

APPLICATION # A-2021-0049
WARD #3

WHEREAS an application for minor variance has been made by **2299004 ONTARIO INC.** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004;**

AND WHEREAS the property involved in this application is described as Part of Lot 3, Concession 2 EHS municipally known as **100 KENNEDY ROAD SOUTH**, Brampton;

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

1. To permit a Retail Food Warehouse for a temporary period of three (3) years whereas the by-law does not permit the use;
2. To permit 123 parking spaces whereas the by-law requires a minimum of 368 parking spaces.

OTHER PLANNING APPLICATIONS:

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

Plan of Subdivision: NO File Number: _____
Application for Consent: NO File Number: _____

The Committee of Adjustment has appointed **TUESDAY, 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 the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING. OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 14th Day of October, 2021.

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

Jeanie Myers, Secretary-Treasurer
 Committee of Adjustment, City Clerk's Office,
 Brampton City Hall, 2 Wellington Street West,
 Brampton, Ontario L6Y 4R2
 Phone: (905)874-2117
 Fax: (905)874-2119
jeanie.myers@brampton.ca

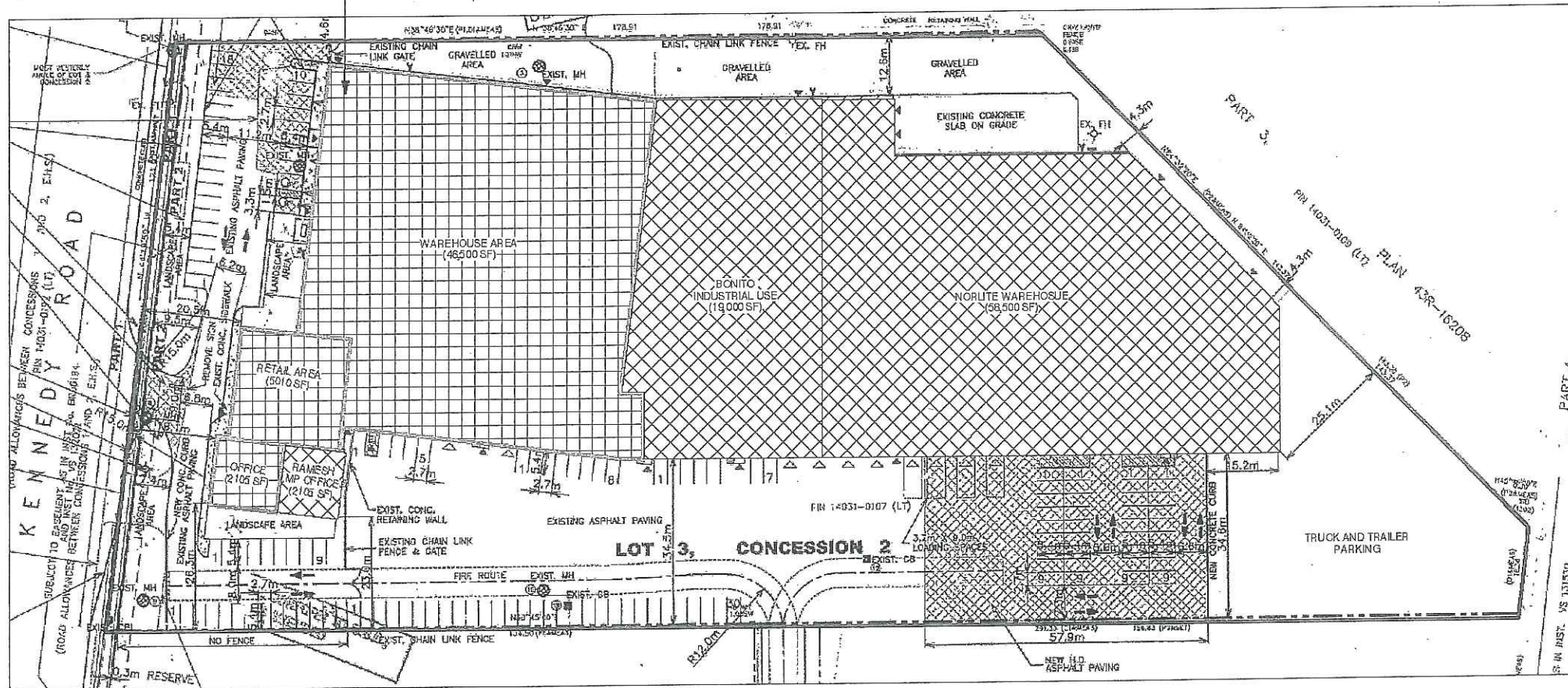
**LOT 3
100 KENNEDY RD S**

MINOR VARIANCE

1. TO TEMPORARILY PERMIT RETAIL FOOD WAREHOUSE FOR 3 YEARS
WHEREAS THE BY-LAW DOES NOT PERMIT THE RETAIL USE
2. TO REDUCE THE PARKING REQUIREMENT TO 123 PARKING SPACES
