

# **Public Notice**

## **Committee of Adjustment**

**APPLICATION # B-2022-0029** Ward # 4

#### NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by NATIONAL BRIXEN (STEELES) INC.

#### Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.477 hectares (1.18 acres). The proposed severed lot (Parcel B) ranging in width from approximately 7 metres (23 feet) to 8 metres (26 feet) will be conveyed to the Region of Peel to achieve the ultimate right-of-way width for Steeles Avenue West. The effect of the application is to provide for an increased road widening along Steeles Avenue West, including the required 0.3 metre (1 foot) reserve.

#### **Location of Land:**

Municipal Address: 260 Malta Avenue

Former Township: Mississauga

Legal Description: Part of Blocks 31 and 32, Plan 43M-1644

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 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 application.

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 a decision with respect to this application in your absence. 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 possible Ontario Land 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 Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

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

LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

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

#### Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the Planning Act for:

Official Plan Amendment: Zoning By-law Amendment:

YES YES File Number: C01W05.44 File Number: C01W05.44

Minor Variance:

File Number:

#### **Decision and Appeal**

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition 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 Ontario Land Tribunal website at https://olt.gov.on.ca/appeals-process/forms/

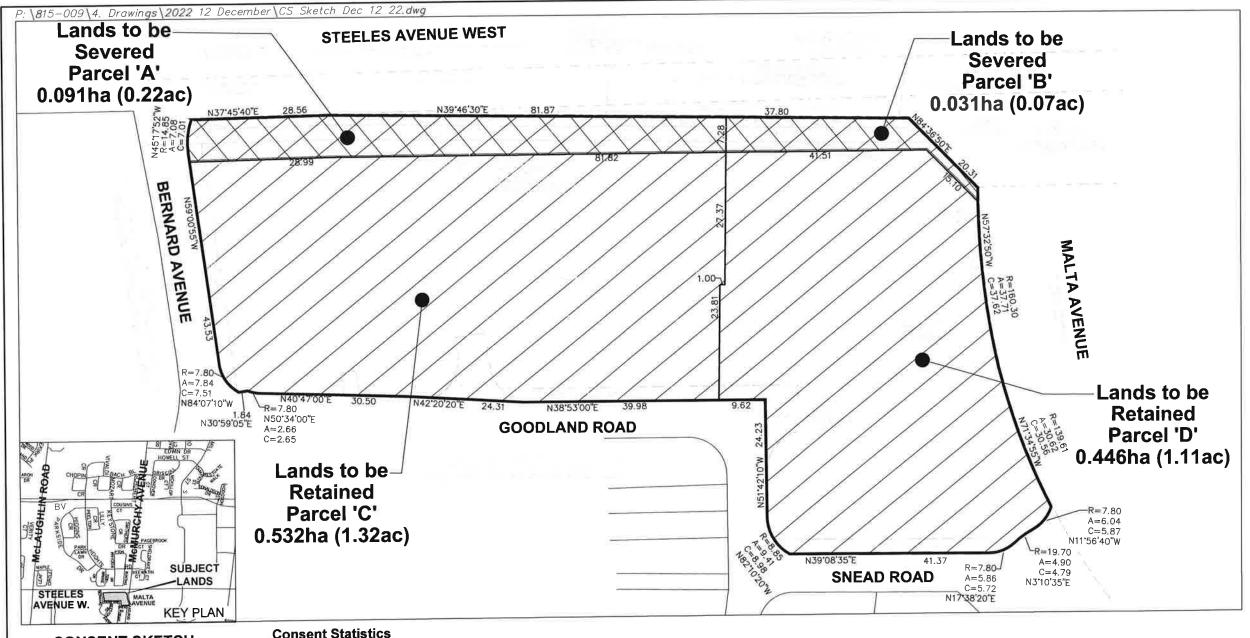
If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Ontario Land Tribunal may dismiss the appeal.

