

Public Notice

Committee of Adjustment

APPLICATION # B-2022-0028 Ward # 3

Former Township: Chinguacousy

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by UMBRIA DEVELOPERS 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 3.07 hectares (7.58 acres); together with easements for storm water services, storm water management pond, watermain and fire hydrant in favour of the retained lands and an easement for access in favour of the severed lands. The proposed severed lot has a frontage of approximately 13 metres (42.65 feet), a depth of approximately 90 metres (295.27 feet) and an area of approximately 1.74 hectares (4.30 acres). The effect of the application is to create a new lot for future residential purposes (One 13-Storey Residential Apartment Building).

Location of Land:

Municipal Address: 12 Henderson Avenue

Legal Description: Part of Lot 5, Concession 1 W.H.S.

Meeting

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

<u>NOTE:</u> 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:	YES	File Number: C01W05.44
Zoning By-law Amendment:	YES	File Number: C01W05.44
Minor Variance:	NO	File Number:

Decision and Appeal

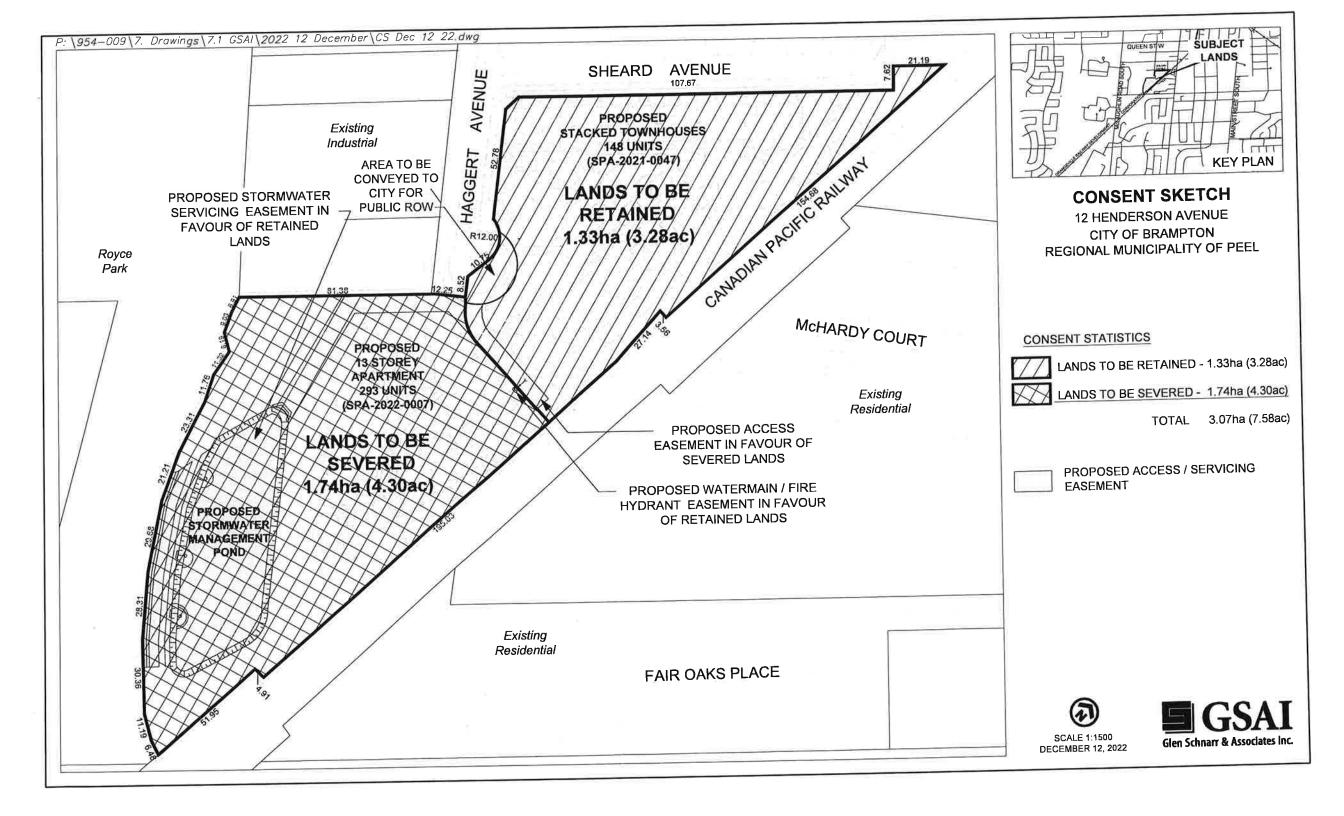
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee 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/

