

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

APPLICATION NUMBER: "B" 2024-0001

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

APPLICATION

Consent

(Please read Instructions)

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

1. (a) Name of Owner/Applicant LIV (Bramalea) Ltd. c/o Andrew Mulder
(print given and family names in full)

Address 1005 Skyview Drive, Suite 301, Burlington, Ontario L7P 5B1

Phone # 289-245-1300 Fax #

Email info@livhere.ca

(b) Name of Authorized Agent Laura Lebel-Pantazopoulos c/o The Biglieri Group

Address 2472 Kingston Rd, Scarborough, ON, M1N 1V3

Phone # 647 859 1869 Fax #

Email llebel-pantazopoulos@thebiglierigroup.com

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

Specify: The purpose of the application is to request the consent of the Committee of Adjustment to the grant an easement over the applicant's property (Part of Lot 17, Concession 5, East of Hurontario Street) in favour of the neighbouring property to the east (BLOCK 2, PLAN 43M1938) in order to provide access.

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

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

a) Name of Street Fieldridge Crescent Number 15 - 92

b) Concession No. 5 Lot(s) Part of Lot 17

c) Registered Plan No. 43M-1938 Lot(s)

d) Reference Plan No. 43R39958 Lot(s)

e) Assessment Roll No. 142220354 Geographic or Former Township Township of Chinguacousy

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

Yes ☒ No ☐

Specify: Subject to several easements, please see easement sketch for details.

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

Note: Request is for easement, no land to be severed.

a) Frontage ~107 metres Depth ~ 202 metres Area 1.6 hectares

b) Existing Use Vacant Proposed Use Residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:
(existing) none
(proposed) 73 Townhouse Units

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

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?
N/A

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

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

7. Description of retained land: (in metric units)

Note: Request is for easement, no land to be severed.

a) Frontage Depth Area

b) Existing Use Proposed Use

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

d)

Access will be by:

Existing

Proposed

Provincial Highway

☐

☐

Municipal Road - Maintained all year

☐

☐

Other Public Road

☐

☐

Regional Road

☐

☐

Seasonal Road

☐

☐

Private Right of Way

☐

☐

e)

If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

f)

Water supply will be by:

Existing

Proposed

Publicly owned and operated water system

☐

☐

Lake or other body of water

☐

☐

Privately owned and operated individual or communal well

☐

☐

Other (specify):

g)

Sewage disposal will be by:

Existing

Proposed

Publicly owned and operated sanitary sewer system

☐

☐

Privy

☐

☐

Privately owned and operated individual or communal septic system

☐

☐

Other (specify):

8.

What is the current designation of the land in any applicable zoning by-law and official plan?

Note: Request is for easement, no land to be severed.

Land to be Severed

Land to be Retained

Zoning By-Law

R3A-3002 & R4A(H)-3001

Official Plans

City of Brampton

Residential

Region of Peel

Urban System - Designated Greenfield Area

9.

Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes

☒

No

☐

File #

B-2020-0024

Status/Decision

Approved

10.

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

Yes

☐

No

☒

Date of Transfer

Land Use

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

	File Number	Status
Official Plan Amendment		
Zoning By-law Amendment	OZS-2021-0013	
Minister's Zoning Order		
Minor Variance	A-2021-0243	
Validation of the Title		
Approval of Power and Sale		
Plan of Subdivision		

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

13. Is the subject land within an area of land designated under any Provincial Plan?
Yes ☒ No ☐

14. If the answer is yes, does the application conform to the applicable Provincial Plan?
Yes ☒ No ☐

15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the City of Toronto
this 18 day of December, 2023.



Signature of Applicant, or Authorized Agent, see note on next page

Check box if applicable:

☐ I have the authority to bind the Corporation

DECLARATION

I, Laura Lebel-Pantazopoulos c/o The Biglieri Group Ltd. of the City of Toronto
~~in the County/District/Regional Municipality of~~ _____ solemnly declare that all the statements contained in t
application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Toronto
in the _____ of _____
this 18 day of December, 2023.



Signature of applicant/solicitor/authorized agent, etc.



Signature of a Commissioner, etc.

Susan Louise Biglieri, a Commissioner,
etc., Province of Ontario, for The
Biglieri Group Ltd. and The Living
Wall An Ecological Sound Barrier
Solution Inc., Expires August 26, 2026.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division

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

Zoning Officer

Date

DATE RECEIVED

JAN 11, 2024

Date Application Deemed
Complete by the Municipality

VL

APPOINTMENT AND AUTHORIZATION OF AGENT(S)

To: The Committee of Adjustment, City of Brampton,

I, LIV (Bramalea) Ltd. c/o Andrew Mulder ,
(Please print or type full name of the owner)

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

1.

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

Laura Lebel-Pantazopoulos c/o The Biglieri Group Ltd. ;
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
2.

Representing the undersigned before the Committee of Adjustment,
2.

Laura Lebel-Pantazopoulos c/o The Biglieri Group Ltd. ;
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
3.