DATED AT THE CITY OF BRAMPTON THIS 5th Day of January, 2023

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 Fax:

Phone: (905)874-2117 Jeanie myers@brampton.ca (905)874-2119



## **CONSENT SKETCH** 245 STEELES AVENUE W.

PART OF BLOCK 31 AND 32, **REGISTERED PLAN 43M-1644** CITY OF BRAMPTON **REGION OF PEEL** 

#### **Consent Statistics**

**TOTAL AREA:** 

Lands to be Severed Parcel 'A' 0.091ha (0.22ac) Lands to be Severed Parcel 'B' 0.031ha (0.07ac) XX Lands to be Retained Parcel 'C' 0.532ha (1.32ac) XX Lands to be Retained Parcel 'D' 0.446ha (1.11ac)

1.10ha (2.72ac)







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 inperson 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 **January 24, 2023** 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**, **January 19**, **2023**.

- 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 <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, January 19, 2023.
  - To participate in-person, please email the Secretary—Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. 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, January 19, 2023. 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 <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. 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.



Partners:
Glen Broll, MCIP, RPP
Colin Chung, MCIP, RPP
Jim Levac, MCIP, RPP
Jason Afonso, MCIP, RPP
Karen Bennett, MCIP, RPP

In Memoriam, Founding Partner. Glen Schnarr

December 12, 2022

Committee of Adjustment City of Brampton 2 Wellington Street West Brampton, ON L6Y 4R2 B. 2022-0029; B-2022-0030

GSAI File: 815-009

Attention:

Jeanie Myers

Secretary-Treasurer

Re:

**Application for Consent** 

National Brixen (Steeles) Inc.

260 Malta Avenue and 245 Steeles Avenue West

City of Brampton, Region of Peel

Glen Schnarr & Associates Inc. has been retained by National Brixen (Steeles) Inc., the registered owners of the above noted lands (herein described as the 'subject lands'), to advance two consent applications for the above-noted properties on behalf of our client, National Brixen (Steeles) Inc.

The subject lands are generally located on the south side of Steeles Avenue West and west of Malta Avenue in the City of Brampton. The lands are legally described as Block 32, Plan 43M-1644. Phase I of the proposed development is nearing Site Plan Approval via application SPA-2021-0143, and a number of Minor Variances were granted (pertaining to permitted uses, parking, setbacks, and a number of other technical matters) via application A-2022-0023.

The subject lands consist of two parcels:

- 260 Malta Avenue, a 0.477 hectare (1.18 acre) parcel, which forms "Phase 1" of the subject lands' ultimate development.
- 245 Steeles Avenue West, 0.623 hectare (1.53 acre) parcel, which will form "Phase 2" of the subject lands' ultimate development.

The purpose of the subject consent applications is to sever the required road widening from the subject lands to be conveyed to the Region of Peel in order to achieve the ultimate right-of-way ("ROW") width for Steeles Avenue West. The lands to be conveyed have a total length of roughly 150 metres (roughly 490 feet), a width ranging from roughly 7 metres (23 feet) to 8 metres (26 feet), and a total area of 0.122 hectares (0.29 acres), assisting the Region in achieving a total width of 54 metres (177 feet) for Steeles Avenue West. The lands to be conveyed include the required 0.3 metre (1 foot) reserve.



Overall, the proposed applications will result in four parcels of land, as shown on the Consent Sketch included as part of this application:

- Parcel 'A', the 0.091 hectare (0.22 acre) conveyance from 245 Steeles Avenue West;
- Parcel 'B', the 0.031 hectare (0.07 acre) conveyance from 260 Malta Avenue;
- Parcel 'C', the 0.532 hectare (1.32 acre) retained lands for 245 Steeles Avenue West;
- Parcel 'C', the 0.446 hectare (1.11 acre) retained lands for 260 Malta Avenue.

