

Public Notice

Committee of Adjustment

APPLICATION # B-2021-0011 Ward #9

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by 2713442 ONTARIO INC.

Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 15,658 acres (6.337 hectares). The severed lot has a frontage of approximately 107.99 metres (354.30 feet), a depth of approximately 320.29 metres (1050.82 feet) and an area of approximately 8.329 acres (3.371 hectares). It is proposed that the severed and retained lots be developed for future automotive uses.

Location of Land:

Municipal Address: 0 Ace Drive

Former Township: Chinguacousy

Legal Description: Block 3, Plan 43M-1907

Meeting

The Committee of Adjustment has appointed TUESDAY, August 3, 2021 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

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. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. 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 possible 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.

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

LAST DAY FOR RECEIVING COMMENTS: JULY 29, 2021 _______

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the Planning Act for:

NO

NO

Official Plan Amendment: Zoning By-law Amendment: Minor Variance:

File Number: File Number:

NO File Number:

Decision and Appeal

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act. The appeal form is available from the Environment and Land Tribunals Ontario website at www.elto.gov.on.ca

If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

DATED AT THE CITY OF BRAMPTON THIS 15th Day of July, 2021

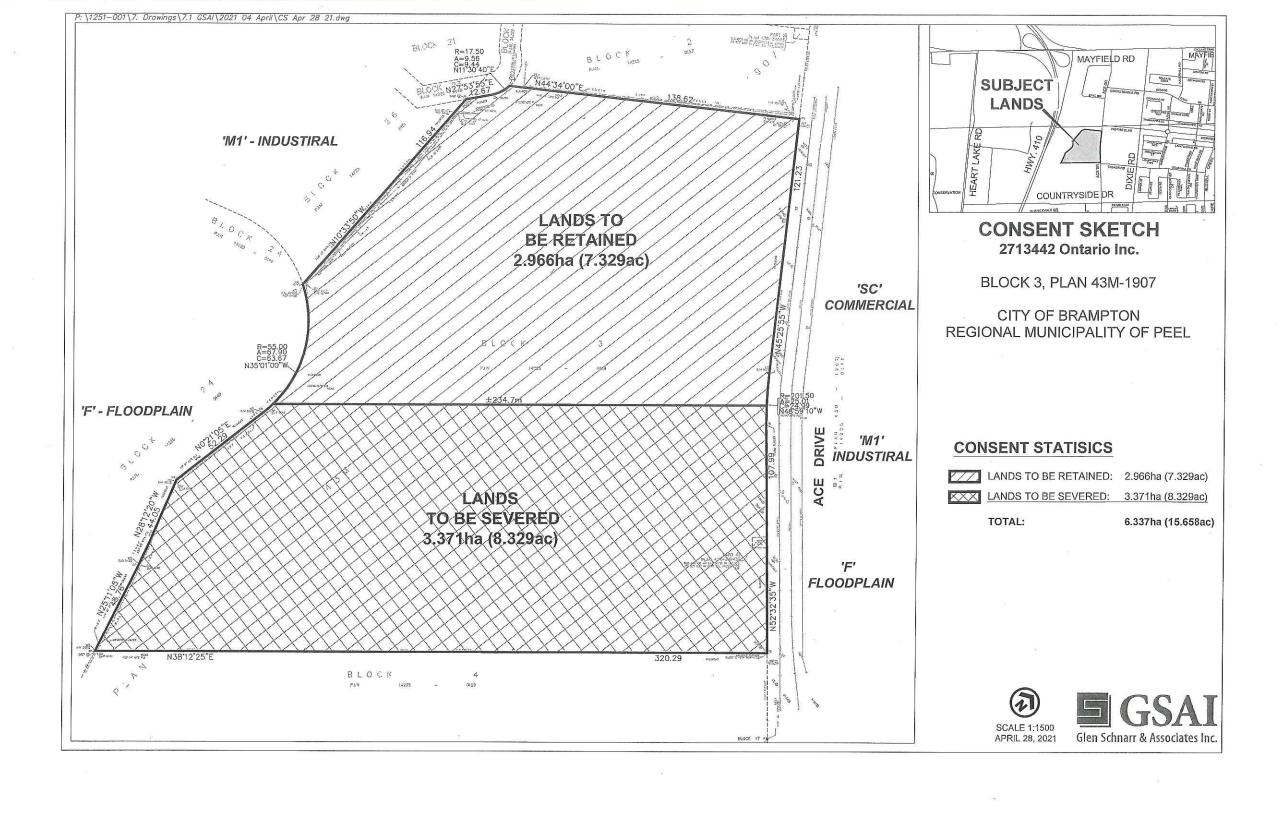
Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer City of Brampton 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, July 29, 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 Thursday, July 29, 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 Thursday, July 29, 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.



