

Public Notice

Committee of Adjustment

APPLICATION # A-2022-0022 WARD #4

DEFERRED APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **BRANTHAVEN CREDITVIEW INC.** under Section 45 of the <u>Planning Act</u>, (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 4 W.H.S., Part 1, Plan 43R-14727 municipally known as **8940 CREDITVIEW ROAD**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit a temporary sales office for a period of three (3) years whereas the by-law does not permit the proposed use in an Agricultural Zone.

OTHER PLANNING APPLICATIONS:

The land which is subject of	f this application is	the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:
meeting broadcast from t	he Council Cham	TUESDAY, February 14, 2023 at 9:00 A.M. by electronic bers, 4th Floor, City Hall, 2 Wellington Street West, Brampton
for the purpose of hearing a	all parties interested	d 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 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.

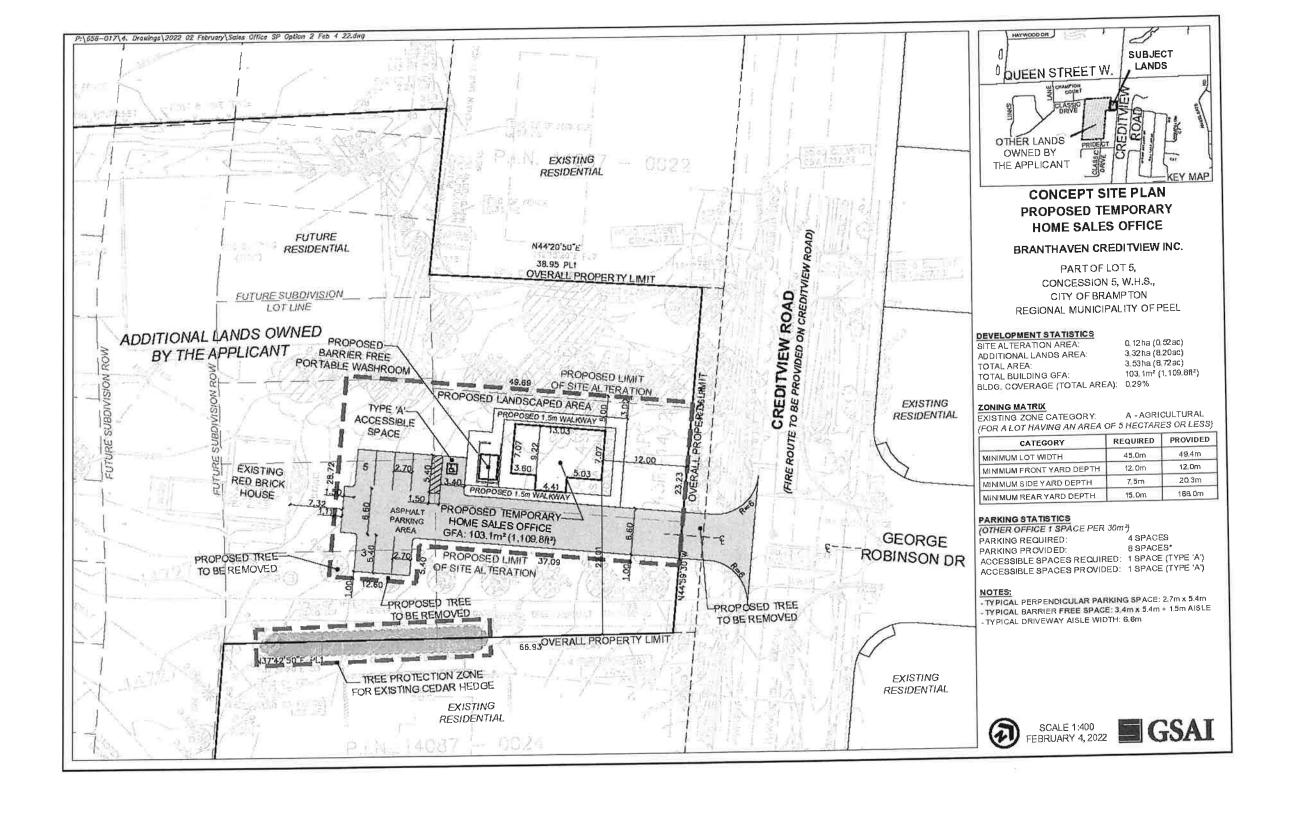
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 3rd Day of February, 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





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 **February 14, 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**, **February 9**, **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, February 9, 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, February 9, 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**, **February 9**, **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.



