

Public Notice
Committee of Adjustment

APPLICATION # A-2020-0162
WARD #6

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **ARBOR MEMORIAL INC.** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of the West Half of Lot 11, Concession 2 WHS, municipally known as **10061 CHINGUACOUSY ROAD (NORTHWEST CORNER OF BOVAIRD DRIVE AND EDENBROOK HILL DRIVE)**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit the continued use of a portion of the property as a golf driving range for a temporary period of five (5) years whereas the by-law does not permit the use.

Note: A previous approval granted under Application A15-044 will expire on March 23, 2021.

OTHER PLANNING APPLICATIONS:

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

Plan of Subdivision: _____ NO _____
Application for Consent: _____ NO _____

File Number: _____
File Number: _____

The Committee of Adjustment has appointed **TUESDAY, February 16, 2021 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 4th day of February, 2021.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer
Committee of Adjustment, City Clerk's Office,
Brampton City Hall
2 Wellington Street West,
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117
Fax: (905)874-2119
jeanie.myers@brampton.ca

Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

Electronic Hearing Procedures
How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committees are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

How to Participate in the Hearing:

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, February 11, 2021**.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, February 11, 2021**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday, February 11, 2021**. City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

December 17, 2020.

Landowner: Arbor Memorial Inc.
(DBA Brampton Memorial Gardens)

Applicant/Agent: Sam Che
Operator

Subject 10061 Chinguacousy Rd.
Property: Part of Lot 11, Concession 2 WHS

Mailing Address: 852 Bramble Court
Mississauga, ON
L5C 4S1

Dear Members of Committee of Adjustment,
Planning Dept - City of Brampton

A- 2020- 0162

Brampton Golf Range is a family owned and operated driving range that is located on the northwest corner of Bovaird Dr. & Edenbrook Hill Dr. in Brampton, Ontario. The driving range exists on a portion of land that is currently not needed by the landowner, Arbor Memorial Inc. (DBA Brampton Memorial Gardens). Our range is a family friendly outdoor recreational facility that provides new and experienced golfers of all ages a place to learn and improve their skills in the game of golf. The facility operates during daylight hours only from dawn until dusk and does not serve alcohol.

A temporary use by-law (By-law 151-88) was approved in 2004 to permit a golf driving range on a portion of the property for a period of three (3) years. Site plan approval for the use (File SP02-073) was granted on March 4, 2005. The Committee of Adjustment granted subsequent approvals for the use between 2007 and 2015. In the last minor variance application in March 2015 (City file # A15-044), the Committee of Adjustment granted approval for the use for a period of six (6) years which will expire in March 2021. We wish to submit a Minor Variance application to the Committee of Adjustment to continue using the subject property as a golf driving range for a temporary period of five (5) years. There are no proposed site alterations on the property.

Please find enclosed the following:

- 1) Minor Variance or Special Permission application
- 2) 12 copies of Site Plan

Should there be any questions regarding this application, I can be reached at the contact information below.
Thank you.

Sincerely,



Sam Che
Email: schebramptongolf@gmail.com
Mobile: 416-457-4498



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)** Arbor Memorial Inc.
Address 2 Jane Street Suite 101,
Toronto, ON
M6S 4W8
Phone # 416-763-3230 **Fax #** _____
Email grogerson@arbormemorial.com

2. **Name of Agent** Sam Che
Address 221 Balliol St. #615
Toronto, ON M4S 1C8
Phone # 416-457-4498 **Fax #** _____
Email schebrampton@golf@gmail.com

3. **Nature and extent of relief applied for (variances requested):**
 The applicant is seeking a Minor Variance/Special Permission to continue using a portion of the property as a golf driving range for a temporary period of five (5) years.

4. **Why is it not possible to comply with the provisions of the by-law?**
 The current bylaw permits the use on a temporary basis only which will expire in March 2021.

5. **Legal Description of the subject land:**
Lot Number Part of West Half Lot 11
Plan Number/Concession Number Concession 2 WHS
Municipal Address 10061 Chinguacousy Rd.

