

APPLICATION # A-2022-0349
WARD #8

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **2441925 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 Part of Lot 5, Concession 7 ND, Parts 1, 3, 5, 10, 17, 28 and 35 municipally known as **2 AUCTION LANE**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) in conjunction with the proposed severed lot under Consent Application B-2022-0020:

1. To permit a lot area of 0.33 hectares whereas the by-law requires a minimum lot area of 0.6 hectares;
2. To permit a lot width of 43.7 metres whereas the by-law requires a minimum lot width 50.0 metres;
3. To permit an interior side yard setback of 1.72 metres on the east side whereas the by-law requires a minimum side yard depth of 6.0 metres;
4. To permit a rear yard setback of 4.5 metres to the parking ramp whereas the by-law requires a minimum rear yard depth of 6.0 metres;
5. To permit a maximum lot coverage of 36.5% whereas the by-law requires a minimum lot coverage of 35%;
6. To provide 302 parking spaces for both the severed and retained lots whereas the by-law requires a minimum of 584 parking spaces for both the severed and retained lots;
7. To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot whereas the by-law requires that where parking is required it shall be provided or maintained on the same lot as the use for which they are required or provided;
8. To permit a landscaped open space of 3.25 metres abutting Regional Road 107 (Queen Street) whereas the by-law requires a minimum landscaped open space of 6.0 metres abutting Regional Road 107;
9. To permit garbage and refuse not screened within an enclosure whereas the by-law requires garbage and refuse to be screened within an enclosure;
10. To permit an office to be located beyond 180 metres of Goreway Drive whereas the by-law requires that an office be located within 180 metres of Goreway Drive;
11. To permit a 0 metre parking aisle width whereas the by-law requires a minimum 6.6 metre parking aisle width.

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 File Number: _____
Application for Consent: YES File Number: B-2022-0020

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 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, **the Minister, a specified person or a public body.**

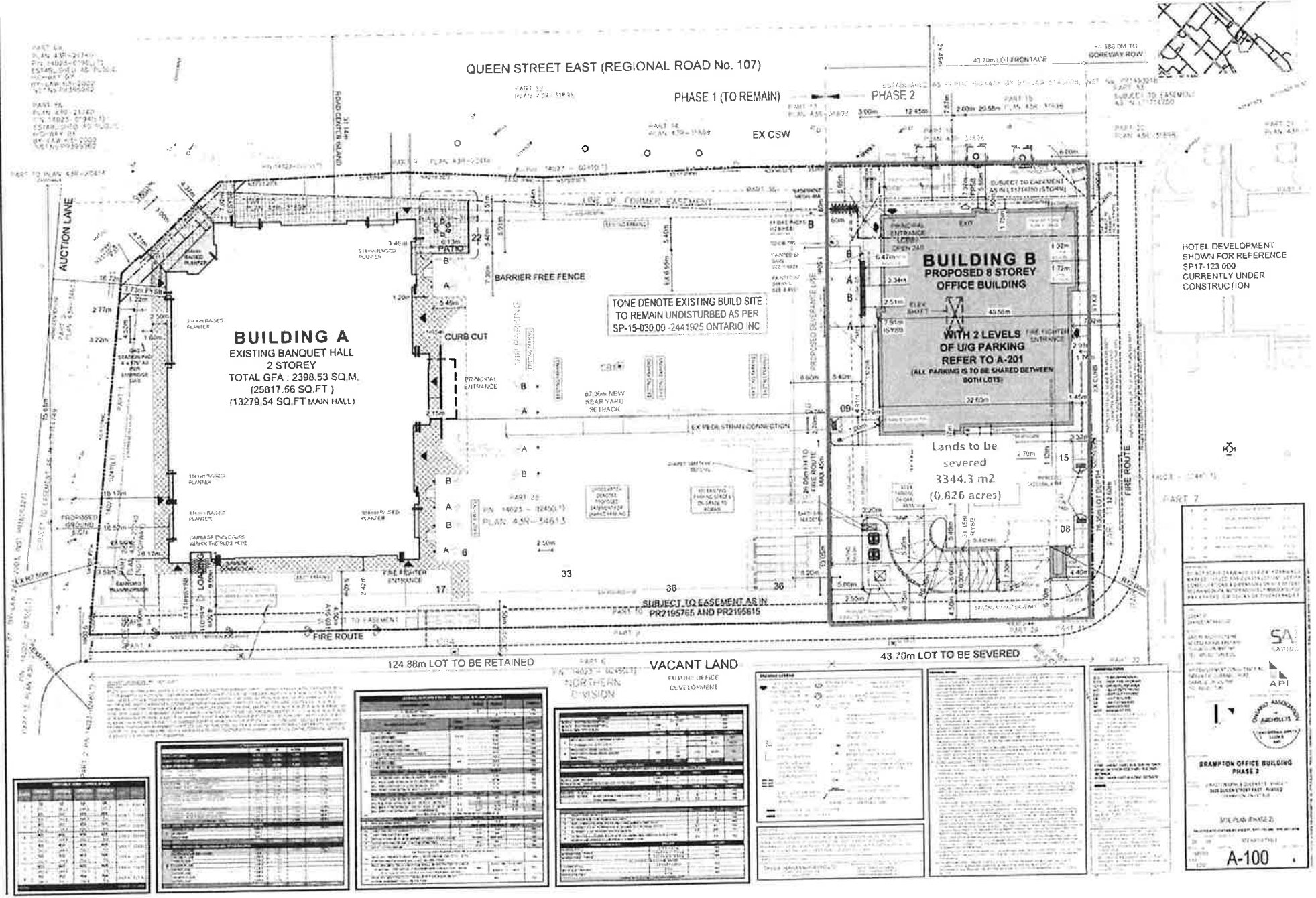
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 5th Day of January, 2023.