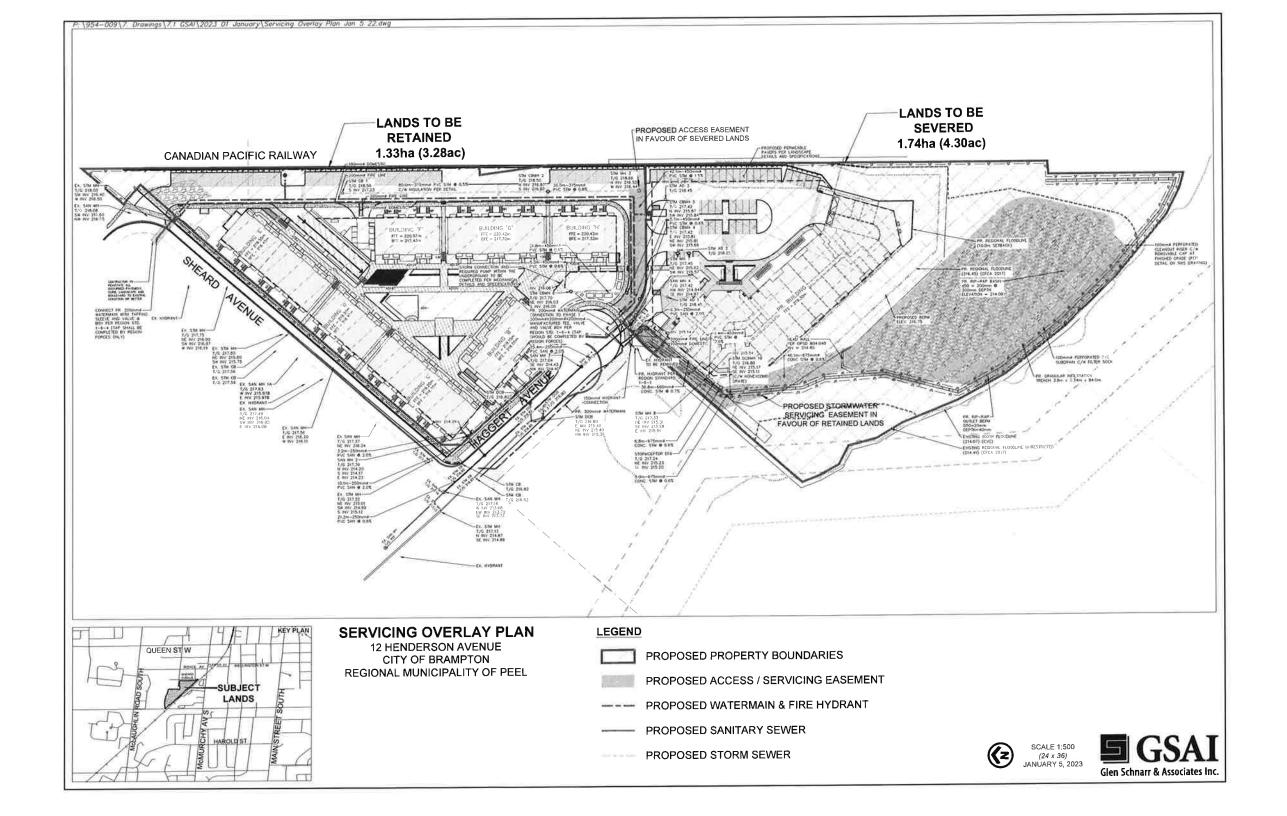
If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Ontario Land Tribunal may dismiss the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

DATED AT THE CITY OF BRAMPTON THIS 6th 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 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 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:
- Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
- To participate in-person, please email the Secretary–Treasurer at <u>cityclerksoffice@brampton.ca</u> or jeanie.myers@brampton.ca 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 <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u>. 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.



December 13, 2022

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

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

Refer To File: 954-009

13-2022-0028

In Memoriam, Founding Partner: **Gien Schnarr**

Attention: Jeanie Myers, Secretary-Treasurer

Application for Consent Re: **Umbria Developers Inc. 12 Henderson Avenue City of Brampton**

We are pleased to submit an Application for Consent for the above-noted lands on behalf of the owners, Umbria Developers Inc. The lands are located at the southeast corner of Sheard Avenue and Haggert Avenue South and municipally known as 12 Henderson Avenue.

