



The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

**APPLICATION**  
**Minor Variance or Special Permission**  
(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. **Name of Owner(s)** Menkes Creditview Inc.  
**Address** 4711 Yonge Street, Suite 1400  
Toronto, On, M2N 7E4  
**Phone #** 416-491-2222 **Fax #** \_\_\_\_\_  
**Email** mark.karam@menkes.com

2. **Name of Agent** Bruce McCall-Richmond of Glen Schnarr and Associates Inc.  
**Address** 700 - 10 Kingsbridge Garden Circle, Mississauga, Ontario L5R 3K6  
**Phone #** 647-987-9053 **Fax #** \_\_\_\_\_  
**Email** brucemr@gsai.ca

3. **Nature and extent of relief applied for (variances requested):**  
1. To establish and permit all uses and regulations provided for in the R4A-3527 zone on the portion of the subject property zoned C3-3526.  
2. Reduce the required minimum ground floor height to 3.20 metres,  
Whereas 4.5 metres is required by Zoning By-law 270-2004, as amended.

4. **Why is it not possible to comply with the provisions of the by-law?**  
Refer to Planning Justification letter.

5. **Legal Description of the subject land:** Block 3, Plan 43M1927  
**Lot Number** \_\_\_\_\_ \*\*\* Please see enclosed Planning Justification Letter for full legal description details.  
**Plan Number/Concession Number** \_\_\_\_\_  
**Municipal Address** 15 and 25 Lagerfeld Drive

6. **Dimension of subject land (in metric units)**  
**Frontage** 61.3m  
**Depth** 51.8m  
**Area** 0.5146 ha

7. **Access to the subject land is by:**  
**Provincial Highway** \_\_\_\_\_ **Seasonal Road** \_\_\_\_\_  
**Municipal Road Maintained All Year** Lagerfeld Drive **Other Public Road** \_\_\_\_\_  
**Private Right-of-Way** \_\_\_\_\_ **Water** \_\_\_\_\_

0. 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:

Temp. construction trailer

Empty lines for existing buildings/structures details.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

The building proposed with frontage on Bovaird Drive (South Building) is thirty-two (32)-storeys and the building with frontage on Lagerfeld Drive (North Building) is thirty-four (34)-storeys. Please refer to Planning Justification letter for more details.

Empty lines for proposed buildings/structures details.

1. 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

Table with 2 columns: Setback type (Front, Rear, Side) and distance (n/a).

PROPOSED

Table with 2 columns: Setback type (Front, Rear, Side) and distance (6.0, 7.5, 3.0, 3.0 metres).

0. Date of Acquisition of subject land: June 2022

1. Existing uses of subject property: Vacant with temp. construction trailer on site.

2. Proposed uses of subject property: Proposed high-rise residential uses.

3. Existing uses of abutting properties: West: Vacant, North: GO Station, South: Low-Density Res, East: Mixed Use Development

4. Date of construction of all buildings & structures on subject land: N/A

5. Length of time the existing uses of the subject property have been continued: N/A

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

Municipal  Well  Other (specify) \_\_\_\_\_

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

Municipal  Septic  Other (specify) \_\_\_\_\_

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

Sewers  Ditches  Swales  Other (specify) \_\_\_\_\_

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

Yes Site Plan Control and Consent  No

B-2021-0034

Approved

If answer is yes, provide details:

File # SPA-2022-0152

Status Under Review

18. Has a pre-consultation application been filed?

Yes

No

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

ever been the subject

Yes

No

Unknown

If answer is yes, provide details:

File # A-2022-0350

Decision Approved

Relief Building Height and Parking Ratio

File # \_\_\_\_\_

Decision \_\_\_\_\_

Relief \_\_\_\_\_

File # \_\_\_\_\_

Decision \_\_\_\_\_

Relief \_\_\_\_\_

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Mississauga  
THIS 21st DAY OF May, 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, Bruce McCall-Richmond OF THE City OF Mississauga

IN THE Region OF Peel 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 Mississauga

IN THE Region OF Peel

THIS 22nd DAY OF

May 2024.

Signature of Applicant or Authorized Agent

Laura Kim Amorim  
A Commissioner etc.

Laura Kim Amorim, a Commissioner, etc.,  
Province of Ontario, for  
Glen Schnarr & Associates Inc.  
Expires March 3, 2026.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

C3-3526, R4A-3527

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

Connor Cowan

2024-05-23

Zoning Officer

Date

DATE RECEIVED

May 23, 2024

✓L

**APPOINTMENT AND AUTHORIZATION OF AGENT**

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

LOCATION OF THE SUBJECT LAND: 15 and 25 Lagerfeld Drive

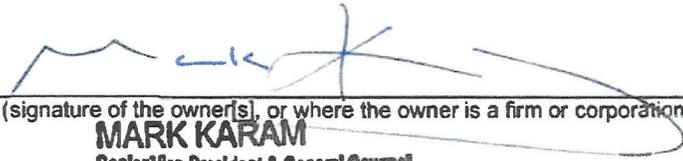
I/We, Menkes Creditview Inc.  
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject lands, hereby authorize  
Bruce McCall-Richmond of Glen Schnarr and Associates Inc.

\_\_\_\_\_  
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 21st day of May, 2024.

  
\_\_\_\_\_  
(signature of the owner(s), or where the owner is a firm or corporation, the signature of an officer of the owner.)  
**MARK KARAM**  
Senior Vice-President & General Counsel

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

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

**PERMISSION TO ENTER**

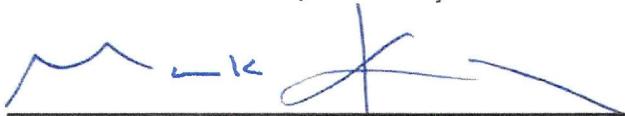
To: The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 15 and 25 Lagerfeld Drive

I/We, Menkes Creditview 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 21st day of May, 2024.



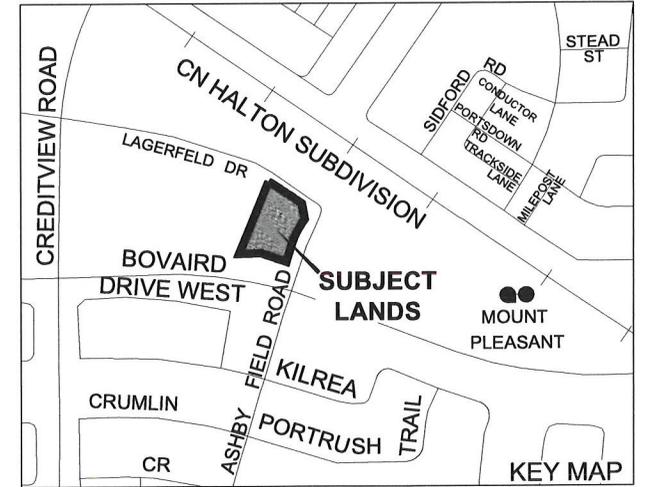
(signature of the owner(s), or where the owner is a firm or corporation, the signature of an officer of the owner.)

