - Zum Steeles Station Stop Wb

Mississauga Road - Zum Steeles Station Stop Wb

Rivermont - Zum Steeles Station Stop Wb

Heritage - Zum Steeles Station Stop Wb

Winston Churchill Blvd N/Of Steeles Ave

Winston Churchill Blvd at Maple Lodge Farms

Winston Churchill - Zum Steeles Station Stop Wb

Argentia - Zum Steeles Stop Wb

Lisgar Go Station

#### 11 bus Time Schedule

11d Steeles Wb - Lisgar Route Timetable:

Sunday	Not Operational
Monday	Not Operational
Tuesday	5:50 AM - 9:50 PM
Wednesday	5:50 AM - 9:50 PM
Thursday	5:50 AM - 9:50 PM
Friday	5:50 AM - 9:50 PM
Saturday	Not Operational

#### 11 bus Info

Direction: 11d Steeles Wb - Lisgar

**Stops**: 19

**Trip Duration:** 34 min **Line Summary:** 



11 bus time schedules and route maps are available in an offline PDF at moovitapp.com. Use the <u>Moovit App</u> to see live bus times, train schedule or subway schedule, and step-by-step directions for all public transit in Toronto.

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# **Check Live Arrival Times**







# moovit 511 bus time schedule & line map

₽ 511

# 511 Zum Steeles East-Gtt

View In Website Mode

The 511 bus line (511 Zum Steeles East-Gtt) has 7 routes. For regular weekdays, their operation hours are: (1) 511 Zum Steeles East-Gtt: 5:32 PM - 6:08 PM (2) 511 Zum Steeles Eastbound: 4:23 AM - 11:45 PM (3) 511 Zum Steeles Westbound: 12:36 AM - 10:36 PM (4) 511a Zum Steeles East: 12:17 AM - 11:57 PM (5) 511a Zum Steeles West: 12:16 AM - 11:56 PM (6) 511c Zum Steeles East: 5:11 AM - 6:59 PM (7) 511c Zum Steeles West: 6:30 AM - 6:14 PM Use the Moovit App to find the closest 511 bus station near you and find out when is the next 511 bus arriving.

#### Direction: 511 Zum Steeles East-Gtt

11 stops

VIEW LINE SCHEDULE

Lisgar Go Station

Argentia - Zum Steeles Stop Eb

Winston Churchill - Zum Steeles Station Stop Eb

Heritage - Zum Steeles Station Stop Eb

Hereford - Zum Steeles Station Stop Eb

Mississauga Road - Zum Steeles Station Stop Eb

Financial - Zum Steeles Station Stop Eb

Steeles Ave W E/Of Mavis Rd

Sheridan College

Malta - Zum Steeles Station Stop Eb

Gateway Terminal at Shoppers World

#### 511 bus Time Schedule

511 Zum Steeles East-Gtt Route Timetable:

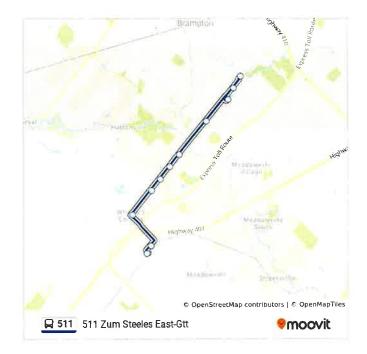
Sunday	Not Operational
Monday	Not Operational
Tuesday	5:32 PM - 6:08 PM
Wednesday	5:32 PM - 6:08 PM
Thursday	5:32 PM - 6:08 PM
Friday	5:32 PM - 6:08 PM
Saturday	Not Operational

511 bus Info

Direction: 511 Zum Steeles East-Gtt

Stops: 11

**Trip Duration:** 29 min **Line Summary:** 



#### Direction: 511 Zum Steeles Eastbound

23 stops

VIEW LINE SCHEDULE

Lisgar Go Station

Argentia - Zum Steeles Stop Eb

Winston Churchill - Zum Steeles Station Stop Eb

Heritage - Zum Steeles Station Stop Eb

Hereford - Zum Steeles Station Stop Eb

Mississauga Road - Zum Steeles Station Stop Eb

Financial - Zum Steeles Station Stop Eb

Steeles Ave W E/Of Mavis Rd

Sheridan College

Malta - Zum Steeles Station Stop Eb

Gateway Terminal at Shoppers World

Kennedy - Zum Steeles Station Stop Eb

Steeles Ave At First Gulf Blvd

Tomken - Zum Steeles Station Stop Eb

Dixie - Zum Steeles Station Stop Eb

Bramalea Go Station-Route 11/11a/511/A/C Eb Stop

Torbram - Zum Steeles Station Stop Eb

Steeles Ave At Airport Rd

Steeles Ave At Goreway Dr

Finch - Zum Steeles Station Stop Eb

Darcel - Zum Steeles Stop

Finch Ave At Humber College Blvd

Humber College Terminal- Zum Steeles 511/511a/511c

#### 511 bus Time Schedule

511 Zum Steeles Eastbound Route Timetable:

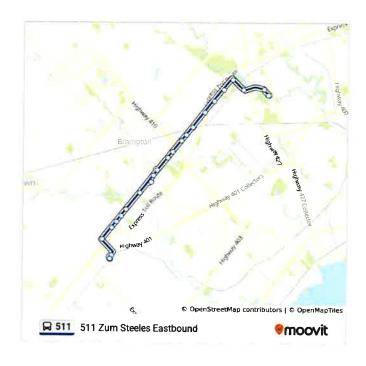
Sunday	4:23 AM - 10:20 PM
Monday	4:23 AM - 10:20 PM
Tuesday	4:23 AM - 11:45 PM
Wednesday	4:23 AM - 11:45 PM
Thursday	4:23 AM - 11:45 PM
Friday	4:23 AM - 11:45 PM
Saturday	4:23 AM - 10:20 PM

#### 511 bus Info

Direction: 511 Zum Steeles Eastbound

**Stops**: 23

**Trip Duration:** 62 min **Line Summary:** 



#### Direction: 511 Zum Steeles Westbound

23 stops

VIEW LINE SCHEDULE

Humber College Terminal- Zum Steeles 511/511a/511c

Finch Ave W/Of Humber College Blvd

Finch Ave At Longo Circle

Finch - Zum Steeles Station Stop Wb

Steeles Ave At Goreway Dr

Steeles Ave At Airport Rd

Torbram - Zum Steeles Station Stop Wb

Bramalea Go Station-Route 11/11a/511/A/C Wb Stop

Dixie - Zum Steeles Station Stop Wb

West Drive - Zum Steeles Station Stop Wb

Rutherford - Zum Steeles Station Stop Wb

Steeles Ave At Kennedy Rd

Gateway Terminal at Shoppers World

Mcmurchy - Zum Steeles Station Stop Wb

Sheridan College

Chinguacousy - Zum Steeles Station Stop Wb

Financial - Zum Steeles Station Stop Wb

Mississauga Road - Zum Steeles Station Stop Wb

Rivermont - Zum Steeles Station Stop Wb

Heritage - Zum Steeles Station Stop Wb

Winston Churchill - Zum Steeles Station Stop Wb

Argentia - Zum Steeles Stop Wb

Lisgar Go Station

#### 511 bus Time Schedule

511 Zum Steeles Westbound Route Timetable:

Sunday	5:35 AM - 9:22 PM
Monday	5:35 AM - 9:22 PM
Tuesday	5:24 AM - 10:36 PM
Wednesday	12:36 AM - 10:36 PM
Thursday	12:36 AM - 10:36 PM
Friday	12:36 AM - 10:36 PM
Saturday	12:36 AM - 9:22 PM

#### 511 bus Info

Direction: 511 Zum Steeles Westbound

**Stops:** 23

**Trip Duration:** 60 min **Line Summary:** 



#### Direction: 511a Zum Steeles East

13 stops
<u>VIEW LINE SCHEDULE</u>

Gateway Terminal at Shoppers World

Kennedy - Zum Steeles Station Stop Eb

Steeles Ave At First Gulf Blvd

Tomken - Zum Steeles Station Stop Eb

Dixie - Zum Steeles Station Stop Eb

Bramalea Go Station-Route 11/11a/511/A/C Eb Stop

Torbram - Zum Steeles Station Stop Eb

Steeles Ave At Airport Rd

Steeles Ave At Goreway Dr

Finch - Zum Steeles Station Stop Eb

Darcel - Zum Steeles Stop

Finch Ave At Humber College Blvd

Humber College Terminal- Zum Steeles 511/511a/511c

#### 511 bus Time Schedule

511a Zum Steeles East Route Timetable:

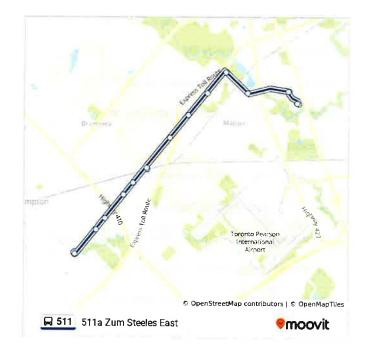
Sunday	7:04 AM - 9:44 PM
Monday	7:04 AM - 9:44 PM
Tuesday	7:04 AM - 11:57 PM
Wednesday	12:17 AM - 11:57 PM
Thursday	12:17 AM - 11:57 PM
Friday	12:17 AM - 11:57 PM
Saturday	12:17 AM - 10:15 PM

#### 511 bus Info

Direction: 511a Zum Steeles East

**Stops:** 13

**Trip Duration:** 35 min **Line Summary:** 



#### Direction: 511a Zum Steeles West

13 stops VIEW LINE SCHEDULE

Humber College Terminal- Zum Steeles 511/511a/511c

Finch Ave W/Of Humber College Blvd

Finch Ave At Longo Circle

Finch - Zum Steeles Station Stop Wb

Steeles Ave At Goreway Dr

Steeles Ave At Airport Rd

Torbram - Zum Steeles Station Stop Wb

Bramalea Go Station-Route 11/11a/511/A/C Wb Stop

Dixie - Zum Steeles Station Stop Wb

West Drive - Zum Steeles Station Stop Wb

Rutherford - Zum Steeles Station Stop Wb

Steeles Ave At Kennedy Rd

Gateway Terminal at Shoppers World

#### 511 bus Time Schedule

511a Zum Steeles West Route Timetable:

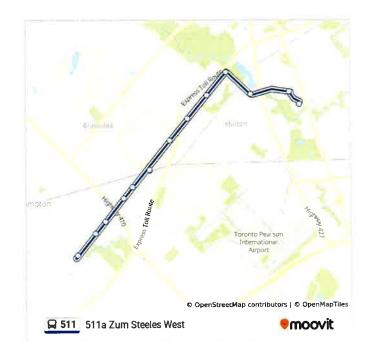
Sunday	7:25 AM - 9:45 PM
Monday	7:25 AM - 9:45 PM
Tuesday	7:25 AM - 11:56 PM
Wednesday	12:16 AM - 11:56 PM
Thursday	12:16 AM - 11:56 PM
Friday	12:16 AM - 11:56 PM
Saturday	12:16 AM - 10:40 PM

#### 511 bus info

Direction: 511a Zum Steeles West

**Stops:** 13

**Trip Duration:** 35 min **Line Summary:** 



#### Direction: 511c Zum Steeles East

15 stops

VIEW LINE SCHEDULE

Sheridan College

Malta - Zum Steeles Station Stop Eb

Gateway Terminal at Shoppers World

Kennedy - Zum Steeles Station Stop Eb

Steeles Ave At First Gulf Blvd

Tomken - Zum Steeles Station Stop Eb

Dixie - Zum Steeles Station Stop Eb

Bramalea Go Station-Route 11/11a/511/A/C Eb Stop

огор

Torbram - Zum Steeles Station Stop Eb

Steeles Ave At Airport Rd

Steeles Ave At Goreway Dr

Finch - Zum Steeles Station Stop Eb

Darcel - Zum Steeles Stop

Finch Ave At Humber College Blvd

Humber College Terminal- Zum Steeles 511/511a/511c

#### 511 bus Time Schedule

511c Zum Steeles East Route Timetable:

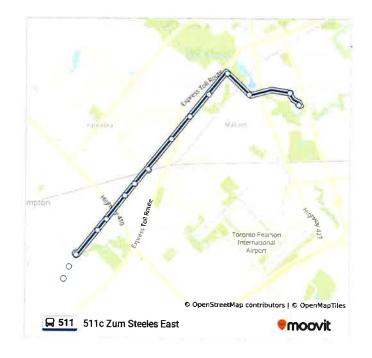
Sunday	Not Operational
Monday	Not Operational
Tuesday	5:11 AM - 6:59 PM
Wednesday	5:11 AM - 6:59 PM
Thursday	5:11 AM - 6:59 PM
Friday	5:11 AM - 6:59 PM
Saturday	Not Operational

#### 511 bus Info

**Direction:** 511c Zum Steeles East

**Stops:** 15

**Trip Duration:** 50 min **Line Summary:** 



#### Direction: 511c Zum Steeles West

15 stops

VIEW LINE SCHEDULE

Humber College Terminal- Zum Steeles 511/511a/511c

Finch Ave W/Of Humber College Blvd

Finch Ave At Longo Circle

Finch - Zum Steeles Station Stop Wb

Steeles Ave At Goreway Dr

Steeles Ave At Airport Rd

Torbram - Zum Steeles Station Stop Wb

Bramalea Go Station-Route 11/11a/511/A/C Wb Stop

Dixie - Zum Steeles Station Stop Wb

West Drive - Zum Steeles Station Stop Wb

Rutherford - Zum Steeles Station Stop Wb

Steeles Ave At Kennedy Rd

Gateway Terminal at Shoppers World

Mcmurchy - Zum Steeles Station Stop Wb

Sheridan College

#### 511 bus Time Schedule

511c Zum Steeles West Route Timetable:

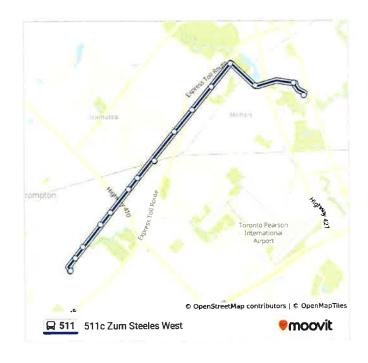
Sunday	Not Operational
Monday	Not Operational
Tuesday	6:30 AM - 6:14 PM
Wednesday	6:30 AM - 6:14 PM
Thursday	6:30 AM - 6:14 PM
Friday	6:30 AM - 6:14 PM
Saturday	Not Operational

#### 511 bus Info

Direction: 511c Zum Steeles West

**Stops: 15** 

**Trip Duration:** 47 min **Line Summary:** 



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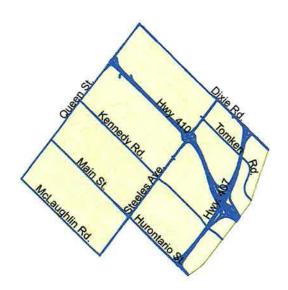




# Appendix C 2016 TTS Data (City of Brampton, Ward 3)



# CITY OF BRAMPTON WARD 3







#### WARD 3

						HOUS	SEHOL	D CHA	RACTI	ERISTIC	CS							
	Dv	velling Ty	pe		Но	usehold S	ize		N	lumber o	f Availabl	e Vehicle	s		House	ehold Ave	rages	
Households	House	Townhouse	Apartment	1	2	æ	4	2+	0	1	2	3	4+	Persons	Workers	Drivers	Vehicles	Trips/Day
17,700	33%	8%	59%	26%	31%	18%	15%	10%	14%	46%	31%	6%	3%	2.6	1.3	1.7	1.4	4.7

						POP	JLATIC	N CHA	ARACT	ERISTICS						
	L.			Age					J		Em	ployment T	ype			Transit Pass
Population					4		an	Daily Trips per erson (age 11+) ily Work Trips pe	Work Trips Worker	Population	Full Time	Part Time	At Home	Student	Licensed	
	10	-15	-25	-45	φ	+	Median	Per D	Daily				Male			
	0	11	16	26	46	65	Σ		٥	22,200	45%	6%	3%	22%	71%	26%
												F	emale			
45,400	12%	5%	14%	27%	27%	15%	39.8	2.1	0.77	23,200	32%	9%	3%	19%	61%	27%

				Т	RIPS MA	DE BY R	<b>ESIDENT</b>	S OF CIT	Y OF BR	AMPTO	۱ - WARI	3				
				Trip i	urpose				Mode o	Median Trip Length (km)						
Time Period	Trips	% 24hr	нв-w	HB-S	нв-р	N-HB	Driver	Pass.	Transit	GO Train	Walk & Cycle	Other	Driver	Pass.	Transit	GO Train
6-9 AM	19,900	24.1%	52%	18%	20%	9%	65%	11%	10%	2%	9%	3%	8.0	3.9	8.4	29.2
24 Hrs	82,800		37%	11%	38%	14%	65%	13%	11%	1%	7%	3%	6.2	3.6	7.2	29.5

			TRIP	S MADE	TO CIT	Y OF BE	AMPTO	N - WAR	D 3 - BY	RESIDEN	NTS OF T	HE TTS A	REA			
				Trip Pu	ırpose			Manager -	Mode o	f Travel	Median Trip Length (km)					
Time Period	Trips	% 24 hr	Work	School	Home	Other	Driver	Pass.	Transit	GO Train	Walk & Cycle	Other	Driver	Pass.	Transit	GO Train
6-9 AM	33,900	29%	63%	17%	3%	16%	70%	15%	4%	200	5%	6%	9.4	5.0	5.5	•
24 Hrs	117,200		30%	5%	30%	34%	69%	16%	7%	0%	4%	3%	7.0	4.7	5.8	29.5



# Report Committee of Adjustment

Filing Date: Hearing Date:

April 29, 2022 January 24, 2023

File:

A-2022-0158

Owner/

Applicant:

**2466482 ONTARIO INC.** 

Address:

26 Bramsteele Road

Ward:

WARD 3

Contact:

François Hémon-Morneau, Planner III

#### **Recommendations:**

That application A-2022-0158 is supportable in part, subject to the following conditions being imposed:

- 1. That variance 1, to permit a motor vehicle sales establishment whereas the by-law does not permit a motor vehicle sales establishment be refused;
- 2. That variance 2, to permit 33 parking spaces whereas the by-law requires a minimum of 50 parking spaces be refused;
- 3. That the extent of variance 3 be limited to that shown on the sketch attached to the Notice of Decision;
- 4. That the owner obtain a permit for a change of use;
- 5. That a limited Site Plan application be submitted within 90 days of the Notice of Decision or as extended at the discretion of the Director of Development Services. The Site Plan application shall address required changes to the driveway accesses along Hale Road and the removal and/or relocation of the patio.
- 6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

The property is a corner lot with a multi-unit industrial structure that is designated 'Industrial' in the Official Plan and 'General Employment 2' in Highway 410 and Steeles Secondary Plan (Area 5) and zoned 'Industrial Two – Section 3237 (M2-3237)' by By-law 270-2004, as amended. The proposed variances are requested to permit a motor vehicle sales establishment, a convenience restaurant, and a parking space reduction. The property has previously been the subject of Committee of Adjustment

applications most notably for the same requested variances in 2016 (A-16-017) and 2020 (A-2019-0072) approved by the Committee on a temporary basis. The applicant is seeking these same permissions on a permanent basis given that the previous approvals have expired.

The site-specific zoning (M2-3237) for the property required 50 parking spaces based on any combination of permitted uses, with only a restriction on the size of the restaurant. A variance from 1987 granted a reduction in required parking on the site from 50 to 38 spaces (File A87-150).

Staff note that through the approval of A-2019-0072, the motor vehicle sales establishment was permitted for a temporary period of 1 year which expired in March 2021.

A deferral of the application was granted at the May 31, 2022 and October 25, 2022 Committee of Adjustment hearings in order to provide time for the applicant to conduct and submit a Parking Justification Study. The Parking Justification Study was submitted on January 18, 2022.

#### **Existing Zoning:**

The property is zoned 'Industrial Two – Section 3237 (M2-3237)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

- 1. To permit a motor vehicle sales establishment whereas the by-law does not permit a motor vehicle sales establishment;
- 2. To permit 33 parking spaces whereas the by-law requires a minimum of 50 parking spaces;
- 3. To permit an existing convenience restaurant having a gross floor area of 250 square metres whereas the by-law permits a maximum gross floor area of 102 square metres for a convenience restaurant.

NOTE: A variance was grated in 1987 under file A150/87 to allow a total of 38 parking spaces. The site-specific by-law for the property identifies a maximum area for the convenience restaurant of 102 square metres.

#### **Current Situation:**

# Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Industrial' in the Official Plan and 'General Employment 2' in Highway 410 and Steeles Secondary Plan (Area 5). The Industrial policies of the Official Plan permit "the development of industrial manufacturing, distribution, mixed industrial/commercial, commercial self-storage warehouses, data processing and related uses and limited office uses, and may also permit service and retail uses, open space and community service uses as practical and appropriate" (Section 4.4.2.1). Further, "non-industrial uses will be strictly controlled as they are intended to primarily provide a supporting role to the local employment base" (Section 4.4.2).

Page 2 of 5

The first variance is to permit motor vehicle sales establishment whereas the by-law does not permit the use. The gross floor area of the motor vehicle sales establishment is 365 square metres which accounts for approximately 38% of the total building floor area. Combined with the 250 square metres convenience restaurant, these two non-employment uses account for approximately 63% of the total building floor area, thus representing a significant land use change from industrial uses to primarily non-industrial uses. This effectively changes the planned employment (industrial) function of the property to commercial, which is not in keeping with the General Employment designation. Variance 1 is not considered to maintain the general intent and purpose of the Official Plan.

Furthermore, Region of Peel Planning comments provided for this application states that the proposal warrants an Official Plan Amendment and a Municipal Comprehensive Review in accordance with the Regional Official Plan Policy 5.8.34. This policy allows new retail and commercial uses in Employment Areas by designating lands Mixed-Use Employment in Brampton subject to a municipally initiated study and local official plan policies to the satisfaction of the Region.

Ancillary uses are permitted in Industrial zones provided they do not negatively impact the viability of employment lands. As per City of Brampton Official Plan policy 4.4.2.5 (d), restaurants are typically allowed in industrial zones where there are at least five separate industrial users with restrictions on the maximum Gross Leasable Area of the restaurant use to be set out in the respective Secondary Plan and/or Zoning By-law. However, in this instance, a special zoning provision specifically allows the use subject to criteria (limited to 102 square metres). The request related to the increase in size of the restaurant would recognize an existing situation where there have been no known adverse impacts to date. Subject to the recommended conditions, the variance related to the size of the restaurant use does not contravene policies of the Official Plan. The general intent and purpose of the Official Plan is maintained in regards to Variance 3.

### 2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Industrial Two – Section 3237 (M2-3237)', according to By-law 270-2004, as amended. The site-specific zone permits industrial uses within the M2 zone as well as a convenience restaurant. The site specific provision limits the size of the restaurant to 102 square metres and identifies a minimum requirement of 50 parking spaces. The M2 zone permits a broad range of industrial and non-industrial uses, including but not limited to a motor vehicle repair shop and a motor vehicle body shop. The zone also permits accessory uses, including associated educational, office and waste conversion uses, and retail (limited to 15%) in connection with manufacturing and printing establishment uses.

The site specific industrial zone does not include the motor vehicle sales establishment use as a permitted use. The zone does include motor vehicle repair and the storage and repair of rental equipment as permitted uses. The proposed motor vehicle sales establishment combined with the existing convenience restaurant are non-industrial uses which will cumulatively occupy approximately 63% of the total building floor area. Given that the combined Gross Floor Area of the restaurant and proposed vehicle sales exceed the Gross Floor Area of the intended industrial uses, effectively changing the planned employment function of the property, staff are of the opinion that the inclusion of the motor vehicles sales establishment is not complimentary to this property and does not meet the general intent of the Zoning By-law.

Variance 2 is requested to permit 33 parking spaces whereas the by-law requires a minimum of 50 parking spaces. The applicant has submitted a Parking Justification Study conducted in January 2023 which demonstrates that a parking supply of 39 is required to accommodate the proposed uses on site. Traffic Services staff have reviewed the parking study and have found it to be not supportable. The study states that a total of 39 parking spaces are provided on site including six (6) tandem parking spaces. However, the requested variance is to permit 33 parking spaces in which six (6) tandem parking spaces are intended for vehicle display only and not for parking. This is in accordance with the approved site plan and as a result, is not included in the actual parking supply from a Zoning By-law perspective. The requested variance is not considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested for an increase in the allowable area of the convenience restaurant to 250 square metres, reflecting the existing size of the establishment, whereas the By-law restricts the gross commercial floor area of a convenience restaurant to not exceed 102 square metres. The intent of this provision of the By-law is to ensure that the restaurant does not become the dominant use on the site. The restaurant appears to have been operating at this size for many years without adverse impacts to parking or nearby industrial uses. The request to allow the increase on a permanent basis is not anticipated to have an adverse impact on the site or surrounding lands. The third variance conforms to the general intent and purpose of the Zoning By-law.

# 3. Desirable for the Appropriate Development of the Land

The land is designated for industrial purposes and the motor vehicle sales use is proposed to occupy approximately 37.7% of the building area. Combined with the restaurant portion occupying approximately 25.8%, a total of 63.5% of the building area would be used for commercial uses thus detracting from the intended employment function of the site as the permitted motor vehicle repair use would be ancillary to the non-employment uses proposed. If a majority of the lands are being used for non-industrial uses due to the added motor vehicle sales use, staff is of the opinion that the proposal is not considered to be desirable for the appropriate development of the land.

The applicant has submitted a new parking survey conducted in January 2023 in support or the requested variance 2 which demonstrates that a parking supply of 39 is required to accommodate the existing uses on site. Furthermore, and upon site inspection, an outdoor patio for the restaurant was constructed at the northeast corner of the building occupying two (2) parking spaces and two (2) tandem vehicle display spaces. The patio and reduction of parking spaces is not depicted on the Site Plan or considered in the parking study. The variance is not considered to be desirable for the appropriate development of the land.

The request to allow an increase in the permitted restaurant area to reflect existing conditions is not expected to alter the character of the area or create any adverse impacts on the site or to the surrounding area. Variance 3 is deemed desirable for the appropriate development of the land.

#### 4. Minor in Nature

Motor vehicle sales establishments are not permitted in the M2 Industrial zone. Permitting 37.7% of the building to be used for motor vehicle sales would result in a change to the planned function of the

Page 4 of 5

property from industrial to commercial. Cumulatively, the existing restaurant and proposed motor vehicle sales establishment represents a substantial change to the industrial intent of the property and not considered to be minor in nature.

The proposed variances to decrease the number of parking spaces is not supportable due to the findings of the Parking Justification Study and existing site conditions that are not considered on the site plan or study. The proposed reduction would not support the parking demand generated from the additional use requested in variance 1. The variance is not considered to be minor in nature.