The subject lands have a frontage of approximately 107.67 metres on Sheard Avenue, a depth of approximately 90 metres and an area of approximately 3.07 hectares (7.58 acres). The lands are designated "Residential - Medium High / High Density" in the Downtown Brampton Secondary Plan and zoned "Residential Apartment A - Section 2997" (R4A-2997) allowing for up to 402 residential dwellings units in the form of apartment and multiple residential structural types. A Minor Variance Application processed under A-2021-0227 was approved in March 2022 allowing for an increase to a maximum of 441 dwelling units together with relief on maximum floor space index and accessory structures.

The lands are currently subject to a Site Plan Application processed under City file number SPA-2021-0047 for the development of 148 Condominium Stacked Townhouse dwellings with underground parking representing Phase 1 of a two-phase development proposal. The Site Plan Application is approved in principle and the Phase 1 site works were initiated in 2021 under a conditional permit.

The lands are also subject to a Site Plan Application for Phase 2 processed under City file number SPA-2022-0007 for the development of a 13-storey condominium apartment building with 293 dwelling units and underground parking.

For financing purposes, and as shown on the enclosed Consent Sketch, Umbria Developers Inc. is proposing to sever the property which will split the Phase 2 development (severed lands) from Phase 1 (retained lands). Due to the location of the proposed storm sewer, stormwater management pond, and fire hydrant for Phase 1 crossing into Phase 2, servicing easements in favour of the retained lands are proposed within the severed lands. We enclose the proposed Site Servicing Plans for information. Further, due to the location of the access for Phase 2 within the Phase 1 lands, an access easement is also proposed within the retained lands in favour of the severed lands.

10 Kingsbridge Garden Circle, Suite 700, Mississauga, ON L5R 3K6 • Tel. 905-568-8888 • www.gsai.ca



With respect to zoning, the applicable Site-Specific "R4A-2997" Zone considers the lands one lot for zoning purposes, and as such, no zoning deficiencies are created as a result of severing the subject lands.

In support of the Severance Application, we have enclosed the following items:

- One (1) signed completed copy of the Consent Application form with attached legal description;
- One (1) copy of the Severance Sketch as prepared by Glen Schnarr & Associates Inc., dated December 12, 2022;
- One (1) copy of the Site Servicing Plans as prepared by CF Crozier & Associates Inc., dated February 17, 2022;
- One (1) cheque in the amount of \$ \$4119.00 payable to the City of Brampton for the Application fee;
- One (1) cheque in the amount of \$1,400 payable to the Region of Peel the Application Review fee;
- One (1) cheque in the amount of \$1,204.00 payable to the Credit Valley Conservation Authority for Plan Review Fees.

We trust this completes the Consent Application and we look forward to being placed on the January 24, 2023 hearing date. Please do not hesitate to contact the undersigned if you require anything further or wish to clarify anything contained in this application.

Sincerely,

GLEN SCHNARR & ASSOCIATES INC.

Jason Afonso, MCIP, RPP Partner

Encl.

c. S. Kamal, Umbria Developers Inc.

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APPLICATION NUMBER:

"B"-2022-0028

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 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.

			APPLICA	TION			
	Consent						
			(Please read In	structions)			
informatio	on or material	as the Committee of	Adjustment may requ	uire. The Corr	provide the Committee of Adjustment with such nmittee of Adjustment may refuse to accept or equired fee are received.		
1. (a)	Name of O	wner/Applicant	Umbria Develope	ers Inc. (Attn: S	yed Kamal)		
()				(print given	and family names in full)		
	Address -	37 Hawkri	idge Trail				
		Brampton	, ON L6P 2T4				
	Phone #	(647) 220 9355		Fax #	N/A		
	Email	s.kamal@umbriad	evelopers.com	_			
(b)	Name of Au Address	uthorized Agent	Glen Schnarr & A		(Attn: Jason Afonso)		
	Address		Mississauga, ON				
	Phone #	905 568 8888 x. 22	7	Fax #	905 568 8894		
	Email	jasona@gsai.ca					
2.		n easement, a charge	e, a lease or a correc reation of a new lot to watermain and fire hy	tion of title. gether with eas	as transfer for a creation of a new lot, lot sements for storm water services, storm water of the retained lands and an easement for		
3.	lf known, th	e name of the person to Unknown at this time		interest in the I	and is to be transferred, charged or leased.		

4. Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street	Henderson Avenue	Number_	12
b) Concession No.	1 WHS	Lot(s)_	Part of Lot 5
c) Registered Plan No.	See attached	Lot(s)	See attached
d) Reference Plan No.	See attached	Lot(s)	See attached
e) Assessment Roll No.	211003002714200	Geographic or Former Township	Chinguacousy
ej Assessment Ron No.			

5. Are there any easements or restrictive covenants affecting the subject land?

Yes	Νο	\checkmark	ž.			
Specify:				 	 	

6.	Descriptio	on of severed land: (in metric units)		
	a)	Frontage ± 13 m Depth	± 90 m	Area ± 1.74 ha
	b)	Existing Use Vacant	Proposed Use	Residential Apartment Building
	c)	Number and use of buildings and structure	es (both existing and pro	posed) on the land to be severed:
		(existing) None		
		(proposedOne 13-Storey Residential	Apartment Building	
	d)	Access will be by:	Existing	Proposed
		Provincial Highway		
		Municipal Road - Maintained all year	\checkmark	
		Other Public Road		
		Regional Road		
		Seasonal Road		
		Private Right of Way		
	e)	If access is by water only, what parking approximate distance of these facilities fro	g and docking faciliti om the subject land and	es will be used and what is the I the nearest public road?
			Frieding	Proposed
	f)	Water supply will be by:	Existing	-
		Publicly owned and operated water systen		
		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		
		Privy		
		Privately owned and operated individual or communal septic system		
		Other (specify):		
7.	Descripti	on of retained land: (in metric units)		
7.		± 107.67 m Frontage (Sheard Avenue) Depth	± 90 m	Area ± 1.33 ha
	a)			Stacked Townhouse Residential
	b)		Proposed Use	
	c)	Number and use of buildings and structur	res (both existing and pro	oposea) on the land to be retained:
		(existing)		
		(proposed <u>+ Detached Dwelling (Pro</u>		ACKED TOWNHOUSE INCLS (RESIDENTIAL)

-2-

-3-

Access will be by:	Existing	Proposed
Provincial Highway		
Municipal Road - Maintained all year	\checkmark	\checkmark
Other Public Road		
Regional Road		
Seasonal Road		
Private Right of Way		

If access is by water only, what parking and docking facilities will be used and what is the e) approximate distance of these facilities from the subject land and the nearest public road?

N/A

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water systen		\checkmark
	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		\checkmark
	Privy		
	Privately owned and operated individual or communal septic system		

What is the current designation of the land in any applicable zoning by-law and official plan? 8.

	Land to be Severed	Land to be Retained
Zoning By-Law	R4A-2997	R4A-2997
Official Plans City of Brampton	Residential - Medium High / High Density	Residential - Medium High / High Density
Region of Peel	Urban Area	Urban Area

Has the subject land ever been the subject of an application for approval of a plan of subdivision under 9. 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/Decision
Has any land been	severed from the parcel originally acquired by the owner of the subject land?
Yes	No 🗹
Date of Transfer	Land Use

d)

10.

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

	File Number	Status	
Official Plan Amendment	C01W05.044	Approved	
Zoning By-law Amendment	C01W05.044	Approved	-
Minister's Zoning Order		. <u></u>	-
Minor Variance	A-2021-0227	Approved	-
Validation of the Title			
Approval of Power and Sale			-
Plan of Subdivision			- .:
Is the proposal consistent with	Policy Statements issued u	Inder subsection 3(1) of the <i>Pla</i> Yes	nning Act? No
ls the subject land within an ar	ea of land designated under	r any Provincial Plan? Yes 🛄	No 🔽
If the answer is yes, does the a	application conform to the a	pplicable Provincial Plan? Yes	No 🗔

