



Revised
December 19, 2024

For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2024-0440

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 and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, 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)** Daniels MPV 2 Corporation
Address 130 Queens Quay East, West Tower, 8th Floor
Toronto, ON
M5A 0P6
Phone # 437-995-8896 **Fax #** _____
Email emcgregor@danielscorp.com

2. **Name of Agent** Bousfields Inc., c/o Himanshu Katyal
Address 3 Church Street, Suite 200
Toronto ON M5E 1M2
Phone # 416-947-9744 **Fax #** _____
Email hkatyal@bousfields.com

3. **Nature and extent of relief applied for (variances requested):**
 Please refer to attached cover letter.

4. **Why is it not possible to comply with the provisions of the by-law?**
 Please refer to attached cover letter.

5. **Legal Description of the subject land:**
Lot Number _____
Plan Number/Concession Number Block 1, Plan 43M-2153
Municipal Address 145 Lagerfeld Drive

6. **Dimension of subject land (in metric units)**
Frontage 80.118 m
Depth 157.75 m
Area 1.9861 ha

7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

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: List all structures (dwelling, shed, gazebo, etc.)

Existing temporary sales office (SO 21-01). One storey, 18.45m by 22.97m.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Preliminary proposed use are townhouses. However, a site plan application has NOT been filed for this block and the typology has not been decided. This block is still in the pre-design development stage.

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 4.5 m
 Rear yard setback _____
 Side yard setback 12.768 m
 Side yard setback _____

PROPOSED

Front yard setback TBD
 Rear yard setback TBD
 Side yard setback TBD
 Side yard setback TBD

10. Date of Acquisition of subject land: April 2019

11. Existing uses of subject property: Vacant with a temporary sales office on a portion of the land.

12. Proposed uses of subject property: Residential.

13. Existing uses of abutting properties: west - resi - proposed, and under construction, north, south and east - vacant

14. Date of construction of all buildings & structures on subject land: 2021 (temp sales office)

15. Length of time the existing uses of the subject property have been continued: 3 years

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

- (b) What sewage disposal is/will be provided?
 Municipal Other (specify) _____
 Septic

- (c) What storm drainage system is existing/proposed?
 Sewers Other (specify) _____
 Ditches
 Swales

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 # 21T-19017B Status Registered (Sept 2023)

18. Has a pre-consultation application been filed?

Yes No

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

Yes No Unknown

If answer is yes, provide details:

File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ OF _____

THIS _____ DAY OF _____, 20____.

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.

I, _____, OF THE _____ OF _____

IN THE _____ OF _____ 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

_____ OF _____

IN THE _____ OF _____

_____ THIS _____ DAY OF _____

_____, 20____.

Signature of Applicant or Authorized Agent

A Commissioner etc.

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 _____

Date Application Deemed Complete by the Municipality _____

APPOINTMENT AND AUTHORIZATION OF AGENT

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

LOCATION OF THE SUBJECT LAND: 145 Lagerfeld Drive

I/We, Daniels MPV 2 Corporation
please print/type the full name of the owner(s)

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

Bousfields Inc., c/o Himanshu Katyal
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 17 day of December, 2024.

DocuSigned by:
Remo Agostino
B99524DA85F1493
(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

Remo Agostino, A.S.O.
(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.

NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.

PERMISSION TO ENTER

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

LOCATION OF THE SUBJECT LAND: 145 Lagerfeld Drive

I/We, Daniels MPV 2 Corporation
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 17 day of December, 2024.

DocuSigned by:
Remo Agostino
8995241P83E1493
(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

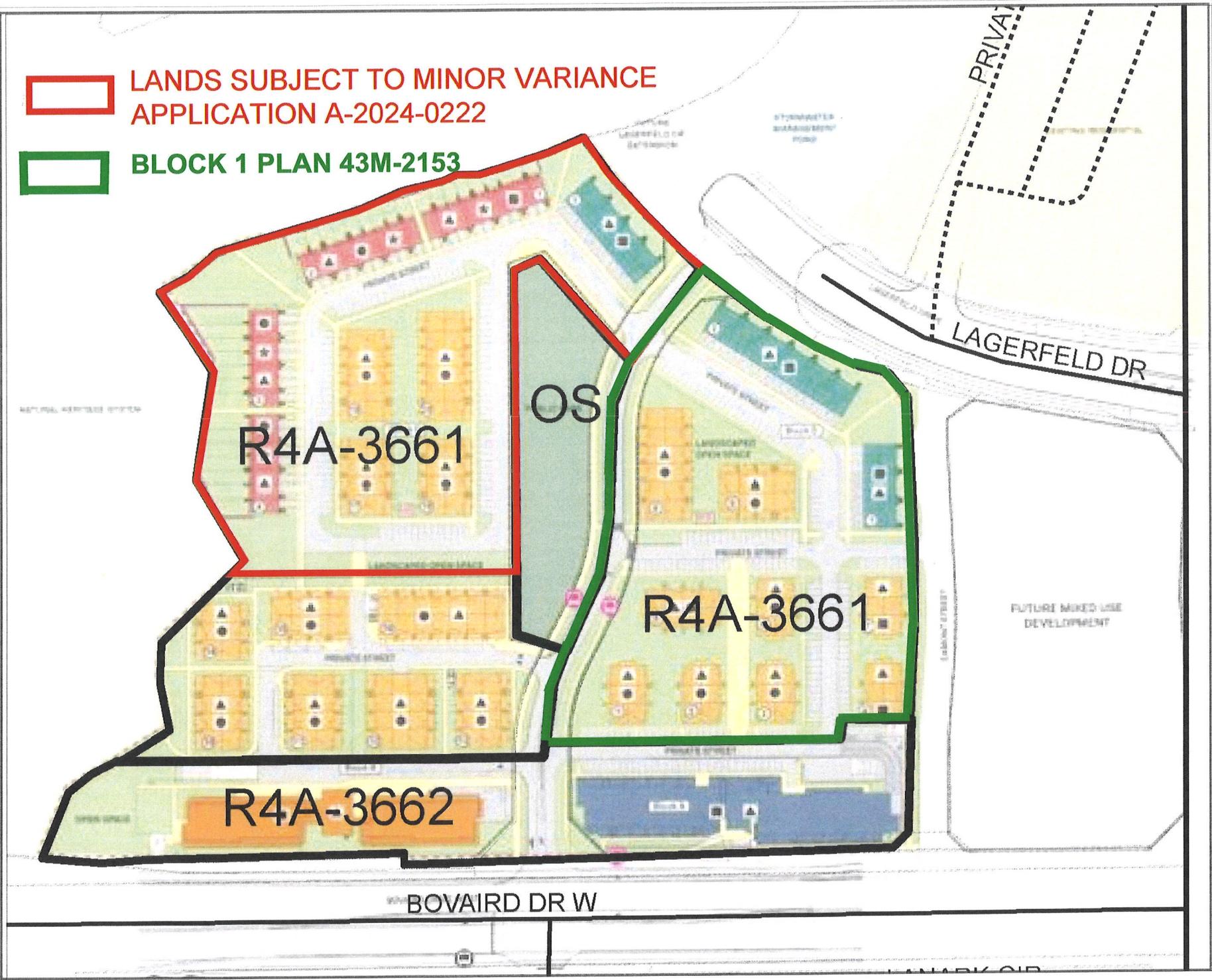
Remo Agostino, A.S.O.
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

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

 LANDS SUBJECT TO MINOR VARIANCE APPLICATION A-2024-0222

 BLOCK 1 PLAN 43M-2153





BOUSFIELDS INC.

Project No. 2477-1

December 18, 2024

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

Dear Chair and Committee Members,

**Re: *Block 1 on Plan 43M-2153
Planning Rationale Letter
Application for Minor Variance***

We are planning consultant to Daniels MPV 2 Corporation (“Daniels”), the owner of lands bounded by Lagerfeld Drive to the north, natural heritage system to the west, Bovaird Drive West to the south and Eamont Street to the east, legally known as Block 1, Plan 43M-2153 in the City of Brampton (the “subject site”).