**MARK KARAM**  
Senior Vice-President & General Counsel

(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**



**MINOR VARIANCE SKETCH  
MENKES CREDITVIEW INC.**

BLOCK 3, PLAN 43M-1927,  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

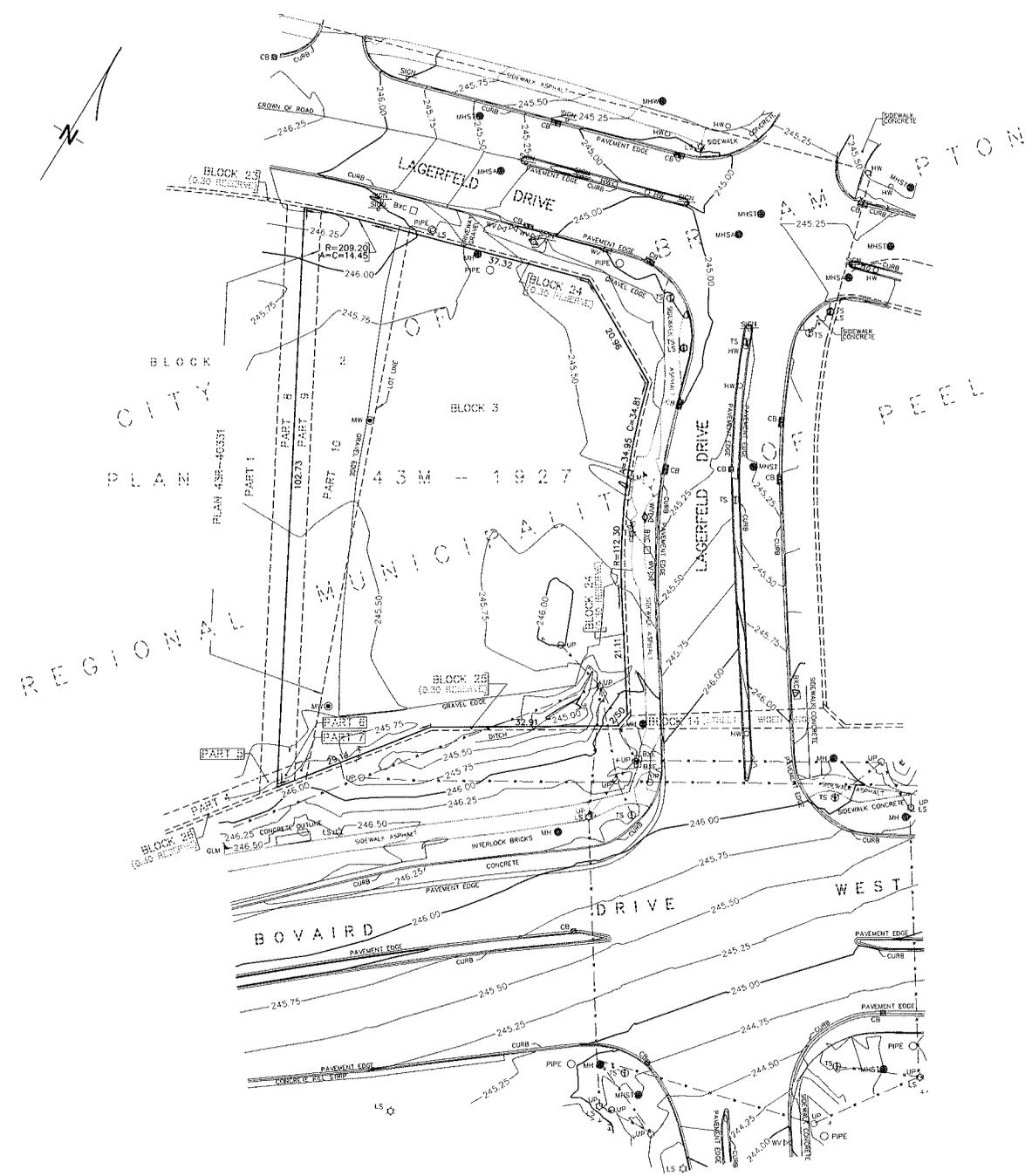
**REQUESTED MINOR VARIANCES**

- TO PERMIT ALL USES AND REGULATIONS PROVIDED FOR IN THE R4A-3527 ZONE ON THE PORTION OF THE SUBJECT PROPERTY ZONED C3-3526.
- TO PERMIT A MINIMUM GROUND FLOOR HEIGHT OF 3.2 METRES WHEREAS 4.5 METRES IS REQUIRED BY THE ZONING BY-LAW. (NOT SHOWN ON SKETCH)



SCALE 1:750  
MAY 21, 2024





### SKETCH SHOWING TOPOGRAPHICAL INFORMATION

SCALE 1:500  
 0m 5m 10m 20m 40m metres

R-PE SURVEYING LTD., O.L.S.  
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN  
 ARE IN METRES AND CAN BE CONVERTED TO FEET BY  
 DIVIDING BY 0.3048.

#### LEGEND

- BXC □ DENOTES BELL BOX
- CB □ DENOTES CATCH BASIN
- GLM □ DENOTES GAS LOCATION MARKER
- HW □ DENOTES HANDWELL
- LS ○ DENOTES LAMP STANDARD
- WH ○ DENOTES MANHOLE
- MHS ● DENOTES MANHOLE SANITARY
- MHS1 ● DENOTES MANHOLE STORM
- MHS2 ● DENOTES MANHOLE WATER
- TS ○ DENOTES TRAFFIC SIGN
- UP ○ DENOTES UTILITY POLE
- WV ○ DENOTES WATER VALVE
- DENOTES OVERHEAD WIRE
- - - DENOTES FENCE LINE
- DENOTES HYDRANT
- MW ○ DENOTES MONITORING-WELL
- PIPE ○ DENOTES PIPE
- ↓ DENOTES HYDRO GUY ANCHOR
- Sign □ DENOTES SIGN

#### CAUTION

- A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE IN THE TITLE BLOCK.
  - B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©
- THIS SKETCH IS AN ORIGINAL COPY IF EMBOSSED BY THE SURVEYOR.

#### BENCHMARK NOTE

ELEVATIONS ARE GEODETIC AND ARE REFERRED TO CITY OF BRAMPTON HORIZONTAL CONTROL MONUMENT No. 04220050241 HAVING AN ORTHOMETRIC ELEVATION OF 251.357 METRES. ELEVATIONS ARE REFERENCED TO THE CANADIAN GEODETIC VERTICAL DATUM OF 1928, 1978 ADJUSTMENT (CGVD-1928, 1978).

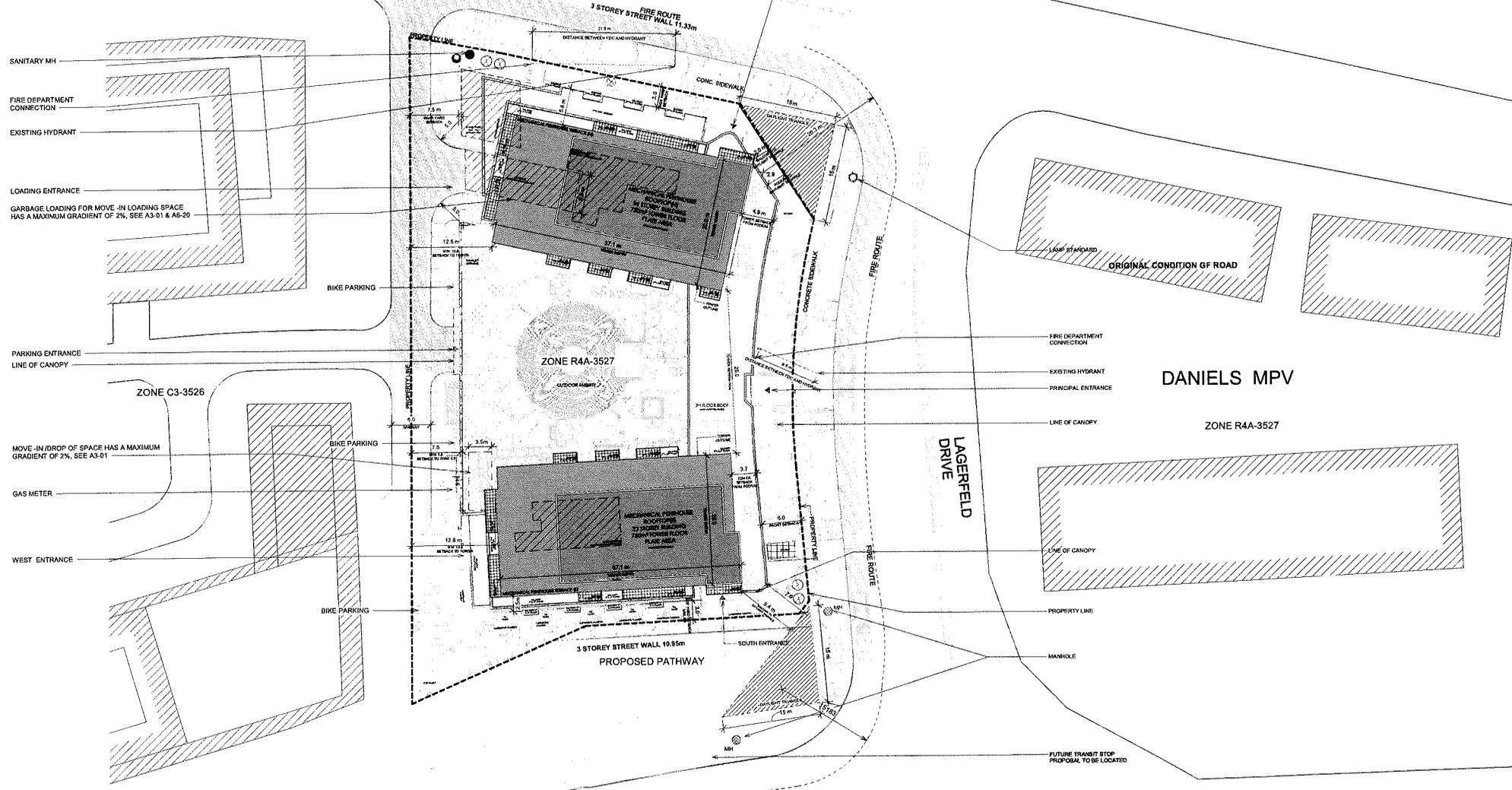
BRASS TABLET SET VERTICALLY IN CONCRETE, 0.05M BELOW GRADE, LOCATED 12.8M EAST OF THE CENTRELINE OF CREDITVIEW ROAD AND 180.0 METRES NORTH OF THE CENTRELINE OF SANDALWOOD PARKWAY.

