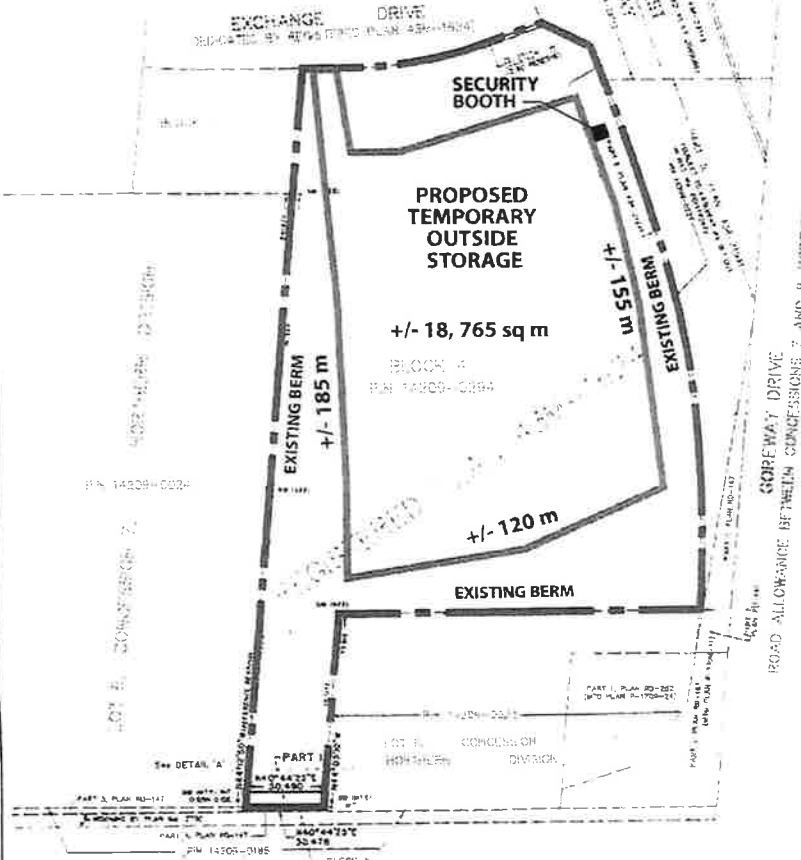
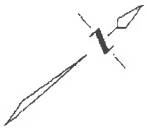


METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

DETAIL 'A'
NOT TO SCALE



THE KING'S HIGHWAY No. 7
ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 5 AND 6, CONCESSION 7, NORTHERN DIVISION

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

PLAN 43R-29089

DATE APRIL 13, 2004

RECEIVED AND DEPOSITED
DATE Apr 14, 2004

W.M. Fenton
W.M. FENTON
ONTARIO LAND SURVEYOR

M. Judge
ASSISTANT DEPUTY LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF PEEL NO. 43

SCHEDULE			
PART	PART OF BLOCK	REGISTERED PLAN	AREA (m ²)
1	A	43M-1624	168.3

PLAN OF SURVEY OF
PART OF BLOCK 4,
REGISTERED PLAN 43M-1624
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1:250



SCHAEFFER & DZALDOV LIMITED

NOTES

- D DENOTES PLANTED MONUMENT
- SM DENOTES FOUND MONUMENT
- SB DENOTES STANDING HIGH BAR
- SB DENOTES SHORT STANDING HIGH BAR
- WT DENOTES WITNESS
- WT DENOTES REGISTERED PLAN 43M-1624
- DTZ DENOTES SCHAEFFER & DZALDOV LIMITED, O.L.S.
- ATC DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO
- ATC DENOTES HIGHWAY DIVISION

BERMS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHWESTERLY LIMIT OF BLOCK 4, AS SHOWN ON REGISTERED PLAN 43M-1624, HAVING A BEARING OF 444° 30' W.

PLAN NOT TO SCALE

SURVEYOR'S CERTIFICATE

- CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 6th DAY OF AUGUST, 2003

DATE APRIL 8, 2004

W.M. Fenton
W.M. FENTON
Ontario Land Surveyor

SCHAEFFER & DZALDOV LIMITED ONTARIO LAND SURVEYORS			
14 JARDON DRIVE	CONCORD, ONTARIO L4K 3P3	TEL (416) 987-0101	
DRAWN ACAD/SAL	CHECKED WMF	SCALE 1:250	JOB NO. D-135-07-1

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 in-person 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 **May 30, 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, May 25, 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 cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, May 25, 2023.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, May 25, 2023.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. 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, May 25, 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 cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. 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.

DI POCE

Management Limited

April 11, 2023

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

Attn: Jeanie Myers
Secretary-Treasurer of the Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE
0 QUEEN STREET EAST, BRAMPTON
PART OF BLOCK 4, REGISTERED PLAN 43M-1624

A - 2023-0130

We, Di Poce Management Limited (hereinafter the "Owner"), are the property owners of the lands described as Part of Block 4, Registered Plan 43M-1624, and municipally addressed as 0 Queen Street East in the City of Brampton (hereinafter referred to as the "Subject Lands" and/or "Site"). We are pleased to submit the enclosed application for Minor Variance for the Subject Lands.

In support of the application, the following documents have been enclosed:

1. Minor Variance Application form;
2. Survey prepared by Schaeffer & Dzaldov Limited;
3. Minor Variance Cover Letter prepared by Di Poce Management Limited; and
4. Minor Variance Sketch prepared by Di Poce Management Limited.

