

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

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.

N/A

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

a) Name of Street 122-130 Main Street North, 6 & 7 Nelson Street East, 7 & 11 Church Street East Number _____
 b) Concession No. 1 Lot(s) Part of 49-52,57-59,85&86 & All of lots 53 & 54
 c) Registered Plan No. BR2 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)	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 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)	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): _____		

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

	Land to be Severed	Land to be Retained
Zoning By-Law	<u>Downtown Commercial DC(H)</u>	<u>Residential R4A(H) and Downtown Commercial DC(H)</u>
Official Plans		
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	A-2023-0050	Approved
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 10TH day of SEPTEMBER, 2024.



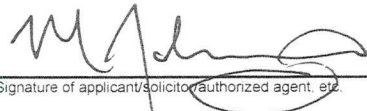
Signature of Applicant, or Authorized Agent. See note on next page.

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, 2024



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

DATE Received: Sept 12, 2024
By VL

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.

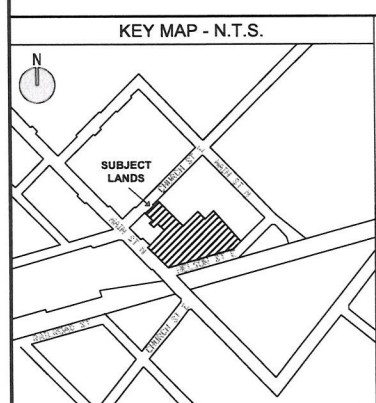
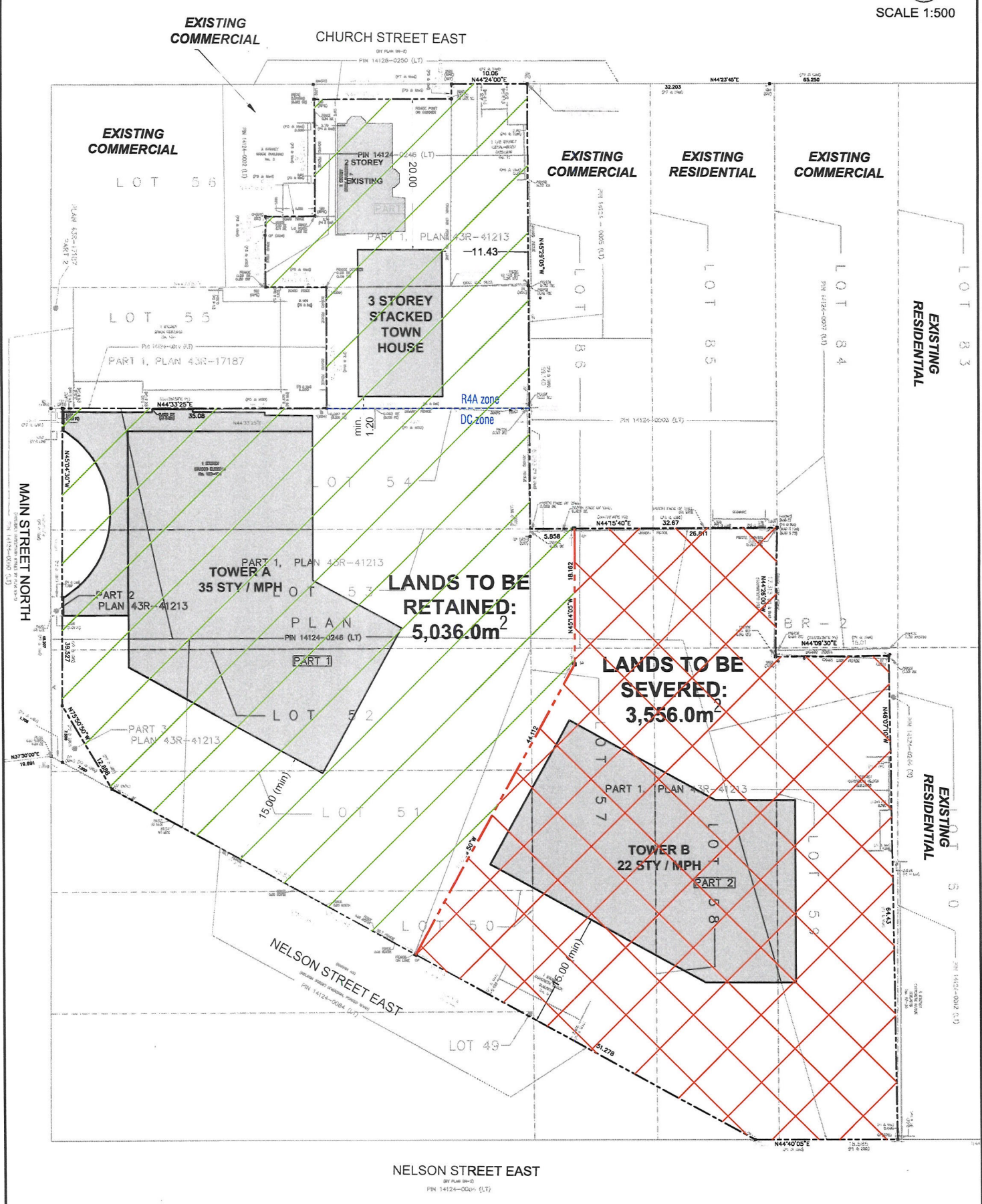
Dated this 10th day of September, 2024.

