

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **1968610 ONTARIO LIMITED** 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 Block 10, Plan 43M-1907 municipally known as **0 INSPIRE BOULEVARD** Brampton;

AND WHEREAS the applicant is requesting the following variance associated with Consent Application B-2020-0014:

1. To treat all lands zoned Service Commercial –Section 2956 (SC-2956) as separate lots whereas all lands zoned Service Commercial –Section 2956 (SC-2956) shall be considered one lot for the purposes of the by-law.

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
Application for Consent: YES

File Number: _____
File Number: B-2020-0014

The Committee of Adjustment has appointed **TUESDAY, October 20, 2020 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.

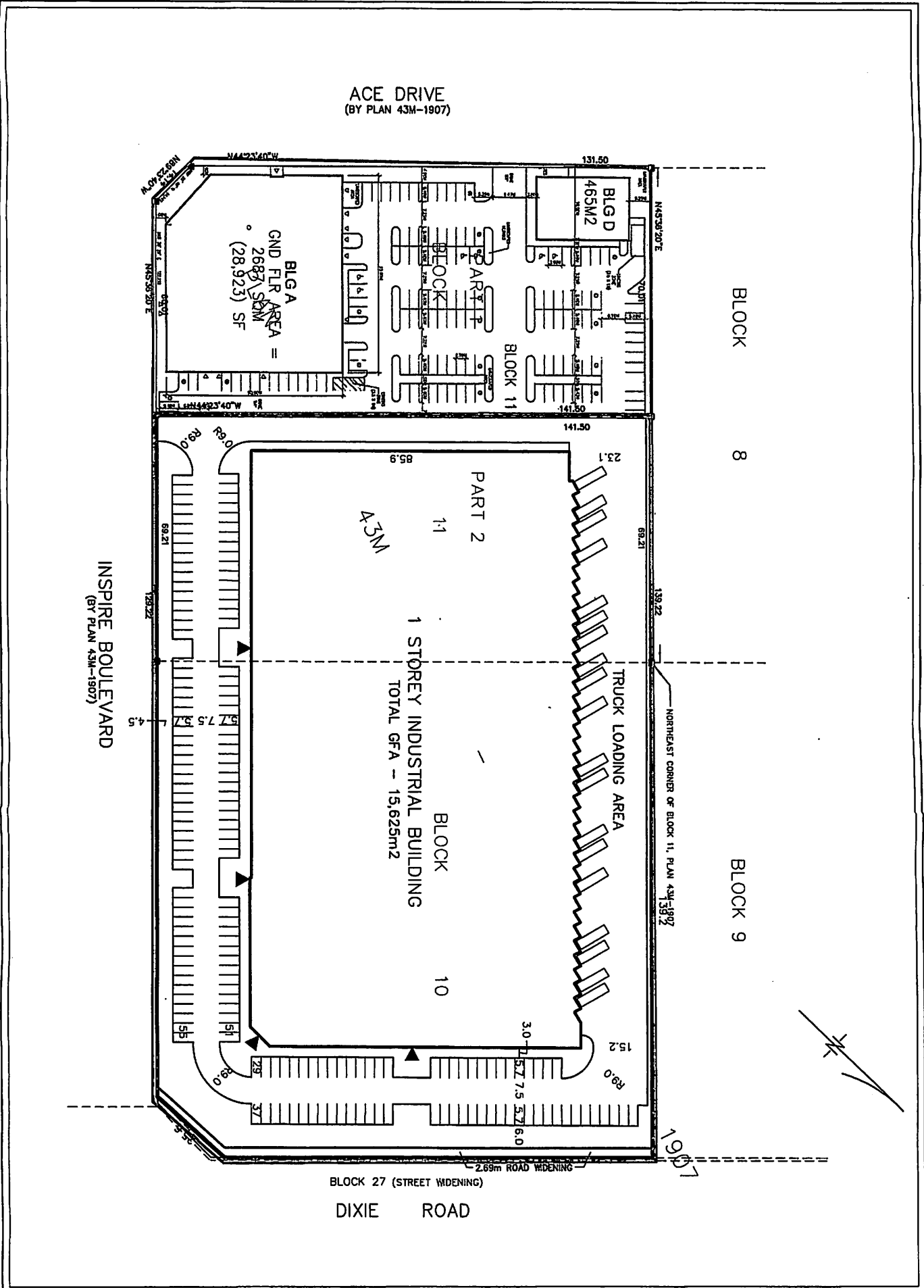
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 2nd Day of October, 2020.

