

APPLICATION # A-2021-0123
WARD 8

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **RATHCLIFFE PROPERTIES LIMITED** 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 Lot 1, Concession 7 N.D. municipally known as **400 AND 420 PARKHURST SQUARE**, Brampton;

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

1. To permit a rear yard setback of 8.62m to lands zoned Agricultural whereas the by-law requires a minimum rear yard setback of 13.7 metres to lands zoned Agricultural;
2. To permit a street line setback of 28.40m abutting Steeles Avenue whereas the by-law requires a 46m street line setback to Steeles Avenue;
3. To permit a street line setback of 4.53m abutting Parkhurst Square to a proposed hydro transformer whereas the by-law requires a 15m setback abutting Parkhurst Square;
4. To permit a lot coverage of 48% whereas the by-law permits a maximum lot coverage of 35%;
5. To permit an 8.21 metre wide landscape open space strip abutting Steeles Avenue, except approved driveway locations, whereas the by-law requires a minimum 15 metre wide landscaped open space strip, except at approved driveway locations;
6. To permit outside storage of goods, materials or machinery whereas the by-law does not permit outside storage of goods, materials or machinery.

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

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.

May 20, 2021

City of Brampton
Committee of Adjustment
2 Wellington Street West, 1st Floor
Brampton, Ontario
L6Y 4R2

Attention: Jeanie Myers
Secretary-Treasurer

Re: 400 & 420 Parkhurst Square, Brampton, ON - Application for Minor Variance

Dillon Consulting Limited ("Dillon") represents Rathcliffe Properties Limited (the "Client") in the Minor Variance application required to support the development of two industrial buildings (the "proposal") located at 400 & 420 Parkhurst Square (formerly 53, 73 & 95 Parkhurst Square), Brampton, ON (the "Subject Site"). There are currently three commercial buildings, used for retail warehouse type uses, on the Subject Site.

Preliminary Consultation Meetings were held with staff at the City of Brampton (the "City"). Subsequently, a Site Plan Control application was submitted for the proposed project on December 18, 2020, and is currently under review by the City staff application number SPA-2020-0187.

This letter and attached support materials form our submission for an application for a Minor Variance to seek relief from the City of Brampton Zoning By-law No. 270-2004 that will enable the proposed development of two industrial buildings on the Subject Site.

Background

The Subject Site is subject to Zoning By-law No. 270-2004.

This proposed site development consists of two new industrial buildings which will replace the existing buildings on the Subject Site. The existing buildings on the property were formerly used as a flea market and this use is no longer viable on the site. The proposed use will consist of industrial warehouse uses. The proposed new buildings will be subject to a current Site Plan Control application which is being reviewed by City Planning.

Following discussions with staff, it was confirmed that the application for the proposed site development would be subject to the Zoning By-law No. 270-2004 and that a Minor Variance could be sought to obtain relief from the applicable zoning requirements.



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416.229.4692



Subject Site

The Subject Site is municipally known 400 & 420 Parkhurst Square in the City of Brampton. The Subject Site is legally described as:

- FIRSTLY: PT BLK 3 PL 43M891 DES PTS 9,10,11,12,13,14,15 PL 43R23787; S/T EASEMENT IN FAVOUR OF THE CORPORATION OF THE CITY OF BRAMPTON OVER PT BLK 3 PL 43M891 DES PTS 10, 11 PL 43R23787 AS IN LT1045472. S/T EASEMENT IN FAVOUR OF THE CORPORATION OF THE CITY OF BRAMPTON OVER PT BLK 3 PL 43M891 DES PTS 10, 11, 12 PL 43R23787 AS IN LT2008000. S/T EASEMENT OVER PT BLK 3 PL 43M891 DES PTS 10,11, 12 PL 43R23787 IN FAVOUR OF PT BLK 3 PL 43M891 DES PTS 6 & 8 PL 43R18700 EXCEPT PTS 9-16 PL 43R23787 & PT BLK 4 PL 43M891 DES PT 1 PL 43R23114 EXCEPT PT 17 PL 43R23787 AS IN LT2008002; SECONDLY: PT BLK 4 PL 43M891 DES AS PTS 2,3,4 & 5 PL 43R23114 S/E PTS 1 & 2 PL 43R31426; S/T EASEMENT IN FAVOUR OF THE CORPORATION OF THE CITY OF BRAMPTON OVER PT BLK 4 PL 43M891 DES AS PT 3 PL 43R23114 AS IN LT1045472. S/T EASEMENT IN FAVOUR OF THE REGIONAL MUNICIPALITY OF PEEL OVER PT BLK 4 PL 43M891 DES AS PTS 4, 5, 6 PL 43R27625 S/E PTS 1 & 2 PL 43R31426 AS IN PR465809. S/T EASEMENT IN FAVOUR OF THE REGIONAL MUNICIPALITY OF PEEL OVER PT BLK 4 PL 43M891 DES AS PTS 25 & 26 PL 43R27625 AS IN PR465810 CITY OF BRAMPTON

