



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) 2149014 Ontario Inc. (c/o John Bubanovich)
Address 918 Dundas Street East (Unit #500), City of Mississauga, ON, L4Y 4H9
Phone # 905-276-9980 Fax #
Email ccdent@gmail.com

2. Name of Agent Glen Schnarr & Associates Inc. (c/o Jadeon Senkowski)
Address 10 Kingsbridge Garden Circle (Suite 700), City of Mississauga, ON, L5R 3K6
Phone # 416-786-8538 Fax #
Email jadeons@gsai.ca

3. Nature and extent of relief applied for (variances requested):
To permit parking within a front yard whereas Zoning By-law 270-2004 does not allow for parking within a front yard.

4. Why is it not possible to comply with the provisions of the by-law?
The site specific zoning by-law does not allow for parking within a front yard. Due to the floodplain hazard in the northwestern corner of the subject property, the owner is unable to construct Phase 2 at this time, leaving some of the spaces from Phase 1 as 'parking in the front yard. Road improvements along Heritage Road are scheduled to occur in 2027/2028, which will alleviate the floodplain impacts and grant the opportunity to lift the holding provisions on the subject property. With the removal of the H it will allow the property owner to continue with Phase 2, which will accomodate a third commercial building, (referred to as 'Building C'). Building C will be constructed between the frontage of Heritage Road and all parking constructed during Phase 1 of the project, eliminating any parking within the front yard. For further information please refer to the included cover letter.

5. Legal Description of the subject land: CON 5 WHS PT LOT 4
Lot Number PT LOT 4
Plan Number/Concession Number CON 5 WHS
Municipal Address 8645 Heritage Road

6. Dimension of subject land (in metric units)
Frontage 45.72 m (150 ft)
Depth 160.26m (525 ft)
Area 0.78 ha (1.92 ac)

7. Access to the subject land is by:
Provincial Highway
Municipal Road Maintained All Year x
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:

Property is currently a vacant lot.

Four horizontal lines for additional information.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

There are currently three buildings being proposed that are to be split into two phases. Phase 1 includes the construction of Buildings A & B. Building A will be 1 storey in height, with a Gross Floor Area (GFA) of 1,186.9 m² (12,776.0 ft²). Building B will be 1 storey in height with a GFA of 300.9 m² (3,239 ft²). Phase 1 is to occur prior to the roadwork along Heritage Road, which leaves the northwestern portion of the property subject to a flood risk. Post-Heritage Road road work Phase 2 will commence, which involves the construction of future Building C, but will be applied for underneath a new application.

Two horizontal lines for additional information.

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 (51.1m, 3.31m, South: 2.99m, North: 23.7 m (to Building B) 2.4m (to transformer)).

- 0. Date of Acquisition of subject land: October 30, 2007
1. Existing uses of subject property: Vacant
2. Proposed uses of subject property: Commercial, Residential
3. Existing uses of abutting properties:
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 [X] Other (specify)

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

Municipal Septic [X] Other (specify)

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

Sewers [X] 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 _____ 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 _____ Mississauga BRAMPTON
THIS 20th 9 DAY OF June JULY, 20 24.

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.

ANDJANA GRANIC
John Bubanovich OF THE City BRAMPTON OF Mississauga

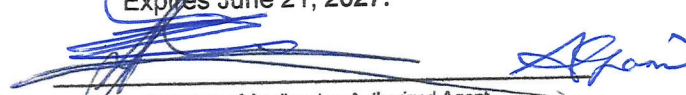
IN THE _____ Region _____ OF Peel HALTON SOLEMNLY DECLARE THAT:

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 9
Halton THIS 21st DAY OF
JULY
June, 20 24.

Valerie Low
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
(Expires June 21, 2027.)


Signature of Applicant or Authorized Agent

Nikola Coric, a Commissioner, etc.,
Province of Ontario, for
Glen Schnarr & Associates Inc. A Commissioner etc.
Expires September 1, 2024.

| 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 July 9, 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: 8645 Heritage Road

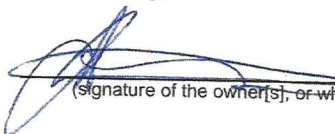
I/We, 2149014 Ontario Inc. (c/o John Bubanovich)
please print/type the full name of the owner(s)

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

Glen Schnarr & Associates Inc. (c/o Jadeon Senkowski)
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 20th 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.)