1.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The Subject Lands, legally described as Part of Block 4, Registered Plan 43M-1624, is generally located on the northwest corner of Goreway Drive and Queen Street East as shown on **Figure 1**. The Subject Lands are approximately 0.681 ha (1.683 acres) with approximately 221.15 m (725.55 ft.) of frontage along Goreway Drive and 30.49 m (100.03 ft.) of frontage on Queen Street East.

The Subject Lands are currently used for outside storage of motor vehicles for the Policaro Group, who owns several dealerships within the Airport and Queen Street area of Brampton. The Subject Lands have provided the Policaro Group's outside storage for motor vehicles for the last 6 years.

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

NORTH: Immediately north of the Subject Lands is Exchange Drive. Further north is a range of Industrial, Warehouse, and Office uses.

- SOUTH:** Immediately south of the Subject Lands is Brampton Youth Shelter (3458 Queen Street East). Further south is Queen Street East, a range of commercial and industrial uses including but not limited to Hyatt Hotel, Petro-Canada, Tim Hortons, WG Pro-Manufacturing, Canada Drive and Crownhill Packaging.
- EAST:** Immediately east of the Subject Lands is Goreway Drive/Humberwest Parkway. Further east is a range of commercial uses and residential uses.
- WEST:** Immediately west of the Subject Lands is Peel Regional Paramedic Services Exchange Satellite Station, and outside open storage (transport trucks and shipping containers). Further west is Sun Pac Boulevard.



2.0 REQUESTED VARIANCE

The purpose of this minor variance application is to extend the current outside storage and security booth permissions on the Subject Lands. The following variance is sought to the City's Zoning By-law 270-2004 as follows:

1. To permit outside storage, including oversized motor vehicles and security booth, that is not in conjunction with a business and/or building operating on the same lot whereas the by-law does not permit the use.

The following portion of this letter provides history and land use context of the Subject Lands as well as an assessment of the requested variance in the context of the four minor variance tests under Section 45(1) of the *Planning Act*. In our opinion, the proposed variance maintains the intent of the Official Plan and Zoning By-law, is minor in nature and desirable and should be approved in order to facilitate the existing temporary use.

3.0 SITE HISTORY

The Subject Lands has received two previous Committee of Adjustment approvals to permit a temporary outside storage permission on the Subject Lands.

The first approval was granted in 2017 (*Committee of Adjustment Decision A17-154*) which permitted the following (see **Attachment 1**):

1. *To permit outside storage not in conjunction with a business and building operating on the property whereas the by-law does not permit the use;*
2. *To permit outside storage of moto vehicles whereas the by-law does not permit outside storage.*

The 2017 variance request was granted with the condition that the outside storage use was a temporary use and only permitted for a two (2) year period.

In 2019, the Owner sought an extension to the temporary outside storage use on the Subject Lands from the Committee of Adjustment (*Committee of Adjustment Decision A19-157*) which sought to permit the following (see **Attachment 2**):

1. *To permit outside storage, including oversized motor vehicles and security booth, that is not in conjunction with a business operating from a building on the same lot.*

Approval was granted, however, similar to the 2017 approval, the 2019 approval was restricted to a two (2) year time period.

The Owner is seeking a further extension on the temporary outside storage use on the Subject Lands as the site is still being used by the tenant and the outside storage use for motor vehicles is required to support the several dealerships they own in the area for overstock of motor vehicles.

4.0 SITE CONTEXT AND ADJACENT USES

The proposed temporary outside storage and security booth as previously mentioned is an existing use on the Subject Lands and similar to many adjacent uses within the immediate area.

0 Queen Street East

The Subject Lands are currently occupied by motor vehicles and a security booth. Naturalized berms have been placed around the outside storage area of the Subject Lands to reduce any potential visual impact to adjacent uses.



The image on the left was taken on Goreway Drive/Humberwest Parkway looking west towards the Subject Lands.



The image on the left was taken on Exchange Drive looking south towards the Subject Lands.



The image on the left was taken on Exchange Drive looking south towards the Subject Lands.

3420 Queen Street East

The lands 3420 Queen Street East are currently occupied by outside storage of large transportation vehicles.



The image on the left was taken on Sun Pac Boulevard looking east towards 3420 Queen Street East.



The image on the left was taken on Queen Street East looking north towards 3420 Queen Street East.



The image on the left was taken on Queen Street East looking north towards 3420 Queen Street East.



The image on the left was taken on Auction Lane looking towards the Queen Street East/Auction Lane and Sun Pack Boulevard intersection.

0 Pac Sun Boulevard

The lands 0 Pac Sun Boulevard are currently occupied by outside storage of heavy equipment and large shipping containers.



The image on the left was taken on Sun Pac Boulevard looking west towards 0 Pac Sun Boulevard.

AMG Yard (Northwest Corner of Pac Sun Boulevard and Queen Street East)

The AMG Yard's are currently occupied by outside storage of large transportation vehicles.



The image on the left was taken on Sun Pac Boulevard looking west towards the AMG Yard's.



The image on the left was taken on Sun Pac Boulevard looking southwest towards the AMG Yard's.

