



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **742634 ONTARIO IN. (MAIN STREET CENTRE)** 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 Block 1, Plan 766, municipally known as **2 FISHERMAN DRIVE**, Brampton;

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

1. To permit a private school/day nursery having a maximum floor area of 737 square metres whereas the by-law does not permit the proposed use;
2. To permit a physiotherapist office having a maximum floor area of 384.5 square metres whereas the by-law does not permit the office of a health practitioner;
3. To permit 144 parking spaces on site whereas the by-law requires a minimum of 171 parking spaces.

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, May 11, 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.

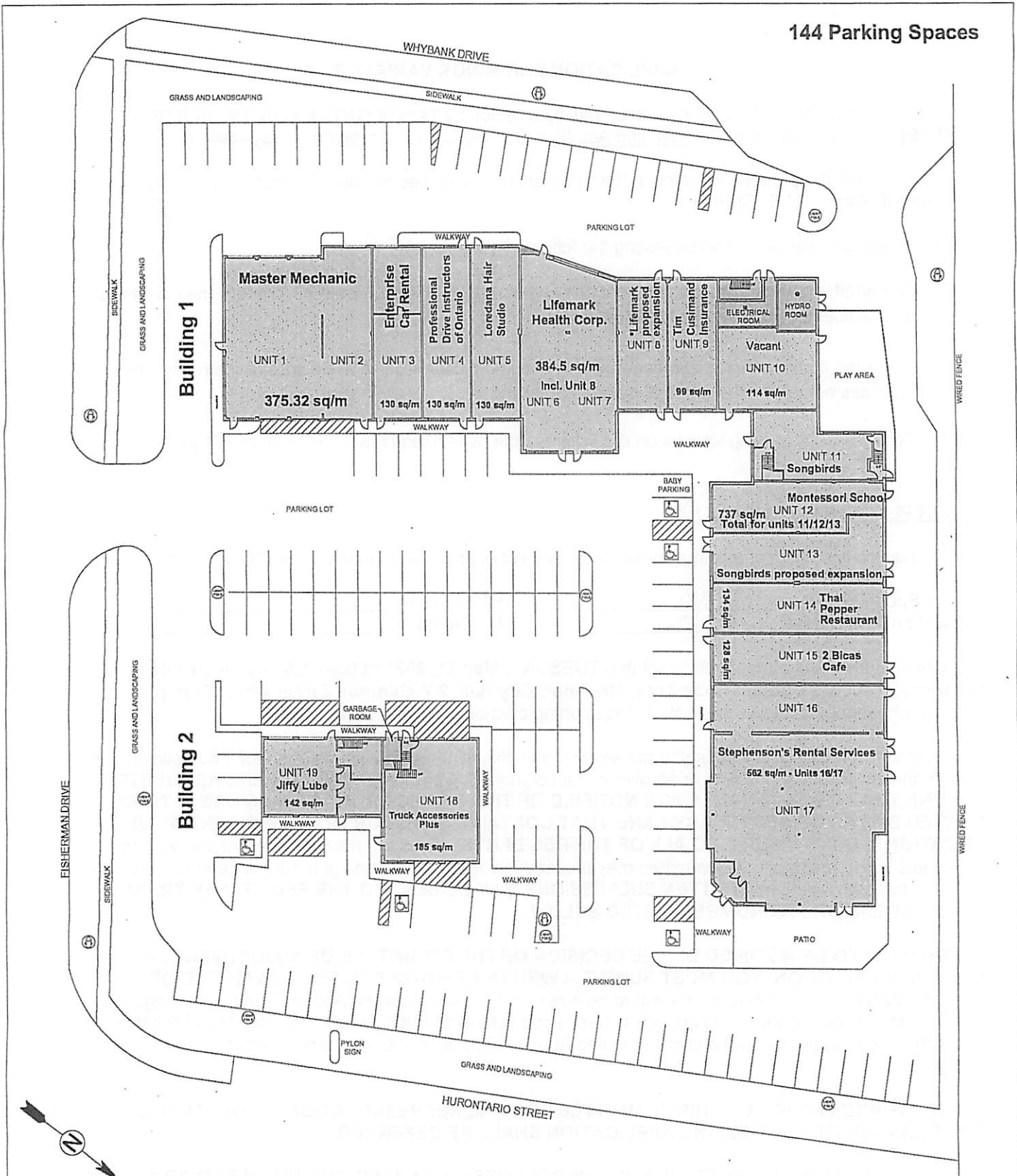
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

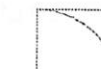
DATED at Brampton Ontario, this 29th day of April, 2021.