Acting on behalf of the owner with respect to all matters related to the application, including but not limited to fulfilling conditions and acquiring the Secretary-Treasurer's Certificate,
3.

Laura Lebel-Pantazopoulos c/o The Biglieri Group Ltd. ;
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

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

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

Dated this 18th day of January , 2024 .


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

LIV (Bramalea) Ltd. c/o Andrew Mulder
(Where the owner is a firm or corporation, please type or print the full name of the person signing.)

NOTES:

1.

If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2.

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

If the agent is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

PERMISSION TO ENTER

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

LOCATION OF THE SUBJECT LAND: Part of Lot 17, Concession 5, East of Hurontario Street

I/We, LIV (Bramalea) Ltd. c/o Andrew Mulder
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 16th day of January, 2024.



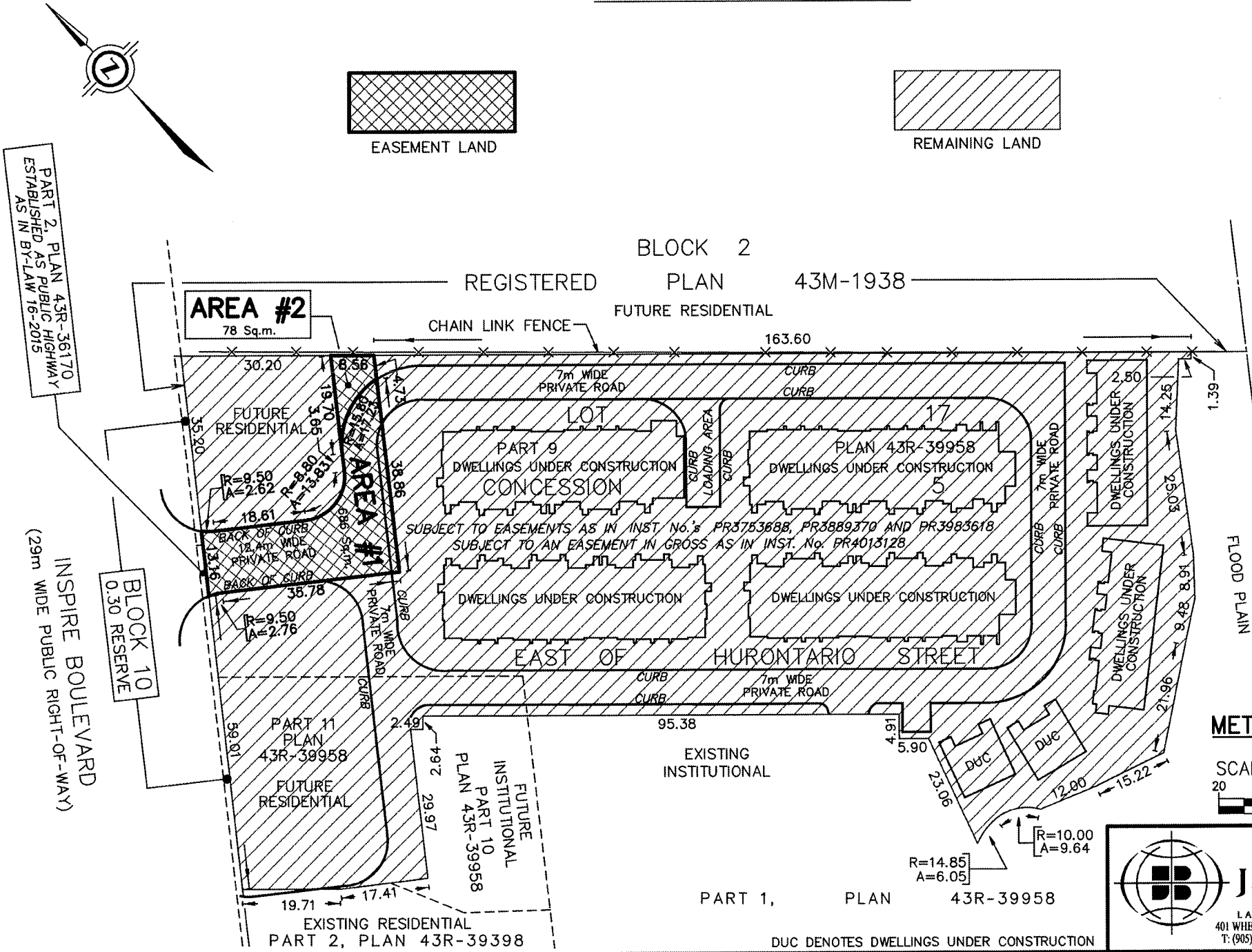
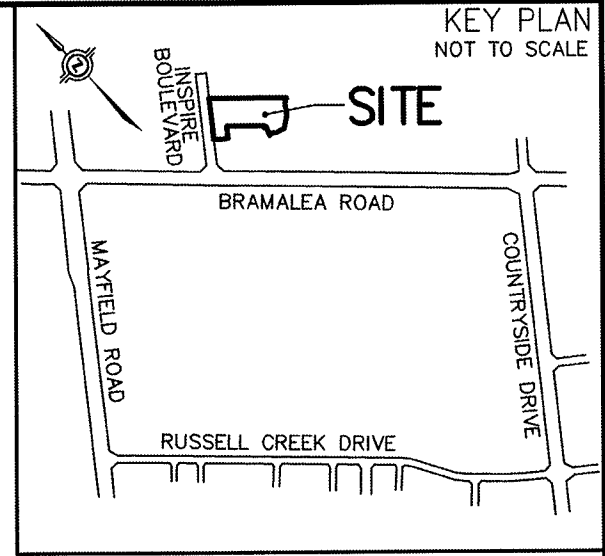
(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

