

FILE NUMBER: A-2023-0365

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

1.

Name of Owner(s)

Bovaird Commercial Centre Ltd. c/o Sandy Minuk

Address

99 Sante Drive, Suite C, Vaughan ON L4K 3C4

Phone #

905-738-3675

Fax #

Email

lorenzo@minukcorp.com
2.

Name of Agent

Weston Consulting c/o Jenna Thibault

Address

201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8

Phone #

905-738-8080 ext. 309

Fax #

Email

jthibault@westonconsulting.com
3.

Nature and extent of relief applied for (variances requested):

Seven variances are requested for the subject property in relation to SPA-2023-0007.

~~A separate page is appended to the end of this application form with the list of re~~

quested variances. Please see enclosed Minor Variance Justification Letter for addi-

tional details.
4.

Why is it not possible to comply with the provisions of the by-law?

In order to provide a commercial plaza that meets the general principles for appropriate

development in an MTSA, certain provisions of the Zoning By-Law cannot be met. Please

refer to enclosed minor variance justification letter for additional information
5.

Legal Description of the subject land:

PART BLOCK 1 PLAN 43M-1927. Please see enclosed parcel abstract for full legal description

Lot Number

Plan Number/Concession Number

Municipal Address

North-west corner Bovaird Drive West and Creditview Road
6.

Dimension of subject land (in metric units)

Frontage

97.7 metres (Bovaird Drive West)

Depth

179 metres

Area

1.7 hectares
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

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:

The subject property is currently vacant and does not include any buildings or structures.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

The landowner is proposing to develop the subject property for a condominium tenured development consisting of commercial and office uses. The proposal consists of a total of four buildings, including three one-storey commercial buildings and one three-storey commercial building. Please refer to the enclosed Cover Letter for further information.

Ground Floor Area of Building A = 1,141.02sq.m; Ground Floor Area of Building B = 1,018.50 sq.m; Ground Floor Area of Building C = 1,020.61 Sq.m; Ground Floor Area Building D = 2,419.22 sq.m, total GFA Building D = 5,915.66 sq.m

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 N/A

Rear yard setback N/A

Side yard setback N/A

Side yard setback N/A

PROPOSED

Front yard setback 4.78 metres (Bovaird Drive)

Rear yard setback 3.00 metres (Lagerfeld Drive)

Side yard setback 3.91 metres (Eamont Street, daylight triangle)

Side yard setback 2.95 metres (Creditview Road, daylight triangle)

10. Date of Acquisition of subject land: March, 2021
11. Existing uses of subject property: Vacant
12. Proposed uses of subject property: Office and commercial uses
13. Existing uses of abutting properties: Residential and vacant uses
14. Date of construction of all buildings & structures on subject land: N/A
15. Length of time the existing uses of the subject property have been continued: N/A

16. (a) What water supply is existing/proposed?

Municipal

☒

Well

☐

Other (specify) _____

- (b) What sewage disposal is/will be provided?

Municipal

☒

Septic

☐

Other (specify) _____

- (c) What storm drainage system is existing/proposed?

Sewers

☒

Ditches

☐

Swales

☐

Other (specify) _____

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☒ No ☐

If answer is yes, provide details: File # B17-021 Status Approved

18. Has a pre-consultation application been filed?

Yes ☒ No ☐

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	Relief
File #	Decision	Relief
File #	Decision	Relief

Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ OF _____

THIS _____ DAY OF _____, 20____.

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.

I, Jenna Thibault, OF THE City OF Barrie
IN THE Province OF Ontario SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE

CITY OF VAUGHAN

IN THE REGION OF

YORK THIS 8 DAY OF

NOVEMBER, 2023.

Patrizia Santino,
a Commissioner, etc.,
Province of Ontario,
for Weston Consulting Group Inc.
Expires May 31, 2024
A Commissioner etc.

Jenna Thibault

Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

Zoning Officer

Date

DATE RECEIVED

Nov 16, 2023 VL

APPOINTMENT AND AUTHORIZATION OF AGENT

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

LOCATION OF THE SUBJECT LAND: North-west corner Bovaird Drive West and Creditview Road

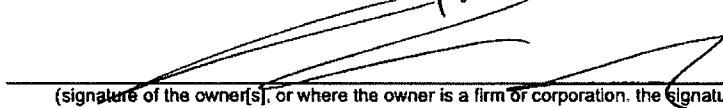
I/We, Bovaird Commercial Centre Ltd. c/o Sandy Minuk
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject lands, hereby authorize

Weston Consulting c/o Jenna Thibault
please print/type the full name of the agent(s)

to make application to the **City of Brampton Committee of Adjustment** in the matter of an application for **minor variance** with respect to the subject land.

Dated this 7TH day of NOVEMBER, 2023.


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

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

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

PERMISSION TO ENTER

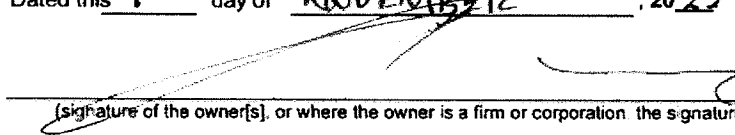
To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
coa@brampton.ca

LOCATION OF THE SUBJECT LAND: North-west corner Bovaird Drive West and Creditview Road

I/We, Bovaird Commercial Centre Ltd. c/o Sandy Minuk
please print/type the full name of the owner(s)

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

Dated this 7TH day of NOVEMBER, 2023


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

SANFORD MINUK

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

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

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

RESIDENTIAL ZONE

Variance 2:
A mixed-use development is not proposed within 25 metres of Lagerfeld Drive, whereas the by-law requires a mixed-use development having a height of 2 storeys be provided within 25 metres of Lagerfeld Drive.

Variance 7:
2 loading spaces are proposed, whereas the by-law requires 3 loading spaces for the proposed uses.

Variance 6:
210 parking spaces are proposed, whereas the by-law requires 384 parking spaces for the proposed uses.

