

FILE NUMBER:

A-2024-0042

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)

Upper Mayfield Estates Inc.

Address

51 Roysun Road, Unit 8

Woodbridge, Ontario L4L 8P9

Phone #

905-264-0100

Fax #

905-264-0009

Email

amanda@caliberhomes.ca

2.

Name of Agent

Lauren Dynes

Address

KLM Planning

64 Jardin Drive, Unit 1B, Concord, Ontario L4K 3P3

Phone #

416-576-1500

Fax #

N/A

Email

ldynes@klmplanning.com

3.

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

The requested minor variance is to permit a temporary sales office on the lands zoned Agriculture (A) Zone in Zoning By-law 270-2004, as amended.

4.

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

A temporary sales office is not permitted on lands zoned Agriculture (A).

5.

Legal Description of the subject land:

Lot Number

LOTS 27, 28, 29, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 AND PART 26, 35, 36, 37 AND 53

Plan Number/Concession Number

PLAN CH-4 / CON 6

Municipal Address

5875 Mayfield Road

6.

Dimension of subject land (in metric units)

Frontage

89.99 m

Depth

305.69 m

Area

27,509 m

7.

Access to the subject land is by:

Provincial Highway☐

Municipal Road Maintained All Year☒

Private Right-of-Way☐

Seasonal Road☐

Other Public Road☐

Water☐

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

**EXISTING BUILDINGS/STRUCTURES** on the subject land: List all structures (dwelling, shed, gazebo, etc.)

N/A - No existing buildings are located on the subject lands.

**PROPOSED BUILDINGS/STRUCTURES** on the subject land:

Temporary Sales Office with a GFA of 22.64 sq. m.

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)

**EXISTING**

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

**PROPOSED**

Front yard setback	25.04 m
Rear yard setback	269.58 m
Side yard setback	28.00 m
Side yard setback	39.94 m

10. Date of Acquisition of subject land: July 2020
11. Existing uses of subject property: Agricultural
12. Proposed uses of subject property: Agriculture with a temporary sales office.
13. Existing uses of abutting properties: East: RHM1., West: Draft approved Plan of Subdivision., South: Approved Plan of Subdivision
14. Date of construction of all buildings & structures on subject land: Spring/Summer 2024
15. Length of time the existing uses of the subject property have been continued: N/A

16. (a) What water supply is existing/proposed?
- |           |                          |                 |                       |
|-----------|--------------------------|-----------------|-----------------------|
| Municipal | <input type="checkbox"/> | Other (specify) | <u>Portable Water</u> |
| Well      | <input type="checkbox"/> |                 |                       |
- (b) What sewage disposal is/will be provided?
- |           |                          |                 |  |
|-----------|--------------------------|-----------------|--|
| Municipal | <input type="checkbox"/> | Other (specify) | <u>Self contained, barrier free lavatory</u> |
| Septic    | <input type="checkbox"/> |                 |  |
- (c) What storm drainage system is existing/proposed?
- |         |                                     |                 |  |
|---------|-------------------------------------|-----------------|--|
| Sewers  | <input type="checkbox"/>            | Other (specify) |  |
| Ditches | <input type="checkbox"/>            |                 |  |
| Swales  | <input checked="" type="checkbox"/> |                 |  |

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 # 21T-22009B/OZS-2022-003 Status draft approved/approved

18. Has a pre-consultation application been filed?

Yes ☒ No ☐

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

File #	Decision	Relief
File #	Decision	Relief
File #	Decision	Relief

  
Signature of ~~Applicant~~ or Authorized Agent

DATED AT THE City OF Vaughan

THIS 14 DAY OF February, 2024.

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, Lauren Dynes, OF THE Town OF Aurora

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 Vaughan

IN THE Region OF

York THIS 14 DAY OF

February, 2024.

  
Signature of ~~Applicant~~ or Authorized Agent

  
Keith Andrew Kenneth MacKinnon  
a Commissioner, etc., Province of Ontario  
for KLM Planning Partners Inc.  
Expires January 22, 2026

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

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

\_\_\_\_\_  
Zoning Officer

\_\_\_\_\_  
Date

DATE RECEIVED Feb 14, 2024

Date Application Deemed Complete by the Municipality Clara

**APPOINTMENT AND AUTHORIZATION OF AGENT**

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

LOCATION OF THE SUBJECT LAND: 5875 Mayfield Road

I/We, Upper Mayfield Estates Inc.  
please print/type the full name of the owner(s)

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

Ryan Virtanen  
please print/type the full name of the agent(s)

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

Dated this 13 day of February, 2024

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

Danny Di Meo  
(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.**

**NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.**

**PERMISSION TO ENTER**

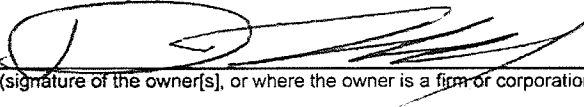
To: The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2  
[coa@brampton.ca](mailto:coa@brampton.ca)

LOCATION OF THE SUBJECT LAND: 5875 Mayfield Road

I/We, Upper Mayfield Estates Inc.  
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 13 day of February, 2024.