LIV (Bramalea) Ltd. c/o Andrew Mulder
(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

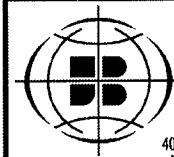
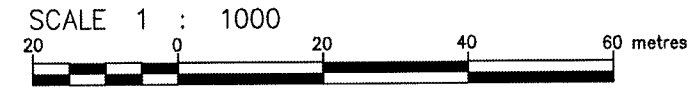
NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION

EASEMENT SKETCH



LOT 16
CONCESSION 5 STREET
EAST OF HURONTARIO STREET
PART 2, PLAN 43R-25203

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



J.D.BARNES
LIMITED
LAND INFORMATION SPECIALISTS
401 WHEELABRATOR WAY, SUITE A, MILTON, ON L9T 3C1
T: (905) 875-9955 F: (905) 875-9956 www.jdbarnes.com

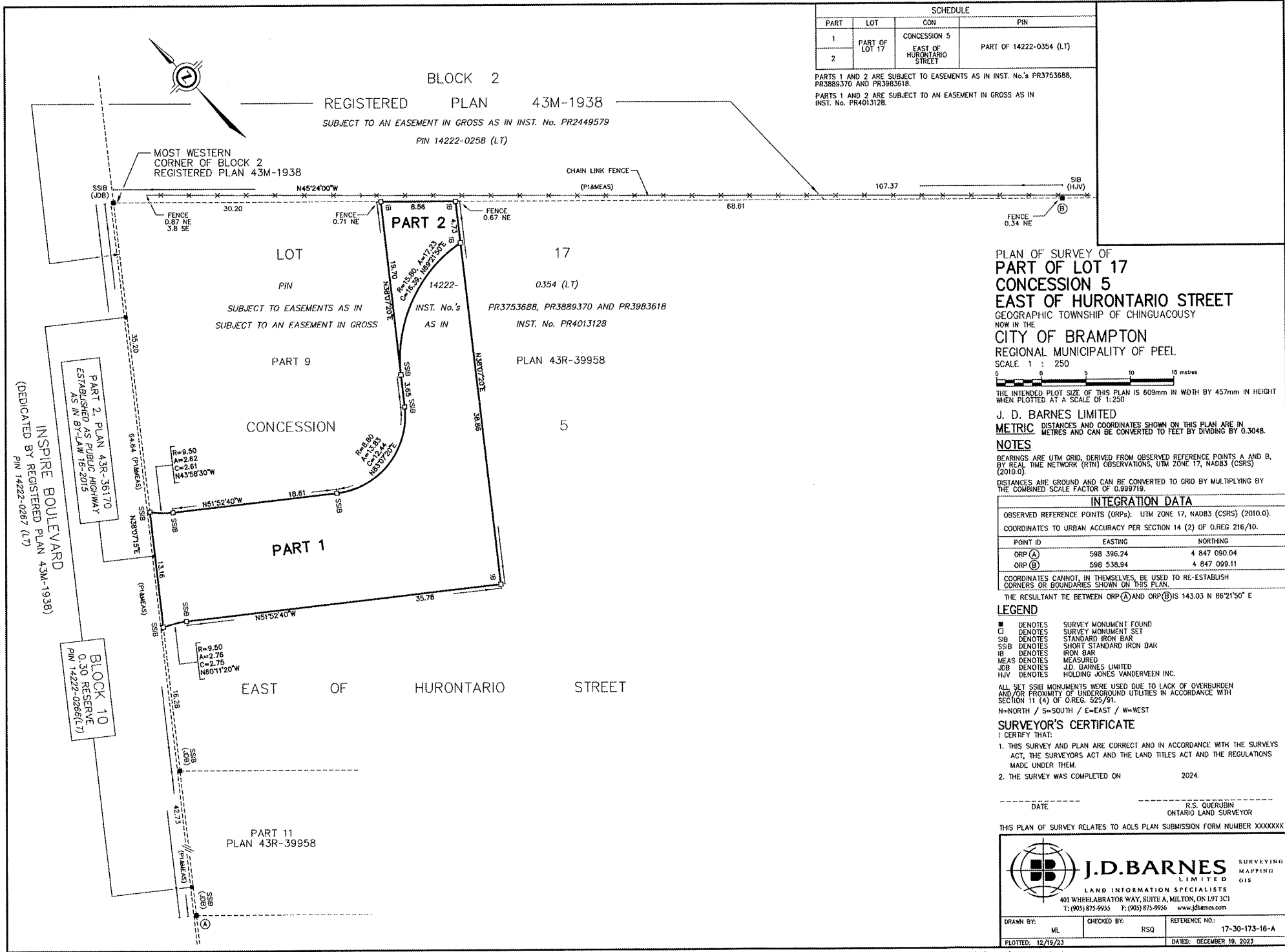
