

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **752054 ONTARIO LTD.** 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 Lot 4, Plan M-343, municipally known as **10 CADETTA ROAD**, Brampton;

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

1. To permit a motor vehicle body shop whereas the by-law does not permit the use.

Note: Approval was granted under Application A19-119 to permit a motor vehicle repair shop.

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: NO

File Number: _____
File Number: _____

The Committee of Adjustment has appointed **TUESDAY, April 20, 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 8th day of April, 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

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, April 15, 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, April 16, 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, April 16, 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.



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) 752054 ONTARIO LTD.
 Address 10 CADETTA ROAD
BRAMPTON, ON.
L6P 0K4
 Phone # (416) 407-4735 Fax # _____
 Email ron-con@sympatico.ca
2. Name of Agent RON MICHAELANGELO
 Address 10 CADETTA ROAD
BRAMPTON, ON.
L6P 0K4
 Phone # (416) 407-4735 Fax # _____
 Email ron-con@sympatico.ca
3. Nature and extent of relief applied for (variances requested):
TO ALLOW FOR OPERATION OF A MOTOR VEHICLE
BODY SHOP
4. Why is it not possible to comply with the provisions of the by-law?
ZONING PERMITS MOTOR VEHICLE REPAIR
AND NOT BODY SHOP REPAIR
5. Legal Description of the subject land:
 Lot Number LOT 4
 Plan Number/Concession Number M-343
 Municipal Address 10 CADETTA ROAD
6. Dimension of subject land (in metric units)
 Frontage 37.76 m
 Depth 130 m (WEST SIDE) 137 m (EAST SIDE) (IRREGULAR)
 Area 2.2 ACRES
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.)

1 STOREY BRICK AND BLOCK INDUSTRIAL BUILDING
1,708 Sq. m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

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 30 m
Rear yard setback 53 m
Side yard setback 9.14 m
Side yard setback 8 m

PROPOSED

Front yard setback SAME NO CHANGE
Rear yard setback
Side yard setback
Side yard setback

10. Date of Acquisition of subject land: 1989

11. Existing uses of subject property: MOTOR VEHICLE REPAIR, VEHICLE BODY SHOP

12. Proposed uses of subject property: MOTOR VEHICLE BODY SHOP, MOTOR VEHICLE REPAIR AND OUTSIDE STORAGE

13. Existing uses of abutting properties: TRUCK TERMINAL, MOTOR VEHICLE REPAIR, CONTRACTOR'S

14. Date of construction of all buildings & structures on subject land: 1982 ORIGINAL, 1995 ADDITION, 1997 ADDITION

15. Length of time the existing uses of the subject property have been continued: 2008

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 # <u>A-17-119</u>	Decision <u>SUCCESSFUL</u>	Relief <u>VARIANCE GRANTED</u>
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

x [Signature]
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 2ND 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, RON MICHAEL ANGELO, OF THE CITY OF RICHMOND HILL
IN THE REGION OF YORK 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 10th DAY OF
MARCH, 2021

x [Signature]
Signature of Applicant or Authorized Agent

Lina Savonarota, a Commissioner, etc.,
Province of Ontario, for
Condorde Law Professional Corporation,
Expires October 6, 2023.

FOR OFFICE USE ONLY	
Present Official Plan Designation:	_____
Present Zoning By-law Classification:	<u>M2-1511</u>
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.	
<u>L Barbuto</u> Zoning Officer	<u>March 17, 2021</u> Date

DATE RECEIVED March 16, 2021

Lina Savonarota, a Commissioner, etc.,
Province of Ontario, for
Condorde Law Professional Corporation,
Expires October 6, 2023.

10 CADETTA ROAD

PREVIOUS DECISIONS



FILE NUMBER A19-119

HEARING DATE JULY 9, 2019

APPLICATION MADE BY 752054 ONTARIO LIMITED

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE:

1. To permit motor vehicle repair.

(10 CADETTA ROAD – LOT 4, PLAN M-343)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

SEE SCHEDULE "A" ATTACHED

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: R. Power

SECONDED BY: D. Doerfler

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION


MEMBER


MEMBER


MEMBER


MEMBER


MEMBER

DATED THIS 9TH DAY OF JULY, 2019

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE JULY 29, 2019

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.


SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

Flower City



brampton.ca

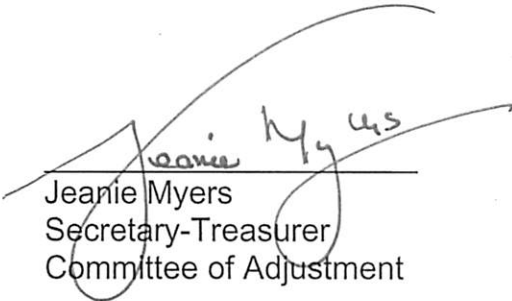
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A19-119**

DATED: **JULY 9, 2019**

Conditions:

1. That there be no expansion to the building;
2. That a limited Site Plan application be submitted and approved and implemented within 120 days of the Committee's final decision, or within an extended period of time as approved by the Director of Development Services upon receiving a request from the applicant. The extent of the site plan review shall be generally limited to matters related to access, vehicular circulation, parking areas, and demarcation of the motor vehicle repair use;
3. That the extents of the variance be limited to what is identified on the Public Notice; and,
4. That failure to comply with and maintain these conditions shall render the variance null and void.


Jeanie Myers
Secretary-Treasurer
Committee of Adjustment



Notice of Decision

Committee of Adjustment

FILE NUMBER A08-054HEARING DATE APRIL 1, 2008APPLICATION MADE BY 752054 ONTARIO LIMITED

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO ALLOW THE FOLLOWING VARIANCES:

1. To permit a Concrete Mixing Plant;
2. To permit an accessory silo having a height of 18.01m;

(10 CADETTA ROAD – LOT 4, PLAN M-343)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED)

1. That the applicant obtain Site Plan approval within 180 days of the final date of Committee's decision or at a later date, if necessary, subject to the approval of the Commissioner of Planning, Design and Development.

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

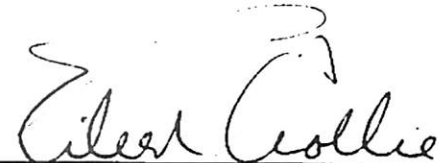
MOVED BY: J. MASSEY-SINGHSECONDED BY: P. S. CHAHALSIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER MEMBER MEMBER MEMBER MEMBER DATED THIS 1ST DAY OF APRIL, 2008

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE APRIL 21ST, 2008.

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.


 SECRETARY-TREASURER
 COMMITTEE OF ADJUSTMENT