PARTNERS:
GLEN SCHNARR, MCIP, RPP
GLEN BROLL, MCIP, RPP
COLIN CHUNG, MCIP, RPP
JIM LEVAC, MCIP, RPP

Our file: 1011-009/1251-001

June 2, 2021

City of Brampton Committee of Adjustment 2 Wellington Street West Brampton, ON, L6Y 4R2

Attention:

Ms. Jeanie Myers

Secretary-Treasurer

RE:

Application for Consent

0 Ace Drive

Block 3, Plan 43M-1907

Owner: 2713442 Ontario Inc.

B- 2021-0011

Glen Schnarr & Associates Inc.(GSAI) are planning consultants to 2713442 Ontario Inc., coowners of the vacant 15.6 acre parcel of land described Block 3, Plan 43M-1907 and known municipally as 0 Ace Drive. The lands were zoned M1-1156 and designated Prestige Industrial in the Secondary Plan. In 2020 following an LPAT appeal withdrawal by the Region of Peel, approval was issued to Minor Variance application 119-200 on the entire Block 3 lands to permit auto dealership uses subject to a number of conditions. Condition #1 stipulated that the creation of new lots on these lands would occur through the common element condominium and part lot exemption process as that was the preferred process at that time. The co-owners of the property have subsequently decided to proceed with lot creation via the consent process and sever the lot into two parts such that site plan applications for multiple buildings on both parts could proceed in the future. City staff are satisfied that the consent process meets the intent of Condition #1.

In support of the consent application, the following are enclosed via digital upload as per covid protocol:

- Signed/Commissioned Application for Consent;
- Severance Sketch depicting severed/retained lands;

Upon confirmation that the uploaded materials are satisfactory, we will arrange for payment of the prescribed consent application fee of \$3,961.00.

Please advise if any TRCA review fees are required.

10 KINGSBRIDGE GARDEN CIRCLE SUITE 700 MISSISSAUGA, ONTARIO 1.5R 3K6 TEL (905) 568-8888 FAX (905) 568-8894 www.gsoi.ca



I trust the proposed submission is to your satisfaction. Please call me via cell at (905) 580-2854 if you have any questions, comments or concerns. Thank you.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Jim Levac, MCIP, RPP

Partner

Copy: Jonathan Eltes/Francesco Policaro, 2713442 Ontario Inc.

Hardik Shah, Mercedes-Benz Brampton Jay Lim, Policaro Group of Companies David Vanderberg, City of Brampton

Patricia Foran, Aird & Berlis



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

APPLICATION NUMBER:

"B"-2021-0011

The personal information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment lies 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 Consent (Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a)	Name of	Owner/Appli	cant <u>2</u>	713442 (Ontario Inc		than Eltes & Fra	ancesco Polic	aro)
Address c/o Mercedes-Benz Brampton									
	10 Coac	O Coachworks Crescent, Brampton ON, L6R3Y2							
	Phone #	905-790-	5610			Fax #			
	Email	jeltes@mb	brampton, c	a & france	esco@polic	aro.com			
(b)	Name of	Authorized A	gent G	len Schna	arr & Assoc	iates Inc. (Attr	n. Jim Levac)		
	Address	700-10 Ki	ngsbridge	Garden (Circle				
	Mississa	auga ON, L5	R3K6		W				
	Phone #	Cell: 905-5	80-2854			Fax #			
	Email	jiml@gsai	.ca						
3.	Specify:	en easemen Creation the name of the	of a new lo	t.			is to be transferred		ed.
4.	Description	on of the sul	oject land (":	subject lar	nd" means i	he land to be s	severed and retain	ned):	anige :
	a) Name o		A == D=:					nber 0	
	b) Conces	sion No.						ot(s)	
	c) Register	red Plan No.	43M-1907		- anile		Lo	ot(s) Block 3	4
	d) Referen	ce Plan No.					Lo	ot(s)	
	e) Assessn	ment Roll No	10-07-0-007	-18480-0	000	Geographic	or Former Towns	ship	
5.	Are there	any easeme	nts or restric		nants affec	ting the subjec	ot land?		

