

APPLICATION # B-2023-0002
Ward # 3

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **RALPH STEIN AND IVAN BAIN**

The purpose of the application is to request the consent of the Committee of Adjustment to grant an easement having a width of approximately 3.0 metres (9.84 feet); a depth of approximately 63 metres (206.70 feet) and an area of approximately 189 square metres (0.467 acres) for the purpose of access in favour of the adjacent property municipally known as 150 First Gulf Boulevard. Concurrent Consent Application B-2023-0003.

Location of Land:

Municipal Address: 343 Biscayne Crescent

Former Township: Toronto Gore

Legal Description: Part of Block 6, Plan 43M-947, Part 2, Plan 43R-18514

Meeting

The Committee of Adjustment has appointed **TUESDAY, March 7, 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 an 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

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LAST DAY FOR RECEIVING COMMENTS: MARCH 2, 2023

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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:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
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 Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Local Planning Appeal Tribunal Act*. The appeal form is available from the Environment and Land Tribunals Ontario website at www.elto.gov.on.ca

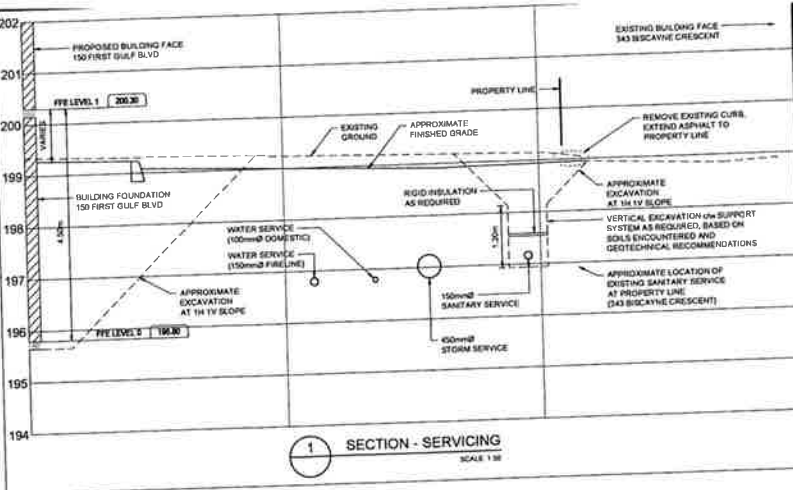
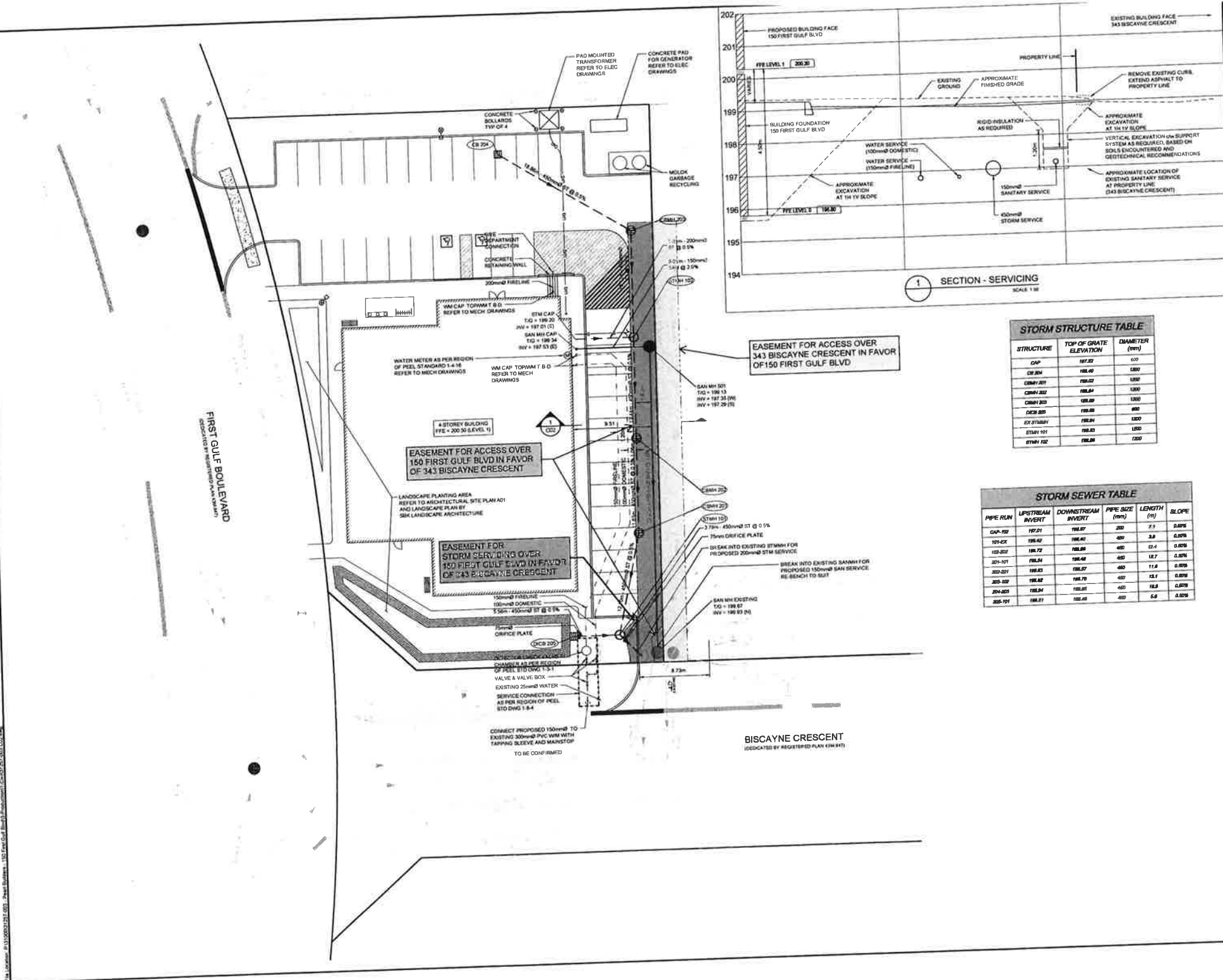
If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss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