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

SCHEDULE "B"



PREPARED FOR: MAIN STREET CENTRE, 195 County Court Boulevard Suite 300 Brampton, ON	ADDRESS: 2 FISHERMAN DRIVE BRAMPTON, ON	DRAWING DATE: May 27, 2014	DATE MEASURED: May 7, 2014	SCALE: NOT IN SCALE	 PLANIT -MEASURING-
	DRAWING TITLE: SITE PLAN	DISCLAIMER: Note: These drawings are to be used for preliminary planning proposals only. No warranty is made or implied as to the accuracy of dimensions. All dimensions must be site verified. Plans are not to be used for quantity estimates. Wall thickness or composition has not been determined. Drawings cannot be used for construction purposes.		DRAWN BY: VU CHKD BY: IF	
			PREPARED BY: PLANIT MEASURING® 1-800-933-5136 info@planitmeasuring.com		

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, May 6, 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, May 7, 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, May 7, 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.

Contact: Chris Tonks, Partner
Phone: (905) 451-6610 ext. 293
Email: CTonks@pdclawyers.ca
Clerk: CNewport@pdclawyers.ca

April 30, 2021

Committee of Adjustments
Attention: Secretary Treasurer
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y4R2

VIA EMAIL TO: Jeanie.Myers@brampton.ca

Dear Members of the Committee:

**RE: Application No.: A-2021-0081 for Minor Variance
2 Fisherman Drive, Brampton, Ontario (the "Property")**

Further to the above referenced Application for Minor Variance submitted on March 31, 2021 in respect of the Property, we request that the variances be **amended** to reflect the following:

1. To permit a private school/day nursery having a maximum floor area of 737 square metres whereas the by-law does not permit the proposed use;
2. To permit a physiotherapist office having a maximum floor area of 384.5 square metres whereas the by-law does not permit the office of a health practitioner; and
3. To permit 144 parking spaces on site whereas the by-law requires a minimum of 171 parking spaces.

If there are any questions or concerns in respect of the foregoing, or should City staff require any further details in respect of the Property or the Application, please do not hesitate to contact me.

Yours very truly,

PROUSE, DASH & CROUCH, LLP



Per: Chris Tonks
CTcn
Encls.
CC: Client, via email

50 QUEEN STREET WEST
BRAMPTON, ONTARIO L6X 4H3
TEL. (905) 451-6610 FAX (905) 451-1549

Richard D. Prouse, M.A., LL.B.
Kalen L. Brady, BES Hons, LL. B.
Evan Moore, B.B.A. (Hons.), LL. B.
Chris Tonks, LL. B.

Louie I. Sopov, B.A. (Hons), LL. B.
Kate M. Saldanha, B.A. (Hons.), J.D.
Hayley Smith, B.A., B. Ed., J.D.

Robert B. Crouch, B.A., LL.B. - RETIRED
Russel E. Prouse, Q.C. - RETIRED

Dalkeith Palmer, B.A., LL.B., LL.M.
(Also of the New York State Bar)
Eva Iacobelli, B.A., LL.B.

Paul Dhaliwal, B.A., J.D.
Avneet Virk, B.A. (Hons.), J.D.
Ankit Sareen, B.Sc. (Hons.), J.D.

David A. Dash, LL.B. (1953-2004)
Ralf R. Jarchow, B. Sc., LL.B. (1954-2015)

Contact: Chris Tonks, Partner
Phone: (905) 451-6610 ext. 293
Email: CTonks@pdclawyers.ca
Clerk: CNewport@pdclawyers.ca

March 31, 2021

A-2021-0081

VIA HAND DELIVERY AND EMAIL TO: Jeanie.Myers@brampton.ca

Committee of Adjustments
Attention: Secretary Treasurer
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y4R2

Dear Members of the Committee:

RE: Application for Minor Variance @ 2 Fisherman Drive, Brampton, Ontario

Prouse, Dash & Crouch LLP has been retained by 742634 Ontario Inc. (the "**Owner**"), owner of the property municipally known as 2 Fisherman Drive in the City of Brampton, Ontario (the "**Property**"). We submit the enclosed application on behalf of the Owner, seeking minor variances that would permit:

- i. A private school/day nursery to a maximum of 737 square meters;
- ii. A physiotherapist office to a maximum of 384.5 square meters; and
- iii. 144 parking spaces, whereas the zoning by-law requires 154.11 parking spaces based on the number of and types of uses existing on site.