A minor variance application (A-2024-0222) was approved by the Committee of Adjustment (“COA”) on September 17, 2024 to permit a townhouse development with 84 units within a Common Element Condominium tenure Block 1 on Plan 43M-2152. The COA Approval included (4) conditions. Condition #4 states that a minor variance application shall be submitted within 90 days of the date of the Committee’s decision for all other lands zoned R4A-3661 to similarly exclude the lands that are subject to minor variance application A-2024-0222 from being treated as part of the same lot for zoning purposes.

On behalf of our client, we are pleased to submit this letter to the Committee of Adjustment in support of a minor variance application to exclude the lands that are subject to minor variance application A-2024-0222 from being treated as part of the same lot for zoning purposes. This application is being submitted to satisfy approval Condition #4 of Minor Variance Application A-2024-0222.

This letter provides background on the application and proposal, as well as a review of the surrounding built form, the policy and regulatory context, and planning rationale in support of the minor variance application. It is our opinion that the proposal and requested minor variance satisfies the four tests set out in Section 45(1) of the *Planning Act*, namely: (1) it maintains the general intent and purpose of the Official

Plan; (2) it maintains the general intent and purpose of the Zoning By-law; (3) it is desirable for the appropriate development and use of the lands; and (4) it is minor in nature. The proposal and implementing minor variance has regard to matters of provincial interest set out in Section 2 of the *Planning Act*, and it is consistent with the Provincial Policy Statement.

SITE AND SURROUNDINGS

Subject Site

The subject site is bounded by Lagerfeld Drive to the north, All Nations Drive to the west, a future development block to the south and Eamont Street to the east, in the City of Brampton.

The subject site is irregular in shape, has an area of approximately 1.98 hectares (4.89 acres), and frontage of approximately 86 metres on Lagerfeld Drive.

Background

Mount Pleasant Village Block 1 Development

In 2019, the owner submitted Zoning By-Law Amendment and Draft Plan of Subdivision applications for the comprehensive development of Block 1 on Plan 43M-1927 (“Block 1 Development”) (see **Figure 1** – Context Map). The Zoning By-law Amendment Application sought to permit a range of townhouse typologies, increase the permitted height of apartment buildings at the south end of the property to 15 storeys, and reduce the parking requirements for the apartment uses.

The Draft Plan of Subdivision for Block 1 Development divided the site into 4 development blocks (see **Figure 2** – Mount Pleasant Village Development Blocks), created a new north-south public street (All Nations Drive) and a public park at the centre of the block. Natural Heritage System lands exist to the west of the site and the development limits associated with that were established prior to Daniels acquisition of the lands.

A total of 890 residential units within a wide range of built-form typologies were approved through the Draft Plan of Subdivision process, divided between the 4 new residential blocks, as follows:

- Block A (Block 2, Plan 43M-2153) is an apartment residential block with a permitted height of up to 15 storeys and an active site plan application for two 6-storey apartment buildings (File SPA-2021-0266).
- Block B (Block 3, Plan 43M-2153) is a townhouse and apartment block consisting of 120 stacked back-to-back townhouses and apartment buildings (314 units) with a height range of 12-14 storeys. Block B is under construction currently with first occupancies commencing in early 2026.
- Block C (Block 1, Plan 43M-2152) is a medium density block that permits a range of townhouse typologies, including traditional, stacked and stacked back-to-back townhouses. Block C was the subject of Minor Variance Application A-2024-0222, which was approved by the COA on September 17, 2024, with conditions.
- Block D (Block 1, Plan 43M-2153) is also a medium density block permits a range of townhouse typologies as well as apartment buildings up to 6-storeys in height. A Site Plan Application has not yet been submitted for this block.

The Zoning By-law Amendment Block 1 Development was approved by the City on October 20, 2021 (By-law 239-2021), and the Draft Plan of Subdivision was registered in September 2023. At the time of registration the public road (All Nations Drive) and future public park lands were conveyed to the City. Daniels continues to have commitments relating to the road and park construction through the Subdivision Agreement which is registered on title.

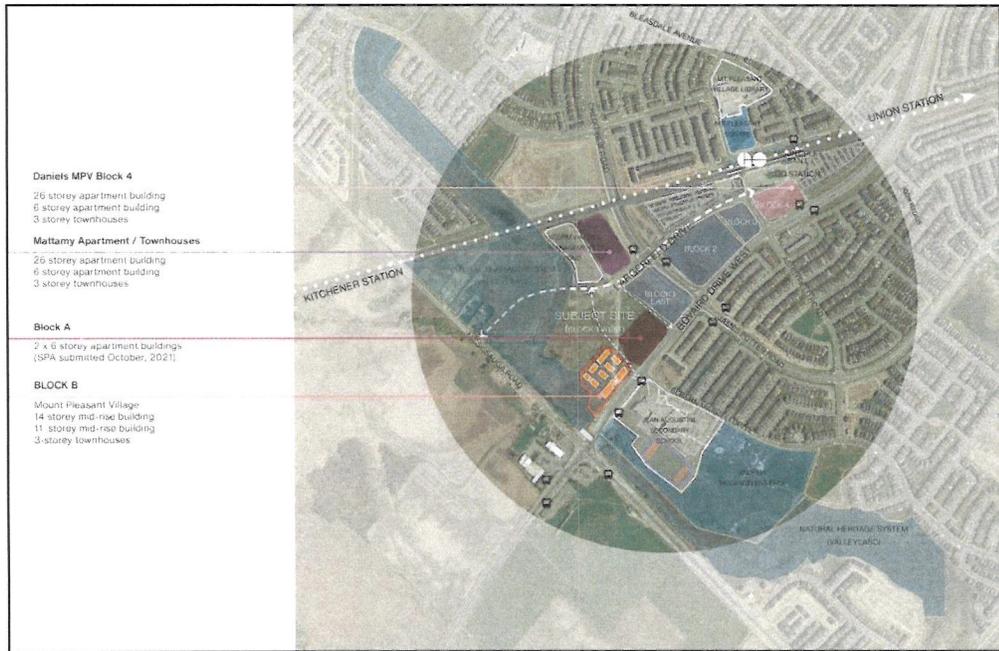


Figure 1 – Context Map



Figure 2 – Minor Variance Sketch

Block C / Block 1 on Plan 43M-2152 (“Lands subject to Minor Variance Application A-2024-0222”)

The lands identified as ‘Block C’ and legally referred to as Block 1 on Plan 43M-2152 within the approved Draft Plan of Subdivision for Block 1 West Development were subject to the minor variance application A-2024-0222. The subject site comprises lands to the southwest of Lagerfeld Drive and All Nations Drive.

Block 1 on Plan 43M-2153

The lands identified in the sketch above are subject to this minor variance application, which is required as a condition of the minor variance application A-2024-0222.

Surrounding Area

The subject site is located in the Mount Pleasant neighbourhood of Brampton, located in the northwestern portion of the City. The neighbourhood is generally centered around the Mount Pleasant GO Station. The neighbourhood is characterized by higher density uses in the vicinity of the station consisting of mid-rise and tall mixed-use/apartment buildings and townhouses and low-rise residential uses moving further away from the station.

To the immediate north of the subject site is Lagerfeld Drive, that runs in an east-west direction from Mount Pleasant GO Station and currently terminates at the subject site. Lagerfeld Drive is planned to be extended further west. Further north, is a stormwater management pond. To its east is an existing development consisting of a 6-storey apartment building and a townhouse development with 10 blocks of 3-storey townhouse units.

To the immediate east of the subject site is Eamont Street and a future commercial development site. Further east are currently vacant lands that are proposed for future development with a range of land uses, beyond which is the Mount Pleasant GO Station complex.

To the immediate south of the subject site, are high density lands zoned R4A-3662.

To the immediate west of the subject site is All Nations Drive and the lands subject to Minor Variance Application A-2024-0222.

POLICY CONTEXT

Provincial Policy Statement, 2024

The Provincial Policy Statement 2024 (“PPS”) came into effect on October 20, 2024, and provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with Section 3(5) of the *Planning Act*, all land use planning decisions are required to be consistent with the PPS.

The 2024 PPS emphasizes flexibility, with the intent of helping get more homes built across the Province, while continuing to protect agricultural lands, cultural heritage and natural areas. To that end, the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit.

Bill 23 – More Homes Built Faster Act 2022 (Planning Act)

On October 25, 2022, the Province of Ontario introduced Bill 23, the More Homes Built Faster Act, which introduced legislative changes to streamline the construction of 1.5 million new homes by 2031. These sweeping legislative changes aimed at addressing Ontario’s housing crises received Royal Assent on November 28, 2022.