GO STATION

LAGERFELD DRIVE

DANIELS MPV

BOVAIRD DRIVE WEST



THE ARCHITECT DOES NOT RETAIN THE CONSULTANTS AND THEREFORE IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, ETC. INFORMATION SHOWN ON THE DRAWING. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH ANY WORK.

CONTRACTOR SHALL VERIFY AND CHECK ALL DIMENSIONS AND CONDITIONS ON SITE PRIOR TO STARTING ANY OF THE WORK AND REPORT ANY DISCREPANCY TO THE ARCHITECT AND CONSULTANTS BEFORE PROCEEDING. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION PERTAINING TO THIS APPLICATION.

NO INVESTIGATION HAS BEEN UNDERTAKEN OR REPORTED BY THIS OFFICE IN REGARDS TO THE ENVIRONMENTAL CONDITION OR POLLUTION OF THIS SITE.

THIS DRAWING IS NOT TO BE SCALED.

ALL DIMENSIONS AND AREAS TO BE CONFIRMED ON-SITE BY ONTARIO LAND SURVEYOR.

COPYRIGHT 2021 RAFAEL + BIGAUSKAS ARCHITECT INC.

NO	DATE	ISSUED	BY
1	2023-11-18	ISSUED FOR SITE PLAN APPROVAL (SP#2)	BS
2	2024-09-20	ISSUED FOR SPA COORDINATION	BS
3	2025-09-08	ISSUED FOR SPA COORDINATION	BS
4	2025-11-01	ISSUED FOR SITE PLAN APPROVAL (SP#2)	BS
5	2022-08-18	ISSUED FOR SITE PLAN APPROVAL (SP#1)	BS

SITE PLAN APPLICATION NUMBER:  
SPA 2022-0152



PROJECT TITLE

**menkes**

MT PLEASANT BOVAIRD  
BLOCK 3  
15 & 25 LAGERFELD DRIVE  
BRAMPTON, ONTARIO

**RAFAEL  
BIGAUSKAS**

1410 DUNDAS ST. W. UNIT 37 (BUILDING 2) 2ND FLOOR  
TORONTO, ON M6P 1K1  
T: 416-388-7500

SHEET TITLE	
SITE PLAN	
SCALE 1:300	PROJECT NO. 22-106
DATE 2025-NOV-18	DRAWN BY AutPw
CHECKED BY Checker	DRAWING NO. A1-01
DATE PLOTTED 2024-06-08 09:19 PM	DATE PRINTED

15/24/2024 10:28:30 AM  
 C:\Users\AutPw\OneDrive\Documents\22-106\22-106-01-01.dwg

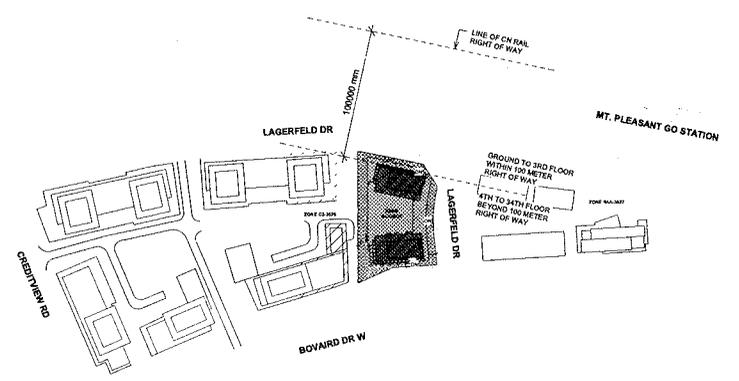
**STATISTICS**

**BOVAIRD DRIVE AND CREDITVIEW ROAD  
ISSUED FOR SPA**

NO.	DESCRIPTION	QTY	UNIT	AMOUNT	TOTAL
1	CONCRETE	100	m <sup>3</sup>	100	100
2	STEEL	50	kg	50	50
3	BRICK	1000	m <sup>2</sup>	1000	1000
4	GLASS	500	m <sup>2</sup>	500	500
5	PAINT	100	kg	100	100
6	ROOFING	100	m <sup>2</sup>	100	100
7	MECHANICAL	100	kg	100	100
8	ELECTRICAL	100	kg	100	100
9	PLUMBING	100	kg	100	100
10	LANDSCAPE	100	kg	100	100
11	CONCRETE	100	m <sup>3</sup>	100	100
12	STEEL	50	kg	50	50
13	BRICK	1000	m <sup>2</sup>	1000	1000
14	GLASS	500	m <sup>2</sup>	500	500
15	PAINT	100	kg	100	100
16	ROOFING	100	m <sup>2</sup>	100	100
17	MECHANICAL	100	kg	100	100
18	ELECTRICAL	100	kg	100	100
19	PLUMBING	100	kg	100	100
20	LANDSCAPE	100	kg	100	100
21	CONCRETE	100	m <sup>3</sup>	100	100
22	STEEL	50	kg	50	50
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92	STEEL	50	kg	50	50
93	BRICK	1000	m <sup>2</sup>	1000	1000
94	GLASS	500	m <sup>2</sup>	500	500
95	PAINT	100	kg	100	100
96	ROOFING	100	m <sup>2</sup>	100	100
97	MECHANICAL	100	kg	100	100
98	ELECTRICAL	100	kg	100	100
99	PLUMBING	100	kg	100	100
100	LANDSCAPE	100	kg	100	100

1 Context Plan  
1 : 2000





CALCULATIONS					
Length number	Begin. Elev. (a)	End Elev. (b)	Length (L)	Avg. Elev = (a+b)/2	Avg. Elev. x L
1	246.95	246.95	20.65	246.95	5099.5175
2	246.95	246.3	22.95	246.625	5660.04375
3	246.3	245.25	60.78	245.775	14938.2045
4	245.25	245.23	17.98	245.24	4409.4152
5	245.23	245.75	21.07	245.49	5172.4743
6	245.75	246.2	21.2	245.975	5214.67
7	246.2	246.95	91.5	246.575	22561.6125
TOTAL			256.13	1722.63	63055.93775
Established grade			246.1872399		

ESTABLISHED GRADE CALCULATIONS

ELEVATION	LEVELS	FLOOR ELEVATION	FLOOR HEIGHT (mm)	ESTABLISHED GRADE	FLOOR HEIGHT FROM EG(mm)	REQUIRED HEIGHT (mm)	DEFICIENCY FROM GF	DEFICIENCY FROM EG
NORTH	G.F. LOBBY	246.35	4500	246.18	4670	4500	0	EXCEEDS BY 170
	AMENITY 2ND FLOOR	250.85						
SOUTH	G.F. LOBBY	246.35	4500	246.18	4670	4500	0	EXCEEDS BY 170
	AMENITY 2ND FLOOR	250.85						
EAST	G.F. LOBBY	246.35	4500	246.18	4670	4500	0	EXCEEDS BY 170
	AMENITY 2ND FLOOR	250.85						
WEST	G.F. LOBBY	246.35	4500	246.18	4670	4500	0	EXCEEDS BY 170
	AMENITY 2ND FLOOR	250.85						

