

APPLICATION # B-2022-0025
Ward # 8

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **SRADHANANDA MISHRA**

Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.54 hectares (1.33 acres); together with a mutual access easement. The proposed severed lot has a frontage of approximately 17.01 metres (55.81 feet), a depth of approximately 44.40 metres (145.67 feet) and an area of approximately 0.09 hectares (0.22 acres). The effect of the application is to provide for a lot addition to the land occupied by an existing Place of Worship which will continue to operate. Future development of the proposed retained lot (vacant land) is contemplated.

Location of Land:

Municipal Address: 9893 Torbram Road

Former Township: Chinguacousy

Legal Description: Part of Lots 9 and 10, Concession 6 E.H.S.

Meeting

The Committee of Adjustment has appointed **TUESDAY, March 28, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for considering the application.

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

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

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

=====

LAST DAY FOR RECEIVING COMMENTS: MARCH 23, 2023

=====

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

Other Planning Act Applications

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

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	YES	File Number: A-2022-0372 and A-2022-0373

Decision and Appeal

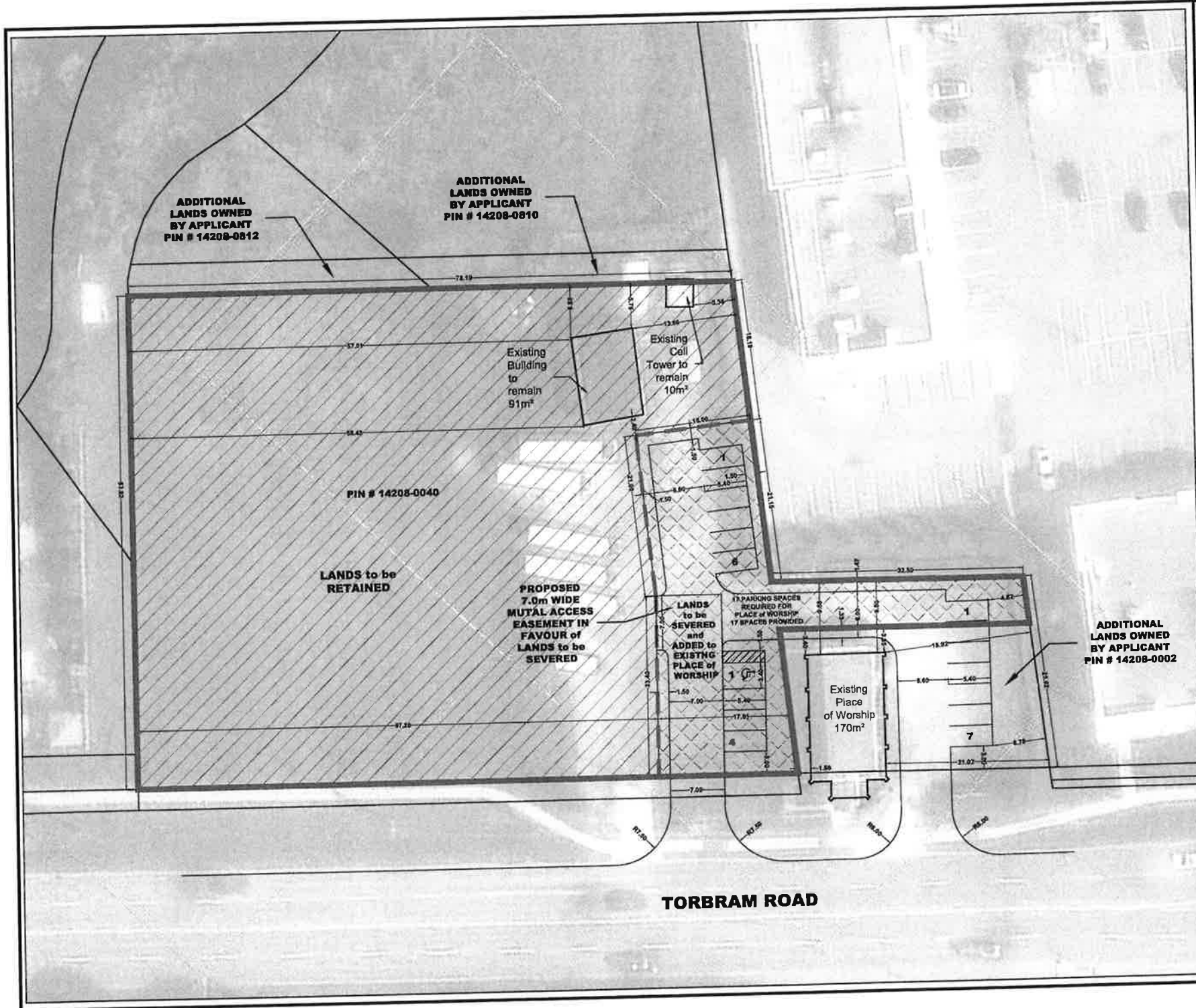
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee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

