

Flower City



brampton.ca

FILE NUMBER:

A-2024-0238

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)** 55 Hereford Investments ULC
Address 55 Hereford Street, Brampton, Ontario L6Y 0R3

Phone # 940.390.7500 **Fax #** _____
Email bmarsh@stratcap.com

2. **Name of Agent** Carmine Rotundo, c/o Gensler Architecture & Design Canada Inc.
Address 150 King Street West, Toronto, Ontario, M5H 1J9

Phone # 416-956-2904 **Fax #** _____
Email carmine_rotundo@gensler.com

3. **Nature and extent of relief applied for (variances requested):**
1) Seeking a Minor Variance for the existing non-conforming building built at 55 Hereford St. in Brampton, ON. The majority of the existing data centre building is situated within property area zoned as M4-2804 (Industrial) and crosses the zoning division line with the remainder of the building located within the property zoned as OC-2801. Thus having a rear setback of 0 meters. As we understand, this is an existing non-conforming issue that we are seeking a Minor Variance to rectify. Furthermore, a Minor Variance will allow for an additional industrial occupancy building to be built attached to the existing building within the OC-2801 zoned areas.
2) Seeking a Minor Variance to permit erection of a fence with gate within the 6m front yard setback along Hereford St. to provide a secure fencing enclosure around the property and control access during designated times. Permission to erect the fence was previously approved with the city through the REO agreement.

4. **Why is it not possible to comply with the provisions of the by-law?**
Existing building already constructed and operated as Data Centre. New addition to be built attached to existing building.

Fencing location is being requested to be erected as shown, within the 6m setback from the front property line along Hereford St., to provide sufficient security enclosure for the property and loading dock area. Not having the fencing along the front yard property line will cause security risk for the loading dock.

5. **Legal Description of the subject land:**
Lot Number 14
Plan Number/Concession Number PLAN M1673 BLK 6, REGISTERED PLAN 43m-1673
Municipal Address 55 Hereford Street, Brampton, ON, L6Y 0R3

6. **Dimension of subject land (in metric units)**
Frontage 224.1m
Depth 190.1 m
Area 39,570.3 m2

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

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:

-Existing Data Centre Building (Main occupancy: Industrial), 1 Storey, GFA 11,781.5 m2, 90.3 x 137.6m
-Existing Exterior Enclosed Generator Yard, 1 Storey, Open Air, GFA 3018 m2, 30.3m x 99.5m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

-Proposed Data Centre Addition (Main Occupancy: Industrial) 1 Storey, GFA 5,203 m2, 49.0m x 107.m
-Proposed Exterior Enclosed Generator Yard, 1 Storey, Open Air, GFA 1481 m2, 61.25m x 21.9m

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

Front yard setback	6.0 m
Rear yard setback	0.0 m
Side yard setback	22.9 m
Side yard setback	21.65 m

PROPOSED

Front yard setback	6.0 m
Rear yard setback	6.1 m
Side yard setback	22.9 m
Side yard setback	21.65 m

- 0. Date of Acquisition of subject land: June 15, 2023
- 1. Existing uses of subject property: Industrial Occupancy, Data Centre
- 2. Proposed uses of subject property: Industrial Occupancy, Data Centre
- 3. Existing uses of abutting properties: Office
- 4. Date of construction of all buildings & structures on subject land: May 2013
- 5. Length of time the existing uses of the subject property have been continued: Since May 2013

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

Municipal Other (specify) _____
Well

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

Municipal Other (specify) _____
Septic

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

Sewers Other (specify) _____
Ditches
Swales

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 # _____ Status _____

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(s) or Authorized Agent


DATED AT THE City OF Brampton
THIS 17 DAY OF June, 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, Carmine Rotundo, OF THE City OF Toronto

IN THE _____ OF _____ 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 Brampton
IN THE Region OF
Peel THIS 17 DAY OF
June, 2024

A Commissioner etc.


Signature of Applicant or Authorized Agent

Mercelyn Osayamen Osaze
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires June 20, 2025.

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 June 17, 2024
VL

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: 55 Hereford Street, Brampton, ON, L6Y 0R3

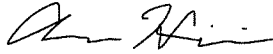
I/We, Arya Heidari, c/o 55 Hereford Investments ULC
please print/type the full name of the owner(s)

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

Carmine Rotundo, c/o Gensler Architecture & Design Canada 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 12 day of June, 2024.



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

Arya Heidari, c/o 55 Hereford Investments ULC
(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

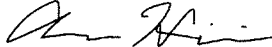
To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 55 Hereford Street, Brampton, ON, L6Y 0R3

I/We, Arya Heidari, c/o 55 Hereford Investments ULC
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 12 day of June, 2024.



