



The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

**APPLICATION**  
**Minor Variance or Special Permission**  
(Please read Instructions)

**NOTE:** It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. **Name of Owner(s)** (Adam Bholat) 2275048 Ontario Inc.  
**Address** 18 Fulham Street, Toronto, ON, M1S 2A4  
  
**Phone #** N/A **Fax #** \_\_\_\_\_  
**Email** abholat@rogers.com

2. **Name of Agent** Maurizio Rogato - Blackthorn Development Corp.  
**Address** PO Box 943, Kleinburg, ON, L0J 1C0  
  
**Phone #** (416) 888-7159 **Fax #** \_\_\_\_\_  
**Email** mrogato@blackthorncorp.ca

3. **Nature and extent of relief applied for (variances requested):**  
1. To permit an addition to the existing Gas Bar Kiosk (per the proposed location shown within the enclosed Site Plan) with a minimum front yard setback of 5.3m.  
2. To permit an addition to the existing Gas Bar Kiosk (per the proposed location shown within the enclosed Site Plan) with a minimum 5.5m exterior side yard setback.  
3. To permit a total Gross Commercial Floor Area of 47 Square Metres for a Gas Bar Kiosk.

4. **Why is it not possible to comply with the provisions of the by-law?**  
1. The location of buildings shall be in accordance with Schedule C-Section 3273 of the Zoning By-law, noting a 5.5m front yard setback.  
2. The location of buildings shall be in accordance with Schedule C-Section 3273 of the Zoning By-law noting a 10m exterior side yard setback.  
3. The M2-Section 3273 of the Zoning By-law permits a maximum of 14 Square Metres.

5. **Legal Description of the subject land:**  
**Lot Number** Part of East Half of Lot 4  
**Plan Number/Concession Number** Concession 2  
**Municipal Address** 118 Orenda Road

6. **Dimension of subject land (in metric units)**  
**Frontage** Approx. 56.13 m  
**Depth** Approx 43.91 m  
**Area** Approx. 4,062 m2

7. **Access to the subject land is by:**  
 **Provincial Highway**  
 **Municipal Road Maintained All Year**  
 **Private Right-of-way**  
  
 **Seasonal Road**  
 **Other Public Road**  
 **Water**

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land:

Existing 1-Storey brick building with a total GFA of 806 m2.
Existing 1-Storey kiosk measuring approximately 3.09 m in width and 6.07 m in width with a total GFA of 18 m2.
Existing Gas Bar Canopy measuring approximately 7.33 m in width and 12.82 m in length.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Proposed 1-Storey kiosk extension measuring approximately 4.87 m in width and 6.09 m in length with a total GFA of 29 m2.

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)

EXISTING

Front yard setback 1-Storey Brick Building - Approx. 17.55 m. Gas Bar Canopy - Approx. 7.79 m. 1-Storey Kiosk - Approx. 5.35 m
Rear yard setback 1-Storey Brick Building - Approx. 6.00 m. Gas Bar Canopy - Approx. 42.40 m. 1-Storey Kiosk - Approx. 54.94 m
Side yard setback EAST 1-Storey Brick Building - Approx. 20.78 m. Gas Bar Canopy - Approx. 11.94 m. 1-Storey Kiosk - Approx. 12.75 m.
Side yard setback WEST 1-Storey Brick Building - Approx. 6.80 m. Gas Bar Canopy - Approx. 36.77 m. 1-Storey Kiosk - Approx. 38.41 m.