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



KEY PLAN

SUBJECT LANDS 29,327m²

INDUSTRIAL BUILDING	15,625m ²
PARKING REQUIRED	172 SPACES
5,000-10,000m ² -139 SPACES	
1 SPACE PER 170m ²	
OVER 10,000m ²	
PARKING PROVIDED	172 SPACES

▲ POTENTIAL ENTRANCE LOCATIONS

PRELIMINARY CONCEPT PLAN

0 INSPIRE BLVD.

BLOCK 10 & PART 2 OF BLOCK 11,

PLAN 43M-1907

CITY OF BRAMPTON

REGIONAL MUNICIPALITY OF PEEL

SCALE: 1:1000

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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, October 15, 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 or jeanie.myers@brampton.ca by **4:30 pm, Friday, October 16, 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, October 16, 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 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.

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

September 21th, 2020
HPGI: 19631

A-2020-0093

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

Attn: Jeanie Myers, Legislative Coordinator/Secretary-Treasurer

**Re: Minor Variance Applications
1968610 Ontario Limited
0 Inspire Blvd City of Brampton
Block 10, Plan 43M-1907**

On behalf of the owner of the property located at 0 Inspire Blvd in the City of Brampton, and legally described as Block 10, Plan 43M-1907 (the "Property"). Humphries Planning Group Inc. is submitting a Minor Variance Application to facilitate the development of the Property.

Description of Property and Background

The Property is located at the north west corner at the intersection of Dixie Road and Inspire Boulevard and has street frontages along Dixie Road and Inspire Boulevard and is vacant. The area of the Property currently is 1.77ha and has a frontage of 124.78m on Inspire Blvd and 141.5m on Dixie Rd. The properties immediately north and west of the properties are zoned Industrial and the properties directly south are zoned Commercial. There are residential uses east of the properties on the east side of Dixie Rd.

Under the City of Brampton's Official Plan, the Property is designated Prestige Industrial and are located in a Secondary Plan Area known as Countryside Villages (SPA 48). Under SPA 48 the Property is designated Special Policy Area 5 which permits industrial uses. Under the City of Brampton Zoning By-law 279-2004 the Property is zoned Service Commercial (SC) with a site-specific provision (SC-2956). The owner of the Property intends to submit further development applications which will facilitate the development of a warehouse.

On August 12, 2020, the owner of 0 Ace Drive, the lot directly adjacent to the Property submitted a consent application, Committee of Adjustment File No B-2020-0014, to transfer land from 0 Ace Drive to the Property for the purpose of a lot addition. The consent application was heard by the Committee of Adjustment on September 8th, 2020. Planning staff recommended that the consent application

190 Pippin Road
Suite A
Vaughan ON
L4K 4X9

T: 905-264-7678
F: 905-264-8073

www.humphriesplanning.com

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be deferred until minor variance applications were submitted to address a provision under the site-specific regulations applicable to both the properties which considers the properties legally described as Block 10 & 11 of Plan 43M-1907 as a singular lot.

Application

This minor variance application is to request permission to consider all lands zoned SC-2956 as separate lots, as defined by the by-law, whereas Section 2956.3(2) requires that all lands zoned SC-2956 shall be considered one lot for the purposes of this by-law.

Section regulation 2956.3 (2) above restricts the development of lots zoned SC-2956. This regulation requires both lots to be developed as one lot, restricting the properties from being appropriately developed as individual lots. The properties, 0 Inspire Blvd and 0 Ace Dr, are owned by two separate owners who intend to develop the properties separately. The existing by-law provisions prevent the development of the properties as separate lots and any development on either lot would affect the other. Thus, for appropriate development of the properties, the above variance is requested.

Four Tests of Variance

Under the *Planning Act* applications for minor variance are required to adhere to the four tests of variance, and are as follows:

1. The general intent and purpose of the Official Plan is maintained.
2. The general intent and purpose of the Zoning By-law is maintained.
3. The variances are desirable for the appropriate development of the land.
4. The variances are minor

It is our opinion that the enclosed application meets the four tests of minor variance outlined above. An evaluation of the application as it relates to the four tests is provided below.

The general intent and purpose of the Official Plan is maintained.

