

Filing Date: September 29, 2021

Hearing Date: October 26, 2021

File: B-2021-0023 & B-2021-0024

**Owner/
Applicant:** i2 DEVELOPMENTS (BRAMPTON) INC.

Address: 225 MALTA AVENUE & 209 STEELES AVENUE

Ward: WARD 8

Contact: François Hémon-Morneau, Planner I

Proposal:

B-2021-0023 (225 Malta Avenue)

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).

B-2021-0024 (209 Steeles Avenue)

The purpose of the application is to request consent to the grant of an easement having a total area of approximately 223 square metres (0.022 hectares). The effect of the application is to create an easement for emergency access purposes in favour of the lands to the south (225 Malta Avenue).

Recommendations:

That applications B-2021-0023 and B-2021-0024 are supportable, subject to the following conditions being imposed:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:
 - a. A Secretary-Treasurer's Certificate fee shall be paid in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate; and
 - b. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.
2. That the applicant provide confirmation that the conveyances for which the part lot control exemption by-laws (PLC2021-0034 and PLC2021-0035) were applied for have been finalized

prior to the issuance of the Secretary-Treasurer's Certificate in a manner satisfactory to the Director of Development Services;

3. The approved R-plan shall be deposited at the land registry office of peel and provide copies of the deposited R-plan to traffic and legal services;
4. That the Owner provide proof that the required access easements have been registered on title in perpetuity and that the access easements will be to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.

Background:

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Mixed Use 1' in the Hurontario-Main Corridor Secondary Plan (Area 55); and
- **Zoning By-law:** The subject property is zoned 'Residential Apartment A(3) R4A(3)-3017 & R4A(3)-2532' according to By-Law 270-2004, as amended.

Current Situation:

The consent applications are required to facilitate the development of the site which is currently the subject of a Site Plan application (SPA-2020-0152), a Zoning By-law Amendment application (OZS-2020-0028), and a site-specific Zoning By-law Amendment application (OZS-2021-0032). Furthermore, two applications for Part Lot Control (PLC2021-0034 and PLC2021-0035) were approved by Council but the by-laws have not yet been registered on title. A condition of approval is recommended that the applicant provides confirmation that the conveyances for which the part lot control exemption by-laws (PLC2021-0034 and PLC2021-0035) are applied for have been finalized prior to the issuance of the Secretary-Treasurer's Certificate.

The Consent application for 225 Malta Avenue is to create an easement for vehicular and pedestrian access purposes in favour of the lands to the north (209 Steeles Avenue West). The Consent application for 209 Steeles Avenue is to create an easement for emergency access purposes in favour of the lands to the south (225 Malta Avenue).

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner I

SCHEDULE "A"

CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed consents to create access easements have no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed consents to create access easements are neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed consents to create access easements do not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed consents to create access easements are suitable for the purposes for which it is to be subdivided.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed consents to create access easements do not present any concern with regard to the adequacy of the roadwork network.
f) <i>The dimensions and shapes of the proposed lots;</i>	No lots new lots are proposed. The shape and dimension of the existing lots are appropriate for the intended use.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands.
h) <i>The conservation of natural resources and flood control;</i>	The proposed consents to create access easements presents no concerns with regard to flood control and the conservation of natural resources.

i)	<i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	<i>The adequacy of school sites;</i>	The proposed consents to create access easements presents no concerns with regard to the adequacy of school sites.
k)	<i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l)	<i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed consents to create access easements have no impact on matters of energy conservation.
m)	<i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	The proposed consents have no impact on matters of Site Plan Control under the Planning Act.