GROUND FLOOR HT CALCULATIONS



1 South Tower - South Elevation Podium  
1 : 200



2 North Tower - North Elevation Podium  
1 : 200

- RESIDENTIAL
- LOBBY/AMENITY

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1	2023-11-16	ISSUED FOR SITE PLAN APPROVAL (SPAM)	BS
1	2023-09-20	ISSUED FOR SPA COORDINATION	BS
1	2023-09-08	ISSUED FOR SPA COORDINATION	BS
1	2022-11-01	ISSUED FOR SITE PLAN APPROVAL (SPAM)	BS
1	2022-08-18	ISSUED FOR SITE PLAN APPROVAL (SPAM)	BS

SITE PLAN APPLICATION NUMBER:  
SPA 2022-0162



PROJECT TITLE

**menkes**

**MT PLEASANT BOVAIRD  
BLOCK 3**

15 & 25 LAGERFELD DRIVE  
BRAMPTON, ONTARIO

**RAFAEL  
BIGAUSKAS**

1400 DUPONT ST., UNIT 37 (BUILDING D - 2ND FLOOR)  
TORONTO, ON M1P 4V3  
T: 416-338-7500

SHEET TITLE

ELEVATIONS - PODIUM

SCALE  
1 : 200

PROJECT NO.  
22-106

DATE  
2023-NOV-16

DRAWN BY  
Author

CHECKED BY  
Checker

DRAWING NO.  
A4-06

DATE PLOTTED  
2024-04-11 7:18:57 PM

DATE PRINTED

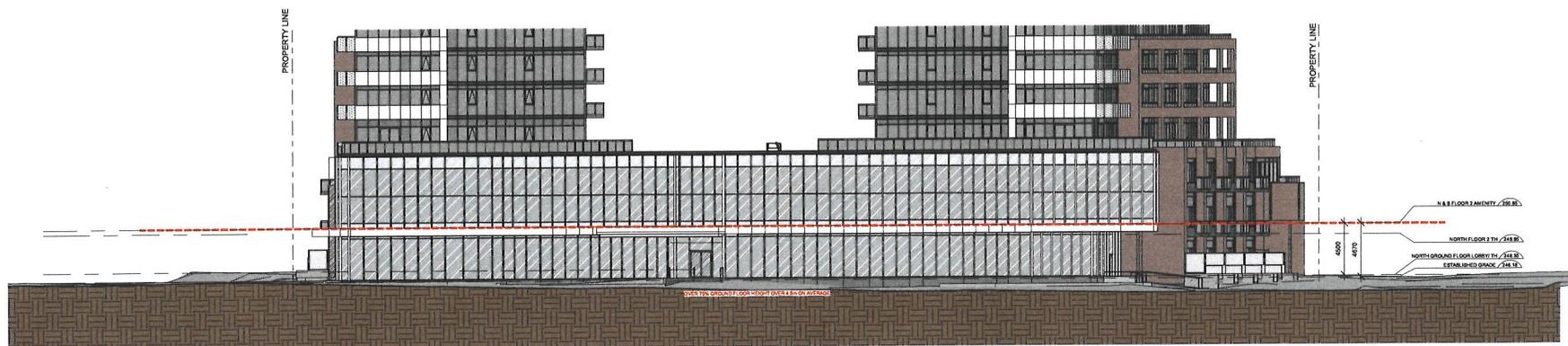
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CALCULATIONS					
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NORTH	G.F. LOBBY	246.35	4500	246.18	4670	4500	0	EXCEEDS BY 170
	AMENITY 2ND FLOOR	250.85						
SOUTH	TH G.F.	246.35	3600	246.18	3770	4500	900	730
	TH 2ND FLOOR	249.95						
EAST	G.F. LOBBY	246.35	4500	246.18	4670	4500	0	EXCEEDS BY 170
	AMENITY 2ND FLOOR	250.85						
WEST	G.F. LOBBY	246.35	4500	246.18	4670	4500	0	EXCEEDS BY 170
	AMENITY 2ND FLOOR	250.85						
WEST	TH G.F.	247.1	3350	246.18	4270	4500	1150	230
	TH 2ND FLOOR	250.45						

GROUND FLOOR HT CALCULATIONS



1 East Elevation - Podium  
1 : 200



2 West Elevation Podium  
1 : 200

RESIDENTIAL  
LOBBY/AMENITY

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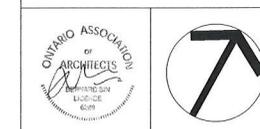
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1	2022-08-19	ISSUED FOR SITE PLAN APPROVAL (SPAM)	RS

SITE PLAN APPLICATION NUMBER:  
SPA 2022-0152



PROJECT TITLE

**menkes**

MT PLEASANT BOVAIRD  
BLOCK 3  
15 & 25 LAGERFELD DRIVE  
BRAMPTON, ONTARIO

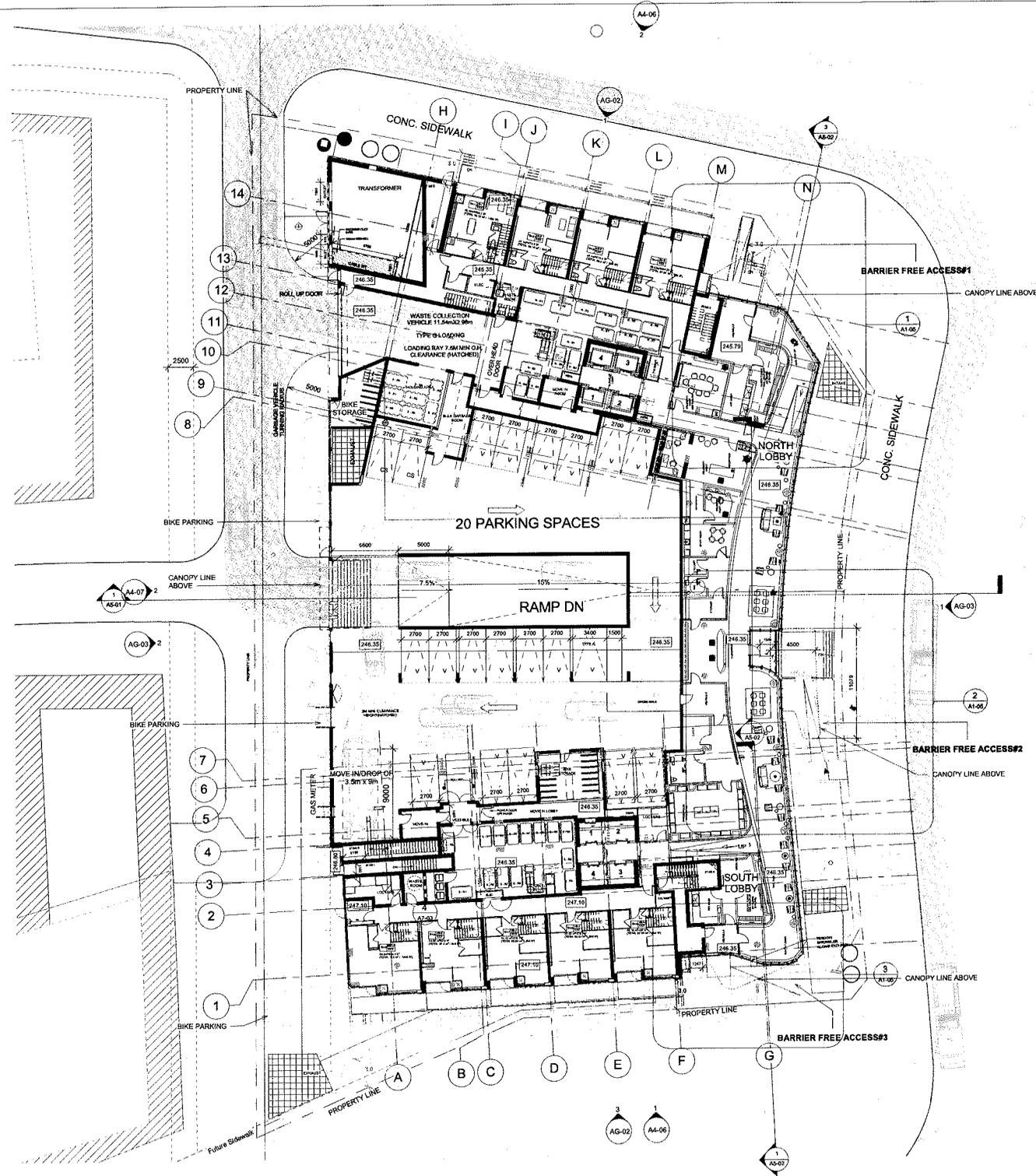
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BIGAUSKAS**

