

**APPLICATION # B-2020-0016**  
**Ward # 1**

**NOTICE OF AN APPLICATION FOR CONSENT**

An application for consent has been made by **7724934 CANADA 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 73981.97 square metres (18.28 acres). The effect of the application is to create a new lot having frontage of approximately 45.9 metres (150.59 feet), a depth of approximately 131.6 metres (431.76 feet) and an area of approximately 6136 square metres (1.52 acres) to facilitate a land sale. It is proposed that the severed parcel be used for commercial purposes (a self-storage facility is proposed).

**Location of Land:**

Municipal Address: 370 Main Street North

Former Township: Town of Brampton

Legal Description: Part of Lot 8, Concession 1 EHS

**Meeting**

The Committee of Adjustment has appointed **TUESDAY, September 29, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4<sup>th</sup> 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 PARTICIPTION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

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**LAST DAY FOR RECEIVING COMMENTS: SEPTEMBER 24, 2020**

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**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:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	YES	File Number: A-2020-0078

**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](http://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 10th Day of September, 2020

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](mailto: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 Committee 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, September 24, 2020**.
- 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm, Friday, September 25, 2020**.
  - 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, **September 25, 2020**. 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.





**SMARTCENTRES®**  
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T 905 326 6400 • F 905 326 0783

August 28, 2020

Attn: Jeanie Myers, Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, ON L6Y4R2

13-2020-0016 AND A-2020-0078

Dear Chair and Members of the Committee:

**RE: Consent to Sever & Minor Variance Applications**  
**370 Main Street North – SmartCentres Kingspoint Plaza**  
**Owner: 7724934 Canada Inc.**  
**Related OPA, ZBA and SPA City File Nos.: OZS-2020-0003, SPA-2020-0053**

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On behalf of 7724934 Canada Inc., we are pleased to submit the enclosed Minor Variance and Consent to Sever applications to facilitate the construction of a 5-storey commercial self-storage facility at the southern portion of SmartCentres Kingspoint Plaza. The 16.7-acre commercial plaza is located on the north side of Vodden Street E, east of Main Street N, and is municipally known as 370 Main Street N in the City of Brampton.

We are applying to permit the severance of the self-storage lands ("**Severed Parcel**") from the rest of the shopping plaza ("**Retained parcel**") and are seeking a parking variance to permit the removal of parking spaces due to the addition of the self-storage facility.

**Property Description**

Kingspoint Plaza contains three standalone retail buildings and one larger L-shaped commercial complex with a total gross leasable area of 18,919 m<sup>2</sup>. The shopping centre consists of a range of retail, personal service, restaurant and office uses. The proposed self-storage facility is located on a rectangular parcel at the south portion of the plaza. The self-storage lands or Severed Parcel is predominately vacant and is currently used as surface parking and a drive-thru ATM.

**Proposed Severance**

On October 25<sup>th</sup>, 2019, we submitted applications to amend the Official Plan and Zoning By-law to permit a commercial self-storage facility use on the Severed Parcel. We subsequently applied for site plan approval on April 30<sup>th</sup>, 2020. We anticipate receiving approval in early Fall and are now seeking permission to sever the lands to create new lot for self-storage facility. As shown on the enclosed plan, the Severed Parcel is approximately 1.5 acres in size with approximately 46 m of frontage along Vodden Street E. The Retained Parcel has an area of approximately 15.2 acres and its existing frontage along Main Street remains unaffected.

While the intended severance will effectively create two parcels, the site will still operate as one via a reciprocal access and operating agreement (REOA) to allow for pedestrian and vehicular access over both parcels. The Severed Parcel will be sold to a new entity, in which SmartCentres will continue to have

ownership interests. The proposed severance will not negatively impact the operations of the plaza, and in fact, will allow for an appropriate development on an underutilized tract of land.

### **Proposed Minor Variance**

As there are existing parking spaces on the Severed Lands, we require a minor variance to facilitate this severance and the proposed development. We are seeking the following variance as it relates to the Retained Parcel:

To permit a parking ratio of 1 parking space for each 23 m<sup>2</sup> of gross commercial floor area whereas 1 parking space for each 19 m<sup>2</sup> of gross commercial floor area or portion thereof is required.