Notable changes include, but are not limited to, requiring municipalities to update zoning and establish minimum as-of-right heights and densities within approved Major Transit Station Areas (MTSAs). Furthermore, Bill 23 encouraged “gentle density” through increased permissions regarding additional units in low-rise dwelling types, capping and allowing for flexibility with regard to parkland dedication, removing approval authority from upper-tier municipalities, limiting appeal rights, and reducing the scope and applicability of site plan control.

Region of Peel Official Plan

The Region of Peel Council adopted the new Region of Peel Official Plan (“RPOP”) on April 28, 2022. The Minister of Municipal Affairs and Housing issued a decision to approve the new RPOP with 44 modifications on November 4, 2022.

The subject site is located within the *Urban System* in the Region of Peel Official Plan (Schedule E-1). The *Urban System* consists of lands within the Regional Urban Boundary and includes lands identified as Strategic Growth Areas, among others.

Policy 5.4.11 of the RPOP directs a significant portion of new growth to the *Delineated Built-up Areas* of the community through intensification. Objective 5.4.18.6 requires optimization of all intensification opportunities across the Region and maximize development within *Strategic Growth Areas*. Objective 5.4.18.8 further requires the achievement of diverse and compatible mix of land uses including residential and employment uses to support vibrant neighbourhoods.

In this regard, Schedule E-5 of the Peel OP identifies the subject site within the Mount Pleasant GO Station MTSA. Additionally, Schedule F-1 identifies Mount Pleasant GO Station with 15 minute two-way all day service and Bovaird Drive West as *Other Rapid Transit Corridors* to recognize the planned future dedicated rapid transit corridor along this avenue. The subject site would be considered within a *Major Transit Station Area* as identified by the Growth Plan and as such, would be located within a Strategic Growth Area.

The objectives for MTSA's in the Regional OP encourage a balance mix of transit-supportive uses and range and type of residential unit typologies. The larger master planned development provides a range and mix of uses and unit types, with the current phase on the subject site consisting of townhouse unit types.

City of Brampton Current Official Plan (Official Consolidation September 2020)

The subject site is identified within *Community Areas* on Schedule 1- City Concept and designated *Residential* on Schedule 2 – General Land Use Designations.

Policy 3.2.2.1 of the Brampton OP provides that by 2015 and for each year to 2025, a minimum of 40% of all new residential development will occur within the built-up area of the Region of Peel. By 2026 and for each year thereafter, the Region of Peel Official Plan plans for a minimum of 50% of all new residential development within the built-up area of the Region of Peel. Brampton shall contribute at least 26, 500 residential units between 2006 and 2031 to the built-up area.

Policy 4.2.1.3 requires that the City shall, in approving new residential developments, take into consideration an appropriate mixture of housing for a range of household incomes, according to substantiated need and demand for the City, as appropriate. Policy 4.2.1.6 further requires that Brampton shall contribute to the achievement of the Region's intensification targets as set out in Policy 3.2.2.1 by planning to

accommodate at least 26,500 residential units between 2006 and 2031 within the built-up area.

Policy 4.2.1.14 recognizes the key elements of design for residential areas, including:

- (i) Variety of housing types and architectural styles;
- (ii) Siting and building setbacks;
- (iii) Garage placement and driveway design including attached garages, lot widths related to attached garages, rear yard garage locations and driveways;
- (iv) Street façade development and allowable projections, including street address, entrance architecture, grade relationship, windows, projecting elements and roof forms;
- (v) Upgraded elevations at focal locations including corner lots, housing abutting open space and pedestrian links, housing at “T” intersections, and housing at parkettes;
- (vi) Incorporation of multiple unit dwellings and apartments; and,
- (vii) Landscaping and fencing on private property.

The policy further notes that these elements will be further refined through the preparation of Block Plans, and area specific Design Guidelines, draft plans of subdivision, rezoning applications and Design Briefs as appropriate.

Council Adopted City of Brampton Official Plan (November 2023)

On November 1, 2023, the City of Brampton Council adopted the new Official Plan of the City of Brampton, known as “Brampton Plan”. The Brampton Plan replaces all portions of the 2006 Official Plan, except for secondary plans and block plans adopted under the 2006 Official Plan. The Brampton Plan is currently with the Region of Peel for consideration and approval.

The subject is located within the *Community Areas* as per Schedule 1 – City Concept of the Brampton Plan. Community areas reflect the locations where a mix of new and existing residential, commercial and residential serving institutional areas. Additionally, the subject site is identified with the *Mount Pleasant GO Station M TSA* and within a *Town Centre*. The Brampton Plan policies for M TSAs provide that these areas are generally defined as the areas within an approximate 500 to 800 metre radius from a transit station, representing a 10 to 15 minute walk and represent significant locations for intensification.

Schedule 2 – Designations of the Brampton Draft OP designates the subject site as *Neighbourhoods*, which are defined as places where most residents live and are comprised of a mix of uses and low-scale built form. Within *Neighbourhoods*, the City-wide Urban Design Guidelines will be used to evaluate and provide guidance on infill proposals (Policy 2.2.7.2). Additionally, planning for *Neighbourhoods* within the built-up area will require a comprehensive approach and will take into consideration neighbourhood supportive uses, a grid network of streets and pedestrian routes, parks and open spaces, services and facilities, access to transit, a compact built form, and a housing mix that contributes to the full range of housing options along the housing continuum for all age groups, life stages, incomes, and abilities.

As it relates to housing, Policy 3.3.1.6 a) of the Brampton Plan provides that development of new housing supply shall ensure the development of a range of housing choices in terms of housing tenure, type, price or affordability levels and consider new housing innovations that meet the housing needs of the city.

Mount Pleasant Secondary Plan

The subject site is designated *District Retail* in the Mount Pleasant Secondary Plan (Area 51). This designation permits a range of uses, including Medium Density Residential uses comprising single-detached, semi-detached, apartments, townhouses, among others. Permitted building heights range between 2 to 6 storeys with a maximum density of 60 units per net residential hectare.

Mount Pleasant Community Block Plan 51-1

The Mount Pleasant Community Block 51-1 (“Block Plan”) forms part of the Mount Pleasant Secondary Plan and provides design direction for the implementation of the vision and intent identified and approved at the secondary plan agreement. It serves as a supplement to the City’s Development Design Guidelines and represents a more detailed refinement of the Mount Pleasant Secondary Plan.

The Block Plan focuses on the physical design of the community, with particular references to major structing elements, including the natural heritage system, road network, trails and pathways network, parks and open spaces and mixed use nodes. The subject site, as part of the larger master planned community, was planned in accordance with the City’s guidelines and reflects the general vision and principles set out in these documents.

City of Brampton Zoning By-law No. 274-2004

The site is subject to the City of Brampton Zoning By-law No. 274-2006, as amended and is zoned Residential Apartment A – Section 3661 (“R4A-3661”), as amended by By-law 239-2021. The R4A-3661 permits a range of residential unit types, including Townhouse Dwellings. Furthermore, it includes several site-specific provisions relating to site-specific setbacks, height and parking provisions.

MINOR VARIANCE APPLICATION

The requested minor variance application is the result of a condition of approval of minor variance application A-2024-0222 that permitted 12 variances to permit a townhouse development with 84 townhouse units within a Common Element Condominium tenure.

Given that the development in Block C (Block 1 on Plan 43M-2152) is proposed to be registered as a Common Element Condominium while Block 1 on Plan 43M-2153 contemplates a Standard Condominium tenure, the requested variance seeks to exclude Block 1 on Plan 43M-2152 that are subject to minor variance application A-2024-0222 from being treated as part of the same lot for zoning purposes. This will have the effect of allowing Block 1 on 43M-2153 to be treated as one lot for zoning purposes. This satisfies the requested condition of approval for minor variance approval A-2024-0222.

Requested Variances

Zoning By-Law 270-2004

1. Section 3661.2(1) – Exclusion from one lot for zoning purposes

To deem the subject site (Block 1 on Plan 43M-2153) as one lot for zoning purposes, whereas the bylaw deems all lands zoned R4A-3661, including the lands subject to minor variance application A-2024-0222, as one lot for zoning purposes.