Variance 5:
A mixed-use development (Building 'D') is proposed to utilize the shared waste collection bins adjacent to Building 'A', whereas the by-law requires all garbage, refuse and waste containers for any use within a mixed-use development as defined under Section 3525.3 to be located within the same building containing the use and located a minimum of 9.0 metres from the main entrance.

Variance 4:
A height of 3 storeys for the portion of a mixed-use development (Building D) within 12 metres of Bovard Drive West is proposed, whereas the by-law requires a minimum height of 6 storeys for that portion of a mixed-use development as defined under Section 3525.3 within 12 metres of Bovard Drive West.

Variance 3:
A setback of 4.95 metres from a mixed-use development (Building 'D') to Lagerfeld Drive is proposed, whereas the by-law requires a maximum setback of a mixed-use development to a public street of 4.5m.

Variance 1:
To zone the subject property as C3-3525, whereas the property is split-zoned R4A-3522, R4A-3523, and C3-3525.

ZONED RESIDENTIAL - R4A

EAMONT STREET
(Formerly Berghin Street)

BOVAIRD DRIVE WEST (REGIONAL ROAD No. 107)

CREDITVIEW R

Northwest Corner Creditview and Bovaird – Requested Variances

The purpose of the application is to seek relief from the following provisions of the City of Brampton Zoning By-law 270-2004:

(Variance 1) Zone Boundary

To zone the subject property as C3-3525, whereas the property is split-zoned R4A-3522, R4A-3523, and C3-3525.

(Variance 2) Section 3525.3.f – Mixed-Use Development

A mixed-use development is not proposed within 25 metres of Lagerfeld Drive, whereas the by-law requires a mixed-use development having a height of 2 storeys be provided within 25 metres of Lagerfeld Drive.

(Variance 3) Section 3525.6.b – Maximum Setback of a Mixed-Use Development

A setback of 4.95 metres from a mixed-use development (Building 'D') to Lagerfeld Drive is proposed, whereas the by-law requires a maximum setback of a mixed-use development to a public street of 4.5m.

(Variance 4) Section 3525.6.c – Minimum Building Height of a Mixed-Use Development

A height of 3 storeys for the portion of a mixed-use development (Building D) within 12 metres of Bovaird Drive West is proposed, whereas the by-law requires a minimum height of 6 storeys for that portion of a mixed-use development as defined under Section 3525.3 within 12 metres of Bovaird Drive West.

(Variance 5) Section 3525.6.m – Garbage, Refuse and Waste for a Mixed-Use Development

A mixed-use development (Building 'D') is proposed to utilize the shared waste collection bins adjacent to Building 'A', whereas the by-law requires all garbage, refuse and waste containers for any use within a mixed-use development as defined under Section 3525.3 to be located within the same building containing the use and located a minimum of 9.0 metres from the main entrance.

(Variance 6) Minimum Required Number of Parking Spaces

210 parking spaces are proposed, whereas the by-law requires 384 parking spaces for the proposed uses.

(Variance 7) Minimum Required Number of Loading Spaces

2 loading spaces are proposed, whereas the by-law requires 3 loading spaces for the proposed uses.

PROPERTY DESCRIPTION: PART BLOCK 1 PLAN 43M-1927, PARTS 12, 13, 14, 15 AND 16 PLAN 43R-38813; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 13 AND 15 PLAN 43R-38813 AS IN PR2285736; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 12 AND 13 PLAN 43R-38813 AS IN PR2366810; SUBJECT TO AN EASEMENT FOR ENTRY AS IN PR2389559; TOGETHER WITH AN EASEMENT OVER PARTS 7, 8, 10 AND 11 PLAN 43R-38813 AS IN PR3454720; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 2, 3 & 4 ON PLAN 43R-40270 AS IN PR4032316; CITY OF BRAMPTON

PROPERTY REMARKS: FOR THE PURPOSE OF THE QUALIFIER THE DATE OF REGISTRATION OF ABSOLUTE TITLE IS 2007/10/04.

ESTATE/QUALIFIER: FEE SIMPLE
LT ABSOLUTE PLUS

RECENTLY: DIVISION FROM 14364-2221

PIN CREATION DATE: 2019/03/27

OWNERS' NAMES BOVAIRD COMMERCIAL CENTRE LTD.

CAPACITY SHARE

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2019/03/27 **						
**SUBJECT TO SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPHS 3 AND 14 AND *						
** PROVINCIAL SUCCESSION DUTIES AND EXCEPT PARAGRAPH 11 AND ESCHEATS OR FORFEITURE **						
** TO THE CROWN UP TO THE DATE OF REGISTRATION WITH AN ABSOLUTE TITLE. **						
PR2285726	2012/10/25	NOTICE		MATTAMY (CREDIT RIVER) LIMITED ASHWID DEVELOPMENTS INC.	THE REGIONAL MUNICIPALITY OF PEEL	C
PR2285736	2012/10/25	TRANSFER EASEMENT	\$2	MATTAMY (CREDIT RIVER) LIMITED	THE REGIONAL MUNICIPALITY OF PEEL	C
43M1927	2013/04/25	PLAN SUBDIVISION				C
43R35230	2013/04/29	PLAN REFERENCE				C
43R35231	2013/04/29	PLAN REFERENCE				C
PR2366806	2013/05/09	NO SUB AGREEMENT		THE CORPORATION OF THE CITY OF BRAMPTON THE REGIONAL MUNICIPALITY OF PEEL	MATTAMY (CREDIT RIVER) LIMITED	C
REMARKS: SEE DOCUMENT FOR DESCRIPTION OF THE LANDS						
PR2366810	2013/05/09	TRANSFER EASEMENT		MATTAMY (CREDIT RIVER) LIMITED	HYDRO ONE BRAMPTON NETWORKS INC.	C
PR2389559	2013/06/26	TRANSFER		*** DELETED AGAINST THIS PROPERTY *** MATTAMY (CREDIT RIVER) LIMITED	BOVAIRD WEST HOLDINGS INC.	
REMARKS: PLANNING ACT STATEMENTS.						
PR3146807	2017/06/16	NOTICE	\$2	THE CORPORATION OF THE CITY OF BRAMPTON		C
43R38813	2019/02/13	PLAN REFERENCE				C

