



Report Committee of Adjustment

Filing Date: November 27, 2024

Hearing Date: January 28, 2025

File: A-2024-0440

**Owner/
Applicant:** Daniels MVP 2 Corporation, c/o Evan McGregor
Bousfield Inc., c/o Himanshu Katyal

Address: 0 Lagerfeld Drive, S/W Corner of All Nations Drive and Lagerfeld

Ward: 6

Contact: Megan Fernandes, Planner I

Recommendations:

That application A-2024-0440 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the owner finalize site plan approval under City File SPA-2024-0097, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services.
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

The subject site, referred to as 0 All Nations Drive, is located at the southwest corner of Lagerfeld Drive and All Nations Drive. Applications to amend the Zoning By-law (OZS-2019-0007) and Draft Plan of Subdivision by Daniels HR Corporation were approved by Council on October 20, 2021. The proposed development is currently under Site Plan review (City File No. SPA-2024-0097).

This application is related to Minor Variance Application A-2024-0222 to address zoning deficiencies that result from a change in tenure (POTL). The application is presented to satisfy condition 4 on Minor Variance Application A-2024-0222 which states "That minor variance application(s) 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". The submitted application will satisfy the condition of approval by excluding Block 1 on 43M-2152.

Existing Zoning:

The property is zoned 'Residential Apartment A – Special Section 3661 (R4A-3661)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. 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 as one lot for zoning purposes.

Current Situation:

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

The property is designated as 'Community Area' (Schedule 1 – City Concept), 'Neighbourhood within the North-West Brampton Development Area' in the Brampton Plan (Schedule 2 – Designations), and designated as 'District Retail' in the Mount Pleasant Secondary Plan. On May 18th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known hereby as the 'Brampton Plan'. The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until such appeal is resolved. The requested variance will facilitate the development of Block 1 on Plan 43M-2152 with the flexibility to proceed under the proposed condominium tenures in an orderly manner. The requested variance has no impact within the context of the policies of the Official Plan and Secondary Plan, and maintains the general intent and purpose of the Official Plan.

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

The property is zoned 'Residential Apartment A – Special Section 3661 (R4A-3661)', according to By-law 270-2004, as amended.

The variance is requested 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 as one lot for zoning purposes. The intent of the by-law in requiring all lands zoned R4A-3661 to be treated as one lot for zoning purposes was to facilitate the development of the overall parcel for one connected, comprehensive development.

Initially, the Zoning By-law Amendment for R4A-3661 was created for townhouse development as a Standard Condominium, not allowing traditional townhouses on individual lots. As Minor Variance Application A-2024-0222 approved development standards for common element condominium townhouse dwellings as a permitted use and form on Block 1, this variance is required to exclude the

lands from being deemed as one lot within the provisions of the R4A-3661 zone. The requested variance will facilitate cohesive development Block 1 on Plan 43M-2152 for the townhouse developments within the Common Element Condominium tenure while the remainder of the blocks will proceed within a Standard Condominium Tenure. Subject to the recommended conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance will exclude 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 as one lot for zoning purposes is not anticipated to alter the characteristics of the subject property, and will facilitate the development that was permitted by the Zoning By-law and associated minor variance application. The zoning was previously crafted with the intention of the Blocks being developed as a standard condominium tenure and would therefore be required to be treated as one lot for Zoning purposes. It will allow for the orderly development of Block 1 exclusive of the remainder of the Blocks, contributing positively to the overall development of the lands. Subject to the recommended conditions of approval, the requested variance is appropriate for the development of the land.

4. Minor in Nature

The proposed variance to exclude Block 1 on Plan 43M-2152 from being treated as one lot will not impact the ability of the blocks to develop for their intended purposes, and will contribute to the orderly development of the area. Furthermore, this variance will satisfy a condition of approval of Minor Variance Application A-2024-0222 by clarifying the applicable provisions of the R4A-3661 zone. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planner I