PARTNERS:
GLEN SCHNARR, MCIP, RPP
GLEN BROLL, MCIP, RPP
COUN CHUNG, MCIP, RPP
JIM LEVAC, MCIP, RPP

March 7, 2022

GSAI File: 656-017

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

Attention:

Jeanie Myers

Secretary Treasurer

RE:

Request for Deferral (Committee of Adjustment)

City File No.: A-2022-0022 8940 Creditview Road

City of Brampton, Regional Municipality of Peel

Glen Schnarr & Associates Inc. (GSAI) are the authorized agents and planning consultants for Branthaven Creditview Inc., owners of the property municipally addressed as 8940 Creditview Road (herein referred to as the "subject property"). As per conversations with City Staff and understanding the published Staff Report, we receive staff's recommendation for deferral for our application for Minor Variance and respectfully request a deferral for the application which was to proceed to the Committee of Adjustment on March 8, 2022 (A-2022-0022).

This deferral will provide the opportunity for staff to review the recently submitted development proposal (OZS 2022-0014) and provide opportunity for the surrounding community to be notified. Granting the deferral request, the related development application can be reviewed in order for staff to gain a better understanding of the issues relating to the overall development of the land. This additional time will give staff an opportunity to have greater discussions with the public prior to the approval and construction of a temporary sales pavilion on the property.

We hope to be on agenda in the near future to seek a Minor Variance to permit a temporary sales office on the subject property.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Sanjam Raisuada

Planner

10 Kingsbridge Garden Circle Suite 700 Mississauga, Ontario

L5R 3K6

TEL (905) 568-8888 FAX (905) 568-8894

www.gsai.co



PARTNERS:
GLEN SCHNARR, MCIP, RPP
GLEN BROLL, MCIP, RPP
COLIN CHUNG, MCIP, RPP
JIM LEVAC, MCIP, RPP

February 7, 2022

GSAI File: 656-017

Committee of Adjustment City of Brampton 2 Wellington Street West Brampton, ON L6Y 4R2 A - 2022 - 0022

Attention:

Jeanie Myers

Secretary Treasurer

RE:

Minor Variance Application

Branthaven Creditview Inc. 8940 Creditview Road

Part Lot 5, Concession 5, WHS

City of Brampton, Regional Municipality of Peel

Glen Schnarr & Associates Inc. (GSAI) are the authorized agents and planning consultants for Branthaven Creditview Inc., owners of the property municipally addressed as 8940 Creditview Road (herein referred to as the "subject property"). As such, we are pleased to submit this application for Minor Variance to permit a temporary sales office.

Site Description

The subject property is municipally addressed as 8940 Creditview Road, located on the west side of Creditview Road, generally south of the intersection of Queen Street West and Creditview Road in the City of Brampton. The subject property is legally described as Part Lot 5, Concession 5, WHS. The subject property has a frontage of approximately 49.79m (163.18ft) along Creditview Road, a depth of 89.21m (292.68ft) and a total site area of approximately 3.49ha (8.62ac).

The subject property is designated 'Residential' in the City of Brampton Official Plan and Executive Residential' in Credit Valley Secondary Plan (SPA45). Additionally, the subject property is zoned 'Agricultural (A)' in the City of Brampton Zoning Bylaw (270-2004) and is currently occupied by eight freestanding structures: a residential dwelling, a small timber frame barn, a large timber frame barn with a cement silo, a concrete block milk house, a modern fabric Quonset hut, two (2) horse stables, and a modular home.