It is our opinion that the variance maintains the general intent and purpose of the City of Brampton's Official Plan (the "OP"). The purpose of the OP is to provide direction as to how physical development and land-use decisions should take place in Brampton to meet the needs of current and future residents and provide policy guidance for business to invest in Brampton. One of the objectives of the Official Plan is to retain and enhance business, industry and employment opportunities with Brampton. The future development of Blocks 10 & 11 will help establish business, industry and employment opportunities in this area of the City,

providing greater options through separate developments. The proposed uses of the Property as a warehouse is supported under policy 4.4.2.1 which describes the permitted uses within Industrial designations. The variance will facilitate the appropriate development of the Property which will enhance business and employment opportunities through a new established use.

The general intent and purpose of the Zoning By-law is maintained.

It is our opinion that this variance maintains the general intent and purpose of the City of Brampton Zoning By-law 279-2004, as amended (the "By-law"). The general intent and purpose of the By-law is to ensure the appropriate development of a property or lot in the City of Brampton and to promote public health, safety, convenience and general welfare of residents and users of the. Typically, the development regulations under the By-law apply to the legal boundaries of a property or a lot, a lot under the zoning by-law is defined under Section 5.0 as:

Lot: shall mean a parcel of land which fronts on or abuts a street and which is permitted to be conveyed by the *Planning Act*.

According to the definition of "lot" above Blocks 10 & 11 on Plan 43M-1907 are considered 2 separate lots. The site-specific provision subject to this variance application removes this definition for Blocks 10 & 11 so that they are considered one lot when applying the development zoning regulations, essentially consolidating the lots. This type of provision would be sufficient for appropriate development if both lots were intended to be developed as a whole property. As this is not the case and the respective property owners are looking to develop Blocks 10 & 11 separately, this site-specific provision would not encourage the appropriate development of Blocks 10 & 11 and will create further development issues related to compliance with zoning regulations. The variance will ensure that Blocks 10 & 11 can be appropriately developed and reflect the general intent of the By-law for the safe and convenient development on both properties.

The variance is desirable for the appropriate development(use) of the land

It is our opinion that this variance is desirable for the appropriate development (use) of the land. The requested variance facilitates the development of Blocks 10 & 11 as separate lots which ensures the development standards prescribed in the By-law apply to each property rather than combined area of the properties. As the property owners wish to develop the properties separately the removal of this provision will ensure that there are no issues with the future developments on each property adhering to the development regulations including setbacks and parking standards. Further, the proposed use of the Property conforms to the policies of the OP and supports employment uses within the City of Brampton.

The variance is minor

It is our opinion that this variance is minor. To facilitate appropriate development on the properties only a single variance is required. This variance does not make any changes to the prescribed development standards under the By-law, rather this variance treats the properties it is applicable to as separate lots as is standards in all other properties zoned in the City of Brampton, unless otherwise provided for.

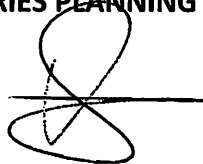
Application Materials

In support of this application, the following materials are being submitted:

- 1 copy of this letter;
- 1 cheque in the order of \$2,510.00, made out to the City of Brampton to satisfy the City's Minor Variance Application review fee;
- 1 copy of the Site Plan, prepared by A. R-PE Surveying Ltd; and,
- 1 copy of the Preliminary Concept Plan, prepared by Humphries Planning Group Inc.

We trust the materials provided satisfy your submission requirements. Should you have any questions please feel free to contact the undersigned.

Yours truly,
HUMPHRIES PLANNING GROUP INC.

A handwritten signature in black ink, appearing to be 'Rosemarie L. Humphries', written over a horizontal line.

Rosemarie L. Humphries BA, MCIP, RPP
President

cc.



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) 1968610 Ontario Limited
 Address 11 Shasta Drive
Thornhill Ontario L4J 1Z6
 Phone # (416) 565-3528 Fax # _____
 Email egibli@rogers.com
2. Name of Agent Humphries Planning Group Inc. c/o Rosemarie Humphries
 Address 190 Pippin Road, Suite A, Vaughan, ON, L4K 4X9
 Phone # (905) 264-7678 ext 244 Fax # (905) 264-8073
 Email rhumphries@humphriesplanning.com
3. Nature and extent of relief applied for (variances requested):
 The proposed variance:
Requesting permission to consider all lands zoned SC-2956 as separate lots, as defined by the by-law, whereas
Section 2956.3 (2) requires that all lands zoned SC-2956 shall be considered one lot for the purposes of this by-law;

4. Why is it not possible to comply with the provisions of the by-law?
Section regulation 2956.3 (2) above restricts the development of lots zoned SC-2956. This regulation requires
both lots to be developed as one lot, restricting the properties from being developed separately. The properties,
0 Inspire Blvd and 0 Ace Dr, are owned by two separate owners who intend to develop the properties
separately. The existing by-law prevents this and any development on either lot would affect the other. Thus,
for appropriate development of the properties the above variance is requested.

