

**Filing Date:** June 14, 2024  
**Hearing Date:** October 15, 2024

**File:** B-2024-0012, A-2024-0233 & A-2024-0234

**Owner/  
Applicant:** 2514682 ONTARIO INC./ HARPER DELL & ASSOCIATES

**Address:** 3455 Queen Street East

**Ward:** WARD 1

**Contact:** Rajvi Patel, Planner I

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### **Proposal:**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.413 hectares (3.49 acres), together with reciprocal easements for access, parking, and servicing. The proposed severed lot has a frontage of approximately 9.08 metres (29.79 feet), a depth of approximately 60.72 metres (199.21 feet), and an area of approximately 7,716 square metres (1.91 acres). The retained lands will continued to be occupied by a 6 storey motel building and a 2 storey office building. No development is currently proposed for the severed lands.

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### **Recommendations:**

That application **B-2024-0012** 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. Prior to the issuance of the consent certificate, the Applicant shall submit a solicitor's undertaking, prepared by a solicitor licensed to practice in Ontario, to the satisfaction of the City Solicitor or its delegate, confirming that any required Transfer Easement(s) and agreements in favour of the Retained and Severed Lands or which

the Retained and Severed Lands are subject to will be established, created and registered on title of the Retained and Severed Lands concurrently with the registration of the Transfer and upon the issuance of the Certificate(s) of Secretary-Treasurer;

4. Prior to the issuance of the severance certificate by the secretary of treasurer the applicant shall construct the grading, servicing and stormwater management works in accordance with the approved plans as part of this application;
5. 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.
6. As a condition of severance, the Owner shall provide a draft mutual parking easement and if applicable easement agreement between the retained and severed lands. The parking easement is to be provided for parking on the severed lands in favour of the retained lands. The Owner hereby waives and releases the City from any claim for compensation, injurious affection or other damages, claims, demands, losses, costs, suits or other proceedings arising or which may arise as a result of such parking arrangements.
7. As a condition of severance, the Owner shall provide a draft mutual access easement and if applicable easement agreement between the retained and severed lands. The mutual access easement will be in perpetuity and to the satisfaction of the City Solicitor and the City's Commissioner of Public Works & Engineering. The Owner hereby waives and releases the City from any claim for compensation, injurious affection or other damages, claims, demands, losses, costs, suits or other proceedings arising or which may arise as a result of such arrangements.
8. As a condition of severance, the Owner shall provide a draft mutual access easement and if applicable easement agreement over the retained lands in favour of the severed lands for access to Queen Street East. The mutual access easement will be in perpetuity and to the satisfaction of the City Solicitor and the City's Commissioner of Public Works & Engineering. The Owner hereby waives and releases the City from any claim for compensation, injurious affection or other damages, claims, demands, losses, costs, suits or other proceedings arising or which may arise as a result of such arrangements.
9. As a condition of severance, the Owner shall provide a draft mutual access easement and if applicable easement agreement over the severed lands in favour of the retained lands for access to Auction Lane. The mutual access easement will be in perpetuity and to the satisfaction of the City Solicitor and the City's Commissioner of Public Works & Engineering. The Owner hereby waives and releases the City from any claim for compensation, injurious affection or other damages, claims,

demands, losses, costs, suits or other proceedings arising or which may arise as a result of such arrangements.

10. To satisfy to conditions # 6, 7, 8, 9, the Owner shall submit the following to the Traffic Planning group for approval and copy the Legal Services Division:

- a. A draft reference plan.
- b. A draft reference plan overlaid onto the proposed site plan, showing only the subject site, depicting separate parts where the land is to be conveyed.
- c. A memorandum to the Traffic Planning group setting out the parts on the draft reference plan that are to be conveyed and copied to the Legal Services Division.
- d. Upon approval of the Draft Reference Plan by the City's Traffic Planning group, arrange for the Surveyor to have the Draft Reference Plan deposited at the Land Registry Office of Peel.
- e. Deposited copies are to be provided to the Traffic Planning group and the Legal Services Division
- f. A draft Transfer.
- g. Draft Transfer Easements and if applicable the easement agreements, which shall set out that the owner of the Servient Tenement and the owner of the Dominant Tenement waive and release the City from any claim for compensation, injurious affection or other damages, claims, demands, losses, costs, suits or other proceedings arising or which may arise as a result of such parking arrangements and that if the owner of the Servient Tenement and the owner of the Dominant Tenement fail to comply with such waiver and release provisions the granted easements shall be null and void.

That application **A-2024-0233** is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

That application **A-2024-0234** is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

**Background:**

Consent application (B-2024-0012) and concurrent Minor Variance applications (A-2024-0233 and A-2024-0234) have been submitted to facilitate the severance of the subject property. The proposed severed lot is not currently the subject of a development application. The applications were deferred at the July 17, 2024 Committee of Adjustment hearing in order for the applicant to provide additional information and for City staff to review the revised materials.

- **Official Plan:** The subject property is designated ‘Employment (Schedule 1)’, ‘Business Corridor, Lester B. Pearson International Airport (LBPIA) Operating Area (Schedule A)’ in the Official Plan;
- **Brampton Plan:** The subject property is designated ‘Employment Areas, Planned MTSA (Schedule 1A)’, ‘Mixed Use Employment, Lester B. Pearson International Airport (LBPIA) Operating Area (Schedule 2)’, ‘Provincially Significant Employment Zone (PSEZ), Pearson Airport Hub (Airport) – Zone 14 (Schedule 5)’ in the Brampton Plan
- **Secondary Plan:** The subject property is designated ‘Mixed Employment Commercial, Special Site Area 8’ in the Airport Intermodal Secondary Plan (Area 4); and
- **Zoning By-law:** The subject property is zoned ‘Service Commercial’, Special Section 1923 (SC-1923) according to By-law 270-2004, as amended.

Additionally, the subject lands have been the subject of several Committee of Adjustment applications (Appendix A) over the years including:

<b>Application No.</b>	<b>Description</b>	<b>Decision</b>
B19-018	The purpose of the application is to request the consent of the Committee of Adjustment to the grant of an easement having a width of approximately 97.46 metres (319.75 feet), a depth of approximately 5.6 metres (18.37 feet) and an area of approximately 493.17 square metres (5,308.44 square feet). The effect of the application is to create an easement in favour of the adjacent property, municipally known as 8970 Goreway Drive (Tim Hortons) to facilitate the future use of a proposed (realigned) storm sewer.	Approved
B11-016	The purpose of the application is to request consent to sever a parcel of land currently having a total area of approx. 41, 740 sq. m (10.31 acres) together with access easements. The effect of the application is to create a new lot having a	Approved with conditions

	frontage of approx. 90.3m (296.26 ft), a depth of approx. 141m (462.60 ft) and an area of approx. 14,137 sq.m (3.49 acres). It is proposed that the new lot be used for future commercial purposes.	
B09-011	The purpose of the application is to request consent to enter into a Reciprocal Agreement for a term in excess of 21 years, between Eden Oak Industrial Park Inc. and Petro-Canada. The effect of the application is to grant the non-exclusive right for Petro-Canada to use such portions of the driveway, entrances and exits situated on the Eden Oak Industrial Park Inc. lands, for vehicular access to Goreway Drive and Auction Lane.	Approved with conditions
B08-056	The purpose of the application is to request consent to a Reciprocal Agreement, for a term in excess of 21 years, between Petro-Canada and Eden Oak Industrial Park Inc. The effect of the application is to grant the non-exclusive right for Eden Oak Industrial Park Inc. to use such portions of the driveways, entrances and exits situate on the Petro Canada lands, for vehicular access to Highway 7/Queen Street East and Goreway Drive.	Approved with conditions
B04-055	The purpose of the application is to request the consent of the Committee of Adjustment to sever a parcel of land having total area of approx. 4.8 ha, together with easements for access and servicing. The effect of the application is to create a new lot having frontage on goreway drive of approx. 43.74 metres, flankage on Queen Street East of approx. 63.31 metres and an area of 0.70 ha to be used for a gas station, car wash and drive-thru.	Closed
B04-001	To sever a parcel of land having a frontage on goreway dr of approx. 107.26m (352 ft), a depth of approx. 165.38m (542.6 ft) and an area of approx. 1.96 hectares (4.84 acres), together with servicing and access easements over the severed and retained parcels. The effect of the applicaton is to create a new lot to be used for industrial purposes.	Closed
A18-055	<ol style="list-style-type: none"> <li>1. <b>To permit 410 parking spaces on site;</b></li> <li>2. To permit a maximum building height of 6 storeys (25.0m) for a proposed Motel whereas the by-law permits a maximum building height of 3 storeys;</li> <li>3. To permit a maximum building height of 4 storeys (17.0m) for an above grade parking structure whereas the by-law permits a maximum building height of 3 storeys;</li> </ol>	Approved

	<ol style="list-style-type: none"> <li>4. To permit a minimum interior side yard setback of 0.0m to a proposed Hydro Transformer whereas the by-law requires a minimum interior side yard setback of 6.0m (19.68 ft.);</li> <li>5. To permit a maximum lot coverage of 45% whereas the by-law permits a maximum lot coverage of 35%;</li> <li>6. To permit an interior side yard setback of 0.0m to a proposed Garbage and Refuge Storage Enclosure whereas the by-law requires a minimum interior side yard setback of 6.0m (19.68 ft.).</li> </ol>	
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**Current Situation:**

The applicant is requesting to sever a parcel of land at the property municipally known as 3455 Queen Street East in order to establish reciprocal easements for access, parking, and servicing. 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.

**Requested Variances:**

**A-2024-0233 – 3455 Queen Street East (Retained parcel)**

The applicant is requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2024-0012:

1. To permit 89 parking spaces, whereas the By-law requires 136 parking spaces (reduced to 119 under previous variance A18-055).
2. To permit 29 required parking spaces on the severed lands to be used in conjunction with the hotel/office uses on the retained parcel, whereas the by-law requires that all parking be provided on the same lot as the building or use for which it is required.
3. To permit a parking aisle width of 1.6 metres, whereas the By-law requires a minimum parking aisle width of 6.6 metres.