1440 DUPONT ST., UNIT 37 (BUILDING D - 2nd FLOOR)  
TORONTO, ON M6P 4K3  
T: 416-338-7500

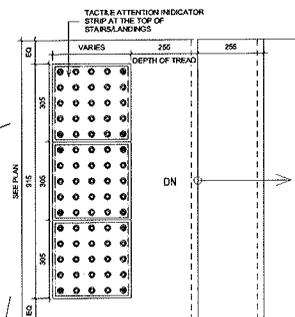
SHEET TITLE  
ELEVATIONS - PODIUM

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DATE	DRAWN BY
2023-NOV-18	Author
DATE PLOTTED	CHECKED BY
2024-04-17 3:10 PM	Checker
DATE PRINTED	DRAWING NO.
	A4-07

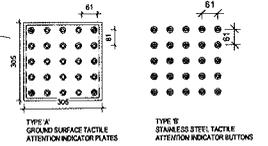
© Menkes | Rafael Bigauskas Architects Inc. 1500 Wellington Street West, Suite 200, Brampton, Ontario N6Y 2P9, Tel: 416-338-7500



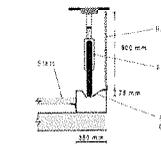
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**TACTILE INDICATOR TYPES**



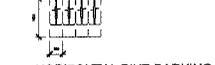
**BIKE RAMP/STAIRS**



**HORIZONTAL (STACKED) BIKE PARKING**



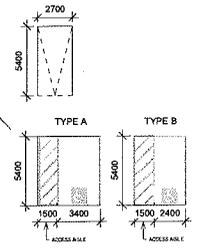
**VERTICAL BIKE PARKING**



**HORIZONTAL BIKE PARKING**



**STANDARD PARKING SIZE**



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SITE PLAN APPLICATION NUMBER:  
SPA 2022-0152



PROJECT TITLE

**menkes**

**MT PLEASANT BOVAIRD  
BLOCK 3**

15 & 25 LAGERFELD DRIVE  
BRAMPTON, ONTARIO

**RAFAEL  
BIGAUSKAS**

1440 RUPPERT ST., UNIT 37 (BUILDING D - 2nd FLOOR)  
TORONTO, ON M6P 4H3  
T: 416-398-7500

SHEET TITLE		PROJECT NO.	
GROUND FLOOR PLAN		22-106	
SCALE 1:200	DATE 2022-NOV-16	DRAWN BY Author	CHECKED BY Checker
DATE PLOTTED 2024-05-08 04:07:57 PM	DATE PRINTED	DRAWING NO. <b>A3-01</b>	

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 10: Scale of 1:200  
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 12: Scale of 1:200  
 13: Scale of 1:200  
 14: Scale of 1:200

Filing Date: November 12, 2021

Hearing Date: February 15, 2022

File: B-2021-0034

Owner/

Applicant: BOVAIRD WEST HOLDINGS INC.

Address: LAGERFELD DRIVE (NORTHEAST OF CREDITVIEW ROAD & BOVAIRD DRIVE)  
BLOCK 2, PLAN 43M-1927

Ward: WARD 6

Contact: François Hémon-Morneau, Planner I

---

**Proposal:**

The purpose of the application is to request consent to sever approximately 0.12 hectares (0.30 acres) from a parcel of land currently having a total area of approximately 3.37 hectares (8.33 acres), together with a reciprocal easement for access purposes. The effect of the application is to provide for a lot addition to the adjacent lands, legally described as Block 3, Plan 43M-1927 to facilitate appropriate sized parcels of land for future development.

---

**Recommendations:**

That application B-2021-0034 be approved, subject to the following conditions:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
2. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received;
3. Subsection 50(3) and/or(5) of the Planning Act R.S.O. 1990 as amended, shall apply to any subsequent conveyance or transaction involving the parcel of land that is the subject of this consent.
4. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Block 3 on Plan 43M-1927, shall be "merged" for Planning Act purposes at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed.

5. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) encumbering the "resultant" lot will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the Planning Act; or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s). (The "resultant" lot is the "severed" land and the land to which the "severed" land is to be merged.)
- 

**Background:**

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Mixed Use Node' in the Fletcher Meadows Secondary Plan (Area 44); and
- **Zoning By-law:** The subject property is zoned 'Commercial Three (C3-3526)' and 'Residential Apartment A (R4A-3527)' according to By-Law 270-2004, as amended.

**Current Situation:**

The subject lands are located on the east side of Creditview Road, north of Bovaird Drive. The applicant is proposing to sever a portion of Block 2, which will then be added to Block 3 creating two lots. Blocks 2 and 3 will also have a reciprocal access easement. Both severed and retained lands will meet minimum zoning provisions for lot dimensions.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

*François Hémon-Morneau*

François Hémon-Morneau, Planner I

SCHEDULE "A"
CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE  
PLANNING ACT

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed severance has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed severance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The severance will create two parcels that are suitable for the purposes for which it is to be subdivided.
e) <i>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;</i>	The proposed severance does not present any concern with regard to the adequacy of the roadwork network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The proposal results in the creation of two new parcels with a reciprocal access easement that have shapes and sizes that comply with the Zoning By-law requirements. The severed parcel will be consolidated with Block 3, which will result in a development parcel that is suitable for future development.
g) <i>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;</i>	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h) <i>The conservation of natural resources and flood control;</i>	The proposed consent presents no concerns with regard to flood control and the conservation of natural resources.

i)	<i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	<i>The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites.
k)	<i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l)	<i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severance has no impact on matters of energy conservation.
m)	<i>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.</i>	A future Site Plan application will be required to facilitate the development of both parcels. At this time, there are no concerns related to the design of the proposal and matters of Site Plan Control under the Planning Act.

May 22<sup>nd</sup>, 2024

GSAI File: 1072-003

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

Attention: Ms. Clara Vani  
Interim Secretary-Treasurer, Committee of Adjustment

**RE: Planning Justification Letter for Minor Variance  
Zone Adjustment and Reduction to Minimum Ground Floor Height  
Menkes Creditview Inc.  
15 and 25 Lagerfeld Drive  
Related Files: SPA-2022-0152, A-2022-0350  
City of Brampton, Regional Municipality of Peel**

---

Dear Ms. Vani,

Glen Schnarr & Associates Inc. (GSAI) are the planning consultants for Menkes Creditview Inc. and are assisting with the planning approvals to facilitate the development of two (2) residential towers thirty-four (34) and thirty-two (32) storeys in height on the lands located at the northwest corner of Bovaird Drive West and Lagerfeld Drive, in the City of Brampton, Regional Municipality of Peel (the "Subject Property").

We are pleased to submit this Minor Variance application to:

- 1. To establish and permit all uses and regulations provided for in the R4A-3527 zone on the portion of the Subject Property zoned C3-3526.**
- 2. To reduce the required minimum ground floor height to 3.2 metres whereas 4.5 metres is required by Zoning By-law 270-2004, as amended.**

This Planning Justification Letter (the “Letter”) provides an overview of the Subject Property and surrounding land uses, the current and historical policy framework and amendments, a description of the proposed development and a summary of the Minor Variances proposed in the context of the four (4) tests for Minor Variance.