LAND
REGISTRY
OFFICE #43

14364-5204 (LT)



* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
PR3452740	2019/03/04	NOTICE	\$2	THE CORPORATION OF THE CITY OF BRAMPTON		C
PR3809421	2021/03/31	TRANSFER	\$10,000,000	BOVAIRD WEST HOLDINGS INC.	BOVAIRD COMMERCIAL CENTRE LTD.	C
		REMARKS: PLANNING ACT STATEMENTS.				
PR3809422	2021/03/31	APL ANNEX REST COV		BOVAIRD COMMERCIAL CENTRE LTD.		C
PR3809423	2021/03/31	APL ANNEX REST COV		BOVAIRD COMMERCIAL CENTRE LTD.		C
PR3809424	2021/03/31	CHARGE	\$10,000,000	BOVAIRD COMMERCIAL CENTRE LTD.	THE TORONTO-DOMINION BANK	C
43R40270	2022/03/09	PLAN REFERENCE				C
		CORRECTIONS: DOCUMENT WAS NOT CARRIED FORWARD AT THE TIME PIN WAS CREATED. ON 2023/09/20 AT 14:51 BY HOLLOWAY, CHRISTOPHER. DOCUMENT WAS NOT CARRIED FORWARD AT THE TIME PIN WAS CREATED. ON 2023/09/20 AT 14:52 BY HOLLOWAY, CHRISTOPHER.				
PR4032316	2022/04/14	TRANSFER EASEMENT	\$2	BOVAIRD COMMERCIAL CENTRE LTD.	THE REGIONAL MUNICIPALITY OF PEEL	C
PR4032317	2022/04/14	POSTPONEMENT		THE TORONTO-DOMINION BANK	THE REGIONAL MUNICIPALITY OF PEEL	C
		REMARKS: PR3809424 TO PR4032316 AFFECT PARTS 2, 3 & 4 ON PLAN 43R-40270				
PR4148642	2022/12/05	NOTICE	\$2	THE CORPORATION OF THE CITY OF BRAMPTON		C
PR4148643	2022/12/05	POSTPONEMENT		THE TORONTO-DOMINION BANK	THE CORPORATION OF THE CITY OF BRAMPTON	C
		REMARKS: PR3809424 TO PR4148642				
PR4163055	2023/01/20	APL (GENERAL)		HYDRO ONE BRAMPTON NETWORKS INC.	ALECTRA UTILITIES CORPORATION	C
		REMARKS: NAME CHANGE RE: PR2366810				

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.
NOTE: RESULTS WERE GENERATED VIA WWW.GEOWAREHOUSE.CA

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

November 8, 2023
File 10301

Attn: Clara Vani, Secretary Treasurer

**RE: Minor Variance Application
Northwest Corner of Bovaird Drive West and Creditview Road
City of Brampton**

Weston Consulting is the Planner for Bovaird Commercial Centre Ltd., the legally registered owner of the property located at the northwest corner of Bovaird Drive West and Creditview Road in the City of Brampton (herein referred to as the “subject property”) and described in further detail below. This letter has been prepared in support of a Minor Variance Application to seek relief from provisions of the City of Brampton Zoning By-law 270-2004 to address zoning conformity issues related to Site Plan Application SPA-2023-0007.

Description of the Subject Property

The subject property is vacant and has an area of approximately 1.7 hectares (4.2 acres). The subject property has a frontage of approximately 98 metres along Bovaird Drive West. The lands also maintain frontage along Creditview Road, Lagerfeld Drive and a residential street (Eamont Street) along the west side of the subject property which was recently constructed. The lands adjacent to the subject property to the east and west are currently vacant. These lands are intended for residential uses and development applications have been submitted for the lands to the west. Low-rise residential dwellings are located to the south of the subject property and mid-rise residential apartments and stacked townhouses are located to the north. Mount Pleasant GO Station is located approximately 400 metres to the northeast of the subject property.

The in-force City of Brampton Official Plan designates the subject property as “Residential” under Schedule A – Land Use Plan and “District Retail” under Schedule A2 – Retail Structure. The Mount Pleasant Secondary Plan also designates the subject property as “District Retail”. The District Retail designation allows for a range of retail and commercial uses, along with major freestanding office developments. In addition, the Secondary Plan policies permit a maximum gross leasable area of 32,516 square metres for the District Retail designation.

The subject property is split-zoned, with the majority of the property zoned as “C3 – Commercial Three”, subject to exception 3525 (C3-3525). This exception sets out site-specific standards, including requirements for commercial buildings and building heights. A sliver of the subject property is zoned “R4A – Residential Apartment A” subject to exception 3522 (R4A-3522) and exception 3523 (R4A-3523) which permits multiple residential dwellings and apartments. This sliver of land is too narrow to support residential uses in accordance with its underlying zoning. The subject property is also subject to a restrictive covenant, registered on title to the property, which prohibits the use of the subject property for residential uses.

Description of the Proposed Development

The landowner is proposing to develop the subject property for a condominium tenured development consisting of commercial and office uses. The proposal consists of a total of four buildings, including three one-storey commercial buildings and one three-storey commercial building. The three-storey commercial building is located at the corner of

Bovaird Drive West and Creditview Road and is intended to have office uses on the upper two storeys. One of the 1-storey buildings, Building A on the site plan, is intended to be comprised of food retail uses across the building's four proposed units, which will bring a much need amenity to the surrounding residential area. The total proposed Gross Leasable Commercial Floor Area (GLCA) is 9,095.79 square metres and the proposed lot coverage is 32.82%. The total proposed Gross Commercial Floor Area (GCA) is 8,826.09 square metres.