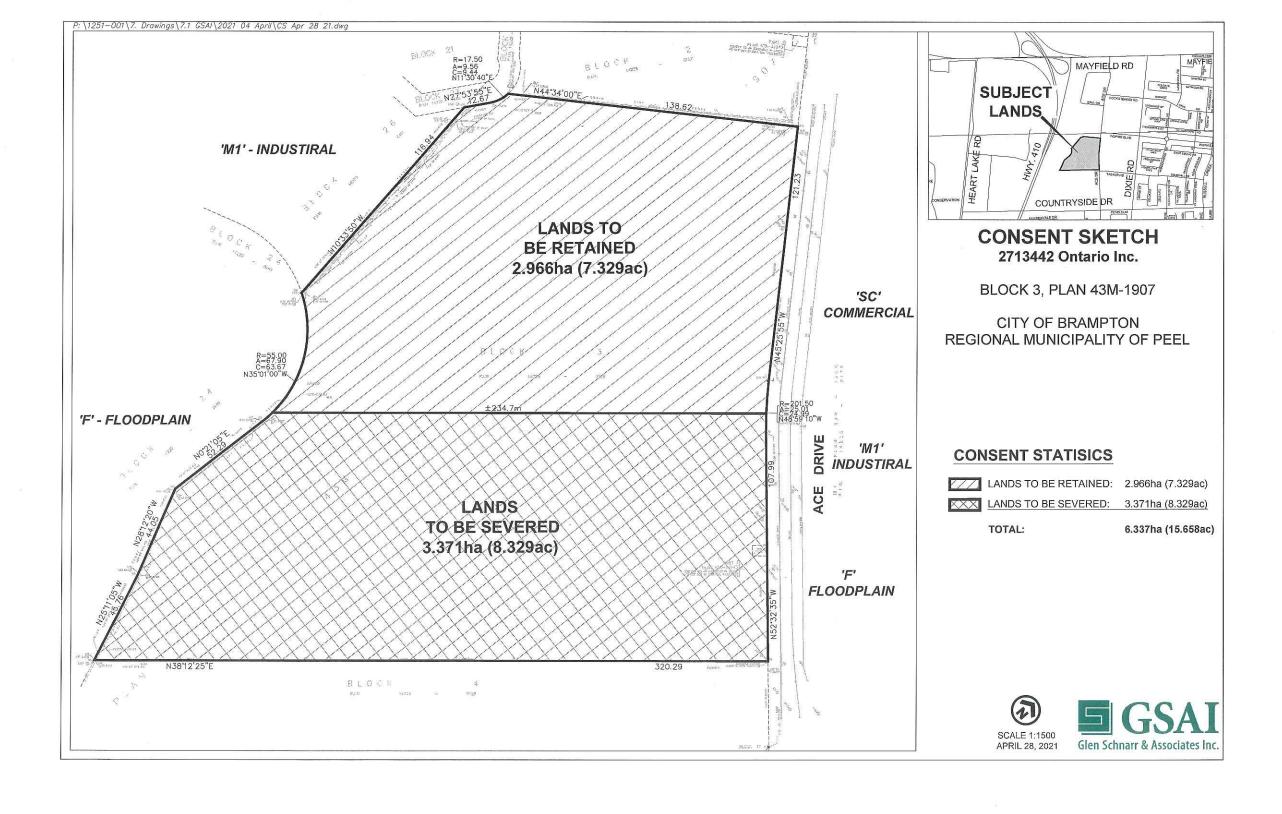
6.

7.

Descri	ption of severed land: (in metric units)						
a)	Frontage 107.99 m Dept	320.29 m	Area 3.371 ha (8.329) ac)			
b)	Existing Use Vacant	Proposed	Use Automotive				
c)	Number and use of buildings and structures (both existing and proposed) on the land to be severed:						
	(existing) None						
	(proposed To Be Determined						
d)	Access will be by:	Existing	Proposed				
	Provincial Highway						
	Municipal Road - Maintained all year						
	Other Public Road						
	Regional Road						
	Seasonal Road						
	Private Right of Way						
e)	If access is by water only, what park approximate distance of these facilities f	ing and docking rom the subject la	facilities will be used and what is nd and the nearest public road?	the			
f)	Water supply will be by:	Existing	Proposed				
	Publicly owned and operated water syste	en X					
	Lake or other body of water						
	Privately owned and operated individual or communal well						
	Other (specify):						
g)	Sewage disposal will be by:	Existing	Proposed				
	Publicly owned and operated sanitary sewer system	X					
	Privy						
	Privately owned and operated individual or communal septic system						
	Other (specify):						
Descrip	tion of retained land: (in metric units)						
a)		234.7 m	Area 2.966 ha (7.329	ac)			
b)	Existing Use Vacant		Jse Automotive				
c)	Number and use of buildings and structures (both existing and proposed) on the land to be retained:						
	(existing) None						
	(proposed To Be Determined						