The foregoing requests to permit a private school/day nursery and a physiotherapist office are not new uses being proposed at the Property. Songbirds Montessori ("Songbirds") and Lifemark Health Corp. ("Lifemark") have operated and continue to operate at the Property as a result of previous Committee of Adjustment rulings permitting such uses.

The present request is necessitated as a result of Songbirds and Lifemark's desire to expand their operations into adjoining vacant units at the Property. Given the difficulties many businesses and commercial landlords have faced as a result of the pandemic, we hope that due consideration will be given to this request.

The Property is zoned HC1 - Section 360 (Highway Commercial One - Section 360), according to By-law 270-2004 ("By-Law"), as amended. Although various commercial uses are permitted at the Property as of right, neither a private school/day nursery nor a physiotherapist office is permitted under the existing zoning By-Law.

Private School/Day Nursery

Songbird's is seeking to expand its operations from its existing space, being unit 11, into two additional units, being units 12 and 13. The total space occupied by Songbirds will be 737.27 square meters for the combined three units. Songbirds, and its predecessors, have operated at the Property since 1998 under previous Committee of Adjustment approvals A218/98, A61/01, and A09/41.

In consideration of the parking requirements for a private school/day nursery, the Songbirds program delivery will be constituted as follows:

PRE-CASA PROGRAM (TODDLERS) - Age 16 months to 2.5 Years:

- Number of Kids: 15
- Number of Staff: 3

CASA PROGRAM - Age 2.5 Years to 6 Years (Full Day Program):

- Number of Kids: 64
- Number of Staff: 10

Elementary Program (Grades 1 - 3) - Age 6 Years and Above:

- Number of Kids: 15
- Number of Staff: 1

New Program:

The additional space requested by Songbirds will accommodate an expansion of the elementary program for children 5 years and above.

- Number of Kids: 50
- Number of Staff: 4

Physiotherapist

Lifemark is seeking to expand its existing operations in units 6 and 7, into unit 8 at the Property. The total combined space occupied by Lifemark for the foregoing three units will be 384.5 square meters. Lifemark and its predecessors have operated at the Property since 2008 under Committee of Adjustment approval A08-142.

The Property

The Property is located just north of downtown Brampton, in a mixed use area that includes commercial, industrial, and residential components.

The Property consists of 2 single-storey commercial buildings located on an approximately 11,250 square meter site with surface parking. The Property is well served by existing municipal roadways and public transit, including bus stops at the intersection of Fisherman Drive and Hurontario Street.

The Property is made up of two (2) buildings with a total area of approximately 3254.6 square meters. The current uses at the plaza are as follows:

- One (1) unit is a Personal Service Shop;
- One (1) unit is an Office/ Drugless Practitioner;
- One (1) unit is a Motor Vehicle Rental Establishment;
- One (1) unit is a Motor Vehicle Repair Shop;
- One (1) units is Motor Vehicle Service Stations;
- One (1) unit is a Private School/Day Nursery;
- One (1) is a Tool and Equipment Rental Establishment;
- One (1) unit is a Motor Vehicle Parts and Accessories Sales Establishment;
- Two (2) units are offices;
- Two (2) units are Restaurants; and
- One (1) unit is currently vacant

To comply with the parking requirements under the By-Law, the plaza would require 154 parking spaces. Thus, there is a slight shortfall in the amount of spaces, by approximately 10 parking spots. Attached at Schedule "A" is a list of the plaza's occupants. The list also indicates the use and number of parking spaces we submit are required under the parking By-law.

Attached at Schedule "B" is an illustration of the Property's current parking configuration along with the location of each business and its unit number. Schedule "B" indicates that the Property can provide 144 parking spots.

Analysis

It is our submission that the requested variance satisfies the four tests set out in s. 45(1) of the *Planning Act*, namely:

- 1) it would maintain the general intent and purpose of the Official Plan;
- 2) the variance would maintain the general intent and purpose of the Zoning By-Law;
- 3) the variance is desirable for the appropriate development and use of the lands; and
- 4) the variance sought is minor in nature.

The configuration of the Property is consistent with the general intent and purpose of the City of Brampton's Official Plan. The Highway Service Commercial designation permits a multitude of uses which are intended to support the needs of the surrounding industrial, commercial, and residential communities. Both a private school/day nursery and physiotherapist provide compatible and accessible services to these surrounding communities. Both Songbirds and Lifemark have operated at the Property for many years, without any evidence of incompatibility within the area in which they are situated.

Similarly, the variance requested maintains the general intent and purpose of the zoning By-Law. To date, the Owner has not encountered any issues concerning the availability of parking at the Property and respectfully submits that the proposed variance would not substantially alter the current use and enjoyment of the Property. Furthermore, the By-Law is intended to permit compatible commercial uses that will serve the community. Both a private school/day nursery and a physiotherapist office can be considered similar in nature to other permitted commercial uses as of right under the current zoning, such as an office, a personal service shop, or a recreational facility.