The proposed development includes 210 vehicular parking spaces, of which 10 spaces are barrier-free. 22 bicycle parking spaces and two loading spaces are proposed. The Brampton Zoning By-law requires 384 parking spaces for the proposed development based on the GCA. The parking requirement for the one-storey commercial buildings is based on the "shopping centre" parking rate of one space per 23 square metres of gross commercial floor area as the proposal will allow for a range of commercial uses such as retail stores, restaurants, and personal service shops. The proposed mixed-use building will include two floors of office uses but the C3-3525 zoning provisions also require a parking rate of one space per 23 square metres of gross commercial floor area for non-residential uses. The enclosed Traffic Study and Parking Study support the proposed parking supply of 210 parking spaces.

Vehicle access is proposed from Creditview Road and Eamont Street on the west side of the subject property. The access from Creditview Road is proposed as a right in, right out only access, and the two accesses from Eamont Street are proposed to be full moves.

Concurrent Site Plan Application (SPA-2023-0007)

A Site Plan Application for the subject property is currently under review with City of Brampton Staff and external agencies. The initial submission of the application was made January 31, 2023 and a resubmission was made on October 16. The landowner and project team worked closely with City Staff to address comments received following the first submission, in particular comments from Urban Design and Transportation Staff.

A meeting was held with City Staff on June 19 to discuss options for addressing the comments from Urban Design and Transportation Staff. Following this meeting, a revised site plan was provided to City Staff on July 13 for review. Staff indicated their support and general approval of the revised design by email on July 17. It is this revised site plan that was included in the second submission of the Site Plan Application made on October 16 and for which the variances outlined in this Minor Variance Application are being requested. Comments were received from Zoning Staff in response to the second submission of the Site Plan Application on November 7 and are enclosed with this application. The requested variances are consistent with the Zoning comments received on November 7.

Purpose of the Application – Requested Variances

The purpose of the application is to seek relief from the following provisions of the City of Brampton Zoning By-law 270-2004:

(Variance 1) Zone Boundary

To zone the subject property as C3-3525, whereas the property is split-zoned R4A-3522, R4A-3523, and C3-3525.

(Variance 2) Section 3525.3.f – Mixed-Use Development

A mixed-use development is not proposed within 25 metres of Lagerfeld Drive, whereas the by-law requires a mixed-use development having a height of 2 storeys be provided within 25 metres of Lagerfeld Drive.

(Variance 3) Section 3525.6.b – Maximum Setback of a Mixed-Use Development

A setback of 4.95 metres from a mixed-use development (Building 'D') to Lagerfeld Drive is proposed, whereas the by-law requires a maximum setback of a mixed-use development to a public street of 4.5m.

(Variance 4) Section 3525.6.c – Minimum Building Height of a Mixed-Use Development

A height of 3 storeys for the portion of a mixed-use development (Building D) within 12 metres of Bovaird Drive West is proposed, whereas the by-law requires a minimum height of 6 storeys for that portion of a mixed-use development as defined under Section 3525.3 within 12 metres of Bovaird Drive West.

(Variance 5) Section 3525.6.m – Garbage, Refuse and Waste for a Mixed-Use Development

A mixed-use development (Building 'D') is proposed to utilize the shared waste collection bins adjacent to Building 'A', whereas the by-law requires all garbage, refuse and waste containers for any use within a mixed-use development as defined under Section 3525.3 to be located within the same building containing the use and located a minimum of 9.0 metres from the main entrance.

(Variance 6) Minimum Required Number of Parking Spaces

210 parking spaces are proposed, whereas the by-law requires 384 parking spaces for the proposed uses.

(Variance 7) Minimum Required Number of Loading Spaces

2 loading spaces are proposed, whereas the by-law requires 3 loading spaces for the proposed uses.

Planning Justification and Analysis

Section 45(1) of the Planning Act directs that a minor variance may be granted if, in the opinion of the Committee of Adjustment, the following tests are met:

- The variance requested maintains the general intent and purpose of the Official Plan;
- The variance requested maintains the general intent and purpose of the Zoning By-law;
- The variance is desirable for the appropriate use of the land; and,
- The variance is minor in nature.

In addition, Section 45 (1.0.1) states that a minor variance must conform to any prescribed criteria and/or criteria established by the local municipality by by-law, if any. At this time there are no additional criteria. The following is a summary of how the proposed application meets the four tests under the Planning Act.

Maintains the General Intent and Purpose of the Official Plan

The subject property is located within the "District Retail" designation under Schedule A2 – Retail Structure of the City of Brampton Official Plan and under the Mount Pleasant Secondary Plan. The District Retail designation allows for a range of retail and commercial uses, along with major freestanding office developments. The Mount Pleasant Secondary Plan includes objectives to promote transit-oriented development to reduce the overall number of private automobile trips as well as linkages to the Mount Pleasant GO Station to promote the use of alternative modes of transportation such as transit, walking and cycling. The Secondary Plan encourages a mixed-use pedestrian friendly

community and an attractive and ordered built form consisting of appropriate building heights, setbacks and streetscapes, which is achieved by the proposed development.

The subject property is currently split-zoned R4A-3522, R4A-3523 and C3-3525 and relief is requested to zone the entire property as C3-3525, which meets the general intent and purpose of the Secondary Plan which designates the entire property as District Retail. The majority of the subject property is zoned C3-3525 with a small portion zoned as R4A-3522 and R4A-3523, which is too small to be developed separately. It is necessary for the entire property to be under one zone to enable the efficient and compact built-form of the subject property. The sliver of land zoned residential was created through Consent Application B17-021, which separated the subject property from its parent property to the west, which maintains residential zoning. Per the conditions of approval from the Committee of Adjustment for Application B17-021, the City had agreed to address any “orphaned parcels” created as a result of the approval of the consent through a municipally initiated zoning by-law amendment. It was determined, however, that because the proposed development requires relief from the Zoning By-law for other provisions through a Minor Variance Application, and due to the small size of the sliver rendering it unusable for residential purposes, that the split-zoning would be addressed through this application. This approach was agreed to by Staff through the current Site Plan Application process.