JOHN BUBANOVICH c/o 2149014 ONTARIO INC.
(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: 8645 Heritage Road

I/We, 2149014 Ontario Inc. (c/o John Bubanovich)
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 20th 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.)

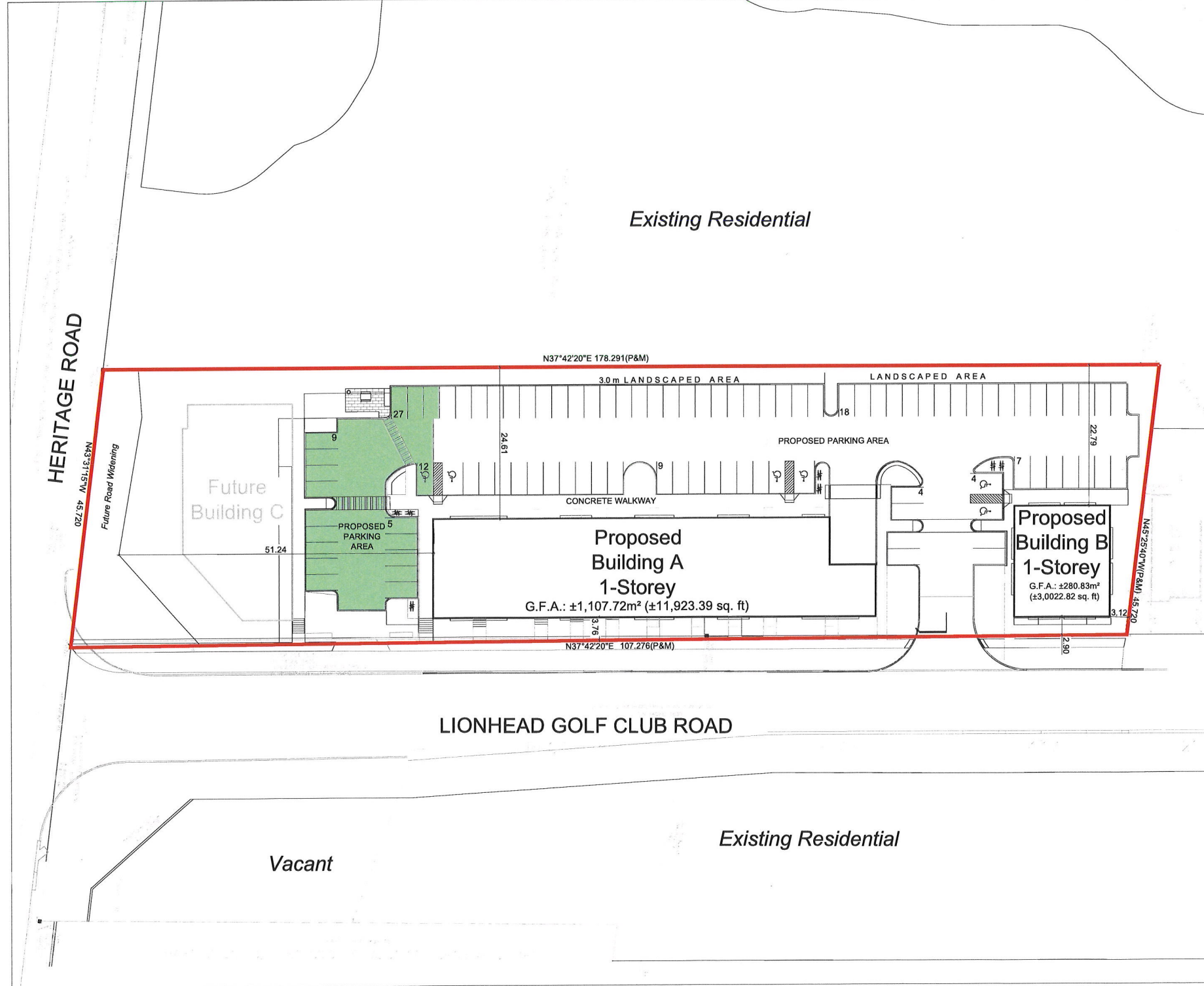
JOHN BUBANOVICH c/o 2149014 ONTARIO INC.

