

### **Public Notice**

**Committee of Adjustment** 

APPLICATION # A-2021-0034 WARD #8

### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **YARUSO DEVELOPMENTS 2 INC.** under Section 45 of the <u>Planning Act</u>, (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 Lot 5, Concession 10 N.D. municipally known as **305 AND 315 FOGAL ROAD**, Brampton;

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

1. To permit in-ground garbage storage containers to be used for restaurant waste whereas the by-law requires a climate controlled garbage area inside a building for all restaurant waste.

### **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	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed TUESDAY, March 30, 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.

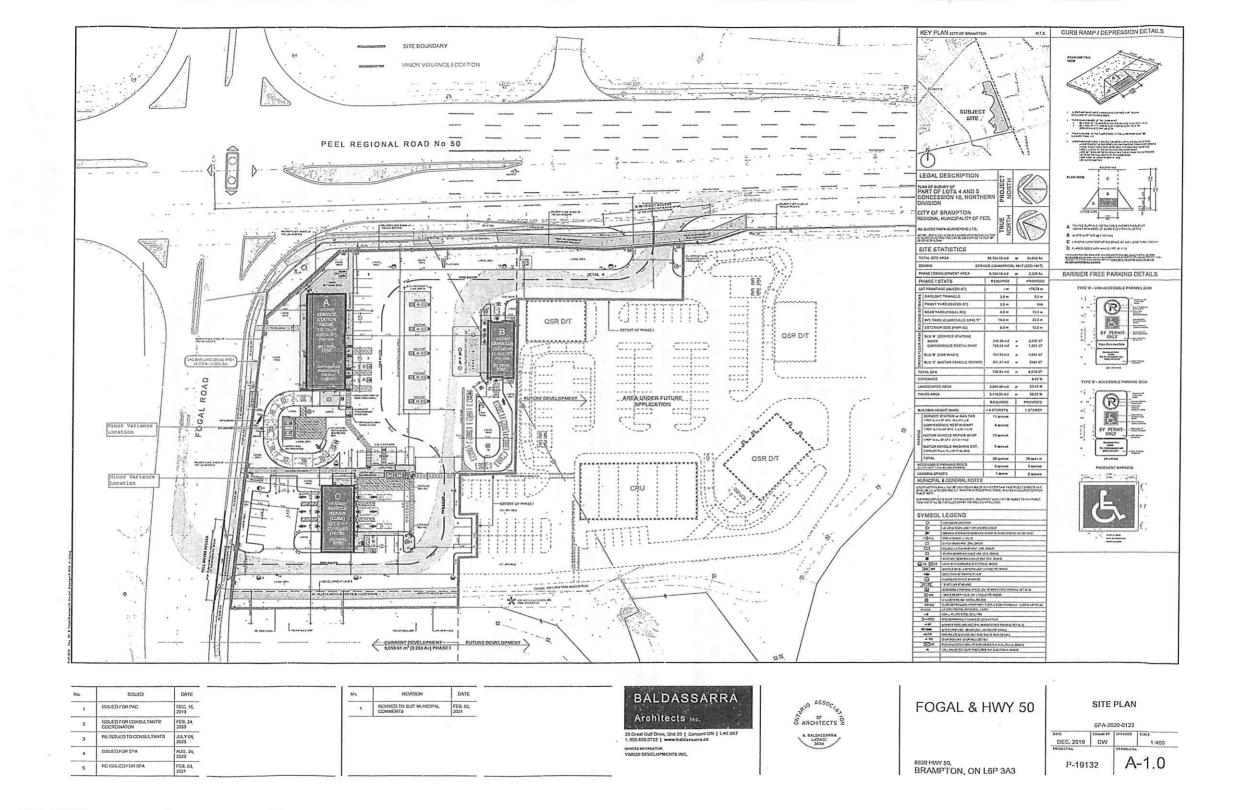
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 18th day of March, 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, March 25, 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 <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, March 25, 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 26, 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 <u>cityclerksoffice@brampton.ca</u> 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.

### Yaruo Developments 2 Inc.

10710 Bathurst Street, Vaughan, Ontario, L6A 4B6

February 11, 2021

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

A - 2021-0034

#### Re.: Minor Variance Application – 8930 Highway #50

Dear Ms. Myers,

Please find enclosed the City of Brampton minor variance application and site plan along with the required fee cheque in the amount of \$2,560.

The current site address is 8930 Highway #50 however through our site plan application SP-2020-0122 we have now been assigned new municipal addresses for the proposed buildings which are the subject matter of this minor variance application.

This minor variance application is seeking relief for the use of in-ground garbage storage container system (earth-bin) at two locations; a) proposed Building A (Ultramar), and b) proposed Building C (Mr.Lube), with respect to site plan application SPA-2020-0122 whereas the zoning by-law requires climate controlled enclosed building for garbage. Due to the site configuration, there is not sufficient room to incorporate an additional building for the purpose of garbage storage and the tenants building plans cannot be modified to integrate an indoor garbage storage area as the tenant's operational standards and practice do not provide for garbage storage within their buildings.

