

Roads

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.

		ļ	PPLICATION			
		Minor Varianc	e or Specia	al Permis	sion	
			e read Instruct			
NOTE:		ed that this application be filed ied by the applicable fee.	with the Secretary	r-Treasurer of th	e Committee of A	Adjustment and be
		signed hereby applies to the C ng Act, 1990, for relief as desc				nder section 45 of
1.	Name of C Address	Owner(s) <u>Mayfield Comme</u> 99 Sante Drive, Suite C, Cond		4		
	Phone # Email	905-738-3675 Ipapi@minukcorp.com		Fax #	n/a	
2.	Name of A Address	Agent Weston Consultin 201 Millway Avenue, Suite 19				
	Phone # Email	905-738-8080 Ext. 309 jthibault@westonconsulting.com	n	Fax #	n/a	
3.	Nature an	d extent of relief applied for	(variances reque	sted):		
4.	[not possible to comply with nercial School is not curre	And a second		subject proper	tv. However.
	the Serv range of permitte	vice Commercial zoning a f commercial uses and a (id by the SC zone. Also, rcial plaza development fo	pplicable to the Commercial Sc a Commercial S	subject prop hool is in kee School is both	erty (SC - 365 ping with the t compatible w	6) supports a types of uses with the
5.	Lot Numl Plan Nun	scription of the subject land: ber Refer to enclosed parcel in hber/Concession Number I Address 6101-6261 Mayfie	register			
6.		a 331.53 m (along Airport Road 409.94 m (North to South), 19 71,390.77 square metres, 17.6), 94.39 m (along N 6.85 m (East to We			
7.	Provincia Municipa	o the subject land is by: al Highway al Road Maintained All Year Right-of-Way		Seasona Other Pi Water	al Road ublic Road	☐ ☑ Regiona

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EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.) Buildings A to Q are all one storey in height. The total gross floor area (which is also the ground floor area since all buildings are one storey) is 19,978.70 square metres. The total gross commercial floor area is 19,528.13 square metres. The subject property proposes a site coverage of 27.99% and 870 parking spaces.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No proposed buildings/structures. The subject property has been developed.

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)

	EXISTINGFront yard setback5.77 m (Airport Road)Rear yard setback6.14 mSide yard setback5.33 m (exterior side yard - Mayfield Road)Side yard setback5.00 m (interior side yard)					
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback	n/a - The development	t is constructed and no further building are proposed.			
10.	Date of Acquisition	of subject land:	2019/10/16			
11.	Existing uses of sub	ject property:	Subject property is constructed but units are not yet occupied			
12.	Proposed uses of s	ıbject property:	Commercial and office uses			
13.	Existing uses of abo	utting properties:	Residential uses (east) and commercial and industrial uses			
14.	Date of construction	n of all buildings & stru	ctures on subject land: 2024			
15.	Length of time the e	xisting uses of the sub	ject property have been continued:/a			
16. (a)	What water supply i Municipal Well	s existing/proposed?]]	Other (specify)			
(b)	What sewage dispo Municipal Septic	sal is/will be provided?]]	Other (specify)			
(c)	What storm drainag Sewers Ditches Swales	e system is existing/pr	oposed? Other (specify)			

		isent?	
	Yes	No 🗸	
	If answer is yes, p	rovide details:	File # Status
18.	Has a pre-consulta	ation application	been filed?
	Yes 🗸	No 🗖 A	Active site plan application (File Number - SPA-2021-0161
19.	Has the subject pr	operty ever been	the subject of an application for minor variance?
	Yes	No 🗹	Unknown
	lf answer is yes, p	rovide details:	
	File #	Decision	Relief
	File #	Decision Decision	Relief
			Jenna Thibault
			Signature of Applicant(s) or Authorized Agent
DAT	ED AT THE City		OF Vaughan
THI	S 9 DAY 0	OF December	, 20 24
IN TH			, OF THE <u>City</u> OF <u>Barrie</u>
	and a second sec		SOLEMNLY DECLARE THAT:
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-3-

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: 6101-6261 Mayfield Road

I/We, Mayfield Commercial Centre Ltd.