(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

7

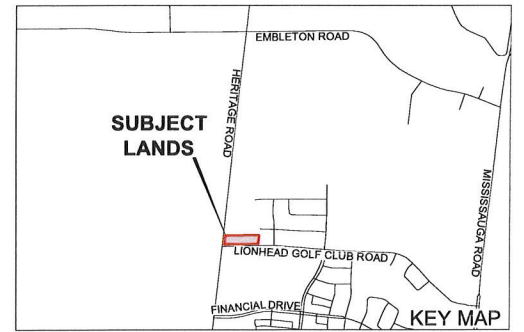


Existing Residential

LIONHEAD GOLF CLUB ROAD

Existing Residential

Vacant



MINOR VARIANCE SKETCH

8645 HERITAGE ROAD.
PART OF LOT 4, CONCESSION 5 WHS,
CITY OF BRAMPTON,
REGIONAL MUNICIPALITY OF PEEL

— Subject Lands: 0.81ha (2.01ac)

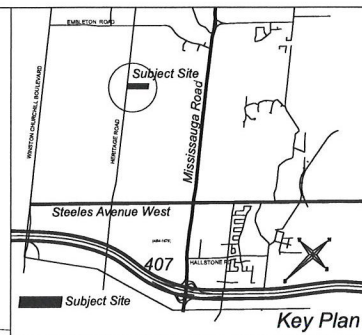
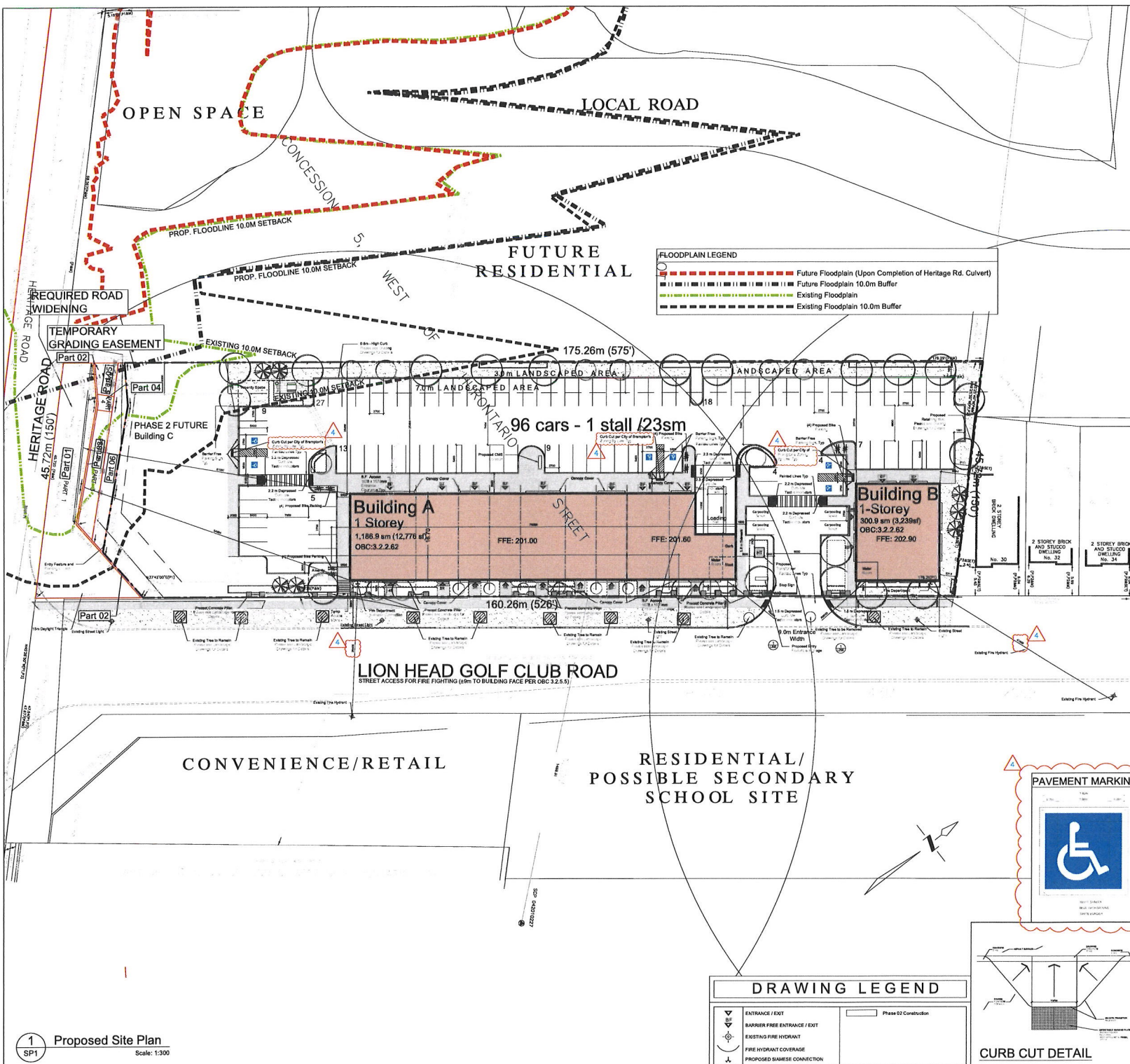
REQUESTED MINOR VARIANCES:

1. TO PERMIT PARKING WITHIN A FRONT YARD WHEREAS ZONING BY-LAW 270-2004 DOES NOT ALLOW FOR PARKING WITHIN A FRONT YARD



SCALE 1:600
JUNE 20, 2024





Development Statistics

| | |
|------------------------------|---------------------|
| Total Development Area | .81 ha (2.00 acres) |
| Road Widening (Heritage Rd.) | .03 ha (.07 acres) |
| Net Development Area | .78 ha (1.94 acres) |

Lot Details
8645 Heritage Road
Part of Lot 4, Concession 5,
W.H.S.
City of Brampton
Regional Municipality of Peel

Gross Floor Area - Ground Floor Areas

| | |
|------------------|-----------------------------|
| Building A | 1,186.9sm (12,776sf) |
| Building B | 300.9sm (3,239sf) |
| Total GFA | 1,487.8sm (16,014sf) |

Parking
*10% Deduction for GLA = 1,339.0 sm

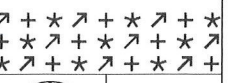
| | |
|--|-----------|
| Parking Required 1stall per /23sm | 58 stalls |
| Parking Provided incl. 6 Barrier Free | 96 stalls |
| Carpooling Parking Provided (3% of parking spaces on site) | 4 stalls |

Coverage Ratios

| | | |
|-------------------|------------|-------|
| Net Site Area | 7,752.8 sm | 100% |
| Building Coverage | 1,487.8sm | 19.1% |
| Paved Areas | 3,461.9 sm | 44.7% |
| Landscaped Area | 2,187.6 sm | 28.2% |

BF PARKING SIGN

| | |
|--------|--------|
| Type A | Type B |
|--------|--------|



NO. REVISIONS:

| | | |
|---|-------------------------|--------------|
| 4 | Issued for Coordination | Jun. 25 '24 |
| 3 | Issued for Coordination | Dec. 07 '23 |
| 2 | Issued for Coordination | Sept. 09 '23 |
| 1 | Issued for Submission | Mar. 13 '23 |