SURVEYING
MAPPING
GIS

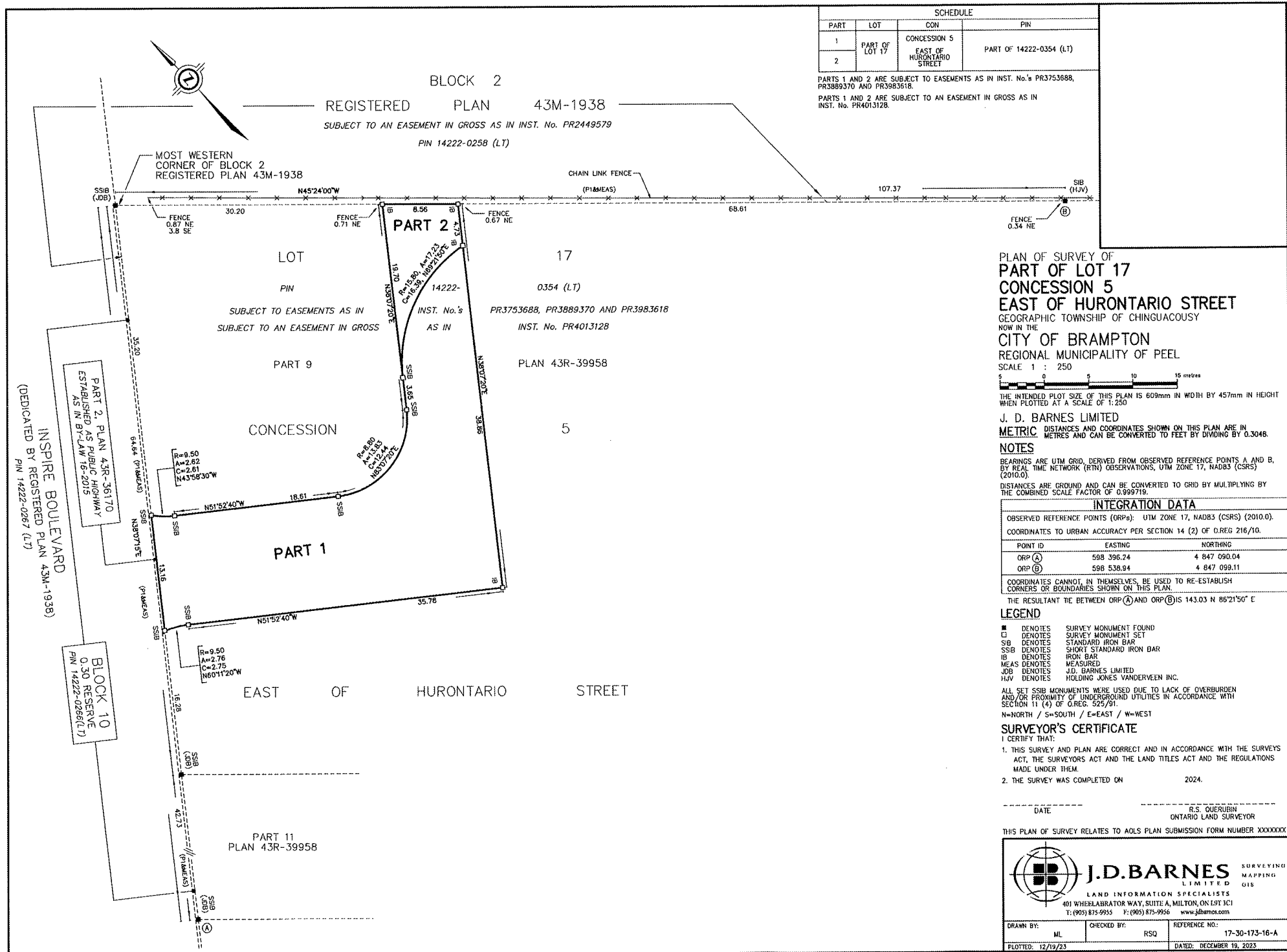
ML	DRAWN
RSQ	CHECKED
DATED:	12/19/23
DEC. 19, 2023	

Ref. No.
17-30-173-16-SKETCH

DUC DENOTES DWELLINGS UNDER CONSTRUCTION

G:\17-30-173\16\Drawing\17-30-173-16-sketch.dgn
12/19/23
PLOTTED





BIGLIERI GROUP

January 11, 2024

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

Attention: Clara Vani, Secretary - Treasurer

RE: Consent Application – Easement (Access)
15 – 92 Fieldridge Crescent, Brampton
Part of Lot 17, Concession 5, East of Hurontario Street
TBG Project No. 23098

