

SEP 25 2024

Committee of Adjustment

REVISED

APPLICATION NUMBER: B-2024-0015

*The personal information collected on this form is collected pursuant to subsection 53(2) 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  
 Consent**

(Please read Instructions)

**NOTE:** Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a) **Name of Owner/Applicant** Rose Garden Investment LP  
(print given and family names in full)  
**Address** 25 Imperial Street  
Toronto, ON, M5P 1B9  
**Phone #** 416-258-4340 **Fax #** \_\_\_\_\_  
**Email** asalamon@thehi-risegroup.com

(b) **Name of Authorized Agent** UrbanSolutions Planning & Land Development Consultants Inc.  
**Address** 3 Studebaker Pl, Unit 1  
Hamilton, ON, L8L 0C8  
**Phone #** 905-546-1087 **Fax #** \_\_\_\_\_  
**Email** mjohnston@urbansolutions.info

2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.  
 Specify: Creation of a new lot, creation of an access easement and creation of blanket easement for stormwater management

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.  
To be determined - access and blanket easement to be registered in favour of severed lands

4. Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street	<u>122-130 Main Street North, 6 &amp; 7 Nelson Street East, 7 &amp; 11 Church Street East</u>	Number	_____
b) Concession No.	<u>1</u>	Lot(s)	_____
c) Registered Plan No.	<u>BR2</u>	Lot(s)	_____
d) Reference Plan No.	_____	Lot(s)	_____
e) Assessment Roll No.	_____	Geographic or Former Township	_____

5. Are there any easements or restrictive covenants affecting the subject land?  
 Yes \_\_\_\_\_ No  \_\_\_\_\_  
 Specify: \_\_\_\_\_

6. Description of severed land: (in metric units)

a) Frontage +/- 18.89 m                      Depth +/- 84.63 m                      Area +/- 0.36 ha

b) Existing Use Vacant    Proposed Use Residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:  
(existing) Vacant

(proposed) 1 22-storey residential mixed use tower

d) Access will be by:	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

N/A

f) Water supply will be by:	Existing	Proposed
Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	_____	

g) Sewage disposal will be by:	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	_____	

7. Description of retained land: (in metric units)

a) Frontage +/- 46.21 m                      Depth +/- 72.20 m                      Area +/- 0.51 ha

b) Existing Use Vacant    Proposed Use Residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:  
(existing) Vacant

(proposed) Stacked Townhouses: 572.4 square metres, 1 35-storey residential mixed use tower

d)	<b>Access will be by:</b>	<b>Existing</b>	<b>Proposed</b>
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

N/A

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f)	<b>Water supply will be by:</b>	<b>Existing</b>	<b>Proposed</b>
	Publicly owned and operated water system Lake or other body of water	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify): _____		

g)	<b>Sewage disposal will be by:</b>	<b>Existing</b>	<b>Proposed</b>
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify): _____		

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	<b>Land to be Severed</b>	<b>Land to be Retained</b>
<b>Zoning By-Law</b>	<u>Downtown Commercial DC(H)</u>	<u>Residential R4A(H) and Downtown Commercial DC(H)</u>
<b>Official Plans</b>		
City of Brampton	<u>Central Area</u>	<u>Central Area</u>
Region of Peel	<u>Urban Growth Centre</u>	<u>Urban Growth Centre</u>

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes                      No

File # \_\_\_\_\_ Status/Decision \_\_\_\_\_

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes                      No

Date of Transfer \_\_\_\_\_ Land Use \_\_\_\_\_

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
Official Plan Amendment	_____	_____
Zoning By-law Amendment	_____	_____
Minister's Zoning Order	_____	_____
Minor Variance	<u>A-2023-0050</u>	<u>Approved</u>
Validation of the Title	_____	_____
Approval of Power and Sale	_____	_____
Plan of Subdivision	_____	_____

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the Planning Act?  
Yes  No

10. Is the subject land within an area of land designated under any Provincial Plan?  
Yes  No

13. If the answer is yes, does the application conform to the applicable Provincial Plan?  
Yes  No

14. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the CITY of HAMILTON  
this 10<sup>TH</sup> day of SEPTEMBER 20 24