The property is located on the northeast corner of Parkhurst Square and Steeles Avenue East in the City of Brampton, and is municipally known as 400 & 420 Parkhurst Square. The Subject Site is a large irregular shaped parcel and is developed with three commercial buildings used by various retail uses, including a Flea Market.

The Subject Site has frontage of approximately 150 meters on Steeles Avenue East. The Subject Site abuts the Provincial Toll Highway to the rear and also abuts a railway to the east, which is used for freight transport. The site has a total area of approximately 8.280 hectares (ha) (20.46 acres).

Proposed Development

The proposed development will consist of two industrial buildings for employment uses. Building No. 1 will have a gross floor area of 30,340 square metres and Building No. 2 will have a gross floor area of 8,755 square metres, for a total gross floor area of 39,095 square metres. The development project also includes site improvements such as enhanced landscape treatment throughout the site, and parking facilities for trailer trucks and vehicles.

Access to the site will be through an existing entrance from Parkhurst Square which is a short street that leads to Steeles Avenue East. The proposed development has its



main frontage along Steeles Avenue East, with a front yard setback of 28.40 meters and a rear yard setback of 47.30 meter abutting the Highway 407.

The site plan concept provides a total of 315 parking spaces which are located along the south and west property lines. Truck loading and trailer parking spaces are located in the east of the proposed two buildings that are adjacent to the CN Rail, discreet to the site and are not visible from Steeles Avenue East due to the enhanced landscape treatment that is proposed

Zoning Provisions Applicable to Proposed Land Use

The Subject Site is zoned Industrial Zone (M1-Section 1555 and 1554) in the City of Brampton Zoning By-law No. 270-2004, as amended. A portion of the Subject Site located at the rear of the lot is zoned Agricultural (A).

To implement the proposed development on the Subject Site, the following variances have been identified:

1. Maximum Lot Coverage – 48% lot coverage is proposed whereas the by-law requires a Maximum Lot Coverage of 35%;
2. Minimum Rear Yard, abutting lands zoned A – 8.62 metres is proposed whereas the by-law requires a minimum rear yard setback abutting an Agricultural zone of 13.7 metres;
3. Minimum Street Line Setback, abutting Steeles Avenue – 28.40 metres is proposed along Steeles Avenue, whereas the by-law requires the Street Line Setback abutting Steeles Avenue of 46 metres;
4. Minimum Street Line Setback, abutting any other street (Parkhurst Square) – 15 metres; 4.53 metres is proposed along Parkhurst Square to allow for the installation of a transformers, whereas the by-law requires Minimum Street Line Setback of 15.0 metres;
5. Minimum Landscape Open Space Width, abutting Steeles Avenue – 8.21 metres minimum landscape open space width along Steeles Avenue is proposed whereas the by-law requires a minimum landscape open space width along Steeles Avenue of 15 metres; and,
6. Outside Storage - Outside storage of trailers is proposed whereas the by-law does not permit outside storage of goods, materials or machinery in the M1-1555 and M1-1554 zone.

Variance 1 is required to allow a larger development on the Subject Site, this will allow for the proposed two industrial buildings to be sufficiently located on the property. Variance 2 is related to the rear yard setback abutting lands zoned agricultural; no significant uses are proposed in the rear. Variance 3 and 4 is related to

the street line setback for the proposed development. Variance 5 relates to landscape open space width along Steeles Avenue that provides for a suitable buffer between the proposed development and the street, Steeles Avenue East. Variance 6 permits the use of outside truck storage on the property.