The requested increase to the allowable restaurant area (to reflect existing conditions), has not and is not anticipated to create any adverse impacts or alter the character of the surrounding industrial. Variances 3 is considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner III



# Report **Committee of Adjustment**

Date:

January 7, 2020

File:

A19-214

Subject: 2466482 Ontario Inc.

CON 2 EHS Part Lot 1 RP 43R459 Part 2

26 Bramsteele Road

WARD: 3

Contact: Stephen Dykstra, Planner III

#### Recommendation:

That application A19-214 is supportable in part, subject to the following conditions:

- 1. That Variance 1, to permit a motor vehicle sales establishment having a gross floor area of 365 square metres (3,928.83 square feet) whereas they by-law does not permit the proposed use, be refused;
- 2. That the Owner remove any parked cars in the Bramsteele Road right-of-way and restore the boulevard within 90 days of the final date of the decision of the Committee:
- 3. That any derelict/scrap vehicles not on site for the purpose of repair be removed from the property;
- 4. That the approved Limited Site Plan (dated September 9, 2016) be adhered to;
- 5. That failure to maintain and comply with the conditions of the Committee shall render the decision null and void.

#### Background:

The property is a corner lot with a multi-unit industrially-zoned building. The property has previously been before the Committee of Adjustment most notably for the requested variances in 2016 on a temporary basis. The applicant is seeking these permission on a permanent basis.

The temporary use expired on May 24, 2019. The original application was granted on May 24, 2016 for a three year period.

# Previous Variances:

Application	Requested Variance	Notes
A87-150	To permit a total of 38 parking spaces whereas the By-law requires a total of 50 parking spaces.	The variance was granted.
A-16-017	To permit a motor vehicle sales establishment having a gross floor area of 356 square metres whereas as the By-law does not permit the proposed use;  To permit the existing convenience restaurant having a commercial gross floor area of 250 square metres whereas the By-law permits a maximum commercial floor area of 102 square metres;  To permit a total of 33 parking spaces whereas the By-law requires a total of 50 parking spaces.	The variances were granted subject to the following conditions:  That the motor vehicle sales establishment (365 square metres) be allowed for a temporary period of three years;  That the Owner submit a Site Plan for approval.  That the motor vehicle sales establishment only be permitted to operate on the site if there is a motor vehicle repair establishment operating on site;  That the Owner obtain the required change of use permits;  That the Owner remove the two parking spaces in the Bramsteele Road right-of-way;
	^ /	That any derelict vehicles not on site for the purpose of repair be removed;
¥	**************************************	That failure to comply with and maintain the conditions of the Committee will render the approval null and void.

The previous variance (A-16-017) was permitted for three years, the applicant is required to re-apply for the minor variances in order to re-instate the proposed uses on the subject property. The owner did obtain a Limited Site Plan approval and the required change of use permits were issued. However, the property is currently not in conformity with the approved Site Plan, as there continues to be parking on the City's right-of-way and a fence was erected in the front yard, which was not approved.

The building currently has three units, one occupied by an existing convenience restaurant, one occupied by a motor vehicle repair and body shop, and one unit is occupied by the motor vehicle sales establishment.

### Existing Zoning:

The property is zoned 'Industrial Two – Section 3237 (M2-3237)', according to By-law 270-2004, as amended.

### Requested Variances:

The applicant is requesting the following variances:

- 1) To permit a motor vehicle sales establishment having a gross floor area of 365 square metres (3,928.83 square feet) whereas they by-law does not permit the proposed use;
- 2) To permit the existing convenience restaurant having a commercial gross floor area of 250 square metres (2,690.97 square feet) whereas the by-law permits a maximum commercial gross floor area of 102 square metres (1,097.92 square feet);
- 3) To permit a total of 33 parking spaces whereas the by-law requires a total of 50 parking spaces.

# **Current Situation:**

# Conforms to the Intent of the Official Plan

The property is designated as 'Industrial' in the Official Plan, and 'Employment 2' in the Highway 410 and Steeles Secondary Plan.

The Industrial policies of the Official Plan permit "the development of industrial, manufacturing, distribution, mixed industrial/commercial, commercial self-storage warehouses, data processing and related uses and limited office uses, and may also permit limited service and retail uses, open space, public and institutional use as practical and appropriate" (Section 4.4.2.1). Further, non-industrial uses will be strictly controlled as they are intended to primarily provide a supporting role to the local employment base" (Section 4.4.2).

The first variance is to permit a motor vehicle sales establishment in conjunction with a motor vehicle repair use whereas the by-law does not permit a motor vehicle sales establishment. Based on the proposed concept and the gross floor area proposed for each use, approximately 63.5% of the proposed building would be used for non-industrial uses (motor vehicle sales establishment and convenience restaurant). This is inconsistent with the Official Plan which specifies that non-industrial uses should be limited and only provide a supporting role to the employment base.

Ancillary uses are permitted in Industrial zones provided they do not negatively impact the viability of employment lands. Restaurants are typically allowed in industrial zones where there are at least five separate industrial users; however, in this instance, a special zoning provision specifically allows the use subject to criteria (limited to 102 square metres). The request related to the increase in size of the restaurant would recognize an existing situation where there have been no known adverse impacts to date. Subject to the recommended conditions, the variance related to the size of the restaurant use does not contravene policies of the Official Plan. The general intent and purpose of the Official Plan is maintained in regards to variance two.

# 2. Conforms to the Intent of the Zoning By-law

The subject property is zoned 'Industrial Two – Section 3237 (M2-3237)'. The site-specific zone permits Industrial uses within the M2 zone as well as a convenience restaurant. The site specific provision limits the size of the restaurant to 102 square metres and identifies a minimum requirement of 50 parking spaces. The M2 zone permits a broad range of industrial and non-industrial uses, including but not limited to a motor vehicle repair shop and a motor vehicle body shop. The zone also permits accessory uses, including associated educational, office and waste conversion uses, and retail (limited to 15%) in connection with manufacturing and printing establishment uses.

The site specific industrial zone does not include the motor vehicle sales establishment use as a permitted use. The zone does include motor vehicle repair and the storage and repair of rental equipment as permitted uses. Since the requested vehicle sales use may be considered similar to these permitted uses, staff initially supported this use on a temporary basis subject to conditions, being that no motor vehicle sales use occur on the site unless the auto repair use is operating as well, and the motor vehicle sales use was granted temporarily in order to ensure the use would not create any adverse impacts.

During the three year temporary basis the proposed use and the reduction in parking there has been an overcrowding of vehicles on site and parking on the City's right-of-way. Aerial photos available on the City website from 2016 to 2019 illustrate that the owner has not adhered to the conditions, attached is an example from Fall 2018 (Appendix 1). The applicant was aware that they would be required to adhere to these conditions and that staff would be assessing the viability of the motor vehicular sales

based on whether the owner would be able to conform with the conditions. Staff are of the opinion that the inclusion of the motor vehicles sales establishment is not complimentary to this property and does not meet the general intent of the zoning by-law.

The second variance requested is for an increase in the allowable area of the restaurant from 102 square metres permitted in the By-law to 250 square metres, to reflect the size of the existing establishment. The intent of this provision of the by-law is to ensure that the restaurant does not become the dominant use on the site. The restaurant appears to have been operating at this size for many years without adverse impacts to parking or nearby industrial uses. The request to allow the increase on a permanent basis is not anticipated to have an adverse impact on the site or the surrounding lands. The second requested variance conforms to the general intent and purpose of the Zoning By-law.

The final variance relates to a proposed reduction of the required parking. The intent of establishing minimum parking standards is to ensure that parking demands can be accommodated on-site. In 1986, a by-law was adopted which identified a total parking requirement of 50 parking spaces for the site. A subsequent minor variance was approved in 1997, which adjusted the required number to 38 parking spaces. One of the conditions from the previous granted minor variance was that the parking spaces along the City's right-of-way be removed and that the boulevard be reinstated. It is clear that by visiting the site and by aerial photos that the parking has continued along the City's right-of-way and therefore it is evident that the reduction in parking is not working on the site. It is understood that this is largely due to the introduction of the motor vehicle sales as a permitted use. In the event that Variance 1 is refused, the reduced parking standard of 33 spaces will be sufficient to accommodate the requested convenience restaurant use and the other permitted uses. Therefore staff find that variance 3 does conform to the general intent and purpose of the Zoning By-law, subject to the recommended conditions.

# 3. Desirable for the Appropriate Development of the Land

The land is designated for industrial purposes. The motor vehicle sales use is proposed to occupy approximately 37.7%, if that is added with the restaurant portion which occupies approximately 25.8%, that's a total of 63.5% being used as commercial uses. If approved, this would result in the majority of the lands being used for non-industrial uses within an industrial zone.

Although the requested vehicle sales use is not dissimilar in function to some of the other permitted uses, such as vehicle repair and rental equipment accessory retail uses, the proposed use was previously granted temporarily and has demonstrated that it is not desirable or an appropriate development of the land, as it has created adverse parking implications on the site.

The request to allow an increase in the permitted restaurant area to reflect existing conditions is not expected to alter the character of the area or create any adverse

impacts on the site or to the surrounding area. Variance number two is desirable for the appropriate development of the land.

With regard to the third variance to reduce the parking requirement from 50 spaces to 33 spaces, the owner previously proposed to add pavement to accommodate four display vehicles along the Bramsteele Road frontage of the property. A condition was previously included to address adequate landscaping through site plan approval. The property is located on a prominent corner within the industrial area. Approval on a temporary basis was granted in order to allow the City the opportunity to monitor the operation and ensure that adverse impacts were not occurring. The Owner has continued parking within the city right-of-way creating parking that is not visually pleasing, there is potential for sight line issues, encroachment onto the sidewalk and damage to City property. Therefore, staff find that variance number one is not desirable for the appropriate development of the land. Variance 3 can be considered desirable, but at this time the owner is displaying that more parking spaces are needed (beyond the permitted 33) to accommodate the motor vehicle sales use.

### 4. Minor in Nature

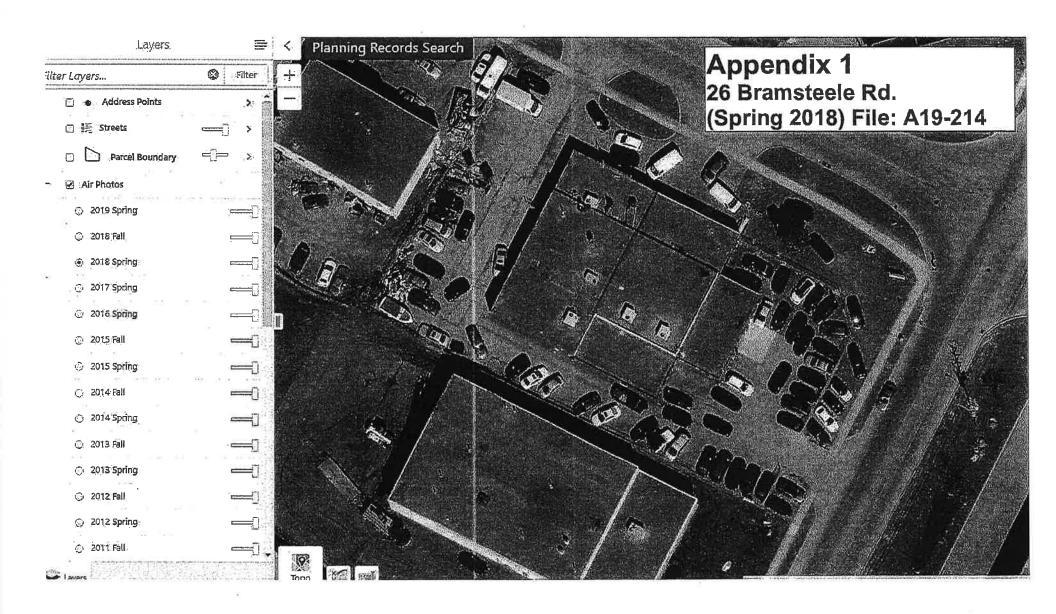
Motor vehicle sales establishments are not permitted in the M2 Industrial zone. Permitting 37.7% of the building to be used for motor vehicle sales would result in a change to the planned function of the property from industrial to commercial. A fundamental change of this type is substantial. The proposed variance to allow motor vehicle sales has demonstrated an adverse impact to the character of the surrounding industrial area. Therefore, variance one is not considered to be minor in nature.

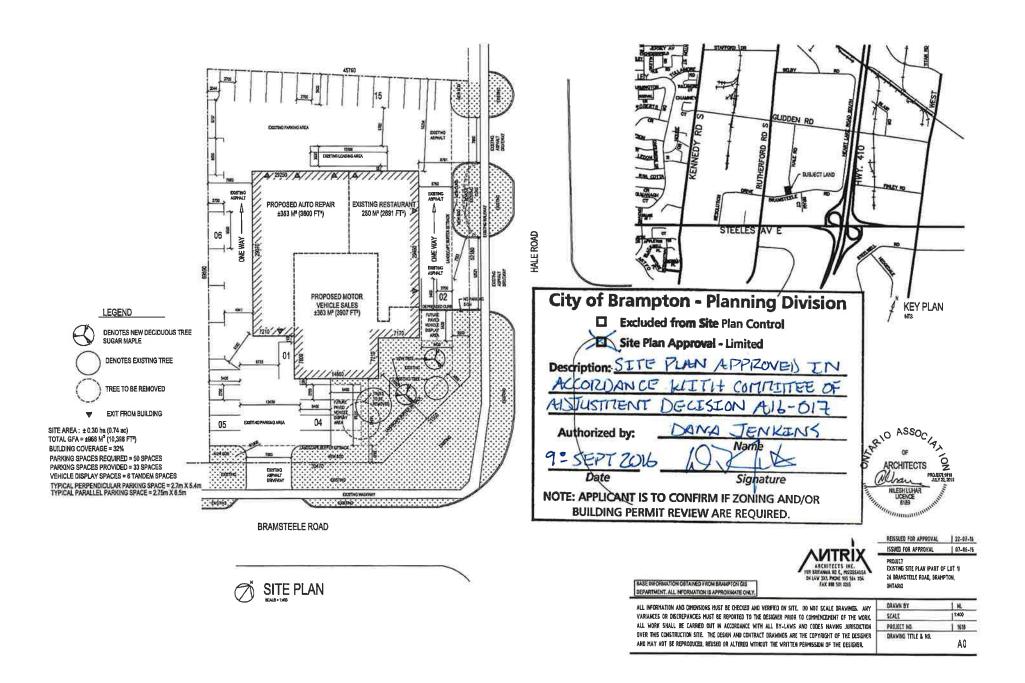
The proposed variance to increase the allowable restaurant area (to reflect existing conditions), has not and is not anticipated to create any adverse impacts or alter the character of the surrounding industrial area. Therefore variance number two is considered to be minor in nature. Prior to the introduction of the motor vehicle sales use, parking on the property was sufficient. It is anticipated that the parking standard of 33 spaces will not be an issue subject to the removal of the motor vehicle sales use and the recommended conditions.

Respectfully Submitted,

Stephen Dykstra, MCIP, RPP

**Development Planner** 







## **Committee of Adjustment**

APPLICATION # A-2022-0320 WARD 3

#### **REVISED**

### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an **amended** application for minor variance has been made by **MEHNA AUTO SALES INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 43, Plan BR-2, Part 4, Plan 43R-13441 municipally known as **93 JOHN STREET,** Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for construction of a new <u>semi-detached</u> dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0014:

- 1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling within an R1B zone:
- 2. To permit a minimum lot area of 290 square metres whereas the by-law requires a minimum lot area of 450 square metres;
- 3. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres;

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

Plan of Subdivision:	NO	File Number:		
Application for Consent:	YES	File Number:_	B-2022-0014	_

The Committee of Adjustment has appointed **TUESDAY**, **January 24**, **2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers**, **4th Floor**, **City Hall**, **2 Wellington Street West**, **Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 9th Day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2119 jeanie.myers@brampton.ca



## **Committee of Adjustment**

APPLICATION # A-2022-0320 WARD 3

#### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an **amended** application for minor variance has been made by **MEHNA AUTO SALES INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 43, Plan BR-2, Part 4, Plan 43R-13441 municipally known as **93 JOHN STREET,** Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for construction of a new single detached dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0014:

- 1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling within an R1B zone;
- 2. To permit a minimum lot area of 290 square metres whereas the by-law requires a minimum lot area of 450 square metres;
- 3. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres;

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

Plan of Subdivision:	NO	File Number:	
Application for Consent:	YES	File Number:	B-2022-0014

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

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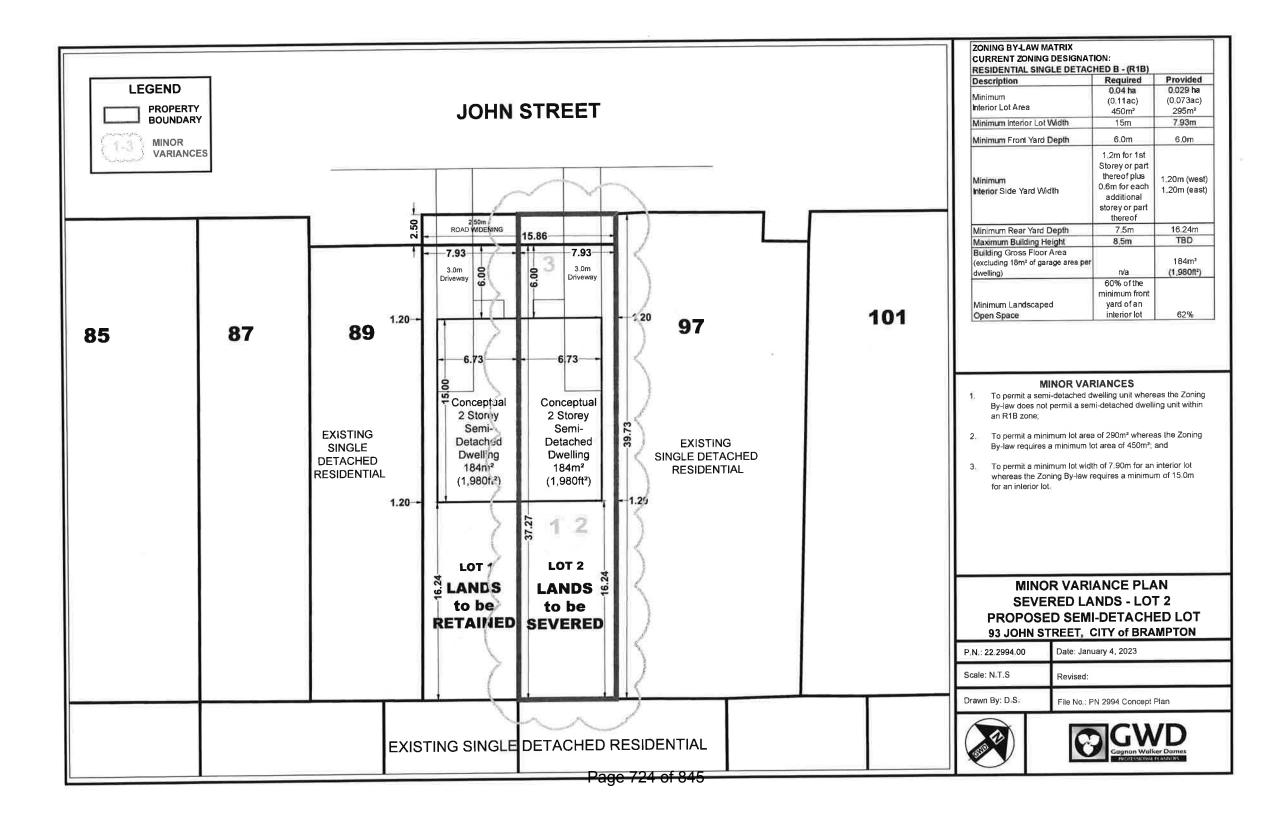
# PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 5th Day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117

Fax: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, January 19, 2023.** 

- Advance registration for applicants, agents and other interested persons is required by one or two options:
- Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
- 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



**Principals** 

Michael Gagnon Lena Gagnon Andrew Walker Richard Domes

## **January 4, 2023**

Corporation of the City of Brampton 2 Wellington Street West Brampton, Ontario L6Y 4R2

Attn:

Jeanie Myers – Secretary Treasurer, Committee of Adjustment

Re:

**Committee of Adjustment** 

**Consent to Sever and Minor Variance Applications** 

Supplementary Cover Letter 93 John Street, City of Brampton

Part of Lot 44, Plan BR-6, and Part of Lot 43, Plan BR-2

City Files: A-2022-0320 and A-2022-0321

(GWD File: 22.2994.00)

## Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) represents Mehna Auto Sales Inc. (Gagandeep Singh Gill), the Registered Owner of 93 John Street in the City of Brampton (hereinafter referred to as the subject site).

Concurrent with the Consent to Sever Application for the subject site, two (2) associated Committee of Adjustment Minor Variance Applications were submitted to the City of Brampton on September 27, 2022, seeking relief from the Zoning By-law in order to permit the development of two (2) new single detached residential dwellings on both the Retained and Severed lands.

On October 25, 2022, in consultation with City of Brampton Planning Staff, Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 were deferred by the Committee of Adjustment to no later than the last Committee of Adjustment Hearing of January 2023. In working with City Staff, the minor modifications made to the proposal necessitated the reissuance of the Public Notice. The deferral allowed for sufficient time for this to occur.

Further discussion was had with City of Brampton Planning and Heritage Staff on November 7, 2022 regarding the above-mentioned Committee of Adjustment Applications. The Consent to Sever and Minor Variance Plans have been updated to reflect the following:

## GAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790 www.gwdplanners.com • Toll Free: 1-855-771-7266

CONFIDENTIALITY CAUTION

This document is Consultant-Client privileged and contains confidential information Intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.

# Consent and Minor Variance Applications - 93 John Street, City of Brampton (City Files: B-2022-0014, A-2022-0320, and A-2022-0321) Mehna Auto Sales Inc. (Gagandeep Singh Gill)



- 1. A 2.50m Road Widening;
- **2.** A 2-storey Semi-Detached Dwelling is now proposed which is to occupy both the Severed and Retained Lands with a G.F.A of approximately 184m² (1,980 ft²) and an approximate height of 8.5m;
- **3.** The proposed Semi-Detached Dwelling has been shifted slightly southward on the subject site;
- 4. An Interior Lot Area of 0.029 ha (0.073 ac); and
- 5. A Minimum Rear Yard Depth of 16.24 m (53.28 ft).

The requested variances for both Minor Variance Applications have been amended as follows:

- 1. To permit a semi-detached dwelling unit whereas the Zoning By-law does not permit a semi-detached dwelling unit within an R1B zone;
- 2. To permit a minimum lot area of 290m² whereas the Zoning By-law requires a minimum lot area of 450m²; and
- **3.** To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning Bylaw requires a minimum of 15.0m for an interior lot.

As discussed with City of Brampton Planning and Heritage Staff on November 7, 2022, a Scoped Heritage Impact Assessment is well underway and will be submitted in support of Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 under separate cover.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

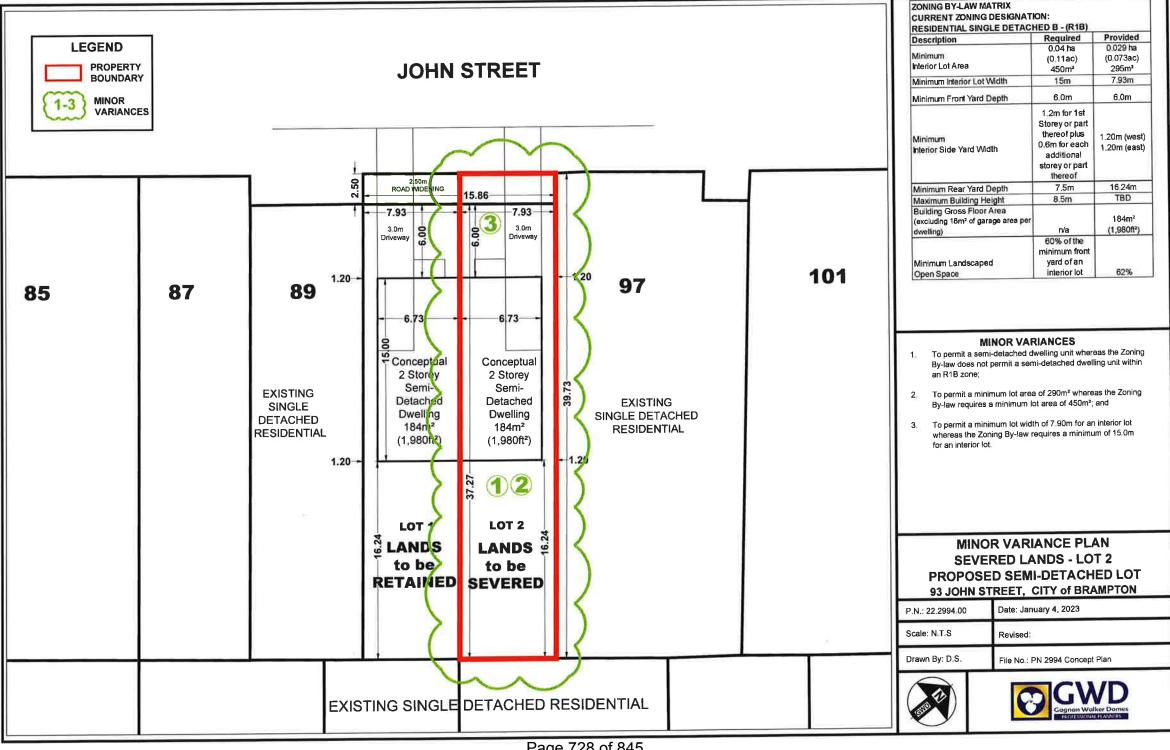
Anthony Sirianni, B.A., Associate Planner

c.c.: Gagandeep Singh Gill, Client

Andrew Walker, Gagnon Walker Domes Ltd. Michael Gagnon, Gagnon Walker Domes Ltd.

Gagnon Walker Domes Ltd.

2



# Flower City



FILE NUMBER: A-2022-0320

The Personal information collected on this form is collected pursuant to section 45 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 
about the discrete to the Secretary-Treasury. Committee of Adjustment. City of Brampton.

