

APPLICATION # B-2021-0023
Ward # 4

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **i2 DEVELOPMENTS (BRAMPTON) INC.**

Purpose and Effect

The purpose of the application is to request consent to the grant of an easement having a total area of approximately 1,035.7 square metres (0.002 hectares). The effect of the application is to create an easement for vehicular and pedestrian access purposes in favour of the lands to the north (209 Steeles Avenue West).

Location of Land:

Municipal Address: 225 Malta Avenue

Former Township: Brampton

Legal Description: Part of Lot 15, Concession 1 W.H.S.

Meeting

The Committee of Adjustment has appointed **TUESDAY, October 26, 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

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LAST DAY FOR RECEIVING COMMENTS: OCTOBER 21, 2021

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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:	YES	File Number: OZS-2020-0028
Zoning By-law Amendment:	YES	File Number: OZS-2020-0032
Minor Variance:	NO	File Number:

Decision and Appeal

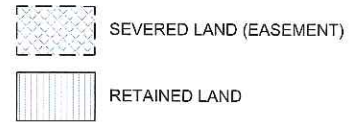
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*. The appeal form is available from the Environment and Land Tribunals Ontario website at <https://olt.gov.on.ca/appeals-process/forms/>

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 7th Day of October, 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, October 21, 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, October 22, 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, October 22, 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.

KLM File: P-3240

September 28, 2021

City of Brampton
Committee of Adjustment
2 Wellington Street West
City Hall, 3rd Floor
Brampton, ON
L6Y 4R2

B-2021-0023

Attention: **Jeanie Myers**
 Secretary-Treasurer, Committee of Adjustment

Re: **Application for Consent for an Easement**
 Registered Owner of Property: i2 Developments (Brampton) Inc.
 Municipal Address: 225 Malta Avenue
 Legal Description: Part of Block 2 on Registered Plan 43M-2062 and
 Part of Block 35 on Registered Plan 43M-1644
 Related City File No.: SPA-2020-0152, OZS-2020-0028, OZS-2021-0032

Dear Ms. Myers,

KLM Planning Partners Inc. is the land use planner on behalf of i2 Developments (Brampton) Inc., ("i2" or "Owner"), who is the Owner of lands situated at 225 Malta Avenue (the "Subject Lands") in the City of Brampton ("City"). We are pleased to submit an application for Consent for an easement on behalf of i2 to facilitate an easement for pedestrian and vehicular access in favour of the lands located to the north (209 Steeles Ave West).

The Subject Lands are located at the southeast corner of Steeles Avenue West and Malta Avenue in the City of Brampton, have an area of approximately 4,286 m², and are legally described as Part of Block 2 on Registered Plan 43M-2062 and Part of Block 35 on Registered Plan 43M-1644. The Subject Lands are part of a larger phased development by i2 and represents Phase 2 of the larger 3-phase plan.

The planning applications to facilitate the second phase of the development (i.e the Subject Lands) were first submitted to the City on October 16, 2020, have been assigned City file numbers OZS-2020-0028 and SPA-2020-0152. The site-specific amendment to the Zoning By-law (By-law 139-2021) was approved by Brampton Council on June 16, 2021. A Zoning By-law Amendment Application to implement site-specific amendments to the zoning by-law to facilitate the third phase of the development was submitted to the City on June 30, 2021, and has been assigned file number OZS-2021-0032.

Two applications for exemption from Part Lot Control ("PLC") were submitted to the City on July 29, 2021 and have been assigned City file numbers PLC2021-0034 and PLC2021-0035. The purpose of the PLC Applications is to refine the development limits and legal description between Phase 2 and Phase 3 to

reflect revisions to the development of the parcels as refined through the site plan process. The ultimate Phase 2 boundary is described as Parts 1, 2, 3, 4, 8, 9, 10, 13 on the Draft Reference Plan prepared by J.D. Barnes Limited. Parts 2 and 9 on the same Draft Reference Plan will provide vehicular and pedestrian access over the Phase 2 lands in favour of the Phase 3 lands (209 Steeles Avenue West), which will be facilitated through this Application for Consent (for an easement) to the Brampton Committee of Adjustment.

This Application for Consent is being submitted concurrently with a similar application on the lands to the north (Phase 3 - 209 Steeles Avenue West) to facilitate an emergency access easement over the Phase 3 lands in favour of the Subject Lands.

