

**Filing Date:** 11-Mar-2021

**Hearing Date:** 20-Apr-2021

**File:** B-2021-0006

**Owner/**

**Applicant:** Parkside Building Group Inc. – Glen Schnarr & Associates

**Address:** 165 – 235 FLETCHERS CREEK BLVD, BRAMPTON, ON L6X0Y7

**Ward:** 5

**Contact:** Nitika Jagtiani, Planner I, Development Services

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### **Proposal:**

The purpose of the application is to request the consent of the Committee of Adjustment to sever a parcel of land currently having a total area of approximately 4.687 hectares (11.58 acres), together with an easement for access purposes over the proposed retained lands in favour of the proposed severed lands. The effect of this application is to create a new lot having a depth of approximately 371.9 metres (1220.14 ft.) and an area of approximately 0.667 hectares (1.65 areas). It is proposed that the new lot accommodate a future proposed retired home.

### **Recommendations:**

That application B-2021-0006 is supportable, subject to the following conditions being imposed:

1. 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;
2. 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;
3. That separate water, sanitary and storm services shall be provided for each lot in accordance with the Ontario Building Code and to the satisfaction of the Chief Building Official. Should services serving one lot cross the other, the appropriate easements shall be registered prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required for alteration to the existing services.
4. The applicant shall provide comprehensive servicing information including any existing or proposed easements, to the satisfaction of the Commissioner of Public works and Engineering.
5. The applicant shall provide an access easement over the retained lands in favor of the severed lands. In that regard, the applicant shall prepare and submit prior to depositing, a

draft reference plan, prepared by an Ontario Land Surveyor, to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering;

6. That upon approval of the Draft Reference Plan by the City's Transportation Division, the Surveyor shall deposit the Draft Reference Plan at the Land Registry Office of Peel; and provide copies of the deposited reference plan to the City's Transportation Division and the Legal Services Division.

**Background:**

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Commercial' in the Fletcher's Creek Village Secondary Plan(Area 43); and
- **Zoning By-law:** The subject property is zoned "Commercial - Special Section 1494 (C2-1494)" according to By-Law 270-2004, as amended.

**Current Situation:**

The requested lot severance is to accommodate a future retirement home. The lands are part of an existing retail commercial plaza and the retirement home is situated at the easterly portion of the property with access from Bovaird Drive to be shared with the commercial plaza. To accommodate the future proposed retirement home, the property must be severed as this use will ultimately operate under a separate corporate entity from the plaza.

City staff have identified a number of conditions related to access arrangements and servicing matters to ensure the site can be appropriately developed.

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,



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Nitika Jagtiani MES (Pl.), LEED AP ND  
Planner I, Development Services



**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 severance has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance is 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 severance does not represent any concerns with regard to the Official Plan or adjacent plans of subdivision/condominium.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed severed lot is anticipated to be a future retirement home. There are no concerns about the suitability of the land for the purposes of the severance. The lot severance will separate the functions of the proposed use with the existing retail uses on the retained lot.
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 severance does not present any concern with regard to the adequacy of the roadway network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The proposed severed lot is anticipated to be a future retirement home. The proposed severance is appropriate in size and shape for its purpose and will not interfere with the existing businesses on the retained lot.
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 including the lands to be subdivided.

h)	<i>The conservation of natural resources and flood control;</i>	The proposed severance 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 severance 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 severance has 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>	There are no concerns related to the design of the proposal and matters of Site Plan Control.