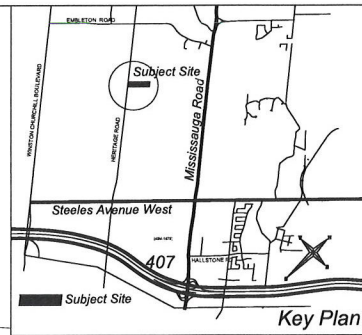
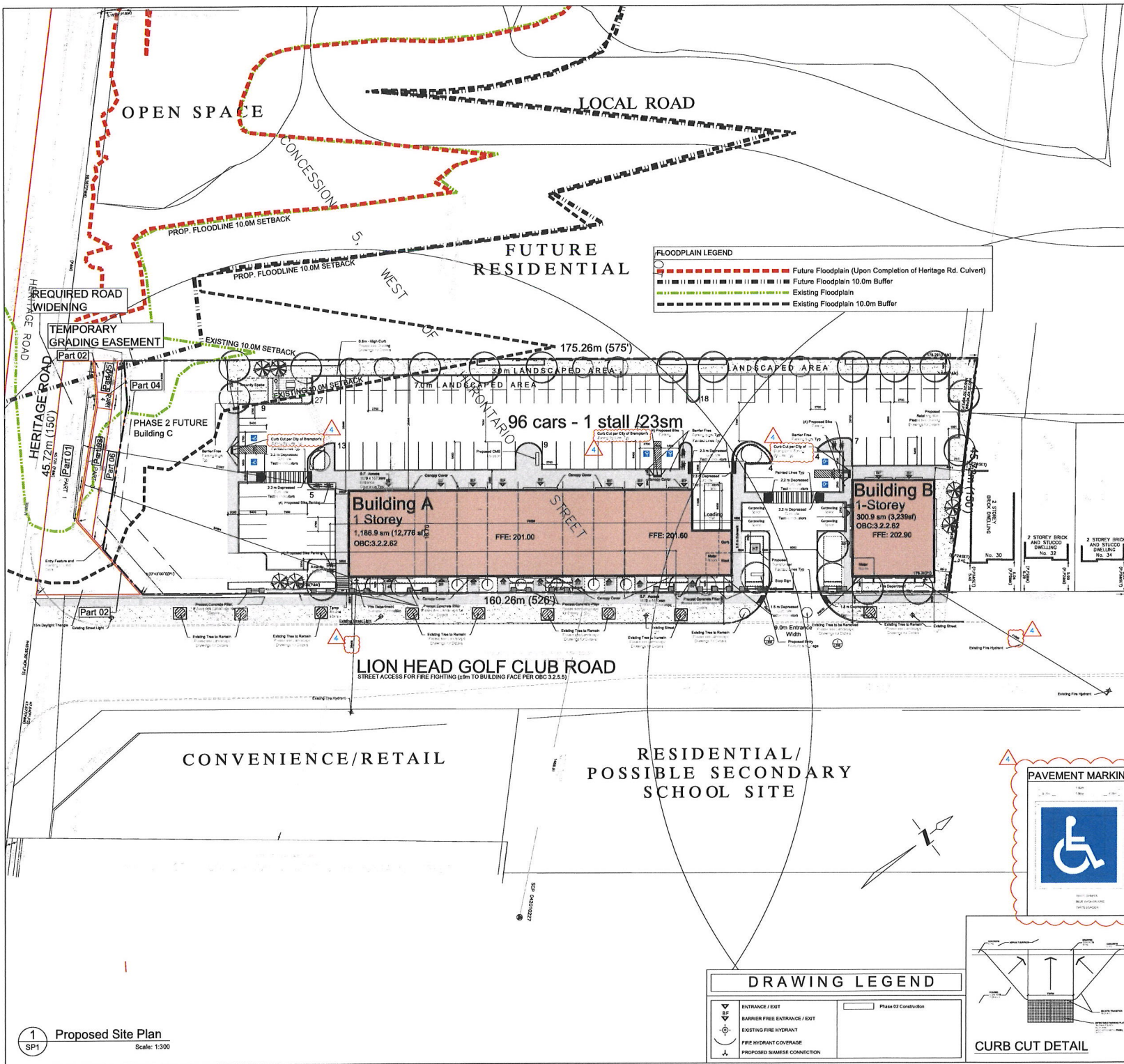
NOTE: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The contractor is to verify all dimensions and conditions on the site prior to commencing work. These drawings are not to be used for construction purposes unless indicated as "Issued for construction".

CLIENT:
The Ashley Group of Companies
2149014
Ontario Inc

PROJECT:
Commercial Development
8645 Heritage Road
SPA-2023-0054

SHEET TITLE:
Proposed Site Plan

| | |
|-----------------------------|--------------------------|
| PROJECT NO. D2019 | DATE: May 2024 |
| SCALE: 1:350 | SHEET NO.: SP1 |
| DRAWN: SRM | |
| CHECKED: SRM | |
| FILE NO. D2019 | |

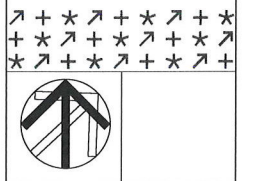


Development Statistics

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Lot Details

8645 Heritage Road
 Part of Lot 4, Concession 5,
 W.H.S.
 City of Brampton
 Regional Municipality of Peel



Gross Floor Area - Ground Floor Areas

| | |
|------------------|-----------------------------|
| Building A | 1,186.9sm (12,776sf) |
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| Total GFA | 1,487.8sm (16,014sf) |