1. Maintains the General Intent and Purpose of the Official Plan

The subject lands are designated ‘Business Corridor, LBPIA Operating Area’ in the Official Plan and ‘Mixed Employment Commercial, Special Site Area 8’ in the Airport Intermodal Secondary Plan (Area 4).

The ‘Business Corridor’ Official Plan designation permits a broad range of employment and employment-related uses. Certain lands within the Business Corridor designation are

planned to accommodate a broad range of business, service, and institutional uses to serve the general public and adjacent employment areas. Section 4.4.1 provides that a number of uses shall be prohibited on lands designated Business Corridor including auto-body paint and repair, automobile repair, etc. Furthermore, Section 4.4.1.5 (viii) of the Official Plan states that “at the development review or Secondary Plan stage, the planning of Business Corridor designations shall satisfactorily address the following matters: (viii) The siting, massing and landscaping of development that will contribute to a unified and cohesive street edge”.

Additionally, the subject lands are identified within the ‘Lester B. Pearson International Airport (LBPIA) Operating Area’ as per Schedule A of the Official Plan. The general intent of the LBPIA Operating Area does not permit the development, infill and redevelopment of supportive housing facilities and noise sensitive public and insitutional land uses such as day care centers, nursing homes, schools and hospitals.

The subject lands are further designated ‘Mixed Employment Commercial’ in the Airport Intermodal Secondary Plan which permits non-obnoxious industrial uses, activities that combine industrial and commercial purposes, and specialized or space-extensive commercial purposes. The permitted uses listed in the Mixed Employment Commercial land use designation include manufacturing, processing, assembling, packaging, repairing, fabricating, warehousing and storage within wholly enclosed buildings, retail warehousing, etc.

Section 8.18 of the Airport Intermodal Secondary Plan provides that Special Site Area 18 applies to those lands designated Service Commercial on Schedule 4, which are situated on the west side of Finch Avenue, south of Kenview Boulevard, and more particularly described as Blocks 1, 2 and 3 of Plan 43M-987. Notwithstanding the Service Commercial designation of these lands, industrial uses are permitted but shall not exist concurrently on any one property with uses permitted by the Service Commercial designation of the lands.

As per the Regionally-Approved Brampton Plan, the subject property is designated the following:

- Employment Areas, Planned MTSA – Schedule 1A
- Mixed Use Employment, Lester B. Pearson International Airport (LBPIA) Operating Area – Schedule 2
- Provincially Significant Employment Zone (PSEZ), Pearson Airport Hub (Airport) – Zone 14 (Schedule 5)

On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton’s new Official Plan, known as the ‘Brampton Plan.’ The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until the appeal is resolved.

The subject lands are recognized to be located within a Provincially Significant Employment Zone (PSEZ). PSEZ's are identified by the Province for the purposes of long-term planning for job creation and economic development.

The general intent of Employment Areas is to provide employment uses such as manufacturing, warehousing, research and development, office uses, logistics and other ancillary commercial uses, while ensuring their long-term protection for the City's economic prosperity as well as diversifying the economic base for existing and future businesses.

Lands designated Mixed-Use Employment will be to accommodate a broad range of office, business and business park, service, and institutional uses to serve the general public and adjacent Employment Areas in a more compact, vertical and urban form in support of the designation's proximity to the transit network.

Lands designated Mixed-Use Employment that are located within Major Transit Station Areas (MTSAs) have the potential to support the integration of Employment Areas with non-employment uses to develop vibrant, mixed-use areas, and innovation hubs. MTSAs are generally defined as the area within an approximate 500- to 800-metre radius from a transit station, representing about a 10 to 15-minute walk, and represent significant locations for intensification. The subject lands are identified within a Planned MTSA which are areas intended to become either a Primary or Secondary MTSA

The applicant is proposing to sever the subject lands and is seeking variances to facilitate shared parking between severed and retained lots, reduced parking spaces and a reduced parking aisle width. Currently, no development is contemplated on the severed lands. However, the variances are requested to facilitate the overall development of the site. Staff do not anticipate that the proposed consent and associated minor variance applications will create issues regarding compatibility or hazards with the surrounding area. Subject to the recommended conditions of approval, the proposed variances maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject lands are currently zoned 'Service Commercial,' Special Section 1923 (SC-1923),' according to By-law 270-2004, as amended.

Variance 1 is requested to permit 89 parking spaces, whereas the By-law requires 136 parking spaces (reduced to 119 under previous variance A18-055). The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the service commercial uses on the site.

Variance 2 is requested to permit 29 required parking spaces on the severed lands to be used in conjunction with the hotel/office uses on the retained parcel, whereas the by-law requires that all parking be provided on the same lot as the building or use for which it is required. The intent of the by-law in requiring parking to be provided on the same lot is to



prevent instances of overflow parking generated from a use on a property onto an adjacent site.

In this case, the subject property is being severed to create two separate lots via concurrent Consent application B-2024-0012. Through the related severance application, reciprocal easements for parking and access will be established. Therefore, the severed and retained lots will be developed in an interconnected manner allowing parking of vehicles on the entirety of the two lots. The applicant has submitted a Parking Rationale dated August 16, 2024 which provides that a previously approved minor variance (A18-055) permitted a lower parking rate and that the office use located on the retained parcel has a lower parking rate than the retail use were previously contemplated and approved for the site. Traffic Services staff have reviewed the Parking Rationale and have found it to be satisfactory to support the requested variances and ultimate development of the site. Variances 1 and 2 are considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit a parking aisle width of 1.6 metres, whereas the By-law requires a minimum parking aisle width of 6.6 metres. The intent of the by-law in regulating the minimum required parking aisle is to ensure that there is sufficient space to maneuver a vehicle.

Although the variance relates to a 5.0 m reduction in parking aisle width, the variance relates to consent application B-2024-0012 requesting consent for access and parking easements. The consent would result in a shared driveway between the retained and severed parcel. As per the sketch, a 1.6 m parking aisle width is provided on the retained lands and a 5.2 m parking aisle width is provided on the severed lands, resulting in a total parking aisle width of 6.8 m. As a result, the proposed reduction in parking aisle width is not anticipated to negatively impact vehicle maneuverability for that area of the site. At this time, staff do not have any concerns relating to the reduction in drive aisle width. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent and purpose of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

The variances are requested in conjunction with a consent application to sever the property and create easements to facilitate future development of the severed lot. Given that reciprocal access and parking easements are proposed, the two lots will operate in an interconnected manner and sufficient parking will be provided on the retained and severed parcels. The proposed reduction in the parking aisle width is not anticipated to negatively impact vehicle maneuverability as an access and parking easement is proposed between the retained and severed parcels. Subject to the recommended conditions of approval, the variances are considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

The variances are intended to facilitate the severance of the property and creation of a new lot. Given that easements are being proposed between the severed and retained lot, staff have no concerns over Variances 1, 2, and 3 to allow shared parking and access. The variances are considered to be minor in nature.

### **A-2024-0234 – 3455 Queen Street East (Severed parcel)**

The applicant is requesting the following variance(s) in conjunction with the proposed severed lot under Consent Application B-2024-0012:

1. To permit a lot width of 9.08 metres, whereas the By-law requires a minimum lot width of 50 metres.
2. To permit a parking aisle width of 5.18 metres, whereas the By-law requires a minimum parking aisle width of 6.6 metres.
3. To permit a parking lot associated with the hotel/office uses on the retained lands, whereas the by-law does not permit a parking lot for uses located on an adjacent lot.

#### **1. Maintains the General Intent and Purpose of the Official Plan**

The subject lands are designated 'Business Corridor, LBPIA Operating Area' in the Official Plan and 'Mixed Employment Commercial, Special Site Area 8' in the Airport Intermodal Secondary Plan (Area 4).

The 'Business Corridor' Official Plan designation permits a broad range of employment and employment-related uses. Certain lands within the Business Corridor designation are planned to accommodate a broad range of business, service, and institutional uses to serve the general public and adjacent employment areas. Section 4.4.1 provides that a number of uses shall be prohibited on lands designated Business Corridor including auto-body paint and repair, automobile repair, etc. Furthermore, Section 4.4.1.5 (viii) of the Official Plan states that "at the development review or Secondary Plan stage, the planning of Business Corridor designations shall satisfactorily address the following matters: (viii) The siting, massing and landscaping of development that will contribute to a unified and cohesive street edge".

Additionally, the subject lands are identified within the 'Lester B. Pearson International Airport (LBPIA) Operating Area' as per Schedule A of the Official Plan. The general intent of the LBPIA Operating Area does not permit the development, infill and redevelopment of supportive housing facilities and noise sensitive public and insitutional land uses such as day care centers, nursing homes, schools and hospitals.

The subject lands are further designated 'Mixed Employment Commercial' in the Airport Intermodal Secondary Plan which permits non-obnoxious industrial uses, activities that combine industrial and commercial purposes, and specialized or space-extensive

commercial purposes. The permitted uses listed in the Mixed Employment Commercial land use designation include manufacturing, processing, assembling, packaging, repairing, fabricating, warehousing and storage within wholly enclosed buildings, retail warehousing, etc.

Section 8.18 of the Airport Intermodal Secondary Plan provides that Special Site Area 18 applies to those lands designated Service Commercial on Schedule 4, which are situated on the west side of Finch Avenue, south of Kenview Boulevard, and more particularly described as Blocks 1, 2 and 3 of Plan 43M-987. Notwithstanding the Service Commercial designation of these lands, industrial uses are permitted but shall not exist concurrently on any one property with uses permitted by the Service Commercial designation of the lands.

As per the Regionally-Approved Brampton Plan, the subject property is designated the following:

- Employment Areas, Planned MTSA – Schedule 1A
- Mixed Use Employment, Lester B. Pearson International Airport (LBPIA) Operating Area – Schedule 2
- Provincially Significant Employment Zone (PSEZ), Pearson Airport Hub (Airport) – Zone 14 (Schedule 5)

On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until the appeal is resolved.