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

DATED AT THE CITY OF BRAMPTON THIS 9th Day of March, 2023

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

Jeanie Myers, Secretary-Treasurer
City of Brampton Committee of Adjustment
City Clerk's Office, Brampton City Hall
2 Wellington Street West
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117 Fax: (905)874-2119
Jeanie.myers@brampton.ca



ZONING BY-LAW MATRIX - INSTITUTIONAL ONE ZONE - (I1) and SPECIAL SECTION 676 (I1-676)
(SITE AREA: 0.64ha (1.33ac))

Description	Required	Severed Lands	Retained Lands
Minimum Lot Area	0.65 ha (1.60ac) 6,500m²	0.09 ha (0.22ac) 913m²	0.45 ha (1.11ac) 4,504m²
Minimum Lot Width	n/a	17.07m	67.26m
Minimum Front Yard Depth	7.5m	n/a	n/a
Minimum Interior Side Yard Width	7.5m or half the height of the building, whichever is greater	n/a	n/a
Minimum Rear Yard Depth	7.5m or half the height of the building, whichever is greater	n/a	n/a
Maximum Building Height	3 storeys	TBD	TBD
Maximum Lot Coverage	none		
Minimum Landscaped Open Space	a minimum landscaped open space strip of 3m in width shall be provided along the site limits except at the location of the driveway	1.4m	TBD

STATISTICS OVERVIEW

TOTAL LOT AREA:	0.54 ha (1.33 ac)
LANDS to be SEVERED:	0.09 ha (0.22 ac)
LANDS to be RETAINED:	0.45 ha (1.11 ac)

LEGEND

- PROPERTY BOUNDARY
- SEVERANCE BOUNDARY
- LANDS to be SEVERED
- LANDS to be RETAINED

**CONCEPTUAL SEVERANCE PLAN
PROPOSED LOT ADDITION
9893 TORBRAM ROAD
CITY of BRAMPTON**

P.N.: 22.3135.00	Date: November 3, 2022
Scale: N.T.S	Revised:
Drawn By: D.S.	File No.: PN 3135 Concept Plan

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 **March 28, 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, March 23, 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, March 23, 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, March 23, 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, March 23, 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.



Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

November 16, 2022

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

B-2022-0025; A-2022-0372; A-2022-0373

Attn: Jeanie Myers – Secretary Treasurer, Committee of Adjustment

**Re: Committee of Adjustment
Consent to Sever and Minor Variance Applications
9893 Torbram Road, City of Brampton
Part of Lots 9 and 10, Concession 6, E.H.S.
Registered Plan 43M-1571 Part of Blocks 393 and 397, and
Registered Plan 43R-19972, Parts 1, 2 and 4, and 43R-30902
Parts 1 and 2
(GWD File: 22.3135.00)**

Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) represents Sradhananda Mishra, the Registered Owner of 9893 Torbram Road in the City of Brampton (hereinafter referred to as the subject site).

In support of the Committee of Adjustment – Consent to Sever and Minor Variance Applications, and further to the initial Zoning Compliance review following the initial submission made on November 8, 2022, GWD is pleased to submit the following:

- One (1) completed application form (Committee of Adjustment – Consent);
- Two (2) completed application forms (Committee of Adjustment – Minor Variance);
- One (1) Cover Letter, prepared by GWD dated November 16, 2022;
- Two (2) cheques in the amount of \$656.00 made payable to the “Treasurer, City of Brampton” (Minor Variance Applications);
- One (1) cheque in the amount of \$4,119.00 made payable to the “Treasurer, City of Brampton” (Consent Application);
- One (1) copy of the Conceptual Severance Plan, prepared by GWD dated November 3 2022; and

GAGNON WALKER DOMES LTD.

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

**CONFIDENTIALITY
CAUTION**

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.



- Two (2) copies of the Minor Variance Plans, prepared by GWD dated November 10, 2022.

1.0 Existing Land Use

Subject Property & Surrounding Area

The subject site is irregular in shape, measures approximately 0.60 ha (1.48 ac) in size and is located on the east side of Torbram Road, north of the intersection of Torbram Road and North Park Drive. The subject site has a lot depth of approximately 63.92 m (209.71 ft), a street frontage of 117.56 m (385.70 ft) along Torbram Road and is occupied by an existing Place of Worship (Hindu Temple, operating as Jagannath Temple Toronto). Driveway access is provided from Torbram Road.

Surrounding land uses generally include Residential, with a commercial plaza immediately abutting the subject site to the south (located at the southeast corner of the intersection of Torbram Road and North Park Drive), as well as at the southwest corner of Torbram Road and North Park Drive.

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

A review of Land Registry Office (LRO) files and parcel abstracts reveals that the subject site consists of four (4) parcels with four (4) separate PIN numbers. PIN # 14208-0002 and PIN # 14208-0040 have been assigned the municipal address of 9893 Torbram Road, with the existing Place of Worship building being located on the parcel identified as PIN # 14208-0002.