On behalf of our client, LIV (Bramalea) Ltd., The Biglieri Group Ltd. ("TBG") is pleased to submit the enclosed submission package relating to the proposed Consent Application for the lands municipally recognized as 15 – 92 Fieldridge Crescent, City of Brampton, and legally recognized as Part of Lot 17, Concession 5, East of Hurontario Street of Plan 43R39958, City of Brampton, Region of Peel ("Subject Site"). The purpose of the application is to request an easement over the Subject Site (Part Lot 17 Concession 5 East of Hurontario Street Parts 9 And 11, Plan 43R39958) in favour of the neighbouring property to the east owned by SmartCentres (Block 2, Plan 43M1938) in order to provide access.

SUBJECT SITE & SURROUNDING CONTEXT

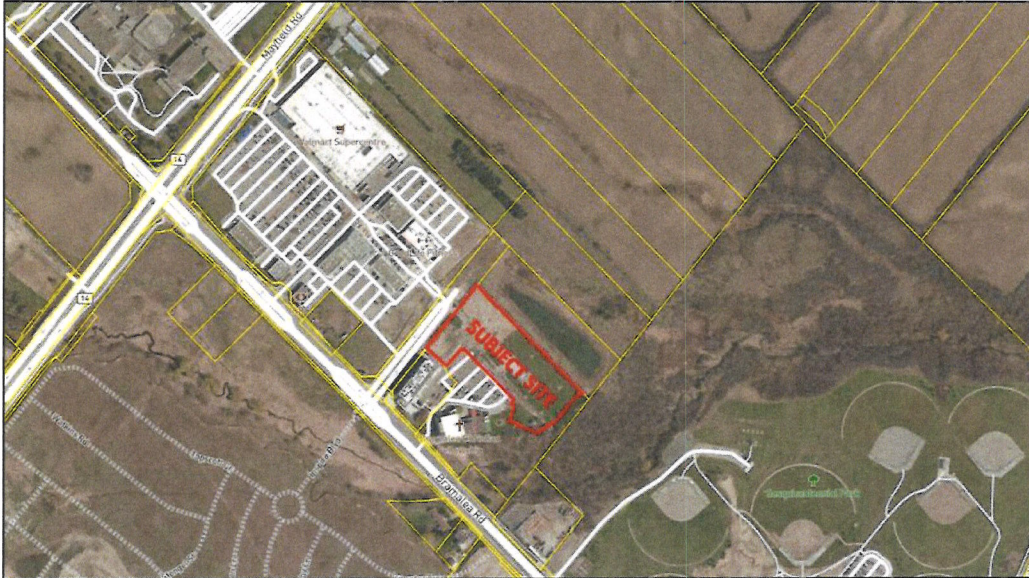
The Subject Site is situated approximately 400 metres south-east of the intersection of Bramalea Road and Mayfield Road (Figure 1). The Subject Site is vacant with 73 townhouse dwelling units under construction. The Subject Site is approximately 1.6 hectares in size with approximately 107 metres of frontage along Inspire Boulevard and is approximately 202 metres in depth.

To the north of the Subject Site lies vacant lands, and commercial and agricultural uses. To the immediate east lies a Stormwater Management pond and agricultural fields. Immediately south of the Subject Site are Greenbelt lands, and further south is Sesquicentennial Park and low-rise residential dwellings. West of the Subject Site is a place of worship and mid-rise residential building.

PLANNING | DEVELOPMENT | PROJECT MANAGEMENT | URBAN DESIGN

2472 Kingston Road, Toronto, Ontario M1N 1V3
21 King Street W Suite 1502, Hamilton, Ontario L8P 4W7
Office: (416) 693-9155 Fax: (416) 693-9133
tbg@thebiglierigroup.com

Figure 1: Subject Site Context



Source: Vumap2.com

PLANNING CONTEXT

The purpose of the application is to request an easement over the Subject Site (Part Lot 17 Concession 5 East of Hurontario Street Parts 9 And 11, Plan 43R39958) in favour of the neighbouring property to the east owned by SmartCentres ("Adjacent Site") for access purposes.

