

NOTICE OF A REQUEST FOR PROPOSED CHANGES TO THE CONDITIONS
OF A PROVISIONAL CONSENT

A request has been received from **Harjinder Singh and Viran Singh** to change condition(s) of the Provincial Consent of the Committee of Adjustment application number **B-2021-0019**.

Applicant(s) of the original consent application: **Harjinder Singh and Viran Singh**

Explanation of the Proposed Changes:

Condition # 3 – A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Block 177, Plan 43M-1449, shall be "merged" for *Planning Act* purposes at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed.

Request is to modify Condition # 3 to read as follows:

3a) The owner register a s.118 restriction on the subject lands preventing the transfer or charge of the whole or any part of the lands (severed or retained) without the written consent of the Corporation of the City of Brampton and agrees that the City will only consent to the conveyance of the severed parcel that is the subject of this application to the registered owner of Block 177 on 43M-1449 and that the City will only consent to the release of the s.118 on the retained lands upon: the severed lands and Block 177 (the "Resultant Lot") being in the same ownership and the owner of the Resultant Lot registering a s.118 on the Resultant Lot restricting the transfer or charge of anything less than the Resultant Lot without the City's consent.

3b) The solicitor for the owner of Block 177 will provide an undertaking that immediately upon their client being the owner of the severed lands, they will register a s.118 restriction on the Resultant Lot restricting the transfer or charge of anything less than the Resultant Lot without the City's consent.

Location of Land:

Municipal Address: 10417 Airport Road
Legal Description: Part of Lots 12 and 13, Concession 7 N.D.

Former Township: Toronto Gore

Meeting

The Committee of Adjustment has appointed **TUESDAY, August 23, 2022 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for considering the proposed changes to the conditions.

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.** You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make changes to the conditions in your absence. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

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

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LAST DAY FOR RECEIVING COMMENTS: AUGUST 18, 2022

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NOTE: IT MAY BE THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Decision and Appeal

If you wish to be notified of the changes to the conditions in respect of the provisional consent, you must make a written request to the Committee of Adjustment at the address of the City of Brampton noted below

Any person or public body may, not later than **20 days after the giving of the notice of decision** of the changes to the conditions in respect of the Provisional Consent, appeal any of the changes to the conditions imposed by the Committee of Adjustment to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*. The appeal form is available from the Environment and Land Tribunals Ontario website at <https://olt.gov.on.ca/appeals-process/forms/>

DATED AT THE CITY OF BRAMPTON THIS 4th Day of August, 2022.

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer
City of Brampton 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

10417 Airport Road
PART OF LOTS 12 & 13, CONC. 7 N.D.
CITY OF BRAMPTON
Parts 1-3, 5, 6 43R-19709
PIN 14220-2827

10417 Airport Road
PART OF LOTS 12 & 13, CONC. 7 N.D.
CITY OF BRAMPTON
Parts 1-3, 5, 6 43R-19709
PIN 14220-2827

Provisional Consent Application:
B-2021-0019

August 16, 2021



206-277 Lakeshore Road East
Oakville, Ontario L6J 1H9
T: 905-257-0227
info@korsiak.com

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 and/or as a hybrid meeting (both in-person and electronically).

Electronic/Hybrid Hearing Procedures
How to get involved in the Hybrid Hearing

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **August 23, 2022** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

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, August 18, 2022.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
 1. Participate remotely 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 Thursday, August 18, 2022.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, August 18, 2022.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. 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 **Thursday, August 18, 2022.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- 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/hybrid 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 City of Brampton is reviewing its Committee of Adjustment process. As a participant in this process, if you have comments or input you would like to share about your experience with the Committee of Adjustment, please email cityclerksoffice@brampton.ca to indicate your interest and you will be contacted with more information.

July 26, 2022

VIA COURIER

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

Attention: Jeanie Myers
Secretary-Treasurer, Committee of Adjustment

**Re: Request for Change to Conditions of Provisional Consent
Harjinder & Viran Singh
10417 Airport Road
Parts 1-3,5,6, 43R-19709
Parts of Lots 12 & 13, Concession 7, ND
PIN: 14220-2827
City of Brampton**

B-2021-0019

Ms. Myers,

On behalf of Harjinder and Viran Singh, enclosed please find the request to change the conditions of provisional consent for the above-mentioned property.

The request to change the consent conditions is warranted as the original conditions were impossible to fulfill as they required the PINs for the subject lands to be consolidated which, is against the LRO's rules in this particular circumstance.

The subject lands are currently zoned Agricultural (A). A Zoning By-law amendment is required to rezone these parcels to residential (R1A-1711). A Zoning By-law Amendment application was submitted on January 18, 2022, and comments were received on June 7, 2022 (#OZS-2022-0006).