WHEREAS THE BY-LAW REQUIRES 368 PARKING SPACES FOR THIS USE

AREA TO BE USED FOR RETAIL PURPOSE

100 KENNEDY RD S			
PARTICULARS	USE OF BUILDING	AREA OF UNIT HOLDERS SQ FT	TOTAL AREA SQM
WAREHOUSE USE TENANTS			9754.82
NORLITE	NON FOOD ITEM WAREHOUSE	58500	
BRAMPTON CASH AND CARRY	FOOD ITEMS WAREHOUSE	46500	
RETAIL			465.43
BRAMPTON CASH AND CARRY	FOOD ITEMS RETAIL SALES	5010	
OFFICE USE TENANTS			
BRAMPTON CASH AND CARRY	FOOD ITEMS OFFICE AREA	2105	782.24
SAM HILL	LOGISTIC'S OFFICE	4210	
RAMESH	MP OFFICE	2105	
INDUSRIAL USE TENATS			1765.16
BONITO	GARMENT UNIT	19000	
MANAGEMENT OFFICE			
BUILDINGH MANAGEMENT SPACE	OFFICE	11000	1300.65
EMPTY BASEMENT SPACE	EMPTY OFFICE SPACE	3000	
TOTAL AREA OF SITE			14068.3



SITE PLAN

01	ISSUED FOR MINOR VARIANCE	FEB 02/21
ADDRESS: 100 KENNEDY RD S, BRAMPTON, ON		
DRAWN BY:	NK	CHECKED BY: JB
PROJECT NUMBER:	21C-22946	
NOBLE PRIME SOLUTIONS LTD 2131 WILLIAMS PARKWAY, BRAMPTON ON UNIT 19 (437) 888 1800		
DATE:	FEB 2021	DIVISION:
SCALE:	1: 900	A-1

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.

AMENDMENT LETTER

June 30, 2021

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE

A-2021-0049

CON 2 EHS PT LOT 3

100 KENNEDY RD S

Please amend application to reflect the following:

1. To temporarily permit retail food warehouse for 3 years whereas the By-law does not permit the retail use.
2. To reduce the parking requirement to 123 parking spaces whereas the By-law requires 368 parking spaces for this use.

A handwritten signature in blue ink, appearing to read "L. S. Sandhu".