We have enclosed the site plan outlining the phase 1 property boundary in red and the two locations of the in-ground garbage storage areas in green. Through the site plan application, the in-ground garbage storge areas have a screen panel fence 1.65m high (earth-bin height is 1.09m above ground) to provide visual screening from Fogal Rd. and the internal pedestrian walkway. We have also attached the earth-bin manufacturer's brochure to provide some additional information of this system.

Yours Truly,

Gaetano Franco, ASO Encl.



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For Office Use Only (to be inserted by the Secretary-Treasurer after application is deemed complete)

FILE NUMBER: A - 2021 - 0034.

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:			application b applicable fe		vith the Sec	retary-Trea	asurer of th	ne Committee o	of Adjustmer	nt and be
								ity of Brampton aw 270-2004.	n under secti	on 45 of
1.	Name of C Address	• •	Yaruo Devel way #7, Con			Y4				
	Phone # Email	905 303 6873 gaetano.franc	co@castlepointin	vestments.	са		Fax #	905 303 8105		
2.	Name of A Address	-	Gaetano Fra hurst Street,		n, Ontario,	L6A4B6				
	Phone # Email	905 303 6873 gaetano.franc	co@castlepointi	nvestments	s.ca		Fax #	905 303 8105		
3.			relief appli							
	proposed application	d Building on SPA-2	A (Ultram	ar) and wherea	Building is the zon	C (Mr.Lu	be) with	ner system ( respect to si es climate co	ite plan	TOP
4.	Why is it n	not possibl	le to comply	with th	e provisior	is of the b	y-law?			
	building f (Ultramai storage a	for purpos r) and Bu area and	se of garba ilding C (N	age stoi Ir.Lube s opera	rage and ) cannot b tional sta	the tenar be modifi ndards a	nts buildi ed to inte	incorporate ng floor plan egrate an inc ce does not	is for Build door garba	ing A ge
5.	Lot Numbe	er Part Lot 5	the subject							
			305 & 315 Fog		-	on 10, N.D. rio, L6P3A3				
6.	Dimensior Frontage Depth Area		et land ( <u>in m</u>	etric un	<u>its)</u>					
7.	Provincial	Highway Road Main	ct land is by ntained All N /	1	Z		Seasonal Other Pu Water	Road blic Road		

<sup>8.</sup> Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> 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.)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

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Building A (Ultramar), one storey building, 374.73 sq.m Building B (Car Wash), one storey building, 154.50 sq.m Building C (Mr.Lube), one storey building, 221.31 sq.m

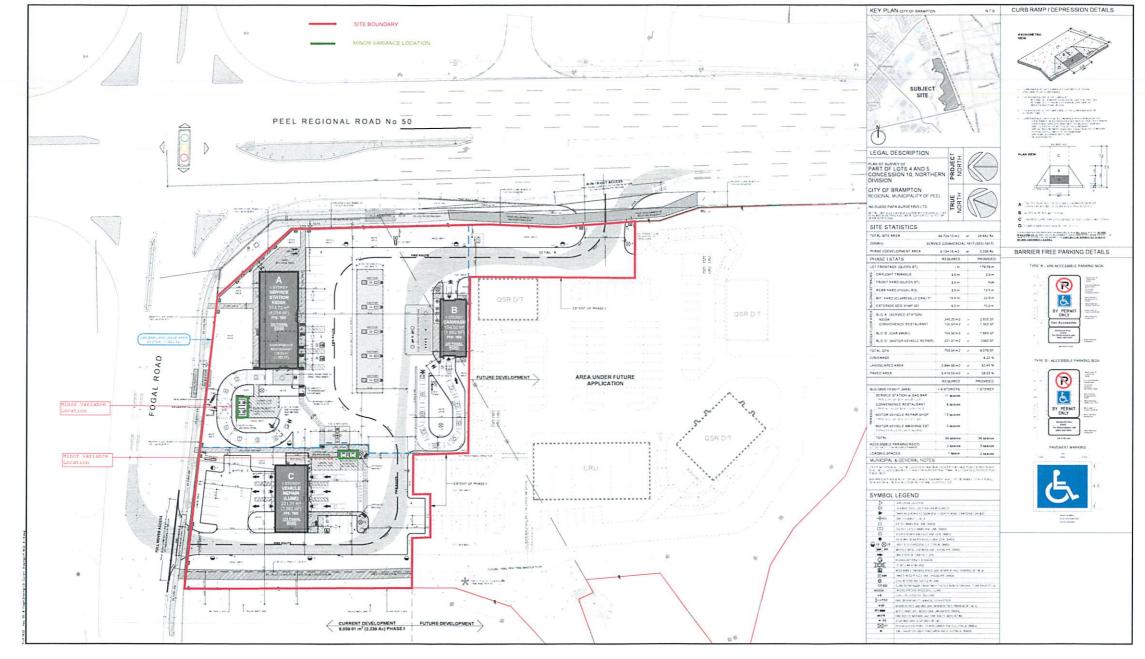
<sup>9.</sup> Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in <u>metric units</u>)