The subject lands are recognized to be located within a Provincially Significant Employment Zone (PSEZ). PSEZ's are identified by the Province for the purposes of long-term planning for job creation and economic development.

The general intent of Employment Areas is to provide employment uses such as manufacturing, warehousing, research and development, office uses, logistics and other ancillary commercial uses, while ensuring their long-term protection for the City's economic prosperity as well as diversifying the economic base for existing and future businesses.

Lands designated Mixed-Use Employment will be to accommodate a broad range of office, business and business park, service, and institutional uses to serve the general public and adjacent Employment Areas in a more compact, vertical and urban form in support of the designation's proximity to the transit network.

Lands designated Mixed-Use Employment that are located within Major Transit Station Areas (MTSAs) have the potential to support the integration of Employment Areas with non-employment uses to develop vibrant, mixed-use areas, and innovation hubs. MTSAs are generally defined as the area within an approximate 500- to 800-metre radius from a

transit station, representing about a 10 to 15-minute walk, and represent significant locations for intensification. The subject lands are identified within a Planned MTSA which are areas intended to become either a Primary or Secondary MTSA

The applicant is proposing to sever the subject lands and is seeking variances to facilitate a reduced lot width, shared parking between severed and retained lots, and a reduced parking aisle width. Currently, no development is contemplated on the severed lands. However, the variances are requested to facilitate the overall development of the site. Staff do not anticipate that the proposed consent and associated minor variance applications will create issues regarding compatibility or hazards with the surrounding area. Subject to the recommended conditions of approval, the proposed variances maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject lands are currently zoned 'Service Commercial,' Special Section 1923 (SC-1923),' according to By-law 270-2004, as amended.

Variance 1 is requested to permit a lot width of 9.08 metres, whereas the By-law requires a minimum lot width of 50 metres. The intent of the by-law in regulating the lot area and lot width is to ensure that the lot dimensions are capable of accommodating the intended use or development, as well as to remain consistent with the existing streetscape of the area.

The subject property is located in a primarily Employment/ Industrial area which is characterized by large lot widths. The severed parcel is located on the crescent of Auction Lane, resulting in a narrow lot width. The reduced lot width is not anticipated to negatively impact the existing and future land uses and operations of the properties. Furthermore, the severed lot will have access from Queen Street East, Goreway Drive, and Auction Lane due to the access easements registered on title and consent application B-2024-0012. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is requested to permit a parking aisle width of 5.18 metres, whereas the By-law requires a minimum parking aisle width of 6.6 metres. The intent of the by-law in regulating the minimum required parking aisle is to ensure that there is sufficient space to maneuver a vehicle.

Although the variance relates to a 1.42 m reduction in parking aisle width, the variance relates to consent application B-2024-0012 requesting consent for access and parking easements. The consent would result in a shared driveway between the retained and severed parcel. As per the sketch, a 1.6 m parking aisle width is provided on the retained lands and a 5.2 m parking aisle width is provided on the severed lands, resulting in a total parking aisle width of 6.8 m. As a result, the proposed reduction in parking aisle width is not anticipated to negatively impact vehicle maneuverability for that area of the site. At this time, staff do not have any concerns relating to the reduction in drive aisle width.

Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit a parking lot associated with the hotel/office uses on the retained lands, whereas the by-law does not permit a parking lot for uses located on an adjacent lot. The intent of the by-law in requiring parking to be provided on the same lot is to prevent instances of overflow parking generated from a use on a property onto an adjacent site.

In this case, the subject property is being severed to create two separate lots via concurrent Consent application B-2024-0012. Through the related severance application, reciprocal easements for parking, access and servicing will be established. Therefore, the severed and retained lots will be developed in a interconnected manner. Traffic Services staff have reviewed the study and have found it to be satisfactory to support the requested variances and ultimate development of the site. Subject to the recommended conditions of approval, Variance 3 maintains the general intent and purpose of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

The variances are requested in conjunction with a consent application to sever the property and create easements that will facilitate the future development of the severed lot while the existing hotel/office uses on the retained lands will continue. The proposed lot width is not anticipated to negatively impact the surrounding properties, or negatively impact the ability of the lot to function for its intended purposes. Furthermore, given that reciprocal access and parking easements are proposed, the retained and severed lots will operate in an interconnected manner and sufficient parking will be provided on the retained and severed parcels. The proposed reduction in the parking aisle width is not anticipated to negatively impact vehicle maneuverability as an access and parking easement is proposed between the retained and severed parcels. The variances are not anticipated to generate negative on-site or off-site impacts. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

Heritage Staff note that the subject lands exhibit high archaeological potential because they are within 300 meters of known archaeological sites, present/past water sources or a known cultural heritage resource. A Stage 1-2 Archaeological Assessment, or a copy of previous Ministry-approved archaeological assessments for the subject property (if available), may be required if any form of soil disturbance is planned during subsequent development applications for the severed lot.

### 4. Minor in Nature

The variances are intended to facilitate the severance of the property and creation of a new lot. The proposed lot width is not expected to limit functionality of the site or adversely impact adjacent properties. Given that easements are being proposed between the severed and retained lot, staff have no concerns over negative impacts generated from

variances associates with parking, and parking aisle width. Subject to the recommended conditions of approval, the requested variances are considered minor in nature.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Planner I

**SCHEDULE "A"**

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

<b>CRITERIA TO BE CONSIDERED</b>	<b>ANALYSIS</b>
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The proposed severance and easements have no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance and easements are 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 and easements do 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 and easements are suitable for the purposes for which it is to be subdivided. The severed lot is not currently the subject of a development application.
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 and easements do 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. Minor Variance A-2024-0234 is requested to permit reductions to the lot width. The size and shapes of both the severed and retained lots are generally consistent with the predominant service commercial character of adjacent properties in the area.

<p>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></p>	<p>No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.</p>
<p>h) <i>The conservation of natural resources and flood control;</i></p>	<p>The proposed severance and easements present no concerns with regard to flood control and the conservation of natural resources.</p>
<p>i) <i>The adequacy of utilities and municipal services;</i></p>	<p>There are no concerns with regard to the adequacy of utilities and municipal services.</p>
<p>j) <i>The adequacy of school sites;</i></p>	<p>The proposed severance and easements present no concerns with regard to the adequacy of school sites.</p>
<p>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></p>	<p>No conveyances of lands are required.</p>
<p>l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i></p>	<p>The proposed severance has no impact on matters of energy conservation.</p>
<p>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></p>	<p>A Site Plan Application will be required to facilitate the future development of the severed lands.</p>



## **Appendix A – Previous Committee of Adjustment Decisions**



**PLANNING ACT - PROVISIONAL CONSENT**

AN APPLICATION HAS BEEN MADE BY **2514682 ONTARIO INC**

The applicant(s) request(s) consent to the grant of an easement over Part of Lot 5, Concession 7 N.D., City of Brampton, Regional Municipality of Peel. The easement area has a width of approximately 97.46 metres (319.75 feet), a depth of approximately 5.6 metres (18.37 feet) and an area of approximately 493.17 square metres (5,308.44 square feet). The land is located at 3455 Queen Street East. The land is designated "Business Corridor" in the Official Plan and "Highway and Service Commercial" in the Secondary Plan. The lands are zoned "Service Commercial – Section 1923 (SC-1923). It is proposed that the easement facilitate the future use of a proposed realigned storm sewer in favour of the adjacent property, municipally known as 8970 Goreway Drive.

THE REQUEST IS HEREBY \_\_\_\_\_ APPROVED \_\_\_\_\_, THIS DECISION:

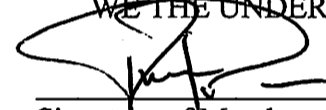
IF **APPROVED**: IS SUBJECT TO THE CONDITIONS AND FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.  
IF **REFUSED**: IS FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

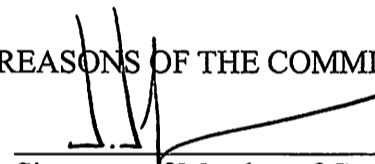
MOVED BY Desiree Doerfler SECONDED BY: D. Colp

**DATED THIS 30th day of JULY, 2019**

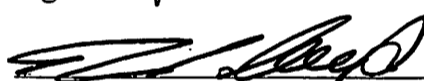
Signature of Chair of Meeting 

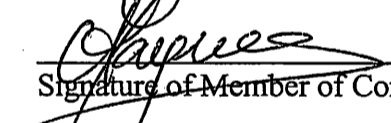
WE THE UNDERSIGNED CONCUR IN THE DECISION AND REASONS OF THE COMMITTEE

  
Signature of Member of Committee

  
Signature of Member of Committee

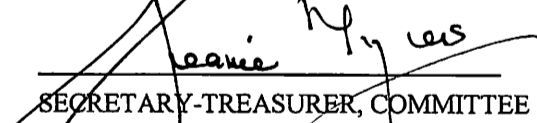
  
Signature of Member of Committee

  
Signature of Member of Committee

  
Signature of Member of Committee

**CERTIFICATION**

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

  
SECRETARY-TREASURER, COMMITTEE OF ADJUSTMENT

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the Brampton City Hall, Committee of Adjustment Office, 2 Wellington Street West, Brampton, Ontario L6Y 4R2, Telephone No. (905) 874-2117 and Fax No. (905) 874-2119.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

Only individuals, corporations and public bodies may appeal decisions or any condition in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

An appeal form is available on the Environment and Land Tribunals Ontario website at <http://elto.gov.on.ca/> or at the office of the Secretary-Treasurer. The notice of appeal accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment. The prescribed fee is \$300 per person/ per appeal. Please visit <http://elto.gov.on.ca/tribunals/lpat/lpat-process/fee-chart/> for information on related appeals. Cheques are to be made payable to the Minister of Finance. **TURN TO PAGE TWO (2) FOR THE Local Planning Appeal Tribunal APPEAL DATE.**

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	NO	File Number:

**PLANNING ACT – PROVISIONAL CONSENT**

AN APPLICATION HAS BEEN MADE BY **2514682 ONTARIO INC**

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS: (AS AGREED TO BY THE APPLICANT(S)/AGENT(S) AT THE MEETING).