The variance is desirable for the appropriate development and use of the lands given that there has been a private school/day nursery operating successfully at the Property without incident or concern for over 20 years. Furthermore, a physiotherapist office has been operating at the Property for approximately the last 15 years as well without issue. Given both of these businesses are seeking to expand existing uses at the Property, we hope this is viewed in a positive light in that it is evidence of increasing demand for these services by the surrounding communities.

Finally, we submit that the variances requested are minor in nature. Previous applications to the Committee for this Property have sought variances which have been supported by both City staff and the Committee. The Owner of the Property has been very appreciative in this regard. The current Application is not a new use being proposed for the Property, nor is it inconsistent with what is already in existence.

In closing, we respectfully submit that the requested variances be granted by the Committee as it is consistent with the best and long-term interests of the Official Plan and the City of Brampton.

If there are any questions or concerns in respect of the foregoing, or should City staff require any further details in respect of the Property or the Application, please do not hesitate to contact me.

Yours very truly,

PROUSE, DASH & CROUCH, LLP



Per: Chris Tonks

CT\cn

Encls.

CC: Client, via email

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)

742634 Ontario Inc. c.o.b. as Main Street Centre

Address

2 Fisherman Drive

Brampton, Ontario

Phone #

(905)455-9091

Fax #

(905) 455-7847

Email

2.

Name of Agent

Chris Tonks of Prouse Dash & Crouch, LLP

Address

50 Queen Street West

Brampton, Ontario

Phone #

905-451-6610 ext. 293

Fax #

905-451-1549

Email

CTonks@pdclawyers.ca & CNewport@pdclawyers.ca (Clerk)

3.

Nature and extent of relief applied for (variances requested):

To permit a private school/day nursery to a maximum of 737 sq/m, whereas the zoning by-law does not permit such use;

To permit a physiotherapist office to a maximum of 384.5 sq/m, whereas the zoning by-law does not permit such use; and

To permit 144 parking spaces on site whereas the zoning by-law requires a minimum of 154 parking spaces based on the number and types of uses existing on site

4.

Why is it not possible to comply with the provisions of the by-law?

The proposed uses are not permitted under the existing zoning by-law

There is a small parking deficiency on site in respect of the current uses at the site

5.

Legal Description of the subject land:

Lot Number

13

Plan Number/Concession Number

43M-766/CON. 1 W.H.S.

Municipal Address

2 Fisherman Drive, Brampton, Ontario

6.

Dimension of subject land (in metric units)

Frontage

90 m

Depth

125 m

Area

11250 sq. m

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.)

2 Single Story Buildings

Building 1 = 2844 sq. meters

Building 2 = 328 sq. meters

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No additional buildings or structures are being proposed

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 43 m

Rear yard setback 20 m

Side yard setback 10 m

Side yard setback 10 m

PROPOSED

Front yard setback No Changes proposed

Rear yard setback No Changes proposed

Side yard setback No Changes proposed

Side yard setback No changes proposed

10. Date of Acquisition of subject land: 1989

11. Existing uses of subject property: Commercial HC1 - 360

12. Proposed uses of subject property: Commercial HC1 - 360

13. Existing uses of abutting properties: Industrial and Commercial

14. Date of construction of all buildings & structures on subject land: 1989

15. Length of time the existing uses of the subject property have been continued: 32 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 # A09-141 Decision Approved subject to conditions
File # A01-061 Decision Approved subject to conditions
File # A01-213 Decision Approved subject to conditions

Relief Permit private school/day nursery to a maximum of 4400 square feet
Relief Permit commercial school to maximum of 4400 square feet
Relief Permit Day nursery and vary parking requirement

Signature of Applicant(s) or Authorized Agent

DATED AT THE City of _____ OF Brampton

THIS 31st DAY OF March, 2021.

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, Adam Kerbel, 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 Province OF

Ontario THIS 31st DAY OF

March, 2021.

A Commissioner etc.