	d)	Access will be by:		Existing		Proposed	
		Provincial Highway					
		Municipal Road - Maintained all year		X			
		Other Public Road					
		Regional Road					
		Seasonal Road					
		Private Right of Way					
	e)		ter only, what parking e of these facilities fro				
	f)	Water supply will be	by:	Existing		Proposed	
		Publicly owned and	operated water systen	X			
		Lake or other body o	f water				
		Privately owned and	operated individual				
		or communal well					
		Other (specify):					
	g)	Sewage disposal will	l be by:	Existing		Proposed	
		Publicly owned and on sewer system	operated sanitary	X			
		Privy					
		Privately owned and or communal septic	NAME AND ADDRESS OF TAXABLE PARTY OF TAXABLE PARTY.				
		Other (specify):					
8.	What is the	e current designation	of the land in any app	licable zo	ning by-law ar	nd official plan	?
			Land to be Severed		Land to be	Retained	
	Zoning By	-Law	M1-2256		M1-2256		
	Official Pla		Prestige Industrial		Prestige Indu	ıstrial	
	Regi	on of Peel	Urban System		Urban Syster	m	
9.	section 51	of the Planning Act of	n the subject of an a or a consent under sec on and the decision on	tion 53 of	the Act and i	of a plan of f the answer is	subdivision under s yes and if known,
	Yes X	No 🗀					
	File#	Unknown	Status/Decision_	Draft App	roved - Regis	tered as Plan	43M-1907
10.	Has any lai	nd been severed from	the parcel originally a	cquired b	v the owner o	f the subject la	and?
	Yes 🔲	No X		7	,		recent.
	Date of Tra			and Use			
				-			

11.	If known, is/was the subject la	nd the subject of any	other appli	cation unde	er the Planning	Act, su	ich as:
		File Number			Status		
	Official Plan Amendment						
	Zoning By-law Amendment	Unknown	-	Approved		_	
	Minister's Zoning Order	(_			manus ^a	
	Minor Variance	A19-200		Approved		- €0	
	Validation of the Title	_	_	***************************************			
	Approval of Power and Sale		_	*			
	Plan of Subdivision	Localitics	_				
12.	Is the proposal consistent with	n Policy Statements is	ssued under		n 3(1) of the <i>Pla</i> Yes X	anning No	Act?
13.	Is the subject land within an a	rea of land designater	d under any		Plan? Yes 🔲	No	X
14.	If the answer is yes, does the a	application conform t	o the applic		cial Plan? Yes	No	
15.	If the applicant is not the own is authorized to make the ap AGENTS" form attached).	er of the subject land plication, shall be at	l, the writte ttached. (S	n authoriza ee "APPOII	tion, of the ow NTMENT AND	ner tha AUTHO	t the applicant PRIZATION OF
Dates	at the City	of Mississa	uga				
this	2nd day of June	- 8-9	, 20 21				
		1		Check bo	x if applicable:		
é	Signature of Applicant, or Authorized Applicant	gent, see note on next page			uthority to bind		
		DECLAR	ATION				
I,	Jim Levac	of the	City	of	Mississauga		
in the Cour	nty/District/Regional Municipality o	Peel	los	emnly decla	re that all the sta	atement	is contained in t
application	are true and I make this as if mad	le under cath and by vi	irtue of "The	Canada Evi	dence Act".		±
	124				1		
Declared befo	ore me at the <u>City</u> of	Mississauga	-	//	1		
	Region of Peel	10 (10 miles)	- /	m	1/1		
this 2nd	day of June	_, 20 <u>21</u> _	si	gnatura of appl	lies de solicitor autho	rized age	nt, etc.
<u> 1</u>	Nikola Coric, a Commissione Province of Ontario, for Glen Schnarr & Associates I Expires August 25, 2021. Signature of a Commissioner, etc.	1	/i	Su	bmit by Emai		
	or block of a softmassister, etc.	. C					
	FOR OFFICE	USE ONLY - To Be Co	ompleted By	the Zoning	Division		
	This application has been review of the said re	ved with respect to pos view are outlined on th			and the results		
	L Barbuto		June '	14, 202	1		
•	Zoning Officer			Date	50	-	
					**		
	DATE RECEIVED						