The requested relief from the provision requiring a proposed mixed-use building to be within 25 metres of Lagerfeld Drive meets the general intent and purpose of the Official Plan as the proposed location for the mixed-use building at the corner of Bovaird Drive West and Creditview Road places this building at a higher-profile location, which provides a stronger entry feature into the Mount Pleasant neighbourhood. Also, Building ‘A’, intended to be a one-storey food store, is proposed to be located within 25 metres of Lagerfeld Drive, allowing optimal access to the food store for residents of the existing neighbourhood to the north and residents of the future residential development proposed to the west of the subject property.

The requested relief from the maximum setback between Building D and Eamont Street is reflective of the narrow boulevard space between the curb of Eamont Street and the property line. The increased setback improves sightlines along Eamont Street and intersection by Building D, allowing for greater visibility to motorists entering and exiting the subject property, as well as those making turning movements between Eamont Street and Bovaird Drive West. The requested reduction in required height within 12 metres of Bovaird Drive will contribute to facilitating a pedestrian friendly environment by way of a more walkable urban street and softening the presence of the multi-storey building. Waste Collection for Building ‘D’ is proposed to utilize waste collection bins adjacent to Building ‘A’. This is intended to support efficient removal of waste from the subject property by utilizing a single-shared collection point for all buildings, while enhancing the overall design of the site through the reduction in the number of waste collection points.

The requested reduction in the required number of parking spaces reflects the transit-accessible nature of the subject property with its close proximity to the Mount Pleasant GO Station. The subject property’s location within a Major Transit Station Area (MTSA) supports the need to reduce the provided number of parking spaces. This variance will contribute to a compact, built form that discourages unnecessary vehicle trips and promotes the use of public transit and active transportation. Lastly, the reduction in the number of loading spaces is reflective of the nature of development. Two loading spaces are provided for the larger units in Building ‘A’. For the remaining buildings, the small-format units do not require the use of large loading spaces and are anticipated to receive deliveries using vehicles that can fit in a standard parking space. This is reflective of developments of similar sizes and types and is intended to contribute to the compact and functional design of the proposed development.

The proposed development inclusive of the requested variances implements the policies, goals and objectives of the Mount Pleasant Secondary Plan. In accordance with the above discussion, it is our opinion that the proposed variances maintain the general intent and purpose of the City of Brampton Official Plan.

Maintains the General Intent and Purpose of the Zoning By-law

The requested variances maintain the general intent and purpose of the City of Brampton Zoning By-law 270-2004 by providing a mixed-use, transit-oriented development, which balances the need to provide sufficient parking to meet the projected demand while still providing a high-quality, walkable urban form. The proposed uses also comply with the Zoning By-law. The site-specific zoning for the subject property is highly detailed and seeks to facilitate such a development through permissions which allow for a broad mix of uses within a compact built-form.

The requested variances allow for the subject property to be developed for neighbourhood supportive retail, commercial and office uses as envisioned by the secondary plan, including a mixed-use building, while complying with the restrictive covenant that is registered on title to the property. The proposed development includes many small-scale commercial units, which are appropriate for neighbourhood-supportive local businesses such as shops, takeout restaurants, and other small-scale commercial services. The three one-storey commercial buildings comply with the Zoning By-law's height restriction which permits a maximum building height of one storey for commercial buildings. The three-storey building (Building 'D') at the intersection of Bovaird Drive West and Creditview Road is proposed to include office space on the second and third floor, making it a mixed-use building per the site-specific zoning definition of "Mixed-Use Development", and provides local employment opportunities for the neighbourhood. Building 'A' located at the corner of Creditview Road and Lagerfeld Drive would provide space for one large, or multiple smaller food stores, which is a use that is currently not provided in the Mount Pleasant neighbourhood, and a necessary part of a complete community.

The requested variance to eliminate the split-zoning condition that currently exists on the subject property is necessary for an efficient and compact built form to be provided on the subject property. As previously discussed in this letter, the split-zoning condition was created as a result of a Consent Application which severed the subject property from its parent property. It was not the intention of the zoning by-law to create this condition of an orphaned parcel, but rather to facilitate the development of neighbourhood-supportive commercial uses on the subject property. In addition, the subject property was identified as the retained parcel in the Consent Application and was intended for commercial uses.

Relief is requested from Section 3525.3.f of the Zoning By-law which requires that any proposed mixed-use development be located within 25 metres of Lagerfeld Drive. Proposed Building 'D' is a three-storey mixed-use development as defined in the by-law; however, it is proposed to be located at the north-west corner of Creditview Road and Bovaird Drive West. The intent is to locate the larger scale building closer to the busier, higher-visibility intersection and allow for the single-storey food store building to be located within 25 metres of Lagerfeld Drive and in close proximity to the high-density residential neighbourhood to the north of the subject property. This variance doesn't undermine the Zoning By-law as it still supports the creation of a development which provides for a mix of non-residential uses and a building layout which supports the inclusion of three one-storey commercial buildings, as permitted by the by-law.

Relief is requested from Sections 3525.6.b, 3525.6.c and 3525.6.m to optimize the form and function of Building 'D'. Relief is needed from Section 3525.6.b of the Zoning By-law, which allows a maximum setback from the street of 4.5 metres. It is requested to allow for Building 'D' to be located a maximum of 4.95 metres from Eamont Street to allow for additional landscape buffer to be provided. This improves the aesthetic condition by pushing a wall which does not contain entrances farther from the street and allowing for improved soft landscaping to be provided between the street and the building. Additionally, the increased setback will improve sight-lines for motorists making turns at the intersection of Bovaird Drive West and Eamont Street, as well as between Eamont Street and the proposed south-western access. Relief is requested from section 3525.6.c in order to allow for Building 'D' to provide a height of three-

storeys within 12 metres of Bovaird Drive West, whereas the by-law requires six-storeys be provided. This reduced height is necessary as there is not enough space on the subject property to provide the parking required to serve a six-storey building and a height of three-storeys is suitable for the mix of commercial and office uses intended for this building. In addition, Building 'D' supports the intent of the by-law for some additional building height which is intended for a mixed-use building. Relief is requested from Section 3525.6.m of the Zoning By-law which requires that a mixed-use building include a separate waste collection room within the building, rather than sharing the waste collection area with the rest of the development. The requested relief is intended to allow for tenants of Building 'D' to utilize the shared waste collection bins adjacent to Building 'A', which would consolidate waste collection and removal operations to one location on the subject property, reducing the impact that would result from duplicating those activities, and conserving space for a compact and functional site design.