The Subject Lands are designated 'Residential' by *Schedule A General Land Use Designations* within the 2006 City of Brampton Official Plan (the "Official Plan"), designated 'Mixed Use 1' by *Schedule SP55(a)* within the 2017 Hurontario Main Corridor Secondary Plan (the "**Secondary Plan**"). The Subject Lands are zoned 'Residential Apartment A(3) - Section 3017 (R4A(3) - 3017)' by City Zoning By-law 270 – 2004, as amended.

In support of this Consent Application, please find enclosed the following materials:

1. One (1) copy of the Cover Letter, prepared by KLM Planning Partners Inc., dated September 28, 2021;
2. One (1) copy of the Completed and executed Consent Application Form;
3. Twenty (20) copies of the Consent Sketch showing Easement, prepared by KLM Planning Partners Inc.; dated September 27, 2021;
4. One (1) copy of the Draft Reference Plan, prepared by J.D. Barnes Limited, dated April 9, 2021;
5. One (1) copy of the Surveyor's Area Certificate, prepared by J.D. Barnes Limited, dated April 9, 2021; and,
6. One (1) Cheque in the amount of \$3,961.00 made out to the Treasurer, City of Brampton as required by City of Brampton By-law 221-2005.

We trust that the above materials are in order. Should you have any questions with respect to the enclosed, please do not hesitate to contact the undersigned. We look forward to continue working with the City of Brampton and all other applicable Agencies with regard to this Application.

Yours truly,

KLM Planning Partners Inc.



Ryan Mino-Leahan, MCIP, RPP
Partner

Copy: i2 Developments (Brampton) Inc.



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 i2 Developments (Brampton) Inc. c/o Bruno Suppa
(print given and family names in full)
Address 3800 Steeles Avenue, Suite 201W, Woodbridge ON, L4L 4G9

Phone # 905 850 3453 Fax #
Email Bruno@i2developmentsinc.com

(b) Name of Authorized Agent KLM Planning Partners Inc. c/o Ryan Mino-Leahan
Address 64 Jardin Dr, Concord, ON L4K 3P3

Phone # 905 669 4055 Fax #
Email RMino@KLMplanning.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: The purpose of this application is to facilitate an access easement (Parts 2 and 9 on the submitted Draft R-Plan) for pedestrians and vehicles over the Subject Lands in favour of the lands to the north (209 Steeles Avenue West).

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.
i2 Developments (Brampton) Inc.

4. Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street	Malta Avenue	Number	225
b) Concession No.	Concession 1, W.H.S.	Lot(s)	Part of Lot 15
c) Registered Plan No.	Part of Block 2 on Registered Plan 43M-2062, and Part of Block 35 on Registered Plan 43M-1644	Lot(s)	N/A
d) Reference Plan No.	Parts 1, 2, 3, 4, 5, 9, 10, 13 on submitted Draft R-Plan	Lot(s)	N/A
e) Assessment Roll No.	21 10 140 099 01854 00000 21 10 140 099 01855 00000	Geographic or Former Township	Brampton

5. Are there any easements or restrictive covenants affecting the subject land?
Yes ☐ No ☒
Specify: N/A

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

a)

Frontage

Depth

Area

1,035.7 m2

b)

Existing Use

Under Construction

Proposed Use

Residential

c)

Number and use of buildings and structures (both existing and proposed) on the land to be severed:

(existing)

None (21-storey apartment building under construction)

(proposed)

21-storey apartment building

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)

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?

N/A

f)

Water supply will be by:

Existing

Proposed

Publicly owned and operated water system

X

Lake or other body of water

Privately owned and operated individual or communal well

Other (specify):

N/A

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):

N/A

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

a)

Frontage

Depth

Area

4,286 m2

b)

Existing Use

Under Construction

Proposed Use

Residential

c)

Number and use of buildings and structures (both existing and proposed) on the land to be retained:

(existing)

None (21-storey Apartment building under construction)

(proposed)

21-storey Apartment building

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 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 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?
N/A

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input 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):	N/A	

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input 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):	N/A	

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>R4A(3)-3017</u>	<u>R4A(3)-3017</u>
Official Plans		
City of Brampton	<u>Residential, Mixed Use 1 (SP)</u>	<u>Residential, Mixed Use 1 (SP)</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 ☐

File # 21T-14002B Status/Decision Registered

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

Yes ☐ No ☒

Date of Transfer N/A Land Use N/A

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		
Zoning By-law Amendment	OZS-2020-0028 OZS-2021-0032	Approved Ongoing
Minister's Zoning Order		
Minor Variance	A19-093	Approved
Validation of the Title		
Approval of Power and Sale		
Plan of Subdivision		

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 of N/A
this 28th day of September, 20 21.



