



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **CANADIAN PROPERTY HOLDING (ONTARIO) 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 Block 74, Plan 43M-1132 and Part of Block 185, Plan 43M-1030 municipally known as **55 MOUNTAINASH ROAD**, Brampton;

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

1. To permit an outdoor garden centre to operate between April 15 and July 15 annually, whereas the by-law does not permit the proposed use;
2. To permit 772 parking spaces resulting in a parking deficiency of 63 spaces for the overall site (associated with the garden centre) whereas the by-law requires a minimum of 835 parking spaces for the overall site.

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, March 9, 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.

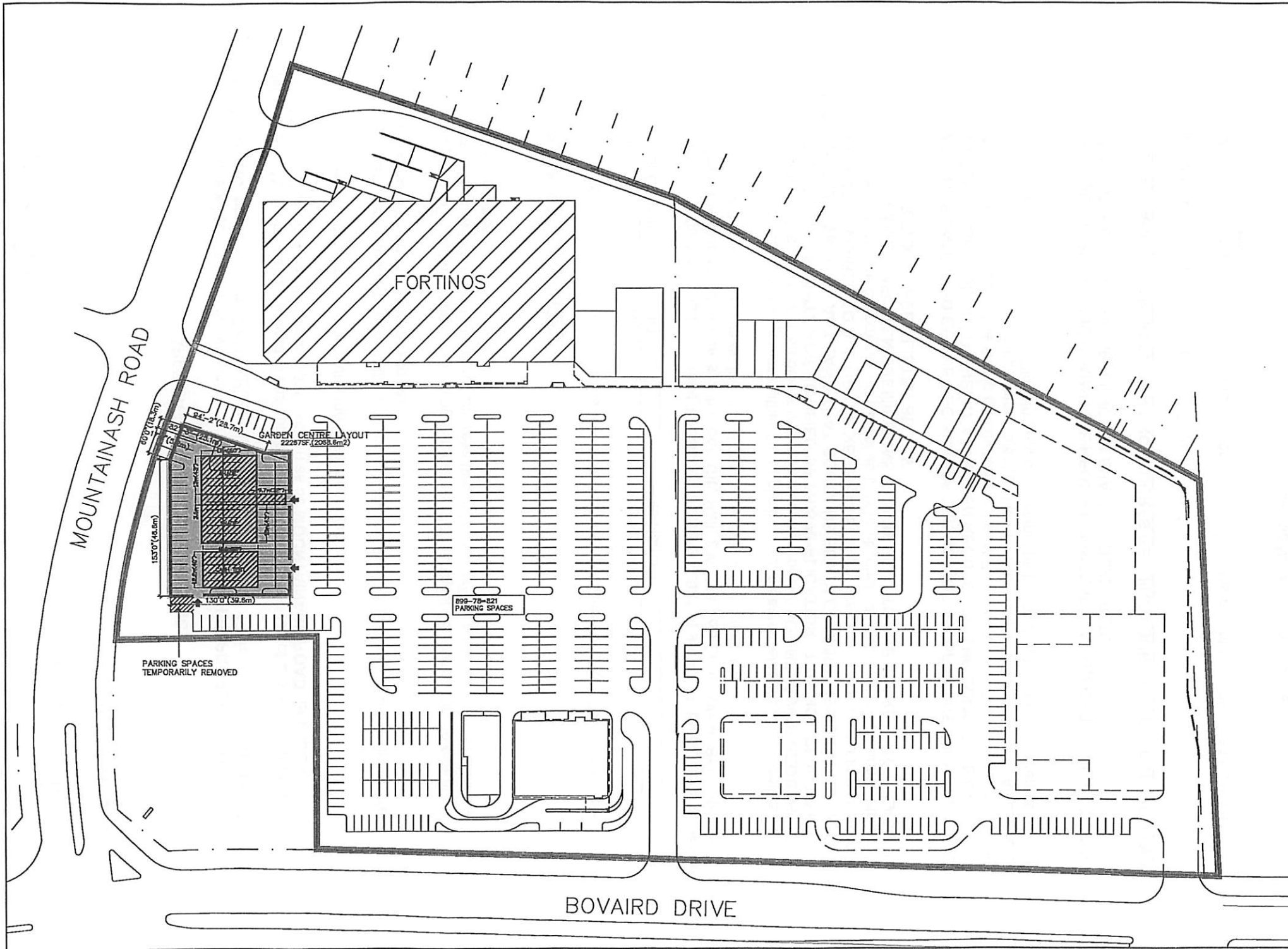
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 25th 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



KEY PLAN



N.T.S.