  
\_\_\_\_\_  
Signature of Applicant, or Authorized Agent, See note on next page

Check box if applicable:  
 I have the authority to bind the Corporation

**DECLARATION**

I, MATT JOHNSTON of the CITY OF HAMILTON

in the ~~County/District/Regional Municipality~~ of ONTARIO ~~PROVINCE~~ solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Hamilton  
in the Province of Ontario  
this 11 day of September 20 24

  
\_\_\_\_\_  
Signature of applicant/solicitor/authorized agent, etc.

  
\_\_\_\_\_  
Signature of a Commissioner, etc.

**Laura Leigh Drennan, a Commissioner,  
etc., Province of Ontario, for  
UrbanSolutions Planning & Land  
Development Consultants Inc.  
Expires January 13, 2026.**

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division	
This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.	
_____	_____
Zoning Officer	Date

**NOTES:**

1. If this application is signed by an agent or solicitor on behalf of the applicant, the owner's written authorization must accompany this application. If the applicant is a Corporation acting without agent or solicitor, the application must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation. If the application is signed by an agent or solicitor on behalf of the applicant who is a Corporation, the applicant's written authorization must accompany this application and must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation.
2. Each copy of the application must be accompanied by a sketch **and a key map** showing the location of the subject land.
3. Sketches or reproductions are to be no larger than Legal Size. Application plans which are larger may be submitted provided at least **one reproduction** reduced to Legal Size is filed with the application.
4. Where it is determined that a sketch will not adequately provide the information required, it may be necessary to provide a plan prepared by an Ontario Land Surveyor.
5. The sketch shall show:
  - a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
  - b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
  - c) the boundaries and dimensions of the subject land, the part that is to be severed (shown in double hatch lines XXXX) and the part that is to be retained (shown in single hatched lines ///);
  - d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
  - e) the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
  - f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;
  - g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
  - h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
  - i) the location and nature of any easement affecting the subject land; a
  - j) if a natural or artificial feature is to be the proposed new property line or part thereof, identify the feature(s) as such on the sketch.
6. It is required that **1 original copy** of this application be filed, together with **2 copies** of the sketch described in item 2 above, with the Secretary-Treasurer, accompanied by the applicable fee.

**APPOINTMENT AND AUTHORIZATION OF AGENT(S)**

To: The Committee of Adjustment, City of Brampton,

I, Rose Garden Investments LP \_\_\_\_\_,  
(Please print or type full name of the owner)

the undersigned, hereby appoint and authorize/have appointed and authorized as my agent(s) for the purpose of:

1. Signing and filing the application(s) on behalf of the undersigned;  
1. UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston \_\_\_\_\_;  
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
2. Representing the undersigned before the Committee of Adjustment,  
2. UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston \_\_\_\_\_;  
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
0. Acting on behalf of the owner with respect to all matters related to the application, including but not limited to fulfilling conditions and acquiring the Secretary-Treasurer's Certificate,  
3. UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston \_\_\_\_\_;  
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

**AND**, I do hereby declare and confirm that I am the (an) owner of the land to which this application relates;

**AND**, I do hereby ratify, confirm and adopt as my own, the act(s), representation(s), reply (replies) and commitment(s) made on my behalf by the said agent(s).

Dated this 10th day of September, 2024.

  
\_\_\_\_\_  
(Signature of the owner, or where the owner is a firm or corporation, the signing officer of the owner.)

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

**NOTES:**

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If there is more than one owner, **all owners** shall complete and sign **individual** appointment and authorization forms.
3. If the agent is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

**PERMISSION TO ENTER**

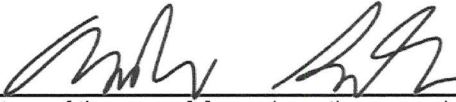
To: The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 122-130 Main Street North, 6 & 7 Nelson Street East, 7 & 11 Church Street East, Brampton

I/We, Rose Garden Investments LP  
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 10th day of September, 2024.