Chris Tank, 53159P

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

HC1-360

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

April 1, 2021

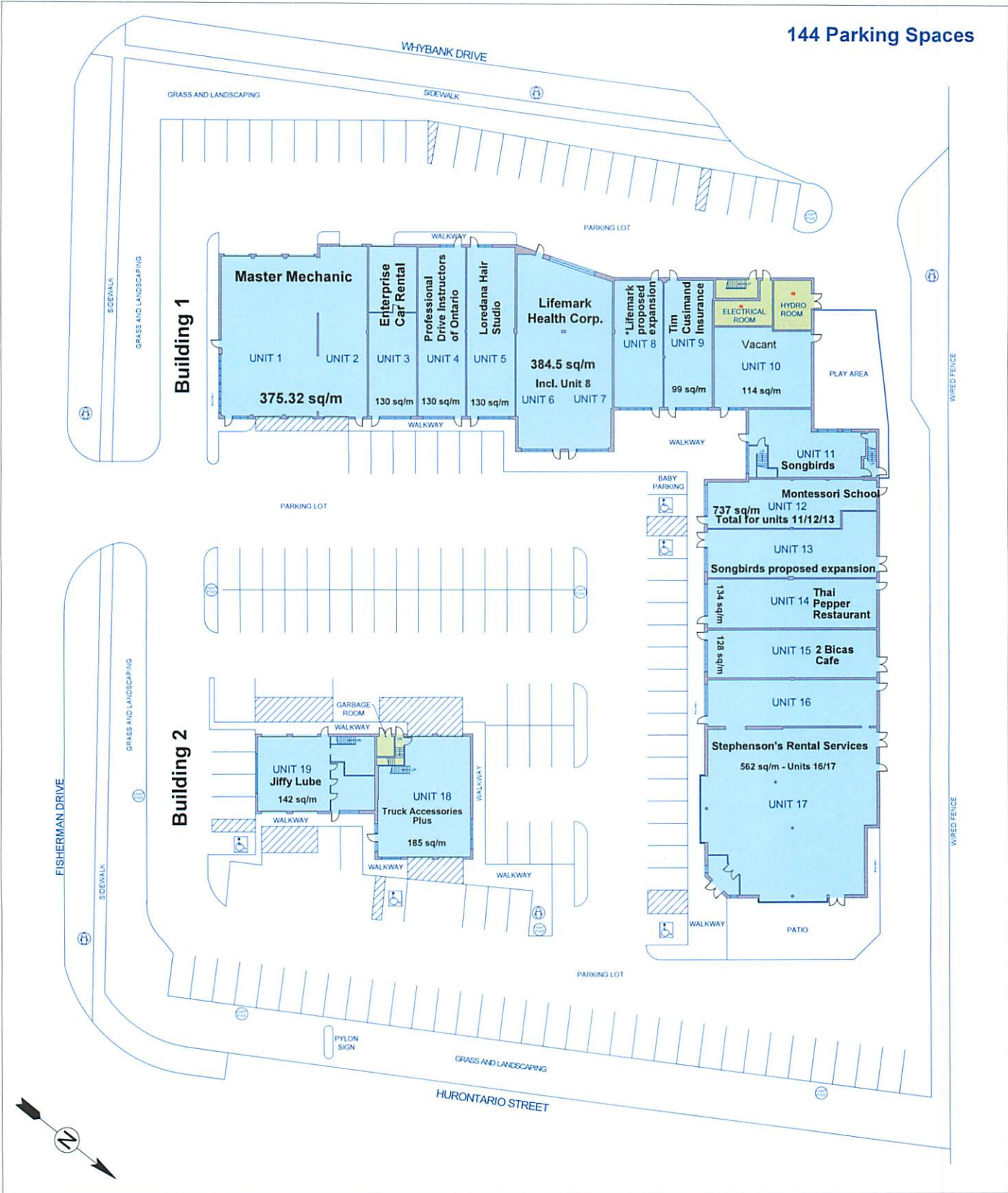
Date

DATE RECEIVED MARCH 31, 2021

Date Application Deemed Complete by the Municipality APRIL 1, 2021

SCHEDULE "B"

144 Parking Spaces



PREPARED FOR: MAIN STREET CENTRE, 195 County Court Boulevard Suite 300 Brampton, ON	ADDRESS: 2 FISHERMAN DRIVE BRAMPTON, ON	DRAWING DATE: May 27, 2014	DATE MEASURED: May 7, 2014	SCALE: NOT IN SCALE
	DRAWING TITLE: SITE PLAN	DISCLAIMER: Note: These drawings are to be used for preliminary planning proposals only. No warranty is made or implied as to the accuracy of dimensions. All dimensions must be site verified. Plans are not to be used for quantity estimates. Wall thickness or composition has not been determined. Drawings cannot be used for construction purposes.		
		DRAWN BY: CHKD BY: VU IF PREPARED BY: PLANIT MEASURING® 1-800-933-5136 info@planitmeasuring.com		