As previously mentioned, the proposed outside storage for motor vehicles will operate on the Subject Lands as is and is keeping with several adjacent properties in the area which provide similar outside storage uses including but not limited the examples listed above. It is our opinion the proposed temporary use is in keeping with the current character of the area and does not create any adverse impact to adjacent uses as the outside storage area is setback from the street and berms have been established to reduce any visual impact as well as the operation of the site is minimal as the tenant is only using the site on an as need basis.

5.0 MINOR VARIANCE TEST

Section 45(1) of the *Planning Act* outlines four tests to which applications for minor variances must comply. A description of how the requested variance meets each of the four tests is outlined below.

5.1 THE GENERAL INTENT AND PURPOSE OF THE CITY'S OFFICIAL PLAN IS MAINTAINED

5.1.1 CITY OF BRAMPTON OFFICIAL PLAN 2006 (2020 OFFICE CONSOLIDATION)

The Subject Lands are located within an "Employment" area on **Schedule 1 – City Concept**. The objective of an employment area is to retain and enhance business, industrial and employment opportunities within Brampton. Further, **Schedule 1- City Concept** identifies Queen Street East as a "Primary Intensification Corridor" and Goreway Drive as a "Secondary Intensification Corridor". Intensification corridors are to accommodate a range of uses which include but not limited to residential, office, institutional, employment and commercial uses. Primary Intensification Corridors are those which are primarily identified as higher order transit providing major linkages within the City while Secondary Intensification Corridors are also supported by transit however, are supported by lower densities as compared to Primary Intensification Corridors.

Further, the Subject Lands are identified as "Business Corridor" within the Lester B. Pearson International Airport (LBPIA) Operating Area on **Schedule A – Land Use Designations**. The Business Corridor designation is comprised of commercial and industrial uses including but not limited to office uses, major office, retail uses, restaurant uses, hotels and motels, and entertainment uses. Several uses are prohibited on lands designated Business Corridor which include but not limited to auto-body paint and repair, automobile repair, commercial self-storage warehouses, and retail and industrial uses that involve outdoor storage and outdoor display of merchandise. The Business Corridor designation prohibits outside storage uses and open storage of motor vehicles, however, for the propose of a temporary use by-law, the policies regarding land use designation compliance of the Official Plan can be suspended.

Section 5.10 of the Official Plan provides policy direction for Temporary Use By-laws. Policies within Section 5.10 state the City may enact a temporary use by-laws for renewable periods of not more than 3 years. Policy 5.10.2 states *The City shall, in considering the enactment of temporary use by-law be satisfied that:*

- (i) *The proposed temporary use does not create or aggravate any situation detrimental to adjacent complying uses;*
- (ii) *The temporary use does not adversely affect surrounding uses in terms of air pollution, odour, noise, light or traffic generation;*
- (iii) *The temporary use does not interfere with the development of adjacent areas that are developing in accordance with this Plan;*
- (iv) *Adequate provision will be made for off-street parking and loading facilities; and,*
- (v) *The temporary use does not create a service demand that the City and other relevant public authorities cannot fulfill.*

The Subject Lands and associated temporary use meets the intent of Policy 5.10.2 as follows:

- (i) The proposed temporary use does not create or aggravate any situation detrimental to adjacent complying uses. The proposed use has existed on the Subject Lands for the last 6 years without any known complaints or City Orders to Comply and provides additional outside storage for dealerships within the immediate area. The proposed use does not have any impact to adjacent uses as there is no infrastructure required to provide the use other than the existing entrance off Exchange Drive. Further, the proposed outside storage is setback from the edge of property to ensure there is adequate setback and buffering to adjacent uses to reduce any visual impact. A berm was also constructed previously along the eastern property line (Humberwest Blvd. frontage) as well as the southern and westerly property boundaries in order to mitigate any potential impacts to the neighbouring properties.
- (ii) The proposed use will not adversely affect surrounding uses in terms of air pollution, odour, noise, light or traffic generation. The motor vehicles which will be present on the site will not be in use, other than when they are being transported to and from the lot. At times in which the motor vehicles may be organized within the lot, the berms constructed around the perimeter of the site will help further mitigate any potential impacts to the surrounding area.
- (iii) The proposed temporary use will not impact any development within adjacent areas as the area will be used to only store motor vehicles outdoors. No new construction is proposed.
- (iv) The proposed temporary use does not generate any need for off-street or loading needs.
- (v) The proposed temporary use does not create a service demand that the City or other relevant public authorities cannot fulfill due to the nature of the outside storage use.

Policy 5.10.3 states *Temporary Use By-laws may be passed without the necessity of amending this Plan provided the use is a temporary one which utilizes largely existing or*

temporary buildings and structures and does not require the extensive construction or permanent buildings or structures or, the significant alteration of the land to accommodate the temporary use.

The proposed temporary use meets the purpose and intent of Policy 5.10.3 as the temporary use for outside storage for motor vehicles currently exists and does not require any structures other than the existing security booth to operate. Further, there is no proposed alteration to the site to accommodate the temporary use. The proposed outside storage for motor vehicles will operate on the Subject Lands as is. Lastly, there are several adjacent properties in the area which provide similar outside storage uses including but not limited to 3420 Queen Street East (used for outside storage of transportation vehicles) and 0 Sun Pac Boulevard (used for outside storage of heavy equipment and large shipping containers), therefore the proposed temporary use is in keeping with the current character of the area.