Tests for Minor Variance

It is our opinion that the requested variance meets the “four tests” set out in subsection 45(1) of the *Planning Act*, as follows:

1. The variance is minor in nature.

As the definition of what constitutes a “minor variance” has not been precisely defined in the *Planning Act*, it is up to the Committee to determine the extent to which a by-law provision may be relaxed and a variance still classified as minor in nature.¹ Guidance is available in the form of jurisprudence which sees this test as a matter of size, importance and impact.²

The proposed variances call for site-specific relief from provisions related to the proposed use, lot coverage, building setbacks, landscape open space buffer and outside storage on the Subject Site.

Variance 1 - The industrial use is already permitted on the Subject Site, and the proposed increase in lot coverage represents the logical expansion of the industrial use in order to achieve a larger and improved modern facility, which is supported by the adjacent transportation network and which will serve to play a significant role in the economic base in a well-established employment area. The increased lot coverage is minor in nature as the proposed use will have no impact on the adjacent properties; density is further mitigated by its location adjacent to a Highway and Rail line and the restricted land uses surrounding the property to the west, north and south.

Variance 2 - Part of the rear portion of the Subject Site is zoned agricultural, the by-law required a setback of 13.7 metres, and the proposal provides an 8.62 metre setback from this Agricultural zone. The rear portion of the lot that is adjacent to the building serves as a driving aisle and provides a fire access aisle. No significant development, industrial activity or outside storage uses are proposed to the rear,

¹ See *Toronto (City) v. 621 King Developments Ltd.*, 2011 ONSC 7047 (CanLII), <http://canlii.ca/t/fqjrd> and *Re McNamara Corporation Ltd. et al. and Colekin Investments Ltd.*, 1977 CanLII 1050 (ON SC), <http://canlii.ca/t/g1j9s>.

² See *Vincent v. Degasperis*, 2005 CanLII 24263 (ON SCDC), <http://canlii.ca/t/1l4rd>.

adjacent to the agricultural zone. The portion of the lot zoned Agricultural is a remnant Agricultural zone which is vacant and not used for Agricultural purposes. The proposed setback will have minor impact on the adjacent Agricultural zoned use. The 8.62 metre setback is an acceptable separation to this Agricultural zoned portion of the Subject Site.

Variance 3 & 4 - Setbacks from streets serve to ensure enough separation distance from the street and to provide adequate landscaping and buffer. The reduction of the street line setback from 46 metres to 28.40 metres along Steeles Avenue and from 15 metres to 4.53 metres from Parkhurst Square will have little impact to the surrounding industrial uses or pedestrian experience in this industrial area. The proposed site development has little impact on the surrounding properties because of its existing condition and its surrounding context. The front yard abutting Steeles Avenue will contain only parking and the landscaped portion of the site will be enhanced with landscaping. The portion of the building abutting Parkhurst Square provides a setback of 22.5 metres, the development proposes two transformers on the lands abutting Parkhurst Square, and due to its structural size, the transformers do not comply with this by-law requirement, therefore a variance is required to allow the transformer to be located within 4 metres from the street line. Though considered a structure, the proposed transformers will have less than 10 square metres in size, and will be screened with landscaping from public view. The impact of the transformers are minor on the street due to its limited visibility. The reduced street setbacks are minor in nature and further mitigation measures such as landscaping will be incorporated into the plan to minimize any impact. It is important to understand that the proposed buildings are consistent with the setback requirement along Parkhurst Square and that a variance is required for the setback to the transformers only, not for the proposed buildings.