- A. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given.
  - 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. 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.

**REASONS:**

- 1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
- 2. Subject to the imposed conditions, the consent to the easement will not adversely affect the existing or proposed development.

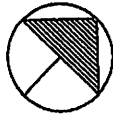
Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

**LAST DATE FOR FILING AN APPEAL TO THE LOCAL PLANNING APPEAL TRIBUNAL AUGUST 21, 2019**

**DATE OF MAILING AUGUST 1, 2019**

**KEY PLAN**

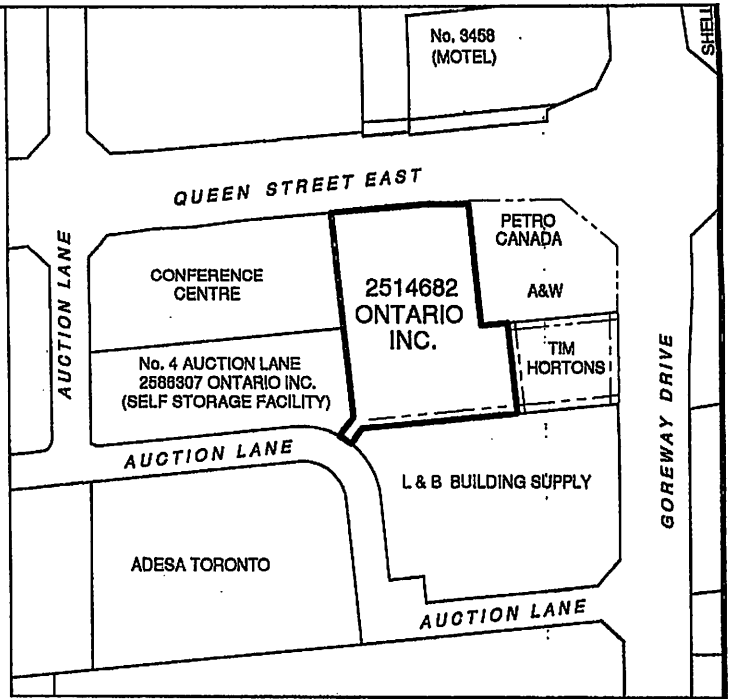
1:5000



SUBJECT PROPERTY



PROPOSED EASEMENT



**QUEEN STREET EAST**

3455 QUEEN STREET EAST  
(SP. 17-123.000)

CONFERENCE CENTRE

No. 4 AUCTION LANE  
2588307 ONTARIO INC.  
(SELF STORAGE FACILITY)

EXIST. CAR WASH

EXIST. FUEL PUMPS

PETRO CANADA A&W

EXIST. BUILDING

TIM HORTONS  
(No. 8970 GOREWAY DRIVE)

EXIST. BUILDING

GOREWAY DRIVE

AUCTION LANE

EXIST. 900mmØ STORM SEWER  
EXIST. 375mmØ STORM SEWER (TO BE REMOVED)  
N8°29'00"W 7.56m

N39°18'50"E 4.26m  
N50°39'50"W 3.71m

4.26m  
N50°39'50"W 9.31m

PROPOSED 375mmØ STORM SEWER (REALIGNED)  
N39°18'00"E 102.53m  
5.6m

EXIST. 1500mmØ SANITARY SEWER  
EXIST. 1350mmØ SANITARY SEWER

2514682 ONTARIO INC.  
**CONSENT PLAN**  
PERMANENT EASEMENT  
FOR STORM SEWER  
3455 QUEEN STREET EAST  
CITY OF BRAMPTON

**CDP CANDEVCON LIMITED**  
CONSULTING ENGINEERS AND PLANNERS

TEL. (905) 794-0600

FAX (905) 794-0811

DATE JUNE 13th 2019

JOB No W19045

DRAWN S.G.K.

PLAN No.

SCALE 1:1000

**CP-1**



# Brampton

## Notice of Decision Committee of Adjustment

APPLICATION NO. B11-016  
Ward # 10

### PLANNING ACT - PROVISIONAL CONSENT

AN APPLICATION HAS BEEN MADE BY LOUTRA INVESTMENTS INC

The applicant(s) request(s) consent to a conveyance, together with access easements, of Part of Lot 5, Concession 7 N.D, City of Brampton, Regional Municipality of Peel. The "severed" land has a frontage of approx. 90.3m (296.26 ft), a depth of approx 141m (462.60 ft) and an area of approx 14,137sq m (3.49 acres). The land is located at the southeast corner of Highway 7 & Auction Lane. The land is designated "Business Corridor" in the Official Plan and "Mixed Industrial/Commercial" in the Secondary Plan. The lands are zoned "Service Commercial - Section 1923 (SC - Section 1923)". It is proposed that the severed land be used for future commercial purposes.

THE REQUEST IS HEREBY APPROVED, THIS DECISION

IF APPROVED IS SUBJECT TO THE CONDITIONS AND FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT

IF REFUSED IS FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT

MOVED BY F. TURNER SECONDED BY P. S. CHAHAL

*DATED THIS 10th day of MAY, 2011*

Signature of Chair of Meeting [Signature]

WE THE UNDERSIGNED CONCUR IN THE DECISION AND REASONS OF THE COMMITTEE

[Signature]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

### CERTIFICATION

I, JEANIE MYERS, ACTING SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION

[Signature]  
ACTING SECRETARY-TREASURER, COMMITTEE OF ADJUSTMENT

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the Brampton City Hall Committee of Adjustment Office 2 Wellington Street West, Brampton Ontario L6Y 4R2. Telephone No (905) 874 2117 and Fax No (905) 874-2119.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

Only individuals, corporations and public bodies may appeal decisions or any condition in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

An appeal form is available on the OMB website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca) or at the office of the Secretary-Treasurer. The notice of appeal accompanied by the fee prescribed under the Ontario Municipal Board Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment. The prescribed fee is \$125 for the primary appeal and \$25 for each related appeal. Cheques are to be made payable to the Minister of Finance. **TURN TO PAGE TWO (2) FOR THE ONTARIO MUNICIPAL BOARD APPEAL DATE**

The land which is the subject of the application is the subject of an application under the Planning Act for

Official Plan Amendment	NO	File Number
Zoning By-law Amendment	NO	File Number
Minor Variance	NO	File Number

**PLANNING ACT - PROVISIONAL CONSENT**

**AN APPLICATION HAS BEEN MADE BY LOUTRA INVESTMENTS INC**

**THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS** (Also see Decision Information Sheet)

**(AS AGREED TO BY THE APPLICANT(S)/AGENT(S) AT THE MEETING)**

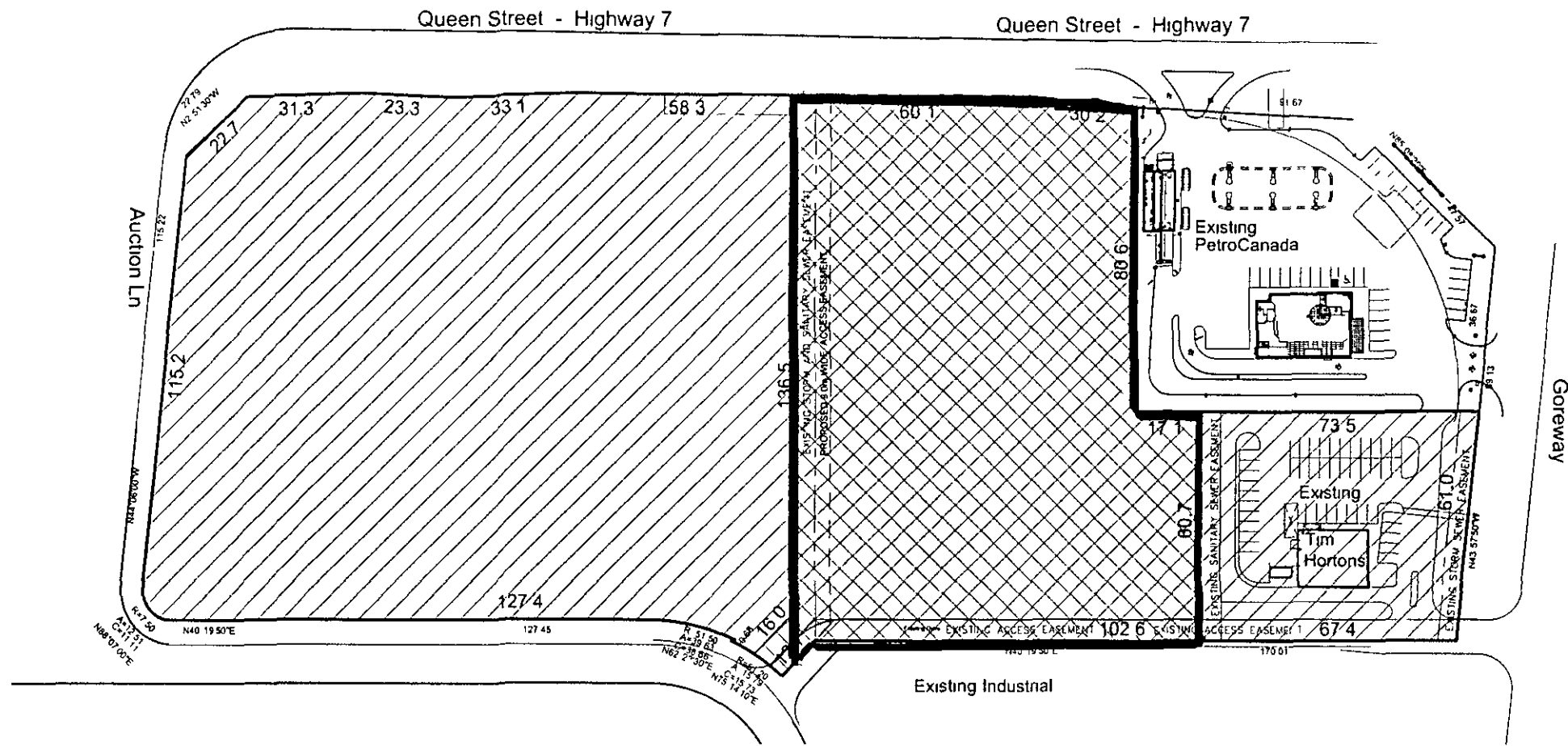
- A** The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given (See "Decision Information Sheet" for further information)
- 1** A 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** 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
  - 4** The owner/applicant shall provide comprehensive servicing and access information, including any existing or proposed easements for approval by Development Engineering
  - 5** Upon review of the information in condition (4) the owner/applicant shall provide confirmation that the private easements have been created and registered on title in perpetuity
  - 6** The applicant shall provide a plan to the satisfaction of the Chief Building Official illustrating that each property is individually serviced and all necessary service easements have been provided