10 Kingsbridge Garden Circle Suite 700 Mississauga, Ontario L5R 3K6 Tel (905) 568-8888 Fax (905) 568-8894 www.gsgi.cg



We note for staff that there is a recently submitted Draft Plan of Subdivision and Official Plan and Zoning By-law Amendment Application (PRE-2021-0055) application which proposes the redevelopment of the subject property. Under this application, the applicant is proposing to redevelop the subject property with sixty-two (62) lots comprised of single detached residential dwellings. Three (3) of the proposed lots will front onto Creditview Road and the remaining fifty-nine (59) lots are proposed along the internal road network, fronting along the extension of Classic Drive as well as the proposed street, Street 'A'. The Official Plan and Zoning By-law Amendment propose to redesignate the lands as 'Low Density 2' in the Credit Valley Secondary Plan and rezone the lands 'Residential Single Detached F-11.6- Special Exception (R1F-XX)'. The application is currently undergoing a completeness review and we anticipate it will be presented at a public meeting in short order.

The Proposed Development

Branthaven Creditview Inc. is proposing to develop a portion of the subject property for a single-storey temporary sales office with a gross floor area of approximately 103.1 m² (1,109.8 ft²) along with eight (8) on-site parking spaces. One vehicular access point is proposed on Creditview Drive, adjacent to George Robinson Drive. The portion of the subject property intended to be used for the proposed temporary sales office comprises 0.12 ha (0.52 ac) of the overall property. A 1.5 m walkway is proposed along the periphery of the sales office and will context to the asphalt parking area. Further, a barrier free portable washroom is also proposed adjacent to the sales office for customer use. The existing red brick house is proposed to be maintained as part of the development of the sales office.

As per the submitted Minor Variance Sketch, prepared by GSAI dated February 2, 2022, the proposed sales office meets all the setback requirements of the 'Agricultural (A)' zone. A minimum front yard depth of 12.0m is required and 12.0m is provide. A minimum side yard depth of 7.5m is required and 20.3m is provided. A minimum rear yard depth of 15m is required and 168m is provided. The subject property also meets the minimum lot width requirement of 45m, having a lot width of 49.4m. Parking is required at the 'Other Office' rate of 1 space per 30m² for a total of four (4) spaces. Eight (8) spaces are provided, including a required Type 'A' accessible space.

The sales office is intended to be used for the sale of homes proposed under the above-noted Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment application.

In order to permit the proposed sales office, we are proposing a Minor Variance to request relief from the Zoning By-law to permit a temporary sales office use whereas the zoning by-law does not permit the use in this instance. The temporary use is being requested for a period of three (3) years from date of opening.



The Proposed Variance

We propose the following variance in order to permit the proposed temporary sales office:

1. To permit the use of a temporary sales office for a period of three (3) years, whereas Zoning By-law 270-2004 does not permit this use in an *Agricultural (A)* zone.

Planning Rationale for Proposed Variances

Section 45(1) of the Planning Act, as amended, identifies the four tests which must be satisfied in order for the Committee to approve this application. The following section provides an analysis demonstrating how the variances satisfies these tests.

1. The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated 'Residential' in the City's Official Plan and 'Executive Residential' in the Credit Valley Secondary Plan (SPA45). The 'Residential' designation of the Official Plan is intended to permit predominantly residential land uses (Policy 4.2.1.1) with an objective to provide opportunities for the development of a broad mix of housing. The 'Executive Residential' designation of the Secondary Plan also intends to permit residential uses, but those with larger lot sizes and frontages. As previously mentioned, an Official Plan Amendment has been applied for to amend the Secondary Plan designation to 'Low Density 2', which permits residential uses with smaller lot sizes and frontages than the "Executive Residential" designation.

In light of the submitted Official Plan Amendment and given the current land use designations, the temporary home sales office will permit the sale of a new residential development within an establish residential area. The sales office is only proposed on the lands for a temporary basis, until the sale of the units is complete while the Draft Plan, Official Plan and Zoning By-law Amendment applications are being processed. As such, the proposed variances to permit a temporary sales office is consistent with the land use intent and purpose of the Official Plan.

2. The variance maintains the general intent and purpose of the Zoning By-law.

The subject property is zoned 'Agricultural (A)' in the City of Brampton Zoning By-law 270-2004. Similar to the justification above, while the Zoning By-law allows for agricultural uses, the temporary nature of the proposed sales office does not preclude the long-term use of the property for agricultural purposes. As previously mentioned, a Zoning By-law Amendment application has been submitted to the City to rezone the subject lands for single-detached residential uses and the temporary sales office is required to facilitate the sales of the future residential lots.