6. **Dimension of subject land (in metric units)**
Frontage 270 metres
Depth 300 metres
Area 8.53 ha

7. **Access to the subject land is by:**
Provincial Highway ☐ **Seasonal Road** ☐
Municipal Road Maintained All Year ☒ **Other Public Road** ☐
Private Right-of-Way ☐ **Water** ☐

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.)

Proshop/Office	45.31 SM
Storage Shed.	7.60 SM
Accessory Building	22.30 SM
Total Coverage:.	75.21 SM

All buildings/structures are single storey.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

There are no proposed changes.

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	Proshop/Office 50 Metres	Shed 90 Metres	Accessory Building 93 Metres
Rear yard setback	250 Metres	210 Metres	207 Metres
Side yard setback	85 Metres	85 Metres	85 Metres
Side yard setback	185 Metres	185 Metres	185 Metres

PROPOSED

Front yard setback	There are no proposed changes.
Rear yard setback	
Side yard setback	
Side yard setback	

10. Date of Acquisition of subject land: 1986
11. Existing uses of subject property: Cemetery and Temporary Golf Driving Range
12. Proposed uses of subject property: Same. No new proposed uses.
13. Existing uses of abutting properties: Cemetery, Residential, Open Space
14. Date of construction of all buildings & structures on subject land: Proshop/Office & Shed May 2004, Accessory Bldg April 2010
15. Length of time the existing uses of the subject property have been continued: Golf Driving Range since May 2004
16. (a) What water supply is existing/proposed?
Municipal ☐ Other (specify) Provided by operator (transported in)
Well ☐
- (b) What sewage disposal is/will be provided?
Municipal ☐ Other (specify) Provided by operator (portable)
Septic ☐
- (c) What storm drainage system is existing/proposed?
Sewers ☐
Ditches ☐ Other (specify) _____
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 # _____ Status _____

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 # A07-043 Decision Approved


File # A10-040 Decision Approved

File # A15-044 Decision Approved

Relief Continuance as Golf Driving Range for temporary period

Relief Continuance as Golf Driving Range for temporary period

Relief Continuance as Golf Driving Range for temporary period


Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF TORONTO

THIS 17th DAY OF DECEMBER, 2020.

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, SAM CHE, 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 Brampton

IN THE Region OF

Dec THIS 17th DAY OF

December, 2020.

April Dela Cerna
A Commissioner etc.



April Dela Cerna,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires May 8, 2021.

Submit by Email

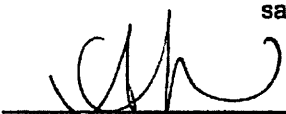
FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