Parking

*10% Deduction for GLA = 1,339.0 sm

Parking Required 1stall per /23sm 58 stalls
 Parking Provided incl. 6 Barrier Free 96 stalls
 Carpooling Parking Provided (3% of parking spaces on site) 4 stalls

Typical Parking Stall Size 2.7m x 5.4m
 Typical Barrier Free Stall Size 4.05m x 5.4m
 (Type A) 3.5m x 5.4m
 (Type B) 2.7m x 5.4m

Short Term Bike Parking Required 3 stalls
 1stall per 500sm
 Bike Parking Provided 16 stalls
 Minimum Drive Aisle 6.6m

Coverage Ratios

| | | |
|-------------------|------------|-------|
| Net Site Area | 7,752.8 sm | 100% |
| Building Coverage | 1,487.8sm | 19.1% |
| Paved Areas | 3,461.9 sm | 44.7% |
| Landscaped Area | 2,187.6 sm | 28.2% |

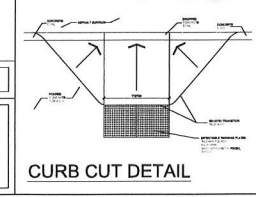
CLIENT:
The Ashley Group of Companies
 2149014
 Ontario Inc

PROJECT:
Commercial Development
 8645 Heritage Road
 SPA-2023-0054

SHEET TITLE:
Proposed Site Plan

PROJECT NO. D2019
 SCALE: 1:350
 DRAWN: SRM
 CHECKED: SRM
 FILE NO. D2019

DATE: May 2024
 SHEET NO.: **SP1**





Partners:
Glen Broll, MCIP, RPP
Colin Chung, MCIP, RPP
Jim Levac, MCIP, RPP
Jason Afonso, MCIP, RPP
Karen Bennett, MCIP, RPP

In Memoriam, Founding Partner:
Glen Schnarr
File No. 602-001

June 26th, 2024

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

Attention: Clara Vani
Committee of Adjustment Coordinator

RE: Minor Variance Application
8645 Heritage Road, Brampton ON
Regional Municipality of Peel
2149014 Ontario Inc.

Glen Schnarr & Associates Inc. ('GSAI') are the authorized agents and planning consultants for 2149014 Ontario Inc. (the 'registered owner') of the property municipally known as 8645 Heritage Road (the 'subject property'). On behalf of the registered owner, we are pleased to submit this Minor Variance Application.

At this time, the subject property is in the process of an active Site Plan application under City File Number SPA-2023-0054. During the Site Plan Application submission review, the Zoning Plans Examiner flagged a zoning deficiency with the proposed site design which has resulted in the need for an application for Minor Variance.

The registered owner is currently advancing Phase 1 of a two (2) phase development proposal. Phase one (1) seeks to permit the construction of a new commercial plaza comprised of two buildings (known as 'Building A' and 'Building B'), on the subject property. Building A will be one (1) storey in height with a Gross Floor Area (GFA) of 1,186.9 m² (12,776.0 ft²). Building B will be one (1) storey in height with a GFA of 300.9 m² (3,239.0 ft²).

Subject Lands & Surrounding Area

The subject property has an area of approximately 0.78 hectares (1.92 acres), with a frontage of 45.72m (150.00 ft) along Heritage Road and additional frontage of 160.26m (525.00 ft) along Lionhead Golf Club Road. Currently, the property is vacant.