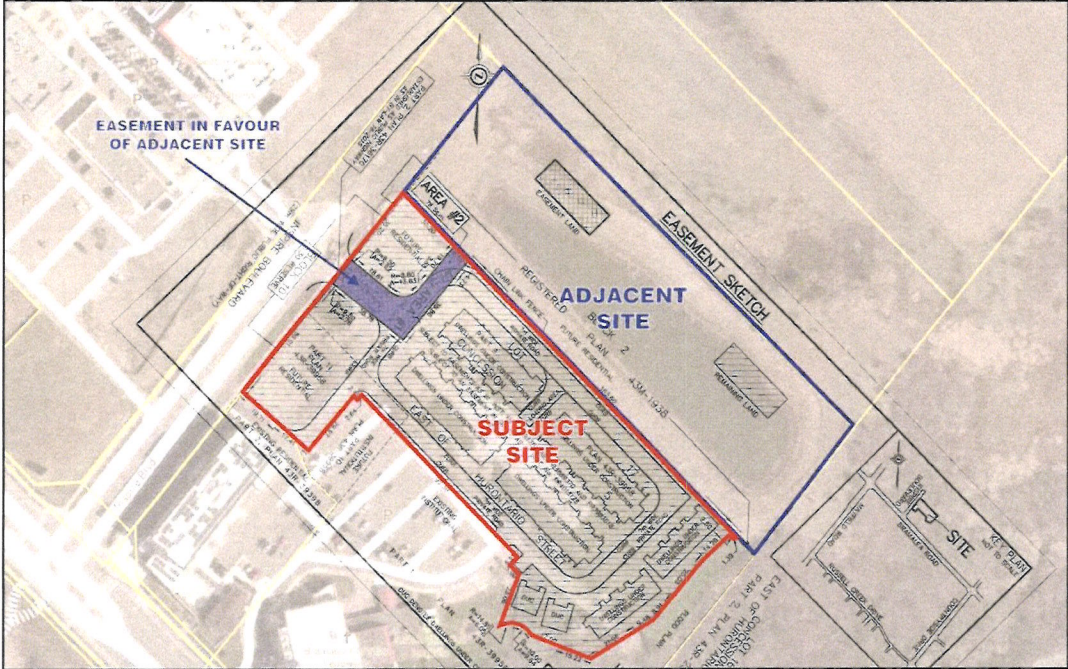
Seventy-three (73) townhouse units are under construction on the Subject Site, as per previous Site Plan Approval (File #: SPA-2021-0028). An application for Draft Plan of Condominium is under review (File #: DPC-2021-0011).

The proposed easement is L-shaped and approximately 764 m² in area. The easement would grant vehicular and pedestrian access by way of a private road to the adjacent site from Inspire Boulevard (see Figure 2). The north-south portion off of Inspire Boulevard is 13.16 metres in width to accommodate a 12.4-metre-wide private road, while the segment accessing the adjacent site is 8.56 metres wide, accommodating a 7-metre-wide private road.

An easement sketch as well as a draft R-plan has been prepared by J.D. Barnes, both dated December 19th, 2023, and are provided as part of this application.

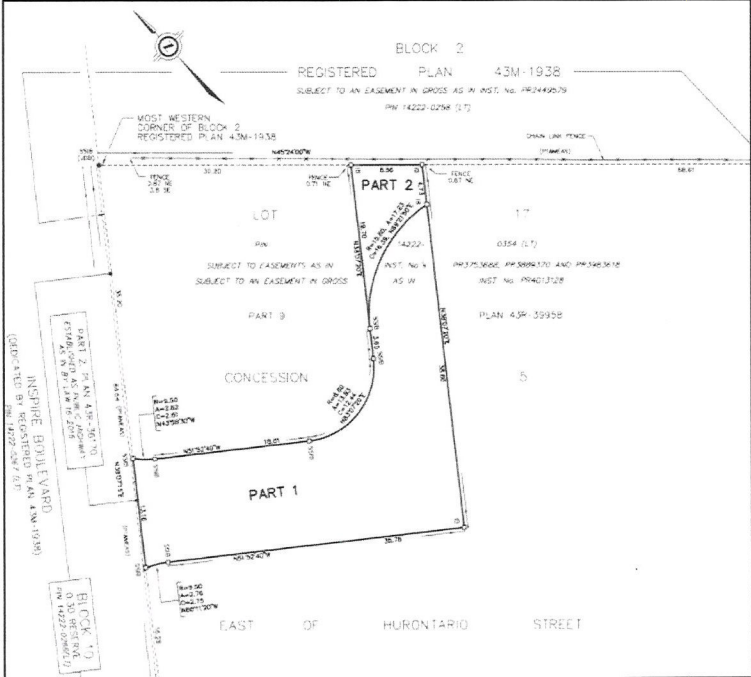
An application for Draft Plan of Condominium is in progress (File #: DPC-2021-0011). As such, the easement is shown in two parts, Part 1 and Part 2 (Figure 3). Part 1 is 686 m² and within the Draft Plan of Condo to be registered. Part 2 is 78 m² and is outside of the Draft Plan of Condo, and so to be retained by the current owner. The two parts of the easement will allow for the efficient transfer of the easement area within the condominium plan (Part 1) to the Condominium owner once registered.

Figure 2: Overlay of Easement Sketch on Satellite Imagery



Source: Vumap2.com and Easement Sketch from J.D.Barnes (December 19, 2023)

Figure 3: Parts of Easement in Draft R-Plan



Source: Draft Reference Plan, J.D.Barnes (December 19, 2023)

POLICY FRAMEWORK AND ANALYSIS

Provincial Policy Statement

The Provincial Policy Statement, 2020 (“PPS”) provides overall direction on matters of provincial interest related to municipal planning decisions. The PPS directs that land use patterns within settlement areas shall be based on densities and a mix of uses which efficiently use land and resources, are appropriate for the infrastructure and public service facilities planned or available, support active transportation and are transit supportive (1.1.3.1).