A

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



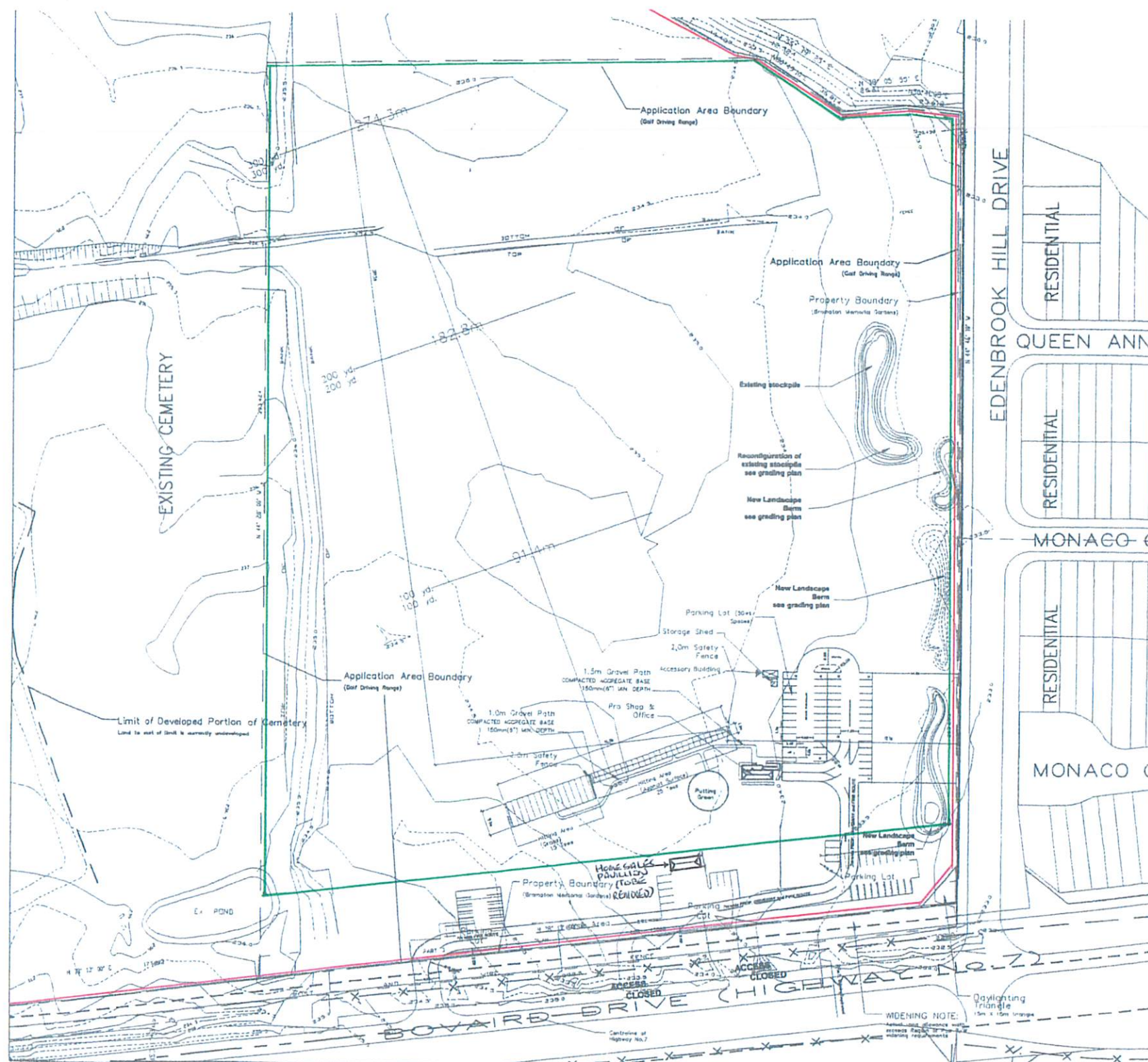
Zoning Officer

December 21, 2020

Date

DATE RECEIVED December 17, 2020

Date Application Deemed Complete by the Municipality December 21, 2020



PROPERTY KEY PLAN (A1.2)

Legend:

- Property Boundary
- Golf Range Location

STATISTICS

Site Area (Gross)	29.85 ha / 74,237 sq. ft.
App's Area (Golf Range)	6.53 ha / 16,188 sq. ft.
Building Coverage	45.31 sq. ft. / 482.34 sq. ft.
Storage Shed	1.48 sq. ft. / 16.28 sq. ft.
Accessory Building	22.38 sq. ft. / 240.88 sq. ft.
Total Coverage	70.17 sq. ft. / 759.50 sq. ft.
Ratio of Coverage (Gross)	4.80%
Ratio of Coverage (Golf Range)	75.21 sq. ft. / 808.64 sq. ft.
Landscape Regime	NA
Landscape Potential	NA
Parking Regime	40
Parking Potential	18 x 1
Loading Regime	NA
Loading Potential	NA

DESIGN NOTES

- Site Plan applies to area noted to be "Application Area" for processing purposes.
- Boundary and Topographic Information provided by M.E. Proulx C.E.A.
- Landscape and vegetation notes to Brampton persons only.
- For detail see Drawing C002-1.1.
- Development conditions are noted on plan.
- See notes on drawing C002-1.1 for details.
- Parking area and driveway to be noted.
- Building elevations shown on drawing C002-1.1.
- Tree located on applied site area and to be separated by a divider.