	EXISTING				
	Front yard setback	n/a			
	Rear yard setback	n/a			
	Side yard setback	n/a			
	Side yard setback	n/a			
	•				- <u></u>
	PROPOSED				
	Front yard setback	Queen St. 675m south of	Phase 1 site plan area	_	
	Rear yard setback	Fogal Rd. 12.5m			
	Side yard setback	Valleyland 22.0m			
	Side yard setback	Hwy#50 15.0m			
10.	Date of Acquisition of	of subject land:	2009/03/20		
11.	Existing uses of sub	ject property:	vacant		
12.	Proposed uses of su	ibject property:	commercial		
13.	Existing uses of abu	tting properties:	north-commercial, west	valleyland, sout	h future commercial, east-employment
14.	Date of construction	of all buildings & stru	ctures on subject l	and: pro	posed construction summer 2021
15.	Length of time the ex	xisting uses of the sub	pject property have	been contin	ued: since acquisition 2009/03/20
16. (a)	What water supply is Municipal 🧹 Well	s existing/proposed? ] ]	Other (specify)		
(b)	What sewage dispos Municipal 🗹 Septic	sal is/will be provided? ] ]	other (specify)		
(c )	What storm drainage Sewers / Ditches / Swales /	e system is existing/pr ] ] ]	oposed? Other (specify) _		

17.	Is the subject property the subdivision or consent?	e subject of an a	application under	r the Planning Act, for ap	proval of a plan of	
	Yes 🗌 No	$\checkmark$				
	lf answer is yes, provide d	etails: File #	¥	Status		
18.	Has a pre-consultation app	plication been fil	led?			
	Yes 🗌 No	$\checkmark$				
19.	Has the subject property e	ver been the sul	bject of an applic	ation for minor variance?		
	Yes 🗌 No	$\checkmark$	Unknown	ב		
	lf answer is yes, provide d	etails:				
		cision		Relief		
	File # Dec	cision		Relief		
			21	-01		
			/ Signatu		ized Agent	
DATE	ED AT THE City	OF	Vaughan	5-5-5-75-361.		
THIS	10th DAY OF Febru	агу	, <b>20</b> <u>21</u>			
IF THIS A	PPLICATION IS SIGNED BY	AN AGENT. SC		Y PERSON OTHER THAT		
THE SUB.	JECT LANDS, WRITTEN AU	THORIZATION C	OF THE OWNER	MUST ACCOMPANY THE	APPLICATION. IF	
CORPORA	LICANT IS A CORPORAT ATION AND THE CORPORA	ION, THE APPL TION'S SEAL SH	LICATION SHAL	L BE SIGNED BY AN ( D.	OFFICER OF THE	
1,	Gaetano Franco		, OF THE	Region OF Yo	rk	
IN THE	Township OF King		SOLEMNLY DE	CLARE THAT:		
	HE ABOVE STATEMENTS A G IT TO BE TRUE AND KNC					
	D BEFORE ME AT THE					
Region	OF York					
IN THE	City C	DF				
Vaughan	THIS 10th DAY	YOF	-ff-	-0		
February	, 20 <u>21</u> .		U Signat	ture of Applicant or Authoriz	zed Agent	
		a Com	MAJULIA ROM	ANGubmit by Email		
Valen	A Commissioner etc.	Provi	nce of Ontario			
		while a Bai	rister and Solid O #80216G	litor.		
			FICE USE ONLY			
	Present Official Plan Desig	gnation:				
	Present Zoning By-law Cla	assification:		SC - 1917		
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.						
	нотні	ς		FEB. 18. 2021		
	Zoning Offic	2200	_	Date		
		У				
	DATE RECE		elmany 17	, 2021	Revised 2020/01/07	
	Date Application De Complete by the Munici	ipality 3	elmany 1	8,2021	THE THE EVENUE IN T	
			1			

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1.844.213.2467 earthbin@EarthBin.com www.EarthBin.com

### Features

### EarthBin<sup>™</sup> Features

#### Design

• Reinforce & Protect brand image

Earth

- Long term appearance & durability corrosion resistant materials & thermoformed lids
- · Permanent location maintains site appearance
- Design deters graffiti
- Blends into landscape no tall fencing

#### Function

### Animal resistant

- Insect and bird control
- · Gravity latches & key locks reduce illegal dumping and theft
- Odour control temperature regulating in-ground storage
- Dual feed doors eliminate site litter while optimizing capacity
- Secondary containment designed to prevent soil & groundwater contamination

#### Savings

- Time & Cost no maintenance of gates, fences, latches and locks
- Cost Dual feed doors allow user to efficiently fill bin for optimum capacity
- Space Smaller footprint than traditional waste bin space claim
- Cost standard Front Load truck servicing allows competitive bids

### Health & Safety

 Truck driver does not exit truck No gates to open and close · Low feed height prevents back strain