The other two (2) parcels identified as PIN # 14208-0810 and PIN #14208-0812 are two (2) open space buffer blocks that were created at the time of the approval of the adjacent Draft Plan of Subdivision to the north and east, and are also owned by my Client. These two (2) parcels are not part of this application.

A review of the City of Brampton Assessment Roll information reveals that all four (4) parcels (being PIN # 14208-0002, 14208-0040, 14208-0810 and 14208-0812) are all assigned the same roll number; 10-10-0-025-03800-0000.

In addition, the existing Place of Worship building located at 9893 Torbram Road, on the parcel identified as PIN # 14208-0002, is a heritage designated resource on the City's Heritage Register. The property and the structure were designated heritage on August 13, 1984 under By-Law #180-84. The building has historically and continues to be used for Place of Worship services; it is currently the home of the Jagannath Temple Toronto. The heritage designation and the continued use of the site for the Jagannath Temple Toronto is recognized and will be respected by the proposed Severance and Minor Variance Applications.



2.0 Consent to Sever Application

It is proposed that the portion of the subject site consisting of Parcel PIN # 14208-0040 be severed into two (2) Lots; Lot 1 – Retained Lands and Lot 2 – Severed Lands, with the severed lands being added to and merged with the lands comprising Parcel PIN # 14208-0002.

The purpose of the Severance Application is to sever the Place of Worship lands from the remainder of the subject site which is contemplated for future development purposes. A Pre-Consultation Application was submitted for the future development of the vacant portion of the subject site on October 22, 2021. The Pre-Consultation Meeting was held, under File # PRE-2021-0204 and the Consolidated Comments Report dated November 22, 2021 was issued. The intent to sever the heritage resource (Place of Worship) was discussed during the Pre-Consultation with Staff. The Tertiary Plan noted in the Consolidated Comments Report is a requirement of the future development application and is not required for this application.

The lands comprising Parcel PIN # 14208-0040 measure approximately 0.54 ha (1.33 ac) in size. It is proposed that a portion of the Parcel PIN # 14208-0040 abutting Parcel PIN #14208-0002 to the north and west, along with a portion extending northerly along the southern boundary, measuring approximately 0.09 ha (0.22 ac) be severed. The retained lands comprising the remainder of Parcel PIN # 14208-0040 measure approximately 0.45 ha (1.11 ac).

It is further proposed that the severed lands measuring approximately 0.09 ha (0.22 ac) be added to and merged with the lands comprising Parcel PIN # 14208-0002. Parcel PIN # 14208-0002 measures approximately 0.06 ha (0.15 ac). The resultant parcel with the addition of the severed lands would measure approximately 0.15 ha (0.37 ac).

Access to both lots shall continue to be provided from Torbram Road via two (2) separate individual driveways. The southerly driveway is shown in the location of the current access location, and the northerly driveway

TAB 2 includes the proposed Conceptual Severance Plan prepared by Gagnon Walker Domes Ltd. dated November 3, 2022.

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

- Parcel ID PIN # 14208-0040
- Total Site Area: 0.54 hectares (1.33 acres)

Lot 1 – Retained Lands

- Area: 0.45 hectares (1.11 acres)
- Width: 67.26 metres (220.67 feet)
- Depth: 63.92 metres (209.71 feet)



Lot 2 – Severed Lands

- Area: 0.09 hectares (0.22 acres)
- Width: 17.07 metres (56.00 feet)
- Depth: 44.40 metres (145.67 feet)

3.0 Planning Analysis

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

Planning Act

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

Criteria To Be Considered	Analysis
The effect of development of the proposed subdivision on matters of provincial interest;	The proposed severance has no significant effect on matters of provincial interest.
Whether the proposal is premature or in the public interest;	The proposed severance is neither premature nor contrary to any matters of public interest.
Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed severance conforms to the Official Plan, which designates the site Residential, which permits Places of Worship. The Secondary Plan designates the site Place of Worship, and the existing Place of Worship is to be maintained with the application on the severed and lot addition lands. The Retained lands are to be maintained in its current form and consists of a potential future development block, subject to a separate, future Amendment Application as noted under Pre-Consultation file PRE-2021-0204. In addition, the Official Plan identifies the site as a designated heritage resource. The severed lands from PIN 14208-0040 and the addition to PIN 14208-0002 will maintain the existing designated Place of Worship/Heritage resource in situ, and on a separate parcel from the lands under review for future development purposes.



