

APPLICATION # A-2021-0016
WARD #8

DEFERRED APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **2660601 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 1, Plan M-863, Part 1, Plan 43R-16312, municipally known as **43 PROGRESS COURT**, Brampton;

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

1. To permit an interior side yard setback of 0.3m (0.98 ft.) to an existing addition whereas the by-law requires a minimum side yard setback of 8.0m (26.24 ft.);
2. To permit a rear yard setback of 0.5m (1.64 ft.) to an existing addition whereas the by-law requires a minimum rear yard setback of 8.0m (26.24 ft.);
3. To provide 30 parking spaces on site whereas the by-law requires a minimum of 33 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	File Number: _____
Application for Consent: _____	NO	File Number: _____

The Committee of Adjustment has appointed **TUESDAY, June 22, 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.

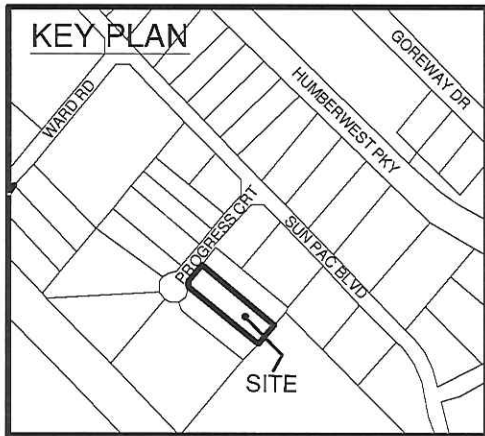
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 10th day of June, 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:

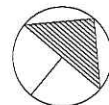
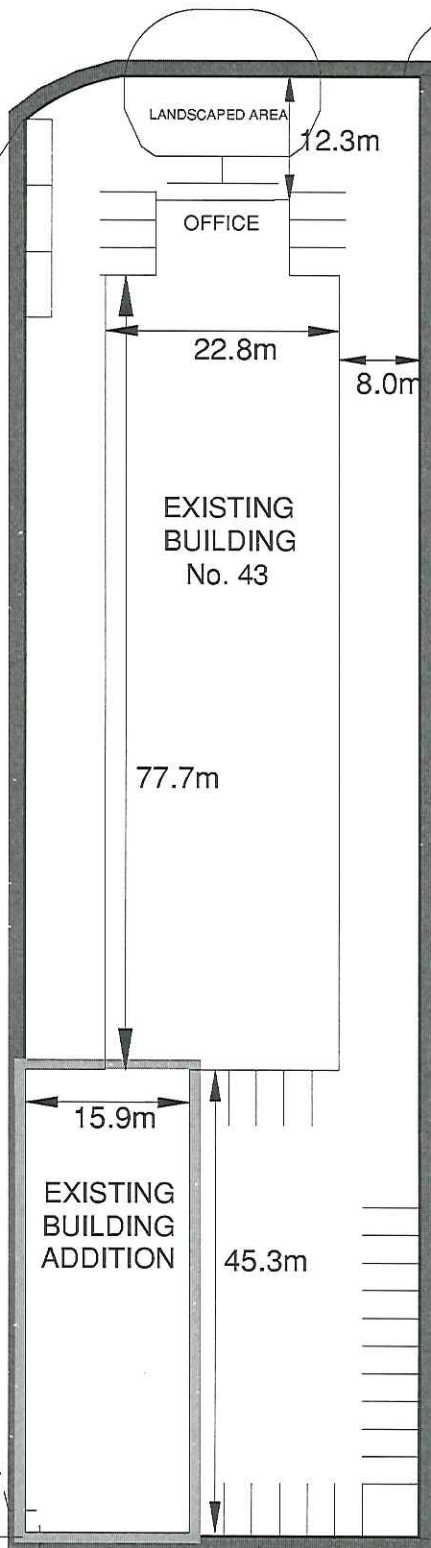
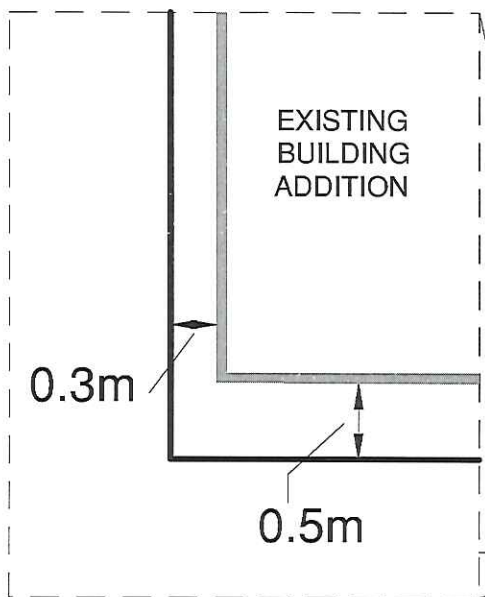
Jeanie Myers, Secretary-Treasurer
Committee of Adjustment, City Clerk's Office,
Brampton City Hall
2 Wellington Street West,
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117
Fax: (905)874-2119
jeanie.myers@brampton.ca