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



PART 1A
PLAN 438-21340
DATE 18/02/15 07:34:15
ESTABLISHED AS PUBLIC
HIGHWAY BY
BY-LAW 24-1002
18/02/15 09:55:56

PART 1B
PLAN 438-21340
DATE 18/02/15 07:34:15
ESTABLISHED AS PUBLIC
HIGHWAY BY
BY-LAW 24-1002
18/02/15 09:55:56

QUEEN STREET EAST (REGIONAL ROAD No. 107)

PHASE 1 (TO REMAIN)

PHASE 2

BUILDING A
EXISTING BANQUET HALL
2 STOREY
TOTAL GFA : 2398.53 SQ.M.
(25817.56 SQ.FT)
(13279.54 SQ.FT MAIN HALL)

BUILDING B
PROPOSED 8 STOREY
OFFICE BUILDING

WITH 2 LEVELS
OF UIG PARKING
REFER TO A-201
(ALL PARKING IS TO BE SHARED BETWEEN
BOTH LOTS)

Lands to be
severed
3344.3 m2
(0.826 acres)

TONE DENOTE EXISTING BUILD SITE
TO REMAIN UNDISTURBED AS PER
SP-15-038.00-2441925 ONTARIO INC

HOTEL DEVELOPMENT
SHOWN FOR REFERENCE
SP17-123.000
CURRENTLY UNDER
CONSTRUCTION

Lot No.	Area (m ²)	Area (sq. ft.)
17	124.88	13500
33	3344.3	36000
36	4370	47000

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BRAMPTON OFFICE BUILDING PHASE 2

SA
API

A-100

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 **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 cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, January 19, 2023.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca 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 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, 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 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.

October 25, 2022

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

A-2022-0349

Re: AMENDMENT TO MINOR VARIANCE APPLICATION FOR SEVERED LANDS (2 Auction Lane)

I am writing with respect to the applications for 2 Auction Lane that are scheduled to be heard at the November 15, 2022 Committee of Adjustment meeting. These applications include consent and minor variances for the proposed severed and retained lands.

I am writing to amend the minor variance application for the severed lands to add the following two additional minor variances identified by Lesley Barbuto in Zoning Services as required to facilitate the proposed consent and office building on the severed lands:

1. To permit an office to be located beyond 180 m of Goreway Drive, whereas the by-law requires that an office be located within 180m of Goreway Drive; and
2. To permit a 0 m parking aisle width, whereas the by-law requires a 6.6 m parking aisle width.

No amendments are required to the consent application or minor variance application for the retained lands. Please let me know any additional information required or questions you have.

