

APPLICATION # B-2021-0025
Ward #3

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **1743603 ONTARIO INC.**

Purpose and Effect

The purpose of the application is to request consent to the grant of an easement having a width of approximately 18.9 metres (62 feet), a depth of approximately 17.4 metres (57.08 feet) and an area of approximately 308.87 square metres (0.03 hectares). The effect of the application is to provide an easement for parking purposes in the rear yard in favour of the adjacent property, municipally known as 31 Centre Street South.

Location of Land:

Municipal Address: 23 Centre Street South

Former Township: Brampton

Legal Description: Lot 81, Plan BR-5

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:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	YES	File Number: A-2021-0232

Decision and Appeal

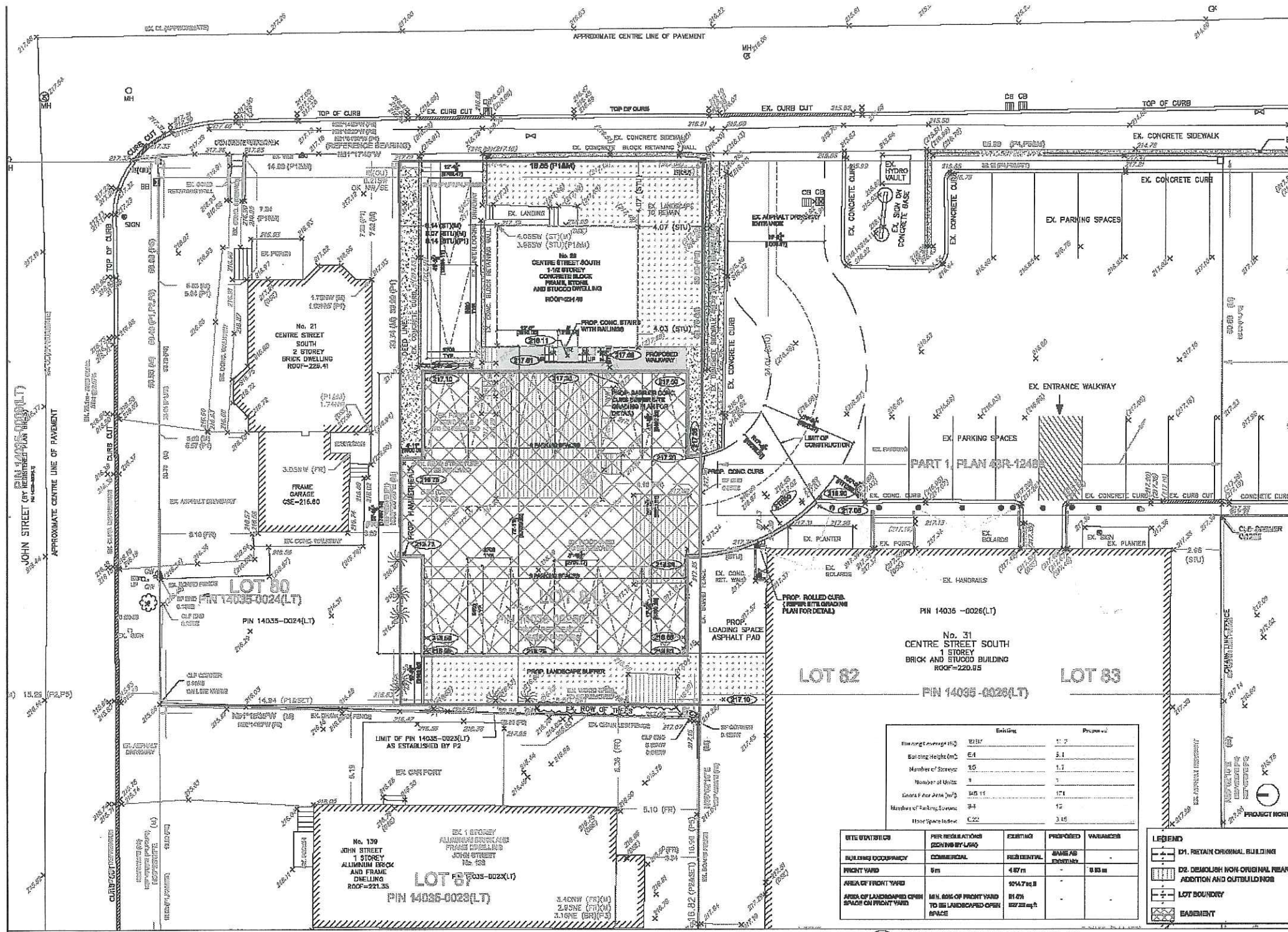
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee 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 Ontario Land Tribunal 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