PROGRESS COURT

VARIANCES TO PERMIT A MINIMUM SIDE YARD SETBACK OF 0.3m WHERE THE CURRENT REQUIREMENT IS 8.0m AND A REAR YARD SETBACK OF 0.5m WHERE THE REQUIREMENT IS 8.0m AS PER THE BY-LAW

A VARIANCE IS REQUIRED TO PERMIT A TOTAL OF 30 PARKING SPACES WHERE THE MINIMUM REQUIREMENT IS 33 AS PER THE BY-LAW



AKAL STEEL (2005) INC.

MINOR VARIANCE PLAN

43 PROGRESS COURT
LOT 7 CONC 7 N.D.
CITY OF BRAMPTON

CANDEVCON LIMITED
CONSULTING ENGINEERS AND PLANNERS

TEL (905) 794-0600

FAX (905) 794-0611

DATE FEB., 1, 2021

JOB No W21012

DRAWN S.G.K

PLAN No.

SCALE 1:400

MV-1

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**

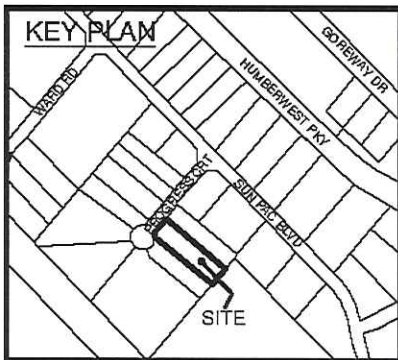
Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committees are now meeting electronically during the Emergency. The Committee of Adjustment will conduct 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, June 17, 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, June 18, 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, June 18, 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>.

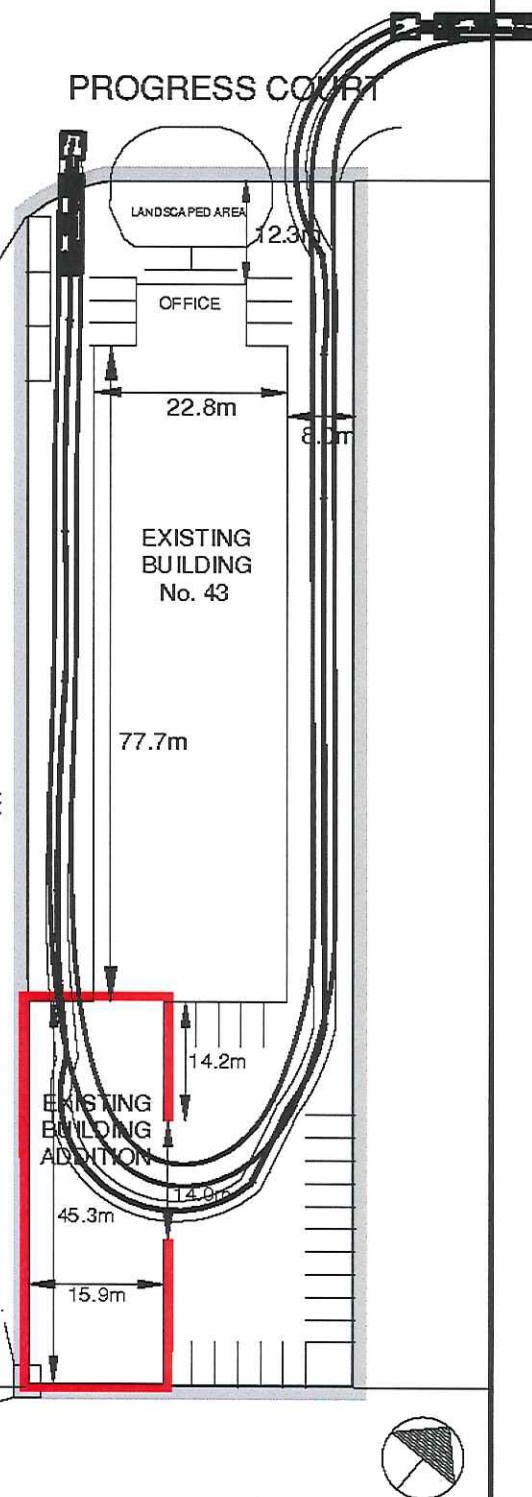
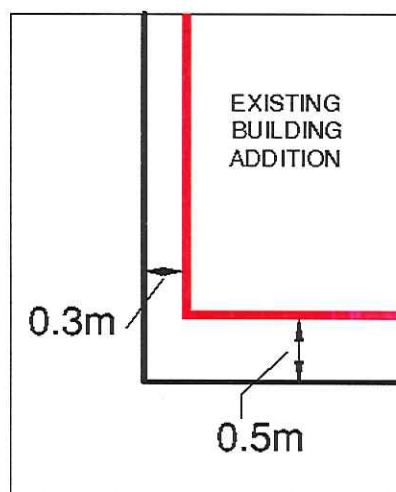
If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons 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.