The Subject Lands represent existing outdoor storage for moto vehicles in the City of Brampton. The Subject Lands will facilitate the policies of the Employment Area designation, specifically within a Business Corridor by supporting a commercial industrial use within the area. The proposed variance seeks to extend the existing use on the Subject Lands, providing support to several dealerships within the area for the purpose of overstock motor vehicles that the dealerships do not have the capacity or ability to accommodate on their own lots. The proposed temporary use on the Subject Lands meets the policies within Section 5.10 of the Official Plan for Temporary Uses as outlined above.

5.1.2 AIRPORT INTERMODAL SECONDARY PLAN

The Subject Lands are located within the Airport Intermodal Secondary Plan. Within the Airport Intermodal Secondary Plan the Subject Lands are designated as "Highway & Service Commercial" on **Schedule 4**. Uses permitted on lands designated Highway and Service Commercial included but not limited to:

1. Retail warehousing (and other space extensive retailing) limited to those which are not engaged in the selling of food;
2. Home furnishing, garden centres and home improvement retail warehouse;
3. Automobile service stations, gas bars, repair facilities, sales and leasing establishments, and associated uses;
4. Restaurants;
5. Convenience stores;
6. Personal service shops;
7. Recreation facilities and community clubs;
8. Offices;
9. Banks, trust companies or financial institutions;
10. Retail establishments; and
11. Hotels/motels and banquet halls.

The proposed temporary use for the Subject Lands is temporary in nature and will preserve the “Highway & Service Commercial” designation on the Subject Lands as the temporary use is associated use for an automotive sales and leasing establishment within the immediate area. Further, the proposed temporary use does not seek to alter the Subject Lands rather maintain the existing use. Therefore, the proposed variances maintain the general intent and purpose of both the City’s Official Plan and Airport Intermodal Secondary Plan.

5.1.3 DRAFT CITY OF BRAMPTON OFFICIAL PLAN 2022

The City of Brampton is currently undergoing updating the Official Plan. The draft Official Plan (hereinafter the “Brampton Plan”) provides a new vision for the City of Brampton for 2051. The vision of the Brampton Plan will achieve a sustainable, urban and vibrant future for the City. We note the second draft of the Brampton Plan is open for comments and not in force and effect, however an analysis has been completed to ensure the proposed variance meetings the general intent and purpose of the draft Brampton Plan.

The Subject Lands are located within an “Employment” area on **Schedule 1 – City Concept** of the draft Official Plan. The objective of employment areas is to retain and enhance business, industrial and employment opportunities within Brampton. Further, **Schedule 2-Designations** designates the Subject Lands within a “Mixed-Use Employment” area. Mixed-Use Employment areas are to permit a wide range of uses including but not limited to employment, retail and commercial uses.

The draft Official Plan By-laws provides Temporary Use By-law provisions similar to the existing provisions within the City of Brampton Official Plan.

Based on our review of the Draft Official Plan, specifically the Employment and Temporary Use By-law policies, the proposed variance to extend the temporary use on the Subject Lands meets the general intent and purpose of the Draft Official Plan. As previously noted, the Subject Lands represent existing outdoor storage for moto vehicles in the City of Brampton. The Subject Lands will facilitate the policies of the Employment Area designation, specifically within an Employment area supporting a commercial industrial use within the area.

5.2 THE GENERAL INTENT AND PURPOSE OF THE CITY’S ZONING BY-LAW IS MAINTAINED

5.2.1 CITY OF BRAMPTON ZONING BY-LAW 270-2004

The Subject Lands are currently regulated by Zoning By-law 270-2004. The Subject Lands are zoned “Service Commercial” (SC) with site specific provision 1636. The SC zone permit a range of commercial uses. Specifically, special provision 1636 permits the following uses on the Subject Lands including but not limited to:

- *A garden centre sales establishment, within an enclosed building;*
- *Furniture and appliance store;*
- *A service station;*
- *A dining room restaurant, a convenience restaurant, and a takeout restaurant;*

- *A personal service shop;*
- *A bank, trust company, and finance company;*
- *A retail establishment having no outside storage;*
- *An office;*
- *A motor vehicle repair shop;*
- *A recreation facility or structure;*
- *A hotel or motel;*
- *A banquet hall, and*
- *Purposes accessory to the other permitted purposes.*

The variance requested is intended to support the existing use on the Subject Lands. As previously noted outside storage is not permitted on the site. Previously two minor variances were granted (2017 and 2019) to permit the temporary use of outside storage for motor vehicles and security booth. The proposed temporary use meets the general intent and purpose of the Zoning By-law as the temporary use for outside storage for motor vehicles currently exists and is supporting several existing businesses in the immediate area. Further, there is no proposed alteration to the site. The proposed outside storage for motor vehicles will operate on the Subject Lands as is.

In addition, there are several adjacent properties in the area which provide similar outside storage uses including but not limited to 3420 Queen Street East (used for outside storage of transportation vehicles) and 0 Sun Pac Boulevard (used for outside storage of heavy equipment and large shipping containers), therefore the temporary use in keeping with the current character of the area. The existing outside storage on the Subject Lands does not create any adverse impact to adjacent uses as the outside storage area is setback from the street and berms have been established to reduce any visual impact as well as the operation of the site is minimal as the tenant is only using the site on an as need basis. Further, to the best of our knowledge, there have been no complaints made against the use and operations over the last 6 years and therefore, no negative effects or disturbances are anticipated to adjacent properties and uses.