**REASONS**

- i** This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed
- 2** Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development

**LAST DATE FOR FILING AN APPEAL TO THE ONTARIO MUNICIPAL BOARD: JUNE 1, 2011**

**DATE OF MAILING MAY 12, 2011**



SOUTHEAST CORNER OF HWY 7 AND AUCTION LANE  
 PART OF LOT 5  
 CONCESSION 7, NORTHERN DIVISION

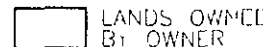
PROPOSED CONSENT SKETCH



SEVERED LAND (±14 137 Sq m)



RETAINED LANDS (127 604 Sq m)



LANDS OWNED BY OWNER



# Brampton

## Notice of Decision

Committee of Adjustment

**APPLICATION NO. B09-011**

**Ward # 10**

### PLANNING ACT - PROVISIONAL CONSENT

**AN APPLICATION HAS BEEN MADE BY EDEN OAK INDUSTRIAL PARK INC.**

The applicant(s) request(s) consent to a enter into a Reciprocal Agreement with Petro-Canada for a period in excess of 21 years, for Part of Lot 5, Concession 7 N.D., City of Brampton, Regional Municipality of Peel and municipally known as 8970 Goreway Drive. The land is designated "Business Corridor" in the Official Plan and "Mixed Industrial/Commercial" in the Airport Road/Highway 7 Business Centre Secondary Plan. The lands are zoned "Service Commercial – Section 1923". It is proposed that the Reciprocal Agreement shall grant non-exclusive right for Petro-Canada to use such portions of the driveway, entrances and exits situated on the Eden Oak Industrial Park Inc. lands, for vehicular access to Goreway Drive and Auction Lane.

THE REQUEST IS HEREBY APPROVED, THIS DECISION:

IF **APPROVED**: IS SUBJECT TO THE CONDITIONS AND FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

IF **REFUSED**: IS FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

MOVED BY P. S. Chahal SECONDED BY: R. Nurse

**DATED THIS 21st day of APRIL, 2009**

Signature of Chair of Meeting

WE THE UNDERSIGNED CONCUR IN THE DECISION AND REASONS OF THE COMMITTEE

[Signature]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

H Nurse  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

### CERTIFICATION

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

[Signature]

SECRETARY-TREASURER, COMMITTEE OF ADJUSTMENT

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the Brampton City Hall, Committee of Adjustment Office, 2 Wellington Street West, Brampton, Ontario L6Y 4R2, Telephone No. (905) 874-2117 and Fax No. (905) 874-2119.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

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The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	NO	File Number:



**PLANNING ACT – PROVISIONAL CONSENT**

**AN APPLICATION HAS BEEN MADE BY EDEN OAK INDUSTRIAL PARK INC.**

**THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS: (Also see Decision Information Sheet)**

**(AS AGREED TO BY THE APPLICANT(S)/AGENT(S) AT THE MEETING).**

- A. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given. (See "Decision Information Sheet" for further information).
  - 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.

**REASONS:**

- 1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
- 2. Subject to the imposed conditions, the consent to the agreement will not adversely affect the existing or proposed development.

**LAST DATE FOR FILING AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY 13, 2009**

**DATE OF MAILING APRIL 23, 2009**



## Notice of Decision

Committee of Adjustment

APPLICATION NO. B08-056

Ward # 10

### PLANNING ACT - PROVISIONAL CONSENT

#### AN APPLICATION HAS BEEN MADE BY PETRO-CANADA

The applicant(s) request(s) consent to a Reciprocal Agreement dated November 22, 2006 between Eden Oak Industrial Park Inc. and Petro-Canada, for a period in excess of 21 years, for Part of Lot 5, Concession 7 N.D. designated as Part 1, Plan 43R-30723, City of Brampton, Regional Municipality of Peel. The land is located at the southwest corner of Goreway Drive and Highway # 7/ Queen Street East. The land is designated Business Industrial in the Official Plan and Mixed Industrial/Commercial in the Airport Road/Hwy 7 Business Centre Secondary Plan. The lands are zoned Highway Commercial -HC2 Section 1924. It is proposed that the Reciprocal Agreement shall grant rights of ingress and egress over certain portions of the Petro-Canada lands in favour of the Eden Oak Industrial Park Inc. lands.

THE REQUEST IS HEREBY \_\_\_\_\_ APPROVED \_\_\_\_\_, THIS DECISION:

IF **APPROVED**: IS SUBJECT TO THE CONDITIONS AND FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

IF **REFUSED**: IS FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

MOVED BY \_\_\_\_\_ R. NURSE \_\_\_\_\_ SECONDED BY: \_\_\_\_\_ P. S. CHAHAL \_\_\_\_\_

**DATED THIS 9th day of DECEMBER, 2008**

Signature of Chair of Meeting

WE THE UNDERSIGNED CONCUR IN THE DECISION AND REASONS OF THE COMMITTEE

Signature of Member of Committee

Signature of Member of Committee

Signature of Member of Committee

Signature of Member of Committee

Signature of Member of Committee

#### CERTIFICATION

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

SECRETARY-TREASURER, COMMITTEE OF ADJUSTMENT

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the Brampton City Hall, Committee of Adjustment Office, 2 Wellington Street West, Brampton, Ontario L6Y 4R2, Telephone No. (905) 874-2117 and Fax No. (905) 874-2119.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

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An appeal form is available on the OMB website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca) or at the office of the Secretary-Treasurer. The notice of appeal accompanied by the fee prescribed under the Ontario Municipal Board Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment. The prescribed fee is \$125 for the primary appeal and \$25 for each related appeal. Cheques are to be made payable to the Minister of Finance. **TURN TO PAGE TWO (2) FOR THE ONTARIO MUNICIPAL BOARD APPEAL DATE.**

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:

NO

File Number:

Zoning By-law Amendment:

NO

File Number:

Minor Variance:

NO

File Number:

**PLANNING ACT – PROVISIONAL CONSENT**

**AN APPLICATION HAS BEEN MADE BY PETRO-CANADA**

**THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS: (Also see Decision Information Sheet)**

**(AS AGREED TO BY THE APPLICANT(S)/AGENT(S) AT THE MEETING).**

- A. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given. (See "Decision Information Sheet" for further information).
  - 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.



**REASONS:**

- 1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
- 2. Subject to the imposed conditions, the consent to the agreement will not adversely affect the existing or proposed development.

**LAST DATE FOR FILING AN APPEAL TO THE ONTARIO MUNICIPAL BOARD JANUARY 2, 2009**

**DATE OF MAILING DECEMBER 11, 2008**





# Brampton

## Notice of Decision

Committee of Adjustment

APPLICATION NO. "B"055/04  
Ward # 10

### PLANNING ACT - PROVISIONAL CONSENT

AN APPLICATION HAS BEEN MADE BY **EDEN OAK INDUSTRIAL PARK INC.**

The applicant(s) request(s) consent to a conveyance, together with easements for access and servicing, of Part of Lot 5, Concession 7 N.D. (former Township of Toronto Gore, County of Peel) in the City of Brampton, Region of Peel. The "severed" land has a frontage on Goreway Drive of approx. 43.74m (143.5 ft.), a flankage on Queen Street East of approx. 63.31m (207.7 ft.) and an area of approx. 0.70 ha (1.73 acres). The land is designated "Business Industrial" in the Official Plan and "Mixed Industrial/Commercial" in the Airport Road/Highway 7 Business Centre Secondary Plan. The land is zoned "Service Commercial SC(H) Section 567". It is proposed that the "severed" land be used for a future gas station, car wash and drive-thru.

THE REQUEST IS HEREBY APPROVED, THIS DECISION:

IF **APPROVED**: IS SUBJECT TO THE CONDITIONS AND FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

IF **REFUSED**: IS FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

MOVED BY D. COKE SECONDED BY: P. NOÉ ROSS

DATED THIS 4th day of OCTOBER, 2005

Signature of Chair of Meeting [Signature]

[Signature]  
Signature of Member of Committee

[Signature: Phoe Ross]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

[Signature]  
Signature of Member of Committee

### CERTIFICATION

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

[Signature: Eileen Collie]  
SECRETARY-TREASURER,  
COMMITTEE of ADJUSTMENT

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the Brampton City Hall, Committee of Adjustment Office, 2 Wellington Street West, Brampton, Ontario L6Y 4R2, Telephone No. (905) 874-2117 and Fax No. (905) 874-2119.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

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Any notice of appeal shall set out the reasons for the appeal. The notice of appeal accompanied by the fee prescribed under the Ontario Municipal Board Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment. The prescribed fee is \$125 for the primary appeal and \$25 for each related appeal. Cheques are to be made payable to the Minister of Finance. **TURN TO PAGE TWO (2) FOR THE ONTARIO MUNICIPAL BOARD APPEAL DATE.**

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment: YES  
Zoning By-law Amendment: YES  
Minor Variance: NO

File Number: C7E5.18  
File Number: C7E5.18  
File Number:

**PLANNING ACT – PROVISIONAL CONSENT**

AN APPLICATION HAS BEEN MADE BY **EDEN OAK INDUSTRIAL PARK INC.**

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS: (Also see Decision Information Sheet)  
(AS AGREED TO BY THE APPLICANT(S)/AGENT(S) AT THE MEETING).