(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



LEGEND:

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

SCALE 1:500
METRES

PREPARED BY:

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.

TITLE:
SEVERANCE SKETCH

PROJECT:
**ROSE GARDEN INVESTMENT
122-130 MAIN ST N
CITY OF BRAMPTON**

CLIENT:
**HI-RISE DEVELOPMENT
ADVISORS INC.**

DESIGN BY: GFC ARCHITECTS
DRAWN BY: L. TAIBI
U/S FILE NUMBER: 335-19

CHECKED BY: S. BEDDIE
DATE: SEPTEMBER 12, 2024
SHEET NUMBER: 1



September 12, 2024

335-19

Via Email & Delivered

Ms. Clara Vani
Secretary Treasurer

Committee of Adjustment
City of Brampton
2 Wellington Street West, 1st 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**

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. Please accept the enclosed Application for Consent to Sever to facilitate the severance of the subject property on their behalf.

The subject property is located on the northeast corner of the intersection of Main Street North and Nelson Street and is currently vacant with the exception of a couple heritage buildings to be incorporated into the future development of the site. The property is a +/- 8,592.0 square metre parcel with lot frontage of +/- 128.87 metres on Nelson Street, +/- 39.52 metres on Main Street North and +/- 28.28 metres on Church Street East. The property is proposed to be split into two parcels based on the phase line proposed through the ongoing Site Plan application (SPA-21-0269). The parcel is designated as 'Central Area' in the City of Brampton Official Plan and 'Central Area Mixed Use' within Special Policy Area 3A (SPA 3A) in the Downtown Brampton Secondary Plan (SPA7). In addition to the subject site's land use designation, it is located in site-specific 'Downtown Commercial DC(H)-2967' and 'Residential Apartment R4A(H)-2968' Zones within Comprehensive Zoning By-law No. 270-2004.

Purpose of the Application

The purpose of the Consent Application is to sever the subject property into two separate parcels which align with the phase line for a development proposed for the site consisting of one (1) 35-storey mixed use building, one (1) 22-storey mixed use building and a 3-storey stacked townhouse. There is one (1) lot to be retained as labeled on the corresponding Sketch of Land Division for this application. The retained lot is proposed to have a lot area of +/- 5,036.0 m² and a frontage of +/- 45.83 metres, +/- 52.41 metres and +/- 28.28 metres on Nelson Street, Main Street North and Church Street East respectively. The severed lot will have a lot area of +/- 3,556.0 m² with +/- 70.16 metres of frontage on Nelson Street. The proposed severance is illustrated on the enclosed Sketch of Land Division.

A Minor Variance application has been submitted concurrently on September 4, 2024 to ensure all existing zoning deficiencies associated with the proposal are captured and brought into conformity with the Zoning By-law. Further, the proposed severance creates two lots which are appropriately dimensioned, front existing public streets and do not affect the ultimate development pattern of the site proposed through the ongoing Site Plan application for the lands. Overall, the proposed severance complies with the relevant policies of the City of Brampton Official Plan, inclusive of the Planning and Development Controls set out in Section 5.12, and the corresponding Provincial Plans.

To assist in the evaluation of the application, please refer to the enclosed Sketch of Land Division.


Based on the above analysis, UrbanSolutions believes that the application represents good land use planning and satisfies Section 53(1) of the *Planning Act*, R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands.


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

- One (1) copy of the completed Consent to Sever Application form;
- One (1) copy of the draft Reference Plan prepared by A.T. McLaren;
- One (1) copy of the Consent to Sever Sketch, prepared by UrbanSolutions; and,
- One (1) cheque in the amount of **\$4,985.00** made payable to the City of Brampton for the Consent to Sever Application fee.

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

Regards,
UrbanSolutions


Matt Johnston, MCIP, RPP
Principal


Scott Beedie, MCIP, RPP
Planner

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