PROPOSED

Front yard setback 1-Storey Kiosk Extension - Approx. 5.35 m
Rear yard setback 1-Storey Kiosk Extension - Approx. 54.94 m.
Side yard setback EAST 1-Storey Kiosk Extension - Approx. 5.53 m
Side yard setback WEST 1-Storey Kiosk Extension - Approx. 38.41 m

10. Date of Acquisition of subject land: Unknown

11. Existing uses of subject property: Gas Station

12. Proposed uses of subject property: Gas Station

13. Existing uses of abutting properties: Automobile Repair, Automobile Parts and Service

14. Date of construction of all buildings & structures on subject land: Unknown

15. Length of time the existing uses of the subject property have been continued: Unknown

16. (a) What water supply is existing/proposed?
Municipal [checked]
Well [ ]
Other (specify) [ ]

(b) What sewage disposal is/will be provided?
Municipal [checked]
Septic [ ]
Other (specify) [ ]

(c) What storm drainage system is existing/proposed?
Sewers [checked]
Ditches [ ]
Swales [ ]
Other (specify) [ ]

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes

No

If answer is yes, provide details:

File # \_\_\_\_\_

Status \_\_\_\_\_

18. Has a pre-consultation application been filed?

Yes

No

19. Has the subject property of an application for minor variance?

ever been the subject

Yes

No

Unknown

If answer is yes, provide details:

File # \_\_\_\_\_ Decision \_\_\_\_\_  
File # \_\_\_\_\_ Decision \_\_\_\_\_  
File # \_\_\_\_\_ Decision \_\_\_\_\_

Relief \_\_\_\_\_  
Relief \_\_\_\_\_  
Relief \_\_\_\_\_

Signature of Applicant(s) or Authorized Agent

DATED AT THE City \_\_\_\_\_ OF Vaughan  
THIS 8th DAY OF October, 2024.

IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

Maurizio Rogato - Blackthorn Development Corp. OF THE City \_\_\_\_\_ OF Vaughan

IN THE Region \_\_\_\_\_ OF York SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

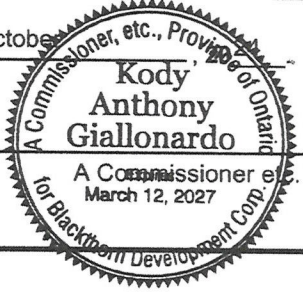
DECLARED BEFORE ME AT THE City \_\_\_\_\_ OF Vaughan

IN THE Region \_\_\_\_\_ OF

York THIS 9th DAY OF

October

Signature of Applicant or Authorized Agent



*[Handwritten signature]*

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

Zoning Officer \_\_\_\_\_

Date \_\_\_\_\_

DATE RECEIVED - Oct 10, 2024

*Clara*

**APPOINTMENT AND AUTHORIZATION OF AGENT**

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

LOCATION OF THE SUBJECT LAND: 118 Orenda Road

I/We, Adam Bholat -2275048 Ontario Inc.  
please print/type the full name of the owner(s)

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

Maurizio Rogato - Blackthorn Development Corp.  
please print/type the full name of the agent(s)

to make application to the **City of Brampton Committee of Adjustment** in the matter of an application for **minor variance** with respect to the subject land.

Dated this 9<sup>th</sup> day of October, 2024

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

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

**NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.**



**PERMISSION TO ENTER**

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

LOCATION OF THE SUBJECT LAND: 118 Orenda Road

I/We, Adam Bholat -2275048 Ontario Inc.  
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.