- A. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and The Secretary-Treasurer's Certificate under the Planning Act shall be given. (See "Decision Information Sheet" for further information).
  - 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. Development of the subject property may be restricted based on sewer capacity. The applicant is advised that connection to the sanitary trunk sewer to service this site will not be permitted.
  - 4. Satisfactory arrangements are to be made with the Region of Peel Public Works Department with respect to servicing the severed and retained parcels.
  - 5. Satisfactory arrangements are to be made with the Region of Peel Public Works Department with respect to the location of possible required private service easements.
  - 6. The Region of Peel may require a widening along the Regional Road 107 (Queen Street) frontage of the subject property to provide for 22.5m from the centre line of the road allowance to allow for a 45m right-of-way.
  - 7. The Region may also require a 15x15m daylight corner at the intersection of Regional Road 107 (Queen Street) and Goreway Drive with a 0.3m reserve behind the property line along the frontage of Regional Road 107 (Queen Street) including daylight triangle except at approved access point.
  - 8. One fully restricted right-in/right out only access to Regional Road 107 (Queen Street) at the westerly limit of the severed property will be permitted in principle.
  - 9. The applicant shall receive preliminary site plan approval within 12 months of the Committee of Adjustment decision.
  - 10. That the associated Official Plan Amendment and Zoning By-law Amendment shall be in full force and effect prior to final consent.

**REASONS:**

- 1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
- 2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

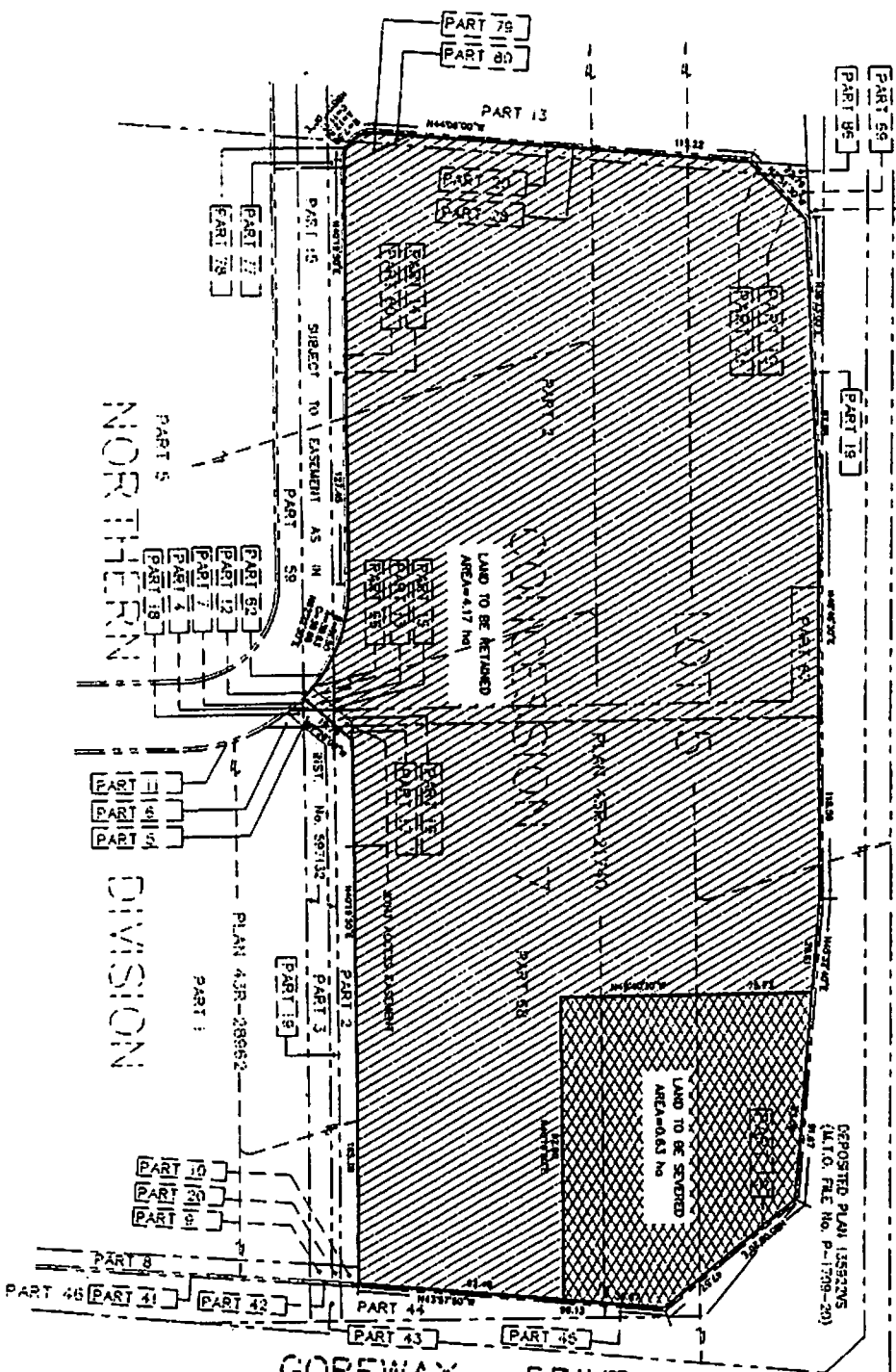
LAST DATE FOR FILING AN APPEAL TO THE ONTARIO MUNICIPAL BOARD **OCTOBER 26, 2005**

**DATE OF MAILING OCTOBER 6, 2005**

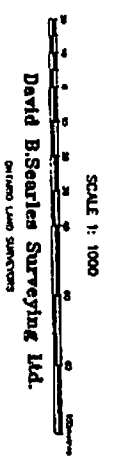


PART 3  
PLAN 43R-20414  
SUBJECT TO RIGHT OF  
WAY AS IN DIST. NO. 527485

**THE KINGS HIGHWAY No. 7**  
ROAD ALLOWANCE BETWEEN LOTS 5 AND 6, CONCESSION 7 (N.D.)



**PROPOSED LAND DIVISION SKETCH  
PART OF LOT 5, CONCESSION 7  
NORTHERN DIVISION**  
FRONTIER TOWNSHIP OF TORONTO CORE, COUNTY OF PEEL  
NOW IN THE CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL



METRIC  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**NOTE**  
BOUNDARY INFORMATION HAS BEEN COMPILED FROM RECENTLY OBTAINED INFORMATION  
THIS PLAN IS PREPARED FOR DRIVING CROSS-BORDER APPLICATION ONLY

DATED 10 JAN. 2014

<b>David B. Searles Surveying Ltd.</b>		DRIVING LAND SURVEYORS	
5794 WILSON DRIVE COURT, MISSISSAUGA, ONTARIO		L1E 1E3 (905) 273-2880 FAX (905) 898-4410	
Professional Surveyor No. 65-7-0310MC	Plan No. 65-7-03	Sheet No. 1	of 10



**STAFF COMMENTS, RECOMMENDATIONS, AND PROPOSED CONDITIONS OF APPROVAL**

The Mixed Industrial / Commercial designation applied to this property via the Secondary Plan requires development to utilize common access arrangements and linked parking areas to serve multiple lands uses. The development is also required to conform to the Urban Design Guidelines in the Secondary Plan and provisions are required to ensure that there is adequate capacity in the transportation network to serve the proposed development.

The whole of the larger land holdings was zoned several years ago for a range of commercial and industrial land uses, and the re-zoning process included a Holding provision. The Zoning By-law requires that the Holding provision remain in place and not be lifted until such a time when the owner of the lands has entered into a subdivision agreement in a form satisfactory to the City and the Region of Peel, and has registered the plan of subdivision. If the property is not developed by way of a plan of subdivision, a subdivision agreement will not be executed, and the Holding provision can not be lifted.

In reviewing this consent application, staff reviewed the development proposal for the larger land holdings and note that the applicant has filed an application to amend the Zoning By-law (C7E5.18). This application has been forwarded to a Public Meeting and a recommendation report will be prepared once City staff have completed a review of the Urban Design Guidelines and Traffic Study submitted in support of the proposal. Of the uses proposed in the Zoning By-law amendment, a gas station is not among those uses requested, and therefore, additional planning applications will need to be filed by the applicant in support of the gas station and car wash uses.

Regarding the Holding provision, until such time as the Holding symbol is lifted, the subject lands shall only be used for those purposes permitted in an Agricultural (A) zone, and will be subject to the requirements and restrictions of the Agricultural (A) zone, and all general provisions thereto. The consent application, as submitted, has not included information on how the above-referenced Official Plan policies have been addressed. Also, the proposed use is not permitted in the Zoning By-law since it is not listed as a non-agricultural use in SC(H) – Section 567.

As the applicant is proposing a future land use of a gas station and accessory uses (including a drive-through), staff need to understand the specifics of this future land use in order to ensure the parcel to be severed will meet the requirements of the Secondary Plan; as well as serve the public interest through good urban design, access, landscaping, massing and acceptable land uses. It is staff's opinion that it is inappropriate to permit a consent on the subject property until such a time when the planning application on the balance of the lands has been reviewed by City staff and presented to City Council with a recommendation.

Staff have undertaken a thorough review of this proposal, relative to the provisions prescribed within the *Planning Act* (and in particular section 51(24) as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to be premature and can not be supported from a land use perspective.