The suitability of the land for the purposes for which it is to be subdivided;	The subject site is suitable for the purposes of the severance. The use of the subject site for a Place of Worship is in keeping with the character of the surrounding area, which consists of community and residential purposes, and is what the lands are designated for. The Proposal also maintains the designated heritage resource in situ.
The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	The proposed severance does not present any concern with regard to the adequacy of the roadway network. The adjacent road network is suitable for residential purposes, including a Place of Worship, and the proposal serves to maintain the current use of the site for Place of Worship purposes, in addition to maintaining a designated heritage resource in situ.
The dimensions and shapes of the proposed lots;	The proposed lots to be created are appropriate in size and shape for the Place of Worship use. An associated Minor Variance Application has been filed to address various performance related standards for the severed and combined lot (Place of Worship lands), which are minor in nature. The performance standards for the retained lot, such as the lot area, will be addressed through a future Amendment Application for those lands.
The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	There are no known restrictions or proposed restrictions on the lands to be subdivided. The Heritage Designated resource is being maintained, and is not impacted by the proposed severance.
The conservation of natural resources and flood control;	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources.
The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.



The adequacy of school sites;	The proposed severance presents no concerns with regard to the adequacy of school sites.
The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	There are no concerns related to conveyances for public as part of the Consent Application.
The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy;	The proposed severance has no impact on matters of energy conservation.
The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	The existing Place of Worship building is being maintained, and will continue to operate as a Place of Worship. No new buildings are proposed; No Site Plan Approval is required. The retained lands will remain in its current existing condition (vacant lands) and any future development potential will be addressed through a future amendment application. As noted in the Consolidated Comments Report for PRE-2021-0204, a Tertiary Plan will be prepared as part of that future amendment application process.

4.0 Minor Variance Application

Concurrent with the Consent to Sever Application for the subject site, two (2) associated Committee of Adjustment Minor Variance Applications are also being submitted to the City of Brampton, seeking relief from the Zoning By-law in order to address various performance standards in relation to the newly created Place of Worship site (the addition of the severed lands to the lands identified as PIN #14208-0002) and the retained lands.

The requested relief from the Zoning By-law, for the severed lands (Place of Worship site), is as follows:

1. To permit a minimum lot area of 1,500m² whereas the Zoning By-law requires a minimum lot area of 6,500m².
2. To permit a minimum landscaped open space strip of 1.50m along the site limits except at the location of the driveways, whereas the Zoning By-law requires a minimum landscaped open space strip of 3.0m to be provided along the site limits except at the location of a driveway.



The requested relief from the Zoning By-law, for the retained lands, are as follows:

1. To permit a minimum lot area of 4,500m² whereas the Zoning By-law requires a minimum lot area of 6,500m².
2. To permit a minimum interior side yard width to a new property line of 2.40m, whereas the Zoning By-law requires a minimum interior side yard width of 7.5m.

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

TAB 3 includes the proposed Minor Variance Plans prepared by Gagnon Walker Domes Ltd. dated November 10, 2022.

City of Brampton Official Plan (September 2020)

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

Residential

According to the BOP, the subject site is designated '*Residential*' on Schedule A: General Land Use Designations. The general policies of the *Residential* designation notes that Places of Worship shall be permitted on lands designated Residential on Schedule A, with the exception of those lands designated "Estate Residential" (Policy 4.2.1.1). It is noteworthy that the subject site is designated '*Residential*' and is not designated '*Estate Residential*.'

In addition, Policy 4.2.1.1 notes that Places of Worship shall generally be located on arterial and collector roads, and not on local residential roads. Torbram Road is designated as a "Minor Collector" on Schedule B: City Road Hierarchy.

Lastly Policy 4.2.1.1 notes that a Place of Worship shall be located on a site of sufficient size to accommodate the required performance standards such as parking, landscaping, pedestrian connections and setbacks that will result in land use compatibility with the host area.

The requested variances, in addition to the Consent to Sever and lot addition component of the application, will facilitate the advancement of a proposal which serves to maintain the existing heritage designated Place of Worship building in situ, and for the continued use as a Place of Worship. The existing parcel of land on which the existing Place of Worship is located (PIN 14208-0002) is not being changed, and the additional land severed from parcel identified as PIN 14208-0040 and added to the parcel identified as PIN 14208-0002 will serve to provide the required parking standards and proper site circulation. Pedestrian access is maintained, and the reduction in landscape strip is minor



in nature (when incorporated with the landscape strip on either side of the property limit, the full landscape buffer is accommodated). Similarly, the existing parcel which is identified in this application as the retained lands is not being changed, and the variances requested reflect the existing conditions in relation to the lot area, and the existing structure to the newly created lot line. The function of the site and the inter-relationship of the various structures, parking and circulation that exists today will continue with the approval of this application.

Places of Worship

As it pertains to Places of Worship, it is the objective of the BOP to:

- Be permitted on lands designated Residential, where it has been demonstrated that they are compatible with the character of the surrounding residential area (Policy 4.9.8.1).
- Provide on-site parking to accommodate regular worship attendance and other regular events in accordance with the City's Zoning By-Law standards, which are based on the worship area / person capacity of the Place of Worship (Policy 4.9.8.1 i)).
- Be properly integrated into the surrounding neighbourhood in a manner that will not adversely impact adjacent land uses. (Policy 4.9.8.1 ii)).
- Be generally located on arterial and collector roads, and not on local residential roads (Policy 4.9.8.1 iv)).