The Retained Parcel is designated *District Retail* in the City of Brampton Official Plan, within the Brampton Flowertown Secondary Plan Area, and is zoned C3-3235 in the City of Brampton Zoning By-law 270-2004, as amended. Based on the Zoning By-law's requirement, shopping centres having a gross leasable commercial floor area of 2,000 m<sup>2</sup> or more require a minimum of 1 parking space per 19 m<sup>2</sup> of gross commercial floor area. With a GLA of 18,919 m<sup>2</sup>, the Retained Parcel requires a minimum of 996 parking spaces. There are 839 existing parking spaces in the plaza.

As outlined in the parking study prepared by HDR Inc., dated August 24<sup>th</sup>, 2020, there is an oversupply of parking spaces even accounting for the removal of parking spaces on the Severed Parcel. Based on a historical parking demand analysis, the peak demand for the plaza is approximately 473 spaces (or 56% utilization). Using ITE parking generation rates, the expected peak parking demand is 593 spaces (or 71% utilization). The existing supply of 839 parking spaces is more than sufficient to accommodate the projected parking demand. In addition, the site is located in close proximity to the Brampton GO station, future BRT corridor, and bike lanes. We anticipate that parking demand will continue to decrease in the future, and rather than proposing additional parking that will not be utilized, we are applying for a variance to reduce the parking supply rate to better reflect the ongoing demand of this shopping centre.

The proposed parking variance will not negatively impact the operations of the plaza as there is ample parking available for tenants and customers of the shopping centre. It will also allow us to redevelop an underutilized parcel within this key node in Brampton. In our submission, we believe the proposed variance meets the four tests as required by the *Planning Act*, R.S.O. 1990, c. P.13. It is minor in nature, and appropriate and desirable for the neighbourhood and municipality. It helps facilitate the construction of additional commercial uses on otherwise vacant lands. The variance also meets the intent of the Zoning By-law and Official Plan in that it supports growth and intensification objectives of the City.

In support of the above, please find enclosed the following:

#### **Consent to Sever Application**

1. Completed Consent to Sever Application and Authorization Form;
2. Sketch depicting the Severed and Retained Parcels;

#### **Minor Variance Application**

3. Completed Minor Variance Application and Authorization Form;
4. Parking Justification Study, prepared by HDR, dated August 28<sup>th</sup>, 2020;
5. Site Plan prepared by FSA, dated August 21<sup>st</sup>, 2020;

#### **Application Fees**

6. Cheque in the amount of \$6,393.00 made payable to the City of Brampton representing the application fees; and
7. Cheque in the amount of \$1,100.00 made payable to the TRCA representing the TRCA Review fee.

We trust the enclosed is satisfaction. Should you have any questions regarding this application, please do not hesitate to contact the undersigned at 647.362.3683 or [jtran@smartcentres.com](mailto:jtran@smartcentres.com).

Sincerely,

**SmartCentres**



**Jinny Tran, MCIP, RPP**  
Development Manager

cc: Allan Scully, SmartCentres  
Bliss Edwards, SmartStop  
Daniel Watchorn, City of Brampton



Flower City



brampton.ca

APPLICATION NUMBER:

"B" - 2020-0016

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 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

### 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/Applicant 7724934 Canada Inc.  
(print given and family names in full)  
Address 3200 Highway 7, Vaughan, Ontario, L4K 5Z5  
  
Phone # 905 326 6400 Fax # 905-760-6220  
Email
- (b) Name of Authorized Agent Daniel Orellana, SmartCentres  
Address 3200 Highway 7, Vaughan, Ontario, L4K 5Z5  
  