**Subject Property and Surrounding Area Context**

The Subject Property is generally located north of Bovaird Drive West, South of Lagerfeld Drive, west of Ashby Field Road and east of Creditview Road. The Subject Property has an area of approximately 0.51 hectares (1.26 acres) with a frontage of approximately 61.3 metres (201 feet) along Lagerfeld Drive to the east, 63.9 metres (209.6 feet) along Bovaird Drive to the south and 51.8 metres (170 feet) along Lagerfeld Drive to the north. The Subject Property is currently vacant and is being used as a temporary construction office with parking for a surrounding construction site.

The Subject Property is legally described as:

BLOCK 3, PLAN 43M1927; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 6 & 26 PLAN 43R35230 AS IN PR2366810; SUBJECT TO AN EASEMENT FOR ENTRY AS IN PR2389561; TOGETHER WITH AN EASEMENT OVER PART BLOCK 2, PLAN 43M1927, BEING PARTS 5 AND 8, 43R40331 AS IN PR4074685; SECONDLY: PART BLOCK 2, PLAN 43M1927, BEING PARTS 6, 7, 9 AND 10, PLAN 43R40331; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 6 AND 7, 43R40331 AS IN PR2366810; SUBJECT TO AN EASEMENT FOR ENTRY AS IN PR2389560; SUBJECT TO AN EASEMENT OVER PARTS 6 AND 9, 43R40331 IN FAVOUR OF PART BLOCK 2, PLAN 43M1927, BEING PARTS 1, 2, 3, 4, 5, 8 AND 11, 43R40331 AS IN PR4074685; TOGETHER WITH AN EASEMENT OVER PART BLOCK 2, PLAN 43M1927, BEING PARTS 5 AND 8, 43R40331 AS IN PR4074685; CITY OF BRAMPTON

The lands surrounding the Subject Property consist of a variety of land uses including residential, commercial/retail, vacant lands, open space, and the Mount Pleasant GO Station. The following provides an overview of the surrounding land uses.

- North: Located immediately north of the Subject Property is Lagerfeld Drive. Located approximately 100 metres (328 feet) from the Subject property is Mount Pleasant GO Station. Located approximately 70 metres (230 feet) from the Subject Property are bus stops that are serviced by the local transit system.
- South: Immediately south of the Subject Property is Bovaird Drive West. Located southeast of the Subject Property is a commercial plaza that includes a pharmacy, and various eateries that are easily accessible to residents. There are also two (2) bus stops that are serviced by the local transit system located approximately 75 metres (246 feet) from the Subject Property.

East: Adjacent and to the east of the Subject Property is Lagerfeld Drive. Located immediately east of Lagerfeld Drive, construction of a new mixed-use building is underway, consisting of various residential typologies.

West: Located immediately west of the Subject Property is a vacant lot planned for a future mixed-use development, City File Nos. OZS-2023-0039. Creditview Road is located further west. Located along Creditview Road is a bus stop that is serviced by the local transit system.

In addition to the Mount Pleasant GO Station, the Subject Property is also within proximity to six (6) or more local bus stations which provide access to the Brampton Gateway Terminal and the City of Mississauga. The Brampton Gateway Terminal is serviced by regular Brampton Transit services, Brampton Transit Express Services, Zum bus rapid transit and the City of Mississauga Miway Transit services.

### **Lot Addition**

Prior to the purchase of the Subject Property by the current owners, Consent application B-2021-0034 facilitated a severance for the purposes of a Lot Addition to allow for appropriate sized parcels of land for future development on the Subject Property. The Lot Addition facilitated a transfer of approximately 0.12ha (0.30 acres) of land area from the Bovaird West Holdings Inc. property located adjacent and to the west of the Subject Property. The Consent application was approved resulting in Parts 6, 7, 9 and 10 of Block 2 being transferred to Block 3, Plan 43M-1927 (the Subject Property). Along with the Lot Addition, a reciprocal access easement was established for the purposes of facilitating a future shared access between the adjoining properties. The intent of the Lot Addition was to add lands to the Residential Apartment A – R4A-3527 zone creating a suitable-sized development parcel. Staff Report B-2021-004 supported the Lot Addition and provided that suitable sized Lots will be created and that the Zoning By-law regulations will be met following the Lot Addition.

The lands added have since been consolidated under one PIN and certified by the Land Registry Office. However, the zone boundary was not adjusted at the time of the Consent application, hence the purpose of Minor Variance #1 requested.

### **Policy Context**

The Subject Property is located with the Gateway Mobility Hub, centered around the Mount Pleasant GO Station and is on a Primary Intensification Corridor. The Official Plan designates the Subject Property Residential and the Fletchers Meadow Secondary Plan designates the Subject Property Mixed Use Node and GO Transit Site Special Policy Area 1. The Mixed Use Node designation permits a range of commercial and high density residential uses. Gateway Mobility Hubs are planned to accommodate a concentration of higher density residential uses and mixed-use development.

The Subject Property is split-zoned Residential Apartment A - R4A-3527 (easterly portion) and Commercial Three – C3-3526 by By-law 270-2004 (westerly portion). The R4A-3527 zone

permits an apartment dwelling, purposes accessory to other permitted purposes, Ground Floor Townhouse Dwelling Units, a Retirement Home and Nursing Home and Mixed Use Development. Minor Variance application A-2022-0350 reduced the minimum visitor and resident parking space requirements and allowed for an increase in the maximum permitted height for both buildings proposed.

The C3-3526 zone permits a mix of uses including non-residential, residential and institutional uses. Apartment dwellings are permitted in the C3-3526 zone.

In August 2022, an application for Site Plan Approval was submitted to facilitate the development of the Subject Property. This application is currently under review and a third round of comments have been received.

The proposed Minor Variances intend to address the final remaining zoning comments required to achieve Zoning By-law conformity before Site Plan Approval can be issued.

### **Proposed Development**

The proposed development will provide for six-hundred-seventy-five (675) residential units in two (2) towers connected by a shared two (2) storey podium. The building proposed with frontage on Bovaird Drive (South Building) is thirty-two (32)-storeys and the building with frontage on Lagerfeld Drive (North Building) is thirty-four (34)-storeys. A tower separation of 25 metres (82 feet) is provided between buildings. A minimum 12.5 metres setback on the westerly property line accommodates future development and provides for the access shared between properties and the access to the loading and waste collection areas in a back-of-house configuration. A shared amenity space is located between and on the podium roof. Towers are generally stepped back from the podium by 2.5 metres, while the podium and towers provide for a continuous street wall of 60% on Bovaird Drive West.

The unit mix proposed provides for a range of unit typologies including one (1) bedroom, one (1) bedroom plus den, two (2) bedroom and three (3) bedroom units. Nine (9) two-storey two (2) bedroom townhouse-style units are provided at grade and to the second floor. Indoor and outdoor amenity areas are shared between buildings and are provided on the ground and 2<sup>nd</sup> floors. The total proposed Gross Floor Area (GFA) is 65,156 square metres (701,333.35 square feet) and four-hundred-thirty-six (436) residential parking spaces, and sixty-seven (67) visitor spaces for a total of five-hundred-three (503) parking spaces on-site. Included in these spaces are two (2) car share spaces and thirteen (13) barrier-free spaces.

Vehicular access is facilitated via shared north-south private road located at the westerly boundary of the Subject Property, via Lagerfeld Drive at the north. This access provides vehicular and pedestrian access to and from the rear of the buildings and to the underground garage where vehicular parking access, visitor parking and garbage loading areas are located. A principal resident and visitor entrance lobby and concierge is oriented towards Lagerfeld Drive and facing east. A secondary pedestrian entrance oriented towards Bovaird Drive is located at the southeast corner of the South Building.

### **Minor Variances Proposed**

The Subject Property is split-zoned Residential Apartment A - R4A-3527 (easterly portion) and Commercial Three – C3-3526 (westerly portion) by By-law 270-2004, as amended.

