

**APPENDIX 3**

**NOTICE OF DECISION FOR THE CONSENT APPLICATION**

## Notice of Decision

### Committee of Adjustment

APPLICATION NO. B-2023-0008

Ward #9

AN APPLICATION HAS BEEN MADE BY **1552262 ONTARIO INC.**

The applicant(s) request(s) consent sever a parcel of land currently having a total area of approximately 2.96 hectares (7.33 acres). The proposed severed lot has a frontage of approximately 33.48 metres (109.84 feet); a depth of approximately 175.88 metres (577.03 feet) and an area of approximately 0.54 hectares (1.34 acres). The land is located at 0 Ace Drive. (West Side of Ace Drive). The land is designated "Industrial" in the Official Plan and "Prestige Industrial" in the Countryside Villages Secondary Plan (Area48 a). The land is zoned "Industrial One (M1-2256). It is proposed that the severed parcel be merged with the adjacent parcel to the north. (Concurrent Consent Application B-2023-0009)

THE REQUEST IS HEREBY APPROVED, THIS DECISION:

IF **APPROVED**: IS SUBJECT TO THE CONDITIONS AND FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

IF **REFUSED**: IS FOR THE REASONS SET OUT ON PAGE TWO OF THE NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.

MOVED BY A. C. Marques SECONDED BY: D. Colp

*DATED THIS 18th day of APRIL, 2023*

CHAIR OF MEETING: RON CHATHA

WE THE COMMITTEE MEMBERS NOTED BELOW HEREBY CONCUR IN THE DECISION

*AUTHORIZED BY VOTE HELD AT A MEETING ON APRIL 18, 2023*

RON CHATHA, MEMBER

DAVID COLP, MEMBER

ANA CRISTINA MARQUES, MEMBER

#### CERTIFICATION

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

  
SECRETARY-TREASURER, COMMITTEE OF ADJUSTMENT

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the Brampton City Hall, Committee of Adjustment Office, 2 Wellington Street West, Brampton, Ontario L6Y 4R2, Telephone No. (905) 874-2117 and Fax No. (905) 874-2119.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

Only the applicant, the Minister, a specified person or a public body may appeal decisions or any condition in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

An appeal form is available on the Environment and Land Tribunals Ontario website at <http://elto.gov.on.ca/> or at the office of the Secretary-Treasurer. The notice of appeal accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment. The prescribed fee is \$400 per person/ per appeal. Please visit <http://elto.gov.on.ca/tribunals/lpat/lpat-process/fee-chart/> for information on related appeals. Cheques are to be made payable to the Minister of Finance. **TURN TO PAGE TWO (2) FOR THE Ontario Land Tribunal APPEAL DATE.**

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	NO	File Number:

**PLANNING ACT – PROVISIONAL CONSENT**

AN APPLICATION HAS BEEN MADE BY **1552262 ONTARIO INC.**

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS: (AS AGREED TO BY THE APPLICANT(S)/AGENT(S) AT THE MEETING).

The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within two years of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
2. That the owner finalize site plan approval under City File SPA-2022-0037, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
3. Subsection 50(3) and/or (5) of the Planning Act R.S.O 1990 as amended, shall apply to any subsequent conveyance or transaction involving the parcel of land that is the subject of this consent;
4. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Block 2 on Plan 43M 1907, shall be "merged" for Planning Act purposes at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed;
5. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) encumbering the "resultant" lot will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the Planning Act; or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s); and,
6. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.

**REASONS:**

1. This decision reflects that regard has been had to those matters to be regarded under the Planning Act, in as much as the dimensions and shape of the lot are adequate for the uses proposed.
2. Subject to the imposed conditions, the consent to the conveyance will not adversely affect the existing or proposed development.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

**LAST DATE FOR FILING AN APPEAL TO THE ONTARIO LAND TRIBUNAL**  
**MAY 8, 2023**

**DATE OF MAILING APRIL 18, 2023**