PLANNING ANALYSIS

It is our opinion that the requested variance, satisfies the four tests set out in Section 45(1) of the *Planning Act* namely, the variances: (1) maintain the general intent and purpose of the Official Plan; (2) maintain the general intent and purpose of the Zoning By-law; (3) are desirable for the appropriate development and use of the lands.; and (4) are minor in nature.

(1) Maintaining the General Intent and Purpose of the Official Plan

In our opinion, the requested variance maintains the general intent and purpose of the Official Plan. The proposal will provide new medium-density residential uses in a manner that is consistent with the *Residential* designation in the Official Plan and *District Retail* designation in the Secondary Plan. The Official Plan encourages contribution to the City's housing supply in accordance with the Regional housing targets and supports modest intensification particularly in proximity to public transit.

The broader Block 1 Subdivision Development proposes a range of residential unit types, including apartments, a variety of townhouse types in Common Element and Standard Condominium tenures that are suitable for a range of family sizes, income groups and age groups.

It is our opinion that the requested variance meets the intent of the Official Plan and allows the flexibility for contemplated developments in the various blocks to proceed under the proposed condominium tenures.

For these reasons, the requested variances meet the general intent and purpose of the Official Plan.

(2) Maintains the General Intent and Purpose of the Zoning By-law

The site-specific R4A-3661 Zone deems all lands under this zone to be considered one lot for zoning purposes. This site-specific zone was created to permit standard condominium tenure developments within Block 1 Subdivision. However, the minor variance application A-2024-0222 permits a townhouse development in Block C within the Common Element Condominium tenure. As such, this variance is required to exclude the lands subject to the aforementioned minor variance application from being deemed as one lot under the R4A-3661 Zone. This variance will have the effect of allowing developments on the remainder of blocks within a Standard Condominium

tenure. In our opinion, the requested variance maintains the general intent and purpose of the Zoning By-law.

(3) Desirable for the Appropriate Development and Use of the Land

It is our opinion that the requested variance is appropriate and desirable as it is required as a condition of an approved minor variance application that permits the development of 84 townhouse dwellings.

The requested variance will facilitate the construction of a land use that is already permitted by the site-specific Zoning By-law. Given that the proposed development forms part of the Block 1 Development, it forms part of a complete community that provides a range and type of housing opportunities comprising of townhouses and apartment units.

Should the variance be approved, the development will be subject to further detailed and technical review through the associated Site Plan Approval process. As such, it is our opinion that the variances are desirable for the appropriate development of the land.

(4) Minor in Nature

It is our opinion that the requested variance is minor in nature and will not result in unacceptable impacts on adjacent or surrounding properties or uses.

In this regard, the requested variance is required as part of a condition of the minor variance application A-2024-0222 to exclude the lands subject to it from being deemed as one lot for zoning purposes under the R4A-3661 Zone. The reason for this variance is to separate the lands that have an approved minor variance application (Block 1 on Plan 43M-2152) with those of the remainder of the lands that are subject to the provisions of R4A-3661 Zone (Block 1 on Plan 43M-2153).

The effect of the variance will be to satisfy one of the conditions of the minor variance application A-2024-0222, and in our opinion, is minor in nature given that it will further clarify the applicability of the provisions of the R4A-3661 Zone and the variances granted by the minor variance application A-2024-0222.

CONCLUSION

In our opinion, based on the analysis set out above, the requested variance satisfies the four tests set out in Section 45(1) of the *Planning Act*. More specifically, it meets the general intent and purpose of both the Official Plan and the Zoning By-law, it is desirable for the appropriate development and use of the land, and it is minor in nature. In our opinion, the requested minor variance constitutes good planning and should be approved.

ENCLOSURES

In support of the Minor Variance applications, please find enclosed the following materials:

1. A completed and signed 2024 Minor Variance Application Form;
2. A Copy of this Planning Justification Letter.

We trust that these materials are satisfactory for your purposes. However, should you require any additional information or clarification, please do not hesitate to contact the undersigned of our office.

Yours truly,
Bousfields Inc.



Himanshu Katyal, MCIP, RPP



For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2024-0440

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 and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, 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)** Daniels MPV 2 Corporation c/o Evan McGregor
Address 130 Queens Quay East, West Tower, 8th Floor
Toronto, ON
M5A 0P6
Phone # 437-995-8896 **Fax #** _____
Email emcgregor@danielscorp.com

2. **Name of Agent** Bousfields Inc. (c/o Himanshu Katyal)
Address 3 Church Street, Suite 200
Toronto, ON M5E 1M2
Phone # 416 947 9744 **Fax #** _____
Email hkatyal@bousfields.ca

3. **Nature and extent of relief applied for (variances requested):**
 Please refer to attached cover letter.

4. **Why is it not possible to comply with the provisions of the by-law?**
 Please refer to attached cover letter.

5. **Legal Description of the subject land:**
Lot Number _____
Plan Number/Concession Number Block 1, Plan 43M-2152
Municipal Address 0 Lagerfeld Drive, SW Corner of All Nations Drive and Lagerfeld

6. **Dimension of subject land (in metric units)**
Frontage See attached cover letter.
Depth _____
Area _____

7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

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: List all structures (dwelling, shed, gazebo, etc.)

n/a - vacant

PROPOSED BUILDINGS/STRUCTURES on the subject land:

see attached cover letter.

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 n/a - vacant
 Rear yard setback _____
 Side yard setback _____
 Side yard setback _____

PROPOSED

Front yard setback _____
 Rear yard setback _____
 Side yard setback _____
 Side yard setback _____

10. Date of Acquisition of subject land: April 2019
11. Existing uses of subject property: vacant
12. Proposed uses of subject property: Residential.
13. Existing uses of abutting properties: south - resi under construction, west - NHS, north and east - vacant
14. Date of construction of all buildings & structures on subject land: _____
15. Length of time the existing uses of the subject property have been continued: 3 years

16. (a) What water supply is existing/proposed?
 Municipal Other (specify) _____
 Well
- (b) What sewage disposal is/will be provided?
 Municipal Other (specify) _____
 Septic
- (c) What storm drainage system is existing/proposed?
 Sewers Other (specify) _____
 Ditches
 Swales

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 # 21T-19017B Status Registered (Sept 2023)

18. Has a pre-consultation application been filed?

Yes No

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

Yes No Unknown

If answer is yes, provide details:

File # <u>A-2024-0222</u>	Decision <u>Approved</u>	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

[Signature]
Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Toronto

THIS 30th 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.

I, Himanshu Katyal, OF THE City OF Toronto

IN THE Province OF Ontario 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 Toronto

IN THE Province OF

Ontario THIS 30th DAY OF

October, 2024.

[Signature]
A Commissioner etc.

[Signature]
Signature of Applicant or Authorized Agent

Rosanna Maria Le Plane, a
Commissioner, etc., Province
of Ontario, for Bousfields Inc.
Expires February 5, 2026.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R4A-3661

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

L.Barbuto

Zoning Officer

November 22, 2024

Date

DATE RECEIVED Nov 25, 2024

Date Application Deemed Complete by the Municipality VL

APPOINTMENT AND AUTHORIZATION OF AGENT

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

*OLAGERFELD DR, SW CORNER OF OLAGERFELD
AND ALL NATIONS DR*

LOCATION OF THE SUBJECT LAND: Block 1, Plan 43M-2152

I/We, Daniels MPV 2 Corporation

please print/type the full name of the owner(s)

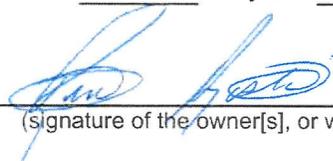
the undersigned, being the registered owner(s) of the subject lands, hereby authorize

Bousfields Inc., c/o Himanshu Katyal

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 25 day of November, 2024.



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

Remo Agostino, A.S.O.

(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.

NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.

PERMISSION TO ENTER

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

O'LAGERFELD DR., SW CORNER OF LAGERFELD

LOCATION OF THE SUBJECT LAND: Block 1, Plan 43M-2152 AND ALL NATIONS.

I/We, Daniels MPV 2 Corporation
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 25 day of November, 2024.