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

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

Weston Consulting c/o Jenna Thibault

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.

2024 Dated this day of Isignation of the owner(s), or where the owner is a firm or corporation, the signature of an office SANCORY MINUK (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

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

I/We,

LOCATION OF THE SUBJECT LAND: 6101-6261 Mayfield Road

Mayfield Commercial Centre Ltd.

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 9th day of DECIMPEN, 2024 (signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

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

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

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION



City of Brampton Committee of Adjustment 2 Wellington Street West Brampton, ON L6Y 4R2 December 10, 2024 File 9449

Attn: Clara Vani, Secretary Treasurer

RE: Minor Variance Application 6101-6261 Mayfield Road City of Brampton

Weston Consulting is the planner for Mayfield Commercial Centre Ltd., the legally registered landowner of the lands municipally addressed as 6101-6261 Mayfield Road in the City of Brampton (herein referred to as the "subject property" or the "site"). This letter has been prepared in support of a Minor Variance application to seek relief from the City of Brampton Zoning By-law 270-2004 to allow for a commercial school on the site.

Description of the Subject Property

The subject property is located on the east side of Airport Road and to the south of Mayfield Road in the Vales of Castlemore North Secondary Plan Area. The site has a total area of 17.64 acres (7.14 ha) and a frontage of 331.53 metres along Airport Road. Site-specific Zoning By-law 194-2022, which is applicable to the subject property, defines Airport Road as the front lot line. The subject property is adjacent to a residential neighbourhood to the east, commercial and institutional uses, as well as a cemetery, to the west and industrial uses to the south. The lands to the north of the site are part of the Town of Caledon. The subject property is currently developed for a commercial plaza but the buildings have not yet been occupied.

The City of Brampton Official Plan (2006) designates the site as *Business Corridor*. The City of Brampton's new Official Plan, the Brampton Plan, designates the subject property as *Mixed-Use Employment* in accordance with Schedule 2 – Designations. It is our understanding that Schedule 2 of the Brampton Plan is under appeal so it is the 2006 Official Plan designation that is in-effect. The City of Brampton Secondary Plan, the Vales of Castlemore North, designates the site as *Highway and Service Commercial*. This land use designation permits a range of commercial uses including a range of office, retail, supermarket and restaurant uses, for example.

The City of Brampton Zoning By-law 270-2004, zones the subject property as *Service Commercial* – *Section* 3656 (*SC* – 3656). A Zoning By-law Amendment application was previously submitted for the subject property and approved in 2022. The enacting, site-specific Zoning By-law 194-2022 came into full-force and effect for the site on September 12, 2022.

Proposed Development and Concurrent Site Plan Application (SPA-2021-0161)

The landowner is developing the subject property for a condominium tenured commercial plaza consisting of 17, onestorey buildings (Buildings A – Q). The development is intended for commercial uses and some office uses. The total gross floor area (GFA) is 19,978.70 square metres and the total gross commercial floor area (minus mechanical and electrical rooms) is 19,528.13 square metres. 870 parking spaces are provided, which is above the required number of parking spaces for the site, which is 838 parking spaces.

There is an active Site Plan application for the subject property (SPA-2021-0161) which has been approved by City and Regional Staff. The site plan agreement has been drafted and is with the landowner and Region for review and

VAUGHAN OFFICE | 201 Millway Avenue, Suite 19, Vaughan, Ontario, L4K 5K8 | T. 905.738.8080 westonconsulting.com TORONTO OFFICE | 268 Berkeley Street, Toronto, Ontario, M5A 2X5 | T. 416.640.9917 1.800.363.3558 F. 905.738.9937 Page 1 of 4

execution. It is anticipated that the site plan agreement will be registered on title shortly. The landowner also owns the adjacent property at 6029 Mayfield Road and a Zoning By-law Amendment application (OZS-2024-0026) is in process for that property. The property at 6029 Mayfield Road is proposed to be developed for a 2-storey commercial and office building and is intended to be a part of the condominium development for the subject property. It will be a future phase of the condominium.