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

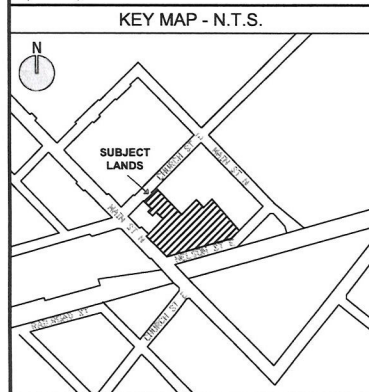
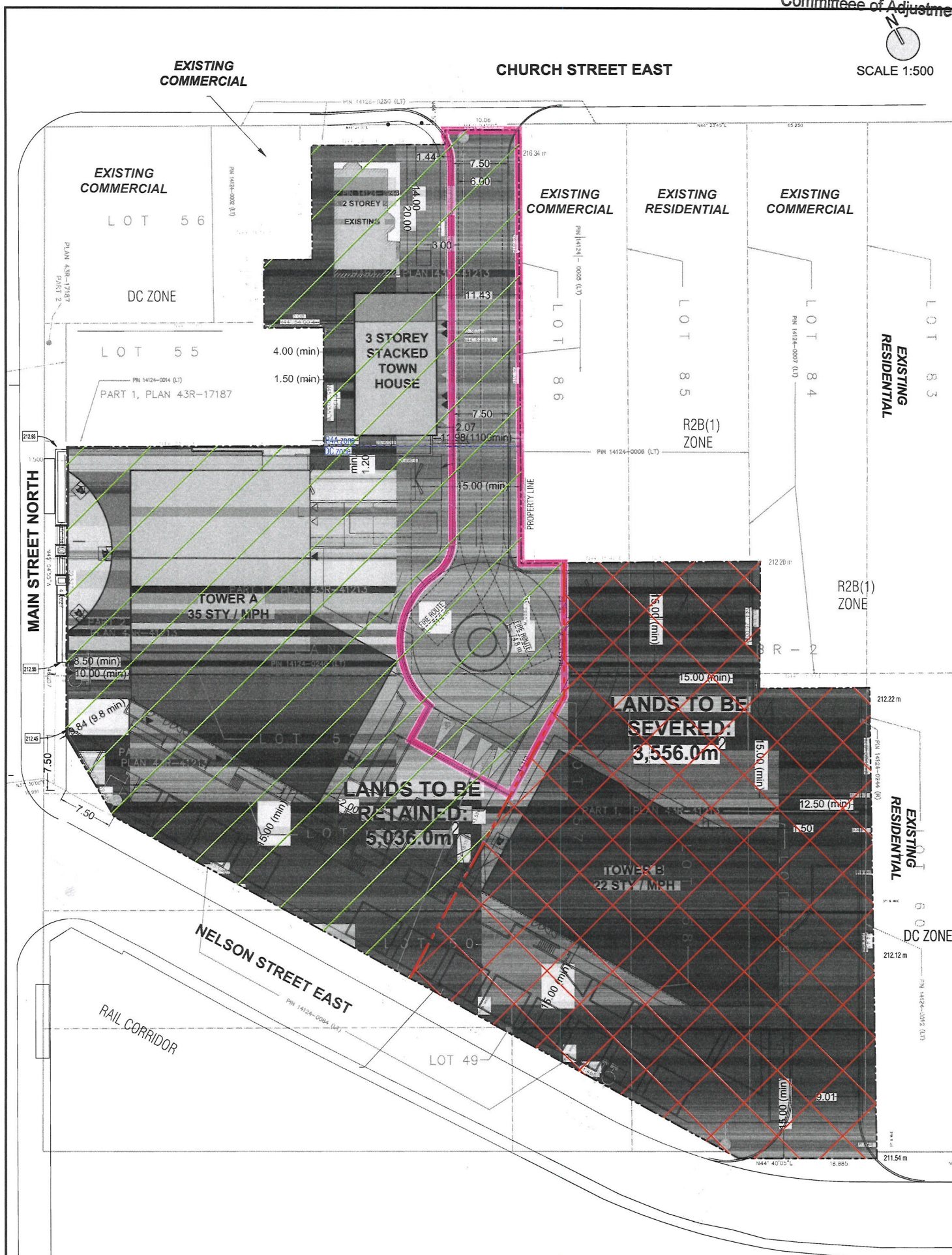
\_\_\_\_\_  
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