FILE NUMBER A19-200

ROD POWER, MEMBER

Note: Member D. Colp declared a Conflict of Interest

Notice of Decision

Committee of Adjustment

HEARING DATE SEPT. 8, 2020

APPLI	CATION MADE BY 2713	3442 ONTARIO INC.				
APPLIC	IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE(S):					
1.	 To permit motor vehicle sales and leasing establishments with accessory motor vehicle repair and the outdoor display and storage of vehicles for sale; 					
2.	To permit a free standing motor vehicle body shop/collision centre (within Area "C" as depicted on the public notice sketch).					
	(0 ACE DR	IVE – BLOCK 3, PLAN 43M-1907)				
(APPR	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 SCHI	EDULE "A" ATTACHED				
REASO This de						
1.	The variance authorized is desiral or structure referred to in the appli	ble for the appropriate development or use of the land, building, loation, and				
2.	The general intent and purpose of maintained and the variance is mi	the zoning by-law and the City of Brampton Official Plan are nor.				
Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the <i>Planning Act</i> , have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.						
MOVED BY: R. Power SECONDED BY: D. Doerfler						
CHAIR	OF MEETING: RON CHATHA					
WE TH	IE COMMITTEE MEMBERS NOTE	D BELOW HEREBY CONCUR IN THE DECISION				
	ORIZED BY VOTE HELD AT A ME					
RON C	RON CHATHA, MEMBER DESIREE DOERFLER, MEMBER					

DATED THIS 8TH DAY OF SEPTEMBER, 2020

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE <u>SEPTEMBER 28, 2020</u>

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

SECRETARY-TREASURER

ANA CRISTINA MARQUES, MEMBER

ale

Flower City



brampton.ca

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

APPLICATION NO: A19-200

DATED: SEPTEMBER 8, 2020

Conditions:

- 1. That within 180 days of Committee's decision, or within an extended period of time as approved by the Director of Development Services, the applicant shall submit a Condominium application and that within 180 days, or within an extended period of time as approved by the Director of Development Services, of the registration of a condominium for Block 3 and Council adoption of a Part Lot Control Exemption By-law for the lands, a Site Plan Application shall be submitted;
- Site Plans submitted for the lands subject to this application shall adhere to the design principles
 of the Community Design Guidelines for Block Plan Area 48-1, which shall include limiting the
 display of vehicles (outdoor storage) in the front yard, to the satisfaction of the Director of
 Development Services;
- 3. That in conjunction with the establishment of any vehicle dealership(s) on the lands that are shown as the northern parcel on the sketch attached to the public notice (i.e. the lands north of the proposed private drive that includes buildings A, B and C), a minimum of 1,200 square meters of office space is required to be developed in this area, which may be in a separate building from the vehicle dealership(s);
- 4. That any building including a vehicle dealership use on the lands that are shown as the three southerly parcels on the sketch attached to the public notice (i.e. the lands south of the proposed private drive) must include a minimum of 465 square meters of office space per building and must be a minimum of 8 metres in height;
- 5. That any building that does not include a vehicle dealership use on the lands that are shown as the three southerly parcels on the sketch attached to the public notice (i.e. the lands south of the proposed private drive) must include a minimum of 331 square meters of office space per building and must be a minimum of 8 metres in height:
- That the proposed retail gross floor area shall be a maximum of 4,000 square meters for the
 entire Block, being Block 3 of Plan 43M-1907 as shown on the sketch attached to the public
 notice, and that no more than 1,000 square meters of retail floor area shall be permitted per
 building;
- 7. That storage of vehicles shall not occupy any portion of the existing lot or any future legally created lots/part lots within Block 3 until such time as the principal building has been constructed on that individual future lot/part lot, with the exception that limited storage may be permitted during the site plan application process for a lot only if approved by and subject to conditions and restrictions identified by the Director of Development Services;
- The applicant submits a TRCA permit application (Application for Development Interference with Wetlands & Alterations to Shorelines and Watercourse – Ontario Regulation 166/06) and the associated fee of \$9,950 (Projects on Commercial/Industrial Properties – Standard) and obtains a TRCA permit;
- That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Jeanie Myers

Secretary Treasurer / J Committee of Adjustment

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