VARIANCES TO PERMIT A MINIMUM SIDE YARD SETBACK OF 0.3m WHERE THE CURRENT REQUIREMENT IS 8.0m AND A REAR YARD SETBACK OF 0.5m WHERE THE REQUIREMENT IS 8.0m AS PER THE BY-LAW

A VARIANCE IS REQUIRED TO PERMIT A TOTAL OF 30 PARKING SPACES WHERE THE MINIMUM REQUIREMENT IS 33 AS PER THE BY-LAW



AKAL STEEL (2005) INC.

MINOR VARIANCE PLAN

43 PROGRESS COURT
LOT 7 CONC 7 N.D.
CITY OF BRAMPTON

CANDEVCON LIMITED
CONSULTING ENGINEERS AND PLANNERS

TEL. (905) 794-0800

FAX (905) 794-0811

DATE FEB., 1, 2021

JOB No W21012

DRAWN S.G.K

PLAN No.

SCALE 1:400

MV-1

GTA WEST OFFICE (CORPORATE)
9358 GOREWAY DRIVE
BRAMPTON, ONTARIO L6P 0M7
T: (905) 794-0600 F: (905) 794-0611

PROVIDING CONSULTING SERVICES IN: MUNICIPAL ENGINEERING
TRANSPORTATION PLANNING
TRAFFIC & PARKING STUDIES
ROADS & BRIDGES
DEVELOPMENT ENGINEERING SERVICES
WATER RESOURCES
ENVIRONMENTAL NOISE STUDIES
LAND USE & ENVIRONMENTAL PLANNING
STRUCTURAL ENGINEERING

February 2, 2021

The City of Brampton
Legal Services Division
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

A-2021-0016

ATTN: Jeanie Myers
Secretary - Treasurer

Re: **Committee of Adjustment
Minor Variance Application
2660601 Ontario Inc.
43 Progress Court
Candevcon File No. W21012**

Dear Jeanie,

We enclose herewith the following documents pursuant to the subject Application:

1. A Minor Variance application form, with Authorization and Permission to Enter signed by the Owner to facilitate the severance.
2. A copy of the Minor Variance Plan (MV-1).

The purpose of this application is to request relief from the zoning by-law on the subject property. Variances are required to permit a side yard setback of 0.3m whereas the current requirement is 8m and a rear yard setback of 0.5m whereas the current requirement is 8m as per the by-law. An additional variance is required to permit a total of 30 parking spaces whereas the by-law requires a minimum of 33 based on the building GFA and uses.

We trust that you will find the foregoing to be satisfactory and request that you initiate the circulation of these applications.

Yours truly,
CANDEVCON LIMITED

Steven Giankoulas
Junior Planner

Cc: Erik Mirtsou
Jas Singh



FILE NUMBER: A-2021-0016

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)** 2660601 Ontario Inc
Address 43 Progress Road., Unit 1
Brampton, Ontario L6S 5X2
Phone # 905-458-7555 **Fax #** 905-458-7558
Email jsingh@akalsteel.ca

2. **Name of Agent** Erik Mirtsou
Address 9358 Goreway Drive
Brampton, Ontario L6P 0M7
Phone # 905-794-0600 **Fax #** 905-794-0611
Email erik@candevcon.com

3. **Nature and extent of relief applied for (variances requested):**
To permit a side yard setback of 0.3m whereas the by-law requires 8m
To permit a rear yard setback of 0.5m whereas the by-law requires 8m
To permit a total of 30 parking spaces whereas the by-law requires a minimum of 33.