Zoning By-law 270-2004 requires that the proposed development provide 384 parking spaces for the proposed uses, whereas 210 parking spaces are provided. The intent of the Zoning By-law's parking requirements is to ensure that sufficient parking is provided on-site. The provided 210 parking spaces matches the actual anticipated demand for parking for the proposed development, as outlined in the enclosed parking Justification Study prepared by J.D. Northcote Engineering. Given the proximity to the Mount Pleasant GO Station, the surrounding context which supports residential uses, and the proposed design of the site, there is a reduced demand for personal vehicles as higher than average use of alternative modes of transportation are anticipated for those travelling to the subject property. The enclosed Parking Study includes analysis of a total of four proxy parking surveys which were conducted as part of the study to determine the actual projected demand for parking for the proposed development. Through correspondence from City Staff on November 2nd, 2023, we understand that Transportation Engineering Staff are supportive of the proposed number of parking spaces.

Lastly, a variance is requested to seek a reduction in the number of loading spaces from the requirement of three to two. The Zoning By-law includes a requirement for a minimum number of loading spaces that can accommodate the loading/unloading operations of large transport truck trailers to ensure that such operations can be properly conducted and do not impede the normal functioning of a property. As most of the uses for the proposed development are intended to receive deliveries through the front door using vehicles that can fit in a standard parking space, two loading spaces to serve the food-store and waste removal operations of the subject property are sufficient to accommodate all loading operations that are expected to utilize transport trucks on the site.

It is in our opinion that the proposed variances meet the general intent and purpose of the Zoning By-law. The proposed development provides the mix of neighbourhood supportive uses that are intended in the Zoning By-law, while acknowledging site-specific constraints resulting from the previous Consent Application and the restrictive covenant registered on title to the subject property restricting the permitted uses to only allow commercial and office uses.

Desirable and Appropriate

The proposed variances will allow for a transit-oriented development providing an appropriate mix of neighbourhood-supportive uses on the subject property by permitting a built-form that responds to the goals and objectives of the Mount Pleasant Secondary Plan and the objectives of an MTSA. As outlined earlier in this letter, the requested variances seek to balance the objectives of providing a mixed-use, transit-oriented development within a compact built-form, while providing the necessary supply of parking for the proposed mix of uses. The design of the proposed development is the result of extensive discussions with City of Brampton Urban Design, Transportation Staff and Zoning Staff, and it is our understanding based on correspondence from City Staff received on July 17, 2023, that those departments are supportive of the proposed development in its current form.

The requested variances will allow for the subject property to be under one zone and allow for the entire property to be developed cohesively. The requested relief from the requirement to locate the mixed-use building within 25 metres of Lagerfeld Drive will allow for the higher-profile mixed-use building to be appropriately located at a key intersection which operates as a gateway into the Mount Pleasant neighbourhood and for the food store to be located at the more pedestrian-oriented intersection, closer to the existing residential uses. The 3-storey height of Building 'D' is desirable given the context of the proposed uses for the building consisting of commercial and office uses. Three-storeys is more appropriate than 6-storeys given the proposed nature of the building. Also, the proposed variances for setbacks, height, waste collection location and loading spaces help to maximize site functionality, provide a high-quality built form and minimize external impacts from the proposed development.

The requested parking variance will reduce the amount of open pavement and allow the subject property to be used more efficiently, acknowledging its proximity to the Mount Pleasant GO Station, availability of nearby public transit services and the surrounding neighbourhood context. The enclosed Parking Study, prepared by J.D. Northcote Engineering, outlines the parking surveys completed at similar developments in proximity to the subject property to estimate the parking demand for the proposed development and concluded that the proposed 210 parking spaces are suitable to accommodate the projected demand. Reducing the supply of parking to better reflect the observed demand for parking acknowledges the alternative travel options with consideration of the proximity of Mount Pleasant GO Station.

The requested variances will facilitate the development of neighbourhood supportive uses that will provide a value to the community and pose no adverse impact to the surrounding area. The requested variances allow for the most efficient use of the subject property and also support the creation of a complete community where residents have access to employment opportunities, commercial services and other necessities within a short walking distance from where they live. The reduced parking supply proposed, combined with the design of the development which orients unit entrances toward the sidewalks with parking areas behind the buildings, will encourage walking, cycling and public transportation use, minimize traffic impacts on the surrounding area, and contribute to the high-quality streetscape in the Mount Pleasant neighbourhood. It is in our opinion that the proposed variances are both desirable and appropriate.

Minor in Nature

The proposed variances are minor in scale and seek to provide a high-quality built form that meets the general intent and purposes of the Zoning By-law's and the objectives and policies of the Mount Pleasant Secondary Plan. The requested variance to re-zone the R4A-3522 and R4A-3523 sliver to C3-3525 is to allow for an efficient design and functionality of this orphaned parcel, as this sliver of land is too small to be developed on its own. Additionally, it was acknowledged by the City in their conditions of approval of the previous Consent Application that any orphaned pieces of property created by the severance would need to be corrected.

The relief from Sections 3525.6.c and Section 3525.3.f as it relates to Building D seeks to allow for the required mixed-use building to be located adjacent to a key intersection within the Mount Pleasant area, with a reduction in minimum height that is suitable for the proposed uses. A three-storey building with a commercial ground-floor still meets the intent of creating an animated, pedestrian-oriented streetscape and supports the intention of some additional height on the property. The proposed development still meets the objective of providing for a mixed-use building, as intended for by the Zoning By-law. Relief from Section 3525.6.b will allow for an additional setback of 0.45 metres from Eamont Street to Building 'D' which is minor in nature and will improve sight-lines and allow for additional landscaping space. Relief from Section 3525.6.m allows for the proposed development to share a single, centralized waste collection and loading area, improving efficiency from a waste removal perspective and is appropriate given that the mixed-use building doesn't require a separate waste collection area based on the proposed mix of uses.