Variance 5 - The required landscape open space width abutting Steeles Avenue is 15 metres per the zoning bylaw, however, a variance was previously approved for the site to permit a 12 metre landscape open space width for a portion of Steeles Avenue which facilitated a road dedication to the Region of Peel at the time. The proposal provides a landscaped open space width of 8.2 metres along the eastern portion of Steeles Avenue East in order to meet the Region's requirements for a further road widening, and 12.5 metre landscape open space width is provided along the westerly portion of Steeles Avenue East as per the previously approved variance. Therefore, based on the proposal and the requirement outlined by the By-law, as previously varied, a minor variance is required for the east portion of the site. The reduction is only required for a portion of the front yard near the rail corridor and grade embankment, with a more minor reduction for the rest of the front yard. The impact of the landscape open space width reduction is minor and adequate amount of landscaping is provided to buffer the proposed used and lands abutting Steeles Avenue. The Subject Site is located adjacent to a CN rail, and not adjacent to any

sensitive land uses, and appropriate landscape area is provided. The impact of the proposed variance from the By-law standard will be minor in nature.

Variance 6 - The current zoning regulations does not allow outside storage on the Subject Site, the development proposes outside trailer truck storage, according to the by-law this is considered to be outside storage. The proposed trailer truck parking is located to the exterior side of the building abutting a railway. There are adequate screening and setback provided between the railway use and the proposed use. The proposed outside storage would not impede on the current use of the railway or operations around the site. It is situated away from the public streets that about the site and is not visible from the public realm and the streets. Enhanced screening is providing along Steeles Avenue that would provide greater buffer between the uses. The proposed truck parking area on the Subject Site has very low impact on the surrounding uses, and is considered to be minor in nature.

The proposed variances will have little impact to the surrounding neighbourhood or the City as a whole. The proposed development is located on a site that is strategically screen by a highway and rail corridor, it will have adequate setbacks from street lines and will have enhanced landscaping on site along the street lines. It is also located adjacent to compatible and complementary uses (industrial). As such, the proposed development would not be expected to constitute a significant impact relative to the approved and existing uses adjacent to the Subject Site.

2. The variance is desirable for the appropriate development or use of the land, building or structure.

The requested variances would allow for the development of industrial buildings on the Subject Site, the buildings will provide employment and economic opportunities to the local community.

The development of an industrial use on this property represents the logical use of the currently zoned industrial property, given the neighbourhood and consideration of the surrounding context. The property is well situated within the City and its transportation network which supports this industrial use. The Subject Site abuts Highway 407 to the north, CN rail to the east, abuts Steeles Avenue to the South. The Subject Site is surrounded by other similar industrial type uses to the west.

Variance 1 - The proposed increased lot coverage represents a built form which is desirable and appropriate for an industrial facility in an urban context, where there is a local demand for employment facilities, and where there are similar uses in an industrial area. Employment intensification is supported by Provincial Policy. The proposed development represents an appropriate and desirable balance of built form on the Subject Site within its urban context.



Variance 2 & 3 - The design of the proposal maximizes the use of the property contributing to the local economic base of the City. The reduction in rear yard setback abutting agricultural zone and the reduction in the street line setback abutting Steeles Avenue are appropriate on the Subject Site given its urban context and surrounding uses. It does not represent over development of the site as adequate separation distances are provided, and these proposed setbacks continue to support its functions to limit its impact on surrounding uses. Adjacent properties to the west of the proposed development along Steeles Avenue have similar street line setbacks from Steeles Avenue and therefore is consistent with the buildings in the vicinity. The proposal is in keeping with the adequate separation necessary from Steeles Avenue. Its context adjacent to highway 407 and the CN rail line, help to mitigate any impact on surrounding properties.

Variance 4 - The side yard reduction along Parkhurst Square appears to be substantial, but in this case it is only required in order to permit the siting of a transformer, and not any built form. The transformer is required to be located where the power lines are available and more appropriate on a minor street such as Parkhurst Square rather than Steeles Avenue which is considered a main street. It will be adequately screened and not noticeable in the proposed location. The size of the transformer will be less than 10 square meters, and a height of approximately 2 metres and will not impeded on the streetscape or any other design requirements from the City. The side yard will continue to be able to provide adequate buffer from the neighbouring property.

Variance 5 -The reduction of front yard setback also results in the reduction of landscaping along Steeles Avenue. This landscape reduction is negligible considering its location adjacent to a rail embankment which already encroaches on the visual openness of the street. Enhanced landscaping will appropriately be provided and will maintain its role in creating an attractive open space along Steeles Avenue. Further, the road allowance is substantial in this location and it will also serve to provide green landscaping in front of this proposed building.