# Eart

## **Technical Specifications**

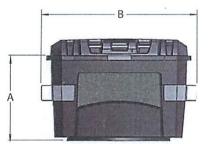
<b>Container Specifications- Model EB50</b>	0	and and the
Capacity – Volume (approximate)	6.5 yd <sup>3</sup>	5 m <sup>3</sup>
Capacity - Weight (maximum)	2650 lbs	1200 kg
Weight-Empty (with Architectural Panels)	750 lbs	340 kg
Weight-Empty (without Architectural Panels)	610 lbs	275 kg
Load Height (A)	43 in	109 cm
Width (B)	80 în	203 cm
Length (C)	70 in	178 cm
Depth in Ground (D)	72 in	183 cm
Waste Feed Opening	22x25 in	55x64 cr
Cardboard Feed Opening	3.5x37 in	9x94 cm

Feature	Standard
Feed Door Strut	Yes
Feed Door Latch	Yes
Bin rotates 360°	Yes
Feed Door Auto Lock	Available
Service Door Gravity Latch	Yes

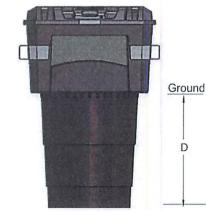
Part	Material	Colour (standard)	Surface Finish
Main Body	Polyethylene (LLDPE) <sup>1</sup>	Dark Grey	Smooth
Sleeve (In-ground)	Polyethylene (LLDPE) <sup>1</sup>	Dark Grey	Smooth
Sleeve anchors	Steel		Hot dip galvanize
Lid	Polyethylene (HDPE) <sup>2</sup>	Dark Grey	Deep Pebble
Feed Door	Polyethylene (HDPE) <sup>2</sup>	Light Grey, Green, Blue	Deep Pebble
Architectural Panels	100% recycled PP	Chocolate Brown	Woodgrain
Side Sleeves	Steel		Hot dip galvanize
Lid Hinges	Steel		Hot dip galvanize
Fasteners	Aluminum, Stainless Steel, Galvanized Steel	<b>不是一些</b> 的时代最多	Various
Latch Parts	Zinc, Stainless Steel, Nylon		Black

\* Specifications subject to change without notice

Polyethylene is a 100% recyclable material (indicated with a #7 recycle symbol).
 Polyethylene is a 100% recyclable material (indicated with a #2 recycle symbol).









1.844.213.2467 earthbin@EarthBin.com



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### Showcase

### EarthBin™ is your perfect solution for:

- Municipalities
- Hospitality Industry

EarthBin

- Universities, Colleges & School Boards
- Restaurants
- Property Managers & Developers
- Health Care Sector
- Residential & Community Housing
- Commercial & Retail
- Parks & Public Spaces
- Gas Stations
- Golf & Country Clubs



### Installations





### 1.844.213.2467 earthbin@EarthBin.com



# Pricing & Options



\* Price subject to change without notice.

EarthBin

#### Notes:

· Consult factory for optional feed door latches.

Shipping and delivery extra (F.O.B. Woodstock, Ontario, Canada).

www.EarthBin.com

**9** (g\*)

You

· Quantity discounts may apply.

Installation cost extra.

### **Lid Colours**

### **Feed Openings**

### **Architectural Panel Colours**

Tan

Orange

Blue



Green Lid Option



**Grey Lid Option** 













Red



Additional colour options available, consult factory.







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### EarthBin™ Design Function Savings

### About Us

EB Products Inc. is a Canadian owned and operated company, based in Woodstock, Ontario. Our employees have over 25 years of experience in the manufacturing and engineering of products. EB Products is focused on the development and continuous improvement of the EarthBin, in-ground waste collection system. This innovative idea conceptualizes a modern European design, while providing best-in-class features along with efficiencies and savings.

EB Products Inc. has strategically partnered with Harvan Engineering, based in Woodstock, Ontario to manufacture the metal components and complete final assembly of the EarthBin™. Harvan has over 40 years experience in the manufacturing industry.

EB Products offers a world class customer experience by providing a complete 'turn key' in-ground waste management system anywhere in Canada. Our purpose is to provide a quality product and service that will change the way waste is collected with a solution designed to resolve all of the current waste collection issues.

### Connect with us 1-844-213-BINS (2467)

Sales sales@EarthBin.com

12 72

Customer Support support@EarthBin.com

### "We're here to help you." Dave Hallman, P.Eng President, EB Products Inc.

President, EB Products inc.