The subject property received a Conditional Site Plan Support memo on April 19, 2023. This memo allowed for the submission of building permit applications, which occurred following its issuance. The site has been completely constructed but the units are not yet occupied because the site plan agreement is not yet registered. One of the unit owners intends to operate a tutoring school which Zoning Staff has identified as a commercial school. A variance is required to permit this use. This variance is being requested on a site wide basis since the site's *Highway and Service Commercial* land use designation and *Service Commercial* zoning make it an appropriate site for this type of commercial use as it is compatible with both the development of the site and the surrounding area.

Purpose of the Application – Requested Variance

The purpose of the application is to seek relief from the following provision of the City of Brampton Zoning By-law 270-2004:

Variance: Permitted Uses

WESTON

To permit a **Commercial, Technical, or Recreational School** whereas the By-law does not permit this use.

Planning Justification and Analysis

Section 45(1) of the *Planning Act* directs that a minor variance may be granted if, in the opinion of the Committee of Adjustment, the following tests are met:

- The variance requested maintains the general intent and purpose of the Official Plan;
- The variance requested maintains the general intent and purpose of the Zoning By-law;
- The variance is desirable for the appropriate use of the land; and,
- The variance is minor in nature.

In addition, Section 45 (1.0.1) states that a minor variance must conform to any prescribed criteria and/or criteria established by the local municipality by by-law, if any. At this time there are no additional criteria. The following is a summary of how the proposed application meets the four tests under the *Planning Act*.

Maintains the General Intent and Purpose of the Official Plan

The subject property is designated *Business Corridor* by the City of Brampton Official Plan (2006) and is designated as *Mixed-Use Employment* by the Brampton Plan. The site is also subject to the Vales of Castlemore North Secondary Plan, which is the guiding document for the development of this site. The subject property is designated as *Highway* and Service Commercial by the Secondary Plan.

The intent of the *Highway and Service Commercial* designation is to accommodate a range of commercial uses that cater to the needs of the community. Permitted uses include, but are not limited to, retail establishments, restaurants, offices, financial institutions, and pharmacies. The types of uses not permitted within this designation are those which may have a negative nuisance impact on the adjacent residential community.

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The proposed variance to permit a commercial school aligns with the intent of the Secondary Plan by introducing an educational and skill-development use that is service-oriented and complementary to the existing uses permitted by this land use designation. The commercial school enhances the diversity of services offered by the site and will have no negative impact on the adjacent residential neighbourhood.

It is our opinion that the proposed variance satisfies the test of maintaining the general intent and purpose of the Official Plan.

Maintains the General Intent and Purpose of the Zoning By-law

The proposed variance maintains the general intent and purpose of the City of Brampton Zoning By-law 270-2004. The subject property is zoned SC – 3656. The special section 3656 associated with the subject property is related to provisions regarding yard setbacks, permitted uses, landscaped open space, parking and bicycle parking. The development of the site complies with all applicable zoning requirements and the requested variance for a commercial school use will add another permitted use which is compatible with the other uses permitted by the SC – 3656 zone.

The Zoning By-law stipulates the uses which are permitted on a parcel of land. The purpose of regulating permitted uses is to ensure that a parcel of land is appropriately developed and to ensure no adverse impact with adjacent lands. The SC – 3656 zone permits a range of commercial uses including a retail establishment, a supermarket, a community club, a printing or copying establishment, and an office, among many other uses. The SC Zone is designed to accommodate a variety of uses that serve the community and contribute to the functionality of the surrounding area. A commercial school aligns with the objectives of this zone as it provides a service-oriented use that supports education, skill development, and training, which are compatible with the other permitted commercial activities.

It is our opinion, that the requested variance to permit a commercial school maintains the general intent and purpose of the Zoning By-law as it is in keeping with the permitted uses of the SC - 3656 zone and is an appropriate use for the subject property.

Desirable and Appropriate

WESTON

The proposed development is planned to provide a mix of commercial uses, such as retail, personal service, and restaurants, along with some office uses, that will benefit the surrounding local community by improving access to goods and services that are of an appropriate type and scale for the community. The proposed variance to allow for a commercial school will enhance the mix of uses within the commercial plaza and will have no negative impact on the surrounding area, especially the residential area to the east. This use is complementary to both the permitted uses for the plaza and the surrounding area, contributing to the area's functionality and vitality.