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

Remo Agostino, A.S.O.
(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

LAND
 REGISTRY
 OFFICE #43

14364-5440 (LT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: BLOCK 1, PLAN 43M2152; SUBJECT TO AN EASEMENT IN GROSS OVER PART 2, PLAN 43R-38813 AS IN PR2285727; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 1 AND 2, PLAN 43R-41026 AS IN PR4249677; TOGETHER WITH AN EASEMENT AS IN PR3454720; CITY OF BRAMPTON

PROPERTY REMARKS: FOR THE PURPOSE OF THE QUALIFIER THE DATE OF REGISTRATION OF ABSOLUTE TITLE IS 2007/10/04.

ESTATE/QUALIFIER:
 FEE SIMPLE
 LT ABSOLUTE PLUS

RECENTLY:
 SUBDIVISION FROM 14364-5438

PIN CREATION DATE:
 2023/09/20

OWNERS' NAMES
 DANIELS MPV 2 CORPORATION

CAPACITY SHARE

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
**SUBJECT TO SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPHS 3 AND 14 AND *						
** PROVINCIAL SUCCESSION DUTIES AND EXCEPT PARAGRAPH 11 AND ESCHEATS OR FORFEITURE **						
** TO THE CROWN UP TO THE DATE OF REGISTRATION WITH AN ABSOLUTE TITLE. **						
PR2285727	2012/10/25	TRANSFER EASEMENT	\$2	MATTAMY (CREDIT RIVER) LIMITED ASHWID DEVELOPMENTS INC.	THE REGIONAL MUNICIPALITY OF PEEL	C
PR2366806	2013/05/09	NO SUB AGREEMENT		THE CORPORATION OF THE CITY OF BRAMPTON THE REGIONAL MUNICIPALITY OF PEEL	MATTAMY (CREDIT RIVER) LIMITED	C
REMARKS: SEE DOCUMENT FOR DESCRIPTION OF THE LANDS						
PR3146807	2017/06/16	NOTICE	\$2	THE CORPORATION OF THE CITY OF BRAMPTON		C
43R38813	2019/02/13	PLAN REFERENCE				C
PR3452740	2019/03/04	NOTICE	\$2	THE CORPORATION OF THE CITY OF BRAMPTON		C
PR3468540	2019/04/15	APL ANNEX REST COV		DANIELS HR CORPORATION		C
PR3468541	2019/04/15	APL ANNEX REST COV		DANIELS HR CORPORATION		C
PR3468543	2019/04/15	CHARGE	\$30,500,000	DANIELS HR CORPORATION	ROYAL BANK OF CANADA	C
PR4032319	2022/04/14	POSTPONEMENT		ROYAL BANK OF CANADA	THE REGIONAL MUNICIPALITY OF PEEL	C
REMARKS: PR3468543, PR4032318						
43M2152	2023/09/06	PLAN SUBDIVISION				C
43R41026	2023/09/08	PLAN REFERENCE				C
PR4249676	2023/09/14	NO SUB AGREEMENT		THE CORPORATION OF THE CITY OF BRAMPTON THE REGIONAL MUNICIPALITY OF PEEL	DANIELS MPV 2 CORPORATION	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
 NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

LAND
 REGISTRY
 OFFICE #43

14364-5440 (LT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
PR4249677	2023/09/14	TRANSFER EASEMENT	\$2	DANIELS MPV 2 CORPORATION	THE CORPORATION OF THE CITY OF BRAMPTON	C
PR4249680	2023/09/14	POSTPONEMENT		ROYAL BANK OF CANADA	THE CORPORATION OF THE CITY OF BRAMPTON THE REGIONAL MUNICIPALITY OF PEEL	C
		REMARKS: PR3468543 TO PR4249676				
PR4249681	2023/09/14	POSTPONEMENT		ROYAL BANK OF CANADA	THE CORPORATION OF THE CITY OF BRAMPTON	C
		REMARKS: PR3468543 TO PR4249677				
PR4249682	2023/09/14	POSTPONEMENT		BOVAIRD WEST HOLDINGS INC. MENKES CREDITVIEW INC. DANIELS CHOICE MOUNT PLEASANT CORPORATION BOVAIRD COMMERCIAL CENTRE LTD. DANIELS MPV CORPORATION	THE CORPORATION OF THE CITY OF BRAMPTON THE REGIONAL MUNICIPALITY OF PEEL	C
		REMARKS: PR3468540 TO PR4249676				
PR4249683	2023/09/14	POSTPONEMENT		DANIELS CHOICE MOUNT PLEASANT CORPORATION BOVAIRD WEST HOLDINGS INC. MENKES CREDITVIEW INC. BOVAIRD COMMERCIAL CENTRE LTD. DANIELS MPV CORPORATION	THE CORPORATION OF THE CITY OF BRAMPTON THE REGIONAL MUNICIPALITY OF PEEL	C
		REMARKS: PR3468541 TO PR4249676				
PR4283307	2023/12/12	CHARGE	\$35,000,000	DANIELS MPV 2 CORPORATION	CHOICE PROPERTIES GP INC. CHOICE PROPERTIES LIMITED PARTNERSHIP	C
PR4283308	2023/12/12	NO ASSGN RENT GEN		DANIELS MPV 2 CORPORATION	CHOICE PROPERTIES GP INC. CHOICE PROPERTIES LIMITED PARTNERSHIP	C
		REMARKS: PR4283307				
PR4329820	2024/05/07	LR'S ORDER		LAND REGISTRAR, PEEL LAND REGISTRY OFFICE		C
		REMARKS: TO AMEND DESCRIPTION				

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
 NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

LAND
 REGISTRY
 OFFICE #43

14364-5588 (LT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PART BLOCK 5, PLAN 43M1927 PART 1, 43R41072; CITY OF BRAMPTON

PROPERTY REMARKS: FOR THE PURPOSE OF THE QUALIFIER THE DATE OF REGISTRATION OF ABSOLUTE TITLE IS 2007/10/04.

ESTATE/QUALIFIER:
 FEE SIMPLE
 LT ABSOLUTE PLUS

RECENTLY:
 DIVISION FROM 14364-5346

PIN CREATION DATE:
 2024/07/03

OWNERS' NAMES
 DANIELS MPV 2 CORPORATION

CAPACITY SHARE
 ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
**SUBJECT TO SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPHS 3 AND 14 AND *						
** PROVINCIAL SUCCESSION DUTIES AND EXCEPT PARAGRAPH 11 AND ESCHEATS OR FORFEITURE **						
** TO THE CROWN UP TO THE DATE OF REGISTRATION WITH AN ABSOLUTE TITLE. **						
PR2285726	2012/10/25	NOTICE		MATTAMY (CREDIT RIVER) LIMITED ASHWID DEVELOPMENTS INC.	THE REGIONAL MUNICIPALITY OF PEEL	C
43M1927	2013/04/25	PLAN SUBDIVISION				C
PR2366806	2013/05/09	NO SUB AGREEMENT		THE CORPORATION OF THE CITY OF BRAMPTON THE REGIONAL MUNICIPALITY OF PEEL	MATTAMY (CREDIT RIVER) LIMITED	C
REMARKS: SEE DOCUMENT FOR DESCRIPTION OF THE LANDS						
43R41072	2023/10/18	PLAN REFERENCE				C
PR4334405	2024/05/22	TRANSFER	\$2	THE CORPORATION OF THE CITY OF BRAMPTON	DANIELS MPV 2 CORPORATION	C
PR4384497	2024/10/01	APL (GENERAL)		THE REGIONAL MUNICIPALITY OF PEEL		

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
 NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

Zoning Non-compliance Checklist

File No. A-2024- 0440

Applicant: Daniels MPV 2 Corporation

Address: 0 Lagerfeld Drive , SW CORNER OF LAGERFELD

Zoning: R4A-3661 AND ALL NATIONS DR.

By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
OTHER	To exclude the lands legally known as Block 1 on Plan 43M-2152 from being treated as one lot for zoning purposes	Despite any division of the lands, including a public street network, all lands zoned R4A-3661 shall be deemed to be one lot for zoning purposes;	3661.2(1)
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			
SCHEDULE 'C'			
FENCE			
OUTSIDE STORAGE			

L.Barbuto
Reviewed by Zoning

November 22, 2024
Date



Project No. 2477-1

November 5, 2024

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

Dear Chair and Committee Members,

**Re: Mount Pleasant Village (Block 1 West)
Planning Rationale Letter
Application for Minor Variance**

We are planning consultant to Daniels MPV 2 Corporation ("Daniels"), the owner of lands bounded by Lagerfeld Drive to the north, natural heritage system to the west, Bovaird Drive West to the south and Eamont Street to the east, legally known as Block 1 on Plan 43M-2152, Block 1, Plan 43M-2153, Block 2, Plan 43M-2153, Block 3, Plan 43M-2153, in the City of Brampton (the subject site "or "Block 1 West").