Phone # 437-248-5765 Fax # 905-760-6220  
Email dorellana@smartcentres.com
2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.  
Specify: Proposed severance to create a new lot for the purposes of a land sale
3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.  
Not yet determined.
4. Description of the subject land ("subject land" means the land to be severed and retained):  
a) Name of Street Main St N Number 370  
b) Concession No. PT LT 8, CON 1 EHS, LTS 14, 15 AND 16 AND PT LTS 17, 18, 19, 20 AND 21 Lot(s)   
ON PL "BR-12", DES PTS 1 TO 16; INCLUSIVE ON PL 43R9879, SAVE & EXCEPT PTS  
c) Registered Plan No. 1, 2, 3, 4, 5, 6, 7, 9, 11, 14, 15, 16 AND 17, PL 43R25141 Lot(s)   
d) Reference Plan No.  Lot(s)   
e) Assessment Roll No. 2110010002186000000 Geographic or Former Township Brampton
5. Are there any easements or restrictive covenants affecting the subject land?  
Yes ☒ No ☐  
Specify: S/T EASEMENT OVER PT LT 8, CON 1 EHS, DES PTS 4, 10, 11 AND 14, PL 43R9879, S/E PT 5, PL 43R25141, IN FAVOUR OF THE REGIONAL MUNICIPALITY OF PEEL, AS SET OUT IN RO463051 AND RO506850.  
S/T EASEMENT OVER PT LT 8, CON 1 EHS, DES PTS 7, 8 AND 9, PL 43R8202, S/E PTS 3 AND 16, PL 43R25141, IN FAVOUR OF THE CORPORATION OF THE CITY OF BRAMPTON, AS SET OUT IN RO675785.  
S/T EASEMENT IN GROSS OVER PT LOT 8, CONCESSION 1 EHS, DESG AS PARTS 1 AND 2, PLAN 43R31503, AS IN PR1502037.

6. Description of severed land: (in metric units)

a) Frontage 45.9 m Depth 131.6 m Area 6136 sq. m

b) Existing Use Commercial Proposed Use Commercial

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:  
(existing) Surface parking and drive-thru atm  
(proposed) Commercial Self-Storage Facility

d) Access will be by:	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Private Right of Way	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

\_\_\_\_\_

f) Water supply will be by:	Existing	Proposed
Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	_____	

g) Sewage disposal will be by:	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	_____	

7. Description of retained land: (in metric units)

a) Frontage 996 m Depth Irregular Area 67,845.97 sq. m.

b) Existing Use Commercial Proposed Use Commercial

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:  
(existing) 4 ( 3 stand alone and 1 L shape)  
(proposed) No Change. Same as above



d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	Land to be Severed	Land to be Retained
Zoning By-Law	<u>C3-1371</u>	<u>C3-3235</u>
Official Plans		
City of Brampton	<u>District Retail</u>	<u>District Retail</u>
Region of Peel	<u>Urban System</u>	<u>Urban System</u>

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes ☐ No ☐ Unknown ☒  
File # \_\_\_\_\_ Status/Decision \_\_\_\_\_

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☐ No ☐ Unknown ☒  
Date of Transfer \_\_\_\_\_ Land Use \_\_\_\_\_

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
Official Plan Amendment	<u>OZS-2020-0003</u>	<u>Under Review</u>
Zoning By-law Amendment	<u>OZS-2020-0003</u>	<u>Under Review</u>
Minister's Zoning Order	<u></u>	<u></u>
Minor Variance	<u>A-2020-0078</u>	<u>CONCURRENT</u>
Validation of the Title	<u></u>	<u></u>
Approval of Power and Sale	<u></u>	<u></u>
Plan of Subdivision	<u></u>	<u></u>

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the *Planning Act*?  
Yes ☒ No ☐
13. Is the subject land within an area of land designated under any Provincial Plan?  
Yes ☐ No ☒
14. If the answer is yes, does the application conform to the applicable Provincial Plan?  
Yes ☐ No ☒
15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the City of Toronto  
this 21 day of August, 2020.

  
Signature of Applicant, or Authorized Agent, see note on next page

Check box if applicable:

☐ I have the authority to bind the Corporation

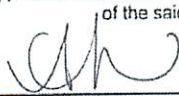
#### DECLARATION

I, Daniel Orellana of the 21 of August  
in the County/District/Regional Municipality of Toronto solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Vaughan  
in the Province of Ontario  
this 21 day of August, 2020.

  
Signature of applicant/sole proprietor/authorized agent, etc.