A commercial school serves as a service-oriented use that meets community needs while encouraging additional foot traffic to the plaza, benefiting other tenants and enhancing economic activity. The addition of a commercial school imposes no adverse impacts on the surrounding area, as it is consistent with the character and scale of the uses contemplated for the commercial plaza development. It is our opinion that the requested variance is desirable and appropriate for the use of the subject property.

Minor in Nature

The proposed variance is minor in nature as it will permit a use that is compatible and appropriate within the context of the commercial plaza. Further, the proposed variance does not produce negative impacts to the surrounding area, nor does it require physical alterations to the site.

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The addition of a commercial school as a permitted use does not detract from the functionality, character, or intent of the development or its function among surrounding land uses. The proposed commercial school is similar to the other permitted uses and will operate within the existing built form.

It is our opinion that the proposed variance is minor in nature. The requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is desirable and appropriate for the use of the land and will not impose any negative impacts or undesirable nuisances on the surrounding area.

Submission Materials

WESTON

In accordance with the City of Brampton Minor Variance submission requirements, the following materials have been submitted along with this application:

- Minor Variance Application Form;
- Proof of Ownership (parcel register);
- Minor Variance Sketch; and,
- Planning Justification Letter (this document).

The application fee can be paid separately at the request of City Staff.

Conclusion

It is our opinion that the proposed variance should be approved by the Committee of Adjustment as it satisfies all four tests prescribed by the *Planning Act* and represents good planning. We trust that the enclosed materials are sufficient for staff to facilitate their review of this application and ask that this application be scheduled for the January 28, 2025 Committee of Adjustment Hearing.

If you have any questions or require further information, please contact the undersigned at extension 309.

Yours truly, Weston Consulting Per:

Jenna Thibault

Jenna Thibault, BSc, MPL, MCIP, RPP Associate

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	Ontario	ServiceOr	OFFIC		PAGE 1 OF 2 PREPARED FOR LRO Staff ON 2024/11/25 AT 10:54:14	
AS IN PR4239065; SUBJECT TO AN EASEMEN PART 1 PLAN 43R31495, SAVE & EXCEPT P PR3692094; SUBJECT TO AN EASEMENT IN (9, 10, 11, 12 & MRS BAILEY LOT PLAN T 43R41258; FOURTHLY: PART LOT 17, CONCI				T LOT 17, CONCESSION 7 NORTHERN DIVISION, TOWNSHIP OF TORONTO G NT IN GROSS AS IN PR4322327; SECONDLY: PART LOT 17, CONCESSION ART 1 PLAN 43R32992 & PART 1 PLAN 43R38518; SUBJECT TO AN EASEM GROSS AS IN PR4322327; THIRDLY: PART LOT 17, CONCESSION 7 NORTH G2, PART ROAD ALLOWANCE BETWEEN FORMER TOWNSHIPS OF ALBION & TO ESSION 7 NORTHERN DIVISION, TOWNSHIP OF TORONTO GORE, PART 1 PL O-GORE, PART LOTS 7, 8 & 9, PLAN TG2, PART 1 PLAN 43R41262; CIT	7 NORTHERN DIVISION, TOWNSHIP OF TORONTO GORE, HENT IN GROSS OVER PART 2 PLAN 43R38518 AS IN HERN DIVISION, TOWNSHIP OF TORONTO GORE, PART LOTS NGONTO GORE (CLOSED BY VS120841), PART 2 PLAN LAN 43R41258; FIFTHLY: PART LOT 17, CONCESSION 7	
PROPERTY REM	MARKS:	FOR THE PURPOSE OF	THE QUALIFIER THE	DATE OF REGISTRATION OF ABSOLUTE TITLE IS 2007/05/11.		
ESTATE/QUAL FEE SIMPLE LT ABSOLUTE	IFIER:		<u>RECENTLY:</u> CONSOLIDATI	ON FROM 14219-1613, 14219-2536, 14219-2705 TO 14219-2707	PIN CREATION DATE: 2024/11/12	
OWNERS' NAME MAYFIELD CON	<u>ES</u> MMERCIAL CENT	RE LTD.	<u>CAPACITY</u> <u>S</u> ROWN	HARE		
REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT	INCLUDES AL	L DOCUMENT TYPES (DE	LETED INSTRUMENTS N	OT INCLUDED) **		
**SUBJECT 1	O SUBSECTION	44(1) OF THE LAND T	ITLES ACT, EXCEPT P.	ARAGRAPHS 3 AND 14 AND *		
* *	PROVINCIAL SU	UCCESSION DUTIES AND	EXCEPT PARAGRAPH 1	1 AND ESCHEATS OR FORFEITURE **		
**	TO THE CROWN	UP TO THE DATE OF R	EGISTRATION WITH AN	ABSOLUTE TITLE. **		
R0754745	1986/06/05	AGREEMENT			THE CITY OF BRAMPTON	С
LT2057426	2000/03/27	NOTICE		HER MAJESTY THE QUEEN IN RIGHT OF THE DEPARTMENT OF TRANSPORT CANADA		С
RE	MARKS: PEARSC	N AIRPORT ZONING REC	ULATION			
43R31495	2007/05/11	PLAN REFERENCE				С
43R38518	2018/09/17	PLAN REFERENCE				С
PR3555666	2019/10/18	TRANSFER	\$22,599,000	PARKMOUNT BUILDING CORPORATION	MAYFIELD COMMERCIAL CENTRE LTD.	С
	MARKS: PLANNI	NG ACT STATEMENTS.				
PR3574489	2019/11/20	TRANSFER	\$2,000,000	CHAHAL, HARPREET CHAHAL, HARINDER	MAYFIELD COMMERCIAL CENTRE LTD.	с
RE	MARKS: PLANNI	NG ACT STATEMENTS.				
PR3692094	2020/08/25	TRANSFER EASEMENT	\$2	MAYFIELD COMMERCIAL CENTRE LTD.	ALECTRA UTILITIES CORPORATION	С
PR4113170	2022/09/09	TRANSFER	\$3,100,000	DICARLO, STEFANO	MAYFIELD COMMERCIAL CENTRE LTD.	С
RE	MARKS: PLANNI	NG ACT STATEMENTS.				
PR4113171	2022/09/09	CHARGE	\$90,000,000	MAYFIELD COMMERCIAL CENTRE LTD.	THE TORONTO-DOMINION BANK	С

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.



PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 2 OF 2 PREPARED FOR LRO Staff ON 2024/11/25 AT 10:54:14