5. Legal Description of the subject land:
 Lot Number 10
 Plan Number/Concession Number 43M-1907
 Municipal Address 0 Inspire Blvd, Brampton
6. Dimension of subject land (in metric units)
 Frontage 124.78m
 Depth 141.50m
 Area 1.77 ha
7. Access to the subject land is by:
 Provincial Highway ☐
 Municipal Road Maintained All Year ☒
 Private Right-of-Way ☐
 Seasonal Road ☐
 Other Public Road ☐
 Water ☐

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.)
None

PROPOSED BUILDINGS/STRUCTURES on the subject land:
one industrial, 1 storey building, approximately 15,625sq.m.

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 N/A
Rear yard setback N/A
Side yard setback N/A
Side yard setback N/A

PROPOSED

Front yard setback 26.4m
Rear yard setback 15.2m
Side yard setback 6.0m
Side yard setback 9.0m

10. Date of Acquisition of subject land: February 13, 2017
11. Existing uses of subject property: Service Commercial (SC-2956)
12. Proposed uses of subject property: Prestige Industrial
13. Existing uses of abutting properties: Industrial (motor vehicle and outdoor storage uses)
14. Date of construction of all buildings & structures on subject land: N/A
15. Length of time the existing uses of the subject property have been continued: Unknown
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 # B-2020-0014 Status Deferred

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 # <u>A18-030</u>	Decision <u>Refused</u>	Relief <u>To permit a motor vehicle repair establishment</u>
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____


Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF VAUGHAN

THIS 21 DAY OF SEPTEMBER, 2020

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, ROSEMARIE L. HUMPHRIES OF THE CITY OF BARRIE

IN THE REGION OF SIMCOE 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 Vaughan
IN THE Regional Municipality OF
York THIS 21st DAY OF
Sept, 2020


Signature of Applicant or Authorized Agent


Suzanne Marie Jones, a Commissioner, etc.
Province of Ontario, for Roselyn T. Pecus Professional Corporation
Barrister and Solicitor
Expires August 21, 2021
A Commissioner etc

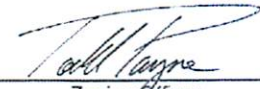
FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