Based on the above, the proposed variances to facilitate the severance of the Subject Lands meets the general intent and purpose of Zoning By-law 270-2004.

5.3 THE REQUEST IS MINOR IN NATURE; AND THE REQUESTED VARIANCE IS DESIRABLE FOR THE APPROPRIATE DEVELOPMENT OR USE OF THE LAND, BUILDING OR STRUCTURE

In our opinion, the requested variance to support the existing use is appropriate and desirable and will continue to support the function and viability of the Employment Area in accordance with the City of Brampton Official Plan and Airport Intermodal Secondary Plan policies. Further, the use supports the City of Brampton's economic development by supporting local automotive businesses which contribute to its economic growth and prosperity. The proposed temporary use can be accommodated on the Subject Lands with no adverse impacts and will not impact the long-term employment viability in the area rather provide support for an existing business.

6.0 CONCLUSION

Based on the above analysis, it is my professional opinion that the proposed variance to support the proposed temporary use for outside storage and security booth is appropriate and desirable for the subject lands and surrounding area, is in the public interest and represents good planning.

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

Thank you,

Sincerely,



Celeste Salvagna, BURPL
Development Manager,
Di Poce Management Limited



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

ATTACHEMENT 1

FILE NUMBER **A17-154**

HEARING DATE **AUGUST 22, 2017**

APPLICATION MADE BY 1217246 ONTARIO INC.

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 outside storage not in conjunction with a business and building operating on the property whereas the by-law does not permit the use;
2. To permit outside storage of motor vehicles whereas the by-law does not permit outside storage.

(0 QUEEN STREET EAST – PT. BLOCK 4, PLAN 43M-1624)

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)

SEE SCHEDULE "A" ATTACHED

REASONS:

This 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 the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

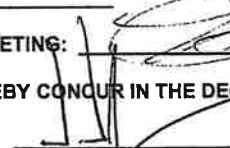
MOVED BY: R. Chatha SECONDED BY: R. Nurse

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION


MEMBER

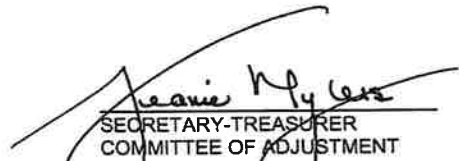
MEMBER


MEMBER
H Nurse
MEMBER

MEMBER
DATED THIS 22ND DAY OF AUGUST, 2017

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE SEPTEMBER 11, 2017

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

Flower City



brampton.ca

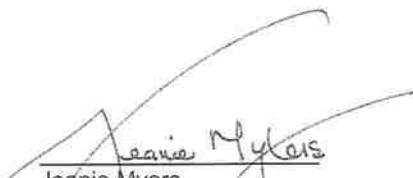
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A17-154**

DATED: **AUGUST 22, 2017**

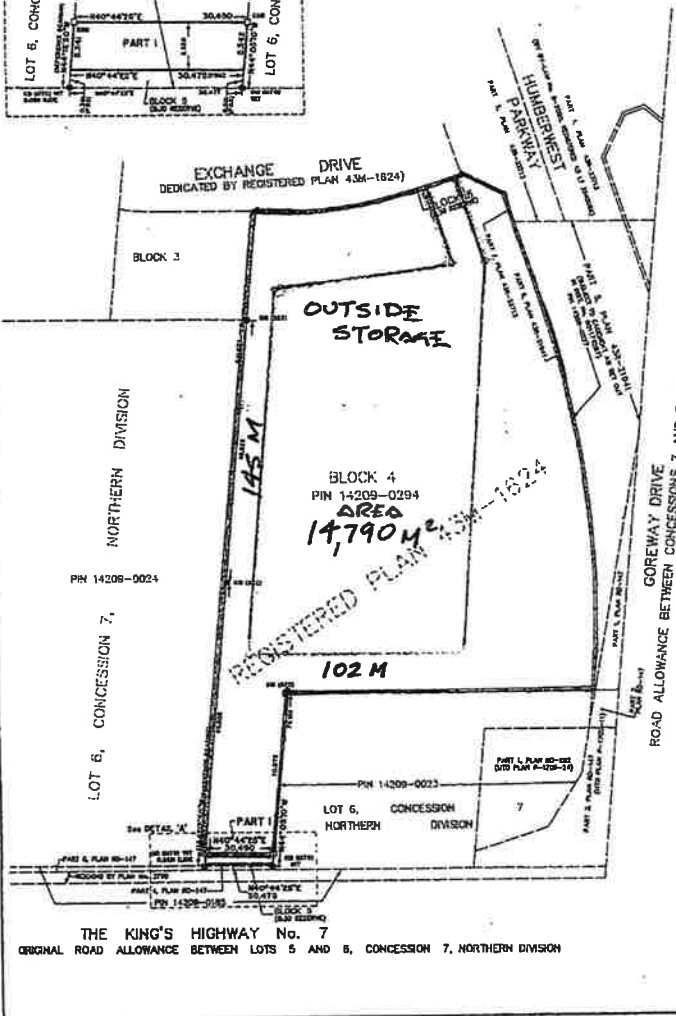
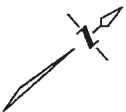
Conditions:

1. That the outside storage of motor vehicles be allowed for a temporary period of two (2) years from the date of the decision of the Committee;
2. That no other outside storage of materials, equipment or oversized vehicles shall occur at any time;
3. That no cleaning, maintenance or repairs of the motor vehicles shall occur on the property at any time;
4. That the variance be approved only to the extent as indicated in the sketch attached to the Public Notice; and,
5. That failure to comply with and maintain the conditions of the Committee will render the approval null and void.