1.844.213.2467

earthbin@EarthBin.com

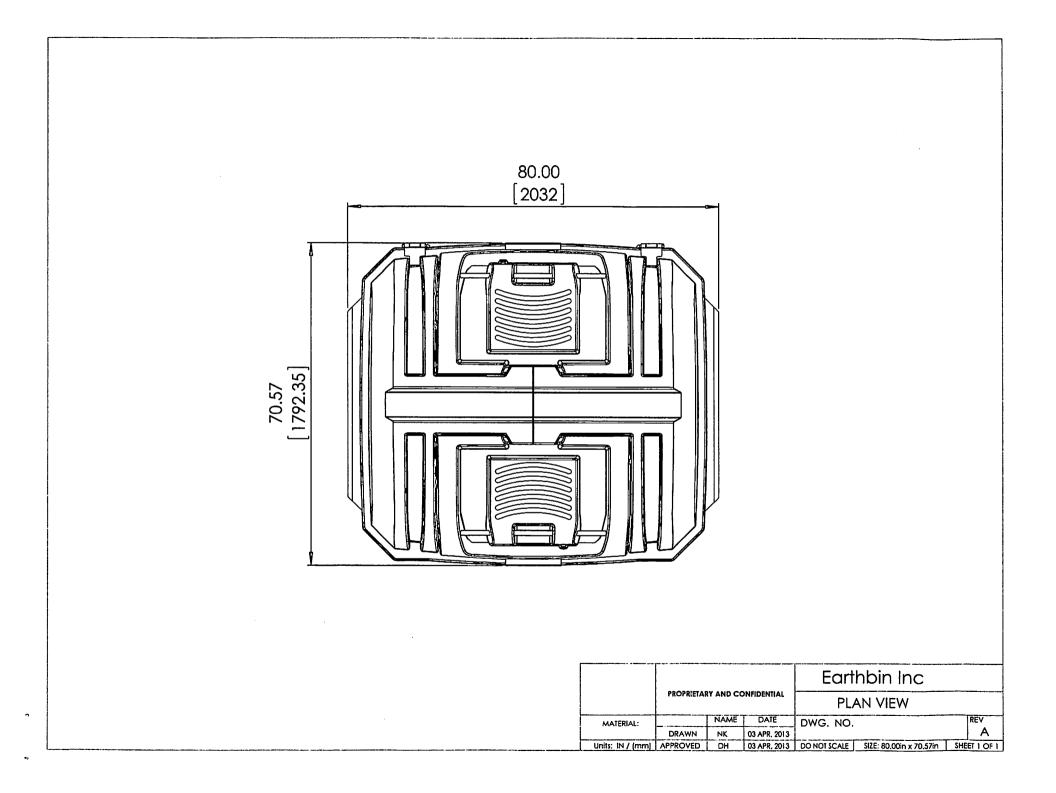


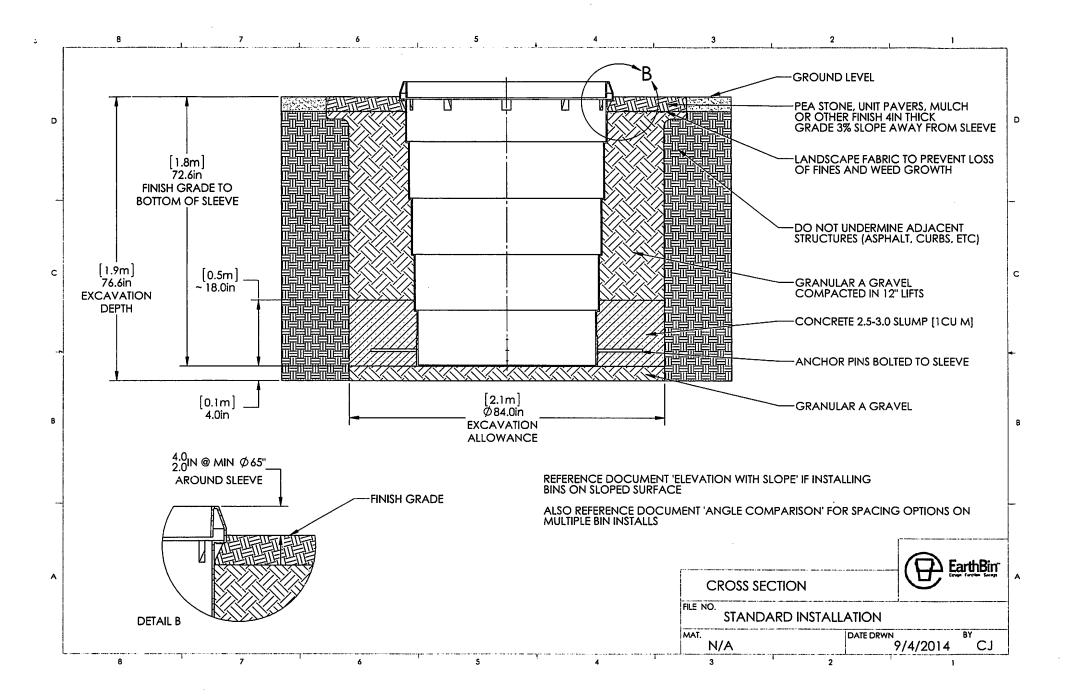


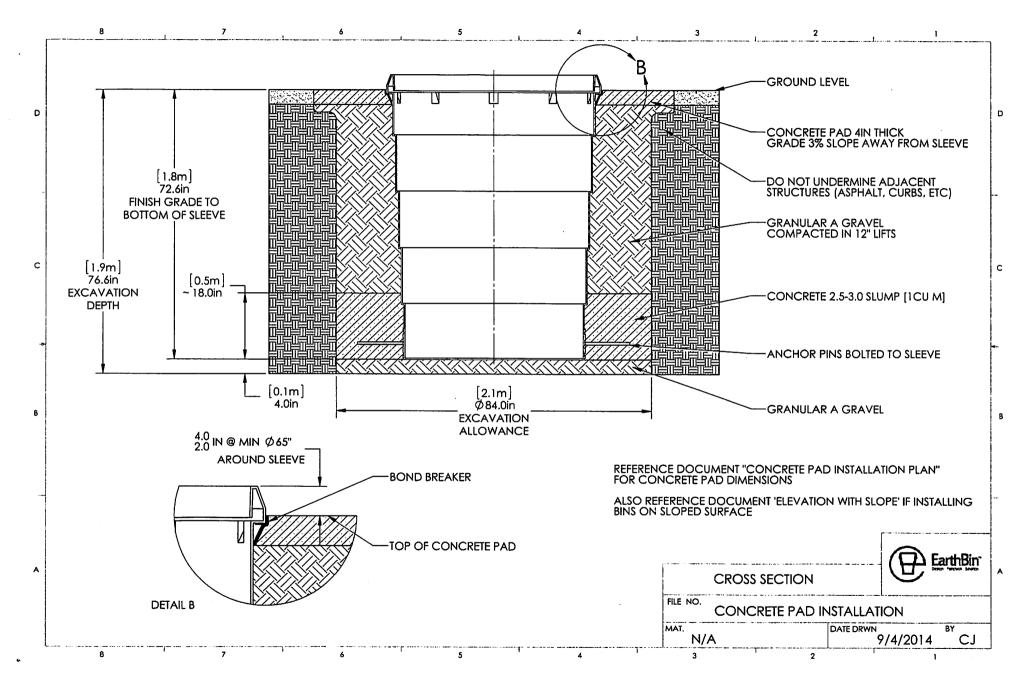
### Standard Installation Instructions for EarthBin EB500, EB501, EB250,

- Excavate a trench 2.1 metres [84 inches] Long per bin plus an extra 0.2 metres [8 inches] extra clearance per additional bin, 2.1 metres [84 inches] Wide, and 1.9 metres [76.6 inches] Deep. A two bin trench will be 4.4m [176"] Long x 2.1 m [84"] Wide, and 1.9 m [76.6 inches] Deep. Slope the banks away as dictated by soil type. In a sloped installation, (Drawing: Front Elevation with Slope) measure the depth of the excavation, where the centre of the bin will be from a string line representing finish grade. Note maximum cross slope is to be 4%.
- 2. Evenly distribute a 100 mm [4 inches] layer of gravel on the bottom of the pit. Check finish grade to the top of this layer of gravel is 1.8 metres [72.6 inches].
- 3. Attach the 4 anchor pins to the ground sleeve using the 8 supplied bolts, hand tight.
- 4. Hoist the ground sleeve (1.9 m [75 inch] tall and 1.4 m [55 inch] diameter, weighing 100 kg [220 lb]), with anchor pins attached into the pit. Ensure that the ground sleeve is straight, round, level and positioned correctly in the excavation. Review the following drawings to ensure proper clearance around bins and truck approach requirements. (Drawings: Curb Clearances for Truck Approach, Angle Comparisons)
- 5. Pour 1 cubic metre of stiff concrete (2.5-3.0 slump). Ensure that the anchor pins are embedded within the concrete and that container sleeve remains straight and level during the pour. Failure to use less than 1 cubic metre of concrete per bin or not embedding anchor pins may result in the bin lifting out of the ground.