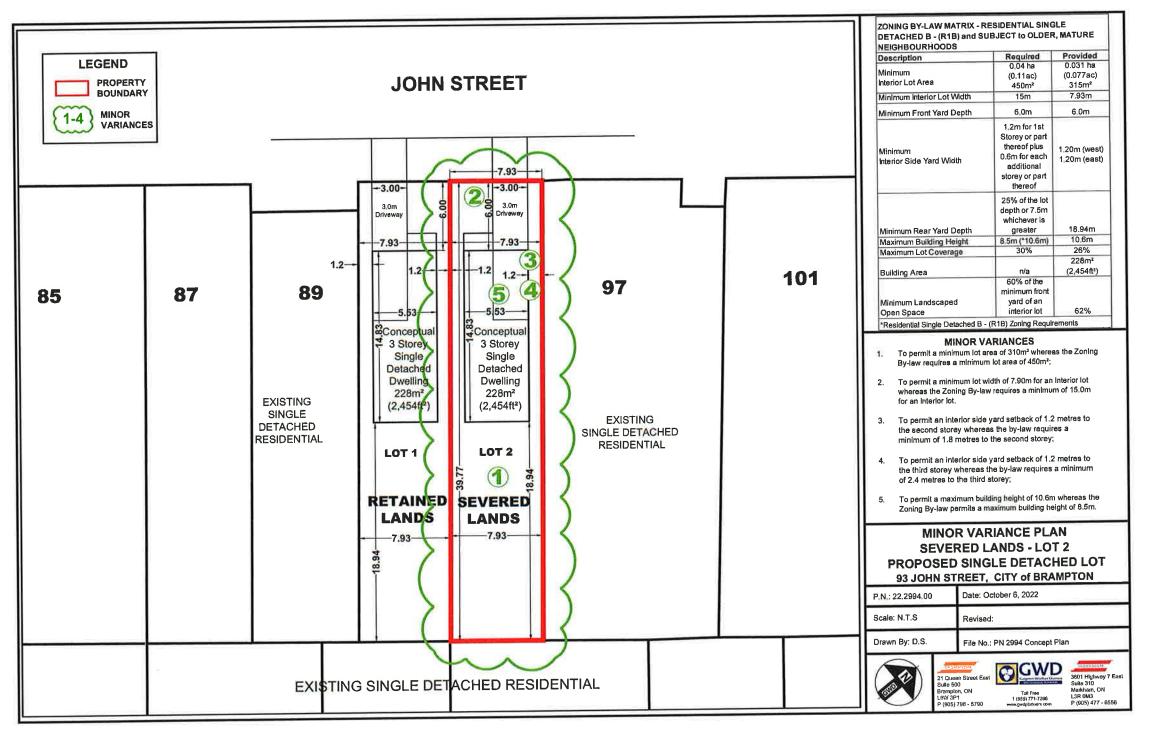
# APPLICATION Minor Variance or Special Permission

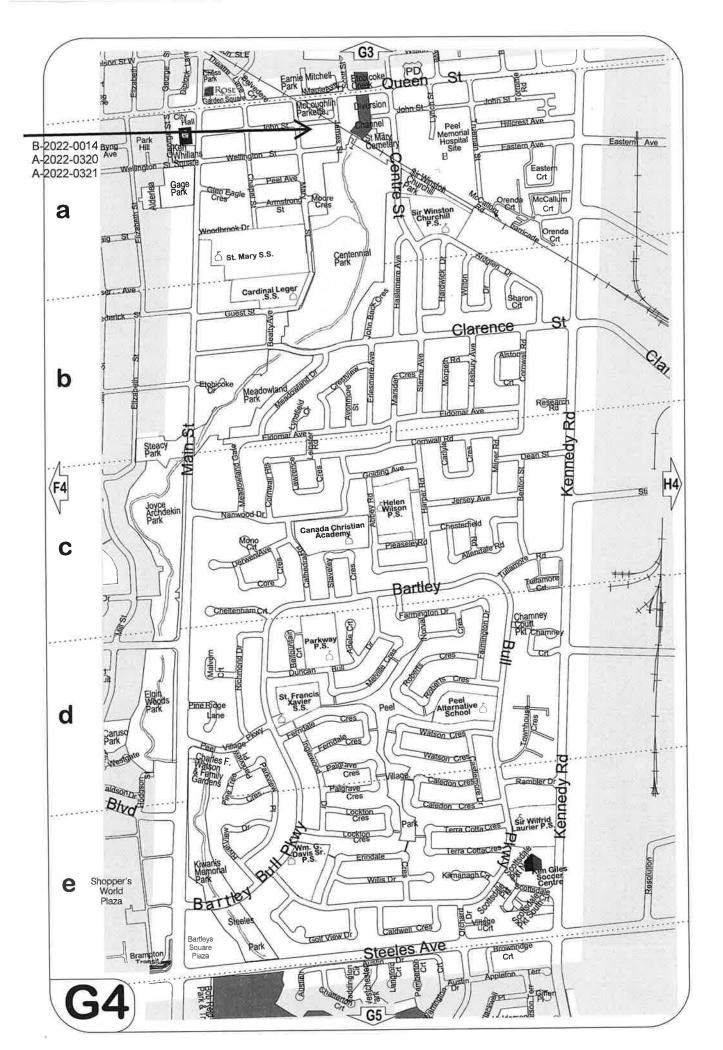
	(Please read Instructions)
OTE:	It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.
	The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u> , 1990, for relief as described in this application from By-Law <b>270-2004</b> .
1.	Name of Owner(s) Mehner Autosales Inc. Address 21 Possession Cresce Att 4K3
	Phone # Gacan entoution Fax #
2.	Name of Agent Cocyon walker Domes (td. Address 2 Overn Street Fost Swite 500 Downfron Onto no Low 370
	Phone # (GG) 196-5190 Fax# Email GS. 170 NNIEGU APIGNE (Se (GM)
3. (1)	Nature and extent of relief applied for (variances requested):  To peomit a minimum let area of 310m²
<b>O</b>	To permit a minimum lot width of 1-90m for an interior lot
(ii	above the first Storey
O	to permit a maximum building height of 10.6m
4.	Why is it not possible to comply with the provisions of the by-law?  The Zenine By-bus requires a minimum lat area of 450m²
(2)	The Roma Bytan regimes a minimum of 15.0m for an interior lot
(4)	The John Rykum regions had for the first story or part thereof plus John for each additional story or post thereof The John By Jam Demits a maximum building height of 8.50
5.	The court by the ball of the b
ο,	Legal Description of the subject land: Lot Number Plan Number/Concession Number Municipal Address 93 John Street
6.	Dimension of subject land (in metric units)  Frontage 15,85,00  Depth 39,073,00  Area 0,063,00
<b>7</b> .:	Access to the subject land Is by:  Provincial Highway  Municipal Road Maintained All Year  Private Right-of-Way  Seasonal Road  Other Public Road  Water

В.	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)
	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)
38 38 44	one (D) 2-Storey Single detection residented aweline with the Depoximate OFA of
	PROPOSED BUILDINGS/STRUCTURES on the subject land:
	awelling with a Street Single dietached 1251dento
9.	Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)
	EXISTING Front yard setback Rear yard setback Side yard setback Side yard setback Side yard setback Side yard setback Side yard setback
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback Side yard setback
10.	Date of Acquisition of subject land:
11.	Existing uses of subject property:  Residential
12.	Proposed uses of subject property:  Residential
13.	Existing uses of abutting properties:  Residential
14.	Date of construction of all buildings & structures on subject land:
15.	Length of time the existing uses of the subject property have been continued: 5ince Construction
6. (a)	What water supply is existing/proposed?  Municipal  Well   Other (specify)
(b)	What sewage disposal Is/will be provided?  Municipal
(c)	What storm drainage system is existing/proposed?  Sewers

		1175	subdivision or consent?	
			Yes No X	
			If answer is yes, provide details: File # B-2622-0014 Status CON CURE	EW T
		18.	Has a pre-consultation application been filed?	
			Yes No X	
		19.	Has the subject property ever been the subject of an application for minor variance?	
			Yes No 🔀 Unknown 🗆	
			If answer is yes, provide details:	
			File # Decision Rellef	
			File #         Decision         Relief           File #         Decision         Relief	
			Out of	
			Chillery Soria	
			Signature of Applicant(s) or Authorized Agent	
			ED AT THE OF	
		THIS	DAY OF, 20	
		IF THIS A	PPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF JECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF	
		THE API	PLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE ATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.	
			Anthony Smanner, of the Ragion of Halton	
		IN TH	TOUR OF HOLDEN HILL SOLEMNLY DECLARE THAT:	
is =		ALL OF BELIEVIN	THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY IG IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER	
Pub) 00 11N2 3560 Give		DECLAR	ED BEFORE ME AT THE	
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antos   Notary Publi North, Suite 100 CANADA LGX 1N2 Fax: 905-453-3560 Legal Advice Given		IN THE	A E G OF	
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Orlando da Silva 193 Main Str Brampton, Ort Tel: 905-452-7 LSO # 24224K (	1	* H	Signature of Applicant or Authorized Agent	
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Jrlan 1 Brai Tel: LSO	7		A Complessioner etc.	
0		-	FOR OFFICE USE ONLY	
			Present Official Plan Designation:	
			Present Zoning By-law Classification: R1B, Mature Neighbourhoo	d
			This application has been reviewed with respect to the variances required and the results of the	
			said review are outlined on the attached checklist.	
			L Barbuto September 27, 2022	
			Zoning Officer Date	
			DATE RECEIVED uptenly 27, 2022	!
			Revised 2022/02/17	

Page 731 of 845







# Report Committee of Adjustment

Filing Date:

September 28th, 2022

**Hearing Date:** 

January 24th, 2023

File:

B-2022-0014, A-2022-0320 & A-2022-0321

Owner/

Applicant:

MEHNA AUTO SALES INC.

Address:

93 John Street

Ward:

4

Contact:

Rabia Ahmed, Planner I

#### Recommendations:

That application B-2022-0014, A-2022-0320, and A-2022-0321 be deferred no later than the last hearing of March 2023.

### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.063 hectares (1.55 acres). The proposed severed lot has a frontage of approximately 7.93 metres (26 feet), a depth of approximately 37.27 metres (122.28 feet) and an area of approximately 0.029 hectares (0.073 acres). The effect of the application is to create two individual lots from the existing lot for future residential development of a new semi-detached dwelling which will occupy both the retained and severed lots.

#### Requested Variances:

### A-2022-0320

The applicant is requesting the following variances(s) for construction of a new semi-detached dwelling in conjunction with the proposed retained lot under Consent Application B-2022-0014:

- 1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling with an R1B zone;
- 2. To permit a minimum lot area of 230 square metres whereas the by-law requires a minimum lot area of 450 square metres;
- 3. To permit a minimum lot width of 7.9 metres whereas the by-law requires a minimum lot width of 15 metres.

#### A-2022-0321

The applicant is requesting the following variances(s) for construction of a new semi-detached dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0014:

- 1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling with an R1B zone;
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#### Background:

Concurrent Consent application (B-2022-0014) and Minor Variance applications (A-2022-0320 and A-2022-0321) have been submitted to facilitate the severance of the subject property. Both the severed and retained lots result in property size and dimensions which do not conform to the minimum Zoning By-law requirements. The purpose of the applications is to create two individual lots from the existing lot for future residential development of a semi-detached dwelling which will occupy both the severed and retained lots.

- Official Plan: The subject property is designated 'Central Area' in the Official Plan;
- **Secondary Plan:** The subject property is designated '*Medium Density*' within the Downtown Brampton Secondary Plan (Area 7); and
- **Zoning By-law:** The subject property is zoned 'Residential Single Detached B (R1B)' according to By-Law 270-2004, as amended.

Page 2 of 3

## **Current Situation:**

Further to the previous recommendation report for this property brought to the Committee of Adjustment on October 25<sup>th</sup>, 2022, staff are still awaiting the submission of a scoped Heritage Impact Assessment as requested from the applicant in the report dated October 25<sup>th</sup>, 2022. Other issues identified in the October 25<sup>th</sup>, 2022 report have been addressed, including the gratuitous conveyance of land to the City of Brampton to meet the John Street right-of-way requirements and resulting updates to the requested Minor Variances. In discussion with staff, the proposal has been updated to reflect the change from the originally proposed two single-detached dwelling units on each of the retained and severed lots, to a single semi-detached dwelling unit to occupy both the retained and severed lots.

The previous report noted that while 93 John Street is neither listed on the Municipal Register nor designated under the Ontario Heritage Act, it does reside on the City of Brampton's internal properties of Interest List. It is also situated in a Mature Neighbourhood Area as defined in City By-laws. There are properties adjacent to this house which are either listed or on the Property of Interest List. Accordingly, City of Brampton Heritage Staff respectfully requested that a Heritage Impact Assessment be completed to review the Cultural Heritage Value or Interest of the property at 93 John Street.

The applicant was advised to conduct a Cultural Heritage Evaluation Report (CHER) to determine the cultural heritage value of the property at 93 John Street. Based on the results of this CHER, the scope of the Heritage Impact Assessment can be determined to address issues including design, adjacency and addressing design integration within the character of this neighbourhood.

City staff have discussed these matters with the applicant and are awaiting the submission of the requested CHER. Once received, Heritage staff will need to review the additional materials and provide comment. Therefore, staff recommend a flexible deferral of the application so that the applicant can provide the additional materials to the satisfaction of City staff.

Rabia Ahmed

Rabia Ahmed, Planner I



## **Committee of Adjustment**

**APPLICATION # A-2022-0321 WARD 3** 

#### **REVISED**

### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an **amended** application for minor variance has been made by **MEHNA AUTO SALES INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 43, Plan BR-2, Part 4, Plan 43R-13441 municipally known as **93 JOHN STREET,** Brampton;

AND WHEREAS the applicant is requesting the following variance(s) for construction of a new <u>semi-detached</u> dwelling in conjunction with the proposed retained lot under Consent Application B-2022-0014:

- 1. To permit a semi-detached dwelling whereas the by-law does not permit a semi-detached dwelling within an R1B zone:
- 2. To permit a minimum lot area of 290 square metres whereas the by-law requires a minimum lot area of 450 square metres;
- 3. To permit a minimum lot width of 7.90 metres whereas the by-law requires a minimum lot width of 15 metres:

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

Plan of Subdivision:	NO	File Number:
Application for Consent:_	YES	File Number: B-2022-0014

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 9th Day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca



## **Committee of Adjustment**

APPLICATION # A-2022-0321 WARD 3

#### **DEFERRED APPLICATION FOR MINOR VARIANCE**

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Application for Consent:	YES	File Number:	B-2022-0014

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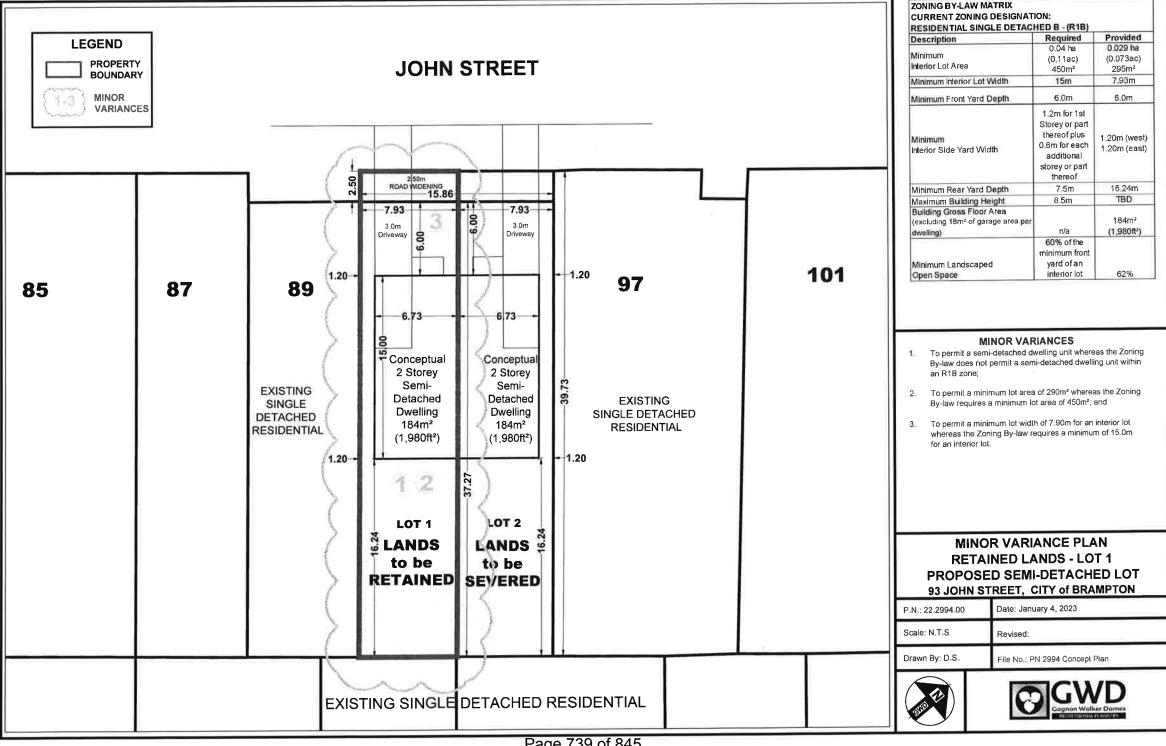
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DATED at Brampton Ontario, this 5th Day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - To participate in-person, please email the Secretary—Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom* of *Information* and *Protection* of *Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



**Principals** 

Michael Gaanon Lena Gagnon Andrew Walker **Richard Domes** 

## **January 4, 2023**

Corporation of the City of Brampton 2 Wellington Street West Brampton, Ontario **L6Y 4R2** 

Attn:

Jeanie Myers - Secretary Treasurer, Committee of Adjustment

Re:

**Committee of Adjustment** 

**Consent to Sever and Minor Variance Applications** 

**Supplementary Cover Letter** 93 John Street, City of Brampton

Part of Lot 44, Plan BR-6, and Part of Lot 43, Plan BR-2

City Files: A-2022-0320 and A-2022-0321

(GWD File: 22.2994.00)

#### Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) represents Mehna Auto Sales Inc. (Gagandeep Singh Gill), the Registered Owner of 93 John Street in the City of Brampton (hereinafter referred to as the subject site).

Concurrent with the Consent to Sever Application for the subject site, two (2) associated Committee of Adjustment Minor Variance Applications were submitted to the City of Brampton on September 27, 2022, seeking relief from the Zoning By-law in order to permit the development of two (2) new single detached residential dwellings on both the Retained and Severed lands.

On October 25, 2022, in consultation with City of Brampton Planning Staff, Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 were deferred by the Committee of Adjustment to no later than the last Committee of Adjustment Hearing of January 2023. In working with City Staff, the minor modifications made to the proposal necessitated the reissuance of the Public Notice. The deferral allowed for sufficient time for this to occur.

Further discussion was had with City of Brampton Planning and Heritage Staff on November 7, 2022 regarding the above-mentioned Committee of Adjustment Applications. The Consent to Sever and Minor Variance Plans have been updated to reflect the following:

## GAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790 www.gwdplanners.com • Toll Free: 1-855-771-7266

CONFIDENTIALITY

NTIALITY

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return original to us by mail without making a copy.



## 1. A 2.50m Road Widening;

- 2. A 2-storey Semi-Detached Dwelling is now proposed which is to occupy both the Severed and Retained Lands with a G.F.A of approximately 184m<sup>2</sup> (1,980 ft<sup>2</sup>) and an approximate height of 8.5m;
- **3.** The proposed Semi-Detached Dwelling has been shifted slightly southward on the subject site;
- 4. An Interior Lot Area of 0.029 ha (0.073 ac); and
- 5. A Minimum Rear Yard Depth of 16.24 m (53.28 ft).

The requested variances for both Minor Variance Applications have been amended as follows:

- 1. To permit a semi-detached dwelling unit whereas the Zoning By-law does not permit a semi-detached dwelling unit within an R1B zone;
- 2. To permit a minimum lot area of 290m² whereas the Zoning By-law requires a minimum lot area of 450m²; and
- **3.** To permit a minimum lot width of 7.90m for an interior lot whereas the Zoning Bylaw requires a minimum of 15.0m for an interior lot.

As discussed with City of Brampton Planning and Heritage Staff on November 7, 2022, a Scoped Heritage Impact Assessment is well underway and will be submitted in support of Committee of Adjustment Applications B-2022-0014, A-2022-0320, and A-2022-0321 under separate cover.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

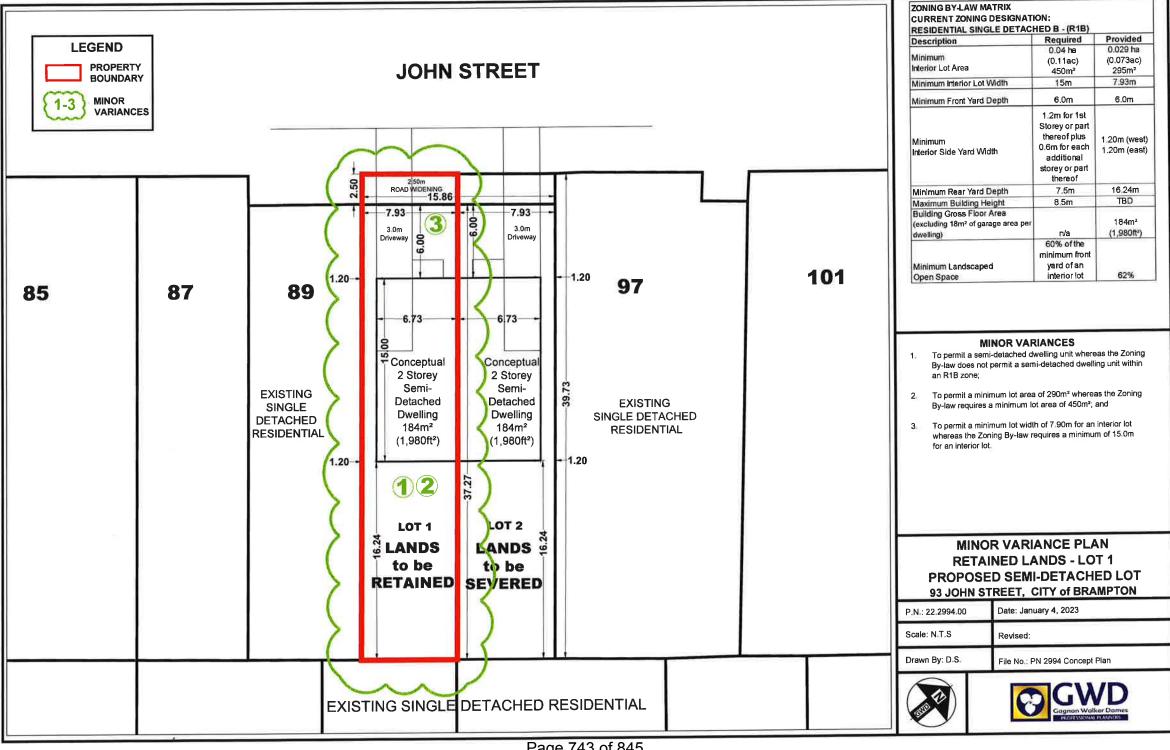
Anthony Sirianni, B.A., Associate Planner

c.c.: Gagandeep Singh Gill, Client

Andrew Walker, Gagnon Walker Domes Ltd. Michael Gagnon, Gagnon Walker Domes Ltd.

Gagnon Walker Domes Ltd.