Variance 6 - The outside storage of trucks is ancillary to the warehouse use and serves an integral part of the warehouse function on the site. It is important to note that no outdoor storage will be located within this area, and it is instead solely for the purposes of trailer parking. Its location along an interior side yard, adjacent to a rail line will have no impact on rail activities or other surrounding industrial uses in the vicinity. It is strategically located away from public view, and maximizes an underutilized space on the property which provides an appropriate location for this type parking. Appropriate landscape and screening measures have been implemented in order to create a visual separation from the street line to the proposed truck storage.

The proposed site development strikes an appropriate balance between the intent of the Zoning By-law, and the desire to employ good urban design by locating the proposed building in a manner that minimizes its impact on the adjacent neighbours



in the area. The variances required to implement the proposed site development represent a desirable approach for the appropriate development and use of the Subject Site.

3. *The variance maintains the general intent and purpose of the zoning by-law.*

The variances will permit a more intensified warehouse use on the Subject Site and result in a permitted use which will be able to better serve the modern economy. The proposed warehouse use is located in an Industrial zone and will continue to serve its function with the local community.

Variance 1 - The proposed lot coverage does not represent the overdevelopment of this site but a suitable intensification of an Industrial zone. The proposal results in employment intensification on the property and provides employment uses for the municipality. The intent of the zoning by-law is to ensure the development on a site can provide adequate buffer between each site so not to impact adjacent land uses. The proposed development provides adequate buffers along all of its yards.

Variance 2 - The proposal provides adequate buffer with sufficient setbacks to the rear located adjacent to the Agricultural Zone. The proposed use will not have any measurable impact on the Agricultural use and will not impede agricultural activity on this remnant piece of lands with the Agricultural zone. Further, the Agricultural remnant on this site is not currently used for agricultural purposes and is reserved for future development, similar to the neighbouring properties that also have portions zoned as Agricultural.

Variance 3 & 4 - Adequate setback along Steeles Avenue is provided and is consistent with other existing developments that also have frontage onto Steeles Avenue East. The setback reduction along Parkhurst Square is only required to implement a transformer and there will not be any impact from any buildings. With respect to the physical building, the proposal provides a setback of 22.04 metres along Parkhurst Square, providing more than adequate setback separation required from the by-law. Adequate opportunities for landscaping and buffering are provided and therefore the separation from the streets which are proposed meets the intent of the zoning by-law.

Variance 5 - The reduction of landscaping along Steeles is an extension of a variance which was previously granted in 2006. The proposed development will have a built form which maintains adequate setback and landscaping along Steeles Avenue. The site will properly function with onsite circulation, and therefore does not represent over development of the site.

Variance 6 - Outside storage is limited in this industrial zone to minimize its impact on surrounding industrial uses and to maintain a prestige industrial character. Given the location of the proposed storage adjacent to a rail line, it is typically suitable to have outside storage adjacent to a rail line. The rail line acts as a barrier and minimizes the impact of the proposed outside storage of trucks on adjacent properties. It is a suitable use adjacent to a rail line and for this Subject Site. The parking of trucks and trailers will be screened from public view and therefore the site continues to maintain a prestige industrial character.

Accordingly, the proposed variances will maintain the general intent and purpose of the zoning by-law.

4. *The variance maintains the general intent and purpose of the Official Plan.*

The Subject Site is designated "Employment" in the City's Official Plan and is located within an employment district. The purpose of the Employment designation and this employment district is to take advantage of this strategic location next to the major transportation infrastructure and facilities including the Lester B. Pearson International Airport, CP & CN intermodal terminals, rail, transit, major roads and Provincial freeways (i.e., Highways 410, 407, and 427). The proposed variances will allow the Subject Site to redevelop into a larger, modern, efficient warehouse facility and position itself to play a more significant role in the overall distribution of goods for the modern economy. The Subject Site will continue to serve the neighbourhood and community with future employment needs.

Accordingly, the proposed variances will maintain the general intent and purpose of the Official Plan.