In support of the application, we are pleased to enclose the following:

- 1 original and 1 copy of each executed request for changes to conditions of provisional consent application;
- 2 copies of each consent sketch, prepared by Korsiak Urban Planning, dated August 16, 2021;
- 2 copies of the aerial photo, prepared by Korsiak Urban Planning, dated August 13, 2021; and,
- A cheque in the amount of \$8,238.00 (\$4,119.00 per application) payable to The Corporation of the City of Brampton.

I trust the application is in order. Please feel free to contact me should you require any additional information.

Sincerely,

KORSIAK URBAN PLANNING

Catherine McEwan
Encl.

Copy: Harjinder & Viran Singh, Encl.
Roman Byskosz, Mattamy Homes Canada, Encl.

Request for Changes to Conditions of Provisional Consent

Application number of provincial consent: B-2021-0019

In Response to Application Questions 5 & 6:

That application **B-2021-0019** 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; 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. Subsection 50(3) and/or(5) of the Planning Act R.S.O. 1990 as amended, shall apply to any subsequent conveyance or transaction involving the parcel of land that is the subject of this consent.

~~3. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Block 174, Plan 43M-1449, shall be "merged" for Planning Act purposes at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed.~~

3a) The owner register a s.118 restriction on the subject lands preventing the transfer or charge of the whole or any part of the lands (severed or retained) without the written consent of the Corporation of the City of Brampton and agrees that the City will only consent to the conveyance of the severed parcel that is the subject of this application to the registered owner of Block 177 on 43M-1449 and that the City will only consent to the release of the s.118 on the retained lands upon: the severed lands and Block 177 (the "Resultant Lot") being in the same ownership and the owner of the Resultant Lot registering a s.118 on the Resultant Lot restricting the transfer or charge of anything less than the Resultant Lot without the City's consent;

3b) The solicitor for the owner of Block 177 will provide an undertaking that immediately upon their client being the owner of the severed lands, they will register a s.118 on the Resultant Lot restricting the transfer or charge of anything less than the Resultant Lot without the City's consent.

4. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) encumbering the "resultant" lot will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the Planning Act; or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s). (The "resultant" lot is the "severed" land and the land to which the "severed" land is to be merged.)

5. That the owner shall submit a tree compensation plan for the removed trees located on the residential lots.

In Response to Questions 7 & 8:

The reason for the change in conditions for the consent is that the LRO won't allow these PINs to be consolidated into a single PIN because the severed lands are in LTCQ and the Blocks are in LTA+. Therefore, any references to consolidation should be removed. In addition, referring to the consolidated PINS is irrelevant as the PINs are simply administrative and have no bearing on compliance with the Planning Act or the effectiveness of the s.118.

AERIAL PHOTO

10417 Airport Road



August 13, 2021

Scale 1:2000





The personal Information collected on this form is collected pursuant to subsection 53(2) 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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton, 905-874-2118.

APPLICATION
Request for Changes to Conditions of Provisional Consent
(Please read Instructions)

1.

Name of requester

Harjinder Singh & Viran Singh

(print given and family names in full)

Address

159 Main Street, Dashwood, ON, N0M 1N0

Phone #

519-955-1397

Fax #

Email

nslambda@hotmail.com
2.

Name of requester's Authorized Agent

Korsiak Urban Planning (Attn: Catherine McEwan)

Address

206-277 Lakeshore Road East, Oakville, ON, L6J 1H9

Phone #

905-580-5687

Fax #

Email

catherine@korsiak.com
3.

Application number of the provisional consent:

B-2021-0019
4.

Provisional Consent applicant(s) name:

Harjinder Singh & Viran Singh
5.

Identify and print/type the condition(s) requested to be changed by this request [add additional sheet(s), if necessary]:

Please see attached conditions that are requested to be changed.
6.

Indicate the change(s) to each condition requested to be changed [add additional sheet(s), if necessary]:

Please see attached conditions that are requested to be changed.
7.

Give an explanation for each change requested [add additional sheet(s), if necessary]:

Please see attached conditions that are requested to be changed.
8.

Give reasons for each change requested [add additional sheet(s), if necessary]:

The original conditions were impossible to fulfill since they required the PINs to be consolidated which is against the LRO's rules in our particular circumstances.

Dated at the Town of Oakville this 26th day of July, 2022.

Catherine McEwan

(Signature of applicant, or authorized agent, see note below)

Check box if applicable:

☐

I have the authority to bind the Corporation

NOTE: If this request for changes to conditions of provisional consent is signed by an agent or solicitor on behalf of the requester, the requester's written authorization must accompany this request. If the requester is a Corporation acting without agent or solicitor, this request must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation. If this request is signed by an agent or solicitor on behalf of the requester who is a Corporation, the requester's written authorization must accompany this request and must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has authority to bind the Corporation.

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PART OF LOTS 12 & 13, CONC. 7 N.D.
CITY OF BRAMPTON
Parts 1-3, 5, 6 43R-19709
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Provisional Consent Application:
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KORSIK | Urban Planning

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info@korsiak.com