2



## Flower City



FILE NUMBER: A-2022-032

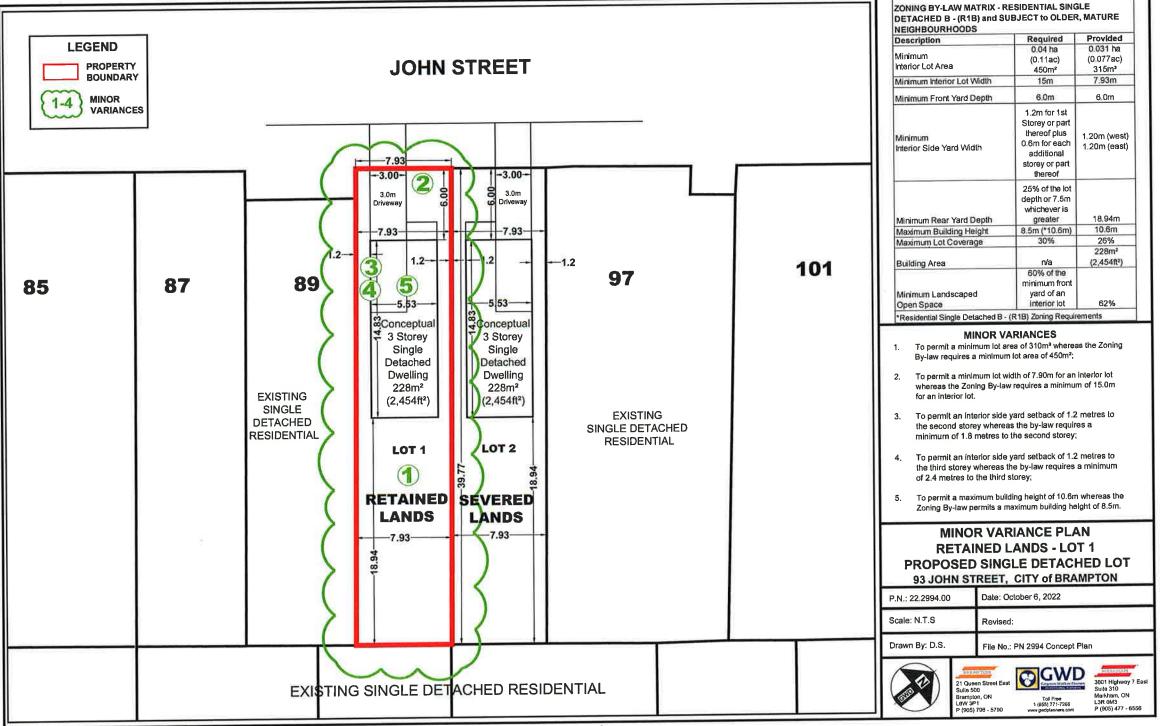
The Personal information collected on this form is collected p Applicants are advised that the Committee of Adjustment is a public information and is available to anyone upon request an should be directed to the Secretary-Treasurer, Committee of Ac

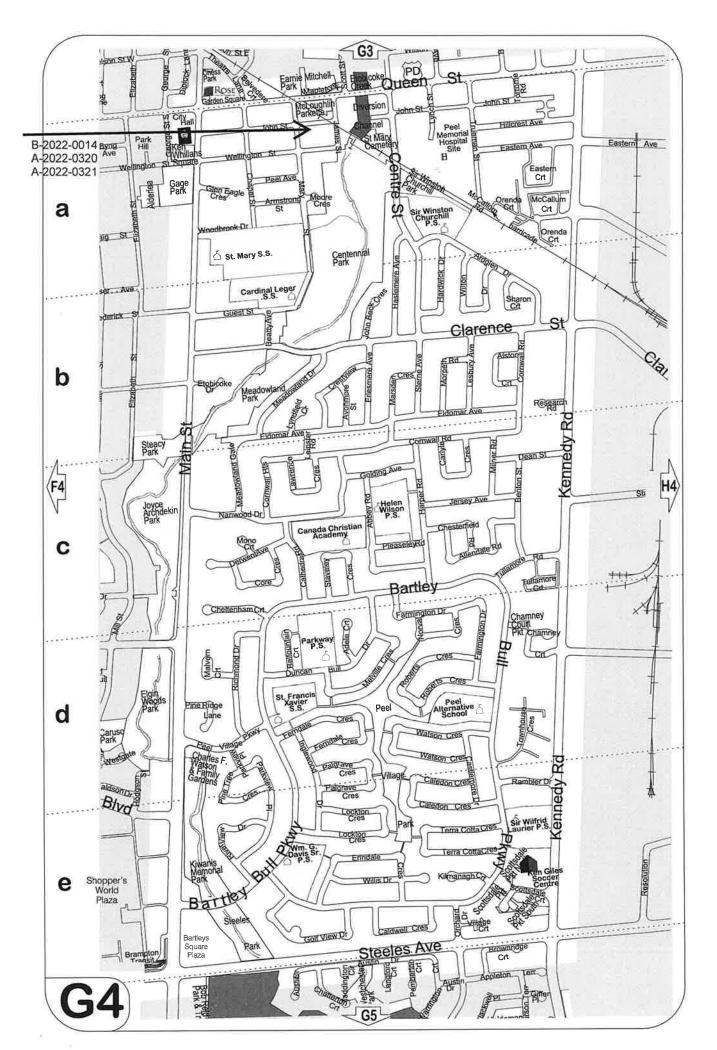
## APPLICATION Minor Variance or Special Permission (Please read Instructions) NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee. The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004. elynce Autosales Name of Owner(s)\_ Address 453 Phone # Fax # an entoloutions Email Name of Agen Address Phone # (CO) Simonni@giraplainner Com Nature and extent of relief applied for (variances requested): 10 permit a minimum lot area of @ To permit a minimum minimum e First integior side used width @ 10 permit a maximum pulctine height of 10.6m Why is it not possible to comply with the provisions of the by-law? 1 The Zening By-law requires a minimum lot area of 450m2 EL 15. DM FOR AIN INTERIOR OF The Tomine Bulow requires The zoning By-law permits a mes Amun building Legal Description of the subject land: Lot Number Plan Number/Concession Number Municipal Address Dimension of subject land (in metric units) Frontage Depth Area Access to the subject land is by: Provincial Highway Seasonal Road Other Public Road Water Municipal Road Maintained All Year

Private Right-of-Way

	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)
	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)
	one (D) 2-Storey Single cletached residented divergree with Rin Defformate OFA of
	PROPOSED BUILDINGS/STRUCTURES on the subject land:
	awelling with a Jozeph of 278 m2 (2, 454 472)
9.	Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)
	EXISTING Front yard setback Rear yard setback Side yard setback Side yard setback Side yard setback Side yard setback
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback Side yard setback
10.	Date of Acquisition of subject land: buvary 31, 2022
11.	Existing uses of subject property:  Residential
12.	Proposed uses of subject property:  Residential
13.	Existing uses of abutting properties:  Residential
14.	Date of construction of all buildings & structures on subject land:
15.	Length of time the existing uses of the subject property have been continued: 5ince Construction
6. (a)	What water supply is existing/proposed?  Municipal Other (specify)  Well
(b)	What sewage disposal is/will be provided?  Municipal
(c)	What storm drainage system is existing/proposed?  Sewers  Ditches  Other (specify)

	17.	subdivision or consent?	of all appropriation under the reserve	ining root, for approved and proved
		Yes No 🔀		
		If answer is yes, provide details:	File # B - 2022-0014	Status CONCURRENT
	18.	Has a pre-consultation application		
		Yes No 💢		
	19.	•	en the subject of an application for	minor variance?
	13.	= =	Unknown	
			Olikiowii	
		If answer is yes, provide details:	Rel	lef
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		File # Decision	Rel	er
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# 2 0 K Z	Mark	- 2027	Signature of Ar	plicant or Authorized Agent
Orlando da Silva 193 Main St Brampton, Ort Tel: 905-452-7 LSO # 24224K	1 EV			
40 d 93 h mptc 905				
Bra Tel:	0	A Commissioner etc.	51	
O			FOR OFFICE USE ONLY	
		Present Official Plan Designatio	n:	
		Present Zoning By-law Classific		. Mature Neighbourhood
			ed with respect to the variances requ	
		said revie	w are outlined on the attached checkl	st.
		L Barbuto	Sen	tember 27, 2022
		Zoning Officer		tember 27, 2022 Date
	L		1 .4 1 .50	2422
		DATE RECEIVED	Justenly 27	Revised 2022/02/17







# Report Committee of Adjustment

Filing Date:

September 28th, 2022

**Hearing Date:** 

January 24th, 2023

File:

B-2022-0014, A-2022-0320 & A-2022-0321

Owner/

Applicant:

MEHNA AUTO SALES INC.

Address:

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Rabia Ahmed

Rabia Ahmed, Planner I



## **Committee of Adjustment**

APPLICATION # A-2022-0323 WARD 10

### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an **amended** application for minor variance has been made by **PAUL PFUNDT AND ROBERTA ROSEMARIE ELIZABETH PFUNDT** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 12, Concession 9 N.D. municipally known as **10300 THE GORE ROAD**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0015:

- 1. To permit a minimum lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 4.0 hectares:
- 2. To permit a minimum rear yard setback of 0.5m (1.64 ft.) to an existing accessory structure (shed) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the nearest property lines for an accessory structure.

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

Plan of Subdivision:	NO	File Number:	
Application for Consent:	YES	File Number: B-2022-0015	_

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

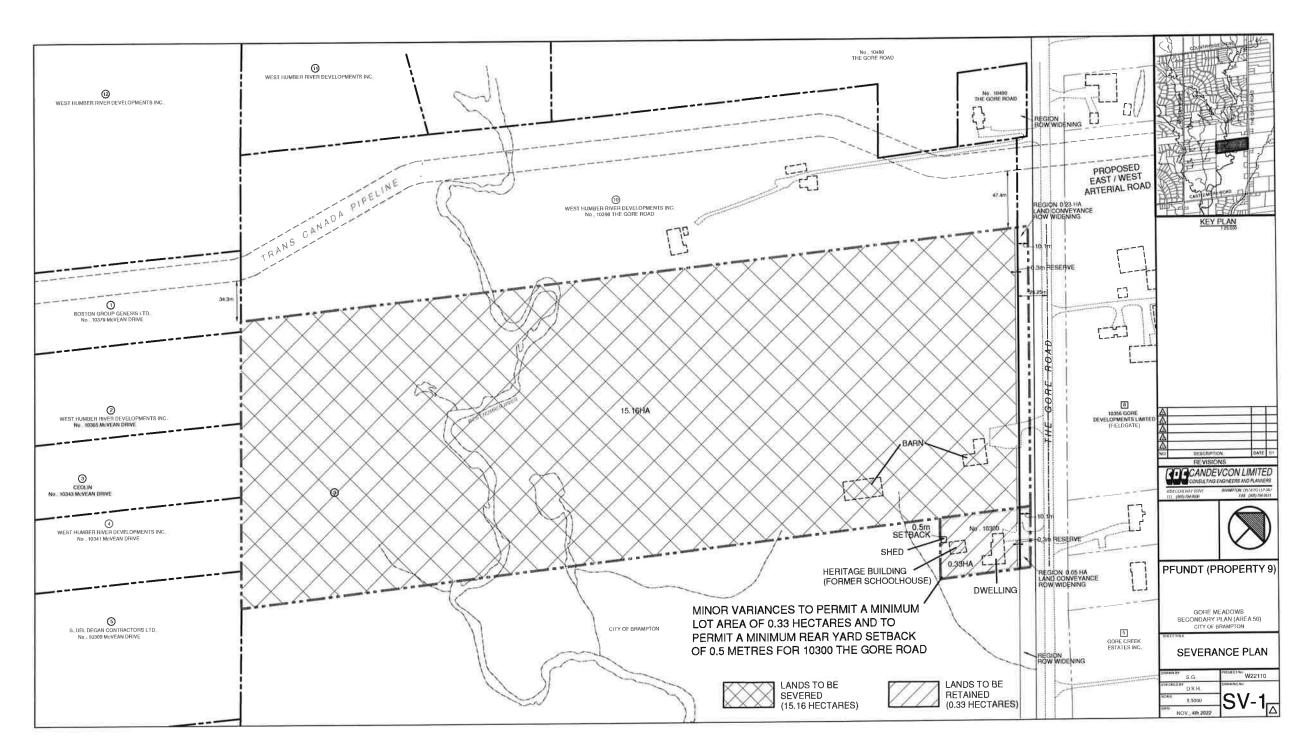
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 5th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

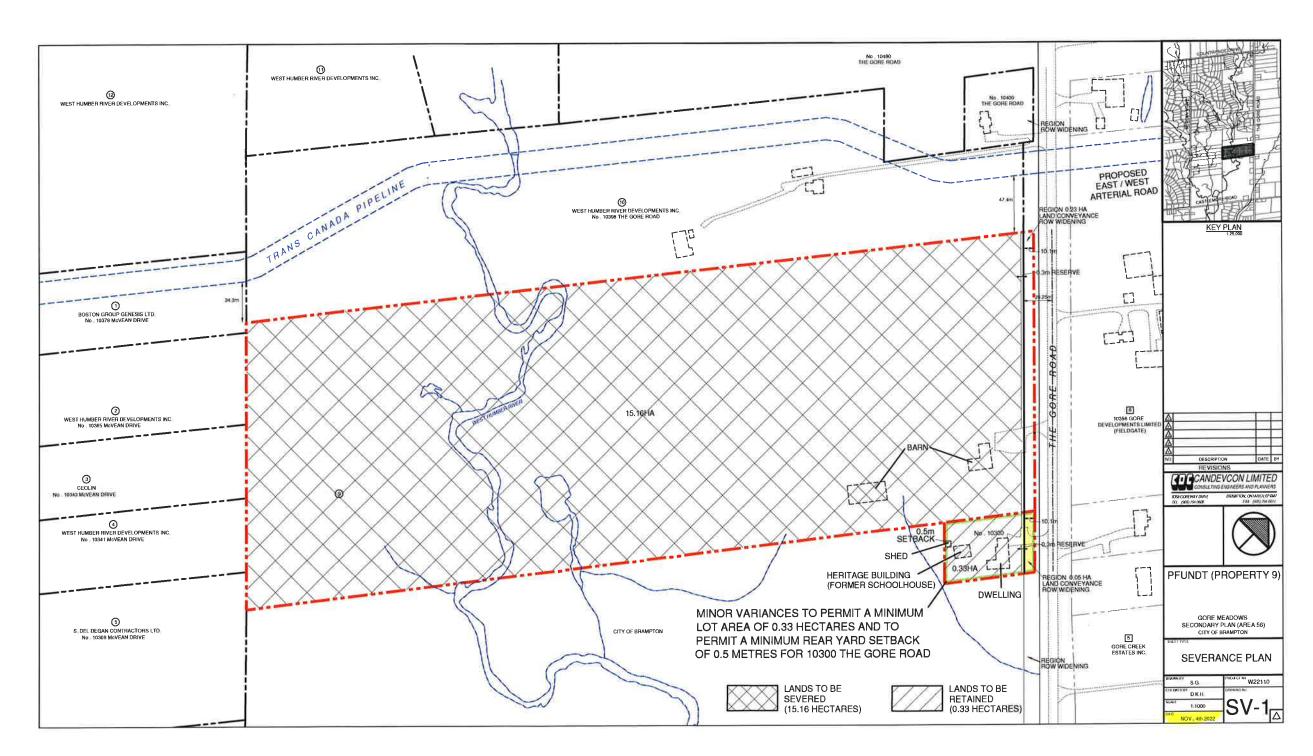
- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



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# **Flower City**



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

**FILE NUMBER:** 

A-2022-0323

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

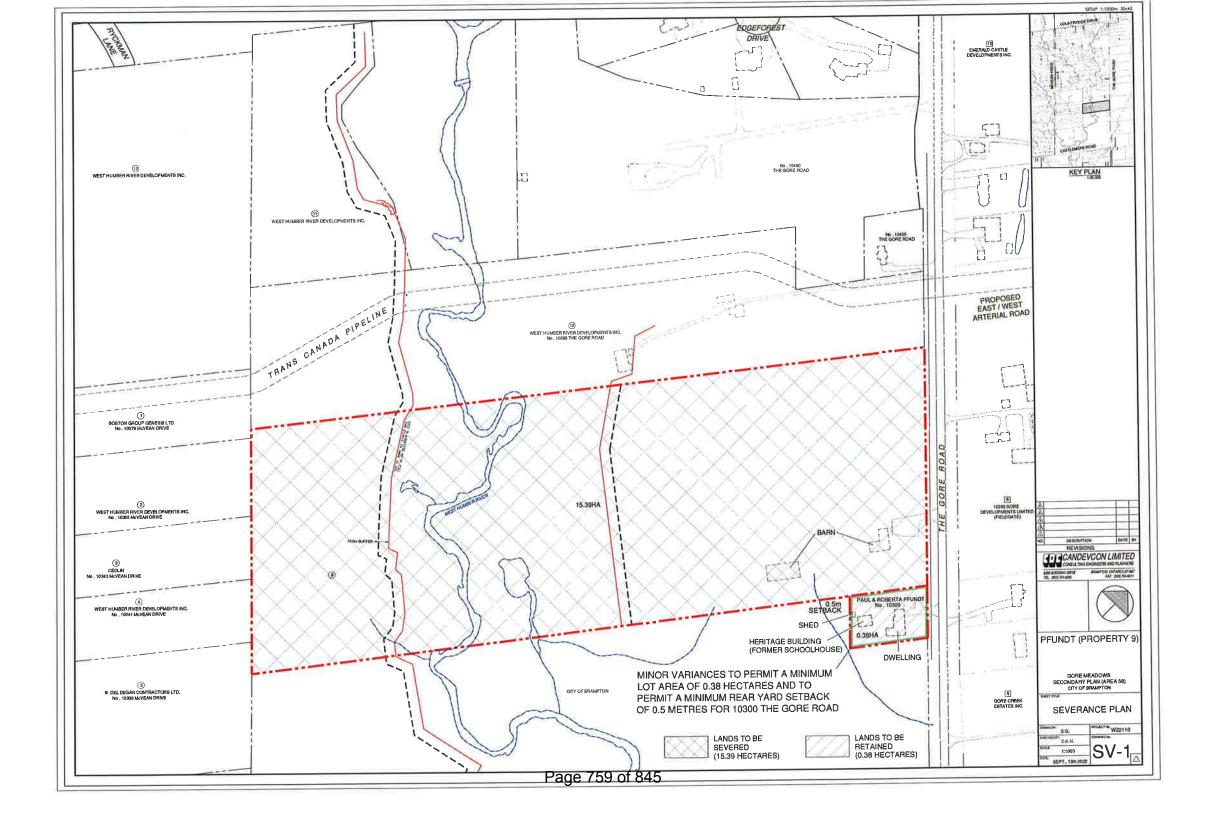
The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

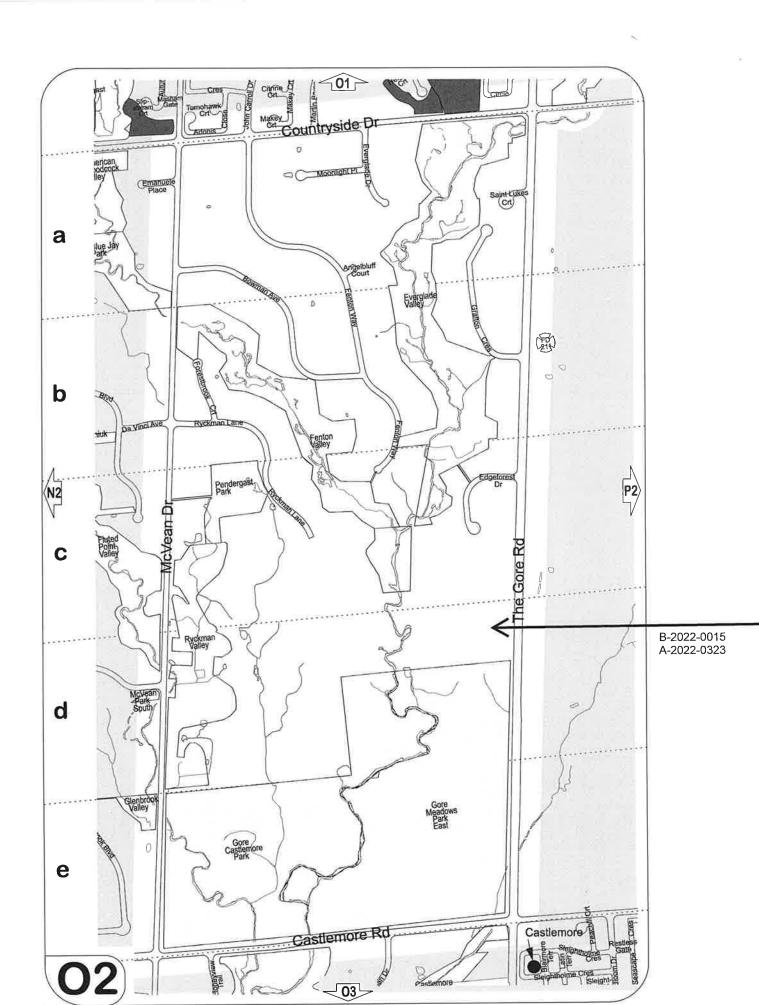
1.	Name of		Roberta Rosemarie Eliz	zabeth Pfu	ndt	
	Address	10300 The Gore Road				
		Brampton, Ontario				
		L6P 0A6				
	Phone #	416-213-7181		Fax #		
	Email	marco@royalpinehomes.com			\	
				#		
_	Name of	Ament Condovena Limite	ed (Steven Giankoulas)	١		
2.	Name of		d (Steven Glankoulas)	)		
	Address	9358 Goreway Drive				
		Brampton, Ontario				
		L6P 0M7				
	Phone #	905-794-0600 ext 2060		Fax #	905-794-0611	
	Email	steven@candevcon.com				
3.	Matura o	nd extent of relief applied for	(variances requestes	47-		
Э.						
	To pern	nit a minimum lot area of 0	0.38 hectares for th	e subject	t parcel.	
	To porn	nit a minimum rear yard se	sthack of 0.5 metre	e		
	Tro bem	iii a iiiiiiiiiiiiiiiiiiiiiiiiiiiiiiii	SUACK OF U.S THELIE	S.		I
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4.	Why is it	not possible to comply with	the provisions of the	by-law?		
	The Cur	rent lot area does not con	noly with the minim	um requi	rements of the	Zoning By-law
	The cui	Terre lot area does not con	ipiy waar aro maaan	ann roqu	TOTALONIO OT LITE	Louing by land
	1					
	The cur	rent rear yard setback for	r the shed does not	t comply	with the minim	um
	require	ments of the Zoning By-lav	N.			
	<u> </u>					
5.	Legal De	escription of the subject land:				
	Lot Num	-				
		mber/Concession Number	9 N.D.			
		al Address 10300 The Gore R				
	Mullicip	Al Address	oau			
6.		on of subject land ( <u>in metric</u>	<u>units</u> )			
	Frontage	e 50.79m				
	Depth	75.58m				
	Area	0.38 ha				
	AIEG	0.00 Ha				
7.	Access	to the subject land is by:				
		ial Highway		Season	al Road	
		al Road Maintained All Year	✓	Other F	ublic Road	
		Right-of-Way	Ħ	Water		
	Liivare	tigitt-oi-tray		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible) EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.) Single Detached Dwelling: 320.31 square metres Heritage Building: 267.72 square metres Shed: 21.89 square metres PROPOSED BUILDINGS/STRUCTURES on the subject land: N/A 9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units) **EXISTING** Front yard setback 22.52m Rear yard setback 7.38m Side yard setback 0.5m Side yard setback 18.95m **PROPOSED** Front yard setback N/A Rear yard setback N/A Side yard setback N/A Side yard setback N/A 10. Date of Acquisition of subject land: 1962 11. Residential Existing uses of subject property: 12. Proposed uses of subject property: Residential Agricultural 13. Existing uses of abutting properties: 50+ years 14. Date of construction of all buildings & structures on subject land: Length of time the existing uses of the subject property have been continued: 15. 50+ years 16. (a)

(a)	What water suppl Municipal Well	y is existing/proposed?	Other (specify)	
(b)	What sewage dis Municipal Septic	posal is/will be provided?	Other (specify)	
(c)	What storm drain Sewers Ditches Swales	age system is existing/pro		

17.	Is the subject property the subject subdivision or consent?	ct of an application u	nder the Planning Act, for a	approval of a plan of
	Yes 🗸 No 🗔			
	If answer is yes, provide details:	File # N/A	Status 9	Concurrent with this application
18.	Has a pre-consultation application	on been filed?		
	Yes No 🗆			
19.	Has the subject property ever be	ел the subject of an a	oplication for minor variance	e?
	Yes No	Unknown		
	If answer is yes, provide details:			
	File # Decision		Relief	N
	File # Decision File # Decision		Relief Relief	
			1	
			Mun	
	Có.	C.U.C.	nature of Applicant(s) or Auth	norized Agent
DAT	ED AT THE City  Sept	OF	prampton	
THIS	B 2 / DAY OF _ Sept	mber , 2022.		
	PPLICATION IS SIGNED BY AN A JECT LANDS, WRITTEN AUTHOR			
THE APP	PLICANT IS A CORPORATION, ATION AND THE CORPORATION'S	THE APPLICATION S	HALL BE SIGNED BY AN	
				0 100
I	Steven Giankarlay Region OF York	, OF TH	HE City OF	Richmond Hill
IN THI	Region OF York	SOLEMNLY	DECLARE THAT:	
	THE ABOVE STATEMENTS ARE T IG IT TO BE TRUE AND KNOWING			
	ED BEFORE ME AT THE		Jeanie Cecilia Myers	
1	- 3		a Commissioner, etc., Province of Ontario	
011	of Lampton		for the Corporation of the City of Brampton	
IN THE	Kegion. OF	J.m.	Expires April 8, 2024.	
Tul	THIS 27 DAY OF	/ ()	19-	
Se	otenly, 20 22		ignature of Applicant or Author	orized Agent
	1 m Q5		Submit by Email	1
-	A Commissioner etc.			
/				
		FOR OFFICE USE O	NLY	
	Present Official Plan Designation	n:	-	
	Present Zoning By-law Classific	ation:	Agricultural-152	0/ Floodplain
	This application has been review said review	ed with respect to the v w are outlined on the at	ariances required and the restached checklist.	ults of the
	1111		Oct 5, 2022	
	Zoning Officer		Date	
		C	7 114	
	DATE RECEIVED		س) 27, 2022	Revised 2022/02/17
	Date Application Deemed			







Filing Date: September 27, 2022 Hearing Date: January 24, 2023

File: B-2022-0015 & A-2022-0323

Owner/

Applicant: PAUL PFUNDT AND ROBERTA ROSEMARIE ELIZABETH PFUNDT

Address: 10300 The Gore Road

Ward: WARD 10

Contact: François Hémon-Morneau, Planner III

#### Recommendations:

That application B-2022-0015 is supportable, subject to the following conditions being imposed:

- 1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
- 2. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received; and,
- 3. Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration.

That application A-2022-0323 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision; and,
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 15.77 hectares (38.97 acres). The proposed severed lot has an area of approximately 15.16 hectares (37.46 acres). The effect of the application is to separate the proposed retained lot which remains occupied by a single detached dwelling, a designated heritage building and an accessory structure (shed) from the proposed severed lot which is currently zoned Agricultural and Floodplain.

#### Background:



Official Plan: The subject property is designated 'Residential' in the Official Plan;

- Secondary Plan: The subject property is located within the Gore Meadows Secondary Plan (Area 56) for which there is no Secondary Plan in effect;

- Zoning By-law: The subject property is zoned 'Agricultural – Special Section 1520 (A-1520)' according to By-Law 270-2004, as amended.

#### Requested Severance:

The severance application is intended to facilitate the creation of a new lot encompassing an existing detached dwelling and accessory structures. The proposed development includes the severance of the subject property into two separate lots. The retained portion will include the existing dwelling and the former schoolhouse and the severed lands will include the two farm buildings and agricultural fields. There is no proposed development of the retained or severed lands as part of this severance application. A related minor variance application (A-2022-0323) is required to allow the resulting reduced lot area and setbacks to an existing accessory structure on the retained lot.

Staff has undertaken a thorough review of the proposals, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent applications are considered to represent proper and orderly planning and can be supported from a land use perspective.

#### **Minor Variance Application:**

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0015:

- 1. To permit a minimum lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 4.0 hectares;
- 2. To permit a minimum rear yard setback of 0.5m (1.64 ft.) to an existing accessory structure (shed) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the nearest property lines for an accessory structure.
- 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Residential' in the Official Plan and is located within the Gore Meadows Secondary Plan (Area 56) for which there is no Secondary Plan in effect.

The variances are requested in connection to the severance of the property and seek to permit the resulting lot area and location of an existing accessory structure. The variances have no impact within the context of the policies of the Official Plan. Subject to the recommended conditions of approval, the requested variances maintain the general intent and purpose of the Official Plan.



#### Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to permit a minimum lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 4.0 hectares. The intent of the by-law in requiring a minimum lot area is to ensure that a certain character is maintained for the property and that the size of the lot is capable of accommodating the intended use or development. The Agricultural zone provides for large lot sizes meant to accommodate agricultural uses and operations. The reduced lot area is not anticipated to jeopardize the functionality of the lot and will effectively maintain the character of the surrounding area. As such, the proposed lot area of 3,300 sq. m (0.33 hectares) is not anticipated to negatively impact the character of the property or the surrounding neighbourhood. The requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

The second variance is requested to permit a minimum rear yard setback of 0.5m (1.64 ft.) to an existing accessory structure (shed) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the nearest property lines for an accessory structure. The intent of the by-law in regulating minimum setbacks for accessory structures is to ensure that there is adequate room for drainage and maintenance of structures. In this case, the shed generally requires minimal maintenance and drainage in the rear yard does not appear to have been affected by the shed. The location of the structure is not considered to impact the drainage on adjacent properties. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

#### 3. Desirable for the Appropriate Development of the Land

The requested variances reflect the existing conditions of the site and will facilitate the overall severance of the property. The first variance is needed to allow the resulting lot area which is less than what the By-law requires. The reduction in lot area is partly attributable to the Regional requirements for land dedication which are contemplated as part of the severance. The existing residential dwelling and other structures on the retained lot are not anticipated to be negatively impacted by the severance and reduced lot area. The second variance is requested to allow the location of an existing shed with reduced setbacks in the rear yard of the property. The adjacent property consists of agricultural land and the accessory structure is not considered to negatively impact access or drainage on-site or off-site. The variances are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The first variance is needed to allow the resulting lot area which is approximately 0.07 hectares (700 sq. m) less than what the By-law requires. This decrease is considered to be a minor deviation from the Zoning By-law and is not anticipated to generate negative impacts to the functioning of the property or adjacent properties. The second variance is reflective of existing site conditions relating to reduced setbacks to a shed. The location of the shed is not considered to negatively impact the site or adjacent properties. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner III





#### SCHEDULE "A"

## CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed severance has no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed severance is neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The severance is suitable for the purposes for which it is to be subdivided.
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 the adequacy of them;	The proposed severance does not present any concern with regard to the adequacy of the roadwork network. The Region of Peel will require the gratuitous dedication of lands to meet the Official Plan requirement of a 45 metre mid-block Right of Way along The Gore Road (Regional Road 8) 22.5 metres from the centreline of the road allowance. It will also require the gratuitous dedication of a 0.3 metre reserve along the frontage of The Gore Road behind the property line, lifted over any approved access.
f)	The dimensions and shapes of the proposed lots;	The shape and dimension of the proposed and retained lots are appropriate for the intended uses. A minor variance is requested to permit a 0.07 hectare reduction to the required lot area.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected	No concerns are noted with regard to restrictions on the lands included in the lease area.



	on it and the restrictions, if any, on adjoining land;	
h)	The conservation of natural resources and flood control;	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The proposed severance present no concerns with regard to the adequacy of school sites.
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 concerns related to conveyances for public purposes. The dedication of land to the Region of Peel will be required to accommodate future road widening of The Gore Road.
l)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed severance has no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	The proposed severance has no impact on matters of Site Plan Control under the Planning Act.



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0327 WARD 6

#### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **PUSHKAR CHAVAN AND VAISHAKHI CHAVAN** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 36, Plan 43M-2015 municipally known as **43 ELYSIAN FIELDS CIRCLE**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- 1. To permit an above grade door in the side wall where a minimum side yard width of 0.66m (2.17 ft.) is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m (3.94 ft.) extending from the front wall of the dwelling up to and including the door;
- 2. To permit a 0.66m (2.17 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit;
- 3. To permit a 0.4m (1.31 ft.) setback to an existing accessory structure (gazebo) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot lines for an accessory structure;
- 4. To provide 0.0m of permeable landscaping abutting the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line;
- 5. To permit a driveway width of 8.56m (28.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

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

Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

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RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

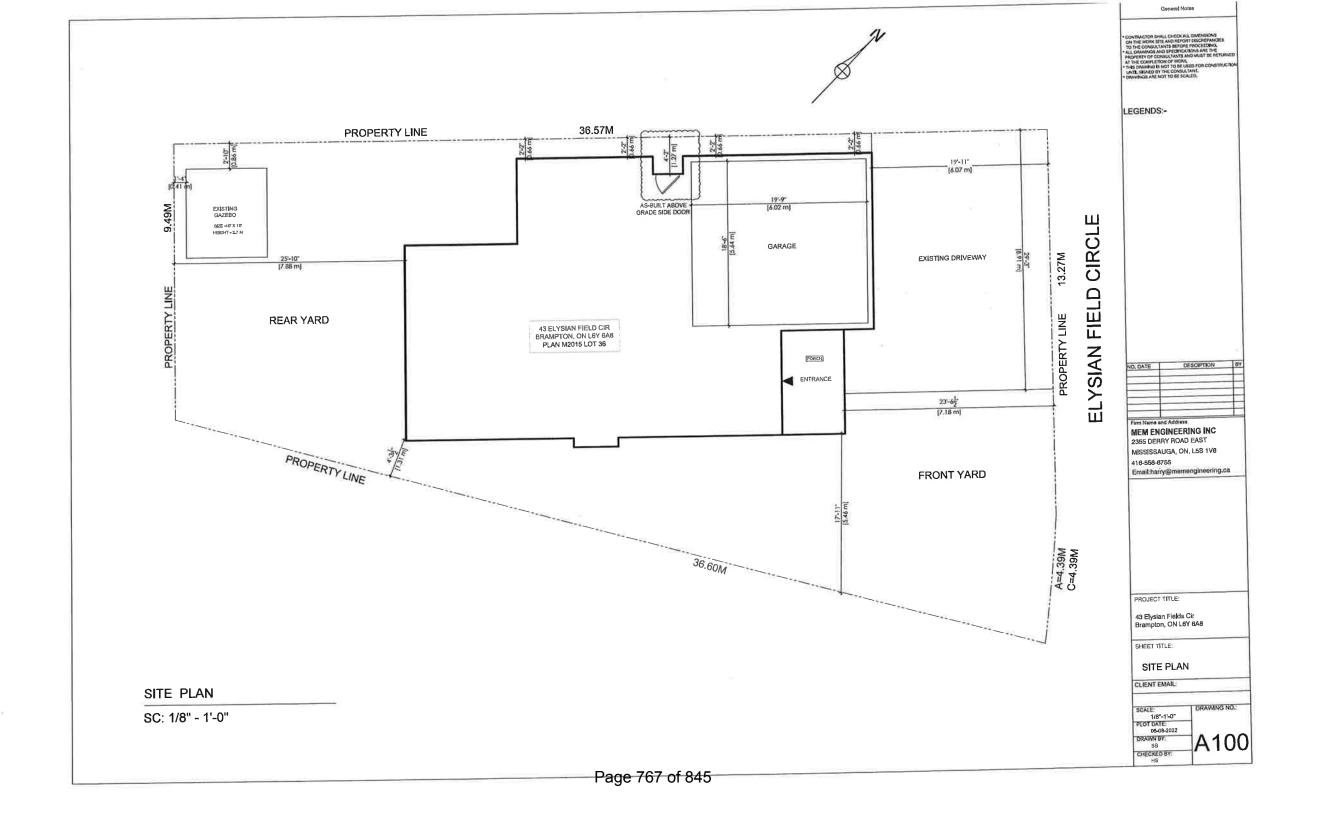
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th Day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

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#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
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- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
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 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

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**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

### AMENDMENT LETTER

November 1, 2022

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE** 

**PUSHKAR CHAVAN AND VAISHAKHI CHAVAN** 

LOT 36, PLAN 43M-2015

A-2022-0327-43 ELYSIAN FIELDS CIRCLE

Please amend application A-2022-0327 to reflect the following:

- To permit an above grade door in the side wall where a minimum side yard width of 0.66m (2.17 ft.) is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m (3.94 ft.) extending from the front wall of the dwelling up to and including the door;
- 2. To permit a 0.66m (2.17 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit;
- 3. To permit a 0.4m (1.31 ft.) setback to an existing accessory structure (gazebo) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the nearest lot lines for an accessory structure;
- 4. To provide 0.0m of permeable landscaping abutting the side property line whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line;
- 5. To permit a driveway width of 8.56m (28.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

Hospinder Man.
Applicant/Authorized Agent

#### Flower City



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

FILE NUMBER: A -2022-0321

metion collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application.
Is detend the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered
and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information
to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

**APPLICATION** 

## Minor Variance or Special Permission (Please read Instructions) NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee. The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004. Name of Owner(s) PUSHKAR CHAVAN and VAISHAKHI CHAVAN Address 43 ELYSIAN FILEDS CIR. BRAMPTON, L6Y 6E8 Phone # 647-321-5720 Fax # PUSHKARCHAVAN@GMAIL.COM Email HARJINDER SINGH Name of Agent Address UNIT 28, 2355 DERRY ROAD FAST, MISSISSAUGA, ON, L5S 1V6 Fay # MEM.PENG@OUTLOOK.COM Email Nature and extent of relief applied for (variances requested): To permit above grade door in the side wall where minimum side yard width of 0.66m is provided extending from the front wall of the dwelling up to the door To permit a path of travel of 0.66m to the primary entrance to second unit. To permit the existing driveway width of 8.56m Why is it not possible to comply with the provisions of the by-law? By law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m extending from the front wall of the dwelling up to and including door. By- law requires a minimum unencumbered side yard width of 1.2m to be provided as path of travel from front yard to entrance for the second unit By law permits a maximum driveway width of 7.32 m Legal Description of the subject land: Lot Number 36 Plan Number/Concession Number PLAN M2015 Municipal Address 43 ELYSIAN FIELD CIR BRAMPTON, ON L6Y 6E8 Dimension of subject land (in metric units) Frontage 17.66M Depth 36.57M Access to the subject land is by: Provincial Highway Seasonal Road Municipal Road Maintained All Year Other Public Road

Private Right-of-Way

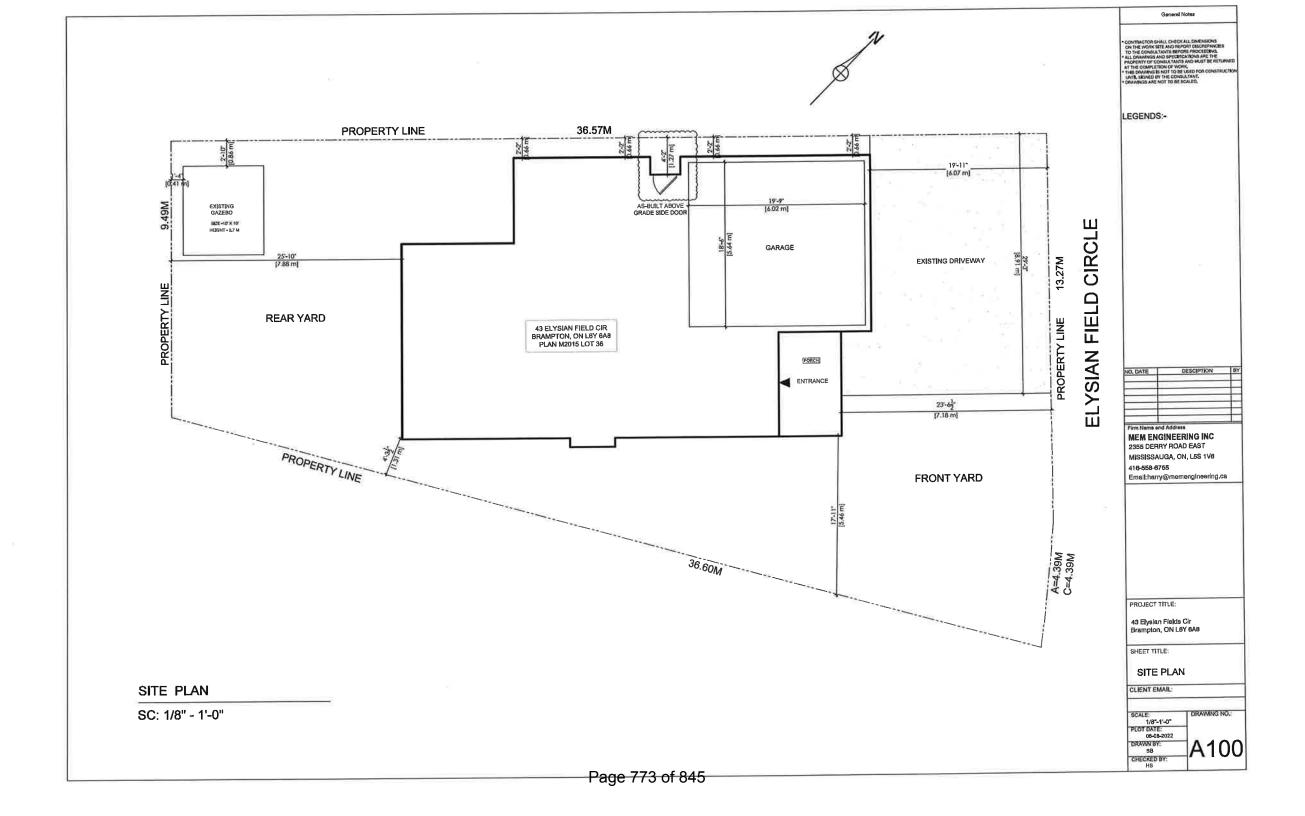
Water

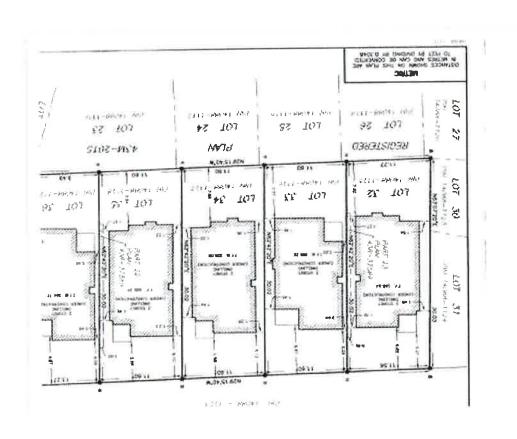
Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

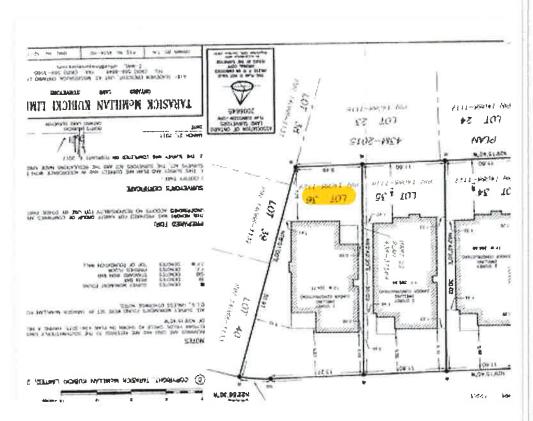
	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)  EXISTING 2 STOREY SEMI- DETACHED DWELLING.  SINGLE FAMILY DWELLING  GROSS FLOOR AREA-220.04 M2  HEIGHT OF PROPERTY -8.5 M, WIDTH-9.62 M, LENGTH - 16.02 M  PROPOSED BUILDINGS/STRUCTURES on the subject land:  TWO UNIT DWELLING				
	As- built above greatending from th	rade door in the side w e front wall of the dwel	vall where minimum side yard width of 0.66m is provided lling up to the door		
9.			ructures on or proposed for the subject lands: rand front lot lines in <u>metric units</u> )		
	Rear yard setback	7.88 M			
	Side yard setback	1.31M			
	Side yard setback	0.66M			
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	6.07M 7.88M 1.33M 0.66M			
10.	Date of Acquisition	of subject land:	2022		
11.	Existing uses of sul	bject property:	SINGL E FAMILY DWELLING		
12.	Proposed uses of s	ubject property:	SECOND UNIT DWELLING		
13.	Existing uses of ab	utting properties:	RESIDENTIAL		
14.	Date of construction	n of all buildings & stru	uctures on subject land: 2015		
15.	Length of time the	existing uses of the sul	bject property have been continued: 7 YEARS		
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)		
(b)	What sewage dispo Municipal Septic	osal is/will be provided 	Other (specify)		
(c )	What storm drainag Sewers Ditches Swales	ge system is existing/p	oroposed? Other (specify)		

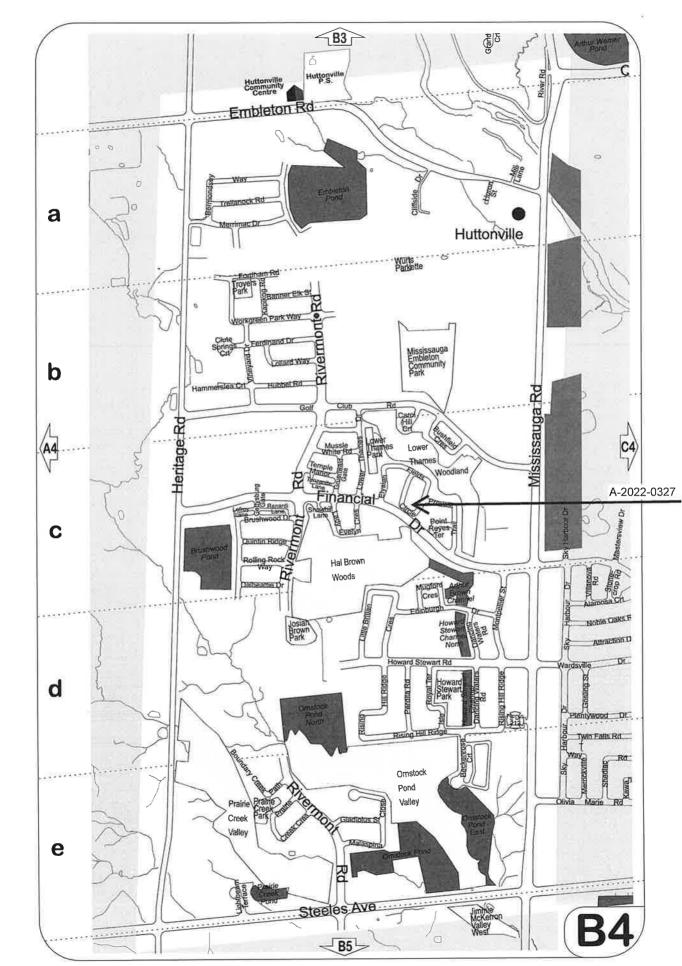
16.

***	subdivision or consent?	oject of all application allow	ale . Emmig tod .epp	
	Yes No 🖸	]		
	If answer is yes, provide detail	s: File#	Status	
18.	Has a pre-consultation applica	tion been filed?		
	Yes ☐ No ☑			
19.	Has the subject property ever	been the subject of an applic	ation for minor variance?	
	Yes □ No ☑	Unknown	l	
	If answer is yes, provide detai	ls:		
	•		Relief	
	File # Decision File # Decision Decision	on	Relief Relief	
	File # Decision	on		
			Haspinder Singh	
		Signatu	re of Applicant(s) or Author	ized Agent
DAT	ED AT THE CITY	OF BRAMPTON		
	S 25 DAY OF SEPTEME			
	APPLICATION IS SIGNED BY A		IV DEDSON OTHER THAI	THE OWNER OF
THE SU	SJECT LANDS, WRITTEN AUTHO	ORIZATION OF THE OWNER	MUST ACCOMPANY THE	APPLICATION. IF
	PLICANT IS A CORPORATION RATION AND THE CORPORATIO			OFFICER OF THE
	0			0 11
	I. Raman Vi ur E Region OF S	OF THE	City OF _	Brampson
IN TH	E Region of _ 1	ec ( SOLEMNLY DE	CLARE THAT:	
ALL OF BELIEVI OATH.	THE ABOVE STATEMENTS ARE NG IT TO BE TRUE AND KNOW!	TRUE AND I MAKE THIS SO NG THAT IT IS OF THE SAME	OLEMN DECLARATION C E FORCE AND EFFECT AS	ONSCIENTIOUSLY S IF MADE UNDER
	ED BEFORE ME AT THE		nie Cecilia Myers	
A C	T B F	Prov	mmissioner, etc., ince of Ontario	
	of Tramplo	for th	ne Corporation of the	e / M
INTHE	Region OF		of Brampton res April 8, 2024.	
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7.4	Obu ,20 2.7		ture of Applicant or Authoria	rod Agent
	100,20	Signa		zed Agent
	Jeani 7/1 0	15	Submit by Email	
//	A Commissioner etc.	Į.		
		FOR OFFICE USE ONLY		
	Present Official Plan Designa			
	Present Zoning By-law Class		R1F-10.4-2430	3
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		ewed with respect to the varian view are outlined on the attache		s or me
	L Barbut	B	October 7, 202	22
	Zoning Officer		Date	
	DATE RECEIV	ED October	13,2022	
	Date Application Deen			Revised 2022/02/17
	Complete by the Municipa			











Filing Date: Hearing Date:

December 13, 2022 January 24, 2023

File:

A-2022-0327

Owner/

Applicant:

**PUSHKAR CHAVAN AND VAISHAKHI CHAVAN** 

Address:

43 Elysian Fields Circle

Ward:

WARD 6

Contact:

Megan Fernandes, Planning Technician

#### Recommendation:

That application A-2022-0327 is supportable in part, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That Variance 1 to permit an above grade side door having an interior side yard setback of 0.66 metres (2.16 feet) be refused;
- 3. That Variance 2 to permit a 0.66 metre (2.16 feet) path of travel to a to the primary entrance to a second unit be refused:
- 4. That the owner must obtain a Road Occupancy and Access Permit from the City of Brampton's Road Maintenance and Operations Section for any construction of works within the city's road allowances: and
- 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

This application was deferred from the Committee of Adjustment Hearing scheduled on November 15, 2022. Site visit photos are provided in Appendix 1-4.

#### **Existing Zoning:**

The property is zoned 'Single Detached Residential F (R1F-10.4-2430)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

- 1. To permit an above grade door in the side wall where a minimum side yard width of 0.66m (2.17 ft.) is provided extending from the front wall of the dwelling up to the door, whereas the by-law does not permit a door in the side wall unless there is a minimum side yard width of 1.2m (3.94 ft.) extending from the front wall of the dwelling up to and including the door;
- 2. To permit a 0.66m (2.17 ft.) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2m (3.94 ft.) be provided as a path of travel from the front yard to the entrance for a second unit;
- 3. To permit a 0.4 metre (1.31 feet) setback to an existing accessory structure (gazebo) whereas the by-law requires a minimum setback of 0.6 metres to the nearest lot lines for an accessory structure:
- 4. To provide 0.0m (0.00 feet) of permeable landscaping abutting the side property line whereas the by-law requires a minimum 0.60 metres (1.97 feet) wide permeable landscape strip abutting the side property line; and
- 5. To permit an existing driveway width of 8.56 metres (28.08 feet) whereas the by-law permits a maximum driveway width of 6.71 metres (22 feet).

#### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated as 'Residential' in the Official Plan and 'Low/Medium Density' in the Bram West Secondary Plan (Area 40d).

Variances 1 and 2 are requested to permit an above-grade side door and a reduced path of travel to facilitate the approval of a primary entrance to a second unit.

Official Plan Section 4.2.6. provides the policies for Additional Residential Units (ARUs). Policy 4.2.5.6.1 (iv) states that "ARUs must be in compliance with the Ontario Building Code and/or Fire Code, Registration By-law, Property Standards By-law, the applicable regulation under the Conservation Authorities Act, and other applicable approval requirements."

In this instance, the requested variances would result in non-compliance with the Ontario Building Code. Variance 1 and 2 are not considered to maintain the general intent of the Official Plan.

The proposed extent and nature of Variance 3, 4 and 5 are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official plan.

Page 2 of 6

## 2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is requested to permit an above grade side door having an interior side yard setback of 0.66 metres (2.17 feet) whereas the by-law requires a minimum setback of 1.2 metres (3.94 feet) from an interior side yard to an above grade door. The intent of the By-law in requiring minimum side yard setbacks is to maintain access to the rear of the property, and drainage between the stairs and the property line.

An above grade side door was constructed along the south eastern side wall of the detached dwelling. The entrance is located above grade. The entrance was constructed without obtaining a building permit and was not part of the original design of the building. The variance represent a 0.55 (1.75 feet) reduction from what the By-law permits in terms of minimum interior side yard setbacks. Upon discussion with the City's Building department, staff noted the objection that the Building Code requires a landing at the top of the stairs servicing the door. Due to the configuration of the property, there is insufficient space to accommodate a landing and stairs to maintain compliance with the Ontario Building Code. The requested variance is not considered to maintain the general intent of the Zoning By-law.

Variance 2 is requested to permit a 0.66 (2.17 feet) path of travel leading to a principle entrance for a second unit whereas the by-law requires a minimum unencumbered side yard width of 1.2 metres (3.93 feet) to be provided as a path of travel from the front yard to the entrance to the second unit. The intent of the By-law in requiring a minimum path of travel is to ensure that there is sufficient area to act as the primary access to a second unit for both everyday and emergency purposes.

The proposed path of travel measuring 0.66 metres (2.16 feet) is anticipated to negatively affect the ability to access a second unit. In addition, as per the Ontario Building Code (OBC), the proposed primary entrance to the second unit is not sufficient for the required egress path to a public thoroughfare as outlined in the building code to provide sufficient access to the entrance of the second unit. The requested variance is not considered to maintain the general purpose of the Zoning By-law.

Variance 3 is requested to permit an existing accessory structure (gazebo) having a setback of 0.4 metres (1.31 feet) whereas the By-law requires a minimum setback of 0.6 metres (1.97 feet) for an accessory structure to the nearest property lines. The intent of the By-law in regulating minimum setbacks is to ensure that there is adequate room for drainage and maintenance of the structure.

The existing setback reduction for the gazebo is not considered to be adversely impacting drainage on the property or adjacent properties. The 0.2 metre (0.65 feet) is not considered to limit the access for maintenance of the property. A condition of the approval is recommended that drainage on the adjacent properties shall not be adversely affected. The structure maintains all other Zoning By-law requirements. Variance 3 is considered to maintain the general intent of the Zoning By-law.

Variance 4 is requested to permit an existing driveway width of 8.56 metres (28.08 feet), whereas the By-law permits a maximum driveway width of 6.71 metres (22 feet). Variance 5 is requested to permit a 0.0 metre (0.0 feet) of permeable landscaping between the driveway and the side lot line whereas the by-law requires a minimum of 0.6 metres (1.97 feet) of permeable landscaping between the driveway and the side lot line.

Page 3 of 6

The existing driveway width is 1.87m (6.14 feet) wider than what the By-law permits. Furthermore, the applicant is requesting a reduction to the permeable landscaping between the driveway and the side lot line from what the by-law permits. The portions of the existing driveway that were widened consist of interlock concrete and are not considered to significantly impact drainage or contribute to a substantial loss of landscaped open space on the property. While the driveway does not maintain the full front yard requirements, the existing conditions of the driveway is not out of character for the area. The applicant is advised of feedback received from the City's Open Space Department that no further driveway widening towards the northwest of the driveway will be permitted as this will affect the health of the street tree. Subject to the recommended conditions of approval, variances 4 and 5 are considered to maintain the general intent and purpose of the Zoning By-law.

#### 3. Desirable for the Appropriate Development of the Land

Variances 1 and 2 is to permit the location of an existing entrance with reduced setbacks and a reduced path of travel to a second unit. The variances are not deemed desirable for the development of the lands as it fails to meet the minimum requirement of the Ontario Building Code. The path of travel and the current configuration of the as-built side door is not supported by the City's Building Division as building permits would not be issued, nor is it considered safe for emergencies and everyday use from a Planning perspective.

Variance 3 is requested to permit reduced setbacks for the location of an existing gazebo. Despite the setback reduction, the gazebo is not considered to negatively impact access, generate drainage concerns or limit access for maintenance of the property. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

Variances 4 and 5 is to permit an existing driveway that was widened to accommodate additional parking maneuverability. The widened driveway and the reduced permeable landscape strip is not out of character when we consider the neighbourhood at large and does not pose any negative impacts. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

Variances 1 and 2 are deemed unsafe for emergencies, everyday travel use, and do not meet the minimum Ontario Building Code requirements and are therefore not considered minor in nature.