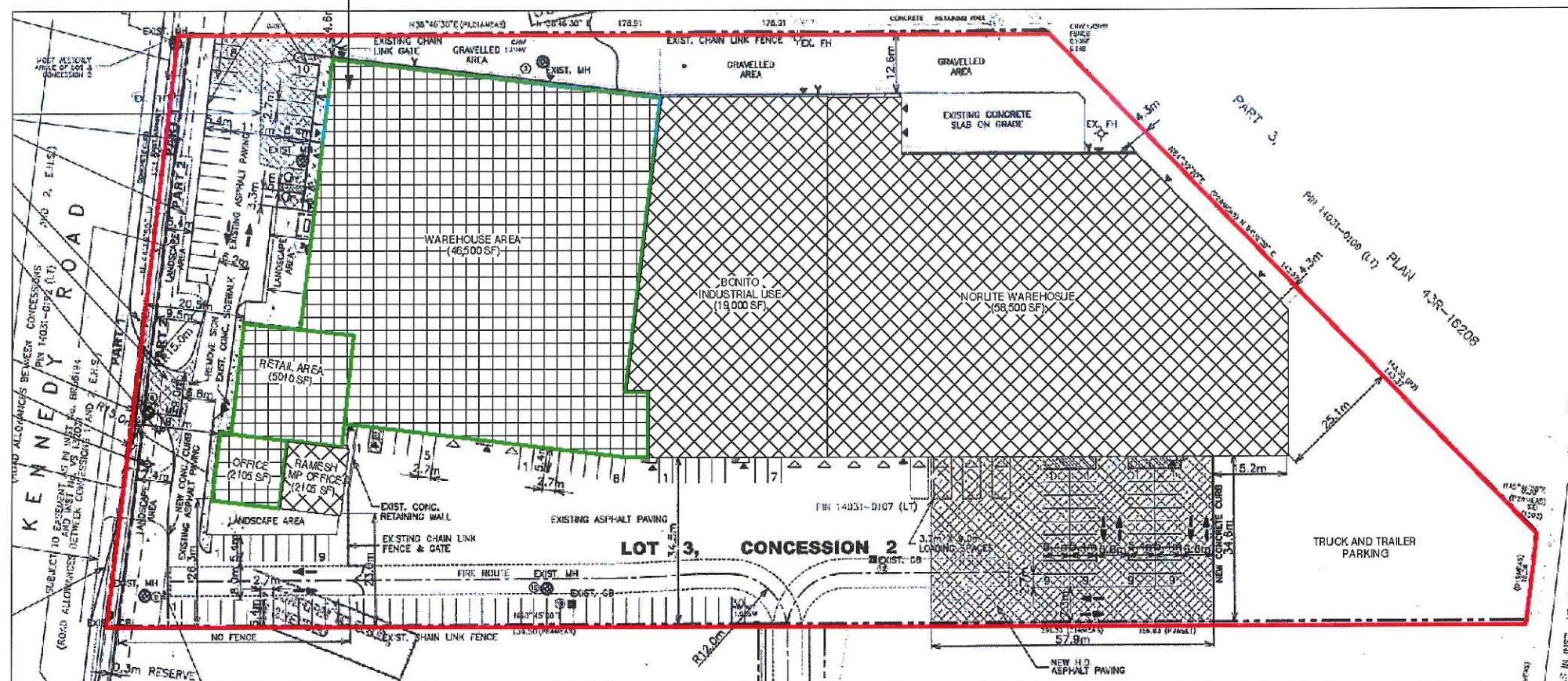
Applicant/Authorized Agent

MINOR VARIANCE

1. TO TEMPORARILY PERMIT RETAIL FOOD WAREHOUSE FOR 3 YEARS
WHEREAS THE BY-LAW DOES NOT PERMIT THE RETAIL USE
2. TO REDUCE THE PARKING REQUIREMENT TO 123 PARKING SPACES
WHEREAS THE BY-LAW REQUIRES 368 PARKING SPACES FOR THIS USE

AREA TO BE USED FOR RETAIL PURPOSE

100 KENNEDY RD S			
PARTICULARS	USE OF BUILDING	AREA OF UNIT HOLDERS SQ FT	TOTAL AREA SQM
WAREHOUSE USE TENANTS			
NORLITE	NON FOOD ITEM WAREHOUSE	58500	9754.82
BRAMPTON CASH AND CARRY	FOOD ITEMS WAREHOUSE	46500	
RETAIL			
BRAMPTON CASH AND CARRY	FOOD ITEMS RETAIL SALES	5010	465.43
OFFICE USE TENANTS			
BRAMPTON CASH AND CARRY	FOOD ITEMS OFFICE AREA	2105	782.24
SAM HILL	LOGISTIC'S OFFICE	4210	
RAMESH	MP OFFICE	2105	
INDUSRIAL USE TENANTS			
BONITO	GARMENT UNIT	19000	1765.16
MANAGEMENT OFFICE			
BUILDINGH MANAGEMENT SPACE	OFFICE	11000	1300.65
EMPTY BASEMENT SPACE	EMPTY OFFICE SPACE	3000	
TOTAL AREA OF SITE			14068.3