- Backfill with gravel (¾ minus) and compact in a controlled and uniform manner filling the excavation around the ground sleeve. Compact the gravel backfill with a small plate tamper in 300 mm [12 inch] lifts. Remove any errant stones larger than 100mm (4 inch).
  ALTERNATIVELY: Backfill with ¾ clear stone or ¼ clear crush. No compaction is required.
- Care must be taken not to drive onto backfill with construction equipment as this will push in the side of the sleeve.
- 8. Install landscape fabric underneath top 100 mm [4 inch] of finish material (pea stone, mulch, unit masonry pavers) to prevent weed growth and loss of fines. Install finish grade material per specific site instructions (**Drawing: Standard Installation**)
  - 8.1. ALTERNATIVELY: Install a concrete or asphalt pad per specific site instructions (**Drawings: Concrete Pad Installation, Concrete Pad Installation Plan View**). Provide a bond break and expansion joint between the ground sleeve perimeter and pavement. Include relief cuts in concrete.
- 9. Ground sleeve should protrude a maximum of 100 mm [4 inch] above graded finished surface and a minimum of 51 mm [2 inch] to ensure bin rests on ground sleeve and not finish grade when installed. Ground sleeve must remain round during backfill and compaction. Measurements across top of sleeve at 90 degrees must be within 25 mm [1"] of each other.
- 10. Ensure that the grade at the surface is above surrounding grade for drainage away from receptacle.
- 11. Remove ALL debris from the inside of the sleeve. Tidy up site and dispose of any refuse.