The requested variances will facilitate the advancement of a proposal that serves to maintain an existing Place of Worship (heritage resource) in situ, on a site that is sufficiently sized to accommodate the use and the required parking, located on a Minor Collector Road. The variances will not alter the subject site as it currently function, and reflects a combination of variances that acknowledge existing conditions, or are minor in nature to reflect an efficient use of the site.

Consent

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

- Of a size, shape and use of the severed land is compatible with the current neighbouring parcel fabric and permitted Official Plan and Secondary Plan uses (Policies 5.17.4, 5.17.8).
- Serviced by public water and sanitary sewers (Policy 5.17.5).
- Each new lot created fronts onto Torbram Road (Policy 5.17.13).



The variance in connection with the reduction in the lot area of the subject site for the Place of Worship use is in keeping with the intent and policies of the Official Plan, as it maintains an existing Place of Worship (heritage resource) in situ, on a site currently designated for such a use, and which is sufficiently sized to accommodate the existing building and the required parking in keeping with the provisions of the City's Zoning By-Law. It also represents a Place of Worship site that efficiently utilizes the lot on which it is situated, and which is compatible with and respects the current neighbouring residential parcel fabric. The reduction in lot area for the retained lands is reflective of the existing conditions of the site, and there is no change to the use of the lands (currently vacant).

The submitted Minor Variance and Consent to Sever Applications will facilitate the development of two (2) parcels; the severed portion of the parcel identified as PIN 14208-0040 added to the parcel identified as PIN 14208-0002, accommodating the existing Place of Worship (identified as a heritage resource), and the retained portion of the parcel identified as PIN 14208-0040 to remain vacant (current condition) as a potential future development parcel, as discussed with City of Brampton staff through City File PRE-2021-0204. A mutual access easement between the two resultant parcels will also be established to accommodate future shared ingress and egress to the two (2) lots from Torbram Road.

It is our opinion that the proposed severance, minor variances and use of the subject site for the maintenance of, and continued operation of a Place of Worship (designated heritage resource) in situ, conforms to the general intent and purpose of the Official Plan.

**Springdale Secondary Plan (Area 2) (October 2019) and
Airport Intermodal Secondary Plan (Area 4) (December 2021)**

The subject site is designated 'Place of Worship' on Schedule 2 of the Springdale Secondary Plan (Area 2) and on Schedule 4 of the Airport Intermodal Secondary Plan (Area 4).

Place of Worship

In both the Springdale Secondary Plan and the Airport Intermodal Secondary Plan, it is noted that lands designated Institutional on Schedules 2 and 4 (respectively) includes Schools, Places of Worship and Fire Stations, and shall be developed in accordance with the Institutional and Public Uses policies of Section 4.9 and other relevant policies of the Official Plan (Policy 6.1 in both Plans). In addition, Policy 6.2 (in both Plans) notes that Places of Worship shall also be developed in accordance with Sections 4.2.1.1, 4.3.1.8, 4.4.1.2 4.4.2.5 and other relevant policies of the Official Plan.

The Residential and Places of Worship policies of the Official Plan have been reviewed in the previous section of this letter.

It is our opinion that the proposed Consent to Sever and Minor Variance(s) and use of the subject site for the continued operation of the existing Place of Worship (heritage resource) in situ, conforms to the general intent and purpose of the Secondary Plan(s).



City of Brampton Zoning By-Law 270-2004

The Subject Site is zoned ‘Institutional One – Section 676 (I1 – Section 676)’.

The Institutional One – Section 676 zone permits the following uses:

- Shall only be used for the purposes permitted in an I1 Zone of this By-Law:
 - A public or private school
 - **A place of worship**
 - A day nursery
 - A park, playground or recreation facility operated by a public authority
 - Supportive housing residence Type 1 or Type 2
 - Purposes accessory to the other permitted purposes
- Shall be subject to the following requirements and restrictions:
 - Minimum Lot Size – 6,500 square metres
 - Minimum landscaped open space strip of 3 metres in width shall be provided along the site limits except at the location of the driveway
 - No maximum lot coverage requirement.