Variances 3, 4 and 5 relating to the reduced setback to an existing gazebo, increased driveway width and reduced permeable landscaping are not considered to present negative impacts related to the existing conditions of the driveway. Subject to the recommended conditions of approval, the requested variances 4 and 5 are considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician

Appendix 1



Appendix 2



## Appendix 3







## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0334 WARD 10

#### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MICHAEL BRO AND DIANA KHAMIS** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 329, Plan 43M-1799 municipally known as **22 MISSION RIDGE TRAIL,** Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- To permit an existing accessory structure (gazebo) having a gross floor area of 17.83 sq. m (191.92 sq. ft.) whereas the by-law permits an accessory structure having a maximum gross floor area of 15 sq. m (161.46 sq. ft.);
- 2. To permit an existing fence (including privacy screen) having a height of 2.79m (9.15 ft.) whereas the by-law permits a maximum height of 2.0m (6.56 ft.) for a fence in the rear and side yard;
- 3. To permit a driveway width of 8.33m (27.33 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
- 4. To provide 0.0m of permeable landscaping abutting the side property line on both sides whereas the bylaw requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line.

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

Plan of Subdivision:	NO	File Number:	
Application for Consent:	NO	File Number:	

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant or another member of the public.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

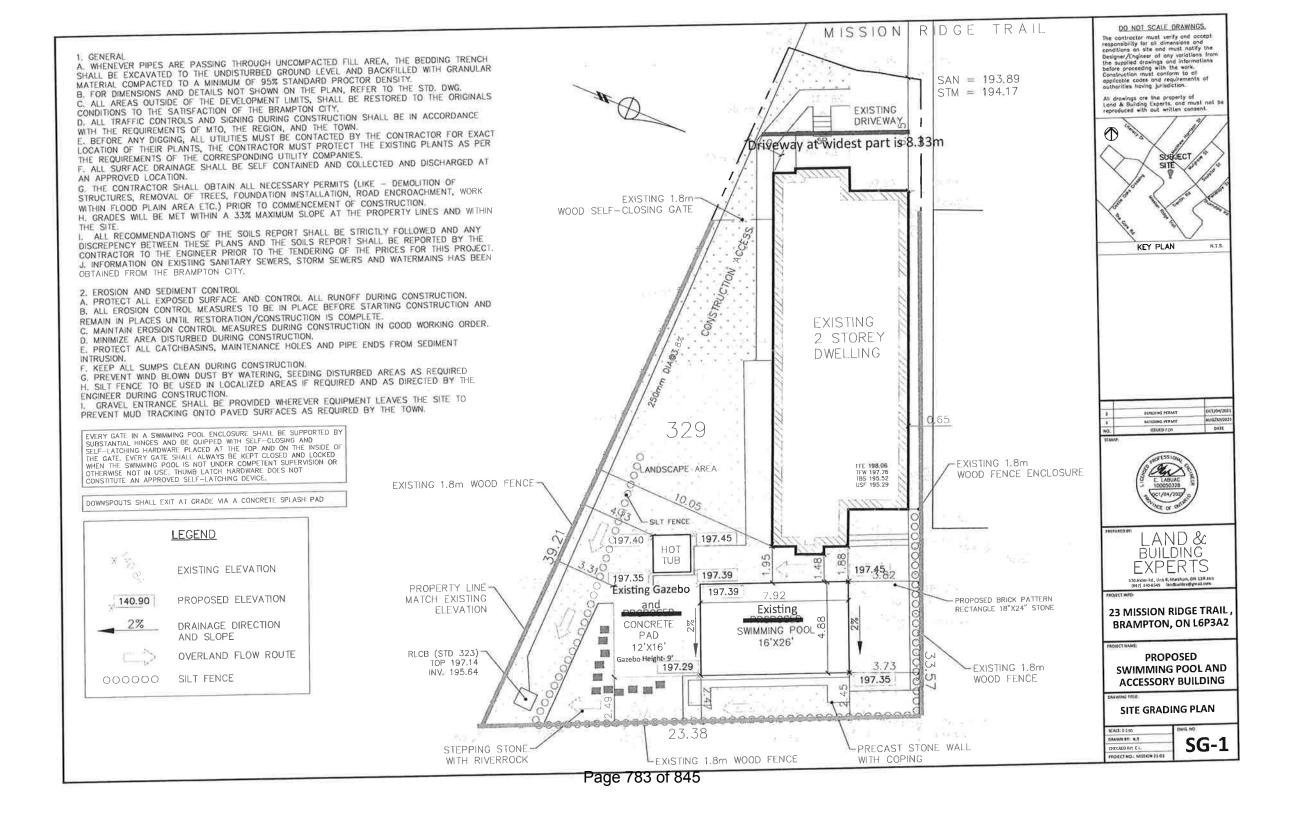
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

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Flower City



FILE NUMBER: A-2022-0334

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

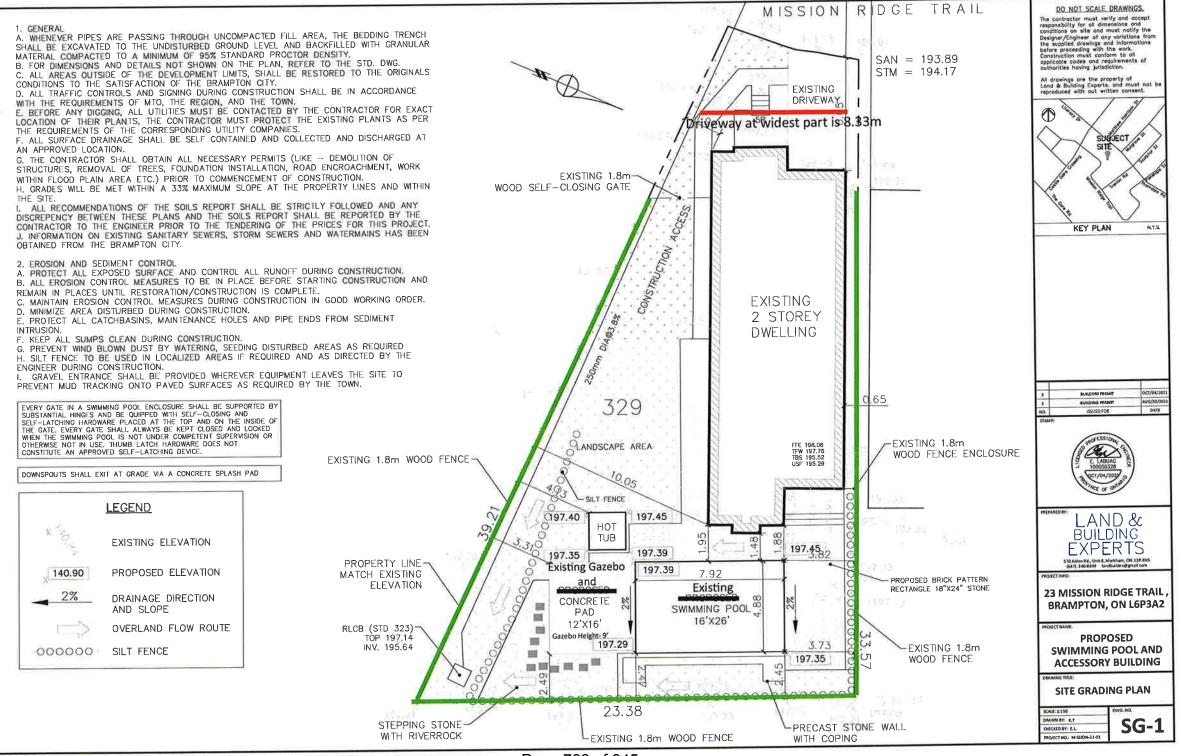
NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

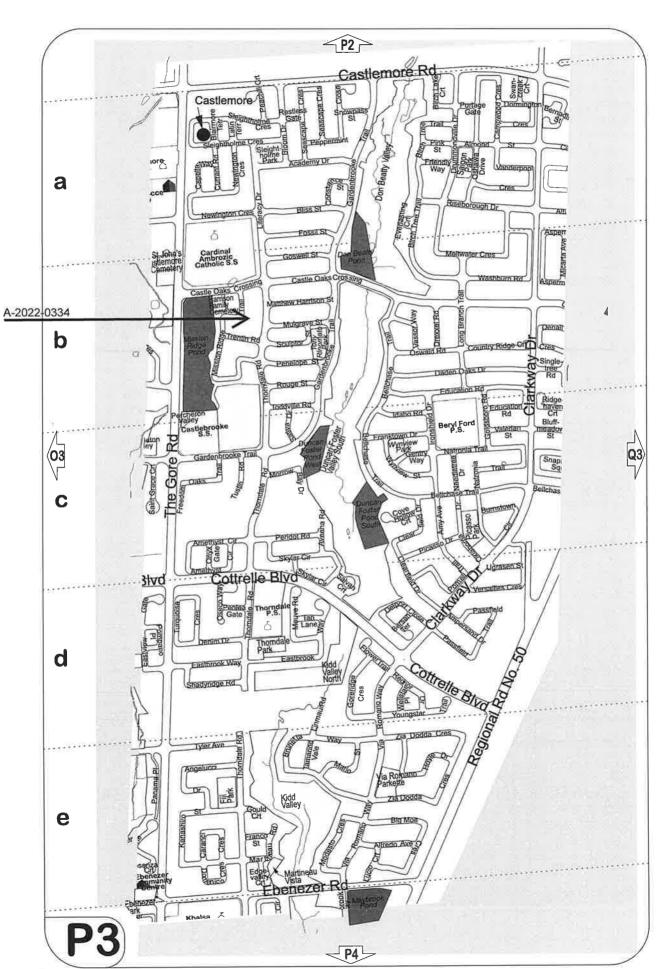
The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

	Name of O	Michael Bro and	d Diana Khamis		
1.	Name of O			A O	
	Address	23 Mission Ridge Trail, Bran	mpton ON L6P 3	A2	
	Phone #	(416) 817-7564		Fax #	
	Fmail				
	Email	mbro09@hotmail.com			
		•	· ca		
_	.,	gent Connor Hakime	•		
2.	Name of A				
	Address	PO Box #51006 Milton Centra	al PO. Milton ON	L9T 2P2	
	Dhana #	(005) 004 4400		Fax #	
	Phone #	(905) 691-4123	<del></del>		
	Email	admin@conscapecanada.ca		*	
2	Neture en	d extent of relief applied f	or Warianeae e	auestad):	
3.					the a large large
				e height is above the allowed height b	v the by laws.
		ner would like to keep the priva			
				of 9' 2", with a low point of 6' 6". The f	ence areas that are
	over the hei	ght limit are highlighted in gree	en in the drawings	(the entire perimeter minus the gate).	ro motros urboroso
				oss floor area of 17.83 squar	
	the by-lav	<u>v permits an accessory</u>	structure hav	ving a maximum gross floor a	rea of 15 square
				mits a maximum driveway width of 6.7	
				property line on both sides, whereas th	e By-law requires a
	minimum 0.	6m wide permeable landscape	strip abutting the	side property line.	
4.		not possible to comply wi			
				d like to keep it if at all possible. We h	ave spoken with the
		and they have all expressed			
				to keep it as is as it is within the maxim	um coverage of
	215sqft for a	accessory buildings but exceeds	the limit for one	structure.	
	The drivewa	y was already existing when the	e homeowner pur	chased the home.	
	-				
5.	Legal Des	cription of the subject lar	nd:		
	Lot Numb	-			
		ber/Concession Number	43M179	99	
	Municipal		lge Trail, Brampto	n ON L6P 3A2	
		) <del></del>			
6.	Dimensio	n of subject land ( <u>in metri</u>	ic units)	Irregular shape lot (25.39 ft x 110.	
٥.	Frontage	7.29m	,	8.00 ft x 128.74 ft x 51.43 ft as per	r geowarehouse)
	Depth	33.55m			
	Area	5,704.87 ft² (0.131 ac)			
	Alea	3,704.37 11 (0.101 40)			
-	A *	سطمة المسالة مناوريم مماني			
7.		the subject land is by:		Seasonal Road	
		l Highway			H
		I Road Maintained All Yea	ır 🔀	Other Public Road	H
	Private R	ight-of-Way		Water	

8.	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)					
	EVISTING BIIII DING	SISTRUCTURES on the	e subject land: List all structures (dwelling, shed, gazebo, etc.)			
	Fence, privacy screen	on fence, pool, hot tub, ga	zebo , Two-Storey dwelling (approximately 2,700 sqft above grade)			
	×					
		NGS/STRUCTURES on				
		screen approved via minor				
	Looking to get the Gaze	bo approved via minor varia	ince.			
9.		ce from side, rear	uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )			
	EXISTING		ately 6.05m from front yard line			
	Front yard setback Rear yard setback		7m, Cabana to rear yard line: 2.49m			
	Side yard setback	Pool to south side yard lin	ne: 2.89m			
	Side yard setback	Hot tub to north side yard	north side yard line: 4.13m, Cabana to north side yard line: 4.49m			
	PROPOSED Front yard setback		· · · · · · · · · · · · · · · · · · ·			
	Rear yard setback Side yard setback					
	Side yard setback					
10,	Date of Acquisition	of subject land:	June 28, 2019			
11.	Existing uses of sul	higgs property:	Single family residential			
11.	Laisting uses of sur	bject property.				
40	Proposed uses of s	ubicat property:	Single family residential			
12.	Proposed uses of s	ubject property.				
13.	Existing uses of ab	utting properties:	Single family residential			
14.	Date of construction	n of all buildings & stru	February 2022-Present for backyard structures Home built 2011			
		t di Salta and	bject property have been continued. Since purchase / 3 years			
15.	Length of time the	existing uses of the sui	bject property have been continued:  Since purchase /3 years			
16. (a)	What water supply Municipal Well	existing/proposed?	Other (specify)			
(b)	What sewage disposition Municipal Septic	is/will be provided	? Other (specify)			
			70maaad2			
(c)	What storm drainages	ystem is existing/p	roposeu :			
	Ditches Swales	<u> </u>	Other (specify)			

17.	subdivision or consent	•	application une	der the Planning Act, for ap	provar or a plan or
	Yes N	io 🗹			
	If answer is yes, provid	de details: File	#	Status	:
18.	Has a pre-consultation	application been f	iled?		
	Yes	lo 🗹			
19.	Has the subject proper	rty ever been the su	ubject of an app	olication for minor variance	?
	Yes 🔲 N	lo 🗌	Unknown		
	If answer is yes, provid	de detaîls:			
	File #	Decision		Relief	
	File #	Decision		Relief Relief	
				DocuSigned by:	DocuSigned by:
				Mernifler	
				ature of Applicant(s) or Author	rized Agent
DAT	ED AT THE	City OF		Brampton	
THIS	S_8th DAY OF _	September	, 20		
THE SUB	JECT LANDS, WRITTEN PLICANT IS A CORPO	N AUTHORIZATION RATION, THE AP	OF THE OWN	ANY PERSON OTHER THA ER MUST ACCOMPANY THI IALL BE SIGNED BY AN XED.	E APPLICATION. IF OFFICER OF THE
1	CONNOR H	Alcint	OF TH	E GUELPH/ OF	CITY
IN THE	= DECOLON OF	CRAMSA	—∘ SOLEMNLY	DECLARE THAT:	3, 4
ALL OF T	THE ABOVE STATEMEN	JTS ARE TRUE AN	D I MAKE THIS	S SOLEMN DECLARATION	CONSCIENTIOUSLY
BELIEVIN	IG IT TO BE TRUE AND	KNOWING THAT I	T IS OF THE S	AME FORCE AND EFFECT	AS IF MADE UNDER
OATH.	ED DEFORE MEAT THE				
DECLARI	ED BEFORE ME AT THE		a Co	nie Cecilia Myers ommissioner, etc.,	
0,1	OF CO	empor	for t	vince of Ontario he Corporation of the	M.M.
INTHE	Region	OF	City Exp	of Brampton ires April 8 2024	
reel	THIS 17th	DAY OF		40 Million	le
0	toku , 20 2 2		Si	gnature of Applicant or Autho	rized Agent
	1	· No as		1	
	A Commissioner etc.		3		
					2
		FOR C	FFICE USE ON	LY	
l	Present Official Plan	Designation:			s
	Present Zoning By-la	w Classification:		R1F-9.0	
	This application has I	been reviewed with I	respect to the va	riances required and the resu	lits of the
	AM	said review are ou	tlined on the att	ached checklist.	
	SHO			OCT.17.22	
	Zoning	Officer		Date	
	DATE	RECEIVED	) choke	IM, 2022	Revised 2020/01/07







Filing Date:

December 16, 2022

Hearing Date:

January 24, 2023

File:

A-2022-0334

Owner/

Applicant:

MICHAEL BRO AND DIANA KHAMIS

Address:

23 Mission Ridge Trail

Ward:

WARD 10

**Contact:** 

Megan Fernandes, Planning Technician

#### Recommendations:

That application A-2022-0334 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision and in accordance with the revised site plan drawing (Appendix 3);
- 2. That the height of the existing fence along the perimeter of the rear and side yard amenity area shall not exceed 2.79m (9.15 ft.);
- 3. That the Owner obtain a building permit for the gazebo within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
- 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Single Detached (R1F-9)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

- To permit an existing accessory structure (gazebo) having a gross floor area of 17.83 sq. m (191.92 sq. ft.) whereas the by-law permits an accessory structure having a maximum gross floor area of 15 sq. m (161.46 sq. ft.);
- 2. To permit an existing fence (including privacy screen) having a height of 2.79m (9.15 ft.) whereas the by-law permits a maximum height of 2.0m (6.56 ft.) for a fence in the rear and side yard;
- 3. To permit a driveway width of 8.33m (27.33 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
- 4. To provide 0.0m of permeable landscaping abutting the side property line on both sides whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line.

#### **Current Situation:**

#### 1. Maintains the General Intent and Purpose of the Official Plan

The property is designated Residential in the Official Plan and 'Low/Medium Density Residential' in the Bram East Secondary Plan (Area 41a). The nature and the extent of the proposed variances are considered to maintain the general intent and purpose of the Official Plan.

#### Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is requested to permit an existing accessory structure (gazebo) having a gross floor area of 17.83 sq. m (191.92 sq. ft.) whereas the by-law permits an accessory structure having a maximum gross floor area of 15 sq. m (161.46 sq. ft.). The intent of the by-law in regulating the maximum permitted gross floor area of an accessory structure is to ensure that the size of the structure does not negatively impact amenity space for the property.

The existing accessory structure (gazebo) has a gross floor area that is 2.83 sq.m (30.46 sq. ft.) greater than what the Zoning by-law permits. The gazebo is not enclosed and is used to provide shade and shelter to the amenity area. The structure does not detract from the outdoor amenity space for the property. Additionally, the existing gazebo maintains the appropriate setbacks. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit an existing fence (including privacy screen) having a height of 2.79m (9.15 ft.) whereas the by-law permits a maximum height of 2.0m (6.56 ft.) for a fence in the rear and side yard. The intent of the by-law in regulating maximum fence height is to avoid creating a fortress-like feel on residential properties.

The existing fence (including privacy screen) has a height that is 0.79m (2.59 ft.) greater than what the Zoning By-law permits. The fence height was constructed to provide additional privacy for the Owner's

use of the amenities located in the rear yard. Upon staff visit, staff noted landscaping (trees) were planted along the majority of the rear and portions of the east side yard to a similar height of the fence (Appendix 1 and 2), as such it does not create a fortress-like appearance for the property. A condition of approval is recommended that the variances be limited to the sketch provided in Appendix 3 to ensure that the fence is not raised to any additional height in the side and rear yards. Subject to the recommended conditions of approval, variance 2 is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is to permit an existing driveway width of 8.33m (27.33 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.). Variance 4 is to provide 0.0m of permeable landscaping abutting the side property line on both sides whereas the by-law requires a minimum 0.6m (1.97 ft.) wide permeable landscape strip abutting the side property line. The intent of the by-law in regulating the maximum permitted driveway width is to ensure that the driveway does not dominate the front yard landscaped area and that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling.

The existing driveway has been widened to a total width of 8.33m (27.33 ft.). Therefore, the existing driveway is 1.62m (5.31 ft.) wider than the By-law permits. Additionally, the applicant is requesting an elimination of the permeable landscaping strip abutting the side property line. The increased width of the driveway and reduced permeable landscape strip is not considered to significantly impact drainage or contribute to a substantial loss of landscape on the property. The property still maintains a considerable amount of landscaping relative to the size of the driveway. The existing conditions of the driveway are not out of character for the area and do not facilitate the parking of an excessive number of vehicles. Subject to the conditions of approval, Variances and 4 are considered to maintain the general intent and purpose of the Zoning By-law.

#### Desirable for the Appropriate Development of the Land

Variance 1 relates to an existing accessory structure (gazebo) having a gross floor area of 17.83 sq. m (191.92 sq. ft.). The structure is in compliances with the side and rear yard setbacks. The structure is intended to complement the outdoor amenity area of the property by providing additional shade and shelter. Further, the structure contributes positively to the use of the outdoor amenity space for the property. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

Variance 2 is requested to permit an existing fence (including privacy screen) in the side and rear yard greater than what the Zoning By-law permits. The Owner extended the height of the fence to provide additional privacy for the use of the amenities located in the rear yard. Upon staff visit, staff noticed a treeline had been planted along the majority of the rear yard and side yard of a height similar to the existing fence to provide additional privacy. The existing treeline will act as a natural screening providing an additional visual buffer for the adjacent properties and is not anticipated to generate any negative impacts to the adjacent properties. Additionally, a letter of support for the proposed fence height was received indicating that adjacent property owner (21 Mission Ridge Trail) does not feel negatively impacted by the fence height. The requested variance is considered appropriate development for the land.

Variances 3 and 4 are requested to permit an increased driveway width and elimination of the permeable landscape strip. The visual impact of the existing driveway is minimal and not considered to pose significant issues of drainage on adjacent properties. The variances are considered appropriate development for the land.

#### 4. Minor in Nature

The requested variance to permit an existing accessory structure gazebo) having a gross floor area of 17.83 sq. m (191.92 sq. ft.) whereas the by-law permits an accessory structure having a maximum gross floor area of 15 sq. m (161.46 sq. ft.). The existing accessory structure (gazebo) has a gross floor area that is 2.83 sq.m (30.46 sq. ft.) greater than what the zoning by-law permit which does not detract significantly from the outdoor amenity space for the property. A condition of approval is recommended that the Owner obtain a building permit within 60 days of the Committee's decision to ensure that the structure is in compliance with the Ontario Building Code. Subject to the recommended conditions of approval, variance 1 is considered to be minor in nature.

Variance 2 to permit a fence height of 2.79m (9.15 ft.) relates to the extended fence along the rear and side yard. Conditions of approval are recommended to limit the height and location of the existing fence. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variances 3 and 4 are requested to accommodate the existing site conditions for a widened driveway. The visual impact of the driveway is minimal and not considered to impact drainage. The requested variances 3 and 4 are considered to be minor in nature, subject to the recommended conditions of approval.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician

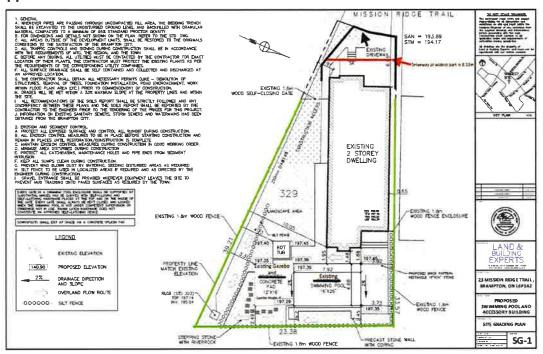
## Appendix 1 – Site Visit



Appendix 2 – Site Visit



### Appendix 3 - Revised Site Plan



## NEIGHBOUR APPROVAL FENCE/PRIVACY SCREEN

A-2022-0334

ON, Brampton, L6P 3A2

l,Nadia Chowdhur	·у
located at	21 MISSION RIDGE TRAIL
confirm and agree that th	e privacy screen installed at 23 Mission Ridge Trail, ON, Brampton, L6P 3A2
does not pose any issues i	in regards to privacy or shading in the backyards. It has been determined that
it provides adequate priva	acy and does not negatively impact the surrounding area. I have no concerns or
objections to the privacy	screen and in fact enjoy the added privacy it provides.
	ال المناس
Homeowner of 23 Mission Ridge Brampton, L6P 3A2	e Trail, ON  Home owner of 21 MISSION RIDGE TRA



## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0339 WARD 4

### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MALKIT SINGH AND NACHHATTAR SINGH** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 1, Plan M-775 municipally known as **399 RAY LAWSON BOULEVARD,** Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

1. To permit an existing driveway width of 18.18m (59.65 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.).

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant or another member of the public.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

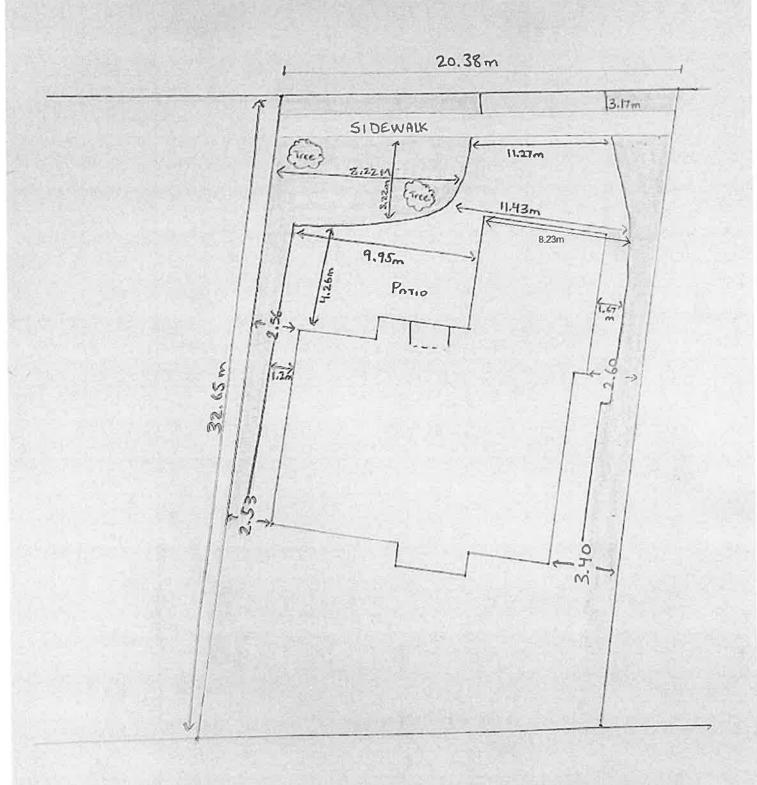
Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca

# 399 RAY LAWSON BIVD LOT #1 BRAMPTON, ON L643X7

PLAN 43M775

(all measurements in Meters)





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- 2. To participate in-person, please email the Secretary—Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **AMENDMENT LETTER**

January 12, 2023

To: Committee of Adjustment

RE: MALKIT SINGH AND NACHHATTAR SINGH

**LOT 1, PLAN 43M-775** 

A-2022-0339- 399 RAY LAWSON BOULEVARD

Please amend application A-2022-0339 to reflect the following:

1. To permit an existing driveway width of 18.18m. (59.65 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.).

Applicant/Authorized Agent

## **Flower City**



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

FILE NUMBER: A-2022-0339

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission**

(Please read Instructions)

It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be NOTE: accompanied by the applicable fee.