Project Background

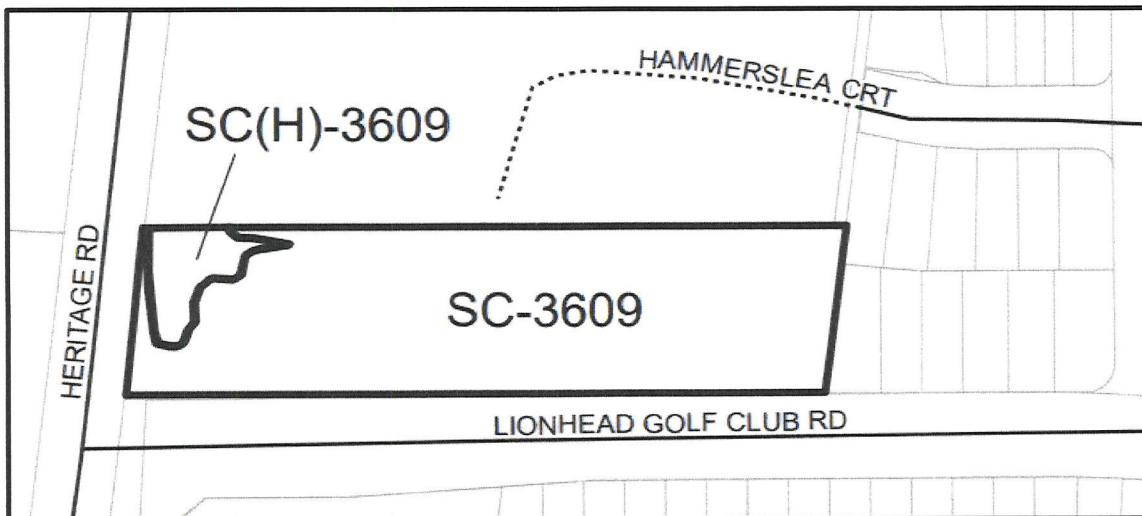
Zoning By-law Amendment

The property underwent a Zoning By-law Amendment (C05W04.006) which rezoned the site from Agricultural – Section 429 (A-429) to Service Commercial – Section 3609 (SC-3609) and Service Commercial (H) – Section 3609 (SC(H)-3609). With the Zoning By-law Amendment in place we are able to proceed with a Site Plan Approval application for the development of the commercial plaza on the subject property.

Official Plan and Zoning

The City of Brampton Official Plan designates the subject property as ‘Residential’ in the City of Brampton Official Plan (Schedule A – Land Use Designations). The subject property is located within the Bram West Secondary Plan Area (40 d) (Schedule G – Secondary Plan Areas) and is designated ‘Convenience Commercial (CC)’ (Schedule SP 40 (a) Bramwest Secondary Plan Chapter 40(d)). As well, the subject site is located within the Community Block Plan Area of 40-3 (Schedule H – Community Block Plan Areas) and is designated ‘Convenience Commercial (CC)’.

The City of Brampton Zoning By-law 270-2004 zones the subject property as Service Commercial – Section 3609 (SC-3609) and Service Commercial (H) – Section 3609 (SC(H)-3609). The proposed development is permitted under the current SC-3609 zone.



The Holding provision is restricted to a small area within the northwest portion of the subject property (comprising Phase 2) and relates to an overlapping flood hazard deriving from the neighbouring lands to the north. An Application to remove the holding provision will be filed once roadworks along Heritage Road is advanced with new drainage culverts that will alleviate flooding impacts.

Purpose of Application

GSAI on behalf of the registered owners of 8645 Heritage Road are advancing through a Site Plan Application to approve the current development proposal of the subject property. The site plan before staff has been used to prepare the Minor Variance Sketch provided in support of this application.

As flagged through the Site Plan Application process a minor variance is required to achieve zoning compliance and ultimately, permit for the construction of the development proposal.

Proposed Variance

In order to permit the proposal and ultimately achieve zoning compliance, a total of one (1) variance will be required.

The requested variance is as follows:

1. *To permit parking within a front yard whereas Zoning By-law 270-2004 does not allow for parking within a front yard.*

Analysis of Section 45 of the Planning Act (The Four Tests)

The following section provides an analysis demonstrating how the proposed variance satisfy the four tests to authorize a minor variance as set out in Section 45 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended:

1. *Meets the general intent and purpose of the Official Plan*

The proposed variance maintains the general intent and purpose of the City of Brampton Official Plan as the requested variance is to assist in allowing for a use permitted within the 'Residential' designation, as well as the designation of 'Convenience Commercial (CC)' as prescribed in the 'Bram West Secondary Plan Area' secondary plan and 'Community Block Plan Area of 40-3'. The requested zoning relief maintains the use of convenience commercial buildings on the subject property, which is a permitted and planned use per the Official Plan.