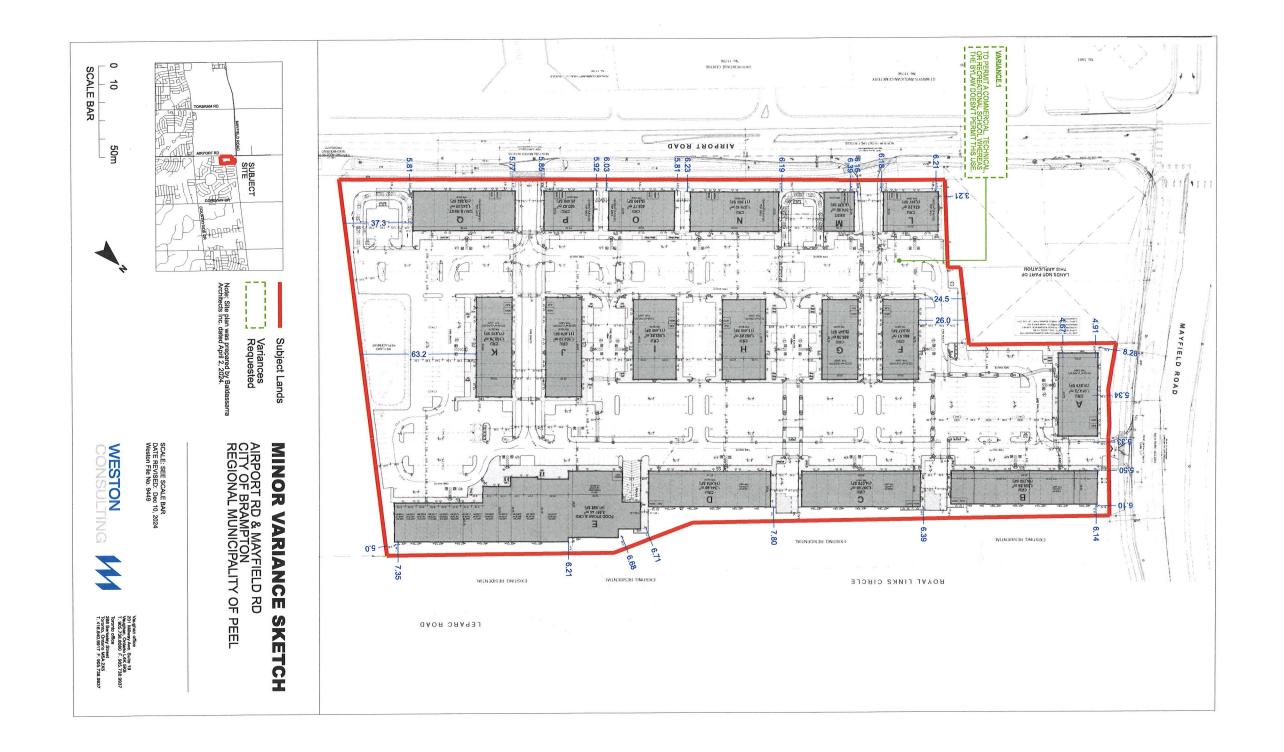
REGISTRY OFFICE #43

LAND

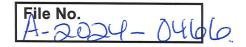
14219-2709 (LT)

* 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
PR4118628	2022/09/21	CHARGE	\$40,000,000	MAYFIELD COMMERCIAL CENTRE LTD.	TRAVELERS INSURANCE COMPANY OF CANADA	с
43R40898	2023/05/23	PLAN REFERENCE				С
PR4239065	2023/08/21	TRANSFER EASEMENT	\$2	MAYFIELD COMMERCIAL CENTRE LTD.	ENBRIDGE GAS INC.	с
43R41258	2024/02/27	PLAN REFERENCE				С
PR4306390	2024/02/27	APL ABSOLUTE TITLE		MAYFIELD COMMERCIAL CENTRE LTD.	MAYFIELD COMMERCIAL CENTRE LTD.	с
43R41262	2024/02/28	PLAN REFERENCE				с
PR4306926	2024/02/28	APL ABSOLUTE TITLE		MAYFIELD COMMERCIAL CENTRE LTD.	MAYFIELD COMMERCIAL CENTRE LTD.	с
43R41333	2024/03/25	PLAN REFERENCE				с
PR4322327	2024/04/15	TRANSFER EASEMENT	\$2	MAYFIELD COMMERCIAL CENTRE LTD.	ALECTRA UTILITIES CORPORATION	с
PR4322328	2024/04/15	POSTPONEMENT		THE TORONTO-DOMINION BANK	ALECTRA UTILITIES CORPORATION	с
RE	MARKS: PR4113	171 TO PR4322327				
PR4322329		POSTPONEMENT		TRAVELERS INSURANCE COMPANY OF CANADA	ALECTRA UTILITIES CORPORATION	с
RĒ	MARKS: PR4118	628 TO PR4322327				
PR4387129	2024/10/08	APL CONSOLIDATE		MAYFIELD COMMERCIAL CENTRE LTD.		с
PR4404391	2024/11/25			LAND REGISTRAR, PEEL LAND REGISTRY OFFICE		с
RE	MARKS: AMEND	DESCRIPTION				



Zoning Non-compliance Checklist



Owner: Mayfield Commercial Centre Ltd Address: 6261 MAYFIELD RD Zoning: SC-3656 By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit a Commercial, Technical or Recreational School,	whereas the by-law does not permit the use.	3656.1
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR			
BUILDING SIZE			
BUILDING HEIGHT			
GFA			
TOWER SEPARATION			
BELOW GRADE ENTRANCE			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
PARKING			
SCHEDULE "C"			

Philip Gaspar Reviewed by Zoning

<u>Dec 12, 2024</u> Date