#### **Minor Variance #1: To establish and permit all uses and regulations provided for in the R4A-3527 zone on the portion of the Subject Property zoned C3-3526.**

Following final approval of Consent B-2021-0034 and consolidation of the severed parcel with the Subject Property, the zone boundary was not adjusted resulting in a split zoned property. In conjunction with staff, we are seeking an avenue to correct the zone boundary either through a zone mapping adjustment or by applying the regulations of the R4A-3527 zone to the portion of the Subject Property zoned C3-3526.

**Minor Variance #2: Adjust the minimum ground floor height to 3.2 metres whereas 4.5 metres is required by the Zoning By-law.** With the ground floor height being measured from established grade, deviations in the measure are found at certain points around the buildings and podiums given the change in grading and when applying the correct measure of Established Grade. The ground floor heights range from 3.3 to 4.5 metres, depending on the specific point of measure. Over 75% of the ground floor height is at or over 4.5 metres on average.

Collectively, Minor Variances #1 and #2 are referred to as the “proposed Minor Variances” in this Letter.

### **Minor Variance Tests**

Section 45 (1) of the *Planning Act*, as amended, identifies four tests which must be satisfied in order for the Committee to approve this application.

Those tests are as follows:

1. The proposed Minor Variance maintains the general intent and purpose of the Official Plan.
2. The proposed Minor Variance the general intent and purpose of the Zoning By-law.
3. The proposed Minor Variance is desirable for the appropriate development or use of the land.
4. The proposed Minor Variance is minor in nature.

In our opinion, the proposed Minor Variances are supportable and meet the four tests of Section 45(1) of the *Planning Act* and based on the following analysis:

**The Variance Maintains the General Intent and Purpose of the Official Plan**

The Official Plan designates the Subject Property and adjacent property to the west Residential and both are located within a Gateway Mobility Hub and Primary Intensification Corridor, centered around the Mount Pleasant GO Station. Further, the subject property is located in the Mount Pleasant Village and Block Plan Area.

The Residential (Section 4.2) designation permits high-rise apartment buildings and recognizes certain key elements of design for residential areas:

*4.2.1.9 The City shall encourage, where deemed appropriate, on-site amenities and facilities in multiple residential development commensurate with the anticipated resident composition of the subject development.*

*4.2.1.14 In accordance with the Development Design Guidelines, the City recognizes that the key elements of design for residential areas are:*

- (i) Variety of housing types and architectural styles;*
- (ii) Siting and building setbacks;*
- (iii) Garage placement and driveway design including attached garages, lot widths related to attached garages, rear yard garage locations and driveways;*
- (iv) Street façade development and allowable projections, including the street address, entrance architecture, grade relationship, windows, projecting elements and roof forms;*
- (v) Upgraded elevations at focal locations including corner lots, housing abutting open space & pedestrian links, housing at “T” intersections, and housing at parkettes;*
- (vi) Incorporation of multiple unit dwellings and apartments; and,*
- (vii) Landscaping and fencing on private property.*

Appropriate building separation, siting and zone setbacks are maintained to the property lines and to the westerly adjacent property of 4.5 metres in both zones. The Subject Property and adjacent property are designated Residential and policies and objectives of the Residential designation in the Official Plan continue to be maintained. The proposed development will continue to implement the Residential policies of the Official Plan following the zone adjustment (Minor Variance #1).

The proposed development provides for a variety of housing types through introduction of one, two and three bedroom and townhouse style units and incorporates required siting and setbacks in accordance with the Zoning By-law. Developed and detailed elevations provide for an appropriate street façade that addresses the street through incorporation of ground floor entrances and lobbies and active internal amenity areas. Glass and clear glazing provide for visibility on the ground and second floor where lobby and amenity areas exist. A detailed landscape plan provides for an attractive grade-level and street condition (Minor Variance #2).

Further, Section 4.2.7.4 provides for further design guidance:

*Through its review and approval of site plans for residential developments pursuant to the Planning Act and in accordance with Section 4.11 Urban Design and Section 4.6 Natural Heritage and Environmental Management of this Plan, the City shall:*

- (i) Promote an appropriate massing and conceptual design of buildings;*
- (ii) Endeavour to achieve satisfactory access for public transit, automobiles, pedestrians, cyclists and persons with disabilities;*
- (iii) Encourage the protection and enhancement of safe and attractive built environments;*
- (iv) Encourage a high quality of landscape treatment which reflects the needs of both the site users and passers by;*
- (v) The provision of interior walkways, stairs, elevators and escalators to which members of the public including persons with disabilities have access from streets, open spaces and interior walkways in adjacent buildings;*

An appropriate building mass and design is achieved through incorporation of the Zoning By-law setbacks for podiums and street related building elements. Grade-related pedestrian entrances provide access to the building and achieve safe and attractive street condition conducive to a pedestrian environment. Sidewalks surround the Subject Property and internal pathways provide connections to the buildings and sidewalks. A comprehensive landscape plan has been developed. Appropriate separation distances between adjacent properties will be achieved and through the provision of a shared access laneway. The proposed Minor Variances does not disrupt the design policies of the Official Plan and the proposed development continues to maintain the intent and purpose of the Official Plan (Minor Variances #1 and #2).

Gateway Hubs (Section 3.2.5.1) are planned to accommodate a concentration of higher density residential and/or commercial, institutional and employment uses. The proposed residential development conforms to the intent and purpose of the Gateway Hubs designation (Minor Variances #1 and #2).

Section 4.11 of the Official Plan provides guidance with respect to urban design and built form for various building typologies. Specifically, Section 4.11.3 Built Form provides that:

*4.11.3 Built Form Built form is generally reflective of the private realm, but also defines the limit of the public realm. Built form has identifiable aspects relating to urban structure, urban grain, density and mix, height and massing, building type, façade and interface, details and materials, streetscape and landscape.*

And Section 4.11.3.1 Multi-Storey Buildings provides that for buildings over 9 storeys:

*The use of height to create a specific urban form is appropriate at certain locations within the City. Multi-storey buildings, specifically tall buildings, contribute to the image of a city and its skyline. Their design must therefore address issues including, but not limited to, their location, massing, use, and services. Sufficient on-site amenities and facilities should accommodate the anticipated use of the building.*

*4.11.3.1.2 Tall buildings have a significant presence and become landmarks. They must therefore have very high architectural quality and sensitive design treatments to ensure that they contribute positively to their immediate context as well as the wider Cityscape.*

The proposed development is a planned-for location for a tall building given its proximity to the Mount Pleasant GO Station. Correcting the zoning applicable to the Subject Property will assist to implement the Built Form policies for a tall building by applying the zoning and/or zone standards reflective of the development design envisioned (Minor Variance #1).

Architectural and landscape design elements are incorporated and an appropriate massing is achieved through architectural design and building siting. The taller elements of the buildings are sited on a two-storey podium and setback from the street edge. The two-storey podium provides for the stepping and streetwall envisioned. The buildings appearance of the first floor from the outside and from the street is that of a two-storey podium. The glazing and architectural treatments define the first and second floors from the outside and create the impression of a taller first floor (Minor Variance #2).

The Fletchers Meadow Secondary Plan designates the Subject Property and adjacent property Mixed Use Node and GO Transit Site Special Policy Area 1. The Mixed-Use Node designation permits a range of commercial and high density residential uses.

Section 4.0 of the Secondary Plan provides general design and planning principles of the Mount Pleasant Mobility Hub Block Plan.

- II. Create a safe, attractive, transit oriented and pedestrian friendly community that demonstrates a reduced demand on the road network system;*
- III. Encourage compact built form and provide a variety and mix of housing types at varying densities, including apartment and live-work units;*
- IV. Create a distinct and attractive built form which will reinforce a high standard of quality and a positive visual image;*
- XIV. Enhance the pedestrian orientation of the community by encouraging residential units to be street oriented;*

The proposed development and proposed Minor Variances will implement the above general design and planning principles.