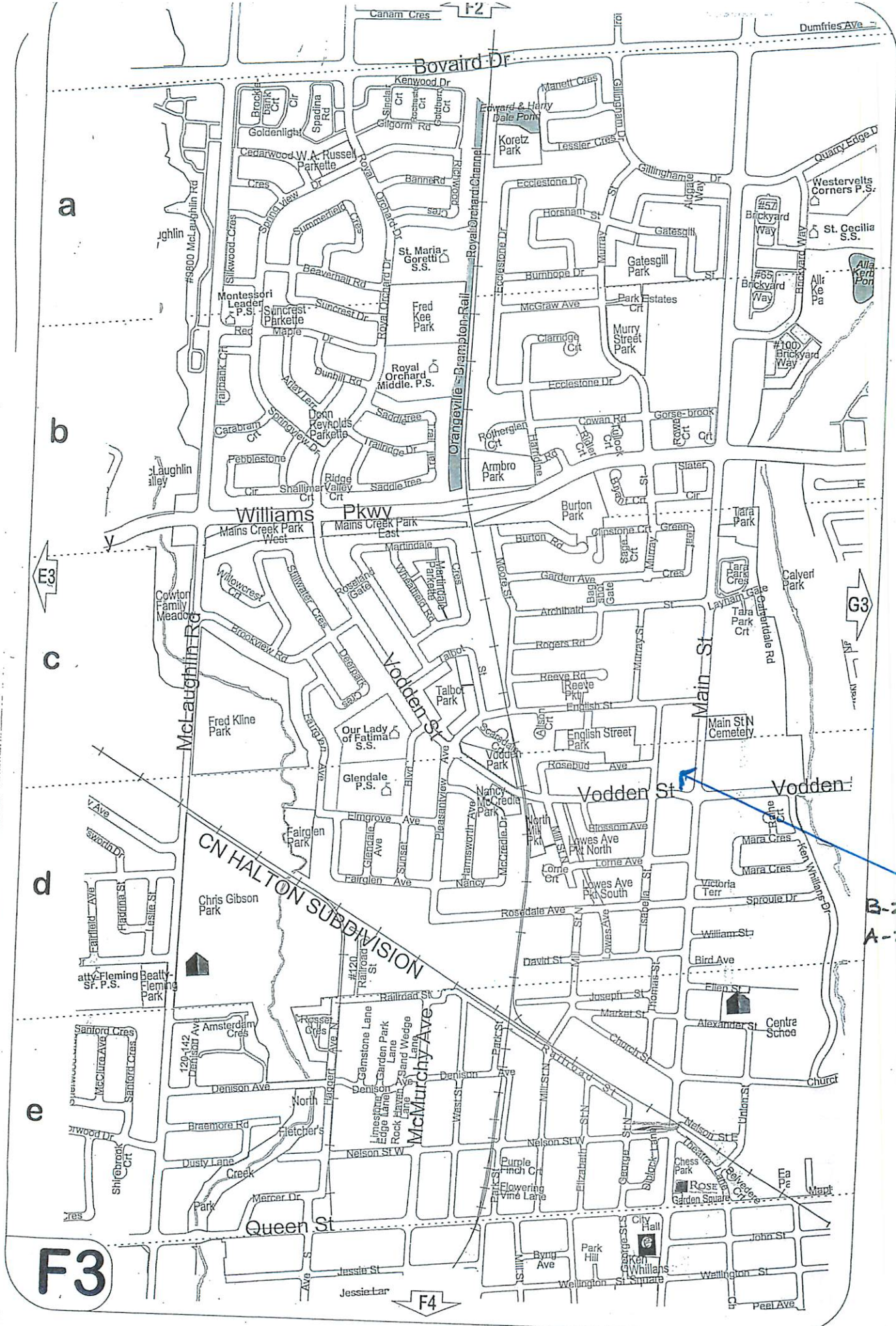
  
Signature of a Commissioner, etc.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division	
This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.	
 Zoning Officer	<u>September 1, 2020</u> Date

DATE RECEIVED August 25, 2020







B-2020-0016  
A-2020-0078