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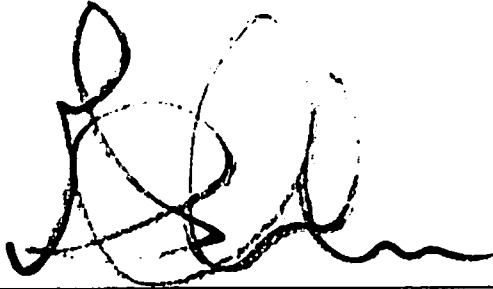


**SUMMARY**

That application B55/04 be denied because the application is premature pending resolution of a number of outstanding land use planning matters.

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Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'G.A.R. Charles', written over a horizontal line.

Gabriel A.R. Charles, MUDES, MCIP, RPP  
Development Planner

B55/04

## SCHEDULE "A"

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

<i>Criteria To Be Considered</i>	<i>Analysis</i>
(a) <i>The effect of development of the proposed Subdivision on matters of provincial interest</i>	<i>No adverse effect anticipated</i>
(b) <i>Whether the proposal is premature or in public interest;</i>	<i>Premature, and not in the public interest</i>
(c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	<i>Proposal does not conform</i>
(d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	<i>Unknown until future applications submitted</i>
(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>	<i>Unknown</i>
(f) <i>The dimensions and shapes of the proposed lots;</i>	<i>Unknown</i>
(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>	<i>Unknown – restrictions may be associated with larger plan of subdivision</i>
(h) <i>The conservation of natural resources and flood control;</i>	<i>No adverse effect anticipated</i>
(i) <i>The adequacy of utilities and municipal services;</i>	<i>Unknown</i>
(j) <i>The adequacy of school sites;</i>	<i>None required</i>
(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>	<i>Unknown</i>
(l) <i>The physical layout of the plan having regard for energy conservation</i>	<i>Unknown</i>

# COMMITTEE OF ADJUSTMENT

## Notice of Decision

The City of Brampton

APPLICATION NO. "B"001/04

Ward # 10

### PLANNING ACT - PROVISIONAL CONSENT

AN APPLICATION HAS BEEN MADE BY **EDEN OAK INDUSTRIAL PARK INC.**

The applicant(s) request(s) consent to a conveyance together with easements for access and servicing, of Part of Lot 5, Concession 7 N.D., City of Brampton in the Region of Peel. The "severed" land has a frontage on Goreway Drive of approx. 107.26m (352 ft.), a depth of approx. 165.38m (542.6 ft.) and an area of approx. 1.96 hectares (4.84 acres). The land is located on the southwest corner of Goreway Drive and Queen Street East. It is designated "Business Industrial" in the Official Plan and "Mixed Industrial/Commercial and Special Policy Area No. 2" in the Secondary Plan. It is zoned "Industrial (M4) - Sec. 799". It is proposed that the "severed" land be used for industrial purposes.

THE REQUEST IS HEREBY APPROVED, THIS DECISION:

IF **APPROVED**: IS SUBJECT TO THE CONDITIONS AND FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

IF **REFUSED**: IS FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

MOVED BY B. REED SECONDED BY: K. MALHOTRA

DATED THIS 13th day of JANUARY, 2004

Signature of Chair of Meeting

WE THE UNDERSIGNED CONCUR IN THE DECISION AND REASONS OF THE COMMITTEE

Signature of Member of Committee

Signature of Member of Committee

Signature of Member of Committee

Signature of Member of Committee

Signature of Member of Committee

### CERTIFICATION

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

SECRETARY-TREASURER,  
COMMITTEE of ADJUSTMENT

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the Brampton City Hall, Committee of Adjustment Office, 2 Wellington Street West, Brampton, Ontario L6Y 4R2, Telephone No. (905) 874-2117 and Fax No. (905) 874-2119.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

Only individuals, corporations and public bodies may appeal decisions or any condition in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

Any notice of appeal shall set out the reasons for the appeal. The notice of appeal accompanied by the fee prescribed under the Ontario Municipal Board Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment. The prescribed fee is \$125 for the primary appeal and \$25 for each related appeal. Cheques are to be made payable to the Minister of Finance. **TURN TO PAGE TWO (2) FOR THE ONTARIO MUNICIPAL BOARD APPEAL DATE.**

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:	
Zoning By-law Amendment:	NO	File Number:	
Minor Variance:	YES	File Number:	A009/04



# COMMITTEE OF ADJUSTMENT

## Notice of Decision

The City of Brampton



Page 2

APPLICATION NO. "B"001/04

### PLANNING ACT – PROVISIONAL CONSENT

AN APPLICATION HAS BEEN MADE BY EDEN OAK INDUSTRIAL PARK INC.

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS: (Also see Decision Information Sheet)

(AS AGREED TO BY THE APPLICANT(S)/AGENT(S) AT THE MEETING).

- A. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below: (See "Decision Information Sheet" for further information).
1. The Secretary-Treasurer's Certificate under the Planning Act shall be given within one year of the date of mailing noted below.
  2. 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.
  3. 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.
  4. That minor variance application A009/04 be approved and that any such approval be final and binding.
  5. Prior to certification, all easements required shall be determined and approved by the City, the Region of Peel and all other applicable authorities that have easement requirements in respect of the proposed severed and retained parcels and that the City and Region shall be satisfied that the retained parcel can be adequately serviced.

### REASONS:

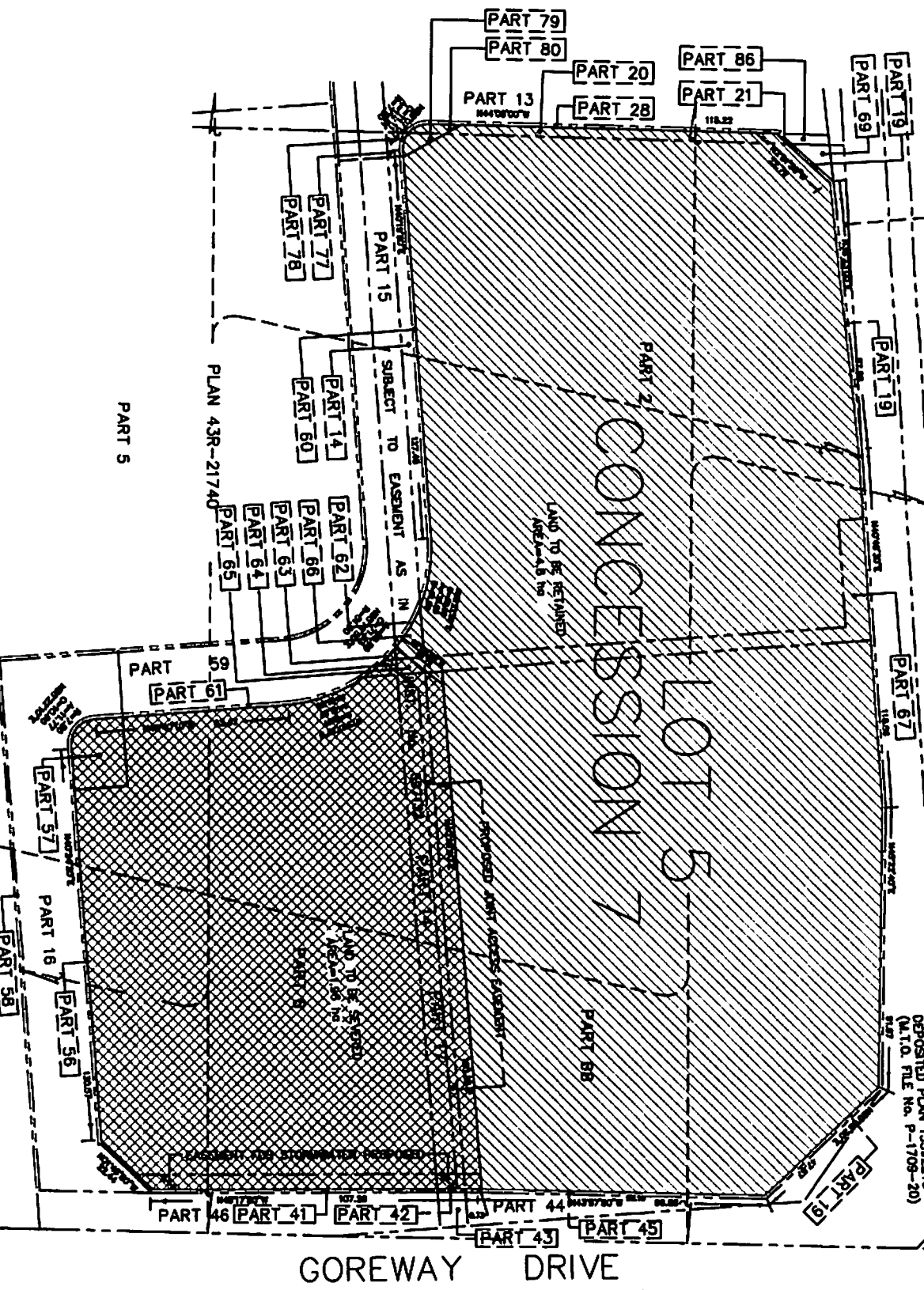
1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

LAST DATE FOR FILING AN APPEAL TO THE ONTARIO MUNICIPAL BOARD FEBRUARY 4, 2004

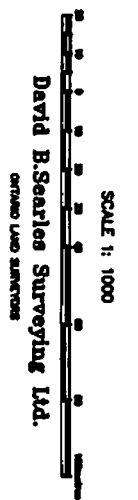
DATE OF MAILING JANUARY 15, 2004

# NORTHERN DIVISION

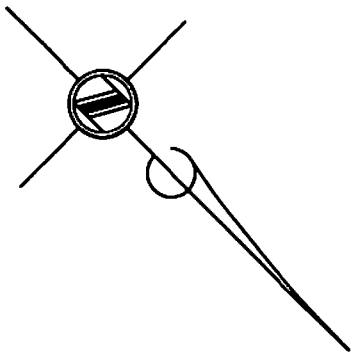
THE KINGS HIGHWAY No. 7  
 ROAD ALLOWANCE BETWEEN LOTS 5 AND 6, CONCESSION 7 (N.D.)