Application for a Minor Variance

The proposed variances meet the four tests outlined in the Planning Act. The proposal does not have a significant impact on the neighbouring properties and surrounding area and can be considered to be minor in nature. The proposal represents a desirable approach for the appropriate development and use of the Subject Site. The proposal complies with the purpose and intent of the Official Plan and applicable Zoning By-law.

Submission Materials

In support of the application for a Minor Variance, the following materials have been included in the submission package:

Required Material	Dated
Application Form	May 19, 2021
Survey	October 12, 2006
Site Plan	May, 2021

Application Fees

The following application fees will be provided via cheque:

<i>Application for Minor Variance:</i>	<i>\$2,560.00</i>
<i>Conservation Review fee:</i>	<i>\$1,100.00</i>

We trust that this submission is to the satisfaction of the City of Brampton.

Should you have any questions or wish to discuss this application, please contact the undersigned at 416-554-1518 or by email (jguzzi@dillon.ca). We request that this application be considered by the Committee of Adjustment at its early possible scheduled meeting.

Yours sincerely,

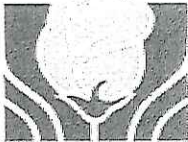
DILLON CONSULTING LIMITED



Joseph Guzzi, MCIP, RPP
Associate

Enclosure(s) or Attachment(s)
Our file: 20-3656
Cc: Nicole Guadagnoli, First Gulf Corporation

Flower City



brampton.ca

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

FILE NUMBER: A-2021-0123

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) Rathcliffe Properties Limited c/o Michael Tylman

Address 300-1020 Lawrence Avenue West

Toronto, ON

M6A 1C8

Phone # 416-787-1135 x223

Fax # 416-787-8017

Email mtylman@rathcliffe.com

2. Name of Agent Joseph Guzzi (Dillon Consulting Limited)

Address 235 Yorkland Blvd, Toronto, ON M2J 4Y8

Phone # 416-229-4646

Fax # 416-229-4692

Email jguzzi@dillon.ca

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

1. To permit a Maximum Lot Coverage of 48% ;
2. To permit a Minimum Rear Yard, abutting lands zoned "A" of 8.62 metres;
3. To permit a Minimum Street Line Setback, abutting Steeles Avenue – 28.40 metres;
4. To permit a Minimum Street Line Setback, abutting any other street (Parkhurst Square) of 4.53 metres to allow for the installation of transformers;
5. To permit a Minimum Landscape Open Space Width, abutting Steeles Avenue of 8.21 metres;
6. To permit Outside Storage (of trailers) in the M1-1555 and M1-1554 zone.

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

1. Maximum Lot Coverage permitted is 35%;
2. Minimum Rear Yard, abutting lands zoned "A" is 13.7 metres;
3. Minimum Street Line Setback, abutting Steeles Avenue, is 46 metres;
4. Minimum Street Line Setback, abutting any other street (Parkhurst Square) is 15 metres;
5. Minimum Landscape Open Space Width, abutting Steeles Avenue is 15 metres; and,
6. Outside Storage (of trailers) is not permitted in the M1-1555 and M1-1554 zone.

5. Legal Description of the subject land:

Lot Number

Plan Number/Concession Number

Municipal Address 400 & 420 Parkhurst Square, Brampton, ON (53, 75 & 95 Parkhurst Square)

FIRSTLY: PT BLK 3 PL 43M891 DES PTS 9,10,11,12,13,14,15 PL 43R23787; S/T EASEMENT IN FAVOUR OF THE CORPORATION OF THE CITY OF BRAMPTON OVER PT BLK 3 PL 43M891 DES PTS 10,11 PL 43R23787 AS IN LT1045472; S/T EASEMENT IN FAVOUR OF THE CORPORATION OF THE CITY OF BRAMPTON OVER PT BLK 3 PL 43M891 DES PTS 10,11,12 PL 43R23787 AS IN LT2008000; S/T EASEMENT OVER PT BLK 3 PL 43M891 DES PTS 10,11, 12 PL 43R23787 IN FAVOUR OF PT BLK 3 PL 43M891 DES PTS 8 & 9 PL 43R18700 EXCEPT PTS 9-16 PL 43R23787 & 9 PL 43M891 DES PTS 1 PL 43R23114 EXCEPT PT 17 PL 43R23787 AS IN LT2008002; SECONDLY: PT BLK 4 PL 43M891 DES AS PTS 2,3,4 & 5 PL 43R23114 S/E PTS 1 & 2 PL 43R31426; S/T EASEMENT IN FAVOUR OF THE CORPORATION OF THE CITY OF BRAMPTON OVER PT BLK 4 PL 43M891 DES AS PTS 3 PL 43R23114 AS IN LT1045472; S/T EASEMENT IN FAVOUR OF THE REGIONAL MUNICIPALITY OF PEEL OVER PT BLK 4 PL 43M891 DES AS PTS 4, 5, 6 PL 43R27625 S/E PTS 1 & 2 PL 43R31426 AS IN PR465809; S/T EASEMENT IN FAVOUR OF THE REGIONAL MUNICIPALITY OF PEEL OVER PT BLK 4 PL 43M891 DES AS PTS 25 & 26 PL 43R27625 AS IN PR465810 CITY OF BRAMPTON