The variance for the reduction in the number of parking spaces from 384 to 210 parking spaces is more reflective of the actual anticipated demand for parking for the proposed development, as outlined in the Parking Justification Study prepared by J.D. Northcote Engineering. Also, the reduction in the required number of loading spaces from three spaces to two reflects the actual need for loading spaces to serve the uses proposed.

As the requested variances seek to provide for a development that meets the general intent and purpose of the Official Plan and Zoning By-law, and does not result in any adverse external impacts to the surrounding area, it is our opinion that the requested variances are minor in nature.

Submission Materials

In accordance with the City of Brampton Minor Variance submission requirements, the following materials have been submitted to BramPlan along with this application:

- Minor Variance Application Form;
- Proof of Ownership (parcel register);
- Minor Variance Sketch;
- Justification Report (this document);
- Transportation Impact and Parking Study; and,
- Zoning Comments dated November 7, 2023 for SPA-2023-0007.

The required application fee will be paid separately, following submission of this application.

Conclusion

It is our opinion that the proposed variances should be approved by the Committee of Adjustment as they satisfy all four tests prescribed by the *Planning Act* and represent good planning. We trust that the enclosed materials are sufficient for staff to facilitate their review of this application and ask that this application be scheduled for the December 19th Committee of Adjustment Hearing. If you have any questions or require further information, please contact the undersigned at extension 309 or Jacob Lapointe at extension 299.

Yours truly,
Weston Consulting
Per:

A handwritten signature in black ink that reads 'Jenna Thibault'.

Jenna Thibault, BSc, MPL, MCIP, RPP
Associate

c. S. Minuk, Bovaird Commercial Centre Ltd.

**SITE PLAN REVIEW
ZONING ISSUES**
(Contact Amanda Dickie at 905-874-3793)

Site Plan No.: SPA-2023-0007
 Date Reviewed: November 7, 2023 – Revision 1
 Site Address: Northwest Corner of Creditview Road and Bovaird Drive West
 By-Law Number:
 Zone: Service Commercial SC-Section 3525 and Residential R4A-Section 3522
 C of A:

Category	Proposal	By-Law Requirement	By-Law Conformity
Use	<i>Commercial uses not permitted in the R4A zone. (Building B straddles zone boundary).</i>	<i>Uses listed in the Commercial C3-Section 3525.1 and Residential R4A-Section 3522</i>	NO SEE NOTE 1
Mixed Use Development (3525.3.f)	<i>Building D-Mixed Use Development-not located within 25 metres of Lagerfeld</i>	<i>A Mixed Use Development in accordance with Section 3525.6 and having a minimum Building Height of 2 storeys shall be required within 25 metres of Lagerfeld Drive. (3525.3.f)</i>	NO SEE NOTE 2
Maximum Gross Leasable Commercial Floor area:	9094m ²	32,516 square metres of which a maximum of 8,000 square metres may be used for retail uses listed in Section 3525.1(a)(i), (ii), (vi), (vii), (viii), (xiii), (xxi), and (xxiv).	YES
Minimum Setback to a lot line abutting Bovaird	Building A, B and C do not abut Bovaird Building D=4.8m	4.5m	YES
Minimum Setback to a lot line abutting Creditview Road	6.2m (Building D) 3.01m (Building A)	0.0m	YES
Minimum Setback to a lot line abutting Lagerfeld Drive	3.0m (Building A) 3.07m (Building B)	1.5m	YES
Minimum Setback to an R4A – SECTION 3522 zone and an R4A – SECTION 3523 zone	<i>0.0m (Building B and C straddle the Zone Boundary Line)</i>	4.5m	NO SEE NOTE 3
Minimum Setback to a daylighting triangle or rounding	2.95m (Building A) 3.91m (Building B) 5.51m (Building D)	1.5m	YES
Maximum Building Setbacks (3525.6 b) For Mixed Use)	<i>4.8m to Building D (Mixed Use)</i>	<i>To a lot line abutting a public street, to the curb of a Private Lane or Private Street, to an R4A – SECTION 3522 zone, and R4A – SECTION 3523 zone: 4.5 metres (3525.6 b)</i>	NO SEE NOTE 4

Category	Proposal	By-Law Requirement	By-Law Conformity
Maximum Building Height	Building A, B and C=1 storey	1 storey	YES
Minimum Building Height (3525.6 c) for Mixed Use)	3 Storeys	6 storeys for that portion of a building within 12 metres of Bovaird Drive West. (3525.6 c) for Mixed Use)	NO SEE NOTE 5
Maximum Building Height (3525.6 d) for Mixed Use)	3 Storeys	12 storeys (3525.6 d) for Mixed Use)	YES
Minimum Ground Floor height (3525.6 e) for Mixed Use)	4.575m	4.5m	YES
Continuous Street Wall (3525.6 i) for Mixed Use)	Walls occupy >60%	i) Building walls abutting Bovaird Drive West must occupy at least 60% of the available frontage along Bovaird Drive West. ii) For the purposes of phasing, the continuous street wall shall apply to the portion of the lands subject to development.	YES
Angular Plane (3525.6 j) for Mixed Use)	Not indicated	Notwithstanding the permitted Building Height, no portion of the building can extend beyond a 45 degree angular plane measured at a height of 10.5 metres measured from the centreline of a Private Street for any portion of the building abutting the R4A – SECTION 3522 zone.	UNKNOWN SEE NOTE 6
Garbage, Refuse and Waste (3525.6 m) for Mixed Use)	Not Indicated	All garbage, refuse and waste containers for any use shall be located within the same building containing the use. The waste collection loading area shall be located a minimum of 9.0 metres from the main entrance.	UNKNOWN SEE NOTE 7
Minimum Landscaped Open Space	27.69% of the lot	No restriction	YES
Minimum Landscape buffer abutting an R4A – SECTION 3522 zone and an R4A – SECTION 3523 zone:	0.0m	Except at approved access locations, a 3 metre wide strip shall be provided.	NO SEE NOTE 8
Hydro Transformer	Abutting Creditview >0.0m	Must meet all yard setbacks; Abutting Creditview=0.0m	YES