The proposal will support appropriate development in a *settlement area*, and the efficient use of existing transportation infrastructure, by providing access to developable area via private streets and reducing the number of accesses on Inspire Boulevard. The proposed easement is consistent with the PPS. The proposal is consistent with Section 2 of the Planning Act, as there are no impacts to matters of provincial interest.

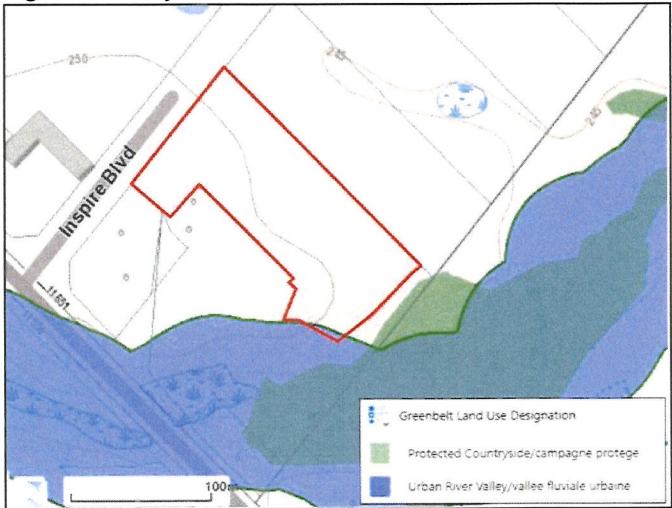
A Place to Grow: Growth Plan for the Greater Golden Horseshoe (May, 2019)

The Subject Site is designated as Growth Plan Area and Designated Greenfield Area in A Place to Grow: Growth Plan for the Greater Golden Horseshoe (May, 2019) (“Growth Plan”). New development in Designated Greenfield Areas is to be planned in a manner that supports complete communities (2.2.7.1). The proposed severance will allow for access between development sites on internal, private streets and reduce the number of intersections onto Inspire Boulevard. The proposed Severance meets the intent of the Growth Plan.

Greenbelt Plan (May, 2017)

A small portion of the Subject Site along the south-west corner is within the Greenbelt Plan (May, 2017) as an Urban River Valley (Figure 4). The proposed easement is not on this portion of the Subject Site and has no impact on those environmental features.

Figure 4: Subject Site Greenbelt Lands Location



Source: Ministry of Natural Resources and Forestry

Peel Region Official Plan

The Subject Site and adjacent site are designated *Urban System – Designated Greenfield Area* in the Peel Region Official Plan. Designated Greenfield Areas are to be planned as complete communities, use infrastructure efficiently, be supported by a well-connected transportation structure including transit and active transportation, and support a range of housing options (5.6.20.3, 6, 7).

This easement will allow for the consolidation of vehicular and pedestrian access along Inspire Boulevard, support the residential development of the adjacent site, and conform with the intent of Peel's Official Plan.

Brampton Official Plan

The Subject Site is designated *Residential* in the Brampton Official Plan, which permits predominantly residential uses including a range of dwelling types and densities (Policy 4.2.1.1). This easement is in support of the in-progress residential development on the Subject and the future development of the Adjacent Site.

The City's Transportation policies in Section 4.5 create a transportation vision for the City, as well as sets out standards for new road construction. One of the goals is to minimize the number of accesses and driveways onto roads to allow for the more efficient movement of traffic. The proposed severance will ensure that there is only one access for the developments in this area onto Inspire Boulevard, which maintains the intent of the policy.

The policies outlining the requirements for Consent applications are outlined in Section 5.17. The majority of the policies apply to creation of a new parcel for development purposes rather than for the creation of easements. The proposed easement conforms to the applicable policies in this section, including that it complies with the Official Plan (5.17.2), and that the Subject Site and Adjacent Site are to be serviced by public water and sanitary (5.17.5).