Further, the proposed temporary sales office maintains all other zoning requirements of the 'Agricultural (A)' zone, including setback requirements, lot width requirements and parking requirements. The variance simply seeks the permission of the sales office use on a temporary



basis. Based on the temporary nature of the proposed variance, the general intent and purpose of the Zoning By-law is maintained.

3. The variance is desirable for the appropriate development or use of the land.

The proposed sales office will not interfere with the achievement of the City's future land use objectives of the long-term viability of agricultural uses as per the existing zoning. Further, as the Official Plan and Secondary Plan designate the lands for residential purposes, the temporary sales office will also not interfere in the long-term viability of its residential use. Instead, the variance seeks to uphold that use by facilitating the sale of the upcoming residential units. The proposed sales office is therefore minor in nature by virtue of being temporary.

4. The variance is minor in nature.

The subject property is subject to forthcoming residential construction activity where it is common to find new home sales offices. As such, the proposed temporary sales office will be appropriate in terms of compatibility with surrounding land uses. Further, the proposed location for the temporary sales office is desirable as it is located at prominent and highly visible intersection in close proximity to the lands within which the units to be sold from this sales office.

Application Materials:

In support of the application, please find enclosed the following materials:

- One (1) copy of the completed Minor Variance Application Form with the signed Authorization and Permission to Enter Forms;
- One (1) copy of Minor Variance Sketch, prepared by Glen Schnarr and Associates Inc., dated January 26, 2022;
- One (1) cheque in the amount of \$2,560.00 for Minor Variance Application Fees.

We trust that these materials are sufficient for Staff's review and look forward to being considered for the March 8, 2022, hearing date. Please contact the undersigned at colinc@gsai.ca if you require additional information or wish to clarify any thing contained in this application.

Yours very truly, GLEN SCHNARR & ASSOCIATES INC.

Colin Chung, MCIP, RPP

Partner



For Office Use Only

(to be inserted by the Secretary-Treasurer after application is deemed complete)

FILE NUMBER: A - 2022 -0022

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.**

Name of C	Owner(s) Branthaven Creditview Inc. (c/c	
Address	720 Oval Court, Burlington ON	
Phone #	905.333.8364 ext. 240	Fax #
Email	asemper@branthaven.com	
Name of A		_
Auuress	700-10 Kingsbridge Garden Circle, Mis	ssissauga ON L5H 3K6
Phone #	905.568.8888 x224	Fax #
Email	colinc@gsai.ca	
		fice for a period of three (3) years, whereas this use in an Agricultural (A) zone.
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	not possible to comply with the prov	
		isions of the by-law? d use within the 'Agricultural (A)' zone.
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	Particulars of all buildings and structures on or proposed for the subjection land: (specify in metric units ground floor area, gross floor area, number storeys, width, length, height, etc., where possible)								
	EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)								
	Single Detached D	welling (red brick ho	ouse); a small timber frame barn; a large timber crete block milk house; two (2) horse stables; a						
	PROPOSED BUILDINGS/STRUCTURES on the subject land:								
	A 1-storey tempora	ary sales office with	a gross floor area of 103.1 square metres. Eight (8) of the development application.						
9.			uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u>)						
	EXISTING Front yard setback	19.32m							
	Rear yard setback	19.52111							
	Side yard setback								
	Side yard setback PROPOSED	10.00							
	Front yard setback Rear yard setback	12m 168m							
	Side yard setback	20.3m							
	Side yard setback	22.01							
10.	Date of Acquisition	of subject land:	July 30, 2021						
11.	Existing uses of sub	pject property:	Agricultural/Vacant						
12.	Proposed uses of se	ubject property:	Temporary Home Sales Office						
13.	Existing uses of abutting properties: Low Density Residential								
14.	Date of construction	า of all buildings & strเ	Approx. 1987						
15.	Length of time the e	existing uses of the sub	bject property have been continued: 20+ Years						
16. (a)	What water supply Municipal Well	is existing/proposed?	Other (specify)						
(b)	What sewage dispo Municipal Septic	osal is/will be provided ^o	? Other (specify)						
(c)	What storm drainages Sewers Ditches Swales	ge system is existing/p	roposed? Other (specify)						

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