SITE PLAN

01	ISSUED FOR MINOR VARIANCE	FEB 02
ADDRESS: 100 KENNEDY RD S, BRAMPTON, ON		
DRAWN BY: NK		CHECKED BY: JB
PROJECT NUMBER:		21C-2294C
<p style="text-align: center;">NOBLE PRIME SOLUTIONS LTD</p> <p style="text-align: center;">2131 WILLIAMS PARKWAY BRAMPTON ON UNIT 19 (437) 888 1800</p>		
DATE: FEB 28/21		DWG No:
SCALE: 1: 50m		A-1

FILE NUMBER: A-2021-0049

The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION
Minor Variance or Special Permission
(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

1. **Name of Owner(s)** 22990004 Ontario Inc.
Address 100 KENNEDY RD S, BRAMPTON, L6W3E7

Phone # _____ **Fax #** _____
Email _____

2. **Name of Agent** NOBLE PRIME SOLUTIONS LTD
Address UNIT #19, 2131 WILLIAMS PKWY, BRAMPTON, L6S 5Z4

Phone # 437-888-1800 **Fax #** _____
Email INFO@NOBLELTD.CA

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

TO TEMPORARILY ALLOW RETAIL USE FOR 3 YEARS
WHERE RETAIL USE IS NOT PERMITTED AS PER CURRENT ZONING

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

THE BUILDING IS ZONED INDUSTRIAL

5. **Legal Description of the subject land:**
Lot Number PT LOT 3
Plan Number/Concession Number CON 2 EHS
Municipal Address 100 KENNEDY RD S, BRAMPTON, L6W3E7

6. **Dimension of subject land (in metric units)**
Frontage 121.6 m
Depth 287.8 m
Area 14068.3 sqm

7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

SINGLE STOREY BUILDING WITH AN AREA OF 14391 SQM

PROPOSED BUILDINGS/STRUCTURES on the subject land:

NO CHANGE

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)

EXISTING

Front yard setback 18.1 m

Rear yard setback 4.3 m

Side yard setback 4.6 m

Side yard setback 23.0 m

PROPOSED

Front yard setback NO CHANGE

Rear yard setback NO CHANGE

Side yard setback NO CHANGE

Side yard setback NO CHANGE

10. Date of Acquisition of subject land: OCTOBER 1, 2020
11. Existing uses of subject property: INDUSTRIAL
12. Proposed uses of subject property: INDUSTRIAL AND COMMERCIAL
13. Existing uses of abutting properties: INDUSTRIAL AND COMMERCIAL
14. Date of construction of all buildings & structures on subject land: 2000
15. Length of time the existing uses of the subject property have been continued: 20 YEARS
16. (a) What water supply is existing/proposed?
Municipal ☒ Other (specify) _____
Well ☐
- (b) What sewage disposal is/will be provided?
Municipal ☒ Other (specify) _____
Septic ☐
- (c) What storm drainage system is existing/proposed?
Sewers ☒ Other (specify) _____
Ditches ☐
Swales ☐

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☐ No ☒

If answer is yes, provide details: File # _____ Status _____

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

Ravkirat Sandhu

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON

THIS 02 DAY OF MARCH, 2021.

IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

I, RAVKIRAT SANDHU OF THE CITY OF BRAMPTON
IN THE REGION OF PEEL SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE

City OF Brampton
IN THE Region OF Peel
THIS 2nd DAY OF March, 2021.

April Dela Cerna
A Commissioner etc.

