

Myers, Jeanie

From: Halim Mikhael
Sent: 2021/02/11 3:14 PM
To: City Clerks Office; Myers, Jeanie
Subject: [EXTERNAL]Correspondence, Re: Minor Variance Application A-2021-0003

Dear City Clerk,

I am writing to express concern on behalf of myself, 2483189 Ontario Inc and 2368510 Ontario Inc about the proposed developed and request for variance at 9035 Creditview Road, application #A-2021-0003.

These corporations are the tenant and landlord at 1450 Queen St W. I am the President and CEO of both corporations. Our affiliated companies develop and operate numerous Day Nurseies in Brampton and the surrounding GTA region.

In our opinion, this proposal is:

- Does **NOT** conform with the Intent of the Zoning By-Law
- Is **NOT** desirable for the Appropriate Development of the Land
- is **NOT** minor in Nature.

Comments are as follows:

- To permit a Day Nursery at 9035 Creditview Rd., within walking distance of our existing site, will negatively impact the investments that our company has made in the City of Brampton. This location was decided on in 2013 due to the advantageous zoning. Considerable investment was made knowing that similar zoning would not be available in the immediate area. The significant investment into the large-scale operations at 1450 Queen St W is meant to capture a catchment area that reflects the available zoning surrounding it. This minor variance request will negatively impact the financial investments that have been made. The proximity of the development is illustrated below.
- The existing Residential Hamlet One (RHm1) zoning is an outdated zoning by-law that is no longer used in the City of Brampton. Private schools in the past were limited to single classroom type school houses. It was never the intent of the original zoning bylaw to include such large scale redevelopment. Any deviation should be given the attention needed under the City's re-zoning application process.
- If the applicant is proposing a private school, there is no requirement for a Day Nursery, as defined by municipal by-laws. This zoning classification would only be required in order to apply for a license under the Ontario Child Care and Early Years Act of 2014 with the Ministry of Education. The applicant can carry on business as a private school from the ages of Junior Kindergarten, without a Child Care License from the Ministry of Education. A before and after school program may also carry on without this permitted use.
- The Ministry of Education would only require a license for childcare, or a permitted Day Nursery use as defined by city by-laws, under the Child Care and Early Years Act of 2014 if the applicant was to provide services to children not yet eligible for Junior Kindergarten.
- Without a Zoning By-law Amendment for the proposed development, the committee is denying the public input. This significant development will have impacts on the surrounding areas due to traffic during pick up and drop off. From my own experience, this scale of development with a Day Nursery

has never been done on a two-lane interior road such as Creditview. Our Brampton developments have all had traffic and access restrictions determined through the rezoning process. Our most recent three storey Day Nursery development in Brampton has required a dedicated left and right turn lane and installation of a center median to the transportation infrastructure as a result of the increase in traffic from the development.

- Outdated Residential Hamlet One (RHm1) zones that permit these developments should not allow the applicants to bypass transportation and environment studies. The city is also prohibited from requiring a comprehensive and valuable Planning Justification Report when not utilizing the Rezoning Application Process.
- The Site Plan that was submitted to City Staff in August 2019 has been under review as a Private School only - without a Day Nursery. To apply for a minor variance for a completely unrelated use such as a Day Nursery suggests the applicant was not forthright with their intentions from the onset of the application process with City Planners. This is even more evident that the name of the file from the project architect is labelled "Child Care School", located at the bottom of the site plan, included in the notice that was sent out.
- By looking at the provided site plan, there is clearly a parking deficiency. Our two storey Day Nursery site at 1450 Queen St W requires a parking supply of 56 spaces. This proposal is for three stories which suggests a higher parking supply is required.
- A Kiss and Ride lane for a permitted Day Nursery does not provide any value to the proposal. You cannot drop off your 2-year-old and ask them to get out of the car and walk in on their own! Parents must park in a parking spot and walk their young child into the building.
- The applicant has not shown any outside storage structures on the site plan as required for license under the Child Care and Early Years Act of 2014.
- A standalone private school without the proposed Day Nursery use would be a complimenting service to the surrounding community.

Please also accept this email as a request to speak on the matter during the hearing on February 16, 2021.

Please also accept this email as a request to be notified of the decision of the committee.

Sincerely,

Halim Mikhael, CPA, CMA

President and Chief Executive Officer

Lullaboo Nursery and Childcare Center