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

Arya Heidari, c/o 55 Hereford Investments ULC

(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



55 Hereford Investment ULC
Greenwich CT 06830

To whom it may concern

For the purpose of the Minor Variance application of 55 Hereford Street, Brampton, Ontario L6Y 0R3, we as the owners of the property as 55 Hereford Investment ULC, authorize Carmine Rotundo c/o Gensler Architecture & Design Canada Inc to act as our authorized agent.

Director

On behalf of the Board

A handwritten signature in black ink, appearing to read 'Arya Heidari', written in a cursive style.

Arya Heidari
Director

Project 55H Brampton - Data Centre

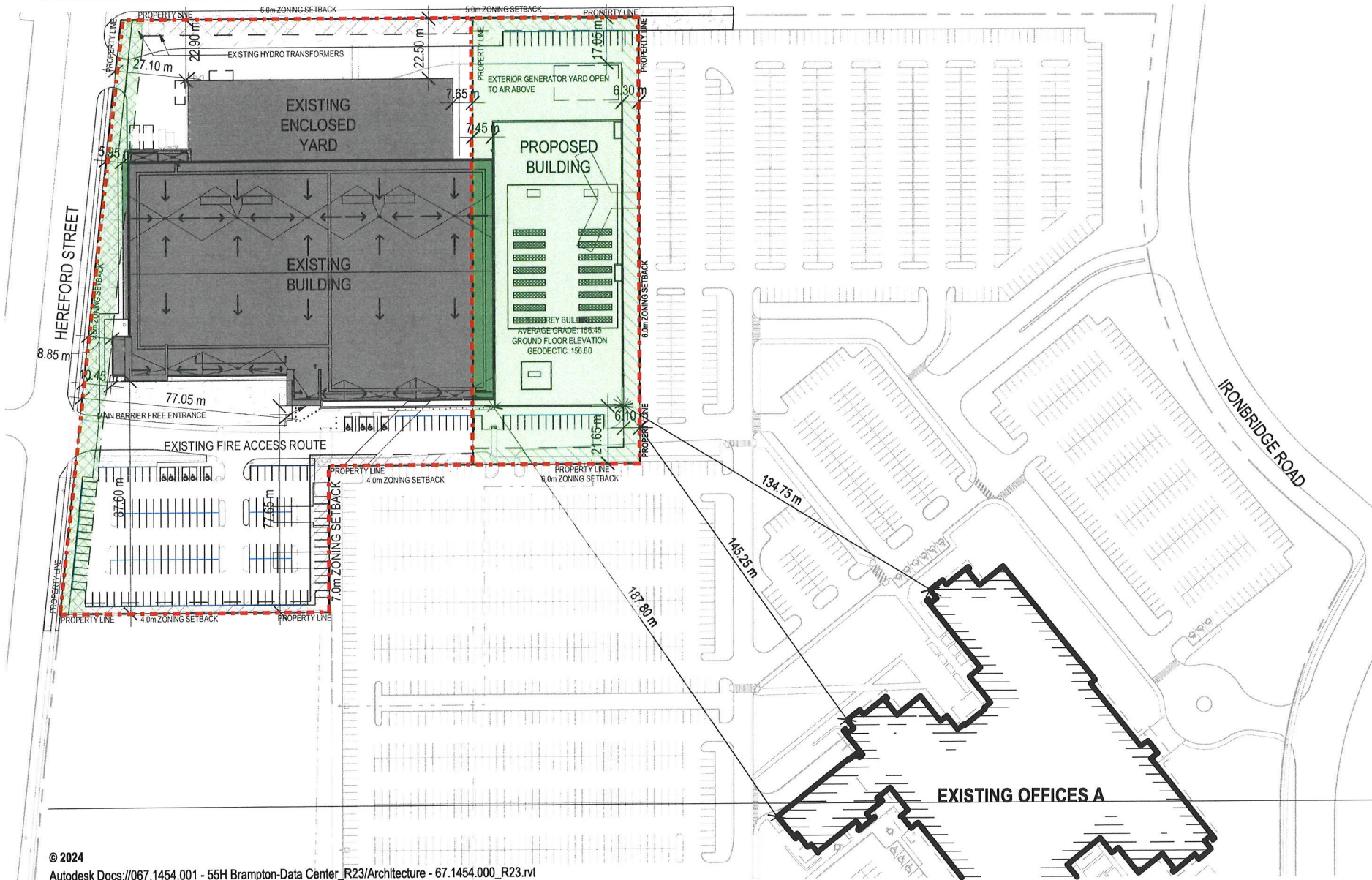
Project Number 67.1454.001

Description SITE CONTEXT

Issue/Rev

Prepared by Author Drawing Scale 1 : 2000

Date 06/12/2024



STATISTICS:

LOT AREA: 39,570.3sm [425,928 sf]
 EXISTING BUILDING: 11,781.5sm [126,815 sf]
 GREENSPACE: 5,364sm [57,738 sf]
 LOT COVERAGE: 42.9%
 OCCUPANT LOAD: 20 PEOPLE
 GROSS BUILDING FLOOR AREA: 16,984sm [182,819 sf]
 FLOOR AREA TO BE DEMOLISHED: 0sm [0sf]

TOTAL PARKING SPACES ON SITE: 215 (INCLUDING 9 BARRIER FREE SPACES)
 NET (PERMIT) FLOOR AREA: LEVEL 01: 5,203sm [56, 004sf]
 TOTAL PERMIT AREA: 5,203sm [56, 004sf]



Project 55H Brampton - Data Centre

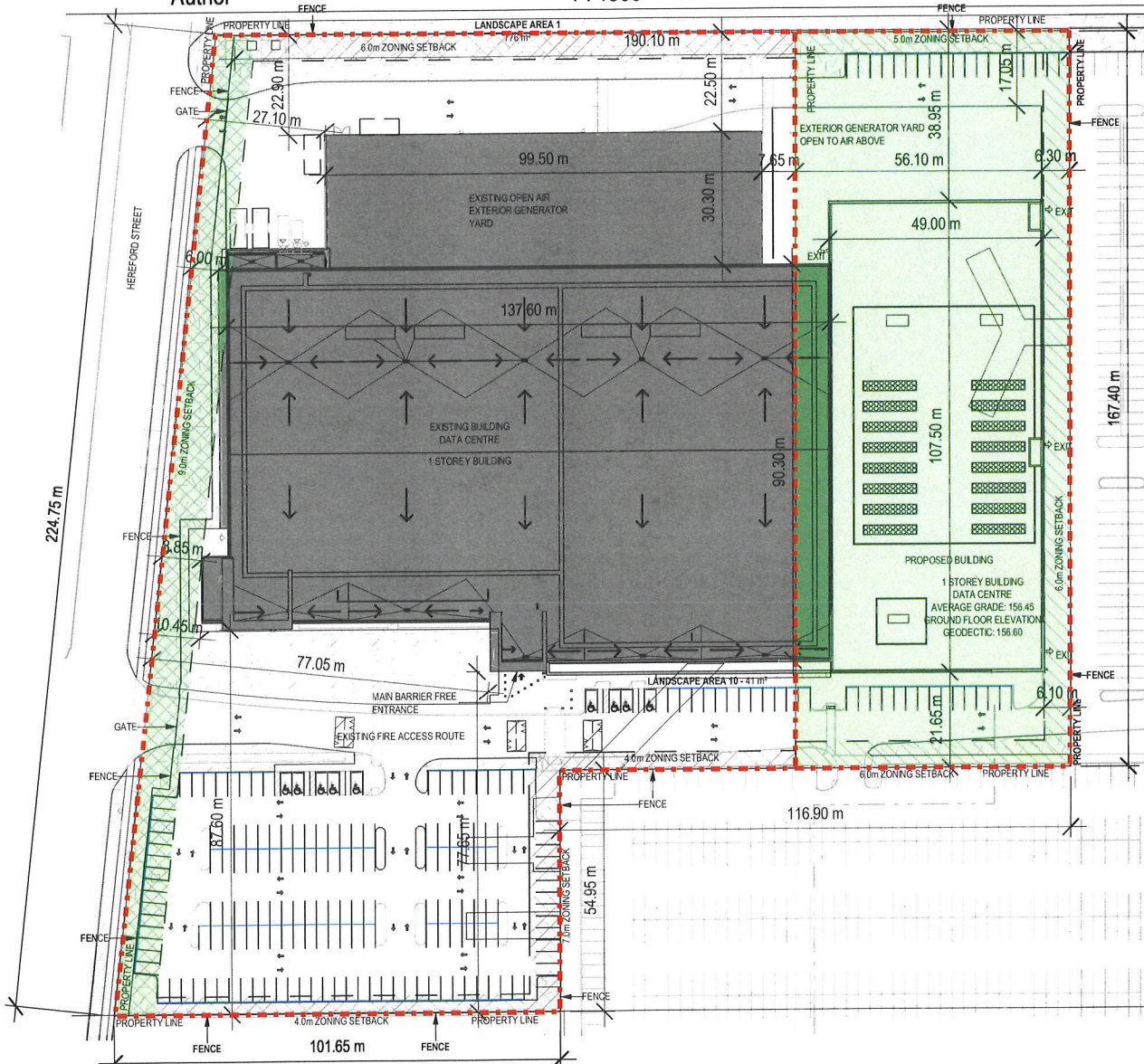
Project Number 67.1454.001

Description PROPOSED SITE PLAN

Issue/Rev

Prepared by Author Drawing Scale 1 : 1500

Date 06/12/2024



150 King Street West
 Suite 1400
 Toronto
 ON M5H 1J9 Canada
 (416) 601-3890
 (416) 601-3891

Project 55H Brampton - Data Centre

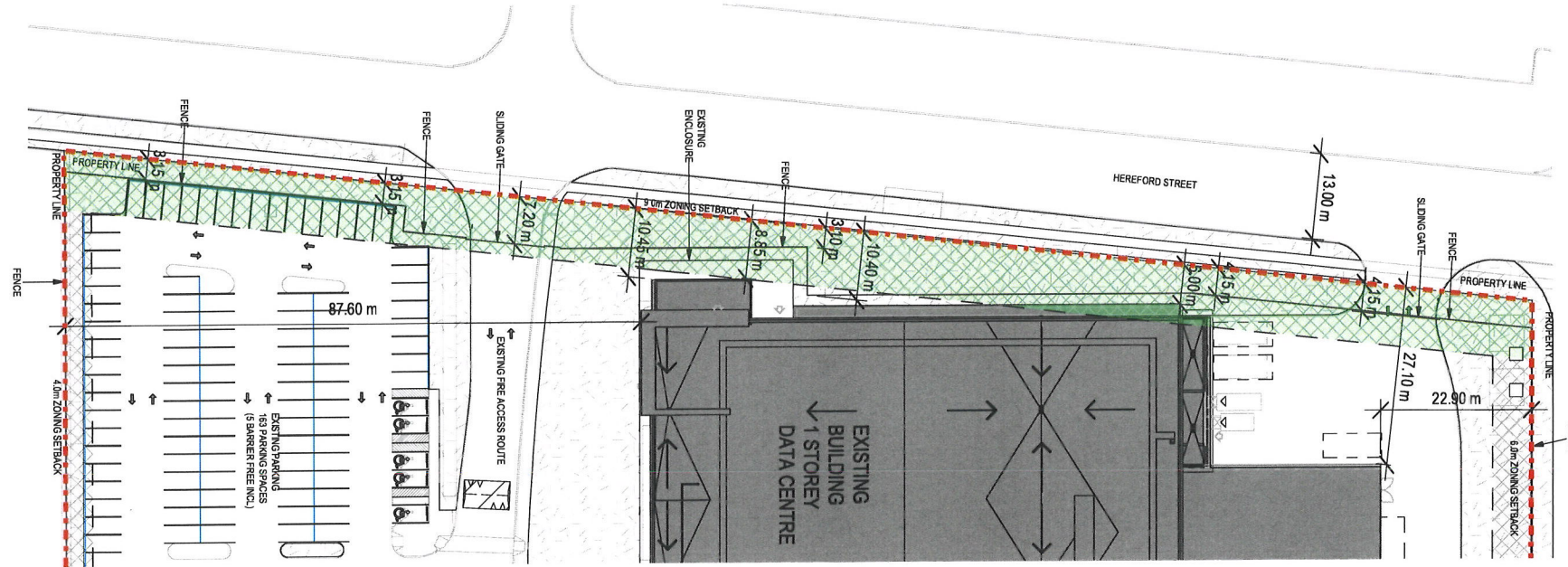
Project Number 67.1454.001

Description FENCING DETAIL

Issue/Rev

Prepared by Author Drawing Scale 1 : 1000

Date 06/12/2024



Zoning Non-compliance Checklist

File No.
A - 2024-038

Applicant: 55 Hereford Investments ULC
 Address: 140 Moffat / 55 Hereford Street, Brampton, ON
 Zoning: M4-2808 and OC-2801
 By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR	To permit the construction or a building addition in the rear yard having an existing non-conforming setback of 0.0m to the zone boundary between lands zoned OC-2801 and M4-2808	Whereas the by-law requires that all lands zoned OC-2801 zone be treated as a single lot for Zoning purposes and requires a setback of 6m between a building and the zone boundary between lands zoned OC-2801 and M4-2808. Note: A building setback of 6m will be provided between the building (which straddles the zone boundary) and the rear lot line of the subject property.	2801.2(q) 2801.2(f)
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
BELOW GRADE ENTRANCE			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
TWO-UNIT DWELLING			
SCHEDULE "C"			
OTHER – FENCE	To permit a fence in the front yard	Whereas a fence is not permitted in the front yard of any lot in an industrial zone.	30.7

Elizabeth Corazzola

Reviewed by Zoning

June 13, 2024

Date