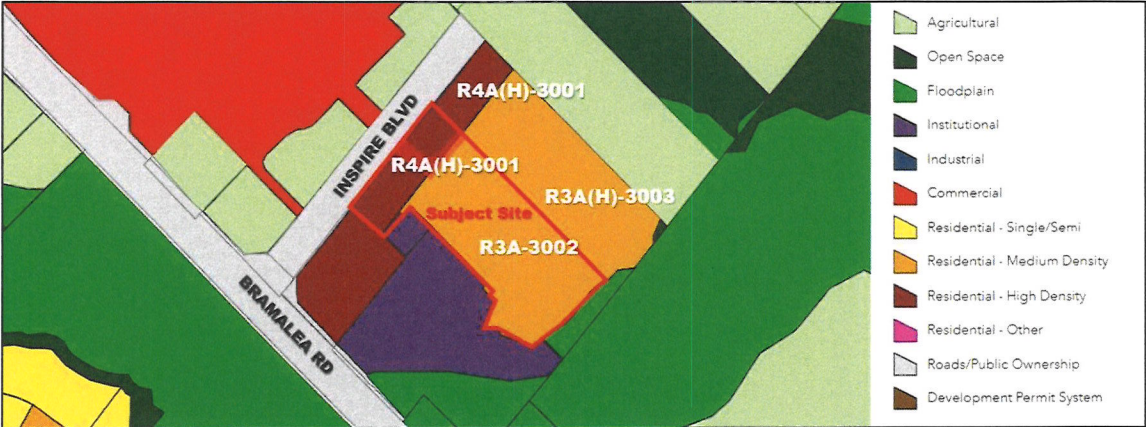
Based on the above review of the City OP, the proposed easement is appropriate for lands designated as Residential in the City of Brampton. The proposed access is consistent with the above Official Plan policies, as no change in use is requested and no land is proposed to be severed.

Brampton Zoning By-Law 270 - 2004

The Subject Site is zoned *Residential Apartment A – Holding - special section 3001(R4A(H)-3001)* and *Residential Townhouse A – special section 3002 (R3A-3002)* in the Brampton Zoning By-Law 270 - 2004. The proposed access easement will traverse over both zones.

The adjacent site is similarly zoned *Residential Apartment A – Holding - special section 3001(R4A(H)-3001)* and *Residential Townhouse A – Holding - special section 3002 (R3A(H)-3003)*(Figure 5).

Figure 5: Brampton Zoning By-Law 270 - 2004



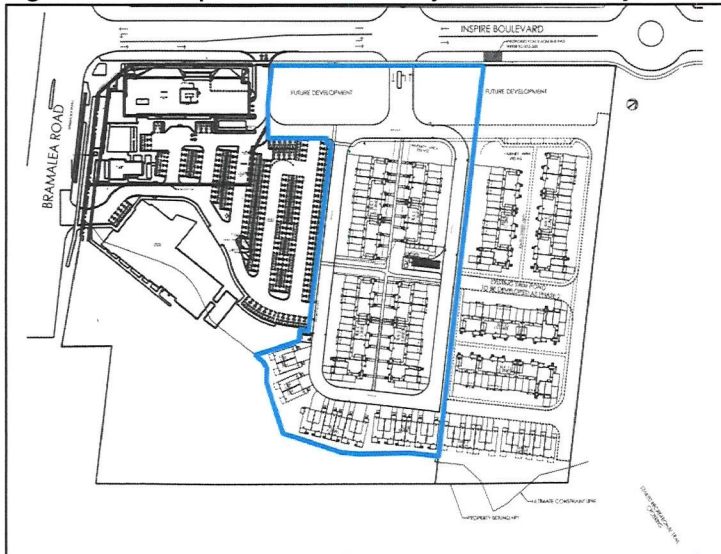
As this consent application is for an easement, the Subject Site will remain the same size, with the same frontage and lot area. The location of the proposed road access to adjacent site is unchanged from previous plans submitted as part of the approved Zoning By-Law Amendment (City File #: OZS-2021-0013) and Site Plan Applications (City File #: SPA-2021-0028).

The lands with Holding (H) provisions permit a private access road including those accessing adjacent zones, as per the below provisions:

Zone: R4A(H)-3001	Required
3001.6 The Holding (H)	1) Until the Holding (H) symbol is removed, the lands shall only be used in accordance with the Agricultural (A) zone or for a private road including infrastructure providing access to and services for lands zoned R3A(H) – 3002 and R3A(H) – 3003.
Zone: R3A(H)-3002	Required
3002.6 The Holding (H):	1) Until the Holding (H) symbol is removed, the lands shall only be used in accordance with the Agricultural (A) zone or for a private road including infrastructure providing access to and services for lands zoned R3A(H)-3003.

The proposed easement is in keeping with the policies of the Growth Plan, Greenbelt Plan, Regional OP, City OP, and City of Brampton Zoning By-law 270-2004.

Figure 6: Concept Site Plan for Subject Site and Adjacent Site (2021)



Source: Brampton Staff Report 2021-07-07, OZS-2021-0013, Appendix 1 (June 25, 202)

SUBMISSION

In order to facilitate review of the proposed consent application, the following documents are being submitted for staff review:

- One (1) copy of this cover letter;
- One (1) original copy of the signed Consent Application Form;
- One (1) cheque addressed to the payable to the Treasurer, City of Brampton for \$4391.00;
- Two (2) 8.5" by 14" copies of the Easement Sketch with key plan, prepared by J.D. Barnes and dated December 19, 2023;
- Two (2) 8.5" by 14" copies of the Draft Reference plan, prepared by J.D. Barnes and dated December 19, 2023.

We trust that you will find all in order. If you have any questions, please contact the undersigned at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.

Laura Lebel-Pantazopoulos, M.Pl
Planner

Cc: LIV (Bramalea) Ltd.