4. **Why is it not possible to comply with the provisions of the by-law?**
The current side and rear yard setbacks and number of parking spaces do not comply with the minimum requirements of the zoning by-law

5. **Legal Description of the subject land:**
Lot Number 7
Plan Number/Concession Number Part of Block 1 Plan M863, Part 1 Plan 43R-16312 / CON 7 N.D.
Municipal Address 43 Progress Court

6. **Dimension of subject land (in metric units)**
Frontage 29.15m
Depth 143.19m
Area 5560.3 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.)

Office and main warehouse: 2-3 storeys, GFA = 1,943.44 sq.m

Warehouse Addition GFA= 724.6 square metres

PROPOSED BUILDINGS/STRUCTURES on the subject land:

none

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	12m
Rear yard setback	0.5m
Side yard setback	0.3m
Side yard setback	8m

PROPOSED

Front yard setback	12m
Rear yard setback	0.5m
Side yard setback	0.3m
Side yard setback	8m

10. Date of Acquisition of subject land: 2011
11. Existing uses of subject property: Industrial (Manufacturing)
12. Proposed uses of subject property: Industrial (Manufacturing)
13. Existing uses of abutting properties: Industrial (Manufacturing)
14. Date of construction of all buildings & structures on subject land: 1990
15. Length of time the existing uses of the subject property have been continued: 30 years

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

Municipal ☒ Other (specify) _____
Well ☐

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

Municipal ☒ Other (specify) _____
Septic ☐

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

Sewers ☒ Other (specify) _____
Ditches ☐
Swales ☐

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☐ No ☒

If answer is yes, provide details: File # _____ Status _____

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

[Signature]
Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton
THIS 4th DAY OF February, 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, Steven Grankader, OF THE City OF Richmond Hill
IN THE Region OF York SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE

City OF Brampton
IN THE Region OF
Peel THIS 4th DAY OF
February, 2021

April Dela Cerna
A Commissioner etc.