The Official Plan relies on the City's Development Design Guidelines to determine the appropriateness of building design, siting and massing for multiple unit dwellings and apartments. Section 1.6 of the Development Design Guidelines provides that:

*The following guidelines shall apply to multiple unit dwellings and apartments where permitted by the Secondary Plan:*

- *The primary building face should be parallel to the primary road to reinforce the street edge.*

- *Where possible, parking should be located below grade.*
- *The built form should incorporate a base element of 2-3 storeys in height to reinforce a pedestrian scale.*
- *For apartments, winter protection for access to the building should be provided.*
- *The base of the building should be distinguished through stepping back the building, changing materials and/or incorporating an architectural cornice.*
- *Any mechanical and equipment rooms located on the building roofs shall be screened with the architectural features of the building.*
- *Where a dwelling unit is located at the ground floor of the building adjacent to a Primary Road, the building should be located at a minimum of 3.0 metres from the property line.*
- *On a Secondary Road, the building should be located 6.5 metres from the property line to provide private amenity space for ground-related dwelling units. The private amenity space may be demarcated by low hedges, walls or ornamental fencing.*

Correcting the zoning regulations that apply to the Subject Property will allow for the establishment of the regulations that will generate the built-form envisioned in conformity with Zoning By-law and to implement the design guidelines applicable to the Subject Property (Minor Variance #1).

The proposed podium is generally parallel to the street edge and the majority of parking is located below grade, save for visitor parking located at the rear and screened from views from the adjacent streets. The built form incorporates a base podium two storeys in height and is distinguished through architectural treatments (glazing, brick) and through application of the required building setbacks and step-backs from the podium and taller elements. While the proposed ground floor height is proposed to be reduced through this Minor Variance #2, it will not disrupt the design guidelines as a two-storey podium is provided that reinforces and contributes to an appropriate streetscape and pedestrian scale (Minor Variance #2).

The City's draft Urban Design Guidelines also contemplate the first and grade-related floor condition on new apartment developments:

*Draft Urban Design Guidelines*

*4.2.1 Site Organization –*

*16 Contribute creating an active public realm, ensure uses (whether residential units, commercial units or live-work units) located within the ground floor of buildings have individual direct access to the public sidewalk. These should be accessible wherever possible and where grading permits. Where direct physical access is not possible, design of the units should have a presence on the street through windows, balconies, landscaped*

areas, etc.

*4.2.2 Built Form A. Height and Massing*

*7 Ensure floor to ceiling heights of:*

- a. Ground floors are a minimum of 4.0m in height for residential uses and 4.5m for non-residential uses*

The draft Urban Design Guidelines contemplate a reduced 4.0 first floor height whereas 4.5 metres is currently required in the Zoning By-law. Overall, the proposed development continues to meet the design guidelines contemplated in the new draft Urban Design Guidelines as access from residential lobby and townhouse units is provided directly to/from the street. Architectural treatments on the podium provide the image of a taller first floor view from the exterior than what is measured from established grade at specific points (Minor Variance #2).

The proposed development relates to the adjacent property to the west and provides for appropriate tower separation and grade-related landscaping to integrate the developments. The Subject Property, as consolidated, is planned to develop with the R4A-3527 zone regulations and will implement the urban design guidelines (Minor Variance #1).

With the overall policies of the Official Plan and design guidelines being met, the proposed Minor Variances meet the general intent and purpose of the Official Plan.

*The Variance Maintains the General Intent and Purpose of the Zoning By-law*

**Minor Variance #1**

Through the proposed Minor Variance #1, the zoning will be adjusted to match the current property boundaries. Both the R4A-3527 and C3-3526 zones permit Apartments and require a 4.5 metre setback to each respective zone. Required minimum Lot Areas and Lot Frontage will continue to be met. The adjustment will facilitate the overall development of the Subject Property and will not impact or alter the development on the adjacent property to the west, given the existing property boundaries.

Further, Section 4.2 – Interpretation of Zone Boundaries provides that:

- (a) where a zone boundary is indicated as following a street or lane, the boundary shall be the centre line of such street or lane;*
- (b) where a zone boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or of lots registered in the Land Registry Office, the boundary shall follow such lot lines;*

The current zone boundary does not accurately reflect the new property limits. Adjusting the applicable zoning to the correct property limits will see the boundary established through the centreline of the shared access laneway. Through proposed Minor Variance #1, the new Lot limits will reflect the correct zoning standards.

With the R4A-3527 zone regulations applied to the westerly portion of the Subject Property, the proposed development will conform with the Zoning By-law save for Minor Variance #2 being pursued under this request concurrently.

#### **Minor Variance #2**

The Zoning By-law requires a minimum ground floor height of 4.5 metres in conjunction with other podium height and setback requirements for the overall building design. The Zoning By-law dictates that buildings greater than 12 storeys in height shall include a podium that is a minimum of two storeys in height setback 2.5 metres from the tower portion of the buildings. The proposed development continues to conform to this requirement. Tower Floor Plate, Minimum Tower Separation and a Continuous Building Wall of 60% are all provided for along with setback requirements in accordance with the Zoning By-law.

The measure of ground floor height is interpreted and measured from Established Grade which is taken from several points around the perimeter of the building and property. With the ground floor height being measured from established grade, deviations in the measure are found at certain points around the buildings and podiums given the change in grading and as a result the measure of established grade. The ground floor heights range from 3.2 to 4.5 metres, depending on the specific point of measure. Over 75% of the ground floor height is at or over 4.5 metres on average. The appearance of the podium and ground floor height is taller than that which is measured from established grade as outlined above. The proposed Minor Variance is therefore technical in nature and represents a minor deviation from the Zoning By-law.

Therefore, the proposed zoning adjustment and reduction in the ground floor height is in keeping with the general intent and purpose of the Zoning By-law.

#### *The Variance is Desirable for the Appropriate Development or Use of the Land*

It is in our opinion that the proposed Minor Variances are desirable, appropriate and in keeping with the existing character and intent of the Subject Property and surrounding community. The proposed Variances will allow for a transit-supportive development consistent with the design guidelines for tall apartment buildings. Minor Variance #1 will allow for the envisioned development to proceed following the planned-for property boundaries contemplated under previous planning applications and through the Site Plan Approval application process. Minor Variance #2 will minorly adjust the Zoning By-law regulations to permit the desired development and first floor height on the Subject Property.

The proposed Minor Variances are therefore a desirable and appropriate use of the land located within the Mount Pleasant MTSA.

#### *The Variance is Minor in Nature*

The proposed Minor Variances represent technical adjustments to address the planned-for zoned limits of the Subject Property and deviations in the measure of ground floor height from

Established Grade. The zoning adjustment is a minor technical refinement needed to implement the correct zoning designations and standards on the Subject Property (Minor Variance #1).

The minimum requirement of 4.5 metres is met at various points around the buildings and is reduced at its lowest point to 3.3 metres only on the south tower elevation where loading, garbage and driveway access is provided. Over 75% of the ground floor height is at or over 4.5 metres on average (Minor Variance #2).

As such, the proposed Minor Variances are therefore minor in nature.

**Conclusion**

Overall, the proposed Minor Variances will allow for the development of the Subject Property in a manner that is compatible and in keeping with the current and intended development intensity around the Mount Pleasant GO Station. The proposed Minor Variances will not disrupt and maintain the general intent and purpose of the Official Plan and Zoning By-law. The proposed Minor Variances are desirable and appropriate for the use of the land and ultimately are minor in nature.

In summary, the proposed Minor Variance satisfies the four (4) tests of Section 45(1) of the *Planning Act*.

Yours very truly,

**GLEN SCHNARR & ASSOCIATES INC.**



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**Bruce McCall-Richmond, MCIP, RPP**  
**Senior Associate**

Appended:

1. Minor Variance Sketch prepared by Glen Schnarr and Associates Inc. dated May 21, 2024;
2. Staff Report B-2021-0034 – Consent/Lot Addition;
3. Survey Sketch showing current Subject Property Limits prepared by R-PE Surveying Ltd.;
4. Site Plan prepared by Rafael Bigauskas dated May 8, 2024;
5. Statistics prepared by Rafael Bigauskas dated May 8, 2024;
6. Elevations prepared by Rafael Bigauskas dated April 11, 2024; and
7. Ground Floor Plan prepared by Rafael Bigauskas dated May 8, 2024.

Cc: Tejinder Sidhu, Principal Planner and Supervisor  
Angelo Ambrico, Manager, Development Services