The following is an explanation of why a consent application is required in this scenario:

- The Region of Peel requires the conveyance of road widening lands as part of their development approval process. Typically, the right-of-way would be conveyed as part of the Site Plan Approval process.
- However, the road widening lands are situated within "parcels of tied lands", being lands that have an interest in Peel Common Elements Corporation No. 744.
- The Region will only accept title to the road widening lands if the interest in Peel Common Elements Corporation No. 744 is "removed" from the road widening lands.
- In order to remove said interest in Peel Common Elements Corporation No. 744, an amendment to the Declaration and Description of Peel Common Elements Corporation No. 744 must be registered with the Land Registry Office of Peel.
- Prior to registering said amendment to the Declaration and Description of Peel Common Elements Corporation No. 744, the road widening lands must be described on a deposited reference plan and the Land Registry Office must issue new Property Identification Numbers for the road widening lands.
- In order to trigger the issuance of new Property Identification Numbers for the road widening lands, we must register a conveyance of the road widening lands (to the owner of the lands). This conveyance must not violate the provisions of Section 50 of the Planning Act relating to the ownership of adjacent lands. Accordingly, severance consents must be obtained in order to permit the conveyance of the road widening lands and the issuance of new Property Identification Numbers for the road widening lands.

As such, this application is technical in nature, and there are no policy implications.



In support of the application, we have enclosed the following items:

- One (1) copy of the completed Application for Consent form for the proposed severance;
- One (1) original copy of the signed Authorization and Permission to Enter Forms;
- One (1) copy of the required sketch as prepared by Glen Schnarr and Associates Inc. dated December 12, 2022; and
- One (1) copy of the R-Plan as prepared by J.D. Barnes Ltd., dated December 9, 2022.

We trust this completes the Applications for Consent and we look forward to being considered for the earliest available hearing date. Please feel free to contact us if you have any questions or require more information.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Stephen Closs, MCIP, RPP

Associate

# **Flower City**



**APPLICATION NUMBER:** 

"B"\_2022-0029

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.

# **APPLICATION**

### Consent

(Please read Instructions)

**NOTE:** Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a)	Name of Owner/Applicant		cant	National Brixen (Steeles) Inc. (c/o Michael Paradisi)					
	Address	3800 Steele	es Avenue	(print given and family names in full) W., Suite 103W, Woodbridge, ON L4L 4G9					
	Phone #	Office: 289-	657-1315	Cell #: 41	16-659-9989 -	Fax #			
	Email	mparadisi@	brixen.ca						
(b)	Glen Schnarr & Associates Inc. (c/o Stephen Closs)  Name of Authorized Agent								
	Address	10 Kingsbr	dge Garde	n Circle, Su	uite 700, Miss	issauga, On.	, L5R 3K6		
	Phone #	905-568-88	88 ext. 234	1	-	Fax #			
	Email	stephenc@	gsai.ca						
3.		Avenue W	est. Ultima	uired road widening in order to achieve the ultimate right-of nately to be conveyed to the Region of Peel.  eson to whom the land or an interest in the land is to be c/o Michael Paradisi)					
4.	-		ıbject land Malta Ave		land" means	the land to	be severed and ref	taine	
	a) Name of Street b) Concession No.			ion #: CON. 1 W.H.S				Lot(s) 14079-0383	
				43M - 1644				Lot(s)	
								Lot(s)	
	e) Assessment Roll No. 211014009901814 Geographic or Former Township								
5.	Are ther	e any easem	ents or re	strictive co	ovenants affe	cting the su	ıbject lan		
	Yes Specify:			No					

