



Report Committee of Adjustment

Filing Date: May 16, 2024
Hearing Date: June 18, 2024

File: B-2024-0010

Owner/ **2868335 Ontario Inc.**

Applicant: **IDM Consultants Inc.**

Address: **40 and 44 West Drive**

Ward: WARD 3

Contact: Ellis Lewis, Planner I

Purpose:

The purpose of the application is to request a consent to sever a parcel of land currently having a total area of approximately 1.607 hectares (3.97 acres). The proposed severed lot has a frontage of approximately 142.32 metres (466.92 feet), a depth of approximately 76.29 metres (250.31 feet), and an area of approximately 0.700 hectares (1.73 acres). It is proposed that two lots be established from the existing lot.

Recommendations:

That application **B-2024-0010** is supportable, subject to the following conditions being imposed:

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. The applicant shall provide a draft reference plan detailing property boundaries for review prior to depositing;

4. That a Pre-Consultation application shall be submitted within 90 days of the Committee of Adjustment's decision;
5. That a Site Plan Application shall be submitted and deemed complete within 120 days from the date of the Pre-Consultation meeting and approved within 1 year for both the retained and severed parcels, and the works included on it are implemented to the satisfaction of the Director of Development Services or extended at the discretion of the Director of Development Services;
6. That any changes to the proposed plan or any subsequent application(s) which involve soil disturbance may require an archaeological assessment due to the site exhibiting archaeological potential;
7. Separate water, sanitary and storm services shall be provided for each lot in accordance with the Ontario Building Code and to the satisfaction of the Chief Building Official. Should services serving one lot cross the other, the appropriate easements shall be registered prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required for alteration to the existing services; and
8. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Background:

- **Official Plan:** The subject property is designated 'Industrial' in the Official Plan;
- **Brampton Plan:** The subject property is designated as 'Employment' in the council adopted Brampton Plan;
- **Secondary Plan:** The subject property is designated 'General Employment 1' in the Highway 410 and Steeles Secondary Plan (Area 5); and
- **Zoning By-law:** The subject property is zoned Industrial One A (M1A) according to By-Law 270-2004, as amended.

Consent Application:

The intent of this application is to formally sever the subject lands into two separate lots from the existing lot to facilitate the sale of the proposed severed lot for future development. The proposed severed and retained lands maintain all Zoning By-law requirements for lot size and dimensions. The applicant has submitted a consent to sever application in order to re-establish two separate parcels of land at the properties municipally addressed as 40 West Drive and 44 West Drive. These subject properties may in law 'merge on title' and become one property for property assessment purposes. This can become a result of two or more abutting properties coming together through a single ownership. Each lot is occupied by an industrial building and the application is not proposing any new development on the lot

at this time. This consent application will sever the parcels from single ownership, returning the subject properties to two individual parcels.

Due to the existing site conditions involving shared access and parking areas through the paving of the sites, conditions are recommended to ensure that Site Plan applications are submitted and approved in order to establish separate and functional properties. Should easements be required, the owner and applicant are advised that further approvals with the Committee of Adjustment may be required.

Staff have 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,

A handwritten signature in black ink that reads "Ellis Lewis". The signature is written in a cursive, slightly slanted style.

Ellis Lewis, 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 proposed severance is suitable for the industrial 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 proposed lots are appropriate in size and shape for their purpose. No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
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>	The proposed severance presents no concerns 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 severance 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. A condition is provided that Separate water and

	sanitary services shall be provided for each lot in accordance with the Ontario Building Code and to the satisfaction of the Chief Building Official. Should services serving one lot cross the other, the appropriate easements shall be registered prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required for alteration to the existing services.
<i>j) The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites
<i>k) 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. Conditions of approval have been included to ensure that arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.
<i>l) 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.
<i>m) 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>	The retained and severed lot will be subject to the Site Plan Control review and approval process. A condition of approval is recommended that a site plan application be approved for both the retained and severed parcels, and the works included on it are implemented, to the satisfaction of the Director of Development Services

Appendix A- Site Visit Photos :