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


Check box if applicable:

☐ I have the authority to bind the Corporation

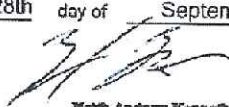
DECLARATION

I, Ryan Mino-Leahan of the City of Toronto
in the County/District/Regional Municipality of N/A 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 Region of York
this 28th day of September, 20 21.



Signature of applicant/solicitor/authorized agent, etc.



Kath Andrew Kenneth MacKinnon,
a Commissioner, etc., Province of Ontario
Signed K.M. Planning Services Inc.
Expires January 22, 2023.

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.

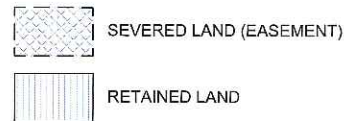
L Barbuto

Zoning Officer

September 28, 2021

Date

DATE RECEIVED September 28, 2021





J.D. BARNES
LIMITED
LAND INFORMATION SPECIALISTS

SURVEYOR'S AREA CERTIFICATE

PLAN 43R-XXXXX

CITY OF MISSISSAUGA

(J.D. BARNES LIMITED REFERENCE 13-30-491-03-RPLAN)

To whom it may concern:

Part Number	Area sq. m
1	2697
2	1003
3	355
4	91.3
5	28.6
6	223
7	490
8	17.5
9	32.7
10	15.6
11	1633
12	293
13	73.9

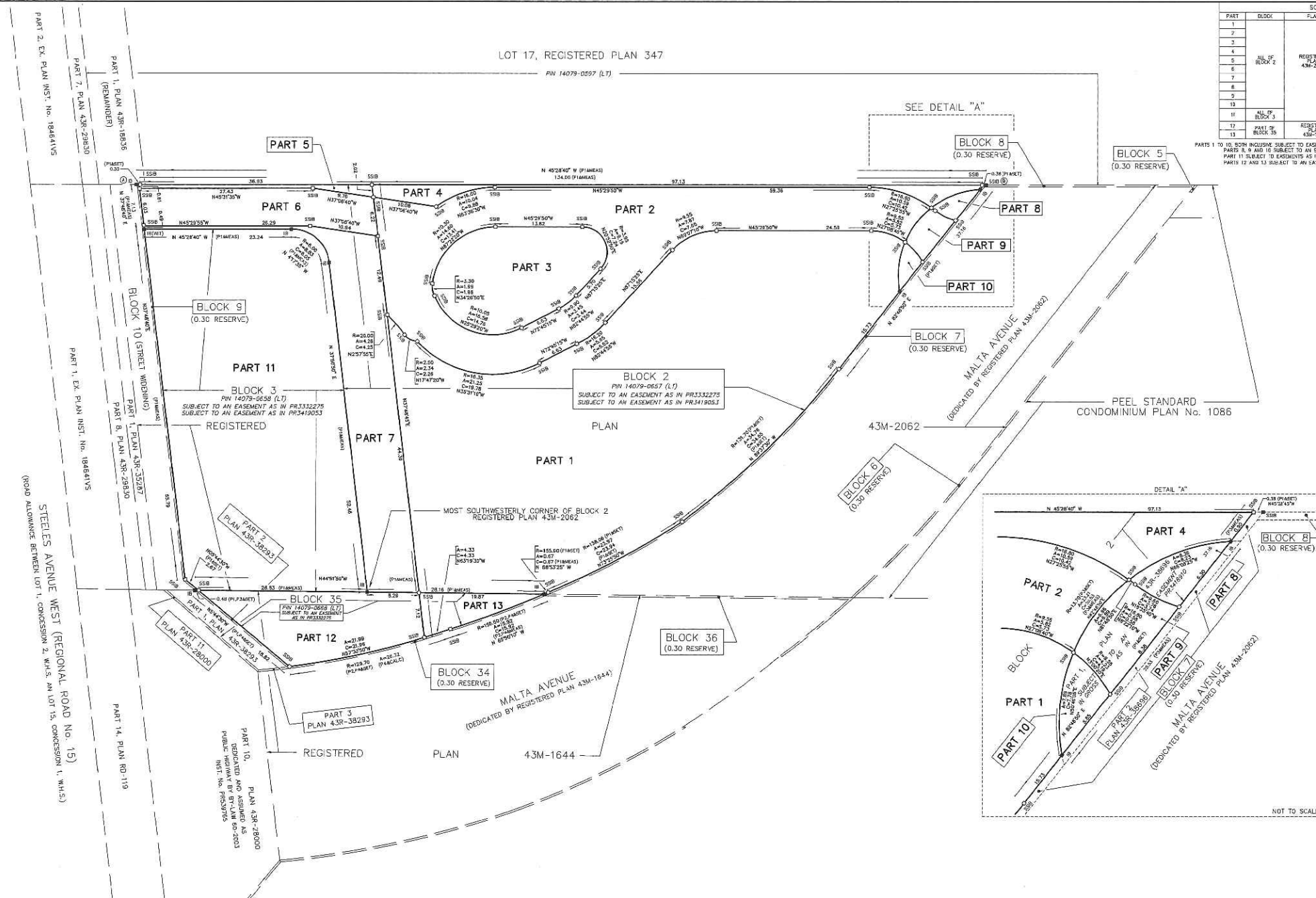
TOTAL AREA OF PARTS 1, 2, 3, 4, 8, 9, 10 AND 13 = 4286 sq. m.