DATED AT THE CITY OF BRAMPTON THIS **16th Day of February, 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

File & Location: 013300001251-0001 - Pearl Builders - 150 First Gulf Blvd. Brampton - Civil 12-25-2023 12:02:04



STORM STRUCTURE TABLE		
STRUCTURE	TOP OF GRATE ELEVATION	DIAMETER (mm)
CAP	197.25	600
CR 204	198.60	1200
CR 201	198.02	1200
CR 202	198.04	1200
CR 203	198.00	1200
CR 205	198.01	600
CR 206	198.01	1200
ST 101	198.01	1200
ST 102	198.00	1200

STORM SEWER TABLE				
PIPE RUN	UPSTREAM INVERT	DOWNSTREAM INVERT	PIPE SIZE (mm)	LENGTH (m)
CAP-102	197.21	198.07	200	7.1
101-02	198.42	198.42	400	3.0
102-02	198.72	198.69	400	0.3
201-101	198.04	198.49	400	18.7
202-01	198.03	198.07	400	11.8
203-02	198.02	198.79	400	13.1
204-03	198.04	198.01	400	18.8
205-101	198.01	198.48	400	6.8

CONSENT SKETCH WITH PRELIMINARY SERVICING UNDERLAY

PRELIMINARY DESIGN

THESE DOCUMENTS ARE NOT COMPLETE IN ALL DETAILS AND MAY BE SUBJECT TO CHANGE AS DESIGN DEVELOPMENT AND CODE REVISIONS ADVANCE