STORE 89

**55 Mountainash Road
Brampton, Ontario
City of Brampton**



GARDEN CENTRE + DETAILS

SITE STATISTICS

EXISTING SITE AREA	±16.97 ACRES	±6.87 HA
FORTINOS AREA	62,570 S.F.	5,813 S.M.
EXISTING RETAIL AREA	102,062 S.F.	9,482 S.M.
TOTAL RETAIL AREA	164,632 S.F.	15,295 S.M.
SEASONAL SALES AREA	21,722 S.F.	2,018 S.M.
SEASONAL SALES OCCUPIES		78 SPACES
PARKING PROVIDED		899 CARS
BUILDING COVERAGE		22 %
LANDSCAPE COVERAGE		14 %

NOTES ON FILE

NO.	NOTES	DATE	INITIAL
1	CREATED DRAWING	Mar 19/08	HG

TURNER FLEISCHER
Architects Inc.

315 Wellington Road, London, Ontario N6C 4M4
Tel: (519) 474-7137 Fax: (519) 474-2284 e-mail: tf@turnerfleischer.com

ZELINKA PRIMO LTD
A Professional Planning Practice

315 Wellington Road, London, Ontario N6C 4M4
Tel: (519) 474-7137 Fax: (519) 474-2284 e-mail: zp@zplan.com

DESIGNED BY	HG	PROJECT NO.	LPL/GDN/BRM/00-01
DATE	April 2008	SCALE	1:1,250

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, March 4, 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, Friday, March 5, 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 **Friday, March 5, 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.



January 29th, 2021

A-2021-0008

Ms. Jeanie Myers
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

Dear Ms. Myers:

Re: Application for Minor Variance
Temporary Outdoor Garden Centre (Loblaw Properties Limited)
55 Mountainash Road
Our File: LPL/GDN/BRM/00-01

Zelinka Priamo Ltd., on behalf of Canadian Property Holdings (Ontario) Inc. and Loblaw Properties Limited, is pleased to submit an application for Minor Variance for the above-noted site.

The purpose of the minor variance application is to permit Fortinos supermarket to operate a temporary outdoor garden centre within a specific area of the parking lot from April 1st to July 31st annually, and to provide a reduction in required parking. As you may be aware, the Committee of Adjustment has approved similar requests in the past (files A08-45, A113/05, A050/02 & A47/01). However, the most recent approval has lapsed and a new application is required for the upcoming garden centre season. Through this application we would also like to request that the Minor Variance be supported in perpetuity. We appreciate continued support on this application, but due to the nature of the annual garden centre, we would like a more permanent Minor Variance for a parking reduction on the subject lands to be considered during the operation of the seasonal garden centre.

The subject lands are currently zoned C3-Section 747 and C3-Section 845 in Zoning By-law 151-88. Section 747.2 of the by-law does not permit the use of temporary open-air markets on the subject lands. Fortinos has operated a very successful program within the Province whereby the temporary garden centres are located within the parking lots of their stores. The type and range of product sold within the garden centre cannot be accommodated within the existing food store structure. As such, we are once again seeking permission to operate a temporary garden centre within the parking lot adjacent to the store as illustrated on the attached drawing.

The garden centre area, as illustrated on the attached sketch, will be enclosed by a fence and will occupy 88 parking spaces. A tent structure will also be contained within the garden centre compound area.

Section 6.11 of the by-law currently permits the use of a tent type structure as an accessory use for a maximum of 14 day period twice a year on any lot within a Commercial or Industrial Zone. As the garden centre will operate for approximately 120 days, it is important that the tent be in place for the duration of the garden centre season in order to protect electronic equipment and other weather sensitive items from excessive exposure to sunlight or rainfall.

The Zoning By-law requires a minimum of 835 parking spaces for the existing uses on the subject lands. There are currently 860 parking spaces provided on the subject lands. During the operation of the garden centre season, the number of parking spaces on the site will be reduced to 772 spaces, which will result in a temporary loss of 63 required parking spaces.

Therefore, we kindly request that the Committee of Adjustment to once again grant relief from Sections 747.2 and 6.11 of the City of Brampton Zoning By-law, as well as the minimum parking requirement for the subject lands, to permit the operation of a temporary outdoor garden centre, including a temporary tent structure, within a specified location of the parking area between April 15th and July 15th annually.

We trust that the enclosed information is complete and satisfactory and look forward to working with the Committee and the City regarding this application. If you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



Katelyn Crowley, BA
Planner



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)** Canadian Property Holding (Ontario) Inc.
Address 175 Bloor Street East, North Tower 5th Floor
Toronto, ONT
N4W 3R8
Phone # 416-628-7771 **Fax #** 416-628-777
Email _____

2. **Name of Agent** Zelinka Priamo Ltd. (c/o Katelyn Crowley)
Address 318 Wellington Road
London, ONT
N6C 4P4
Phone # 519-474-7137 **Fax #** 519-474-2284
Email katelyn.c@zpplan.com

3. **Nature and extent of relief applied for (variances requested):**
Permit a minimum parking supply of 772 spaces when the Fortino's Garden Centre is open and operating,
whereas 835 parking spaces are required. This represents a reduction of 63 spaces

Permit a Garden Centre to operate between April 15-July 15 annually.