6 A 12 - 1 - 1 - 1 - 1 - 0 - 1 - 1 - 1 - 1

	The under the Planning	signed hereby a ng Act, 1990, for	oplies to the Committee relief as described in the	of Adjustment for the his application from By	-Law 270-2004.	under section 45 of
1.	Name of 0 Address	Owner(s) SIN 399 RAY LAWS	GH, NACHHATTAR; SI ON BLVD, BRAMPTOI	NGH, MALKIT N, L6Y3X7		
	Phone # Email	4164195324 or 64720694 hdeol10@gmail.com	55 n & malkitdeol@hotmail.com	Fax #	:	
2.	Name of Address	Agent				
	Phone # Email			Fax #	£.	,
3.	To perm width is asked to property wider dri our drive busy pla	it an existing and an existing and an existing and an existing and an existing and an existing and an existing and and an existing and an existing and an existing	ef applied for (variance driveway width of 1 2 3 6 feet) or the width idth of our driveway afety concern for us ad even been giver e city. Our home is ection on Ray Laws strian traffic. It has been advented to the content of the co	1.27 metres. The most of the garage, which but due to the nates and other drivers a permit by City to located on Ray laten/Mchlaughlin St.	chever greater ure of the local /pedestrians to ncrease the cu wson blvd, righ It is a very bus	T. We are being tion of our not have a urb entrance into t beside the very sy street in terms
<b>4</b> . <b>5</b> .	It is not restricte my drive Reversion the neighborhood Legal Development Lot Number 1 and Numbe	possible to co d and not as v eway with so r ng out of my o hbouring plaz scription of the per LOT 1 hber/Concessio	n Number PL	sions of the by-law is a huge threat to a lindspots on to high apossible with the a existing traffic on F	because if my anyone trying to a speed traffic amount of visito	o reverse out of on a busy road. ors coming out of
6.	·	on of subject la	RAY LAWSON BLVD, Br	KAMPTON, L6Y3X/		
7.	Provincia Municipa	o the subject la al Highway al Road Maintai light-of-Way			nal Road Public Road	

8.	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)						
	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)  3300 SQ FT Residential detached 2 storey home with legal second unit 3BR Basement. No other structures on lot						
	PROPOSED BUILD	INGS/STRUCTURES OF	n the subject land:				
9.			ructures on or proposed for the subject lands: r and front lot lines in <u>metric units</u> )				
	<b>EXISTING</b>						
	Front yard setback						
	Rear yard setback Side yard setback						
	Side yard setback						
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	0 					
10.	Date of Acquisition	n of subject land:	Jun 28, 1991				
11.	Existing uses of s	ubject property:	Residential				
12.	Proposed uses of	subject property:	Residential				
13.	Existing uses of al	butting properties:	Residential				
14.	Date of construction	on of all buildings & st	ructures on subject land: Jun 28, 1991				
15.	Length of time the	existing uses of the su	ubject property have been continued: 31 Years				
16. (a)	What water supply Municipal [	y is existing/proposed? ☑	Other (specify)				
(b)	What sewage disp Municipal Septic	osal is/will be provided	d? Other (specify)				
(c )	What storm draina Sewers Ditches Swales	age system is existing/	Other (specify)				

17. Is the subject property the subject subdivision or consent?	ct of an application under the Planning Act, for approval of a plan of
Yes No 🗸	
If answer is yes, provide details:	File # Status
18. Has a pre-consultation application	n been filed?
Yes No 🗸	
19. Has the subject property ever bee	en the subject of an application for minor variance?
Yes No 🗸	Unknown
If answer is yes, provide details:	
File# Decision_	Relief Relief
File # Decision Decision	
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	Mell
074 4 0 6 1 + 11	Signature of Applicant(s) or Authorized Agent
DATED AT THE 2/th day C	OF <u>September</u> B-RAMPTON  2022.
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IN THE RESUM OF Peel.	SOLEMNI Y DECLARE THAT:
ALL OF THE ABOVE STATEMENTS ARE T	RUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER
DECLARED BEFORE ME AT THE  OF  N THE  OF  OF	Jeanie Cecilia Myers a Commissioner, etc., Province of Ontario for the Corporation of the City of Brampton Expires April 8, 2024.
THIS 18 DAY OF	Alal.
11 rampton, 20 2.2	Signature of Applicant or Authorized Agent
A commissioner etc.	Submit by Email
(/)	FOR OFFICE HOF ONLY
	FOR OFFICE USE ONLY
Present Official Plan Designation	
Present Zoning By-law Classifica	
	ed with respect to the variances required and the results of the vare outlined on the attached checklist.
Tall lanne	Oct 17, 2022
Zoning Officer	Date
DATE RECEIVED	October 18, 2022.
Date Application Deemed	Revised 2022/02/17
Complete by the Municipality	

LOCATION SURVEY OF BUILDING

LOTS ' 2 AND 3, PLAN 43M-775

UF BRAMPTON

MUNICIPALITY OF PEEL REGIONAL

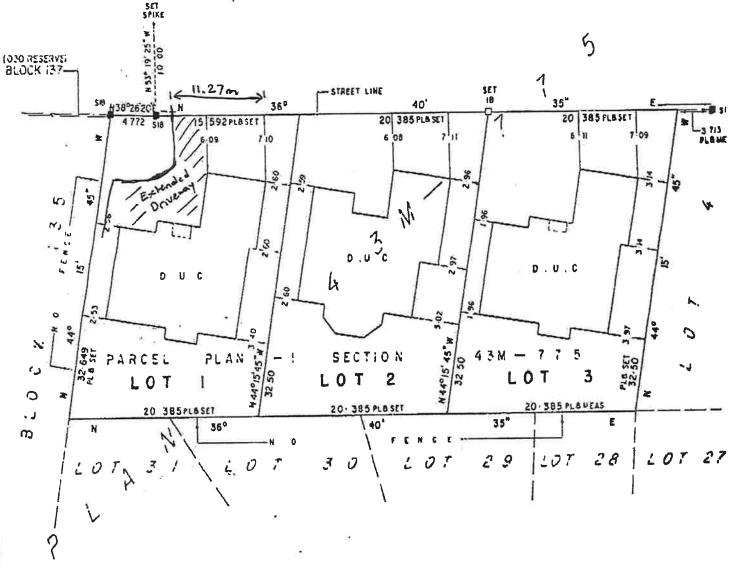
SCALE 1: 400

JOSEPH RADY - PENTEK LTD., O L.S. 1988.

METRIC

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> LAWSON BOULEVARD RAY BY PLAN 43M - 775)



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18

DENOTES MONUMENT FOUND

PL DENOTES PLAN 43M-775 ALL FOUND MONUMENTS BY W.M. FENTON LTD., D.L.S.

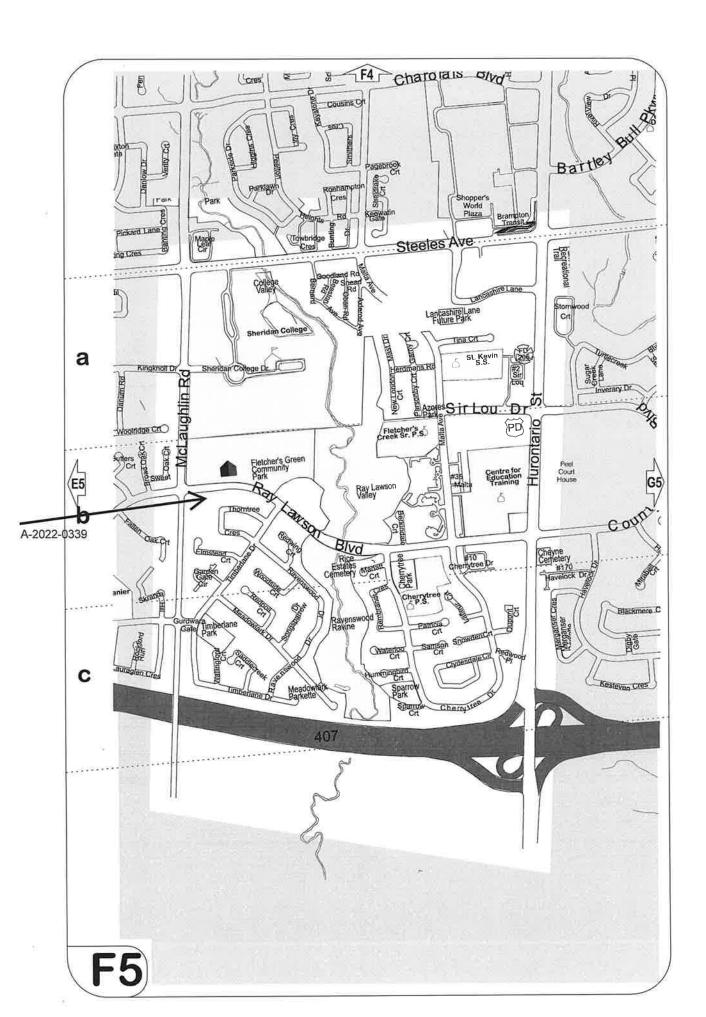
SURVEYOR'S CERTIFICATE

I CERTIFY THAT!

THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 6th DAY OF FEBRUARS DAY OF FEBRUARY,

DATE FEBRUARY

LAND ONTARIO





# Report Committee of Adjustment

Filing Date: Hearing Date: October 18<sup>th</sup>, 2022 January 24<sup>th</sup>, 2023

File:

A-2022-0339

Owner/

Applicant:

**Nachhattar Singh and Malkit Singh** 

Address:

399 Ray Lawson Blvd.

Ward:

4

Contact:

Rabia Ahmed, Planner I

#### Recommendations:

That application A-2022-0339 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision (see appendix A for a revised sketch);
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

## **Existing Zoning:**

The property is zoned 'Residential Single Detached B,' subject to Special Section 2595 (R1B-2595), according to By-law 270-2004, as amended.

## Requested Variances:

The applicant is requesting the following variance:

1. To permit an existing driveway width of 18.18m (59.65 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.).

#### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and 'Low and Medium Density' in the Fletcher's Creek South Secondary Plan (Area 24). The Residential designation supports the current use and the requested variances are not anticipated to have any significant impacts in the context of

the Official Plan and Secondary Plan policies, and maintains the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Residential Single Detached B,' subject to Special Section 2595 (R1B-2595), according to By-law 270-2004, as amended.

Variance 1 is requested to permit an existing driveway width of 18.18m (59.65 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.). The intent of the by-law in regulating the maximum permitted driveway width is to ensure that the driveway does not dominate the front yard landscaped area and that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling.

The existing driveway is 9.04m (29.65 ft) wider than permitted in the by-law, when including the hardscaped patio area which is large enough to accommodate a small parked vehicle. The concrete patio area is continuous with the driveway and large enough to park an additional vehicle therefore, when the site was assessed the patio length was included as part of the cumulative driveway width of 18.18m (59.65 ft). Although potentially able to accommodate a parked vehicle, the hardscaped patio does not appear to function as part of the driveway from the street, and does not appear to dominate the front yard. In addition, the applicant has elected to erect a metal post/ lamppost to further separate the patio area from the driveway (see appendix A); this addition will help to ensure that the patio area cannot be used for the parking of additional vehicles. The portion of the driveway that is easily identified and accessible for vehicle parking measures 11.43m (37.5 ft) at the garage and 11.27m (36.97 ft) at the interior edge of the sidewalk. Furthermore, there is sufficient soft landscaping in the front yard and along the side lot lines of the subject property to accommodate drainage on the site without impacting adjacent properties.

The subject property is located next to a commercial plaza, with a vehicular access to the plaza adjacent to the property. Considering the number of vehicles turning into the adjacent plaza, and the potential for an increased number of vehicles parked at or entering and exiting the subject property, staff expressed concern that the large driveway width would pose a safety concern (please see images attached as appendix B). Vehicles entering and exiting the subject driveway have limited sightlines into the adjacent plaza entrance, increasing the potential for accidents. However, the driveway width tapers as it approaches the street curb, with an existing width at the curb of approximately 9.82m (32.22 ft). Although the width of the driveway may allow a number of vehicles to be parked in the driveway, the narrowed width at the curb helps to limit the number of vehicles entering and exiting the driveway. At the curb, the driveway variance is 0.68m (2.23 ft) from the maximum permitted by the bylaw. The narrowed width at the curb helps to address the safety concern noted above by reducing the number of vehicles entering and exiting the property. Furthermore, the existing driveway width is in line with the existing character of the neighbourhood, and relative to adjacent properties, the extended driveway does not dominate the front yard nor does it appear to facilitate an excessive number of vehicles to be parked at the subject property. Subject to the recommended conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

#### 3. Desirable for the Appropriate Development of the Land

The existing driveway width, although large, is in keeping with the character of the neighbourhood and adjacent properties. The safety concerns identified by staff are mitigated by the tapered configuration of the driveway, which reduces the width of the access at the curb to 9.82m (32.22 ft), which is 0.68m (2.23 ft) over the permitted width in the bylaw. The hardscaped patio area does not appear to dominate the front yard, and sufficient soft landscaping is available to allow for appropriate drainage. Considering these mitigating factors, the requested variance may be considered desirable for the appropriate development of the land.

#### 4. Minor in Nature

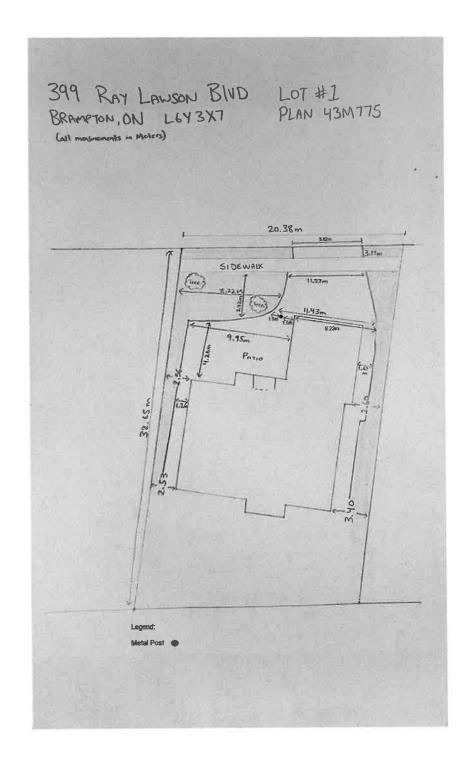
The variance is requested to permit of driveway width 9.04m (29.65 ft) over the width permitted in the zoning by-law. Considering that the hardscaped patio area, although technically included in the measurement of the driveway, does not appear to be part of the driveway when viewing the subject property from the street; the patio area will be made inaccessible for vehicle parking by way of a metal post/ lamppost installed by the applicant (see appendix A); the driveway does not dominate the front yard, as sufficient soft landscaping is provided in the front yard; and the portion of the driveway easily identifiable and accessible for vehicle parking is 11.43m (37.5 ft) at the garage and 11.27m (36.97 ft) at the interior edge of the sidewalk, the requested variance for the driveway width in practice is significantly smaller than 9.04m (29.65 ft). Furthermore, the width of the driveway tapers to 9.82m (32.22 ft) at the curb, resulting in a 0.68m (2.23 ft) variance from the bylaw-permitted maximum width of 9.14m (30 ft) at the entrance to the driveway. Considering these mitigating factors, the requested variance may be considered minor in nature.

Respectfully Submitted,

Rabia Ahmed

Rabia Ahmed, Planner I

## Appendix A



Page 4 of 5

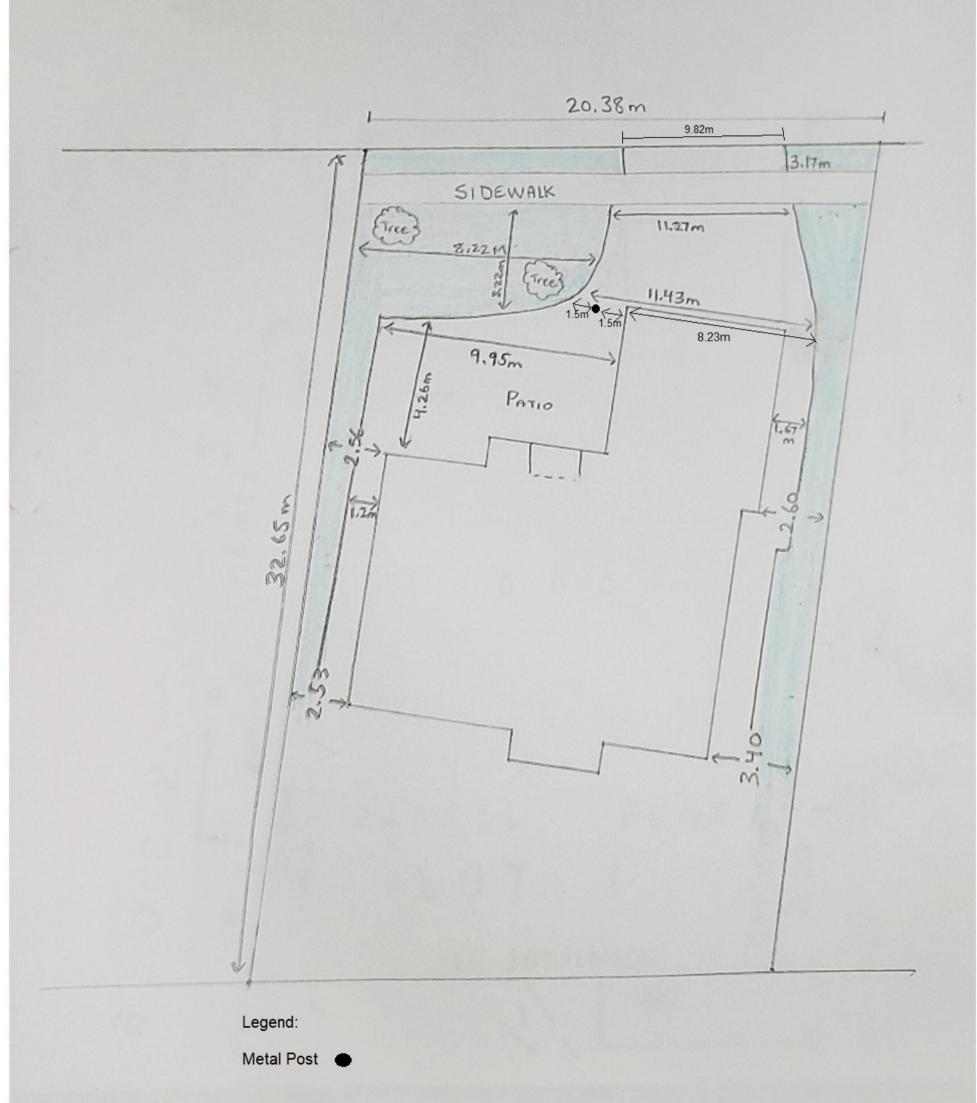
## Appendix B





Page 5 of 5

# 399 RAY LAWSON BIVD. LOT #1 BRAMPTON, ON L643X7 PLAN 43M775 (all measurements in Meters)







## **Public Notice**

## **Committee of Adjustment**

APPLICATION # A-2022-0341 WARD 2

#### **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **NANDINI SHUKLA AND PARV JOHARI** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 528, Plan 43M-1748, Part 5, Plan 43R-32379 municipally known as **9 CALLALILY ROAD**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- 1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in a required side yard;
- 2. To permit an interior side yard setback of 0.09m (0.30 ft.) to a below grade entrance whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.).

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

Plan of Subdivision:	NO _	File Number:
Application for Consent:	NO	File Number:
T 6 11 5 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		THEODAY Innoce 04 2002 at 0.00 A M by electronic mass

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant or another member of the public.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

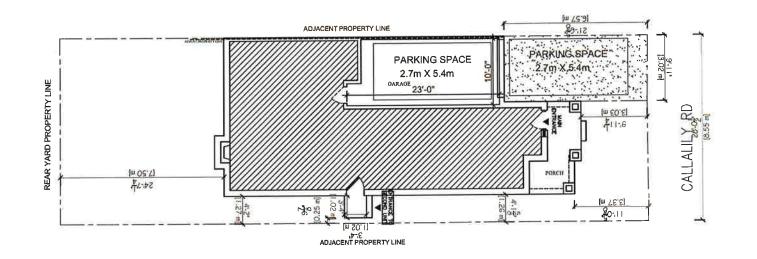
## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 12th Day of January, 2023

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca







Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

#### How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and
  the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide
  you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

## **Flower City**



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

FILE NUMBER: A-2022-0341

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

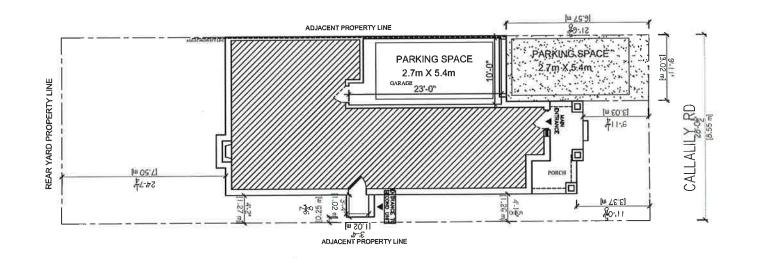
NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

•			pplication from By-Law 270-2004.	
Name of o	9 CALLALILY RD, BR	SHUKLA, PARV JOH AMPTON, ON, L7A0		
Phone # Email	437-983-1912	_	Fax #	
Name of Address	Agent BHASKAR 7 ARCHWAY TRAIL, I	JOSHI, AAKASH J BRAMPTON, L6P4E	OSHI 3, ON	
Phone # Email	416-835-6620 INFO@OUTOFTHEBOX	(ENG.COM	Fax #	
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AS PER	not possible to compl R BY LAWS BELOW AVE 1.5 SIDE YARD DE AND 1.2M ON T	GRADE IS NOT ON	ALLOWED ON THE SIDE,	IF ONE DOES
Lot Num Plan Nur	scription of the subject ber 528L nber/Concession Num al Address <u>9 CALLALI</u>	<b>ber</b> <u>M1748</u>		
Dimensi Frontage Depth Area	on of subject land (in r 3.03 8.5 230.7	netric units)		
Provinci Municip	to the subject land is b al Highway al Road Maintained All Right-of-Way		Seasonal Road Other Public Road Water	

8.	Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)					
	FIRST FLOOR- 7	7.4SQM	ne subject land: List all structures (dwelling, shed, gazebo, etc.)			
	PROPOSED BUILDIN FIRST FLOOR- 71 SECOND FLOOR		the subject land:			
9.			ructures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )			
	EXISTING					
	Front yard setback	3.03				
	Rear yard setback Side yard setback	7.5 1.27				
	Side yard setback	N/A				
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	3.03 7.5 1.27 N/A				
10.	Date of Acquisition	of subject land:	19th March, 2021			
11.	Existing uses of sub	bject property:	RESIDENTIAL			
12.	Proposed uses of se	ubject property:	RESIDENTIAL			
13.	Existing uses of abo	utting properties:	RESIDENTIAL			
14.	Date of construction	n of all buildings & stru	uctures on subject land: 07/10/2007			
15.	Length of time the e	existing uses of the sul	bject property have been continued: 14 YEARS			
16. (a)	What water supply i Municipal Well	is existing/proposed?	Other (specify)			
(b)	What sewage dispo Municipal Septic	osal is/will be provided <sup>4</sup> ] ]	? Other (specify)			
(c)	What storm drainag Sewers	ge system is existing/pi	roposed? Other (specify)			

17.		ject property the on or consent?	e subject	of an a	pplication ur	ider the	Planning I	Act, for a	approval o	t a plan of
	Yes 🔲	No	abla							
	If answer i	is yes, provide c	letails:	File #				Status		
18.	Has a pre-	-consultation ap	plication l	oeen file	ed?					
	Yes	No	$\square$							
19.	Has the su	ubject property (	ever been	the sub	ject of an ap	plicatio	n for mino	varianc	e?	
	Yes	No	V		Unknown					
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20 MAY 2022





ADDRESS:

9 CALLALILY RD
BRAMPTON, ON, L7AOM4
PLAN M1748 LOT 528L

DRAWN BY:	МН	DATE:	
CHECKED BY :	BJ	SCALE:	3/32": 1'

DRAWING TITLE & NO. :

SITE PLAN

A-1

OUT OF THE BOX ENGINEERING INC.

7 ARCHWAY TRAIL BRAMPTON, ON. L6P 4E3

bhaska**rG**outoftheboxeng.com 416-835-6620





# Report Committee of Adjustment

Filing Date:

October 10, 2022 January 24, 2023

Hearing Date:

A-2022-0341

Owner/

File:

Applicant:

**NANDINI SHUKLA AND PARV JOHARI** 

Address:

9 Callalily Road

Ward:

WARD 2

Contact:

Megan Fernandes, Planning Technician

#### Recommendations:

That application A-2022-0341 be deferred no later than the last hearing of April 2023.

#### Background:

#### **Existing Zoning:**

The property is zoned 'Residential Rural Estate Two (RE2)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

- 1. To permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in a required side yard;
- 2. To permit an interior side yard setback of 0.09m (0.30 ft.) to a below grade entrance whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.).

#### **Current Situation:**

The applicant is requesting variances to permit a below grade entrance in the required interior side yard whereas the by-law does not permit a below grade entrance in a required side yard; and permit an interior side yard setback of 0.09m (0.30 ft.) to a below grade entrance whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.).

Upon a site visit and a review of the application, there were concerns regarding drainage between side yard property lines and edge of concrete walkway as requested in variances 1 and 2. Furthermore, the Engineering staff have advised that the owner shall provide a minimum 0.6m (2ft.), for drainage purposes, between side yard property lines and edge of concrete walkway to the satisfaction of the commissioner of Public Works and Engineering. The Applicant/Owner are currently considering a reconfiguration of the below-grade entrance to an above-grade entrance with the removal of the existing concrete walkway.