The following table summarizes the ‘Institutional One’ Zone provisions (not modified by the above noted requirements of Site-Specific Section 676:

(a) Minimum Front Yard Depth	7.5 metres
(b) Minimum Interior Side Yard Width	7.5 metres or half of the height of the building, whichever is the greater
(c) Minimum Exterior Side Yard Width	7.5 metres or half of the height of the building, whichever is the greater
(d) Minimum Rear Yard Depth	7.5 metres or half of the height of the building, whichever is the greater
(e) Maximum Building Height	3 Storeys
(g) Parking	Parking spaces shall be provided and maintained in accordance with Sections 6, 10, and 20 of this By-Law

The requested variances will facilitate the advancement of a proposal which promotes and maintains an existing Place of Worship which is a designated heritage resource in situ, and serves to maintain the manner in which the site currently functions. The variance for the lot area reflects the total area of the Parcel on which the existing Place of Worship is located (and as noted in the Heritage listing) being Parcel PIN 14208-0002, with the addition of a portion of the severed lands from the parcel identified as PIN 14208-0040, thereby accommodating the required parking as set out in the Zoning By-Law in a compact and efficient manner. The variance for the lot area for the retained parcel (PIN 14208-0040) from the accompanying Consent Application reflects the existing condition being the remainder of the parcel.



Variance #2 for the severed lands reflects a minor reduction in the required landscaped open space strip along the site limits. The reduction to 1.5 metres around the existing commercial plaza to the south and east is supportable as there is a wide landscape space on the commercial plaza, and similar to the existing building, is reflective of the existing conditions on the subject site. When combined between the two (2) sites, a more than sufficient landscape open space buffer is provided. Additional landscape strip and buffer will be provided through the future Amendment Application for the retained lands on the parcel identified as PIN 14208-0040 in the associated Consent Application and the subject site. The proposal represents a compact and efficient urban form.

Variance #2 for the retained lands reflects a minor adjustment in the minimum interior side yard width to the existing structure as a result of the new property line created through the severance, and is along a portion of the new property limits between the two (2) parcels owned and retained by my client. It is noteworthy that the impact is interior; no reductions are required to any of the property limits to external parcels. The parking and circulation layout shown on the concept plans for the severed lands reflects the existing parking conditions for the Place of Worship, and as such, there is no impact from the reduced setback from the new “property line” to the existing structure. No changes to the existing use of the retained lands are contemplated, and future development potential is being explored through a separate and distinct development approval process (PRE-2021-0204).

It is our opinion that the proposed severance and minor variance(s) conform to the general intent of the Zoning By-law.

Desirable and Appropriate Development of the Land

The submitted Minor Variance and Consent Applications will facilitate the creation of two (2) new lots for the maintenance of the existing heritage designated Place of Worship in situ, and to continue to be utilized for such a purpose, and the creation of a lot for consideration and review for future development opportunities (as currently being explored through City File PRE-2021-0204). The new lots are of a size, shape and land use which is compatible, respects the current neighbouring residential parcel fabric, and efficiently utilizes existing and planned local transit and infrastructure.

The subject site is located in an area that is designated for residential purposes, which includes Places of Worship. In this regard, we are of the opinion that the proposed variances are considered desirable and appropriate for the development of the land.

Minor in Nature

In determining whether the Variances are minor it is imperative that it not become an exercise of arithmetic but a contextual analysis. The Variances are not expected to have an adverse impact on the adjacent properties or the neighbourhood in general. To the contrary; they will serve to maintain the existing, heritage designated Place of Worship in situ, with a circulation pattern allowing it continue to operate as it currently does today, while meeting required parking standards.



The Variances are modest deviations from the Zoning By-law standards, and reflect technical adjustments and/or acknowledgements, and existing conditions on the subject site. The requested Variances are considered to be minor in nature and should be supported.

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

Yours truly,

A handwritten signature in black ink, appearing to read 'A. Walker', with a long horizontal flourish extending to the right.

**Andrew Walker, B.E.S., M.C.I.P., R.P.P.
Principal Planner**

**c.c.: Sradhananda Mishra
Anthony Sirianni, Gagnon Walker Domes Ltd.
Michael Gagnon, Gagnon Walker Domes Ltd.**



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** Sradhananda Mishra
(print given and family names in full)

Address 7 Grenville Street, Suite 6205, Toronto, Ontario, M4Y 0E9

Phone # 416-554-8384 **Fax #** _____

Email dan@4thwaves.com

(b) **Name of Authorized Agent** Gagnon Walker Domes Ltd. (Andrew Walker / Anthony Sirianni)

Address 7685 Hurontario Street, Suite 501, Brampton, Ontario, L6W 0B4

Phone # 905-796-5790 **Fax #** _____

Email awalker@gwdplanners.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: Creation of a new Lot, Lot Addition and Easement

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.**

Sradhananda Mishra

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

a) **Name of Street** Torbram Road **Number** 9893

b) **Concession No.** 6 E.H.S. **Lot(s)** Part of Lots 9 and 10

c) **Registered Plan No.** 43M-1571 **Lot(s)** Part of Blocks 393 and 397

d) **Reference Plan No.** 43R-19972 and 43R-30902 **Lot(s)** Parts 1, 2 and 4, Parts 1 and 2

e) **Assessment Roll No.** 10-10-0-025-03800-0000 **Geographic or Former Township** Chinguacousy