Instrument No. PR706236, PR706237, PR706238, PR706239, PR706240, PR706241, PR706242, PR706243, PR706244, PR706245

a)	Frontage Depti		Area0.031 ha					
b)	Existing Use Residential	Proposed	UseROW					
c)	Number and use of buildings and structu	lumber and use of buildings and structures (both existing and proposed) on the land to be se						
	(existing) No existing or proposed buildings and structures							
	(proposedNone							
d)	Access will be by:	Existing	Proposed					
	Provincial Highway							
	Municipal Road - Maintained all year	$\square$						
	Other Public Road							
	Regional Road							
	Seasonal Road							
	Private Right of Way							
f)	Water supply will be by:	Existing	Proposed					
f)	Publicly owned and operated water syst		Proposed					
f)	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua	en 🗹	Proposed					
f)	Publicly owned and operated water syst	en 🗹	Proposed					
f)	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well	en 🗹	Proposed					
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):	eri 🗹						
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary	Existing						
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system	Existing						
	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individual	Existing						
g)	Publicly owned and operated water system  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system	Existing						
g)	Publicly owned and operated water system  Lake or other body of water  Privately owned and operated individual or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individual or communal septic system  Other (specify):	Existing						
g)	Publicly owned and operated water syst  Lake or other body of water  Privately owned and operated individua or communal well  Other (specify):  Sewage disposal will be by:  Publicly owned and operated sanitary sewer system  Privy  Privately owned and operated individua or communal septic system  Other (specify):  ription of retained land: (in metric un	Existing	Proposed  Area 0.446 ha					

d)	Access will be by:	Existing	Proposed				
	Provincial Highway						
	Municipal Road - Maintained all year	abla					
	Other Public Road						
	Regional Road						
	Seasonal Road						
	Private Right of Way						
е)	If access is by water only, what parkin approximate distance of these facilities fr	g and docking fa om the subject la	acilities will be used and what is not and the nearest public road?	s the			
f)	Water supply will be by:	Existing	Proposed				
	Publicly owned and operated water syste	n 🗹					
	Lake or other body of water						
	Privately owned and operated individual						
	or communal well						
	Other (specify):						
g)	Sewage disposal will be by:	Existing	Proposed				
	Publicly owned and operated sanitary sewer system	$\Box$					
	Privy						
	Privately owned and operated individual or communal septic system						
	Other (specify):						
What is the current designation of the land in any applicable zoning by-law and official pl  Land to be Severed Land to be Retained  Zoning By-Law  Residential (R4A)  Residential (R4A)							
Official		– Reside	ential				
_	egion of Peel Urban System	Urbar	System				
Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?							
Yes [	No 🗹						
File#	Status/Decisio	n	a				
Has any land been severed from the parcel originally acquired by the owner of the subject land?  Yes  No							
Date o	f Transfer	Land Use					

8.

9.

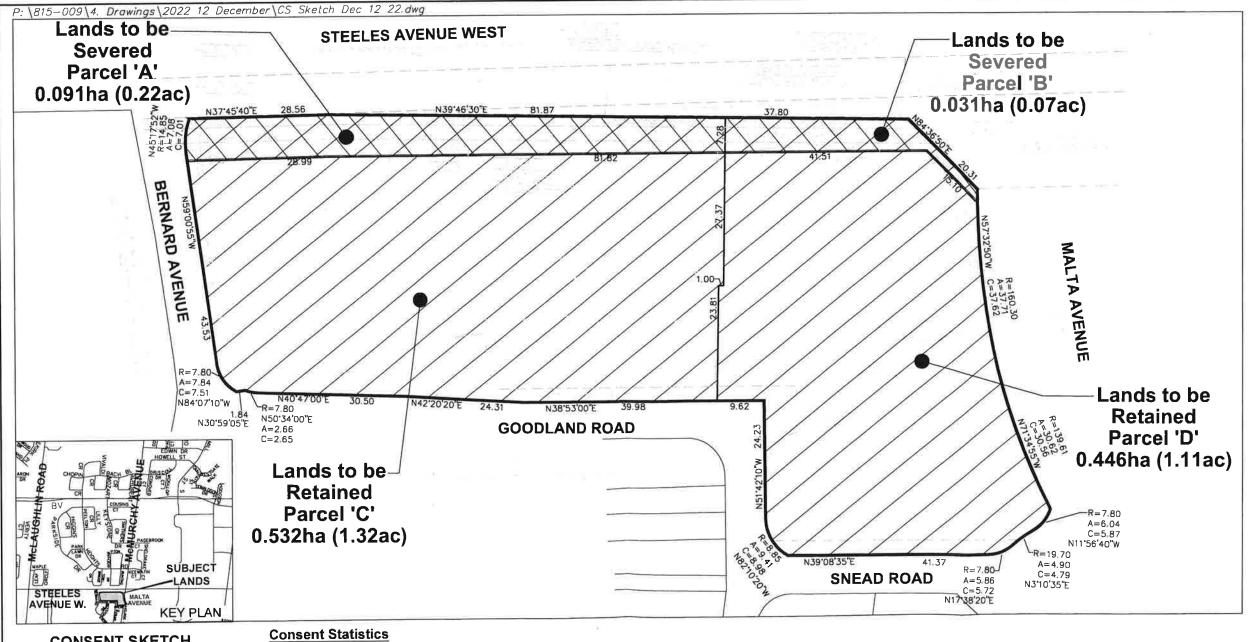
10.