Regards,



Michael Barton, MCIP, RPP
President
MB1 Development Consulting Inc.
michael@mb1consulting.com
(905) 599-9973

October 18, 2022

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

Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

- To provide 302 parking spaces on site whereas the by-law requires a minimum of 527 parking spaces;
- To permit a rear yard depth of 1.72m (5.64 ft.) to a proposed office building whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines;
- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,



Michael Barton, MCIP, RPP
President
MB1 Development Consulting Inc.
michael@mb1consulting.com
(905) 599-9973

October 18, 2022

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

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- The proposed building elevations.

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Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,



Michael Barton, MCIP, RPP
President
MB1 Development Consulting Inc.
michael@mb1consulting.com
(905) 599-9973



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)** Sukhdeep Sandhu/2441925 Ontario Ltd.
Address 2494 Mississauga Road, Mississauga, ON L5H2L5

Phone # 416-898-9080 **Fax #** _____
Email sestate707@gmail.com

2. **Name of Agent** Michael Barton c/o MB1 Development Consulting Inc.
Address 1489 Abbeywood Drive, Oakville, ON L6M 2M6

Phone # 905-599-9973 **Fax #** _____
Email michael@mb1consulting.com

3. **Nature and extent of relief applied for (variances requested):**
SEVERED LANDS: 1. To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required); 2. To permit minimum landscaped area of 3.25 metres along Queen Street; 3. To permit garbage and refuse storage not screened within an enclosure; 4. To permit minimum lot area of 0.3344 ha; 5. To permit minimum lot width of 43.7 m; 6. To permit minimum east interior side yard setback of 1.72 m; 7. To permit a rear yard setback of 4.5 m to the parking ramp; and 8. To permit maximum lot coverage of 36.5%; 9. To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot

4. **Why is it not possible to comply with the provisions of the by-law?**
Variances required to sever the subject property to accommodate a new 8-storey building in conjunction with existing 2-storey banquet hall and surface parking area. In addition, the parking supply will be shared among the existing and proposed buildings. On this basis, the consent application will establish an easement for reciprocal parking.

5. **Legal Description of the subject land:**
Lot Number 5 (Part)
Plan Number/Concession Number 7
Municipal Address 2 Auction Lane

6. **Dimension of subject land (in metric units)**
Frontage 43.7 m
Depth 76.35 m2
Area 3344.3 m2

7. **Access to the subject land is by:**
Provincial Highway Seasonal Road
Municipal Road Maintained All Year Other Public Road
Private Right-of-Way 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.)

Vacant

PROPOSED BUILDINGS/STRUCTURES on the subject land:

8-storey office building (GFA=10,199.8 m²; front yard setback (to Queen Street)=6 m; rear yard setback=31.14 m; west side yard setback=6.47 m; east side yard setback=1.72 m)

- 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 N/A
 Rear yard setback N/A
 Side yard setback N/A
 Side yard setback N/A

PROPOSED

Front yard setback 6 m
 Rear yard setback 4.5 m (to parking ramp)
 Side yard setback 6.7 m
 Side yard setback 1.72 m

- 10. Date of Acquisition of subject land: March 30, 2015
- 11. Existing uses of subject property: Vacant
- 12. Proposed uses of subject property: 8-storey office building with 2 levels of underground parking
- 13. Existing uses of abutting properties: Hotel (east); banquet hall (west); commercial uses
- 14. Date of construction of all buildings & structures on subject land: N/A
- 15. Length of time the existing uses of the subject property have been continued: N/A

- 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 # CA-16-031	Decision Approved _____	Relief Copy of decision included in this application
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

Signature of Applicant(s) or Authorized Agent

DATED AT THE Town OF Oakville
THIS 18th DAY OF July, 20 22

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, Michael Barton, OF THE Town OF Oakville
IN THE Region OF Huron 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 virtually
City OF Quebec
IN THE Province OF Ontario
THIS 10 DAY OF August 2022
[Signature]
A Commissioner etc.
LSO 341093