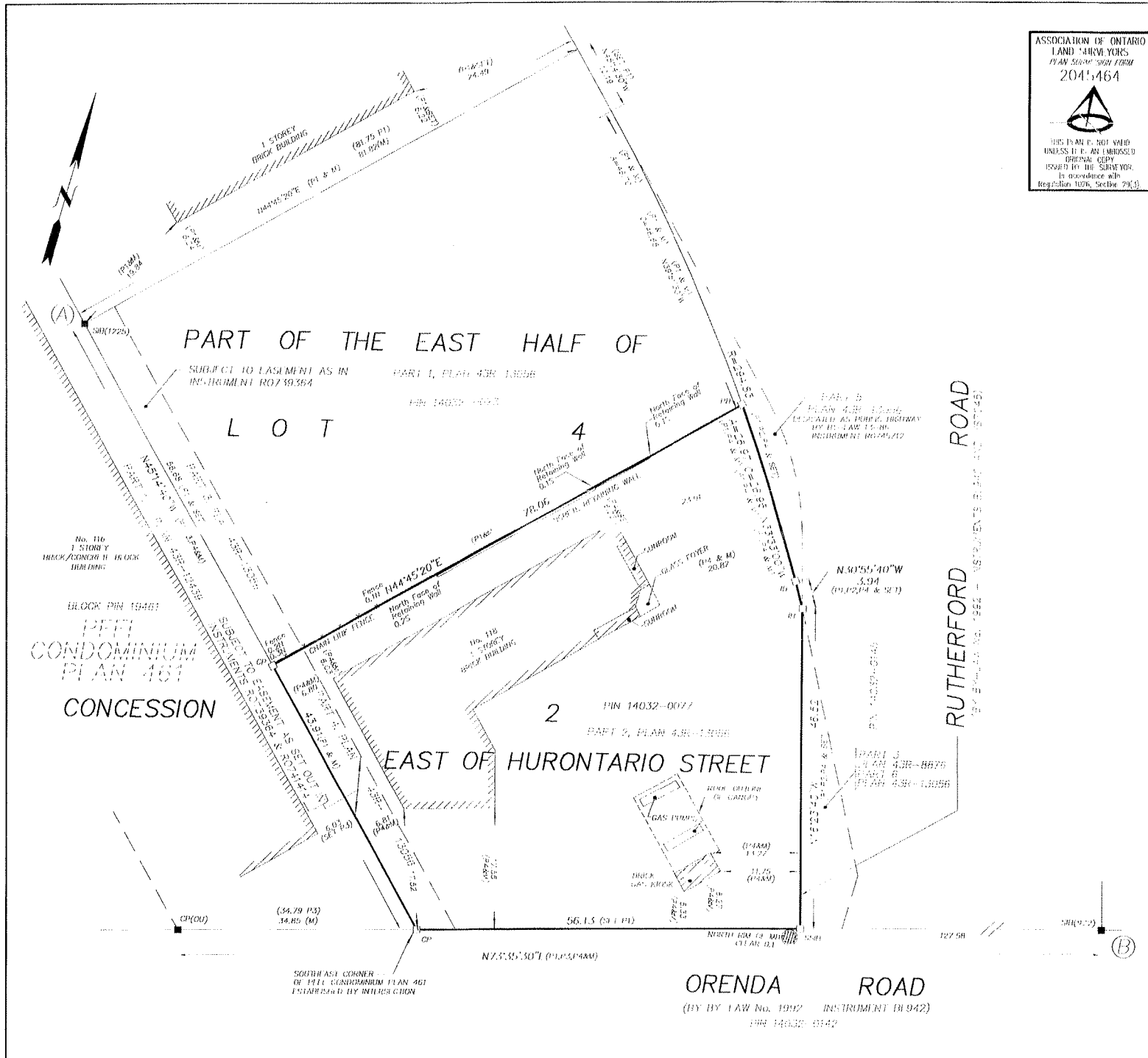
Dated this 9<sup>th</sup> day of October, 2024

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


ADAM BHOLAT  
(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**



ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN 5000-100 FORM  
2015/164



THIS PLAN IS NOT VALID  
UNLESS IT IS AN UNREVISED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 29(3)

COPYRIGHT © IVAN B. WALLACE, O.L.S., 180, 2018  
 PLAN OF SURVEY OF  
 PART OF EAST HALF OF LOT 4,  
 CONCESSION 2  
 EAST OF HURONTARIO STREET  
 GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL  
 SCALE 1 : 500 METRES

IVAN B. WALLACE, O.L.S., F.S.S.  
**LEGEND**  
 ■ denotes Survey Monument Found  
 □ denotes Survey Monument Set  
 SSB denotes Short Standard Iron Bar  
 SB denotes Standard Iron Bar  
 IB denotes Iron Bar  
 CP denotes Concrete Pin  
 PI denotes Plastic Pin  
 WT denotes Witness  
 M denotes Measured  
 P1 denotes Plan 43R-13056  
 P2 denotes Plan 43R-88476  
 P3 denotes Peel Condominium Plan 461  
 P4 denotes Plan of Survey by J.D. Barnes Limited dated May 30, 1998  
 (U) denotes Origin Unknown  
 1225 denotes David B. Seaman Ltd., O.L.S.  
 MB denotes Maintenance Hole