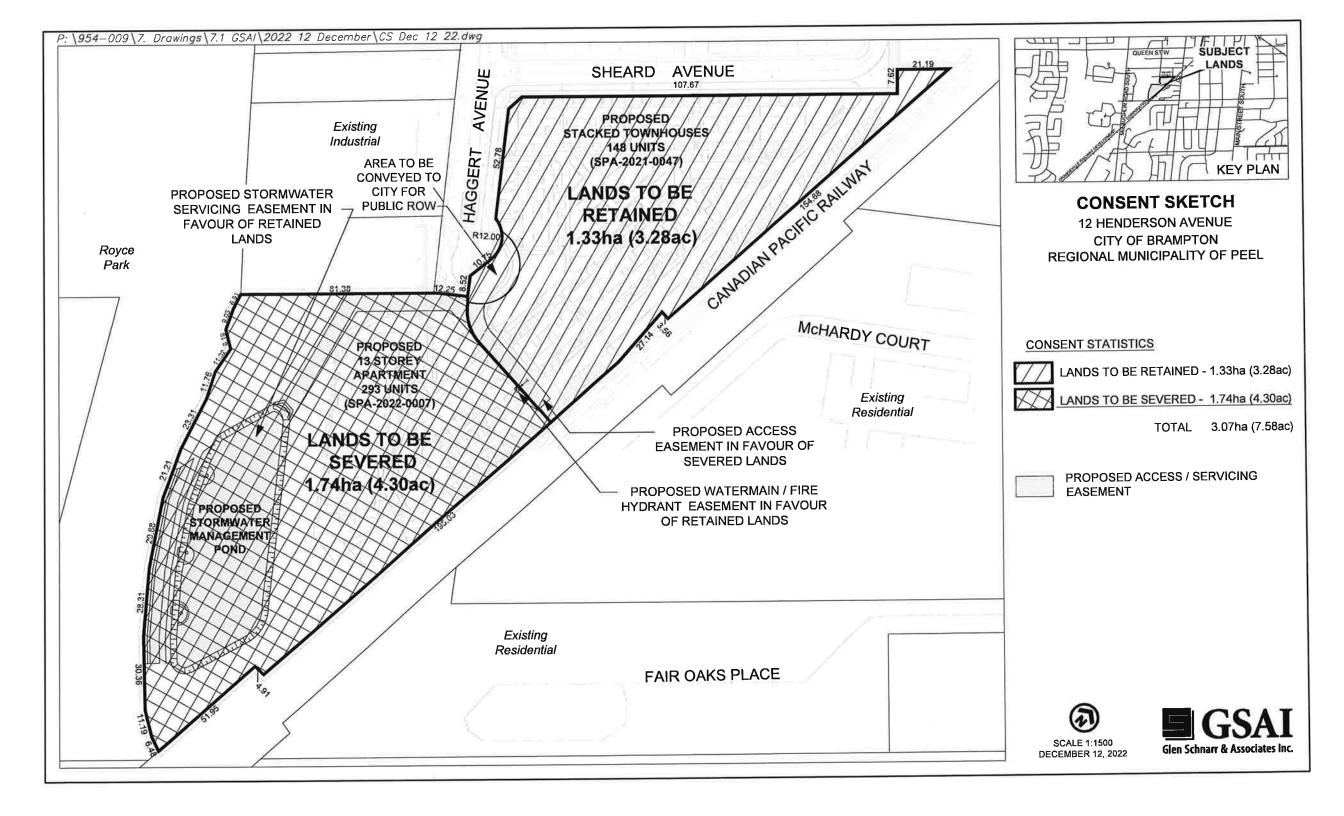
12.