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

Danny Di Meo  
(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**









**Location Map**

5875 Mayfield Rd  
Lots 27, 28, 29, 38, 39, 40, 41,  
42, 43, 44, 45, 46, 47, 48, 49,  
50, 51, 52 and Part 26, 35, 36,  
37 and 53, Plan CH-4,  
Concession 6  
City of Brampton, Regional  
Municipality of Peel

**Subject Lands**



**Lands Subject to the Minor  
Variance Application**



February 2024







64 JARDIN DRIVE, UNIT 1B  
CONCORD, ONTARIO L4K 3P3  
T 905.669.4055 F 905.669.0097  
KLMPANNING.COM

KLM File: P-2921

February 14, 2024

City of Brampton  
Committee of Adjustment  
2 Wellington Street West City Hall, 3rd Floor  
Brampton, ON L6Y 4R2

**Attention: Clara Vani, Legislative Coordinator Secretary-Treasurer Committee of Adjustment**

**Re: Minor Variance Application Submission  
Upper Mayfield Estates Inc. (c/o Caliber Homes)  
5875 Mayfield Rd  
Lots 27, 28, 29, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and Part 26, 35, 36, 37 and  
53, Plan CH-4, Concession 6  
City of Brampton, Regional Municipality of Peel**

Dear Ms. Vani,

KLM Planning Partners Inc. is the land use planner on behalf of our client, Upper Mayfield Estates Inc. (c/o Caliber Homes), owner of the lands located near the corner of Mayfield Road and Airport Road in the City of Brampton. The lands subject to this Minor Variance Application are municipally known as 5875 Mayfield Road and legally known as Lots 27, 28, 29, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and Part 26, 35, 36, 37 and 53, Plan CH-4, Concession 6 ("Subject Lands"). On behalf of our client, we are pleased to submit the enclosed materials in support of the application to the Committee of Adjustment for Minor Variance to the Agriculture (A) Zone in Zoning By-law 270-2004, as amended.

It is important to note that the Subject Lands form the easterly portion of lands owned by the applicant. The westerly portion are subject to the City of Brampton planning applications 21T-22009B and OZS-2022-0034 and were approved to permit the development of 185 residential units. This application for Minor Variance would allow for a temporary sales office in support of that development to be located on the easterly portion of the lands that are still zoned A – Agricultural. The easterly portion of the Subject Lands will be subject to future *Planning Act* applications for which a pre-consultation meeting has already be held (PRE-2023-0133).

It is our opinion that the proposed temporary sales office on the easterly portion of the Subject Lands is compatible and appropriate with the context of the surrounding uses, as the sales office will serve both future residential developments on the Owner's easterly and westerly lands, located on the same parcel of land which has already been granted approval for development applications.



**1.0 Requested Relief**

The requested variance is to permit a temporary sales office on a portion of the Subject Lands which are currently zoned Agricultural (A) in Zoning By-law 270-2004, as amended. As per Section 46.1.1 of Zoning By-law 270-2004, the following uses are permitted on Agricultural lands:

- (a) Agricultural*
  - 1) agricultural purposes as defined in Section 5 of this by-law*
- (b) Non-Agricultural*
  - 1) a single detached dwelling*
  - 2) Supportive Housing Residence Type 1 or a Supportive Housing Residence Type 2*
  - 3) a cemetery*
  - 4) an animal hospital*
  - 5) a kennel*
  - 6) a home occupation*
- (c) Accessory*
  - 1) purposes accessory to the other permitted purposes*

As outlined above, a temporary sales office is not permitted on lands zoned Agricultural (A), and therefore the minor variance application proposes to permit the use on the Subject Lands.

**2.0 Minor Variance Test Discussion**

This section will summarize how the requested variance meets the four tests of a Minor Variance, set out by Section 45(1) of the Planning Act.

**1. Is the Application minor in nature?**

The requested variance is minor in nature as it will make only minor adjustments to the land use permissions of the current zoning on the Subject Lands. The temporary sales office is proposed for a limited time, requires minimal site alteration, and will easily be removed after the time frame in which it is required. No undo adverse impacts are anticipated as a result of the proposed minor variance.