2 FISHERMAN DRIVE

PREVIOUS DECISIONS

Notice of Decision

Committee of Adjustment

FILE NUMBER A09-141

HEARING DATE SEPTEMBER 1, 2009

APPLICATION MADE BY MAIN STREET CENTRE (742634 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 PERMIT A PRIVATE SCHOOL/DAY NURSERY TO A MAXIMUM GROSS FLOOR AREA OF 4, 400 SQ. FT;

(2 FISHERMAN DRIVE – LOT 1, PLAN 43M-766)

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)

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. Chahal

SECONDED BY: K. Bokor

SIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

H. Nurse
MEMBER

[Signature]
MEMBER

DATED THIS 1st DAY OF SEPTEMBER, 2009

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE SEPTEMBER 21, 2009

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

Flower City



brampton.ca

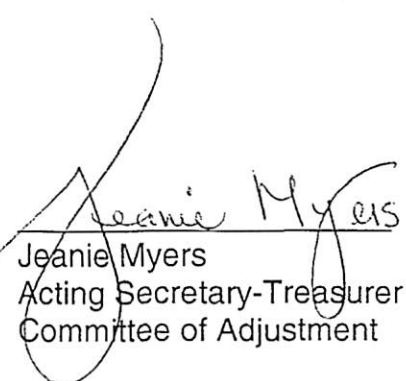
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: A09-141

DATED SEPTEMBER 1, 2009

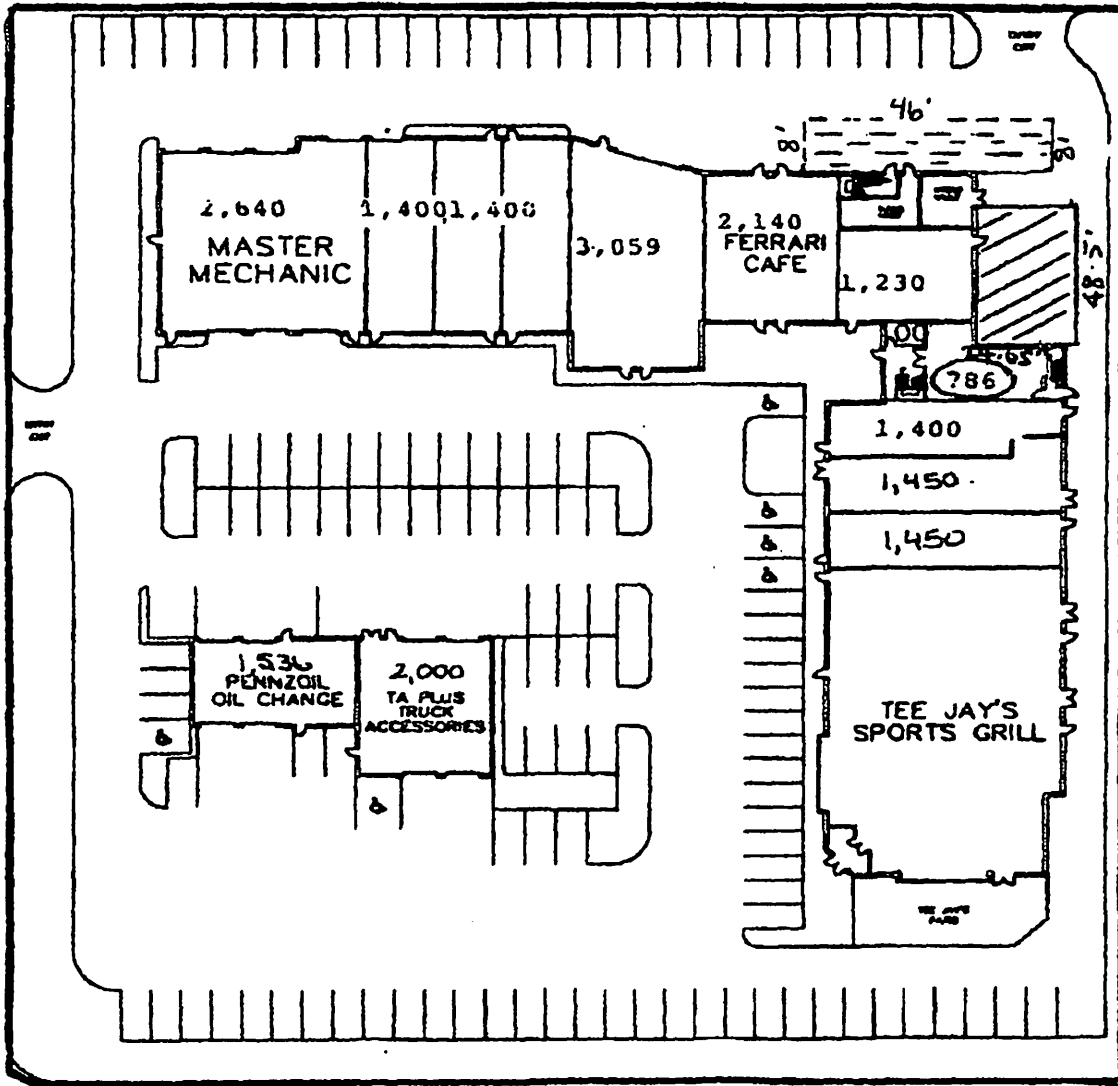
Conditions:

1. That the applicant obtains the necessary approvals under the Day Nurseries Act.
2. That the applicant complies with the zoning requirements (specifically, the driveway, parking aisle and parking spaces at the rear of the building), to the satisfaction of the City.
3. That the applicant obtains the necessary building permits for the private school /day nursery and the outdoor play area within sixty (60) days of the final date of Committee's decision.


Jeanie Myers
Acting Secretary-Treasurer
Committee of Adjustment

MAIN STREET CENTRE MAIN FLOOR PLAN

WHYBANK ROAD



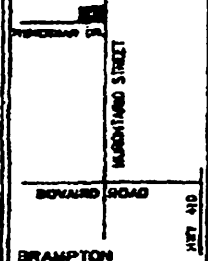
HURONTARIO STREET

SITE PLAN



KERBEL GROUP INC.
SUITE 413
7700 HURONTARIO ST.
BRAMPTON, ONTARIO
(905) 433-8001
FAX (905) 400-7847

MAIN STREET CENTRE
3 FISHERMAN DRIVE



BRAMPTON
TOTAL RENTABLE AREA
32,088 SQ. FT.
122 PARKING PROVIDED

20/11/08

TELEPHONE
1-800-468-8222



LEGEND

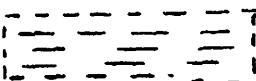
786

DENOTES MAIN FLOOR UNIT 111 AREA = 786 s.f.
PROPOSED TO BE LEASED TO FISHERMAN MONTESSORI
TOGETHER WITH EXISTING 2ND FLOOR UNIT
AREA = 3,575 s.f.

PROPOSED TOTAL AREA = 4,400 s.f. ±



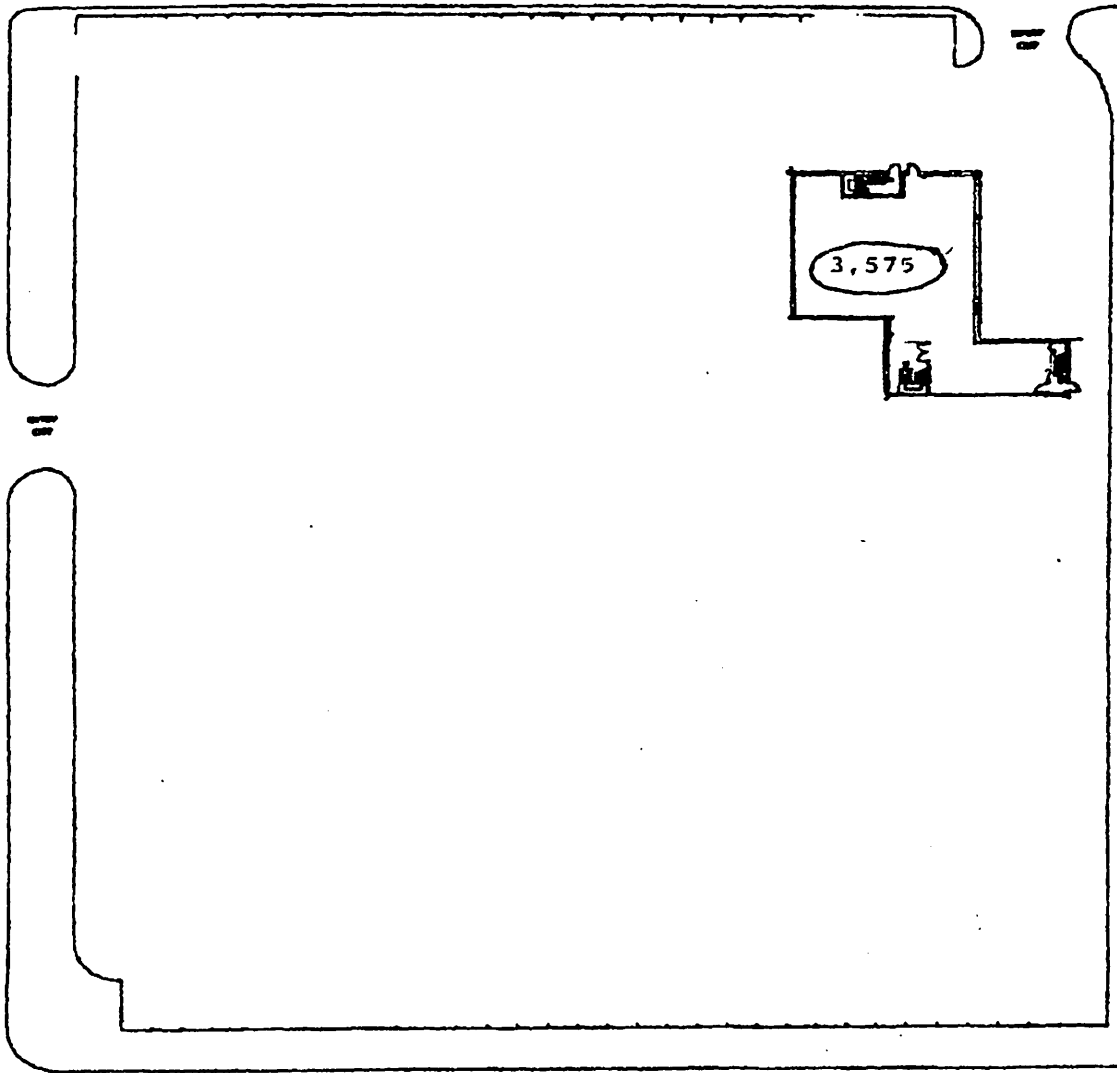
DENOTES EXISTING FENCED PLAY AREA
TOTAL AREA = 1,184 s.f.