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: SC-1923

This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

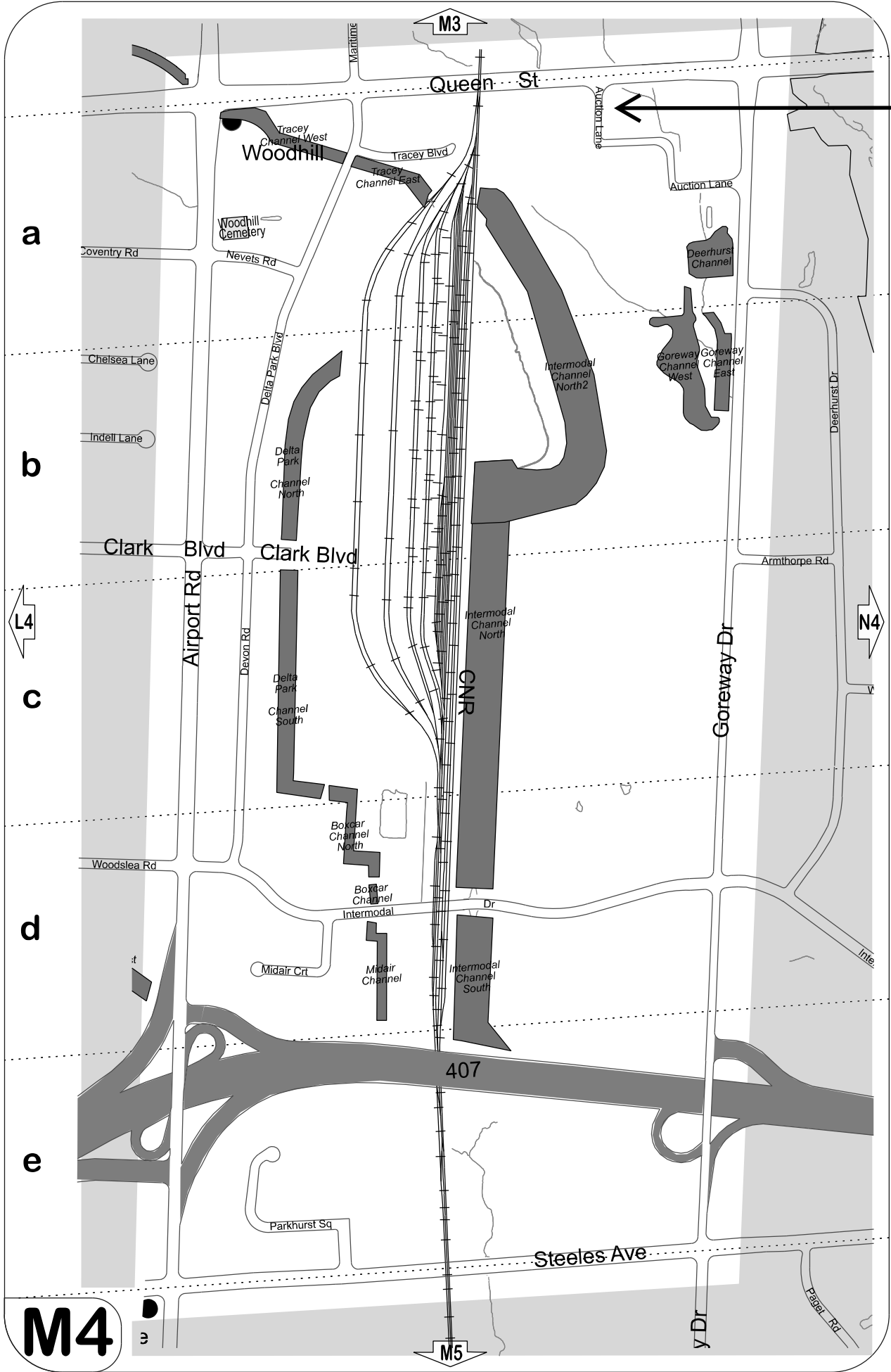
[Signature] Zoning Officer

Oct. 19.22 Date

DATE RECEIVED October 19, 2022

Date Application Deemed Complete by the Municipality _____

B-2022-0020
A-2022-0349



a

b

c

d

e

M4

M3

Queen St

Woodhill

Coventry Rd

Chelsea Lane

Indell Lane

Clark Blvd

Devon Rd

Woodslea Rd

Midair Cr

407

Steeles Ave

M5

Auction Lane

Deerhurst Channel

Goreway Channel West

Goreway Channel East

Deerhurst Dr

Armthorpe Rd

Goreway Dr

Inte

y Dr

Pager Rd