Ravkirat Sandhu

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

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

Zoning Officer

Date

DATE RECEIVED March 02, 2021

Date Application Deemed
Complete by the Municipality _____

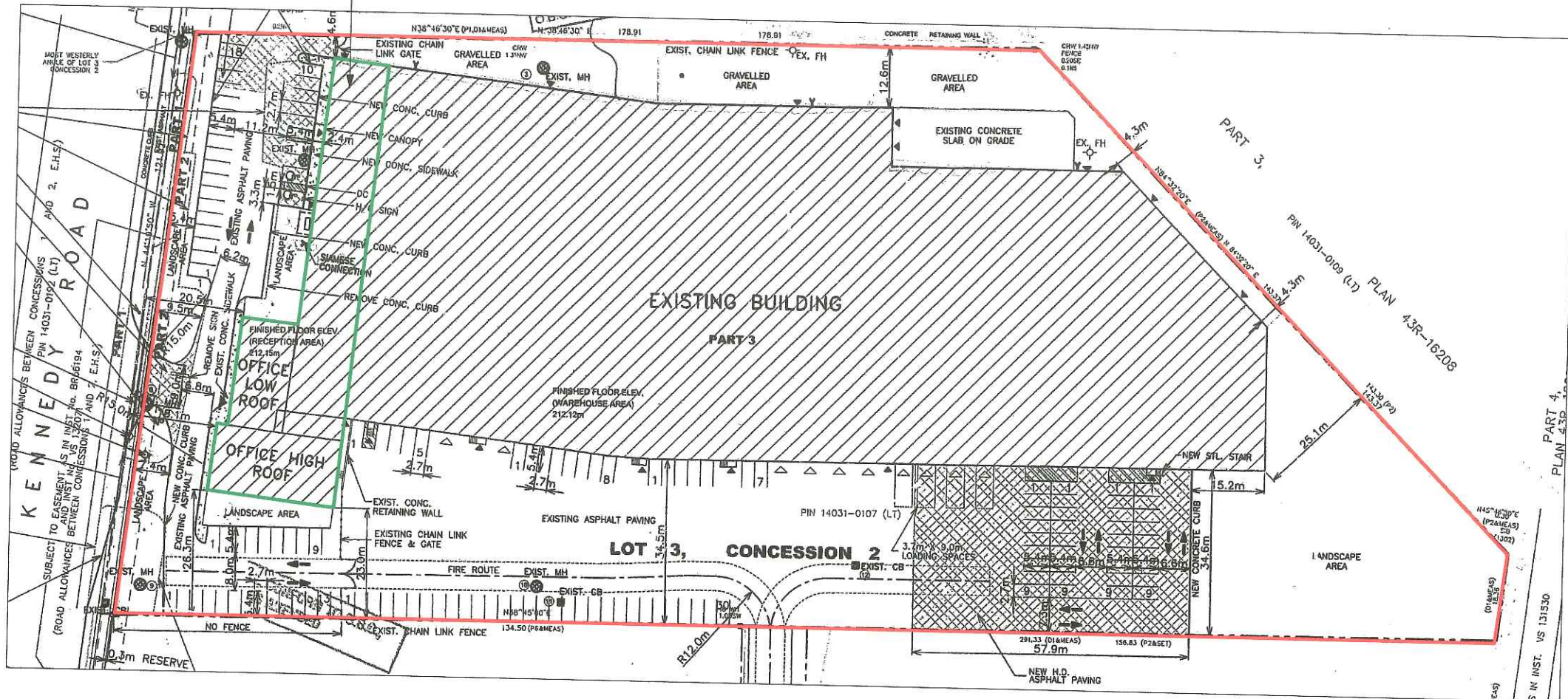
Revised 2020/01/07

ad.
April Dela Cerna,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires May 8, 2021.

LOT 3 100 KENNEDY RD S

MINOR VARIANCE
TO TEMPORARILY ALLOW RETAIL USE FOR 3 YEARS
WHERE RETAIL USE IS NOT PERMITTED AS PER
CURRENT ZONING

AREA TO BE USED FOR RETAIL PURPOSE



SITE PLAN

01	ISSUED FOR MINOR VARIANCE	FEB 02/21
----	---------------------------	-----------

ADDRESS:
100 KENNEDY RD S,
BRAMPTON, ON

DRAWN BY: NK	CHECKED BY: JB
PROJECT NUMBER:	21C-22946

NOBLE PRIME SOLUTIONS LTD
2131 WILLIAMS PARKWAY,
BRAMPTON ON
UNIT 19
(437) 888 1800

DATE: FEB 26/21	DWG No:
-----------------	---------

[illegible]