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

Yes ☐ **No** ☒

Specify: _____

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

a)	Frontage	<u>17.01 metres</u>	Depth	<u>44.40 metres</u>	Area	<u>0.09 hectares (0.22 acres)</u>
b)	Existing Use	<u>Institutional (Place of Worship)</u>		Proposed Use	<u>No Change</u>	
c)	Number and use of buildings and structures (both existing and proposed) on the land to be severed:					
	(existing)	<u>One (1) - Existing Heritage Resource - Place of Worship building</u>				
	(proposed)	<u>Existing Building to be maintained - no new buildings</u>				
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 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?					
	<u>N/A</u>					
f)	Water supply will be by:	Existing	Proposed			
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input 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):	<u>N/A</u>				
g)	Sewage disposal will be by:	Existing	Proposed			
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input 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):	<u>N/A</u>				

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

a)	Frontage	<u>67.26 metres</u>	Depth	<u>63.92 metres</u>	Area	<u>0.45 hectares (1.11 acres)</u>
b)	Existing Use	<u>Vacant (Institutional)</u>		Proposed Use	<u>No Change</u>	
c)	Number and use of buildings and structures (both existing and proposed) on the land to be retained:					
	(existing)	<u>One (1) existing structure, and one (1) Cell Tower</u>				
	(proposed)	<u>Existing structures to remain, no new buildings</u>				

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 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 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):	N/A	

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input 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):	N/A	

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

	Land to be Severed	Land to be Retained
Zoning By-Law	I1 - 676	I1 - 676
Official Plans		
City of Brampton	Residential	Residential
Region of Peel	Urban System	Urban System

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 # N/A Status/Decision N/A

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

Yes ☐ No ☒

Date of Transfer N/A Land Use N/A

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	N/A	N/A
Zoning By-law Amendment	N/A	N/A
Minister's Zoning Order	N/A	N/A
Minor Variance	N/A A-2022-0372 - 0373	N/A CONCURRENT
Validation of the Title	N/A	N/A
Approval of Power and Sale	N/A	N/A
Plan of Subdivision	N/A	N/A

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 Brampton

this 8 day of November, 2022.


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, Anthony Sirianni of the Town of Halton Hills
in the County/District/Regional Municipality of Halton

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 BRAMPTON

in the PROVINCE of ONTARIO

this 8th day of NOVEMBER, 2022.


Signature of applicant/solicitor/authorized agent, etc.

Submit by Email

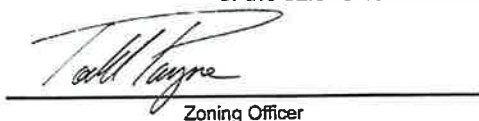
Priya Kaushal | Notary Public
193 Main Street North, Suite 100
Brampton, Ontario CANADA L6X 1N2
Tel: (905) 452-7734 Fax: (905) 453-3560
LSO # P16387 No Legal Advice Given

Signature of a Commissioner, etc.

As To ANTONIO NICOLA SIRIANNI

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.