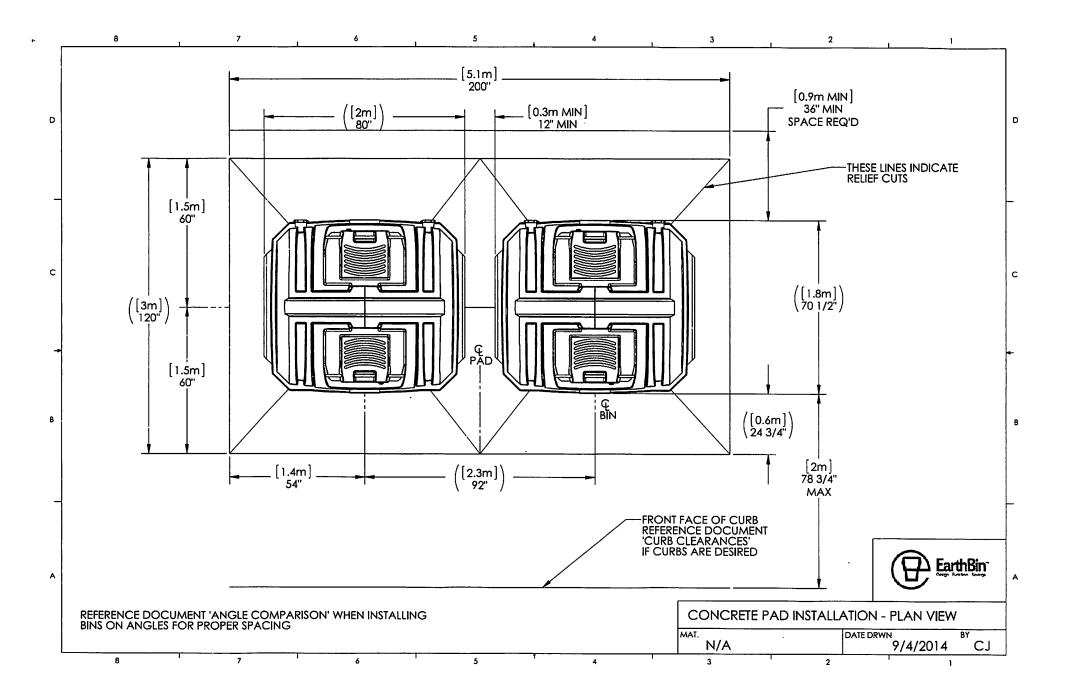


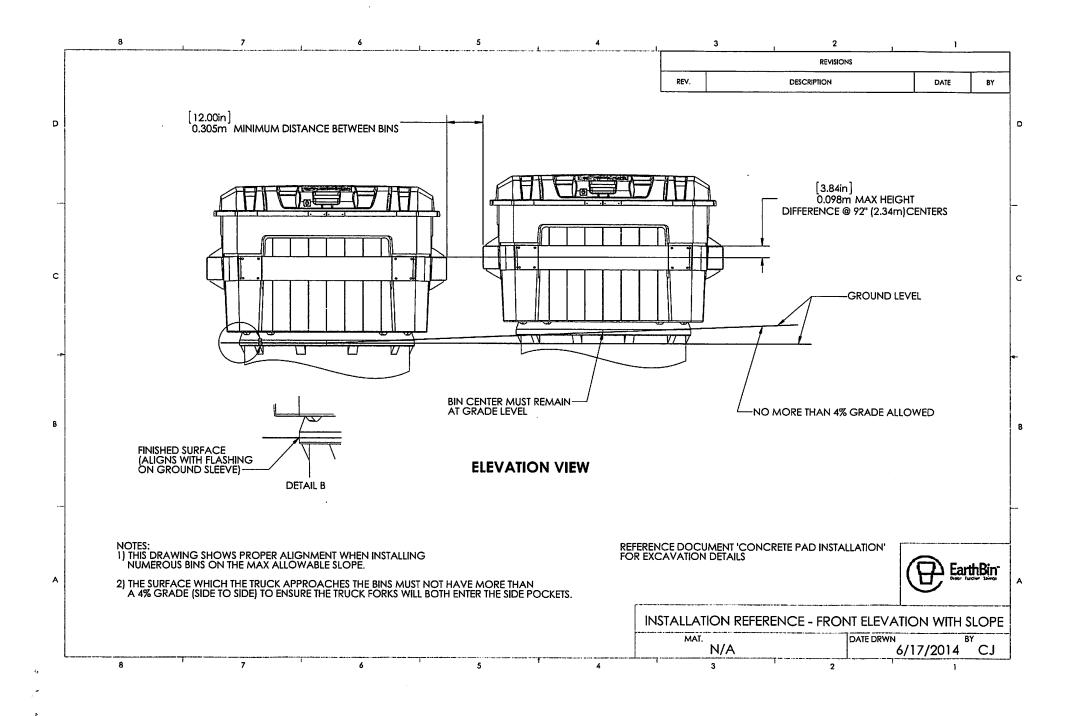


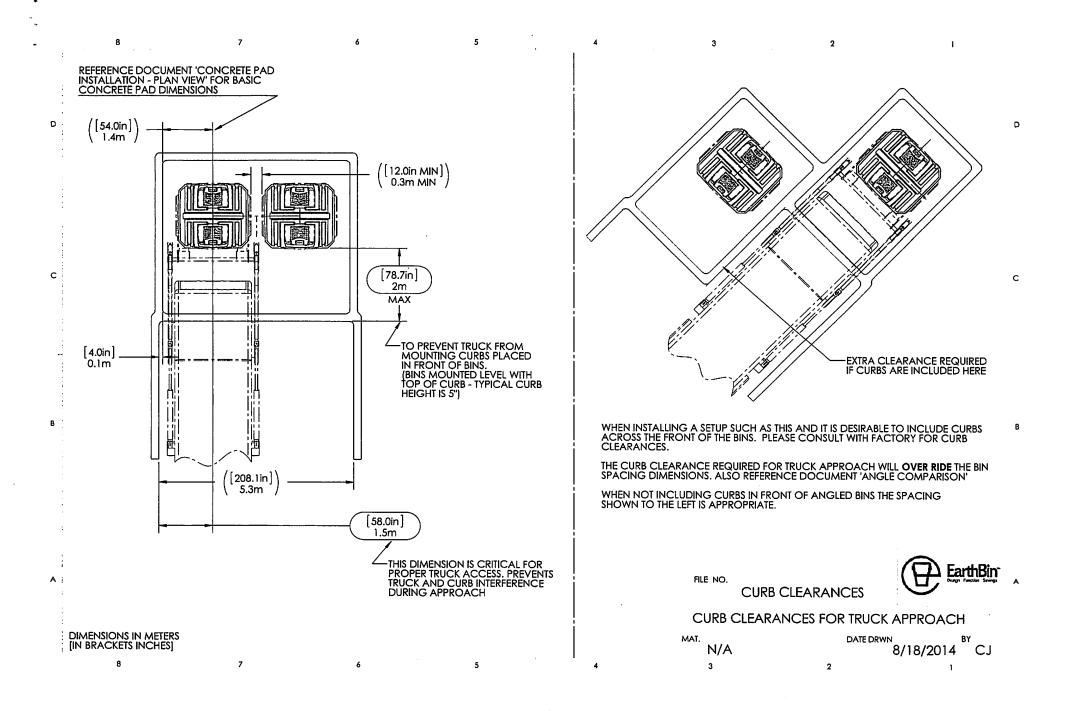


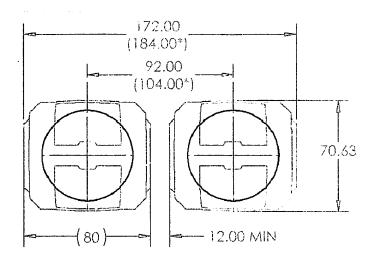


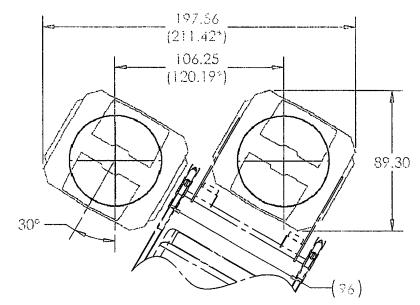
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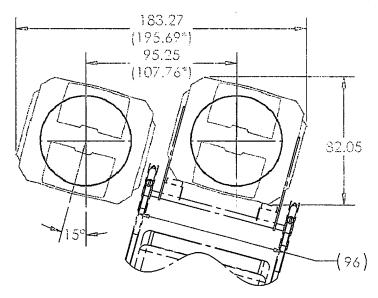




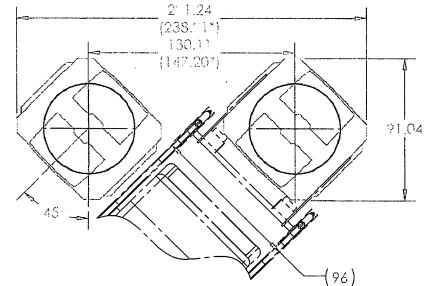




0 degree rotation



30 degree rotation



15 degree rotation

45 degree rotation

NOTE: diagrams show minimum distance between inground sleeves required to maintain a minimum separation of 12 inches between bins (measured from outside of side sleeve to side sleeve) DIMENSIONS WITH \* ARE FOR BINS SPACED AT 24"

				EB Products Inc		
			JNHDENHAL	ANGLE COMPARISON		
MATERIAL:		NAME	DATE	01	REV	
	DRAWN	NK	29 JAN, 2014	01	В	
Unils; in / (m)	APPROVED	DH	• •	SCALE 1:45	SHEET 1 OF 1	