Category	Proposal	By-Law Requirement	By-Law Conformity
Parking Space Qty. - Regular - Accessible	210 parking spaces provided 200 Regular spaces 5 TYPE A 5 TYPE B	<i>Shopping Centre=1 space per 23 square metres of gross commercial floor area</i> $3180.13m^2 / 23 = 138.26 \text{ spaces}$ <i>Building D (Mixed Use)=1 space per 23 square metres of gross commercial floor area</i> $5915.66m^2 / 23 = 257.20 \text{ spaces}$ <i>Total Required Parking Spaces= 395.46 spaces</i> <i>Accessible Parking in accordance with By-Law 93-93</i>	NO SEE NOTE 9 UNKNOWN SEE NOTE 10
Parking Space Dim. - Angled Parking - Barrier-Free	2.7 x 5.4 metres (minimum) <u>Type A:</u> 3.4 x 5.4m (minimum) with an accessible aisle that is 1.5 metres wide (minimum) <u>Type B:</u> 2.4 x 5.4m (minimum) with an accessible aisle that is 1.5 metres wide (minimum)	2.7 x 5.4 metres (minimum) <u>Type A:</u> 3.4 x 5.4m (minimum) with an accessible aisle that is 1.5 metres wide (minimum) <u>Type B:</u> 2.4 x 5.4m (minimum) with an accessible aisle that is 1.5 metres wide (minimum)	YES YES
Parking Aisles	6.6m	6.6 metres – for 90° stalls	YES
Driveways	6.0m	6 metres – for two-way traffic 3 metres – for one-way traffic	YES
Outside Storage	Not proposed	Not Permitted	YES
Loading Spaces	2 Loading Spaces provided Size=3.5m x 9.0m	Retail Commercial Uses with a Gross Commercial Floor Area over 2350 up to 7450m ² require <u>2 loading spaces</u> (Commercial Retail Uses=5599.35m ²) Office Uses with a Gross Leasable Floor Area of 2350m ² up to 11,600m ² require <u>1 loading space</u> (Building D=3496.44m ²) 3 LOADING SPACES REQUIRED no loading space shall be within the front yard or within the exterior side yard of a lot; each loading space shall have an unobstructed aisle of not less than 6 metres in width for ingress and egress to and from a street or lane. Size=3.5m x 9.0m	NO SEE NOTE 11
Restaurant Uses in Commercial Zones	Not indicated	Refuse storage for restaurant uses permitted in any commercial zone of this by-law shall be contained in a climate controlled area within a building.	UNKNOWN SEE NOTE 12

Category	Proposal	By-Law Requirement	By-Law Conformity
Drive Through Facilities	Drive through not proposed	The drive through facility must be physically separated from the parking area. Restaurant or Convenience Store- 10 stacking spaces Bank, trust company or finance company-8 stacking spaces	N/A
Bicycle Parking (3525.6 o) for Mixed Use)	<i>Not Indicated Dimensions not indicated</i>	i) Bicycle parking must be located on the same lot as the use or building for which it is required. ii) A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces. iii) Where the number of bicycle spaces exceeds fifty spaces, a minimum of 25% of that total required must be located within: 1) a building or structure 2) a secure area such as a supervised parking lot or enclosure; or 3) bicycle lockers iv) Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete. <i>v) Dimensions: 1) If located in a horizontal position (on the ground): a minimum length of 1.8m and a minimum width of 0.6m. 2) If located in a vertical position (on the wall): a minimum length of 1.5m and a minimum width of 0.5m.</i> vi) Rates: 1) For Residential uses: 0.50 spaces per dwelling unit. 2) For Commercial uses: 1 parking space for each 500 square metres of gross commercial floor area or portion thereof. (12 BICYCLE SPACES REQUIRED)	UNKNOWN SEE NOTE 13

NOTES:

1. Commercial uses are not permitted in the R4A-3522 Zone. The Commercial Units in Building B straddle the Zone Boundary Line.
2. The proposed Mixed Use Building (Building D) as defined by Section 3525.3 g) does not comply with the By-law. Any mixed use building must be within 25 metres of Lagerfeld Drive.
3. The proposal does not comply with the minimum setback to an R4A-3522 zone. Buildings B and C straddle the Zone Boundary Line and has a 0.0m setback.
4. The proposed Mixed Use Building (Building D) exceeds the maximum permitted setback of 4.5m to a lot line abutting a Public Street.
5. The proposed Mixed Use Building (Building D) does not comply with the minimum building height of 6 storeys for the portion of the building that is within 12 metres of Bovaird Drive.

6. Please provide a drawing indicating the Angular Plane as listed in Section 3525.6 j) of the By-law
7. Please indicate the location of the waste collection loading area in Building D (Mixed Use Building) as per Section 3525.6.m).
8. The proposal does not comply with the minimum landscape buffer abutting an R4A-3522 Zone. Buildings B and C straddles the Zone Boundary Line and has a 0.0m landscape buffer.
9. The proposal does not comply with the minimum parking requirements of the Zoning By-law.
10. Please contact the Accessibility Coordinator to determine compliance with the Accessibility Guidelines. accessibility@brampton.ca
11. The proposal does not comply with the minimum required loading spaces in the Zoning By-law.
12. If a restaurant is proposed, please indicate the location of the Climate Controlled garbage area within a building on the property. Please note: in ground garbage disposals are not permitted for Restaurant Waste
13. Please indicate the location and size of the bicycle spaces required for Building D (Mixed Use Building) as per Section 3525.6 o) of the Zoning By-law.
14. Please refer to the Zoning Comments Chart for detailed information.
15. Please revise plans/drawings to conform to all Zoning requirements or seek advice from Development Planning staff on options to resolve the Zoning compliance issue(s) identified.
16. Any changes made to the plans/drawings will require further Zoning review.