DENOTES PROPOSED NEW FENCED PLAY AREA
TOTAL AREA = 368 s.f. ±

MAIN STREET CENTRE SECOND FLOOR PLAN

WHYBANK ROAD



HURONTARIO STREET

SITE PLAN



KERBEL GROUP INC.

SUITE 413

7700 HURONTARIO ST.

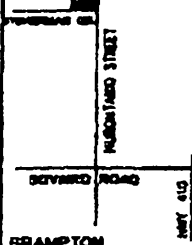
BRAMPTON, ONTARIO

(416) 420-9091

FAX (416) 420-7847

MAIN STREET CENTRE

2 FISHERMAN DRIVE



BRAMPTON

416-420-9091

TOTAL PORTABLE AREA:

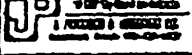
32,000 SQ. FT.

125 PARKING PROVIDED

2ND FLOOR.

DATE PREPARED

20/11/08



3,575

Denotes 2nd Floor Unit Currently
Occupied by Fisherman Montessori
TOTAL AREA = 3,575 s.f.

PURSUANT TO APPROVED VARIANCES
A/61/01 AND A/213/01



NOTICE OF DECISION

Committee of Adjustment

FILE NUMBER A61/01HEARING DATE MARCH 20, 2001APPLICATION MADE BY 742634 ONTARIO LTD.

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 ALLOW A COMMERCIAL SCHOOL AS A PERMITTED USE ON A PERMANENT BASIS.

(2 FISHERMAN DRIVE)

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) Only one (1) commercial school shall be permitted on the site.
- (2) The commercial school shall be restricted to a maximum gross floor area of 4,000 sq.ft.

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: M. PLANESECONDED BY: K. MALHOTRASIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

MEMBER

DATED THIS 20TH DAY OF MARCH, 2001

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE APRIL 9, 2001.

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 A213/01

HEARING DATE NOVEMBER 6, 2001

APPLICATION MADE BY 742634 ONTARIO LTD

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 151-88 AS AMENDED AND AN AMENDED APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO ALLOW A DAY NURSERY IN CONJUNCTION WITH A COMMERCIAL SCHOOL AND TO PROVIDE A TOTAL OF 166 ON-SITE PARKING SPACES.

(2 FISHERMAN DRIVE – LOT 1, PLAN 43M-766)

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. Appropriate signage shall be posted, within 30 days, indicating that only one-way traffic is permitted at the rear of the plaza.

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

Tom Haller

MEMBER

[Signature]

MEMBER

[Signature]

MEMBER

D. Sutter

MEMBER

MEMBER

DATED THIS 6TH DAY OF NOVEMBER, 2001

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE NOVEMBER 26, 2001.

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