4. **Why is it not possible to comply with the provisions of the by-law?**
The temporary tent used as a garden centre occupies 63 required parking spaces.

5. **Legal Description of the subject land:** CON 6 PT RDAL BTN LOTS 10 11 PL 43M1030 PT BLK 186 PL
Lot Number 11 43M1132 PT BLK 74 RP 43R22336 PARTS 1-3 7 9 17
Plan Number/Concession Number CON 6 E.H.S
Municipal Address 55 Mountainash Road

6. **Dimension of subject land (in metric units)**
Frontage ~365.0m
Depth Irregular
Area 6.87 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.)

Multiple buildings making up shopping centre - See site plan

Existing GFA = 15,295 sq. m)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Temporary garden centre (fenced area and tents) - See Site Plan

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 58 m (Mountainash Road)

Rear yard setback 14.8 m (east)

Side yard setback 11.8 m (north)

Side yard setback 20.0 m (Bovald Drive)

PROPOSED

Front yard setback 5.2 m (Mountainash Road)

Rear yard setback 100 m+ (east)

Side yard setback 100 m+ (north)

Side yard setback 14.5 m (south)

10. Date of Acquisition of subject land: ~2001
11. Existing uses of subject property: Commercial - Shopping Plaza
12. Proposed uses of subject property: No change
13. Existing uses of abutting properties: Low density residential (north, south, east west)
14. Date of construction of all buildings & structures on subject land: ~2002
15. Length of time the existing uses of the subject property have been continued: ~2004-present (16 years)

16. (a) What water supply is existing/proposed?

Municipal ☒

Well ☐

Other (specify) _____

- (b) What sewage disposal is/will be provided?

Municipal ☒

Septic ☐

Other (specify) _____

- (c) What storm drainage system is existing/proposed?

Sewers ☒

Ditches ☐

Swales ☐

Other (specify) _____

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?

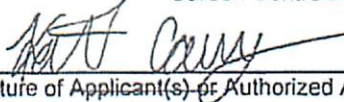
Yes ☐ No ☒

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 #	A08-45	Decision	Approved	Relief	Garden Centre and parking reduction
File #	A05-113	Decision	Approved	Relief	Garden Centre and parking reduction
File #	A05-029	Decision	Approved	Relief	Garden Centre and parking reduction
	A02-050		Approved		Garden Centre and parking reduction
	A01-047		Approved		Garden Centre and parking reduction


Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ London _____

THIS _____ DAY OF _____, 20____.

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, Katelyn Crowley, OF THE Municipality OF Middlesex Centre

IN THE County OF Middlesex 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 London

IN THE County OF

Middlesex THIS 15th DAY OF

January, 2021.


A Commissioner etc.


Signature of Applicant(s) or Authorized Agent

GREGORY ANDREW PRIAMO, a Commissioner, etc.,
Province of Ontario, for Zelinka Priamo Ltd.
Expires October 30, 2022.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

C3 - SECTION 747

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

February 2, 2021
Date

DATE RECEIVED February 2, 2021



N.T.S.

STORE 89

55 Mountainash Road
Brampton, Ontario
City of Brampton



GARDEN CENTRE + DETAILS

SITE STATISTICS			
EXISTING SITE AREA	±16.97 ACRES	±6.87 HA	
FORTINOS AREA	62,570 S.F.	5,813 S.M.	
EXISTING RETAIL AREA	102,062 S.F.	9,482 S.M.	
TOTAL RETAIL AREA	164,632 S.F.	15,295 S.M.	
SEASONAL SALES AREA	21,722 S.F.	2,018 S.M.	
SEASONAL SALES OCCUPIES		78 SPACES	
PARKING PROVIDED		899 CARS	
BUILDING COVERAGE		22 %	
LANDSCAPE COVERAGE		14 %	

NOTES ON FILE

NO.	NOTES	DATE	INITIAL
1	CREATED DRAWING	Mar 19/08	HG

TURNER FLEISCHER
Architects Inc.

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DESIGN BY	HG	PROJECT NO.	LPL/GON/BRM/00-01
DATE	April 2008	SCALE	1:1,250



Notice of Decision

Committee of Adjustment

FILE NUMBER A08/045HEARING DATE MARCH 11, 2008APPLICATION MADE BY CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.

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 ALLOW THE FOLLOWING VARIANCES:

1. To allow a temporary outdoor garden centre from April 15 to July 31 annually;
2. To allow a parking deficiency of 63 spaces for the overall site (associated with the temporary garden centre).