NOT FOR CONSTRUCTION

A		ISSUED FOR PRE-CONSULT NO. 2	23/1/23
REVISION		DATE	DESCRIPTION
1	23/1/23	DOBBY	

THESE DRAWINGS HAVE BEEN PROVIDED BY A. RICHARDS & ASSOCIATES LIMITED AND ARE SUBJECT TO THE TERMS AND CONDITIONS SET OUT IN THE APPLICABLE PROJECT CONTRACT. ANY USE, REUSE, OR REPRODUCTION OF THESE DRAWINGS FOR PURPOSES OTHER THAN THE ORIGINAL PROJECT OR EXCEPT BY THE WRITTEN AUTHORIZATION OF A.R. RICHARDS & ASSOCIATES LIMITED, WITHOUT THE WRITTEN AUTHORIZATION OF A.R. RICHARDS & ASSOCIATES LIMITED, IS STRICTLY PROHIBITED. ANY PARTY WHOSE USE OF THESE DRAWINGS FOR ANY OTHER PURPOSE, AND ANY PARTY WHOSE CHOICE TO USE, MODIFY, OR OTHERWISE RELY ON THESE DRAWINGS WITHOUT A.R. RICHARDS & ASSOCIATES LIMITED'S WRITTEN AUTHORIZATION, ACCEPTS THESE LIMITATIONS AND DOES SO WITHOUT A.R. RICHARDS & ASSOCIATES LIMITED'S LIABILITY TO A.R. RICHARDS & ASSOCIATES LIMITED.

SCALE: 1:200

CLIENT: **Pearl Builders**

CONSULTANT: **J.R. J.L. Richards**
ENGINEERS-ARCHITECTS-PLANNERS

PROFESSIONAL STAMP: PROJECT NORTH

PROJECT: **PEARL BUILDERS OFFICE BUILDING**
150 FIRST GULF BLVD, BRAMPTON, ON

DRAWING: **SITE SERVICING PLAN**

DESIGN: **C02**

DRAWN: **C02**

CHECKED: **C02**

DATE: 12/25/2023

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 **March 7, 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, March 2, 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, March 2, 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, March 2, 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, March 2, 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.

February 7, 2023
Our File No.: 31257-003

VIA: E-MAIL Jeanie.myers@brampton.ca

Jeanie Myers
Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

B-2023-0002
B-2023-0003

Dear Ms. Myers,

**Re: Consent Applications
Mutual Access and a Servicing Easement
343 Biscayne Crescent (Ralph Stein, Ivan Bain)
150 First Gulf Boulevard (2849150 Ontario Inc.)
Brampton, ON**

J.L. Richards & Associates (JLR) has been retained by 2849150 Ontario Inc. with respect to an Official Plan Amendment, Zoning By-law Amendment (OZ-22-043), and Site Plan Approval (PRE-2022-0153) to facilitate the development of an office building on 150 First Gulf Boulevard. During Pre-application Consultation with the City for the Site Plan, the City's Traffic Services Review department stated that access for 150 First Gulf from Biscayne Crescent was only supportable if it was via an access easement across the adjacent property to the east (343 Biscayne Crescent), as this was the intended access when the subdivision (43M-937) was registered.

Upon further investigation it was determined that the mutual access easement in question was not registered despite the Committee of Adjustment providing approval in 2004 (B022/04) and the Committee's approval has since lapsed. In addition, stormwater from 343 Biscayne Crescent is currently conveyed to 150 First Gulf Boulevard without an easement. As such, we are submitting two consent applications to establish mutual access and a servicing easements as follows:

- Over 150 First Gulf Boulevard in favour of 343 Biscayne Crescent:
 - Access Easement:
 - Part 1, Plan 43R-29939
 - Servicing Easement (Stormwater):
 - Part 1, Plan 43R-37033
- Over 343 Biscayne Crescent in favour of 150 First Gulf Boulevard:
 - Access Easement:
 - Part 2, Plan 43R-29939

The easements would have the effect of permitting the adjacent properties to have a shared driveway and would formalize the existing stormwater design.