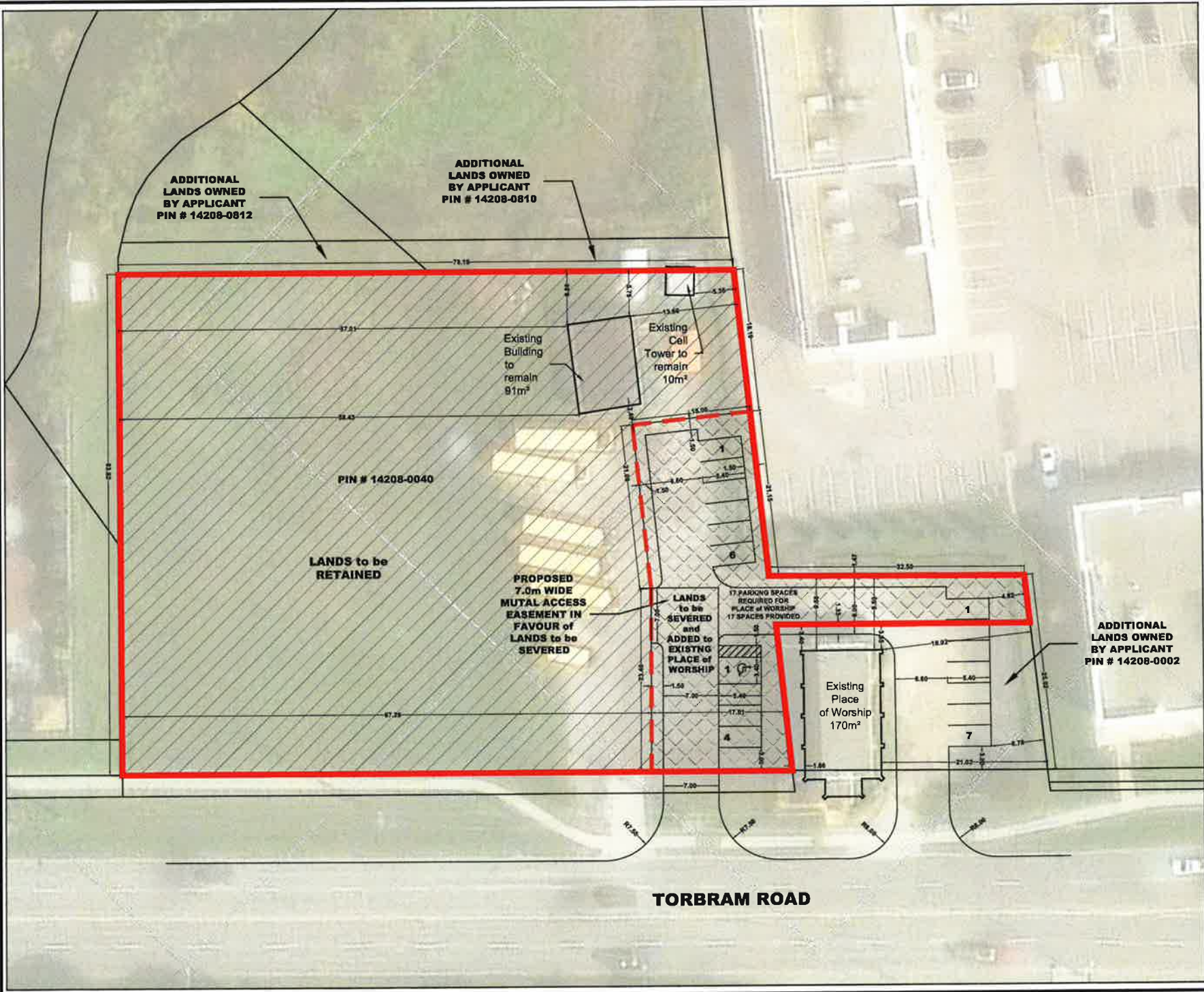

Zoning Officer

Nov 17, 2022

Date

DATE RECEIVED November 17, 2022

Date Application Deemed Complete by the Municipality



ZONING BY-LAW MATRIX - INSTITUTIONAL ONE ZONE - (I1) and SPECIAL SECTION 676 (1-676)			
(SITE AREA: 0.54ha (1.33ac))			
Description	Required	Severed Lands	Retained Lands
Minimum Lot Area	0.65 ha (1.60ac) 6,500m²	0.09 ha (0.22ac) 913m²	0.45 ha (1.11ac) 4,504m²
Minimum Lot Width	n/a	17.07m	67.26m
Minimum Front Yard Depth	7.5m	n/a	n/a
Minimum Interior Side Yard Width	7.5m or half the height of the building, whichever is greater	n/a	n/a
Minimum Rear Yard Depth	7.5m or half the height of the building, whichever is greater	n/a	n/a
Maximum Building Height	3 storeys	TBD	TBD
Maximum Lot Coverage	none		
Minimum Landscaped Open Space	a minimum landscaped open space strip of 3m in width shall be provided along the site limits except at the location of the driveway	1.4m	TBD

STATISTICS OVERVIEW

TOTAL LOT AREA:	0.54 ha (1.33 ac)
LANDS to be SEVERED:	0.09 ha (0.22 ac)
LANDS to be RETAINED:	0.45 ha (1.11 ac)

LEGEND

- PROPERTY BOUNDARY
- SEVERANCE BOUNDARY
- LANDS to be SEVERED
- LANDS to be RETAINED




CONCEPTUAL SEVERANCE PLAN
PROPOSED LOT ADDITION
9893 TORBRAM ROAD
CITY of BRAMPTON

P.N.: 22.3135.00	Date: November 3, 2022
Scale: N.T.S	Revised:
Drawn By: D.S.	File No.: PN 3135 Concept Plan



AERIAL IMAGE - CONTEXT PLAN
9893 TORBRAM ROAD
CITY of BRAMPTON
REGION of PEEL




Image Source: Google Earth

LEGEND		P.N.: 22.3135.00	Date: August 31, 2022
	SUBJECT SITE	Scale: N.T.S	Revised:
		Drawn By: D.S.	File No.: PN 3135_ Aerial_Images_AUG_2022
		 	



AERIAL IMAGE - SUBJECT SITE
9893 TORBRAM ROAD
CITY of BRAMPTON
REGION of PEEL

Image Source: Google Earth

LEGEND		P.N.: 22.3135.00	Date: August 31, 2022
	SUBJECT SITE	Scale: N.T.S	Revised:
		Drawn By: D.S.	File No.: PN 3135_ Aerial_ Images_ AUG_ 2022
			 GWD Gagnon Walker Domes PROFESSIONAL PLANNERS

B-2022-0025
A-2022-0372
A-2022-0373