ALL PREVIOUS EDITIONS FPAW, CNAPE, BILLOTT SUPERSEDED		
DATE Revised	NO.	DESCRIPTION
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NOTE:
ALL INFORMATION TO BE REPRODUCED MUST BE REPRODUCED.
ALL INFORMATION TO BE REPRODUCED AND REPRODUCED ON SITE.
CONTRIBUTOR MUST VERIFY ALL INFORMATION AND CONDITIONS
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2021.03.27	3	ISSUED PERMIT WORK VARIANCE APPLICATION
2021.04.02	2	WALLET FORNARS MEETING INQUIRY APPLICATION
2021.04.03	1	HERITAGE PERMIT APPLICATION
DATE	NO.	PROJECT NAME


155



KILPATRICK-YOUNG HOUSE
23 CENTRE STREET SOUTH,
BRAMPTON ONTARIO

HERITAGE CONSERVATION PLAN

PROPOSED SITE PLAN -
EASEMENT

REVISION	C
SCALE	As noted
DRAWN	KIK
CHECKED	DE
DATE	December 17th, 2020
PROJECT NO.	BD17-1811
AH-2.2b 	
DRAWN BY	TRAE HORN

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.


ARCHITECTS RASCH ECKLER ASSOCIATES LTD.

15 Lola Road • Toronto • Canada • M5P 1E5
 Tel • 416 696-1969 Fax • 416 696-1966 e-mail • mail@areaarchitects.ca

September 27, 2021

AREA Project Code: BD 17-1811

Committee of Adjustment
 City Clerk's Office
 City of Brampton
 2 Wellington Street West
 Brampton, ON L6Y 4R2
 Attn: Jeanie Myers, Secretary-Treasurer

B-2021-0025 AND A-2021-0232

Re: Applications for Minor Variances & Consent (for an Easement)
23 Centre Street South (former Kilpatrick-Young House)
 Dona Hill, 1743603 Ontario Inc.
 12612 Highway 50, Unit 12A, Bolton, ON L7E 1T6

We are pleased to submit applications for Minor Variances and Consent (for an Easement) on behalf of Dona Hill (the owner) of 1743603 Ontario Inc., which is the corporate property owner, listed on title, of the property situated on 23 Centre St. S. Brampton, Ontario. These Committee of Adjustment (CoA) applications are related to a forthcoming Site Plan Application (SPA) for this property. A comprehensive Pre-Application Consultation (PAC) Meeting for the SPA was followed by a Consolidated Comments Report and several other further meetings or discussions with City Staff which identified the requirements for the Minor Variances and Consent (for an Easement).

This property is located in the Queen Street Corridor and is part of the "Railway Block" subdivision. The property is bounded by 21 Centre St. S. to the north, Centre St. S. to the east, 31 Centre St. S. to the south, and 139 John St. to the west. The subject land is designated as both a "Central Area" and an "Urban Growth Centre" in the City of Brampton's Official Plan. In the Secondary Plan, it is designated as a Commercial, Mixed Use Area in the Queen Street Corridor. The site is zoned as "Service Commercial" (SC) by Zoning By-Law 270-2004. The property was most recently used as a residential dwelling and is now vacant. The use for the house will continue to be residential which is a legal non-conforming use because of its previous and long-standing occupancy as a house.