Staff are recommending a deferral of the application to a date no later than the last hearing of April 2023, to allow sufficient time for the applicant to provide updated information regarding the reconfiguration of the entrance and for staff to review and provide feedback as necessary. Staff have discussed the matter with the applicant and will be working closely with them to resolve any concerns prior to presenting a recommendation to the Committee of Adjustment.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician



## **Public Notice**

## **Committee of Adjustment**

**APPLICATION # A-2022-0349** WARD #8

#### APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by 2441925 ONTARIO LTD. under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from By-law 270-2004;

AND WHEREAS the property involved in this application is described as Part of Lot 5, Concession 7 ND, Parts 1, 3, 5, 10, 17, 28 and 35 municipally known as 2 AUCTION LANE, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) in conjunction with the proposed severed lot under Consent Application B-2022-0020:

- 1. To permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares;
- 2. To permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres;
- 3. To permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres;
- 4. To permit a rear yard setback of 4.5 metres to the parking ramp whereas the by-law requires a minimum rear yard depth of 6.0 metres;
- 5. To permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%;
- 6. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots;
- 7. To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 8. To permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 9. To permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuge to be screened within an enclosure;
- 10. To permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive;
- 11. To permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width.

OTHER PLANNING APPLIC	CATIONS:		
The land which is subject of	this application is	the subject of an applicat	tion under the Planning Act for:
Plan of Subdivision:	NO	File Number:	
Application for Consent:	YES	File Number:_	B-2022-0020

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant, the Minister, a specified person or a public body.

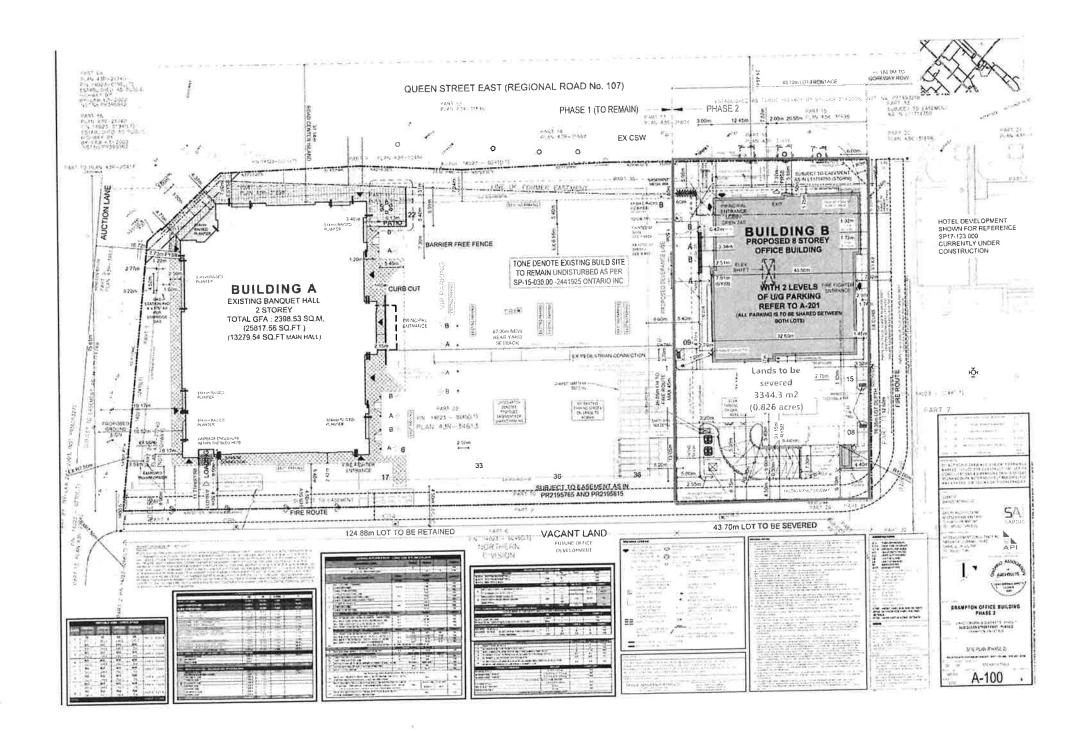
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

## PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 5th Day of January, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 Jeanie Myers, Secretary-Treasurer p.m. Monday - Friday from:

Committee of Adjustment, City Clerk's Office, Brampton City Hall, 2 Wellington Street West, Page 822 pf 845 (905)874-2119





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

## How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or ieanie.myers@brampton.ca by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by Thursday, January 19, 2023. City staff will contact you and provide you with further details.

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

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html.

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

October 25, 2022

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



Re: AMENDMENT TO MINOR VARIANCE APPLICATION FOR SEVERED LANDS (2 Auction Lane)

I am writing with respect to the applications for 2 Auction Lane that are scheduled to be heard at the November 15, 2022 Committee of Adjustment meeting. These applications include consent and minor variances for the proposed severed and retained lands.

I am writing to <u>amend the minor variance application for the severed lands</u> to add the following two additional minor variances identified by Lesley Barbuto in Zoning Services as required to facilitate the proposed consent and office building on the severed lands:

- 1. To permit an office to be located beyond 180 m of Goreway Drive, whereas the by-law requires that an office be located within 180m of Goreway Drive; and
- 2. To permit a 0 m parking aisle width, whereas the by-law requires a 6.6 m parking aisle width.

No amendments are required to the consent application or minor variance application for the retained lands. Please let me know any additional information required or questions you have.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

1

MB1 Urban Planning

2 Auction Lane – Consent and Minor Variance Applications

## A-2022 = 0 349

October 18, 2022

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

### Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

- To provide 302 parking spaces on site whereas the by-law requires a minimum of 527 parking spaces;
- To permit a rear yard depth of 1.72m (5.64 ft.) to a proposed office building whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines;
- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

1

MB1 Urban Planning

2 Auction Lane - Consent and Minor Variance Applications

### The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

2

MB1 Urban Planning

2 Auction Lane – Consent and Minor Variance Applications

October 18, 2022

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

## Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

- To provide 302 parking spaces on site whereas the by-law requires a minimum of 527 parking spaces;
- To permit a rear yard depth of 1.72m (5.64 ft.) to a proposed office building whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines;
- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

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MB1 Urban Planning 2 Auction Lane – Consent and Minor Variance Applications

The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

2

MB1 Urban

2 Auction Lane – Consent and Minor Variance Applications

## **Flower City**



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

FILE NUMBER: A - 2022 - 0349

The Personal Information collected on this form is collected pursuant to section 45 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 Minor Variance or Special Permission

(Please read Instructions)

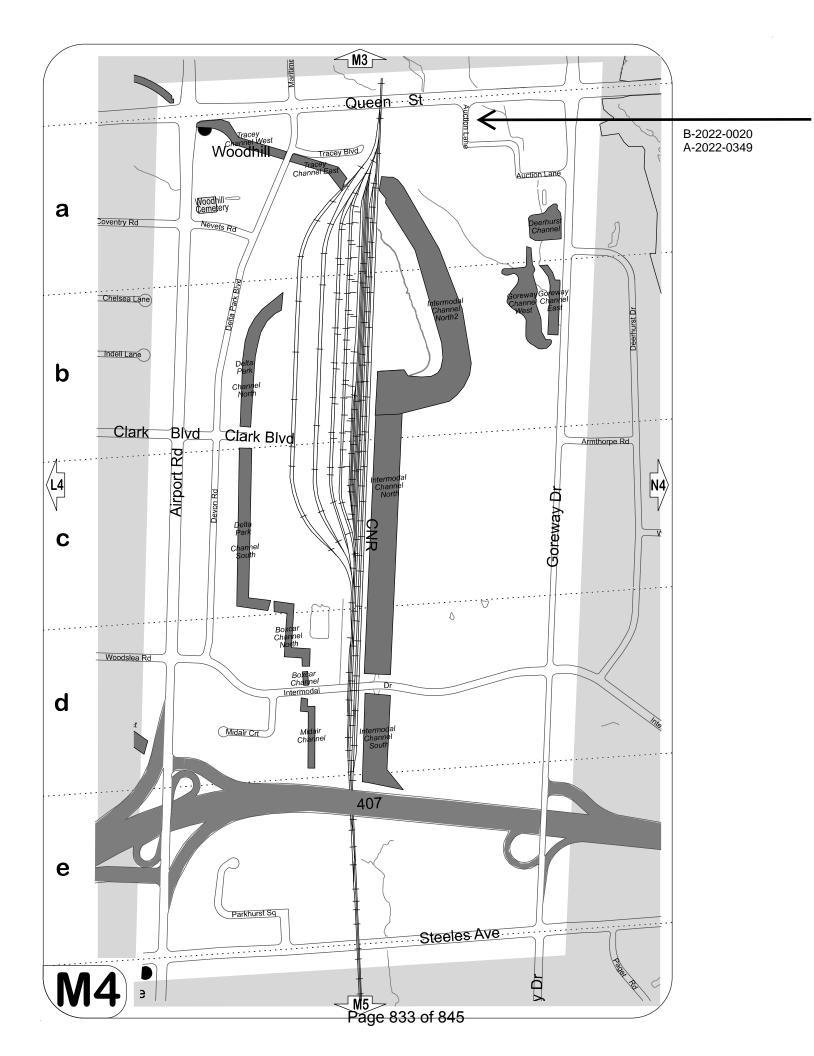
NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law **270-2004**.

1.	Name of Owner(s) Sukhdeep Sandhu/2441925 Ontario Ltd.  Address 2494 Mississauga Road, Mississauga, ON L5H2L5
	Phone # 416-898-9080 Fax # sestate707@gmail.com
2.	Name of Agent Michael Barton c/o MB1 Development Consulting Inc.  Address 1489 Abbeywood Drive, Oakville, ON L6M 2M6
	Phone # 905-599-9973 Fax # Email michael@mb1consulting.com
3.	Nature and extent of relief applied for (variances requested):  SEVERED LANDS: 1. To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required); 2. To permit minimum landscaped area of 3.25 metres along Queen Street; 3. To permit garbage and refuse storage not screened within an enclosure; 4. To permit minimum lot area of 0.3344 ha; 5. To permit minimum lot width of 43.7 m; 6. To permit minimum east interior side yard setback of 1.72 m; 7. To permit a rear yard setback of 4.5 m to the parking ramp; and 8. To permit maximum lot coverage of 36.5%; 9. To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot
4.	Why is it not possible to comply with the provisions of the by-law?  Variances required to sever the subject property to accommodate a new 8-storey building in conjunction with existing 2-storey banquet hall and surface parking area. In addition, the parking supply will be shared among the existing and proposed buildings. On this basis, the consent application will establish an easement for reciprocal parking.
5.	Legal Description of the subject land:  Lot Number 5 (Part)  Plan Number/Concession Number 7
	Plan Number/Concession Number 7  Municipal Address 2 Auction Lane
6.	Dimension of subject land ( <u>in metric units</u> ) Frontage 43.7 m
	Depth 76.35 m2
	Area 3344.3 m2
7.	Access to the subject land is by:  Provincial Highway  Municipal Road Maintained All Year  Private Right-of-Way  Seasonal Road  Other Public Road  Water

	Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)							
	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)							
	Vacant							
PROPOSED BUILDINGS/STRUCTURES on the subject land:								
	8-storey office buil yard setback=31.1	ding (GFA=10,199. 4 m; west side yard	8 m2; front yard setback (to Queen Street)=6 m; rear setback=6.47 m; east side yard setback=1.72 m)					
9.	Location of all	buildings and str ce from side, rear	ructures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )					
	<b>EXISTING</b>							
	Front yard setback	N/A						
	Rear yard setback	N/A						
	Side yard setback	N/A						
	Side yard setback	N/A						
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	6 m 4.5 m (to parking ramp) 6.7 m 1.72 m						
	Side yard Selback	1.72 111						
10.	Date of Acquisition	of subject land:	March 30, 2015					
11.	Existing uses of sul	bject property:	Vacant					
12.	Proposed uses of s	ubject property:	8-storey office buliding with 2 levels of underground parking					
13.	Existing uses of ab	utting properties:	Hotel (east); banquet hall (west); commercial uses					
14.	Date of construction of all buildings & structures on subject land:							
15.	Length of time the	existing uses of the su	bject property have been continued: N/A					
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)					
(b)	What sewage dispo Municipal ✓ Septic	osal is/will be provided	Other (specify)					
(c)	What storm drainage	ge system is existing/p	proposed?					
(- /	Sewers Ditches Swales		Other (specify)					

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	This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.															
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## Report Committee of Adjustment

Filing Date: Hearing Date:

March 2, 2022 January 24, 2023

File:

B-2022-0020, A-2022-0039 & A-2022-0349

Owner/

Applicant:

2441925 Ontario Ltd / API Development Consultants Inc.

Address:

2 Auction Lane

Ward:

8

Contact:

François Hémon-Morneau, Planner III

#### Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.229 hectares (3.04 acres), together with easements for parking, access, sanitary and water servicing and storm servicing. The proposed severed lot has a frontage of approximately 43.7 metres (143.37 feet), a depth of approximately 76.35 metres (250.50 feet) and an area of approximately 0.334 hectares (0.825 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot with a new 8 storey office building with 2 levels of underground parking. The retained lands will continue to be occupied by a banquet hall.

#### Recommendations:

That application **B-2022-0020** is supportable, subject to the following conditions being imposed:

- 1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
- Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received;
- The applicant shall submit a proper document showing shared above and under ground parking and access as required in perpetuity between retained and severed land for review and approval;

4. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements. Region of Peel shall be circulated on any draft easement documents for review and comment;

That application A-2022-0039 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
- 2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

That application A-2022-0349 is supportable, subject to the following conditions being imposed:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision:
- 2. That the owner finalize site plan approval under City File SPA-2021-0220, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and,
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

#### Background:

Concurrent Consent application (B-2022-0020) and Minor Variance applications (A-2022-0039 and A-2022-0349) have been submitted to facilitate the severance of the subject property. The proposed severed lot is subject to a Site Plan Approval application (SPA-2021-0220) to facilitate the development of an 8-storey office building. The applications were deferred at the November 15, 2022 Committee of Adjustment hearing in order for the applicant to amend the applications and for City staff to review new information pertaining to sanitary and storm servicing easements.

- Official Plan: The subject property is designated 'Business Corridor' in the Official Plan;
- Secondary Plan: The subject property is designated 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4); and
- **Zoning By-law:** The subject property is zoned 'Service Commercial 1923 (SC-1923)' according to By-law 270-2004, as amended.

#### **Current Situation:**

The consent application is to sever the property and create reciprocal easements. Detailed sanitary and water easements in addition to storm sewer easements are requested as part of this application. The applicant has amended their sketch to further refine the boundaries of the proposed servicing easements from the originally requested reciprocal blanket easement. City staff have reviewed the proposal and found it to be satisfactory and supportable.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

#### **Requested Variances:**

### A-2022-0039 - 2 Auction Lane (Retained parcel)

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2022-0020:

- 1. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots:
- 2. To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 3. To permit a landscaped open space of 4.3 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 4. To permit garbage and refuse not screened within an enclosure whereas the bylaw requires garbage and refuse to be screened within an enclosure.

#### Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Business Corridor' in the Official Plan and 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4). Lands designated Mixed Employment Commercial on Schedule 4 shall be used for non-obnoxious industrial uses, activities that combine industrial and commercial purposes, and specialized or space-extensive commercial purposes. The variances seek to facilitate shared parking between severed and retained lots, allow a reduction to the width of landscaped open space, and to permit garbage and refuse area to not be screened within an enclosure. The variances are not considered to be contrary to the general intent and

purpose of the Official Plan. The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots. The second variance is requested to permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided. The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the service commercial uses on the site. The intent of the by-law in requiring parking to be provided on the same lot is to prevent instances of overflow parking generated from a use on a property onto an adjacent site.

In this case, the subject property is being severed to create two separate lots via concurrent Consent application B-2022-0020. Through the related severance application, reciprocal easements for parking, access will be established. Therefore, the severed and retained lots will be developed in an interconnected manner allowing parking of vehicles on the entireity of the two lots. The applicant has submitted a Transportaton Impact Study conducted in May 2022 which justifies the reduction in parking spaces. Traffic Services staff have reviewed the study and have found it to be satisfactory to support the requested variances and ultimate development of the site. The requested variances maintain the general intent and purpose of the Zoning By-law.

The third variance is requested to permit a landscaped open space of 4.3 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107. The intent of the by-law in requiring a minimum landscaped area along the lot line abutting a street or a lot line is to ensure that the aesthetic quality of the property and overall streetscape is maintained.

A 4.3m (14.11 ft.) wide landscaped open space strip is requested for the entire length of the norther property line abutting Queen St West. The area in question is capable of accommodating landscaping and it is being implemented through the review of the associated Site Plan Approval application. It is noted that through the Site Plan application review, the proposed building is carefully located close to the street line to reinforce the street edge to create a more desireable streetscape. Through the resubmission of the Site Plan Approval application and subsequent review, the applicant will be required to implement an intensified landscape treatment to compensate for the reduced setback along Queen Street East in a manner satisfactory to Open Space and Planning staff. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fourth variance is requested to permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuse to be screened within an enclosure. The intent of the by-law in requiring garbage and refuse to be screened within an enclosure is to limit negative visual impact associated with traditional garbage areas.

The by-law states that all garbage and refuse storage, including containers for the storage of recyclable materials, shall be screened within an enclosure. The property is being developed to incorporate Molok (Earth Bins) garbage system. The Molok containers will be located primarily below grade and as a result, are not aniticipated to generate negative visual impacts on-site or off-site. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

#### 3. Desirable for the Appropriate Development of the Land

The variances are requested in conjunction with a consent application to sever the property and create easements to facilitate the development of the severed lot. Given that reciprocal access and parking easements are proposed, the two lots will operate in an interconnected manner. The proposed reduction to the landscaped open space strip is not considered to negatively impact the streetscape or significantly reduce the amount of open space between the building and Queen Street West. The property continues to maintain a desirable streetscape and no negative impacts are anticipated. The variance associated with the proposed Molok containers are also not anticipated to generate negative visual impacts on-site or off-site given that they will primarily be located underground. The variances are considered to be desireable for the appropriate development of the land.

#### 4. Minor in Nature

The variances are intended to facilitatre the severance of the property and creation of a new lot. Given that easements are being proposed between the severed and retained lot, staff have no concerns over variances 1 and 2 to allow shared parking and access. The reduced landscape open space and elimination of garbage enclosures are not considered to negatively impact the site or adjacent properties. The variances are deemed minor in nature.

#### A-2022-0349 – 2 Auction Lane (Severed parcel)

The applicant is requesting the following variance(s) in conjunction with the proposed severed lot under Consent Application B-2022-0020:

- 1. To permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares:
- 2. To permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres;

- 3. To permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres;
- 4. To permit a rear yard setback of 4.5 metres to the parking ramp whereas the bylaw requires a minimum rear yard depth of 6.0 metres;
- 5. To permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%;
- 6. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots:
- 7. To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
- 8. To permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
- 9. To permit garbage and refuse not screened within an enclosure whereas the bylaw requires garbage and refuge to be screened within an enclosure;
- 10. To permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive;
- 11. To permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width.

#### 1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Business Corridor' in the Official Plan and 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan (Area 4). Lands designated Mixed Employment Commercial on Schedule 4 shall be used for non-obnoxious industrial uses, activities that combine industrial and commercial purposes, and specialized or space-extensive commercial purposes. The variances seek to facilitate the lot dimensions of the newly created parcel and permit a number of technical associated with the resulting site conditions as proposed through SPA-2021-0220. The variances are not considered to be contrary to the general intent and purpose of the Official Plan. The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The first variance is requested to permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares. The second variance is requested to permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres. The intent of the by-law in requiring a minimum lot area and width in commercial area is to ensure that the property is appropriately sized for its commercial user.

In the case of the subject property, the proposed reduced area and width are a result of the severance and the property will still allow sufficient space for proposed office development on site. The reduced lot area and lot width are not anticipated to negatively impact the exiting and future land uses and opertations of the properties. Subject to the recommended conditions of approval, variances 1 and 2 are considered to maintain the general intent of the Zoning By-law.

The third variance is requested to permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres. The intent of the by-law in requiring minimum side yard setbacks is to ensure that there is appropriate separation between buildings and adjacent properties. It is noted that through the Site Plan application review, the proposed building is carefully located close to the interior side yard lot line to reinforce the street edge to create a more desireable streetscape. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fourth variance is requested to permit a rear yard setback of 4.5 metres to the parking ramp whereas the by-law requires a minimum rear yard depth of 6.0 metres. The intent of the by-law in requiring minimum setbacks to parking ramps is to ensure that parking ramps are appropriately positioned relative to adjacent properties in order to limit potential negative impacts.

The parking ramp is proposed to be located 1.5m closer to the rear property line from what the by-law permits. The reduction is not anticipated to generate negative impacts to the subject property or adjacent properties with respect to functionality, safety, or from a visual perspective. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The fifth variance is requested to permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%. The intent of the by-law in regulating maximum lot coverage is to ensure that the size of the building is appropriate relative to the size of the property and does not detract from the functioning of the property.

The applicant is requesting a 1.5% increase to the lot coverage from what the Zoning By-law permits. The related development is currently under Site Plan application review. Although a variance is requested for the increased lot coverage, the balance of the development complies with the by-law. The building is considered to be appropriately sized and positioned on the property. As such, the property can accommodate the larger building footprint and resulting coverage beyond the applicable 35% maximum lot coverage. The increase is not considered as over development of the property as the Site

Plan demonstrates that the sites' functionality will not be negatively impacted. The variance maintains the general intent and purpose of the Zoning By-law

The sixth variance is requested to provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots. The seventh variance is requested to permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided. The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the service commercial uses on the site. The intent of the by-law in requiring parking to be provided on the same lot is to prevent instances of overflow parking generated from a use on a property onto an adjacent site.

In this case, the subject property is being severed to create two separate lots via concurrent Consent application B-2022-0020. Through the related severance application, reciprocal easements for parking, access and servicing will be established. Therefore, the severed and retained lots will be developed in a interconnected manner. The applicant has submitted a Transportaton Impact Study conducted in May 2022 which justifies the reduction in parking spaces. Traffic Services staff have reviewed the study and have found it to be satisfactory to support the requested variances and ultimate development of the site. The requested variances maintain the general intent and purpose of the Zoning By-law.

The eighth variance is requested to permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107. The intent of the by-law in requiring a minimum landscaped area along the lot line abutting a street or a lot line is to ensure that the aesthetic quality of the property and overall streetscape is maintained.

A 3.25m (10.66 ft.) wide landscaped open space strip is requested for the entire length of the norther property line abutting Queen St West. The area in question is capable of accommodating landscaping and it is being implemented through the review of the associated Site Plan Approval application. It is noted that through the Site Plan application review, the proposed building is carefully located close to the street line to reinforce the street edge to create a more desireable streetscape. Through the resubmission of the Site Plan Approval application and subsequent review, the applicant will be required to implement an intensified landscape treatment to compensate for the reduced setback along Queen Street East in a manner satisfactory to Open Space and Planning staff. The reduction is not anticipated to negatively impact the aesthetic quality of the property and the overall streetscape will be maintained. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The ninth variance is requested to permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuge to be screened within an

enclosure. The intent of the by-law in requiring garbage and refuse to be screened within an enclosure is to limit negative visual impact associated with traditional garbage areas.

The by-law states that all garbage and refuse storage, including containers for the storage of recyclable materials, shall be screened within an enclosure. The property is being developed to incorporate Molok (Earth Bins) garbage system. The Molok containers will be located primarily below grade and as a result, are not aniticipated to generate negative visual impacts on-site or off-site. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The tenth variance is requested to permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive. The intent of the by-law in requiring offices to be located within 180 metres of Goreway Drive is to direct development and commercial uses along arterial roads such as Goreway Drive. The proposed office building will be located on the northeast corner of the severed lot and be within approximately 200m from Goreway Drive. Allowing the introduction of the use beyond 180m of Goreway Drive is not considered to be a significant deviation from what the by-law permits. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

The eleventh variance is requested to permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width. The intent of the by-law in requiring a minimum parking aisle width of 6.6m is to ensure that there is an adequate amount of space to safely maneuver a vehicle into, and out, of an associated parking space.

In this case, the variance is a result of the proposed severance and resulting lot line. There is also an active site plan application currently underway where Traffic Services Staff has reviewed the application and found that there are no expected negative impacts to the maneuverability of vehicles. The variance is technical in nature and is considered to maintain the general intent and purpose of the Zoning By-law.

#### 3. Desirable for the Appropriate Development of the Land

The requested variances are required in conjunction with a proposed severance that will facilitate the development of an office building on the lot while the existing banquet hall operations on the retained lands continue. The requested reductions in lot standards are not anticipated to negatively impact the ability of the lot to function for its intended purposes. The variances are not anticipated to generate negative on-site or off-site impacts. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The variances are intended to facilitate the severance of the property and creation of a new lot. The lot area and width are not expected to limit functionality of the site. Given

that easements are being proposed between the severed and retained lot, staff have no concerns over negative impacts generated from variances associates with parking, access, drive aisles. The reduced landscape open space and elimination of garbage enclosures are not considered to negatively impact the site or adjacent properties. The variances are technical in nature. Subject to the recommended conditions of approval, the requested variances are considered minor in nature.

Respectfully Submitted, *Trançois Hémon-Morneau*François Hémon-Morneau, Planner III

### SCHEDULE "A"

# CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

	CRITERIA TO BE CONSIDERED	ANALYSIS
a)	The effect of development of the proposed subdivision on matters of provincial interest:	The proposed severance and easements have no effect on matters of provincial interest.
b)	Whether the proposal is premature or in the public interest;	The proposed severance and easments are neither premature nor contrary to any matters of public interest.
c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance and easements do not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d)	The suitability of the land for the purposes for which it is to be subdivided;	The severance and easements are suitable for the purposes for which it is to be subdivided. A new office building is proposed on the severed lot.
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 the adequacy of them;	The proposed severance does not present any concern with regard to the adequacy of the roadwork network.
f)	The dimensions and shapes of the proposed lots;	The proposed lots are appropriate in size and shape for their purpose. Minor Variances A-2022-0039 and A-2022-0349 are requested to permit reductions to the lot performance standards. The size and shapes of both the severed and retained lots are generally consistent with the predominant service commercial

		character of adjacent properties in the area.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands included in the lands to de subdivided.
h)	The conservation of natural resources and flood control;	The proposed severance and easements present no concerns with regard to flood control and the conservation of natural resources.
i)	The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	The adequacy of school sites;	The proposed severance and easements present no concerns with regard to the adequacy of school sites.
k)	The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	No conveyances of lands are required.
1)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed severance has no impact on matters of energy conservation.
m)	The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	A concurrent Site Plan application (SPA-2021-0220) is under review to facilitate the development of the severed lot.