**BEARING NOTES**  
 Bearings are UTM Grid, derived from observed reference points A and B, by Real Time Network observations, UTM Zone 17, NAD83(CSRS)(2010).  
 For bearing comparisons, the following relations were applied:  
 P1,P2,P3 - 0°51'00" counter clockwise

**DISTANCE NOTES - METRIC**  
 Distances and coordinates are in metres and can be converted to feet by dividing by 0.3048.  
 Distances are ground and can be converted to grid by multiplying by the combined scale factor of 0.999700.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. This survey and plan are correct and in accordance with the Surveys Act and the Surveyors Act and the regulations made under them.  
 2. The survey was completed on March 14, 2018.  
 April 03, 2018, *R. Wannack*  
 Date Robert Wannack, O.L.S.

**INTEGRATION DATA**

Observed reference points derived from GPS observations using a Real Time Network and are referred to UTM Zone 17 (N) west longitude NAD83(CSRS)(2010).

Urban accuracy per Sec. 14(2), O.Reg. 716/10.

POINT ID	NORTHING	EASTING
A	4838842.22	601888.15
B	4838823.36	602135.79

CAUTION: COORDINATES CANNOT BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN



71 MEARNS COURT, BOWMANVILLE, ONTARIO, L7C 4H4  
 IBWSURVEYORS.COM | 1.800.667.0696

PARTY CHIEF: IBW | DRAWN BY: LC | CHECKED BY: SMW | PLOD DATE: April 03, 2018  
 FILE NAME: 512277.POS\_V5.dwg | copies available at LandSurveyRecords.com





**DELIVERED BY EMAIL &  
COURIER**

October 9, 2024

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

**Attention: Ms. Clara Vani, Legislative Coordinator, Secretary Treasurer,  
Committee of Adjustment**

**RE: Application for Minor Variance**  
118 Orenda Road  
Tax Assessment Roll No. 10-02-0-005-15320-0000, Ward 3  
Part of East Half of Lot 4, Concession 2  
East of Hurontario Street (*Geographic Township of Chinguacousy*)  
City of Brampton, Region of Peel

Dear Madam,

In accordance with the *Planning Act*, as amended, our office is pleased to submit a Minor Variance Application to seek relief from the *City of Brampton Zoning By-law No. 270-2004*, as amended.

The proposed Minor Variance Application seeks permission to permit an addition to an existing Gas Bar Kiosk. Subject to a Zoning Review, to undertaken upon filing of the Minor Variance Application, the following Variances are anticipated to be required:

1. To permit an **addition to the existing Gas Bar Kiosk** (*per the proposed location shown within the enclosed Site Plan*) with a minimum **front yard setback of 5.3m** whereas the location of buildings shall be in accordance with Schedule C-Section 3273 of the Zoning By-law, noting a 5.5m front yard setback.
2. To permit an **addition to the existing Gas Bar Kiosk** (*per the proposed location shown within the enclosed Site Plan*) with a minimum **5.5m exterior side yard setback** whereas the location of buildings shall be in accordance with Schedule C-Section 3273 of the Zoning By-law noting a 10m exterior side yard setback.



## **BLACKTHORN DEVELOPMENT CORP.**

3. To permit a total **Gross Commercial Floor Area of 47 Square Metres** for a Gas Bar Kiosk whereas the M2-Section 3273 of the Zoning By-law permits a maximum of 14 Square Metres.

As mentioned, upon completion of the Zoning Review, other Variances may be identified to permit the proposed addition to the Gas Bar Kiosk in accordance with the enclosed Site Plan.

### **Property Location & Description**

The lands subject to the enclosed Minor Variance Application are located within the City of Brampton, forming part of Ward 3, and located west of Rutherford Road South, east of Hansen Road South, south of Queen Street East, and on the north side of Orenda Road (*“Subject Lands”*).