PROPOSED LAND DIVISION SKETCH  
 PART OF LOT 5, CONCESSION 7  
 NORTHERN DIVISION  
 FORMERLY TOWNSHIP OF TORONTO GORE, COUNTY OF PEEL  
 NOW IN THE CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL



METRIC  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



GOREWAY DRIVE  
 ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSION 7 AND 8 (N.D.)

NOTE  
 NEAREST NEIGHBOURHOOD SHOWS HORIZON HAS BEEN COMPARED FROM VARIOUS PLANS  
 AND HAS NOT BEEN COVERED BY FIELD OBSERVATION.

David B. Searles Surveying Ltd.  
 ORDNED LAND SURVEYORS  
 450 VALLÉE GORNE COURT, BRAMPTON, ONTARIO  
 L6Y 5E2 (416) 575-4440 FAX (416) 575-4440  
 Computer Mapping 770 5th  
 65-4-03/DWG  
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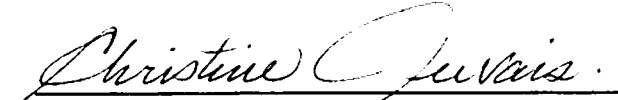


**SUMMARY:**

That application B01/04 is supportable, provided the following conditions are satisfied:

1. Approval of minor variance application A09/04.
2. Prior to certification, all easements required shall be determined and approved by the City, the Region of Peel, and all other applicable authorities that have easement requirements in respect of the proposed severed and retained parcels.

Respectfully Submitted,

  
Christine Gervais, B.Sc.  
Information Planner

## SCHEDULE "A"

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

<b>Criteria To Be Considered</b>	<b>Analysis</b>
(a) <i>The effect of development of the proposed Subdivision on matters of provincial interest;</i>	<i>No adverse effect anticipated</i>
(b) <i>Whether the proposal is premature or in the public interest;</i>	<i>Considered to be appropriate</i>
(c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	<i>Proposal conforms to the general the intent of the Official Plan and Secondary Plan policies.</i>
(d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	<i>Considered to be appropriate in conjunction with the associated minor variance application A09/04.</i>
(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>	<i>N/A – no road improvements and widening required.</i>
(f) <i>The dimensions and shapes of the proposed lots;</i>	<i>Considered to be appropriate</i>
(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>	<i>Prior to certification, the necessary easements over the retained and severed parcels shall be determined and approved by the City, the Region of Peel, and any other applicable authorities that have easement requirements.</i>
(h) <i>The conservation of natural resources and flood control;</i>	<i>No adverse effect anticipated</i>
(i) <i>The adequacy of utilities and municipal services;</i>	<i>Considered to be adequate</i>
(j) <i>The adequacy of school sites;</i>	<i>Not applicable</i>
(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>	<i>None required</i>
(l) <i>The physical layout of the plan having regard for energy conservation</i>	<i>Not applicable</i>





Flower City



brampton.ca

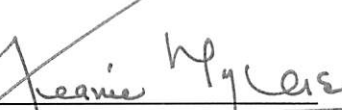
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A18-055**

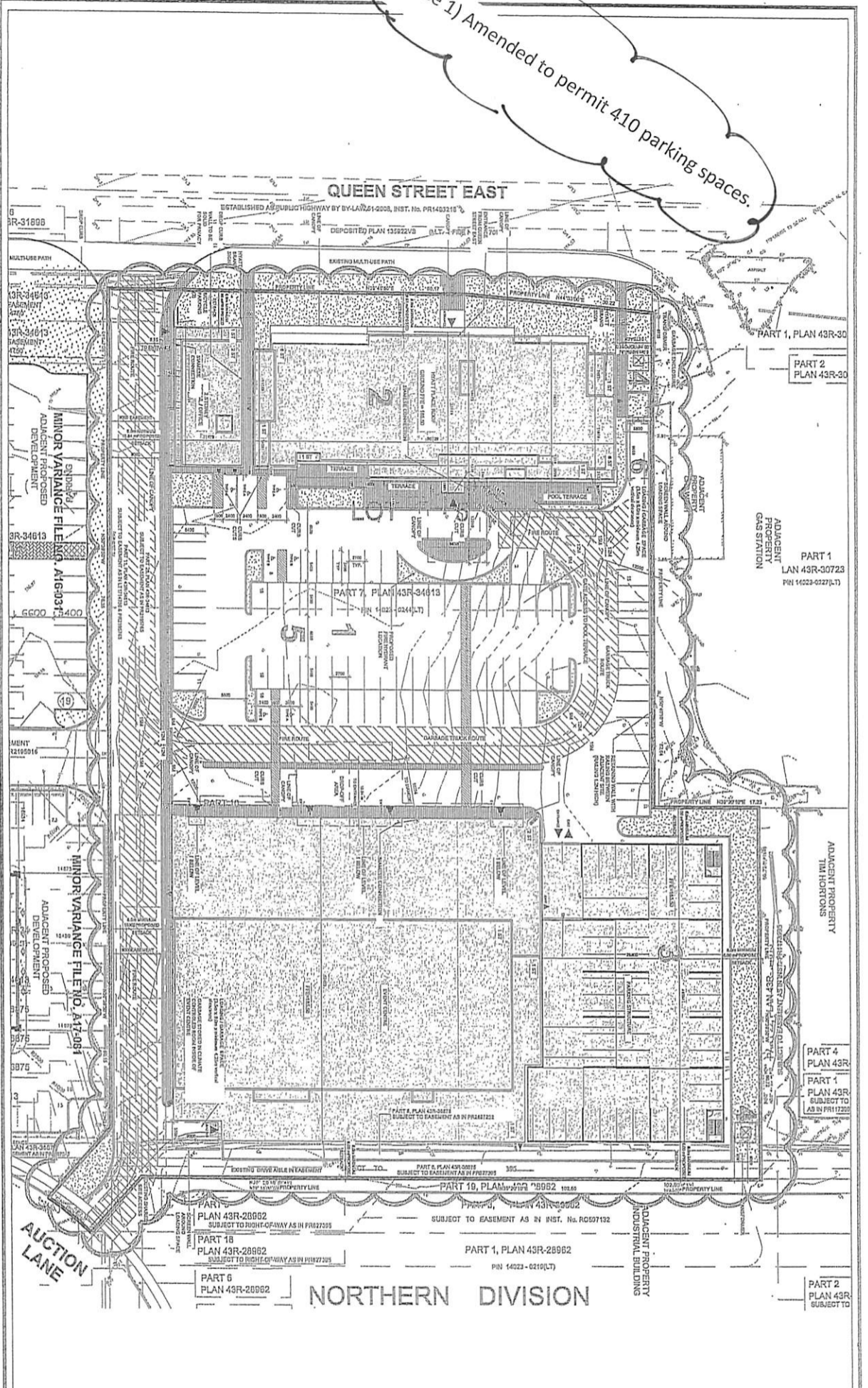
DATED: **APRIL 17, 2018**

Conditions:

1. That the extent of the variances be generally in accordance with the sketch attached to the Public Notice;
2. That the owner finalize site plan approval under City File SP17-123.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and,
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

  
Jeanie Myers  
Secretary-Treasurer  
Committee of Adjustment

(Variance 1) Amended to permit 410 parking spaces.



**LEGEND**

PROPERTY BOUNDARY

1-6 MINOR VARIANCES

- MINOR VARIANCES**
- To permit 415 parking spaces whereas the By-law requires 631 parking spaces to be provided on site.
  - To permit a maximum building height of 6 storeys (25.0m) for a proposed Motel whereas the By-law permits a maximum building height of 3 storeys.
  - To permit a maximum building height of 4 storeys (17.0m) for an above grade parking structure whereas the By-law permits a maximum building height of 3 storeys.
  - To permit a minimum interior side yard setback of 0.0 metres to a proposed Hydro Transformer whereas the By-law requires a minimum interior side yard setback of 6.0 metres.
  - To permit a maximum lot coverage of 45% whereas the By-law permits a maximum lot coverage of 35%.
  - To permit an interior side yard setback of 0.0 metres to a proposed Garbage and Refuse Storage Enclosure whereas the By-law requires a minimum interior side yard setback of 6.0 metres.



**Statistics Overview**

- Motel (119 Units) - 6,558.70 m<sup>2</sup>
- Retail/Office Building (1st Floor Retail) - 240.44m<sup>2</sup>
- Retail/Office Building (2nd Floor Office) - 194.66 m<sup>2</sup>
- Convention Centre - 3,927.11 m<sup>2</sup>
- Total Site GFA - 10,920.91m<sup>2</sup>
- Total Parking Provided - 419
- (93 Surface, 326 Parking structure)
- Floor Space Index (FSI) - 0.77
- Lot Coverage - 34% (45% Including Parking Structure)

**Required Parking (As Per By-law)**

- Motel (1/1 Bedroom) - 119
- Convention Centre (1/8m<sup>2</sup>) - 490.89
- Retail (1/19m<sup>2</sup>) - 12.65
- Office (1/25m<sup>2</sup>) - 7.79
- Total Required - 630.33 (631)

**Overall Building Heights (Maximum)**

- Motel - 23.96m
- Convention Centre - 15.83m
- Parking Structure - 16.20m

**MINOR VARIANCE PLAN  
PROPOSED SITE PLAN**

2514682 Ontario Inc., Hyatt Place  
 '0' Auction Lane, Part of Lot 5, Concession 7 N.D.  
 Parts 7, 11, 12, 13, 14, 15, 16, 18,  
 24, 25, 26, 33, 34, 36,  
 Registered Plan - 43R34613  
 City of Brampton, Ontario

P.N.: 2472 Date: April 4, 2018

Scale: N.T.S. Revised:

Drawn By: D.S. File No.: PN 2472 - Concept Plan

**GWD**  
Geotechnical & Water Division  
21 Queen Street East  
Suite 500  
Brampton, ON  
L6Y 3E1  
P (905) 759-5730

**GWD**  
Geotechnical & Water Division  
3601 Highway 7 East  
Suite 310  
Markham, ON  
L3R 9A3  
P (905) 477-6559