TOTAL AREA OF PARTS 5, 6, 7, 11 AND 12 = 2667.6 sq. m.

Dated: July 27, 2021

Prepared by J.D. Barnes Limited





SCHEDULE			
PART	BLOCK	PLAN	FIN
1	ALL OF BLOCK 2	REGISTERED PLAN 43M-2062	PIN 14079-0557 (LT)
2			
3			
4			
5			
6	ALL OF BLOCK 3	REGISTERED PLAN 43M-1644	PIN 14079-0558 (LT)
7			
8			
9			
10			
11	PART 10, BLOCK 35	REGISTERED PLAN 43M-1644	PIN 14079-0558 (LT)
12			
13			

PLAN OF SURVEY OF
BLOCKS 2 AND 3
REGISTERED PLAN 43M-2062 AND
PART OF BLOCK 35
REGISTERED PLAN 43M-1644
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1 : 250
THE INTENDED PLAT SIZE OF THIS PLAN IS 1100mm IN WIDTH BY 600mm IN HEIGHT
WHEN PLOTTED AT A SCALE OF 1:250

J.D. BARNES LIMITED
METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND 9, BY MEANS OF THE NETWORK OF P.N. OBSERVATIONS, UTM ZONE 17, DATUM CGVD83 (2011.0).

INTEGRATION DATA			
OBSERVED REFERENCE POINTS (ORP) WITH ZONE 17, NAD83 (CGVD83) (2011.0).			
COORDINATES TO UTM ACCURACY PER SECTION 14 (2) OF O.Reg 219/10.			
POINT ID	EASTING	NORTHING	
ORP (A)	671 785.34	4 535 083.41	
ORP (9)	671 881.35	4 534 965.95	

LEGEND
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET
SSB DENOTES STANDARD BORN BARS
SSB DENOTES STANDARD BORN BARS
IB DENOTES IRON BAR
PE DENOTES PLATE BAR
WT DENOTES WITNESS
ZS DENOTES ZONE 17, NAD83 (CGVD83) (2011.0)
P1 DENOTES REGISTERED PLAN 43M-1644
P2 DENOTES REGISTERED PLAN 43M-2062
P3 DENOTES REGISTERED PLAN 43M-1644
P4 DENOTES REGISTERED PLAN 43M-2062
ALL FOUND SURVEY MONUMENTS ARE 10. BARNES LTD., UNLESS NOTED OTHERWISE.
ALL SET SSB AND PE MONUMENTS WERE USED TO LOCATE THE OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.Reg. 220/97.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON 2021.
DATE _____ J.D. BARNES LIMITED
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO A.D.S. PLAN SUBMISSION FORM NUMBER XXXXXXXX

J.D. BARNES LIMITED
LAND INFORMATION SPECIALISTS
40 WILHELMINA WAY, SUITE A, MILTON, ON L7T 1C1
TEL: (905) 875-9913 FAX: (905) 875-9914 WWW.JDBARNES.COM

DRAWN BY: ML CHECKED BY: RSQ REFERENCE NO: 13-30-491-03-RP-AN
PLOTTED: 04/03/2021 DATE: APRIL 5, 2021

B-2021-0023

a

E5
b

c