2. Meets the general intent and purpose of the Zoning By-law

In our opinion, the variance is technical in nature and facilitates a use and built form that is in keeping with the general intent of the Zoning By-law:

- The proposed variance seeks permission to allow for parking within the front yard until such time as the Phase 2 building is constructed. The site-specific zoning by-law does not allow for parking within a front yard. Due to the floodplain hazard in the northwestern corner of the subject property, the owner is unable to construct Phase 2 at this time. Road improvements along Heritage Road are scheduled to occur in 2027/2028, which will alleviate the floodplain impacts and grant the opportunity to lift the holding provision on the subject property. With the removal of the H it will allow the property owner to continue with Phase 2, which will accommodate a third commercial building, (referred to as 'Building C'). Building C will be constructed between the frontage along Heritage Road and all parking constructed during Phase 1 of the project, eliminating any parking within the front yard.

3. Desirable for the appropriate development of the land

The proposed variance is appropriate as it addresses an interim condition while allowing for the development of Phase 1 to proceed. The requested variance is technical in nature and has no adverse impact on the surrounding character of the neighbourhood due to the temporary nature of the variance. The requested variance will allow for the development of a convenience commercial site within the local neighbourhood and will provide easily accessible commercial amenities to the surrounding residential neighbourhood.

4. Proposed variances are minor in nature

The proposed variance is minor in nature as it allows for construction of convenience commercial structures, as prescribed in the Secondary Plan, Block Plan, and Zoning By-law. The requested variance will provide the required parking for Phase 1 and 2 of the project, while temporarily allowing for parking within a front yard. Once road works are completed along Heritage Road, the construction of Phase 2 (Building C) will commence, which will reconfigure the front yard to the area between Heritage Road and Building C, leaving the constructed parking area away from the front yard, as originally intended by the Zoning By-law. It is our collective opinion that the requested variance will not result in any adverse impact on the adjoining properties or surrounding community. Collectively and individually, it is my opinion that the proposed variance is minor in nature.



Application Materials

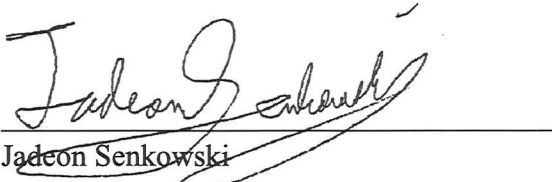
In support of the application, please find enclosed the following materials:

- SP1 – Site Plan, as prepared by SRM architects + urban designers, dated June 25th, 2024;
- Minor Variance Application Form; and,
- Minor Variance Sketch prepared by Glen Schnarr & Associates Inc., dated June 20th, 2024.

We trust this meets the requirements for a complete application and satisfies the four tests for a minor variance. Once prompted we will coordinate all associated fees, and we look forward to being placed on the August 20, 2024 hearing date. Please contact the undersigned at jadeons@gsai.ca or alternatively at 416-786-8538 if you require anything further or wish to clarify anything contained in this application.

Respectfully submitted,

GLEN SCHNARR & ASSOCIATES INC.



Jadeon Senkowski
Planner

Zoning Non-compliance Checklist

| |
|--------------------------|
| File No. A-2024- 0265 |
|--------------------------|

Applicant: 2149014 Ontario Inc.
 Address: 8645 Heritage Road
 Zoning: Service Commercial Section 3609
 By-law 270-2004, as amended

| Category | Proposal | By-law Requirement | Section # |
|---|--------------------------------------|---|------------|
| USE | | | |
| LOT DIMENSIONS AREA / DEPTH / WIDTH | | | |
| BUILDING SETBACKS FRONT/ SIDE / REAR | | | |
| BUILDING SIZE | | | |
| SIDE DOOR | | | |
| COVERAGE | | | |
| PARKING | To permit parking in the front yard. | Whereas the by-law does not permit parking in the front yard. | 3609.2 (g) |
| DRIVEWAY | | | |
| ACCESSORY STRUCTURE | | | |
| ACCESSORY STRUCTURE SIZE / HEIGHT | | | |
| MULTIPLE ACCESSORY STRUCTURES | | | |
| DRIVEWAY WIDTH | | | |
| LANDSCAPE OPEN SPACE | | | |
| SCHEDULE 'C' | | | |
| FENCE HEIGHT | | | |
| | | | |

Rose Bruno
 Reviewed by Zoning

July 3, 2024
 Date