A minor variance application (A-2024-2022) was approved by the Committee of Adjustment ("COA") on September 17, 2024 to permit a townhouse development with 84 units within a Common Element Condominium tenure Block 1 on Plan 43M-2152. The COA Approval included (4) conditions. Condition #4 states that a minor variance application shall be submitted within 90 days of the date of the Committee's decision for all other lands zoned R4A-3661 to similarly exclude the lands that are subject to minor variance application A-2024-2022 from being treated as part of the same lot for zoning purposes.

On behalf of our client, we are pleased to submit this letter to the Committee of Adjustment in support of a minor variance application to exclude the lands that are subject to minor variance application A-2024-2022 from being treated as part of the same lot for zoning purposes. This application is being submitted to satisfy approval Condition #4 of Minor Variance Application A-2024-0222.

This letter provides background on the application and proposal, as well as a review of the surrounding built form, the policy and regulatory context, and planning rationale in support of the minor variance application. It is our opinion that the proposal and requested minor variance satisfies the four tests set out in Section 45(1) of the

Planning Act, namely: (1) it maintains the general intent and purpose of the Official Plan; (2) it maintains the general intent and purpose of the Zoning By-law; (3) it is desirable for the appropriate development and use of the lands; and (4) it is minor in nature. The proposal and implementing minor variance has regard to matters of provincial interest set out in Section 2 of the *Planning Act*, and it is consistent with the Provincial Policy Statement.

SITE AND SURROUNDINGS

Subject Site

The subject site is bounded by Lagerfeld Drive to the north, natural heritage system to the west, Bovaird Drive West to the south and Eamont Street to the east, in the City of Brampton.

The subject site is irregular in shape, has an area of approximately 7.79 hectares (19.25 acres), and frontages of approximately 366 metres on Bovaird Drive West.

Background

Mount Pleasant Village Block 1 Development

In 2019, the owner submitted Zoning By-Law Amendment and Draft Plan of Subdivision applications for the comprehensive development of Block 1 on Plan 43M-1927 (“Block 1 Development”) (see **Figure 1** – Context Map). The Zoning By-law Amendment Application sought to permit a range of townhouse typologies, increase the permitted height of apartment buildings at the south end of the property to 15 storeys, and reduce the parking requirements for the apartment uses.

The Draft Plan of Subdivision for Block 1 Development divided the site into 4 development blocks (see **Figure 2** – Mount Pleasant Village Development Blocks), created a new north-south public street (All Nations Drive) and a public park at the centre of the block. Natural Heritage System lands exist to the west of the site and the development limits associated with that were established prior to Daniels acquisition of the lands.

A total of 890 residential units within a wide range of built-form typologies were approved through the Draft Plan of Subdivision process, divided between the 4 new residential blocks, as follows:

- Block A (Block 2, Plan 43M-2153) is an apartment residential block with a permitted height of up to 15 storeys and an active site plan application for two 6-storey apartment buildings (File SPA-2021-0266).
- Block B (Block 3, Plan 43M-2153) is a townhouse and apartment block consisting of 120 stacked back-to-back townhouses and apartment buildings (314 units) with a height range of 12-14 storeys. Block B is under construction currently with first occupancies commencing in early 2026.
- Block C (Block 1, Plan 43M-2152) is a medium density block that permits a range of townhouse typologies, including traditional, stacked and stacked back-to-back townhouses. Block C was the subject of Minor Variance Application A-2024-0222, which was approved by the COA on September 17, 2024, with conditions.
- Block D (Block 1, Plan 43M-2153) is also a medium density block permits a range of townhouse typologies as well as apartment buildings up to 6-storeys in height. A Site Plan Application has not yet been submitted for this block.

The Zoning By-law Amendment Block 1 Development was approved by the City on October 20, 2021 (By-law 239-2021), and the Draft Plan of Subdivision was registered in September 2023. At the time of registration the public road (All Nations Drive) and future public park lands were conveyed to the City. Daniels continues to have commitments relating to the road and park construction through the Subdivision Agreement which is registered on title.

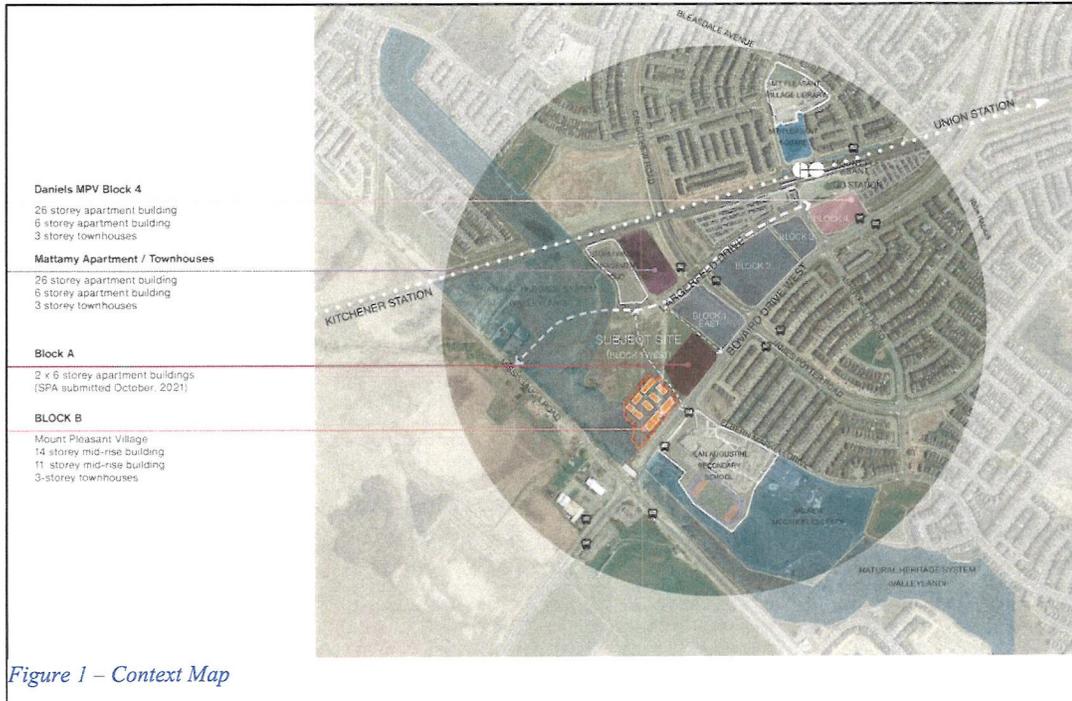


Figure 1 – Context Map

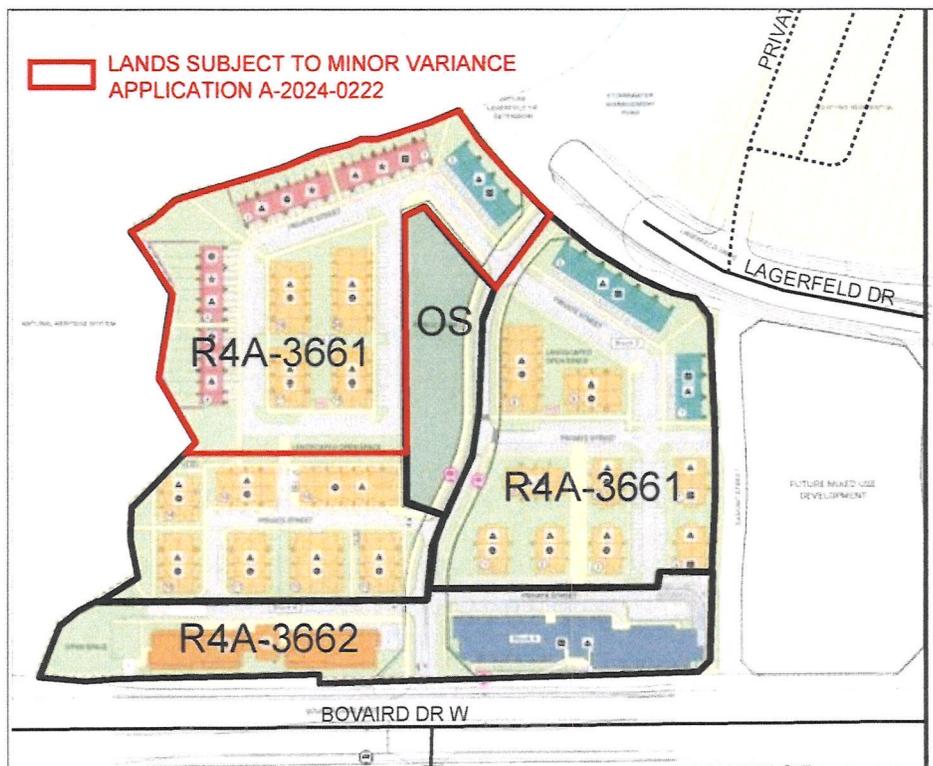


Figure 2 - Mount Pleasant Village Development Blocks

Block C / Block 1 on Plan 43M-2152 (“Lands subject to Minor Variance Application A-2024-0222”)