Jeanie Myers
Secretary-Treasurer
Committee of Adjustment

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DETAIL 'A'



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 43R-29099

DATE APRIL 13 2004.

RECEIVED AND DEPOSITED DATE Apr 14 2004

W.M. Fenton
W.M. FENTON
ONTARIO LAND SURVEYOR

M. J. ...
ASSISTANT DEPUTY LAND REGISTRAR FOR THE LAND TITLES DIVISION OF PEEL No. 43

SCHEDULE

PART	PART OF BLOCK	REGISTERED PLAN	PART OF PDV	AREA (m ²)
1	4	43M-1624	14209-0294	146.3

PLAN OF SURVEY OF
PART OF BLOCK 4,
REGISTERED PLAN 43M-1624
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1:8250



SCHAEFFER & DZALDOV LIMITED

NOTES

- 1) DENOTES PLANTED MONUMENT
- 2) DENOTES FOUND MONUMENT
- 3) DENOTES STANDING WOOD MARK
- 4) DENOTES SHORT STANDARD SIGN BAR
- 5) DENOTES WITNESS
- 6) DENOTES REGISTERED PLAN 43M-1624
- 7) DENOTES SCHAEFFER & DZALDOV LIMITED, O.L.S.
- 8) DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO
- 9) DENOTES NORTHERN DIVISION

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHWESTERLY LIMIT OF BLOCK 4, AS SHOWN ON REGISTERED PLAN 43M-1624, HAVING A BEARING OF 94°42'50" W.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 09 DAY OF AUGUST 2003.

DATE APRIL 13 2004
W.M. Fenton
W.M. FENTON
Ontario Land Surveyor

SCHAEFFER & DZALDOV LIMITED
ONTARIO LAND SURVEYORS

64 JARDIN DRIVE CONCORD, ONTARIO L4K 3P3 TEL: (416) 887-1009
DRAWN ACAD/EL. CHECKED WMP SCALE 1:8250 JOB NO. 01-03-07-4

ATTACHMENT 2

September 12, 2019

1217246 Ontario Inc.
175 Sun Pac, Unit 1A
Brampton, Ontario
L6S 5Z6

Dear Sir/Madam:

Re: Committee of Adjustment Application
1217246 Ontario Inc. - A19-157
Part of Block 4, Plan 43M-1624, 0 Queen Street East, Brampton

Further to the Committee of Adjustment hearing held Tuesday September 10, 2019 at which time the application as submitted by you on behalf of the above captioned property was heard, I am enclosing a copy of the Committee's decision.

According to the provisions of the Planning Act, (R.S.O. 1990 c.P. 13, as amended), subsection 12 of section 45, a decision of the Committee of Adjustment may be appealed to the Local Planning Appeal Tribunal. The notice of appeal accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment. The prescribed fee is **\$300.00 per person/per appeal and must be in the form of a certified cheque or money order made payable to the Minister of Finance.**

The Notice of Appeal must be made within twenty (20) days of the making of the decision. The appeal form is available on the Environment and Land Tribunals Ontario website at www.elfo.gov.on.ca or you may obtain an appeal form by contacting the Secretary-Treasurer of the Committee of Adjustment.

The last day for appeal will be **September 30, 2019**. If no appeal is made within the specified period, the decision of the Committee becomes final and binding. Therefore, the decision if not appealed becomes definite on **October 1, 2019**.

Yours truly,


Jeanie Myers,
Secretary-Treasurer
Committee of Adjustment
Tel (905) 874-2117
Email: jeanie.myers@brampton.ca

JM/

Attach.
cc F. Lanza

NOTE: PLEASE ENSURE THAT THE SIGN ASSOCIATED WITH THIS APPLICATION IS REMOVED FROM THE PROPERTY

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

FILE NUMBER A19-157

HEARING DATE SEPTEMBER 10, 2019

APPLICATION MADE BY 1217246 ONTARIO INC.

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 VARIANCE(S):

1. To permit outside storage, including oversized motor vehicles and security booth, that is not in conjunction with a business operating from a building on the same lot.

(0 QUEEN STREET EAST, PART OF BLOCK 4, PLAN 43M-1624)

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)

SEE SCHEDULE "A" ATTACHED

REASONS:

This 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 the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: R. Power

SECONDED BY: A. C. Marques

SIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

DATED THIS 10TH DAY OF SEPTEMBER, 2019

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE SEPTEMBER 30, 2019

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.