DRAWING NOTES

1. APPROX. File Number	002-1.1	002-1.1	002-1.1
2. APPROX. File No.	002-1.1	002-1.1	002-1.1
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SITE PLAN

GOLF DRIVING RANGE

Sam / Young-Soo Che
City of Brampton File No. SP02-073

SCALE 1:750

BRAMPTON
MEMORIAL GARDENS
Brampton, Ontario

A1.9

PART OF THE WEST HALF OF LOT 11
CONCESSION 2, WEST OF HURONTARIO STREET
CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL

MEMORIAL GARDENS

AESTHETICS+DESIGN
landscape architects



FILE NUMBER A15-044

HEARING DATE MARCH 3, 2015

APPLICATION MADE BY ARBOR MEMORIAL INC.DBA BRAMPTON MEMORIAL GARDENS

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE:

1. **To continue using a portion of the property as a golf driving range for a temporary period of six (6) years;**

(10061 CHINGUACOUSY ROAD, NORTHWEST CORNER OF BOVAIRD DRIVE AND EDENBROOK HILL DRIVE – PART OF THE WEST HALF OF LOT 11, CONCESSION 2 WHS)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS (APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

1. That the golf driving range use be approved for a temporary period of six (6) years from the final date of the decision of the Committee;
2. That the golf driving range conform to the approved site plan (SP02-073.000); and
3. That failure to comply with and maintain the conditions of the Committee will render the approval null and void.

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

MOVED BY: R. Nurse

SECONDED BY: P. S. Chahal

SIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER [Signature]

MEMBER [Signature]

MEMBER [Signature]

MEMBER H Nurse

MEMBER

DATED THIS 3RD DAY OF MARCH, 2015

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 23, 2015.

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.

**[Signature]
SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT**



Notice of Decision

Committee of Adjustment

FILE NUMBER A10-040HEARING DATE MARCH 9, 2010APPLICATION MADE BY MEMORIAL GARDENS CANADA LIMITED

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO CONTINUE USING A PORTION OF THE PROPERTY AS A GOLF DRIVING RANGE FOR A TEMPORARY PERIOD OF FIVE (5) YEARS;

(NW CRNR BOVAIRD DR. AND EDENBROOK HILL DR. – PT. W HALF OF LT 11, CONC. 2 WHS)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

1. The variance be approved for a temporary period of five (5) years from the final date of Committee's decision;
2. The golf range shall conform to the approved site plan (SP02-073.000);
3. That any landscaping shown on the approved landscape plan (approved in 2005 under SP02-073.000) that is dead or missing be reinstated by June 1, 2010;
4. Outside storage and oversized vehicles be removed from the site within 30 days of the final date of Committee's decision;
5. Failure to satisfy any of the above conditions will result in the approval being rendered null and void.

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

MOVED BY: P. S. ChahalSECONDED BY: F. TurnerSIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER [Signature]MEMBER [Signature]MEMBER [Signature]MEMBER H. NurseMEMBER DATED THIS 9TH DAY OF MARCH, 2010

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 29, 2010

I, JEANIE MYERS, ACTING 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.

[Signature]
ACTING SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT



Notice of Decision

Committee of Adjustment

FILE NUMBER A043/07HEARING DATE APRIL 3, 2007APPLICATION MADE BY MEMORIAL GARDENS CANADA LIMITED

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO CONTINUE USING A PORTION OF THE PROPERTY AS A GOLF DRIVING RANGE FOR A PERIOD OF THREE (3) YEARS;

(10061 CHINGUACOUSY ROAD – PART OF THE WEST HALF OF LOT 11, CONC. 2 WHS)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED)

1. The proposed variance shall be allowed for a temporary period of three (3) years from the final date of Committee's decision.
2. The golf range operation shall conform to the existing approved site plan (SP02-73).

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

MOVED BY: R. NURSESECONDED BY: K. BOKORSIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER [Signature]MEMBER [Signature]MEMBER [Signature]MEMBER H NurseMEMBER [Signature]DATED THIS 3RD DAY OF APRIL, 2007

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE APRIL 23RD, 2007.

I, EILEEN COLLIE, 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.

Eileen Collie
SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

