

Filing Date: 19-Mar-2021

Hearing Date: 20-Apr-2021

File: B-2021-0007

Owner/

Applicant: 10254 HURONTARIO PROPERTY INC. / Kurt Franklin (Weston Consulting)

Address: 10254 HURONTARIO ST, BRAMPTON, ON L7A0E4

Ward: 2

Contact: Tejinder Sidhu, Planner I, Development

Proposal:

The purpose of the application is to request the consent of the Committee for a lease in excess of 21 years for the subject lands currently having an area of approximately 22.75 hectares (56.2 acres). The effect of the application is to facilitate a long term lease between the landowner, 10254 Hurontario Property Inc. and Canadian Tire Inc.

Recommendations:

That application B-2021-0007 is 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.
 - 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 Arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to the long term lease agreement.

Background:

- **Official Plan** The subject property is designated 'Industrial' in the Official Plan;
- **Secondary Plan** The subject property is designated 'General Employment 1' in Snelgrove-Heartlake Secondary Plan (Area 1); and

- Zoning By-law The subject property is zoned: Industrial One (M1).

Current Situation:

Under the Planning Act and as discussed in Section 50(3), long term leases of 21 years or greater are considered to be a form of subdivision. A Consent application and approval of the Committee of Adjustment are required for a property owner to enter a lease for a period greater than 21 years.

The proposed consent application will facilitate a long-term lease between the landowner and Canadian Tire Inc.

Staff has undertaken a review of this proposal and relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule 'A' attached to this report), 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,

T. Sidhu

Tejinder Sidhu, Planner 1, Development

SCHEDULE "A"

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

CRITERIA TO BE CONSIDERED	ANALYSIS
a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	The proposed lease has no effect on matters of provincial interest.
b) whether the proposed subdivision is premature or in the public interest;	The proposed lease is not premature nor contrary to matters of public interest.
c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed lease does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) the suitability of the land for the purposes for which it is to be subdivided;	The proposed lease would facilitate a lease greater than a period of 21 years for Canadian Tire Inc. to lease the lands from the landowner. The lease is for a large warehouse with parking. The land is suitable for this purpose.
d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;	This is not applicable to the proposed lease.
e) 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;	The proposed lease does not present any concern as it relates to the adequacy of the road network.
f) the dimensions and shapes of the proposed lots;	The dimension and shape of the proposed lease area is appropriate for the intended warehouse use.
g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;	No concerns are noted with regard to restrictions on the lands. The proposed warehouse and associated parking has been site plan approved.
h) conservation of natural resources and flood control;	The proposed lease presents no concerns with regard to flood control and the conservation of natural resources.
i) the adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
j) the adequacy of school sites;	There are no concerns with regard to the adequacy of school sites.
k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	There are no concerns related to conveyances for public purposes.
l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	The proposed lease has no impact on matters of energy conservation.

<p>m) The interrelationship between the design of the proposed plan of subdivision 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 or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).</p>	<p>The warehouse and associated parking that is located on the lands to be leased by Canadian Tire Inc. has been site plan approved.</p>
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