[Signature]
SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

Flower City



brampton.ca

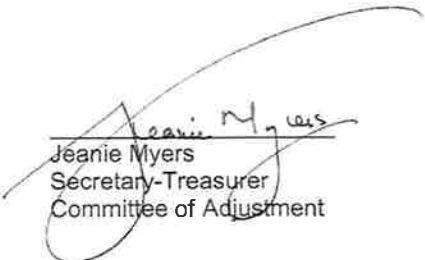
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A19-157**

DATED: **SEPTEMBER 10, 2019**

Conditions:

1. That the outside storage of motor vehicles be allowed for a temporary period of two (2) years from the date of the decision of the Committee;
2. That no other outside storage of materials, equipment or oversized vehicles shall occur at any time;
3. That no cleaning, maintenance or repairs of the motor vehicles shall occur on the property at any time;
4. That the variance be approved only to extent as indicated in the sketch attached to the Public Notice; and
5. That failure to comply with and maintain the conditions of the Committee will render the approval null and void.


Jeanie Myers
Secretary-Treasurer
Committee of Adjustment

Flower City



brampton.ca

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

FILE NUMBER: A-2023-0130

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.

1. **Name of Owner(s)** DI Poce Management Limited c/o Celeste Salvagna
Address 175 Sun Pac Blvd., Unit 1A, Brampton ON L6S 5Z6
Phone # 905-793-0093 **Fax #** _____
Email Celeste@dpml.ca

2. **Name of Agent** _____
Address _____
Phone # _____ **Fax #** _____
Email _____

3. **Nature and extent of relief applied for (variances requested):**
To permit outside storage, including motor vehicles and security booth, that is not in conjunction with a business and/or building operating on the same lot whereas the by-law does not permit the use.

4. **Why is it not possible to comply with the provisions of the by-law?**
Zoning By-law 270-2004 does not permit outside storage within lands zoned Service Commercial (SC).

5. **Legal Description of the subject land:**
Lot Number Block 4
Plan Number/Concession Number Registered Plan 43M-1624
Municipal Address 0 Queen Street East, Brampton

6. **Dimension of subject land (in metric units)**
Frontage approx 115 m
Depth approx 280 m
Area 168.3 sq. m

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

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.)

Gravel parking lot and security booth

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Gravel parking lot and security booth

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
 Security Booth
 Front yard setback +/- 294 m (Queen Street E)
 Rear yard setback +/- 36 m (Exchange Drive)
 Side yard setback +/- 10 m (Exterior Side Yard - Humberwest Parkway)
 Side yard setback +/- 111 m (Interior Side Yard - EMS Station)

PROPOSED
 Front yard setback N/A
 Rear yard setback
 Side yard setback
 Side yard setback

10. Date of Acquisition of subject land: 1984
11. Existing uses of subject property: Outside storage
12. Proposed uses of subject property: Outside storage
13. Existing uses of abutting properties: Outside storage, office, warehouse & manufacturing 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: Six (6) Years

16. (a) What water supply is existing/proposed?
 Municipal Other (specify) _____
 Well
- (b) What sewage disposal is/will be provided? .
 Municipal Other (specify) _____
 Septic
- (c) What storm drainage system is existing/proposed?
 Sewers Other (specify) _____
 Ditches
 Swales

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 # _____ Status _____

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 # A17-154	Decision Approved with conditions	Relief Permit outside storage
File # A19-157	Decision Approved with conditions	Relief Permit outside storage and security booth
File # _____	Decision _____	Relief _____

 Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Brampton _____

THIS 6th DAY OF April, 2023

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, John Di Poce OF THE City OF Vaughan

IN THE Region OF York 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.


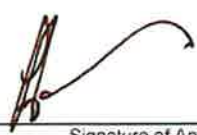
DECLARED BEFORE ME AT THE

City OF Brampton

IN THE Region OF _____

Peel THIS 6th DAY OF _____

April, 2023

 Signature of Applicant or Authorized Agent

Antony Rondlone,
 a Commissioner, etc., Province of
 Ontario, for Di Poce Management
 Limited and its subsidiaries,
 associated companies, and affiliates.
 Expires May 15, 2024



FOR OFFICE USE ONLY

Present Official Plan Designation: _____
 Present Zoning By-law Classification: SC-1636

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

HOTHU S. APRIL 20 2023

 Zoning Officer Date

DATE RECEIVED MAY 2, 2023

Date Application Deemed Complete by the Municipality _____

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

DETAIL 'A'
NOT TO SCALE



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 43R-29089

DATE APRIL 13, 2004

RECEIVED AND DEPOSITED
DATE *Apr 14, 2004*

W.M. Fenton
W.M. FENTON
ONTARIO LAND SURVEYOR

M. J. Dzalodov
ASSISTANT DEPUTY LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF PEEL No. 43

SCHEDULE

PART	PART OF BLOCK	REGISTERED PLAN	PART OF PIN	AREA (m ²)
1	4	43M-1624	14209-0294	160.3

PLAN OF SURVEY OF
PART OF BLOCK 4,
REGISTERED PLAN 43M-1624
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1:250



SCHAEFFER & DZALDOV LIMITED

NOTES

- DM DENOTES PLANTED MONUMENT
- FM DENOTES FOUND MONUMENT
- SB DENOTES STANDARD IRON BAR
- SSB DENOTES SHORT STANDARD IRON BAR
- WT DENOTES WITNESS
- P DENOTES REGISTERED PLAN 43M-1624
- 925 DENOTES SCHAEFFER & DZALDOV LIMITED, O.L.S.
- MTD DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO
- ND DENOTES NORTHERN DIVISION

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHWESTERLY LIMIT OF BLOCK 4, AS SHOWN ON REGISTERED PLAN 43M-1624, HAVING A BEARING OF N44°12'50\"/>

PLAN NOT TO SCALE

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 6th DAY OF AUGUST, 2003.