If known, is/was the subject land the subject of any other application under the Planning Act, such as:

11.

	File Number	Status	
Official Plan Amendment			ĸ
Zoning By-law Amendment	-		
Minister's Zoning Order			e e
Minor Variance	A-2022-0023	Approved	
Validation of the Titl€		-	r
Approval of Power and Sale			
Plan of Subdivision			÷
		sued under subsection 3(1) of the Pa	lanning Act? No
13. Is the subject land within an a	rea of land designated	under any Provincial Plan? Yes 🗹	No 🔲
14. If the answer is yes, does the	application conform to	the applicable Provincial Plan? Yes	No
15. If the applicant is not the own is authorized to make the ap AGENTS" form attached).	er of the subject land, t plication, shall be atta	the written authorization, of the own	ner that the applicant AUTHORIZATION OF
City	of Mississau	ga	
-	—: · · · · · · · · · · · · · · · · · · ·	<u> </u>	
this 12th day of Decemb	er	, 20_22	
4/69/		Check box if applicable;	
Signature of Applicant, or Authorized A	Agent, see note on next page	I have the authority to bind the Corporation	
	DECLARA	TION	
I,Stephen Closs	of the	City of Toronto	
in the County/District/Regional Municipality	ofN/A	solemnly declare that all the	statements contained i
application are true and I make this as if ma	ade under oath and by vi	rtue of "The Canada Evidence Act".	
<b>.</b>			
Declared before me at the of	Mississauga	Made	
in the Region of Peel		- Moth	
this 12th day of December	, <b>20</b> _22	Signature of applicant/solicitor/auti	norized agent, etc.
Signature of a Commissioner, etc.	Laura Kim Amorim, a Comr Province of Ontario, for Glen Schnarr & Associates Expires March 3, 2023.		
Signature of a Commissioner, etc.			
		ompleted By the Zoning Division	
This application has been revie of the said r	ewed with respect to poss review are outlined on the	sible variances required and the result e attached checklist.	s
Zoning Officer		Date	_

DATE RECEIVED We censber 13, 2022



# CONSENT SKETCH 245 STEELES AVENUE W.

PART OF BLOCK 31 AND 32, REGISTERED PLAN 43M-1644 CITY OF BRAMPTON REGION OF PEEL Lands to be Severed Parcel 'A'

Lands to be Severed Parcel 'B'

Lands to be Retained Parcel 'C'

Lands to be Retained Parcel 'D'

TOTAL AREA:

0.091ha (0.22ac)

0.031ha (0.07ac)

0.532ha (1.32ac)

0.446ha (1.11ac)

1.10ha (2.72ac)