Currently the subject property occupies a 6,869 sq. ft. (638 sq.m.) lot and has a built residential area of 1,562 sq. ft. (145 sq.m.). The frontage of this parcel of land is approximately 62 feet (18.9 m). The front portion of the structure is a unique example of the Ontario Gothic Cottage Style dwelling from the nineteenth century in the downtown area. This residence is known by the historic name of the Kilpatrick-Young House. The adjacent Cardiology & Diagnostic Imaging facility, which is an associated ownership to 23 Centre St. S., has significant issues with lack of parking for patient use. The proposed development aims to rehabilitate, renovate and preserve the front portion of the structure in order to restore and conserve its historic value. The back portion of the structure is proposed to be demolished and the remaining rear lands will be used for parking for the Brampton Centre Cardiology & Diagnostic Imaging facility which is located immediately across from the William Osler Health System hospital. The outbuildings on the site are also proposed to be demolished.

23 Centre St. S., Brampton, CoA applications (former Kilpatrick-Young House) September 27, 2021



To allow for additional parking space, it is proposed that the rear one-storey section of the house be demolished. By demolishing the rear-west section, it will allow the original Gothic Cottage Style dwelling, comprising 1,087 sq. ft. (101 sq.m.), to be returned to its original 19th century vision and would also provide sufficient space on the lot to provide for 12 additional parking spaces. The Brampton Heritage Board (BHB) Meeting of October 20, 2020, recommended approval of the demolition of the rear one-storey portion of the structure. The BHB resolution was subsequently passed by City Council on October 20, 2020, as HB030-2020.

In order to permit the proposed development of the rear parking lot and in conjunction with the forthcoming SPA submission the attached CoA applications seek approval of the Minor Variances and Consent (for an Easement) as outlined in the attached documents and below. The Minor Variances below have been provided (including their text) by the Zoning Plans Examiner who undertook the Zoning Review for the PAC Consolidated Comments Report and they are supplemented with the reasons for the applications described as follows:

Minor Variances

1. To permit parking associated with a business operating from a building at 31 Centre Street South whereas the by-law only permits parking to be provided or maintained on the same lot or parcel as the building or use for which they are required or intended.

Reason it not possible to comply with the provisions of the by-law:

The purpose of this site alteration in the previous submission for the PAC in the forthcoming SPA is to provide the proposed overflow parking lot to serve the Brampton Centre Cardiology & Diagnostic Imaging facility at the adjacent property, 31 Centre St. S. This medical testing facility is located immediately across from the William Osler Health System Peel Memorial Hospital. The number of patients attending this medical facility is greater than the existing parking area can accommodate on 31 Centre St. S. The two properties have the same owner, although the property ownership on title are different corporate names. Clearly, the properties being under separate titles generates this Minor Variance since the parking from 23 Centre St. S. will be used for the adjacent lot of 31 Centre St. S., even though they are actually owned by the same entity.

2. To permit a front yard setback of 4.07m to the existing building, whereas the Zoning By-law requires a front yard setback of 5m.

Reason it not possible to comply with the provisions of the by-law:

This property is an existing lot with an existing heritage building which was original constructed c. 1876 and well preceding the City's Zoning By-law. The existing front yard setback is an existing non-conforming condition which generates this Minor Variance. Therefore, this is a technical variance as no changes are being made to the front of the building exterior.

Consent for an Easement

- Easement in favour of 31 Centre St. S. to utilize the rear portion of 23 Centre St. S. for parking.

Reason for Easement:

The easement will ensure that the parking lot at the rear of 23 Centre St. S. can be accessed from, like an annex to, the existing parking area on 31 Centre St. S. Also, this easement will allow the Brampton Centre Cardiology & Diagnostic Imaging facility to access and use the overflow parking at the rear of 23 Centre St. S. Although the building at 31 Centre St. S. is a private medical testing facility, it serves a public healthcare function compatible with the hospital across the street. The parking requirement is therefore a needed accessory function to assist the patients using these medical services and should be supported by the City's Planning authority.