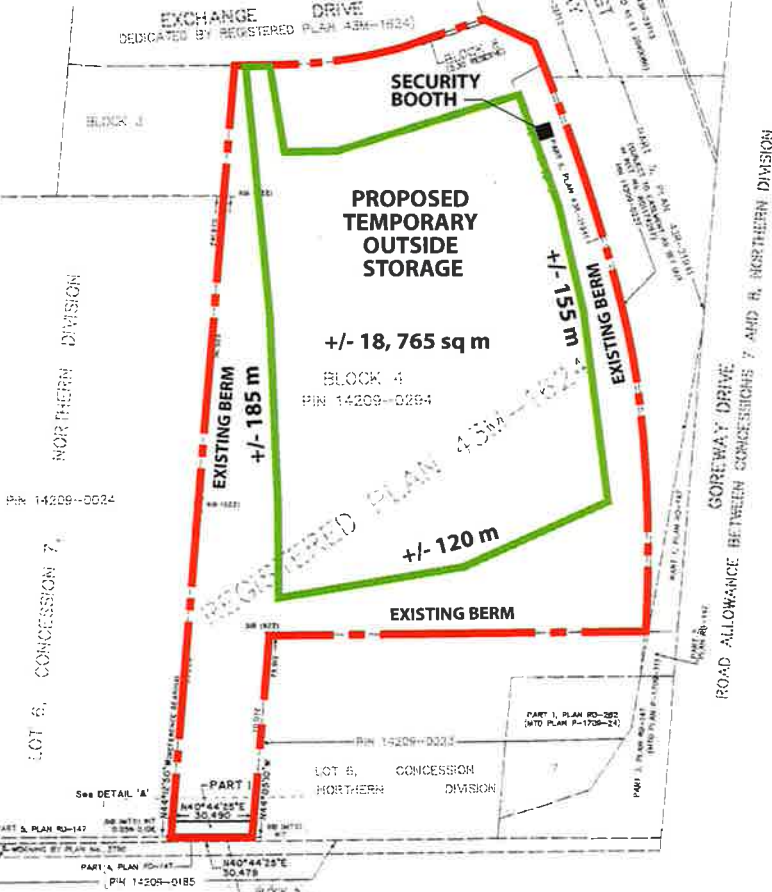
DATE APRIL 9, 2004

W.M. Fenton
W.M. FENTON
Ontario Land Surveyor



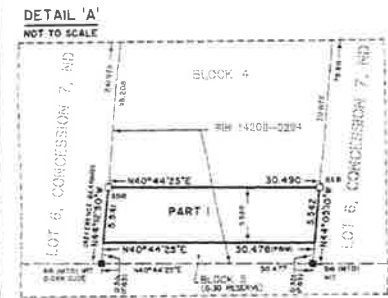
SCHAEFFER & DZALDOV LIMITED
ONTARIO LAND SURVEYORS

64 JARDIN DRIVE CONCORD, ONTARIO L4K 3P3 TEL (416) 987-0101
DRAWN ACAD/SL CHECKED WMF SCALE 1:250 JOB NO. 01-135-07-1



THE KING'S HIGHWAY No. 7
ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 5 AND 6, CONCESSION 7, NORTHERN DIVISION

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 43R-29089

DATE APRIL 13 2004

RECEIVED AND DEPOSITED

DATE Apr 14, 2004

W.M. Fenton
W.M. FENTON
ONTARIO LAND SURVEYOR

M. Judge
ASSISTANT DEPUTY LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF PEEL No. 43

SCHEDULE

PART	PART OF BLOCK	REGISTERED PLAN	PART OF PIN	AREA (m ²)
1	4	43M-1624	14209-0294	168.3

PLAN OF SURVEY OF
PART OF BLOCK 4,
REGISTERED PLAN 43M-1624
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1:250



SCHAEFFER & DZALDOV LIMITED

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- MTO DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO
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 - THE SURVEY WAS COMPLETED ON THE 6TH DAY OF AUGUST, 2003.

DATE APRIL 9 2004

W.M. Fenton
W.M. FENTON
Ontario Land Surveyor



SCHAEFFER & DZALDOV LIMITED
ONTARIO LAND SURVEYORS

64 JARDIN DRIVE CONCORD, ONTARIO L4K 3P5 TEL (416) 987-0101
DRAWN ACAD/SL CHECKED WMF SCALE 1:250 JOB NO. 01-35-07-1

THE KING'S HIGHWAY No. 7

ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 5 AND 6, CONCESSION 7, NORTHERN DIVISION



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Queen St

Clark Blvd

Orenda Rd

Glidden Rd

Finley Rd

CN HALTON SUBDIV

Steeles

West Dr

West Dr

West Dr

Dixie Rd

J4

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15

H4

H4

Heart Lake Rd N (Service Rd)

Heart Lake Rd (Service Rd)

Steelwell North

Wilkinson Rd

Paul Centre Dr

Brampton City Centre

Brampton

Briar Pt

Bishop Cr

Brom Cr

Banbury Cr

Beechwood Cr

Braaburn Cr

Ernest Mayory Park

Balm Recreation Centre

Bedford Cr

Belmont Dr

Brookdale Cr

Birchbank Rd

Birchbank Park

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