The lands identified as ‘Block C’ and legally referred to as Block 1 on Plan 43M-2152 within the approved Draft Plan of Subdivision for Block 1 West Development were subject to the minor variance application A-2024-0222. The subject site comprises lands to the southwest of Lagerfeld Drive and All Nations Drive.

Surrounding Area

The subject site is located in the Mount Pleasant neighbourhood of Brampton, located in the northwestern portion of the City. The neighbourhood is generally centered around the Mount Pleasant GO Station. The neighbourhood is characterized by higher density uses in the vicinity of the station consisting of mid-rise and tall mixed-

use/apartment buildings and townhouses and low-rise residential uses moving further away from the station.

To the immediate north of the subject site is Lagerfeld Drive, that runs in an east-west direction from Mount Pleasant GO Station and currently terminates at the subject site. Lagerfeld Drive is planned to be extended further west. Further north, is a stormwater management pond. To its east is an existing development consisting of a 6-storey apartment building and a townhouse development with 10 blocks of 3-storey townhouse units.

To the immediate east of the subject site is a future public park, which was approved as part of the Block 1 Development. To the east of future park is All Nations Drive, a public street that runs in a north-south direction and connects Lagerfeld Drive with Bovaird Drive. Further to the east, are future development blocks of the Block 1 Development. These blocks will comprise of a range of townhouse and apartment buildings. Further east are currently vacant lands that are proposed for future development with a range of land uses, beyond which is the Mount Pleasant GO Station complex.

To the immediate south of the subject site, is Block B of the Block 1 Development, which is currently under-construction. The Block B Development proposes 2 apartment buildings with 12- and 14-storeys in height, consisting of a total of 314 apartment units. Additionally, this development proposes 7 blocks of 3-storey stacked back-to-back townhouses with a total of 434 units. Further to the south is Bovaird Drive West, which is a Regional Road. Beyond Bovaird Drive is the Jean Augustine Secondary School complex.

To the immediate west of the subject site are vacant lands associated with the Natural Heritage System. These lands are protected and no development is permitted. Further to the west is Mississauga Road, which is a Regional Road running north-south through the city.

POLICY CONTEXT

Provincial Policy Statement, 2024

The Provincial Policy Statement 2024 (“PPS”) came into effect on October 20, 2024, and provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with Section 3(5) of the *Planning Act*, all land use planning decisions are required to be consistent with the PPS.

The 2024 PPS emphasizes flexibility, with the intent of helping get more homes built across the Province, while continuing to protect agricultural lands, cultural heritage and natural areas. To that end, the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit.

Bill 23 – More Homes Built Faster Act 2022 (Planning Act)

On October 25, 2022, the Province of Ontario introduced Bill 23, the More Homes Built Faster Act, which introduced legislative changes to streamline the construction of 1.5 million new homes by 2031. These sweeping legislative changes aimed at addressing Ontario’s housing crises received Royal Assent on November 28, 2022.

Notable changes include, but are not limited to, requiring municipalities to update zoning and establish minimum as-of-right heights and densities within approved Major Transit Station Areas (MTSAs). Furthermore, Bill 23 encouraged “gentle density” through increased permissions regarding additional units in low-rise dwelling types, capping and allowing for flexibility with regard to parkland dedication, removing approval authority from upper-tier municipalities, limiting appeal rights, and reducing the scope and applicability of site plan control.

Region of Peel Official Plan

The Region of Peel Council adopted the new Region of Peel Official Plan (“RPOP”) on April 28, 2022. The Minister of Municipal Affairs and Housing issued a decision to approve the new RPOP with 44 modifications on November 4, 2022.

The subject site is located within the *Urban System* in the Region of Peel Official Plan (Schedule E-1). The *Urban System* consists of lands within the Regional Urban Boundary and includes lands identified as Strategic Growth Areas, among others.

Policy 5.4.11 of the RPOP directs a significant portion of new growth to the *Delineated Built-up Areas* of the community through intensification. Objective 5.4.18.6 requires optimization of all intensification opportunities across the Region and maximize development within *Strategic Growth Areas*. Objective 5.4.18.8 further requires the achievement of diverse and compatible mix of land uses including residential and employment uses to support vibrant neighbourhoods.

In this regard, Schedule E-5 of the Peel OP identifies the subject site within the Mount Pleasant GO Station MTSA. Additionally, Schedule F-1 identifies Mount Pleasant GO Station with 15 minute two-way all day service and Bovaird Drive West as *Other Rapid Transit Corridors* to recognize the planned future dedicated rapid transit corridor along this avenue. The subject site would be considered within a *Major Transit Station Area* as identified by the Growth Plan and as such, would be located within a Strategic Growth Area.

The objectives for MTSAs in the Regional OP encourage a balance mix of transit-supportive uses and range and type of residential unit typologies. The larger master planned development provides a range and mix of uses and unit types, with the current phase on the subject site consisting of townhouse unit types.

City of Brampton Current Official Plan (Official Consolidation September 2020)

The subject site is identified within *Community Areas* on Schedule 1- City Concept and designated *Residential* on Schedule 2 – General Land Use Designations.

Policy 3.2.2.1 of the Brampton OP provides that by 2015 and for each year to 2025, a minimum of 40% of all new residential development will occur within the built-up area of the Region of Peel. By 2026 and for each year thereafter, the Region of Peel Official Plan plans for a minimum of 50% of all new residential development within the built-up area of the Region of Peel. Brampton shall contribute at least 26, 500 residential units between 2006 and 2031 to the built-up area.

Policy 4.2.1.3 requires that the City shall, in approving new residential developments, take into consideration an appropriate mixture of housing for a range of household incomes, according to substantiated need and demand for the City, as appropriate. Policy 4.2.1.6 further requires that Brampton shall contribute to the achievement of the Region's intensification targets as set out in Policy 3.2.2.1 by planning to accommodate at least 26,500 residential units between 2006 and 2031 within the built-up area.

Policy 4.2.1.14 recognizes the key elements of design for residential areas, including:

- (i) Variety of housing types and architectural styles;
- (ii) Siting and building setbacks;
- (iii) Garage placement and driveway design including attached garages, lot widths related to attached garages, rear yard garage locations and driveways;
- (iv) Street façade development and allowable projections, including street address, entrance architecture, grade relationship, windows, projecting elements and roof forms;
- (v) Upgraded elevations at focal locations including corner lots, housing abutting open space and pedestrian links, housing at “T” intersections, and housing at parkettes;
- (vi) Incorporation of multiple unit dwellings and apartments; and,
- (vii) Landscaping and fencing on private property.

The policy further notes that these elements will be further refined through the preparation of Block Plans, and area specific Design Guidelines, draft plans of subdivision, rezoning applications and Design Briefs as appropriate.

Council Adopted City of Brampton Official Plan (November 2023)

On November 1, 2023, the City of Brampton Council adopted the new Official Plan of the City of Brampton, known as “Brampton Plan”. The Brampton Plan replaces all portions of the 2006 Official Plan, except for secondary plans and block plans adopted under the 2006 Official Plan. The Brampton Plan is currently with the Region of Peel for consideration and approval.