In support of the CoA applications, the following materials are enclosed:

- This Cover Letter prepared by AREA, dated September 27, 2021;
- Completed and signed Application Forms for Minor Variances and for Consent (for an Easement);
- Survey Plan for the Subject Site;
- As-existing Site Plan;
- As-existing Floor Plans and Elevations;
- Demolition Drawings;
- Heritage Conservation Plan Demolition & Conservation Notes;
- Proposed Site Plan;
- Proposed Floor Plans and Elevations describing rehabilitation and preventive conservation measures; and
- Site Grading and Servicing Plan.

As separate drawings, two annotated versions of drawing AH-2.2 Proposed Site Plan have been prepared and are attached with the colour linework and highlights for the two CoA applications.

Payment of the application fees for the CoA applications will be completed following the review of this application submission in draft. We trust this completes the requirements for the CoA applications and we look forward to being considered for the next available meeting date. It is assumed that it will be a virtual meeting (e.g. WebEx) in conformance with current Covid-19 protocols. Please feel free to contact us if you have any questions or require more information.

Sincerely,



David Eckler
BES, B.Arch., OAA, MRAIC
Principal, AREA, Architects Rasch Eckler Associates Ltd.

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

Dona Hill (Owner of 1743603 Ontario Inc.)

(print given and family names in full)

Address

12612 Highway 50, Unit 12A, Bolton, ON L7E 1T6

Phone #

416-576-2275

Fax #

Email

dona@hillgroupofcompanies.com

(b) Name of Authorized Agent

David Eckler, AREA, Architects Rasch Eckler Associates Ltd.

Address

15 Lola Road, Toronto, ON. M5P 1E5

Phone #

416-418-3828

Fax #

416-696-1966

Email

deckler@areaarchitects.ca

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:

Easement in favour of 31 Centre St. S. to utilize rear portion of 23 Centre St. S. for parking.

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.

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

a) Name of Street

Centre Street South

Number

23

b) Concession No.

Lot(s)

81

c) Registered Plan No.

BR-5

Lot(s)

d) Reference Plan No.

Lot(s)

e) Assessment Roll No.

10-02-0-006-04200-0000

Geographic or Former Township

City of Brampton

5. Are there any easements or restrictive covenants affecting the subject land?

Yes

☐

No

☒

Specify:

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

a)

Frontage

18.9m

Depth

17.4m

Area

308.87 sqm

b)

Existing Use

Vacant

Proposed Use

Parking

c)

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

(existing)

No building

(proposed)

No building

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 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

☐

☐

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

☐

☐

Privy

☐

☐

Privately owned and operated individual or communal septic system

☐

☐

Other (specify):

N/A

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

a)

Frontage

18.9m

Depth

33.7m

Area

638.2 sqm

b)

Existing Use

Residential

Proposed Use

Same as existing

c)

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

(existing)

House

(proposed)

No 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 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 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 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>Service Commercial</u>	<u>Service Commercial</u>
Official Plans		
City of Brampton	<u>Central Area & Urban Growth Centre</u>	<u>Central Area & Urban Growth Centre</u>
Region of Peel	<u></u>	<u></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 # Status/Decision

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

Yes ☐ No ☒

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		
Zoning By-law Amendment		
Minister's Zoning Order		
Minor Variance	A-2021-0232	CONCURRENT
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

this 27 day of September, 2021.


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, David Eckler of the Province of Ontario

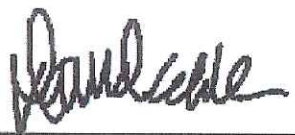
in the County/District/Regional Municipality of Toronto solemnly declare that all the statements contained in t

application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act", in accordance with O. Reg 431/20, Administering Oath or Declaration Remotely.


Declared before me at the City of Toronto

in the Province of Ontario

this 28th day of September, 2021.


Signature of applicant/solicitor/authorized agent, etc.

Submit by Email


Signature of a Commissioner, etc.