The Subject Lands contain an existing 1-storey building utilized for Motor Vehicle Repair, gas pumps and retail kiosk.

The Subject Lands are serviced by existing municipal water and wastewater services.

As noted, the Subject Lands are municipally addressed as 118 Orenda Road and legally described as Part of East Half of Lot 4, Concession 2, East of Hurontario Street (*Geographic Township of Chinguacousy*).

The Subject Lands have a total Site Area of approximately 0.4 Hectares (*0.9 Acres*).

The Subject Lands have a total of 38 Existing Surface Parking Spaces with 4 Additional Surface Parking Spaces, proposed, totalling 42 Parking Spaces.

Immediate, surrounding land uses include largely industrial uses together with commercial uses.

### **Existing Land Use Policies & Regulations**

The Subject Lands are subject to Provincial Plans and Policies including *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020 Consolidation)* and *Provincial Policy Statement, 2020*.

The Subject Lands form part of ‘Employment Areas’ per the *Brampton Plan* and designated ‘Industrial’ per the *City of Brampton Queen Street Corridor Secondary Plan Area 36*.

The Subject Lands are zoned ‘Industrial Two-M2-3273’ per the *City of Brampton Zoning By-law No. 270-2004*, as amended.

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### **Proposed Minor Variance**

As mentioned, the enclosed Minor Variance Application seeks relief from the *City of Brampton Zoning By-law No. 270-2004*, as amended.

The proposed Minor Variance will facilitate the addition to the existing Gas Bar Kiosk per the enclosed Site Plan.

Specifically, the enclosed Minor Variance Application seeks permission to permit the following:

1. To permit an **addition to the existing Gas Bar Kiosk** (*per the proposed location shown within the enclosed Site Plan*) with a minimum **front yard setback of 5.3m** whereas the location of buildings shall be in accordance with Schedule C-Section 3273 of the Zoning By-law, noting a 5.5m front yard setback.
2. To permit an **addition to the existing Gas Bar Kiosk** (*per the proposed location shown within the enclosed Site Plan*) with a minimum **5.5m exterior side yard setback** whereas the location of buildings shall be in accordance with Schedule C-Section 3273 of the Zoning By-law noting a 10m exterior side yard setback.
3. To permit a total **Gross Commercial Floor Area of 47 Square Metres** for a Gas Bar Kiosk whereas the M2-Section 3273 of the Zoning By-law permits a maximum of 14 Square Metres.

As mentioned, upon completion of the Zoning Review, other Variances may be identified to permit the proposed addition to the Gas Bar Kiosk in accordance with the enclosed Site Plan.

### **Planning Justification**

The proposed Minor Variance Application represents minor departures from the Zoning By-law, maintains the general intent of the Zoning By-law, meets the general intent of the Official Plan, are minor in nature and are representative of an appropriate use of the Subject Lands.

#### Purpose and General Intent of Official Plan:

As the Subject Lands are located within 'Employment Areas' and designated 'Industrial' with the existing uses permissible, the addition to the Gas Bar Kiosk does not represent a change in use and therefore, the intent of the applicable Official Plan designation is maintained. The existing uses will continue to serve the surrounding Employment Area.

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### Purpose and General Intent of the Zoning By-law:

As mentioned, the Subject Lands are zoned 'Industrial Two-M2-3273' per the *City of Brampton Zoning By-law No. 270-2004*, as amended.

The applicable zoning provisions permit the existing uses and the proposed addition to the Gas Bar Kiosk requires relief from the Zoning By-law including relief from setback requirements and increase in permissible Commercial Gross Floor Area.

The Subject Lands has sufficient surface parking to accommodate both the existing uses and proposed minor addition of the proposed Gas Bar Kiosk with sufficient landscape buffering and area remaining. Further, through consultation with City personnel, it is noted a Site Plan Control application is required along with a Daylight Triangle of 10m x 10m, in area, which will be conveyed into public ownership. Accordingly, the addition will result in a public benefit through conveyance of the Daylight Triable, which will be facilitated through the required Site Plan Control application.