Jeanie Myers, City of Brampton

In support of the applications we have enclosed:

- Two complete consent applications with Owner Authorization;
- Two cheques payable to the City of Brampton, each in the amount of \$4,391.00, being the required consent application fee;
- A survey illustrating the proposed easements prepared by J.D. Barnes (dated August 19, 2021); and,
- A consent sketch illustrating the preliminary servicing plan for 150 First Gulf Boulevard, as requested by Mr. Anton Stoeckl.

We trust that this information is satisfactory for your review of the proposed easements and respectfully request to be considered during the March 7th Committee meeting. Should you have any questions, please contact the undersigned.

Yours very truly,
J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:



Jennifer Gaudet, RPP, MCIP
Planner



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.

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 Ralph Stein, Ivan Bain
(print given and family names in full)

Address 343 Biscayne Crescent, Brampton ON L6W 4R2

Phone # (905) 450-1269 Fax #

Email

(b) Name of Authorized Agent J.L. Richards & Associates c/o Jennifer Gaudet

Address 107-450 Speedvale Avenue West, Guelph ON N1H 7Y6

Phone # (519) 476-4470 Fax #

Email jgaudet@jlrichards.ca

2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.

Specify: Access easement over Part 2 on Plan 43R-29939 in favour of 150 First Gulf Boulevard.

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

2849150 Ontario Inc. (150 First Gulf Boulevard, adjacent property to the west)

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

a) Name of Street Biscayne Crescent Number 343

b) Concession No. 2 Lot(s)

c) Registered Plan No. 43M-947 Lot(s) Part of Block 6

d) Reference Plan No. 43R-29939, Pt 2 Lot(s)

e) Assessment Roll No. 10-14-0-118-00468-0000 Geographic or Former Township

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

Yes No

Specify:

6. Description of severed land: (in metric units)

a) Frontage 3 m Depth 63 m Area 189 m2

b) Existing Use Driveway Proposed Use Driveway (no change)

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:
(existing) None on the proposed easement.
(proposed) No change.

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

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

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	<u></u>	

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	<u></u>	

7. Description of retained land: (in metric units)

a) Frontage 27.5 m Depth 68.5 m Area 1,904 m2

b) Existing Use Industrial Proposed Use Industrial

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:
(existing) 343 Biscayne is developed with a two storey industrial building.
(proposed) No change.

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

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

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

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

	Land to be Severed	Land to be Retained
Zoning By-Law	<u>Industrial (M2)</u>	<u>Industrial (M2)</u>
Official Plans		
City of Brampton	<u>Industrial / General Employment 2</u>	<u>Industrial / General Employment 2</u>
Region of Peel	<u>Employment Area</u>	<u>Employment Area</u>

9. 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 # 41M-947 Status/Decision Approved and assumed

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☐ No ☒

Date of Transfer _____ Land Use _____

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		
Zoning By-law Amendment		
Minister's Zoning Order		
Minor Variance		
Validation of the Title		
Approval of Power and Sale		
Plan of Subdivision	41M-947	Approved

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the *Planning Act*?
Yes ☒ No ☐

13. Is the subject land within an area 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 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 Town of Ingersoll
this 27th day of January, 2023.

Check box if applicable:


Signature of Applicant, or Authorized Agent, see note on next page

☒ I have the authority to bind the Corporation

DECLARATION


I, Jennifer Gaudet of the Town of Ingersoll
in the County/District/Regional Municipality of Oxford solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Brampton
in the Region of Peel
this 27th day of January, 2023.


Signature of applicant/solicitor/authorized agent, etc.