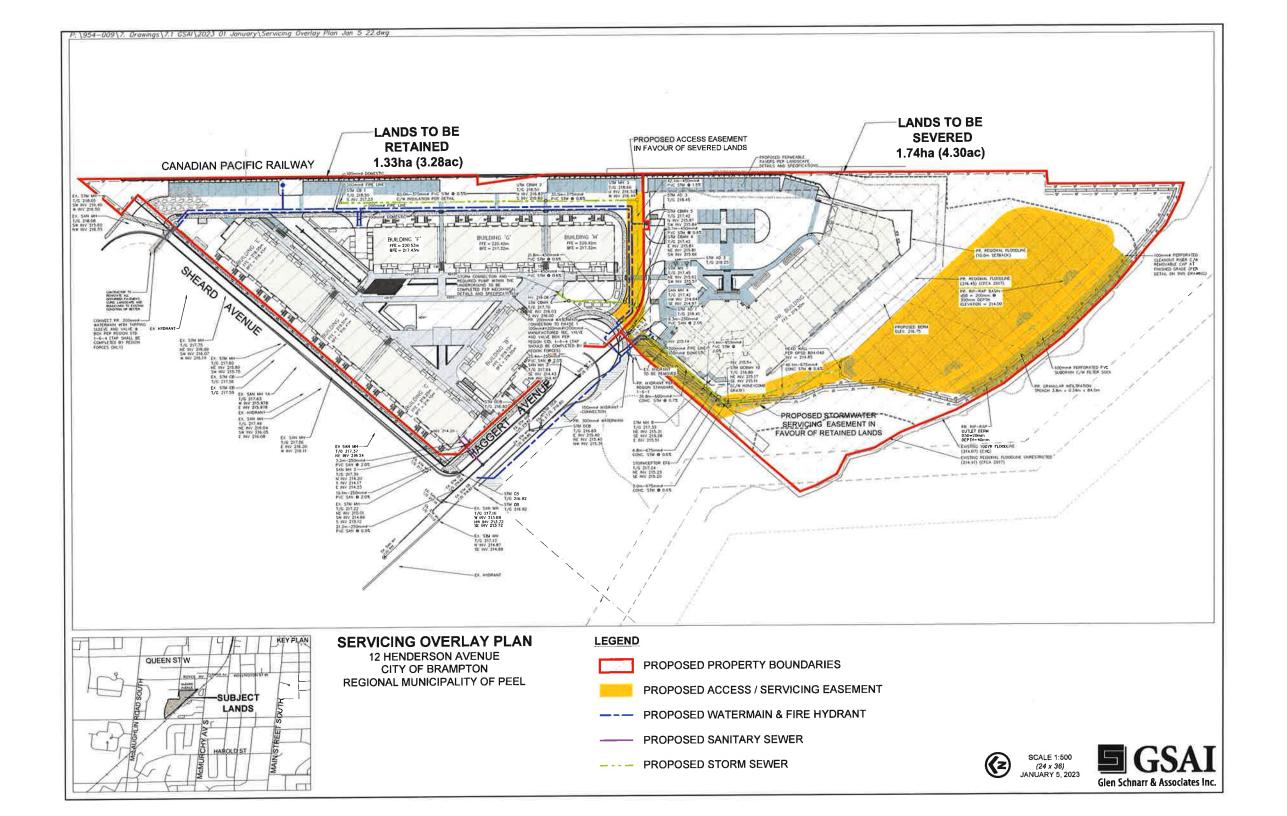
13.

14.

15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the	City	of	Mississaug	a	
this 13th	day of	December	. 20 22 .		
Signature o	Applicant, or Authoriz	ed Agent, see note on next pa	ge	Check box if I have the auth the Corporatio	nority to bind
		DECLA	RATION		
I, Jason Afo	nso, Glen Schnarr	& Associates Inc. of the	e <u>City</u>	of	Mississauga
in the County/District/	Regional Municipa	lity of Peel	s	olemnly declare	that all the statements contained in t
application are true a	nd I make this as if	f made under oath and by	y virtue of "Th	e Canada Evide	nce Act",
Declared before me at the in the <u>Region</u> this <u>13th</u> day of Signatu		Peel .20 22 fu us etc.	a Co Provi for th City	Signature of application ince of Ontario of Brampton res April 8, 202	c., of the
	FOR OF	FICE USE ONLY - To B	e Completed	By the Zoning D	ivision
This app	olication has been of the s	reviewed with respect to said review are outlined o	possible variation the attache	ances required a d checklist.	nd the results
10	Il lagre		Dec	20, 2022	
	Zoning Office	er (Date	
	DATE REC	EIVED Gocom	u 13	, 2022	





FIRSTLY; PT HAGGERT AV, PL 429 AS CLOSED BY BYLAW RO1105450, PTS 1, 2, 43R17885; PT HAGGERT AV BEING PT LOT 5 CON 1 WHSCH AS CLOSED BY RO1105450, PTS 7 & 8 43R17885; PT LOT5 CON 1 WHSCH AS IN BR30450, EXCEPT PT 3 43R20299; SECONDLY; LTS 15-26, PL E14, BLKS B,C & D, PL E14, JOY AV, PL E14, CLOSED BY BL299, PT SHEARD AV, PL E14, CLOSED BY RO772529, PT LT 5, CON 1, WHSCH, PTS 1 & 2, 43R21104, EXCEPT PT 6, 43R17885, CITY OF BRAMPTON