6. Dimension of subject land (in metric units)

Frontage 153 metres (Steeles)

Depth 427 metres

Area 83, 349.55 sq. m

7. Access to the subject land is by:

Provincial Highway

Municipal Road Maintained All Year

Private Right-of-Way

☐☒☐

Seasonal Road

Other Public Road

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.)

Three, one storey industrial warehouse buildings. GFA of approx. 13,452 sq.m (144,979 sq.ft.)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Two, one storey industrial warehouse buildings (multi-tenanted), totaling 39,095.16 sq. m (420,816 sq.ft.)

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	50.18 (Steeles)
Rear yard setback	105 m (HWY 407, approx.)
Side yard setback	72.10 m (Parkhurst)
Side yard setback	32.85 m (CN Rail)

PROPOSED

Front yard setback	28.40 m (Steeles)
Rear yard setback	47.3 m (HWY 407)
Side yard setback	4.53 m (transformer) / 22.40m (building) - Parkhurst
Side yard setback	59.88 m (CN Rail)

10. Date of Acquisition of subject land: 1998
11. Existing uses of subject property: Flea Market (closed)
12. Proposed uses of subject property: Industrial uses
13. Existing uses of abutting properties: Industrial uses, offices, retail and food
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 | <input checked="" type="checkbox"/> | Other (specify) | |
| Well | <input type="checkbox"/> | | |
- (b) What sewage disposal is/will be provided?
- | | | | |
|-----------|-------------------------------------|-----------------|--|
| Municipal | <input checked="" type="checkbox"/> | Other (specify) | |
| Septic | <input type="checkbox"/> | | |
- (c) What storm drainage system is existing/proposed?
- | | | | |
|---------|-------------------------------------|-----------------|--|
| Sewers | <input checked="" type="checkbox"/> | Other (specify) | |
| Ditches | <input type="checkbox"/> | | |
| Swales | <input type="checkbox"/> | | |

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 # A208/06	Decision Approved	Relief Restaurant use and Minimum landscaping
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

Signature of Applicant or Authorized Agent

DATED AT THE CITY OF TORONTO
THIS 19th DAY OF MAY, 20 21.

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, JOSEPH GUZZI, 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 TORONTO

IN THE PROVINCE OF

ONTARIO THIS 19 DAY OF

MAY, 20 21.

A Commissioner etc.

NOTARY PUBLIC FOR THE
PROVINCE OF ONTARIO

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

A, M1-1554, M1-1555

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

L Barbuto

Zoning Officer

May 25, 2021

Date

DATE RECEIVED MAY 21, 2021

Date Application Deemed
Complete by the Municipality MAY 25, 2021

[illegible]

BUILDING DATA				
	m2	\$f	% OF LOT	
BUILDING No.1	30,340.19	36,579	36.64	LOT AREA INCLUDES PART IS LANDS & EXCLUDES ROAD CONVEYANCE
BUILDING No.2	8,754.97	94,337	10.57	LOT AREA INCLUDES PART IS LANDS & EXCLUDES ROAD CONVEYANCE
TOTAL ALL AREAS (GFA)	39,095.16	420,816	47.21	

[illegible]

KEY PLAN

SITE: PARCHETT ST

N.T.S.