**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**



SCALE 1:500



**LEGEND:**

- SUBJECT LANDS
- PROPOSED SEVERANCE LINE
- ZONE BOUNDARY
- LANDS TO BE RETAINED
- LANDS TO BE SEVERED
- PROPOSED BUILDING FOOTPRINT
- EXISTING BUILDINGS TO REMAIN
- PROPOSED EASEMENT

**SCALE:** 1:500  
METRES

PREPARED BY:

**URBAN SOLUTIONS**  
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1  
HAMILTON, ON L8L 0C8  
905-546-1087 - urbansolutions.info

**NOT FOR CONSTRUCTION**  
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:  
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

<b>TITLE:</b> SEVERANCE SKETCH	
<b>PROJECT:</b> ROSE GARDEN INVESTMENT 122-130 MAIN ST N CITY OF BRAMPTON	
<b>CLIENT:</b> HI-RISE DEVELOPMENT ADVISORS INC.	
<b>DESIGN BY:</b> G+G ARCHITECTS	<b>CHECKED BY:</b> S. BEDDIE
<b>DRAWN BY:</b> L. TAIBI	<b>DATE:</b> SEPTEMBER 24, 2024
<b>U/S FILE NUMBER:</b> 335-19	<b>SHEET NUMBER:</b> 1





SEP 25 2024

Committee of Adjustment



September 25, 2024

335-19

**Via Email****Ms. Clara Vani**  
Secretary TreasurerCommittee of Adjustment  
City of Brampton  
2 Wellington Street West, 1<sup>st</sup> Floor  
Brampton, ON, L6Y 4R2

Dear Ms. Vani,

**Re: 122-130 Main Street North, 6 & 7 Nelson Street East, 7 & 11 Church Street East, Brampton  
Consent to Sever Application – Supplementary Letter**

As you know, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Rose Garden Investments LP, for the lands municipally known as 122-130 Main Street North, 6 & 7 Nelson Street East, 7 & 11 Church Street East, in the City of Brampton. This letter is intended as a follow up to our September 12, 2024 cover letter submitted for the Consent to Sever Application to facilitate the severance of the subject property on their behalf.

As requested by City Staff, additional details have been provided on the intended access easement for the lands proposed to be severed. This easement ensures access to the shared drive aisle to Church Street East is maintained for both the 35-storey multiple dwelling proposed as part of Phase 1 (retained lands), and the 22-storey multiple dwelling proposed as part of Phase 2 (severed lands). The access easement will be located on the drive aisle of the retained lands in favour of the severed lands as shown on Part 3 of the enclosed draft Reference Plan. A second blanket easement is also required and proposed for the required emergency overland flow route stormwater management purposes. This blanket easement will be registered on Parts 1, 2 & 3 of the draft Reference Plan. All other services independently serve the severed and retained lands.

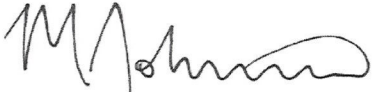
To assist in understanding the above noted easement in the context of the subject application, please refer to the enclosed Sketch of Land Division.

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

- One (1) copy of the revised and completed Consent to Sever Application form;
- One (1) copy of the revised draft Reference Plan prepared by A.T. McLaren;
- One (1) copy of the revised Consent to Sever Sketch, prepared by UrbanSolutions.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,  
**UrbanSolutions**

A handwritten signature in black ink, appearing to read 'Matt Johnston', with a stylized flourish at the end.

Matt Johnston, MCIP, RPP  
*Principal*

cc: Rose Garden Investments LP  
Mr. Nasir Mahmood, City of Brampton (via Email)