ALEXANDER ADAM HOFSTADTER ECKLER, NOTARY PUBLIC

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 29, 2021

Date

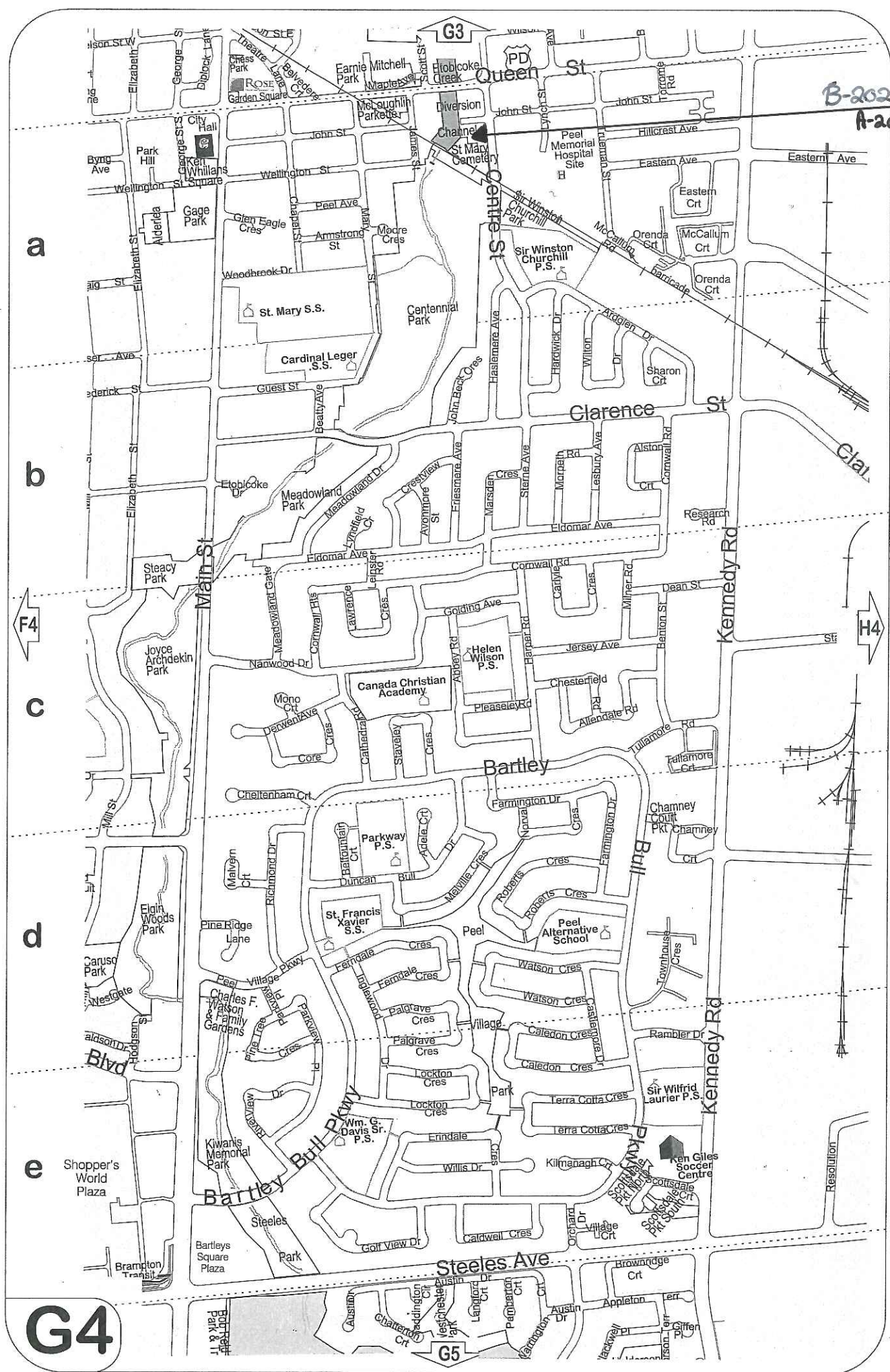
DATE RECEIVED

September 28, 2021

Date Application Deemed Complete by the Municipality

September 29, 2021

B-2021-0025
A-2021-0232



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b

c

d

e

G4

G5