15	ASST FOR REVIEW AND COORDINATION	MAY 13/21	GN
14	ASST FOR REVIEW - PART 1 OF 2 DATE: NOV 16, 2020 FOR PLAN PER CLIENT COMMENTS - ASST FOR REVIEW	MAY 11/21	GN
13	UPDATE SITE PLAN AS PER CLIENT COMMENTS - ASST FOR REVIEW	MAY 04/21	GN
12	UPDATE SITE AS PER LATEST SITE COMMENTS - ASST FOR REVIEW	MAY 03/21	GN
11	ASST FOR LANDSCAPE DESIGN FOR THE CANDIDY DRAINAGE	APR 11/21	GN
10	ASST FOR WORKING INFO FROM PLAN OF SURVEY DATE: FEB 11 PREPARED BY JO. MANUEL LAMBERT	APR 04/21	GN
9	REMOVED PROPOSED RAMP INTO TRANSFORMER AS PER CLIENT INSTRUCTION	FEB 18/21	GN
8	BUILD FOR PER CITY OF BRAMPTON	DEC 16/20	GN
7	GENERAL REVISIONS ALIGNED SITE PLAN AS PER LATEST CLIENT CHANGE	DEC 11/20	GN
6	GENERAL REVISIONS ALIGNED SITE PLAN AS PER LATEST CLIENT CHANGE	NOV 18/20	GN
5	ASST FOR ROAD GRADING AND COMBUSTION CONDUIT	NOV 16/20	GN
4	REVISIONS AS PER CLIENT COMMENTS & BUILT FOR CONSULTANT COORDINATION	OCT 11/20	GN
3	REVISIONS AS PER CLIENT COMMENTS & BUILT FOR CONSULTANT COORDINATION	OCT 07/20	GN
2	REVISIONS AS PER CLIENT COMMENTS & BUILT FOR CONSULTANT COORDINATION	OCT 01/20	GN
1	BUILT FOR PER CITY OF BRAMPTON	JULY 14/20	GN

NO.

REVISIONS

DATE

BY:

15

ASST FOR REVIEW AND COORDINATION

MAY 13/21

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
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BUILT FOR PER CITY OF BRAMPTON

JULY 14/20

GN

15 14 13 12 11 10 9 8 7 6 5 4 3 2 1	15	READY FOR REVIEW AND COORDINATION	MAY 1921	GN
	14	READY FOR TREATMENT - JULY 1921	MAY 1921	GN
	13	READY FOR TREATMENT - JULY 1921	MAY 1921	GN
	12	READY FOR TREATMENT - JULY 1921	MAY 1921	GN
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	7	READY FOR TREATMENT - JULY 1921	MAY 1921	GN
	6	READY FOR TREATMENT - JULY 1921	MAY 1921	GN

NO.	REVISIONS	DATE	BY:
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 PROJECT GROUP ARCHITECT inc.		1400 W. 10th Ave. Suite 200 Vancouver, BC V6H 2Y6 Tel: 604-681-1111 Fax: 604-681-1112 Email: info@pgarchitect.com	
 ONTARIO ASSOCIATION OF ARCHITECTS 600 NATHAN LEXCENE #304 VANCOUVER, BC V6H 2Y6		 NORTHWEST FORESTRY 10000 10th Ave. S.E. Unit 100 Burnaby, BC V5A 4G9 Tel: 604-465-1111 Fax: 604-465-1112 Email: info@nwforestry.com	
CLIENT:  PURVIS ASSOCIATES 10000 10th Ave. S.E. Unit 100 Burnaby, BC V5A 4G9 Tel: 604-465-1111 Fax: 604-465-1112 Email: info@nwforestry.com			
PROJECT: PROPOSED 1 STOREY INDUSTRIAL BUILDINGS 400 & 420 PARKHURST SQUARE, BRAMPTON, ONTARIO			
SPB (SPA 2000-0187)			
DRAWING: SITE PLAN , & SITE DATA			
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY:			
DRAWN BY: nm		CHECKED BY: GN	
DATE: MAY 2007		SCALE: AS NOTED	
PROJECT NO: 2005		DRAWING NO: A100	