The Gas Bar addition including reduced setbacks and increased Commercial Gross Floor Area will not impede maintenance, access or services on the Subject Lands.

Accordingly, the proposed Minor Variance maintains the general intent and purpose of the Zoning By-law with no demonstratable, adverse impacts onto adjacent uses arising from the proposed and minor addition to the Gas Bar Kiosk.

### Desirable and Appropriate Development of Land:

The proposed Minor Variance does not pose adverse impacts to the surrounding land uses including the existing industrial and commercial uses.

As mentioned, the addition to the Gas Bar Kiosk is complimentary to the continuance of the existing uses on the Subject Lands and will result in the conveyance of a Daylight Triangle into public ownership, improving the existing Road Network.

Accordingly, the proposed Minor Variances represent appropriate use of the Subject Lands sustaining the existing uses within an Employment Area.

### Minor in Nature:

The proposed Minor Variance is representative of a minor departure from the Zoning By-law permitted use(s) requirements, in that, the applicable Zone permits a wide range of industrial uses with commercial uses, permissible. The addition to the Gas Bar Kiosk is complimentary to

## **BLACKTHORN DEVELOPMENT CORP.**

the existing uses including the Motor Vehicle Repair Shop use, located within the existing 1-Story Building.

Accordingly, the proposed Minor Variances are minor in nature and pose no adverse impacts to the Subject Lands or surrounding area.

Based on the above, applicable policies and regulations, it is my professional opinion the proposed Minor Variance Application is representative of good land use planning and conforms to the test set out within the *Planning Act*.

### **Submission Items**

In support of a complete application for the enclosed Minor Variance Application, our office is pleased to provide the following Submission Requirements:

- One (1) PDF File of this Cover Letter, as prepared by the undersigned.
- One (1) original copy of a fully completed Minor Variance Application Form including Agent Authorization Form and Permission to Enter Form, as prepared by the undersigned and executed by the Registered Owner.
- Two (2) copies of a Plan of Survey, sized at 8.5 x 14, as prepared by IBW Surveyors.
- Two (2) copies of a Site Plan, sized at 8.5 x 14, depicting the Entire Site including all existing buildings, parking areas, and the proposed Gas Bar Kiosk addition, as prepared by BP2B Inc.
- One (1) cheque in the amount of **\$2,920.00** made payable to Treasurer, City of Brampton and representing the required Application Fee.

End of Submission Items enclosed.

### **Committee of Adjustment Hearing & Public Notice**

It is respectfully requested the enclosed Minor Variance Application be considered at the **November 12<sup>th</sup>, 2024**, Committee of Adjustment Hearing.

Please contact the undersigned to provide any comments and Public Notice requirements for the enclosed Minor Variance Application.

Your attention regarding the processing of the enclosed Minor Variance Application is greatly appreciated.



**BLACKTHORN DEVELOPMENT CORP.**

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,

**BLACKTHORN DEVELOPMENT CORP.**

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.  
Principal

Copy:

Client.

# Zoning Non-compliance Checklist

File No. A-2024-	0393.
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Applicant: Adam Bholat – 2275048 Ontario Inc.  
 Address: 118 Orenda Road  
 Zoning: M2 Section 3273  
 By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT/ SIDE / REAR			
BUILDING SIZE			
SIDE DOOR			
COVERAGE			
PARKING			
DRIVEWAY			
ACCESSORY STRUCTURE			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE	To permit the landscaping not as per Schedule C - Section 3273.	Whereas the by-law requires the landscaping as per Schedule C - Section 3273	3273.2
SCHEDULE 'C'	To permit the expansion of a gas bar kiosk not as per Schedule C – Section 3273.	Whereas the by-law requires the gas bar kiosk to be as per Schedule C – Section 3273.	3273.2
	To permit a total gross floor area of 47 square metres for a gas bar kiosk.	Whereas the by-law permits a maximum size of 14 square metres for a gas bar kiosk.	3273.2
FENCE HEIGHT			

Rose Bruno  
 Reviewed by Zoning

October 10, 2024  
 Date