**2. Is the Application an appropriate and desirable use of the land?**

The requested minor variance proposes a temporary change in land use permissions on the Subject Lands. The portion of the lands for this MV application are subject to a forthcoming Zoning By-law Amendment application to permit a future residential development (currently filed as PRE-2023-0133) and will be zoned accordingly for residential uses. As the lands will be developed for future residential uses and the temporary sales office is proposed to be on the same parcel of land that the future homes will be sold on, the temporary sales office is appropriate for the lands. The proposed development is an appropriate and desirable use of land by proposing a temporary, sustainable and efficient use on currently underutilized lands, while maintaining the ability for the lands to be developed in the future. Furthermore, by allowing the temporary sales office to be constructed where proposed, it allows for the entirety of the lots to be built on the balance of the lands in an efficient manner.

### **3. Is the Application consistent with the general intent and purpose of the Official Plan?**

The Official Plan is used to manage how the City grows and develops. The Official Plan guides housing, industry, offices and shops, as well as the infrastructure required to support a growing City. The Subject Lands are designated 'Commercial/Institutional' and 'Mixed Institutional' in the Vales of Castlemore North Secondary Plan (SP49). The City of Brampton is experiencing continued growth in population leading to a need for additional housing. For this reason, the proposed temporary sales office on the Subject Lands is in keeping with the intent and purpose of the Official Plan by assisting with sales of housing approved for development on the westerly portion of the Subject Lands and supplying housing to a growing City. Furthermore, approval of the requested variance will facilitate the efficient sales of housing on the parcel of lands that are contemplated for future residential development. The proposed development is an appropriate and desirable use of land by proposing a temporary, sustainable and efficient use on currently underutilized lands, while maintaining the ability for the lands to be developed in the future through development applications with the City.

### **4. Is the Application consistent with the general intent and purpose of the Zoning By-law?**

The City of Brampton Zoning By-law regulates what land uses and building types are permitted on properties within the City. As previously discussed, a portion of the Subject Lands are currently zoned Agricultural (A) by the City of Brampton Zoning By-law 270-2004, as amended, which does not permit a temporary sales office. However, the balance of the Subject Lands is zoned for residential development for which the temporary sales office will be utilized. The proposed minor variance would permit the requested use on the Subject Lands. Allowing for this additional permitted use on the Agricultural Zone portion of the lands would assist with the sales of homes on the westerly portion of the Subject Lands, supplying housing to a growing City. The sales office would be permitted as-of-right on the westerly portion of the Subject Lands. While the easterly portion of the Subject Lands does not permit the proposed use, it will be located within the same parcel of land that is being developed that does permit the proposed sale office use. Therefore, the intent of the zoning by-law is maintained.

### **3.0 Conclusion**

It is for the above reasons that we are of the opinion that the requested variance is consistent with the general intent and purpose of the Official Plan and the Zoning By-law, is desirable for the appropriate development of the lands, and is minor in nature. Furthermore, it is not anticipated that the proposed minor variance will have any adverse impacts to abutting lands, and will assist with the sales of homes on the westerly portion of the Subject Lands. It is for these reasons that we believe the proposed minor variance represents good land use planning.

In support of this Minor Variance Application, please find enclosed:

1. Minor Variance Submission Cover Letter;
2. Minor Variance Application Form;
3. Minor Variance Location Map;
4. Proposed Temporary Sales Office Site Plan prepared by Hunt Design Associates Inc., dated February 5, 2024; and,

5. A cheque in the amount of \$699.00 representing the 2024 Minor Variance Application Fee.

We trust that the above materials are in order. Should you have any questions with respect to the enclosed, please do not hesitate to contact the undersigned. We look forward to working with the City of Brampton and all other applicable Agencies with regard to this Application.

Yours truly,

**KLM PLANNING PARTNERS INC.**



Ryan Virtanen BES, MCIP, RPP  
Partner



Lauren Dynes BURPI  
Intermediate Planner

cc. Upper Mayfield Estates Inc. (c/o Caliber Homes)



# Zoning Non-compliance Checklist

File No.  
A-2024-0042

Applicant: Upper Mayfield Estates Inc.  
Address: 5875 Mayfield Road  
Zoning: Agricultural  
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit a temporary sales office	Whereas the By-law does not permit the use.	46.1
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR			
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
BELOW GRADE ENTRANCE			
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
PARKING			
SCHEDULE "C"			

Amanda Dickie  
Reviewed by Zoning

February 13, 2024  
Date