[Signature]
Signature of Applicant or Authorized Agent

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

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

M3 - SECTION 1561

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

J. Chaw
Zoning Officer

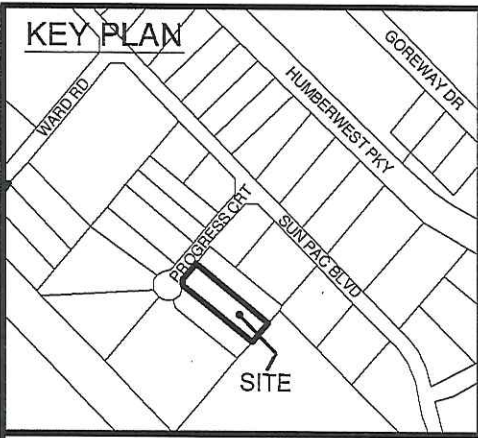
February 9, 2021

Date

DATE RECEIVED Feb. 04, 2021

Date Application Deemed
Complete by the Municipality

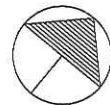
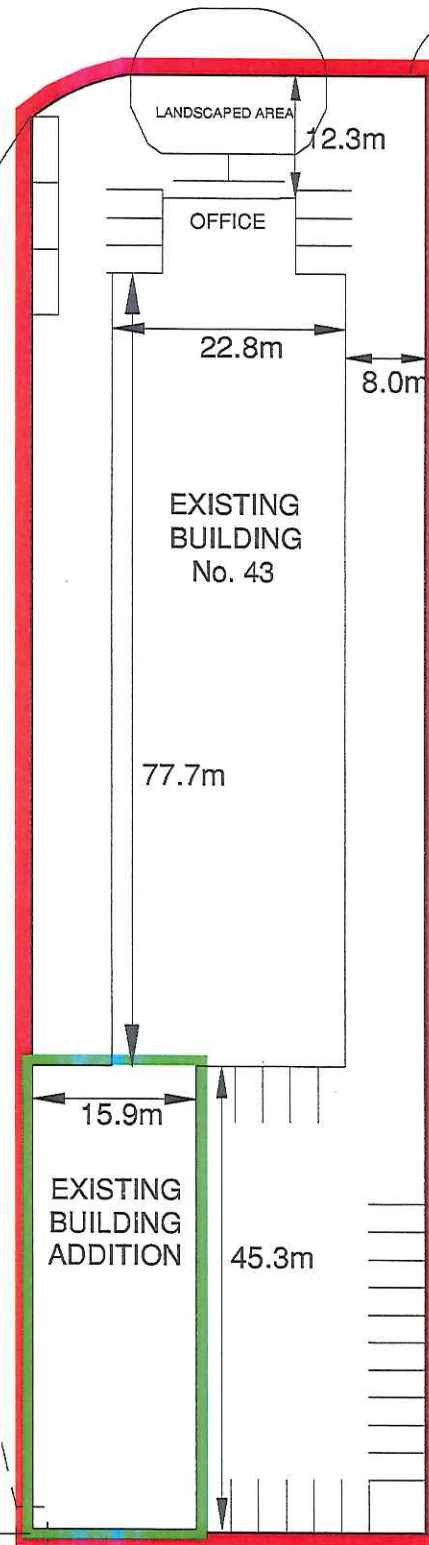
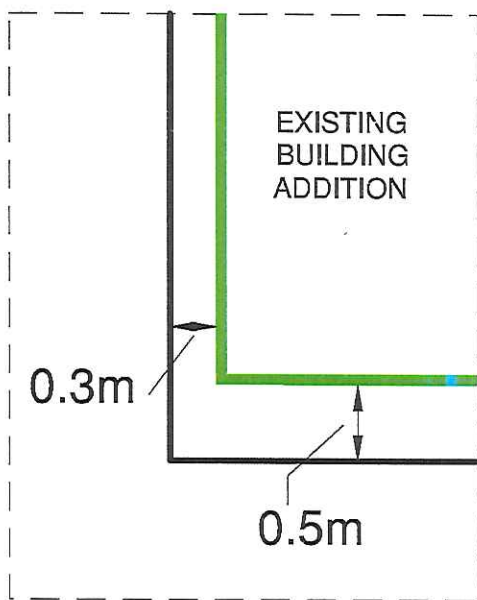
February 9, 2021



PROGRESS COURT

VARIANCES TO PERMIT A MINIMUM SIDE YARD SETBACK OF 0.3m WHERE THE CURRENT REQUIREMENT IS 8.0m AND A REAR YARD SETBACK OF 0.5m WHERE THE REQUIREMENT IS 8.0m AS PER THE BY-LAW

A VARIANCE IS REQUIRED TO PERMIT A TOTAL OF 30 PARKING SPACES WHERE THE MINIMUM REQUIREMENT IS 33 AS PER THE BY-LAW



AKAL STEEL (2005) INC.

MINOR VARIANCE PLAN

43 PROGRESS COURT
LOT 7 CONC 7 N.D.
CITY OF BRAMPTON

CANDEVCON LIMITED
CONSULTING ENGINEERS AND PLANNERS

TEL. (905) 794-0600

FAX (905) 794-0611

DATE FEB., 1, 2021

JOB No W21012

DRAWN S.G.K

PLAN No.

SCALE 1:400

MV-1

CITY OF BRAMPTON
COMMITTEE OF ADJUSTMENT

FILE NUMBER A65/90 HEARING DATE MAY 22/90

APPLICATION MADE BY 807563 ONTARIO LTD.

IN THE MATTER OF SECTION 44 OF THE PLANNING ACT; ZONING BY-LAW
NUMBER 56-83 AS AMENDED AND AN APPLICATION FOR MINOR
VARIANCE OR SPECIAL PERMISSION TO ALLOW A 2 METRE LANDSCAPE STRIP
ON EACH SIDE YARD NEAR OFFICE AREA AND A 1 METRE LANDSCAPED STRIP
ADJACENT TO THE LOADING AREA, AND THE FRONT YARD LANDSCAPING BE REDUCED TO 42%

(PROGRESS COURT)

THE REQUEST IS HEREBY APPROVED AS AMENDED AND SUBJECT TO THE FOLLOWING CONDITION:

1. That the development receive site plan approval.

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 F. TURNER SECONDED BY H.E. THOMPSON

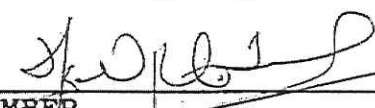
WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION



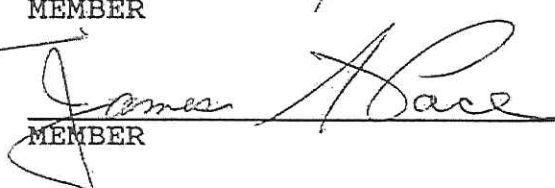
CHAIRMAN (ACTING)



MEMBER



MEMBER



MEMBER

MEMBER

NOTE: J. Pappain declared a
conflict of interest


DATED THIS 22ND DAY OF MAY 1990

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

JUNE 21ST, 1990

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.

DATED THIS 22ND DAY OF MAY 1990



SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