SC-2956

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

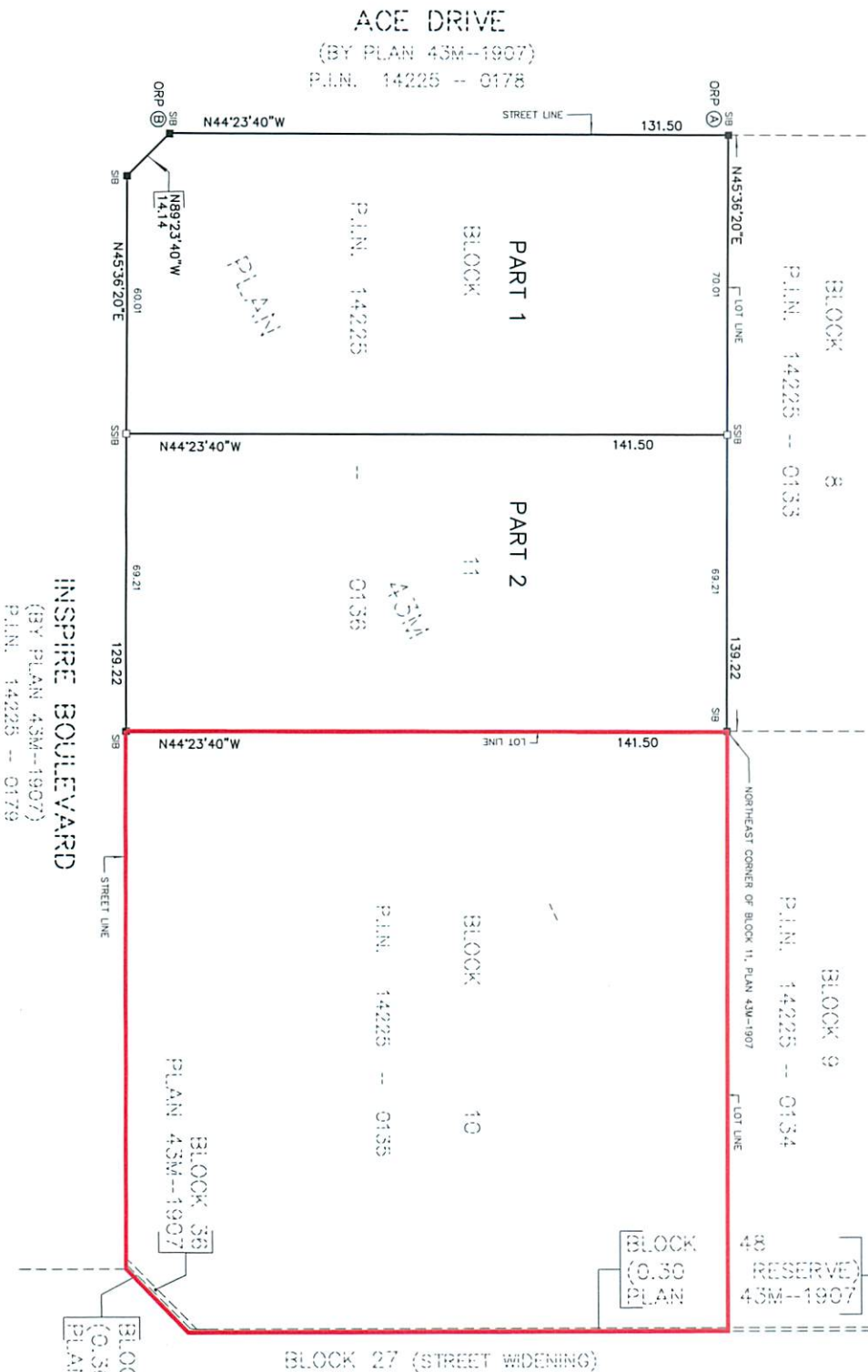
Sept 22, 2020
Date

DATE RECEIVED September 21, 2020

PLAN OF SURVEY OF
BLOCK 11
PLAN 43M-1907
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

SCALE 1:1000
R-PE SURVEYING LTD., O.L.S.
METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

- NOTES
- DENOTES MONUMENT SET
 - DENOTES MONUMENT FOUND
 - SSIB DENOTES SHORT STANDARD IRON BAR
 - IB DENOTES STANDARD IRON BAR
 - P.L.N. DENOTES PROPERTY IDENTIFIER NUMBER
 - ORP DENOTES OBSERVED REFERENCE POINT



I REQUIRE THIS PLAN TO BE DEPOSITED
UNDER THE LAND TITLES ACT.
DATE _____, 2020.
C. P. EDWARD, O.L.S.

PLAN 43R-
RECEIVED AND DEPOSITED
DATE _____, 2020.

REPRESENTATIVE FOR LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF PEEL (No.43)

SCHEDULE				
PART	BLOCK	PLAN	P.L.N.	AREA (SQ.M)
1				9856.4
2	11	43M-1907	14225-0136	9793.3

INTEGRATION NOTE

BEARINGS ARE MTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B USING CANMET REAL TIME NETWORK (RTN) No. PRS402698094658, MTM ZONE 10, NAD-1983/CSRS/CRV6-2010.0.
COORDINATES ARE MTM ZONE 10, NAD-1983/CSRS/CRV6-2010.0, TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.
POINT ID NORTHING EASTING
ORP (A) 4846420.68 281387.92
ORP (B) 4846326.72 281479.92
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999873.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE ____ DAY OF _____, 2020.

DATE _____, 2020.

C. P. EDWARD
ONTARIO LAND SURVEYOR



R-PE SURVEYING LTD.
ONTARIO LAND SURVEYORS
643 Christie Road, Suite 7
Woodbridge, Ontario L4L 8A3
Tel: (416) 635-5000 Fax: (416) 635-5001
Tel: (905) 264-0881 Fax: (905) 264-2099
Website: www.r-pe.ca
DRAWN: A.M.
CHECKED: _____
JOB No. 20-144 CAD FILE No. 20144R01

A-2020-0093

