

Filing Date: January 14, 2021
Hearing Date: February 16, 2021

File: B-2021-0001 & B-2020-0002

**Owner/
Applicant:** TOP END CONSTRUCTION INC.

Address: 8917 HERITAGE ROAD (LOT A& B)

Ward: 9

Contact: Shelby Swinfield, Planner I

Proposal:

B-2020-0001

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot A**) will be used for future residential development of a single detached dwelling.

B-2020-0002

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.202 hectares (0.50 acres). The effect of the application is to create a new lot having frontage of approximately 15.12 metres (49.60 feet), a depth of approximately 34.28 metres (112.47 feet) and an area of approximately 0.52 hectares (0.13 acres). The proposed severed lot (**Lot B**) will be used for future residential development of a single detached dwelling.

Recommendations:

That applications B-2021-0001 and B-2021-0002 are supportable, subject to the following conditions being imposed:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:
2. 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;
3. 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;

4. That arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements;
5. The applicant shall gratuitously convey to the City of Brampton an approx. 5.0 meter road allowance widening along the entire Heritage Road frontage, towards the ultimate right of way designation of 30 meters or 15 meters from the centreline of the right-of-way;
6. The applicant shall prepare and submit prior, to depositing, a draft reference plan, prepared by an Ontario Land Surveyor, to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering;
7. That the adjacent Draft Plan of Subdivision Application identified as C05W06.007 and 21T-06026B shall be registered and that Part Lot Control shall be lifted from the part lots surrounding the retained lands prior to the issuance of the Secretary Treasurer's Certificate.

Background:

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated "Low/Medium Density Residential" in the Bram West Secondary Plan (Area 40d); and
- **Zoning By-law:** The subject property is zoned "Residential Single Detached F-15 – Special Section 2917 (R1F-15-2917)" and "Residential Single Detached E-12 – Special Section 2876 (R1E-12-2876) according to By-Law 270-2004, as amended.

Current Situation:

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I

SCHEDULE "A"
CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The proposed severances are not considered to have significant impacts on matters of provincial interest, subject to the recommended conditions of approval.
b) <i>Whether the proposal is premature or in the public interest;</i>	A condition of approval is recommended that the proposed severances not be finalized until the adjacent subdivision is registered which will allow for appropriate timing of the application.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed severances are intended to facilitate the development of the lands into future residential lots in conjunction with an adjacent plan of subdivision identified as C05W06.007 and 21T-06026B. A condition of approval that the adjacent plan must be registered and that Part Lot Control shall be lifted prior to finalization of the severance is intended to ensure that the lots are not created ahead of the subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	There is no concerns about the suitability of the land for the purposes of the severances.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed severances do not present any concern with regard to the adequacy of the roadway network.

f) <i>The dimensions and shapes of the proposed lots;</i>	The proposed lots are appropriate in size and shape for their purpose. A condition of approval is recommended that Part Lot Control be lifted from the part lots on the adjacent plan of subdivision prior to the finalization of the consents to ensure that the retained lands can be merged with those parts to create zoning compliant lots.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h) <i>The conservation of natural resources and flood control;</i>	The proposed severances present no concerns with regard to flood control and the conservation of natural resources.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services. The retained lands will be serviced in conjunction with the adjacent subdivision.
j) <i>The adequacy of school sites;</i>	The proposed severance will facilitate future residential uses. The addition of these residential lots do not present concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	A condition of approval is recommended that the applicant gratuitously dedicate a portion of the property for road widening purposes to satisfy the City's road widening requirements.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severances have no impact on matters of energy conservation.



m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no concerns related to the design of the proposal and matters of Site Plan Control as the lots are proposed for residential uses.
--	---