(55 MOUNTAINASH ROAD – PART OF BLOCK 74, PLAN 43M-1132 AND PART OF BLOCK 185, PLAN 43M-1030)

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)

SEE SCHEDULE "A" ATTACHED

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: K. BOKOR

SIGNATURE OF CHAIR OF MEETING: _____

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION


MEMBER


MEMBER

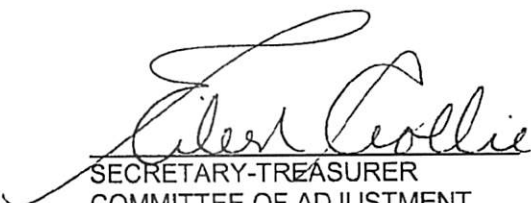

MEMBER


MEMBER

MEMBERDATED THIS 11TH DAY OF MARCH, 2008

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 31ST, 2008.

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.


SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

Flower City



brampton.ca

THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO. A08/045

DATED MARCH 11, 2008

Conditions:

1. The garden centre only be in operation between April 1st and July 31st of each year;
2. The variance shall only be for a period of three (3) years from the final date of Committee's decision;
3. That the location and size of the garden centre be as indicated by the applicant;
4. Site plan approval shall be obtained prior to the opening of the garden centre.
5. That a building permit be obtained, if required.

A handwritten signature in black ink, appearing to read 'Eileen Collie', written over a horizontal line.

**Eileen Collie
Secretary-Treasurer
Committee of Adjustment**

Notice of Decision

Committee of Adjustment

FILE NUMBER A113/05

HEARING DATE APRIL 26, 2005

APPLICATION MADE BY CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.

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 ALLOW A DEFICIENCY OF 63 PARKING SPACES FOR THE OVERALL SITE ASSOCIATED WITH A TEMPORARY OUTDOOR GARDEN CENTRE.

(55 MOUNTAINASH ROAD – PART BLOCK 74, PLAN 43M-1132 & PART BLOCK 185, PLAN 43M-1030)

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 garden center shall only be in operation between April 1st and July 31st of each year.
2. The variance shall only be for a period of three (3) years from the final date of committee's decision.
3. That the location and size of the garden center be as indicated on the attached plan.
4. Site plan approval shall be obtained within thirty (30) days from the final date of committee's decision.

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: D. BILLET

SECONDED BY: P. NOÉ ROSS

SIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER

MEMBER

MEMBER

MEMBER

MEMBER

DATED THIS 26TH DAY OF APRIL, 2005

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MAY 16TH, 2005.

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



Brampton

Notice of Decision

Committee of Adjustment

FILE NUMBER A029/05

HEARING DATE FEBRUARY 22, 2005

APPLICATION MADE BY CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.

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 ALLOW THE FOLLOWING VARIANCES:

1. To allow a temporary outdoor garden centre and tent from April 1 to July 31 annually.
2. To allow the garden centre to occupy a total of 70 parking spaces resulting in a parking deficiency of 45 spaces for the overall site.

(55 MOUNTAINASH ROAD – PT. OF BLK. 74, PLAN 43M-1132 AND PT. OF BLK. 185, PLAN 43M-1030)

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 garden center only be in operation between April 1st and July 31st of each year.
2. The variance shall only be for a period of three (3) years from the final date of committee's decision.
3. That the location and size of the garden center be as indicated on the attached plan.
4. That a revised site plan be submitted to the satisfaction of the Commissioner of Planning, Design & Development with regard to the details surrounding the proposed garden center and any required improvements shall be completed prior to April 1st, 2005.

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: J. PAPPAIN

SECONDED BY: D. BILLETT

SIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

MEMBER

DATED THIS 22ND DAY OF FEBRUARY, 2005

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 14TH, 2005.

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.

[Signature]
SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT



COMMITTEE OF ADJUSTMENT

Notice of Decision

The City of Brampton

FILE NUMBER A050/02

HEARING DATE MARCH 5, 2002

APPLICATION MADE BY CANADIAN PROPERTY HOLDINGS
(ONTARIO) INC

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 151-88 AS AMENDED AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO OPERATE A SEASONAL GARDEN CENTRE IN ASSOCIATION WITH A SUPERMARKET, FROM APRIL TO JULY EACH YEAR AND TO ALLOW A TEMPORARY STRUCTURE (TENT COVERING GARDEN CENTRE SALES AREA).

(55 MOUNTAINASH ROAD – PT BLK 74, PLAN 43M-1132 & PT BLK 186, PLAN 43M-1030)

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 garden centre only be in operation between April 1st and June 31st of each year;
2. The variance shall only be for a period of three (3) years from the date of approval; and,
3. That the location and size of the garden centre be as indicated on the attached plan.

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: D. SUTTER

SECONDED BY: M. PIANE

SIGNATURE OF CHAIR OF MEETING: _____

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

Eileen Collie
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

DATED THIS 5TH DAY OF MARCH, 2002

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 25, 2002.

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

A-2021-0008