The subject is located within the *Community Areas* as per Schedule 1 – City Concept of the Brampton Plan. Community areas reflect the locations where a mix of new and existing residential, commercial and residential serving institutional areas. Additionally, the subject site is identified with the *Mount Pleasant GO Station MTSA* and within a *Town Centre*. The Brampton Plan policies for MTSAs provide that these areas are generally defined as the areas within an approximate 500 to 800 metre radius from a transit station, representing a 10 to 15 minute walk and represent significant locations for intensification.

Schedule 2 – Designations of the Brampton Draft OP designates the subject site as *Neighbourhoods*, which are defined as places where most residents live and are comprised of a mix of uses and low-scale built form. Within *Neighbourhoods*, the City-wide Urban Design Guidelines will be used to evaluate and provide guidance on infill proposals (Policy 2.2.7.2). Additionally, planning for *Neighbourhoods* within the built-

up area will require a comprehensive approach and will take into consideration neighbourhood supportive uses, a grid network of streets and pedestrian routes, parks and open spaces, services and facilities, access to transit, a compact built form, and a housing mix that contributes to the full range of housing options along the housing continuum for all age groups, life stages, incomes, and abilities.

As it relates to housing, Policy 3.3.1.6 a) of the Brampton Plan provides that development of new housing supply shall ensure the development of a range of housing choices in terms of housing tenure, type, price or affordability levels and consider new housing innovations that meet the housing needs of the city.

Mount Pleasant Secondary Plan

The subject site is designated *District Retail* in the Mount Pleasant Secondary Plan (Area 51). This designation permits a range of uses, including Medium Density Residential uses comprising single-detached, semi-detached, apartments, townhouses, among others. Permitted building heights range between 2 to 6 storeys with a maximum density of 60 units per net residential hectare.

Mount Pleasant Community Block Plan 51-1

The Mount Pleasant Community Block 51-1 (“Block Plan”) forms part of the Mount Pleasant Secondary Plan and provides design direction for the implementation of the vision and intent identified and approved at the secondary plan agreement. It serves as a supplement to the City’s Development Design Guidelines and represents a more detailed refinement of the Mount Pleasant Secondary Plan.

The Block Plan focuses on the physical design of the community, with particular references to major structing elements, including the natural heritage system, road network, trails and pathways network, parks and open spaces and mixed use nodes. The subject site, as part of the larger master planned community, was planned in accordance with the City’s guidelines and reflects the general vision and principles set out in these documents.

City of Brampton Zoning By-law No. 274-2004

The site is subject to the City of Brampton Zoning By-law No. 274-2006, as amended and is zoned Residential Apartment A – Section 3661 (“R4A-3661”), as amended by

By-law 239-2021. The R4A-3661 permits a range of residential unit types, including Townhouse Dwellings. Furthermore, it includes several site-specific provisions relating to site-specific setbacks, height and parking provisions.

As it relates to Townhouse Dwellings, the R4A-3661 zone permits a minimum dwelling unit width of 6.0 metres, except that 30% of the Townhouse Dwellings shall be permitted to have a minimum dwelling unit width of 5.6 metres.

MINOR VARIANCE APPLICATION

The requested minor variance application is the result of a condition of approval of minor variance application A-2024-0222 that permitted 12 variances to permit a townhouse development with 84 townhouse units within a Common Element Condominium tenure.

Given that the development in Block C (Block 1 on Plan 43M-2152) is proposed to be registered as a Common Element Condominium while the remainder of the development blocks in Block 1 West contemplate a Standard Condominium tenure, the requested variance seeks to exclude Block 1 on Plan 43M-2152 that are subject to minor variance application A-2024-0222 from being treated as part of the same lot for zoning purposes. This will have the effect of allowing the remainder of the lands zoned R4A-3661 to be treated as one lot for zoning purposes. This satisfies the requested condition of approval by excluding this Block 1 on Plan 43M-2152 (Block C) from the lands subject to minor variance approval A-2024-0222.

Requested Variances

Zoning By-Law 270-2004

1. Section 3661.2(1) – Exclusion from one lot for zoning purposes

To exclude the lands legally referred to as Block 1 on Plan 43M-2152 from being treated as one lot for zoning purposes for lands zoned R4A-3661, whereas the by-law deems all lands zoned R4A-3661 as one lot for zoning purposes;

PLANNING ANALYSIS

It is our opinion that the requested variance, satisfies the four tests set out in Section 45(1) of the *Planning Act* namely, the variances: (1) maintain the general intent and purpose of the Official Plan; (2) maintain the general intent and purpose of the Zoning By-law; (3) are desirable for the appropriate development and use of the lands.; and (4) are minor in nature.

(1) Maintaining the General Intent and Purpose of the Official Plan

In our opinion, the requested variance maintains the general intent and purpose of the Official Plan. The proposal will provide new medium-density residential uses in a manner that is consistent with the *Residential* designation in the Official Plan and *District Retail* designation in the Secondary Plan. The Official Plan encourages contribution to the City's housing supply in accordance with the Regional housing targets and supports modest intensification particularly in proximity to public transit.

The broader Block 1 Subdivision Development proposes a range of residential unit types, including apartments, a variety of townhouse types in Common Element and Standard Condominium tenures that are suitable for a range of family sizes, income groups and age groups.

It is our opinion that the requested variance meets the intent of the Official Plan and allows the flexibility for contemplated developments in the various blocks to proceed under the proposed condominium tenures.

For these reasons, the requested variances meet the general intent and purpose of the Official Plan.

(2) Maintains the General Intent and Purpose of the Zoning By-law

The site-specific R4A-3661 Zone deems all lands under this zone to be considered one lot for zoning purposes. This site-specific zone was created to permit standard condominium tenure developments within Block 1 Subdivision. However, the minor variance application A-2024-0222 permits a townhouse development in Block C within the Common Element Condominium tenure. As such, this variance is required to exclude the lands subject to the aforementioned minor variance application from being deemed as one lot under the R4A-3661 Zone. This variance will have the effect of

allowing developments on the remainder of blocks within a Standard Condominium tenure. In our opinion, the requested variance maintains the general intent and purpose of the Zoning By-law.

(3) Desirable for the Appropriate Development and Use of the Land

It is our opinion that the requested variance is appropriate and desirable as it is required as a condition of an approved minor variance application that permits the development of 84 townhouse dwellings.

The requested variance will facilitate the construction of a land use that is already permitted by the site-specific Zoning By-law and a minor variance application. Given that the proposed development forms part of the Block 1 Development, it forms part of a complete community that provides a range and type of housing opportunities comprising of townhouses and apartment units.

Should the variance be approved, the development will be subject to further detailed and technical review through the associated Site Plan Approval process. As such, it is our opinion that the variances are desirable for the appropriate development of the land.

(4) Minor in Nature

It is our opinion that the requested variance is minor in nature and will not result in unacceptable impacts on adjacent or surrounding properties or uses.

In this regard, the requested variance is required as part of a condition of the minor variance application A-2024-0222 to exclude the lands subject to it from being deemed as one lot for zoning purposes under the R4A-3661 Zone. The reason for this variance is to separate the lands (Block 1 on Plan 43M-2152) that have an approved minor variance application with those of the remainder of the lands that are subject to the provisions of R4A-3661 Zone (Block 1 and Part of Block 3 on Plan 43M-2153).

The effect of the variance will be to satisfy one of the conditions of the minor variance application A-2024-0222, and in our opinion, is minor in nature given that it will further clarify the applicability of the provisions of the R4A-3661 Zone and the variances granted by the minor variance application A-2024-0222.

CONCLUSION

In our opinion, based on the analysis set out above, the requested variance satisfies the four tests set out in Section 45(1) of the *Planning Act*. More specifically, it meets the general intent and purpose of both the Official Plan and the Zoning By-law, it is desirable for the appropriate development and use of the land, and it is minor in nature. In our opinion, the requested minor variance constitutes good planning and should be approved.

ENCLOSURES

In support of the Minor Variance applications, please find enclosed the following materials:

1. A completed and signed 2024 Minor Variance Application Form;
2. A Copy of this Planning Justification Letter.

We trust that these materials are satisfactory for your purposes. However, should you require any additional information or clarification, please do not hesitate to contact the undersigned of our office.

Yours truly,
Bousfields Inc.



Himanshu Katyal, MCIP, RPP