Submit by Email




Notary Public
of a Commissioner, etc.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division

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

Rose Bruno

Zoning Officer

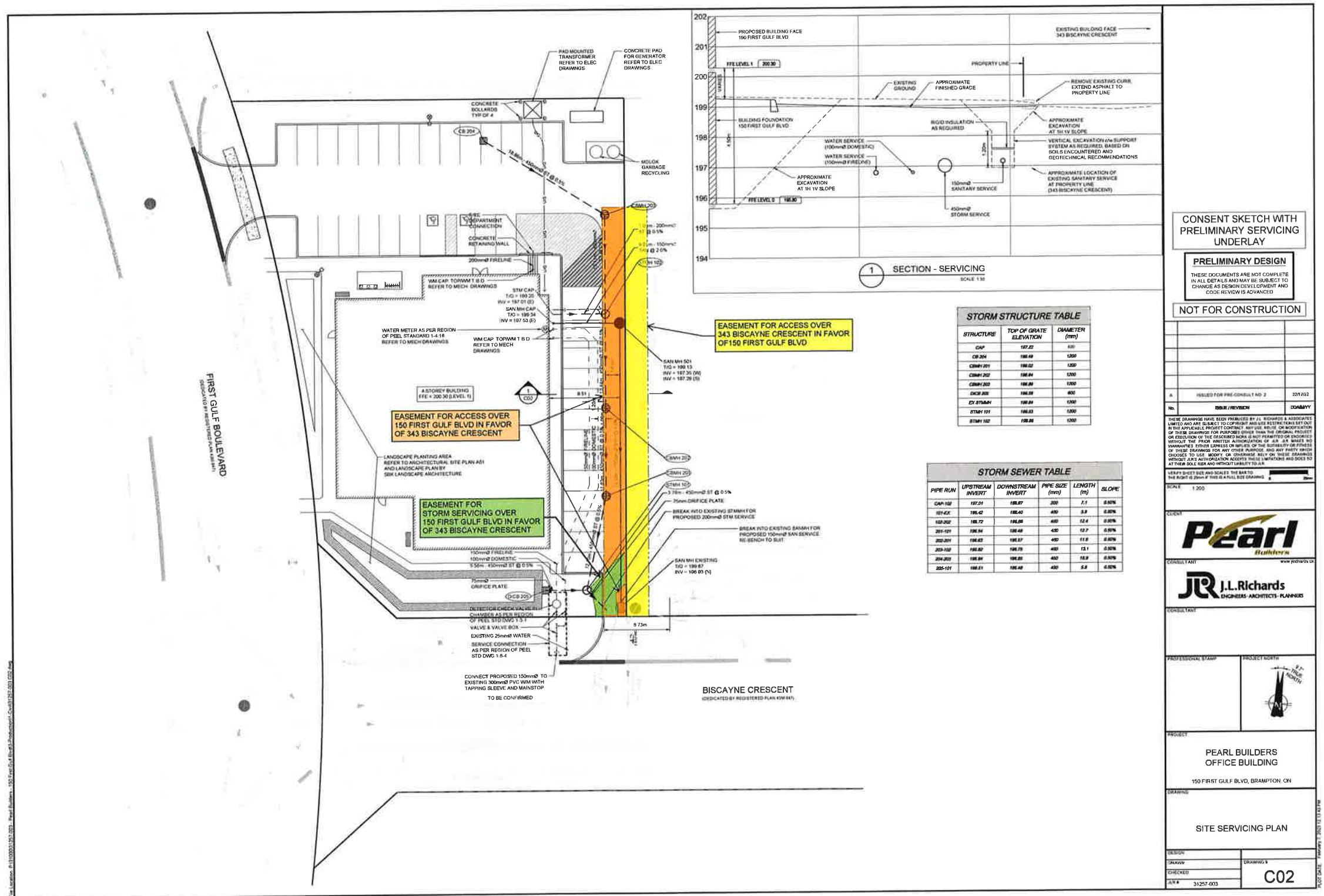
Feb 6 2023

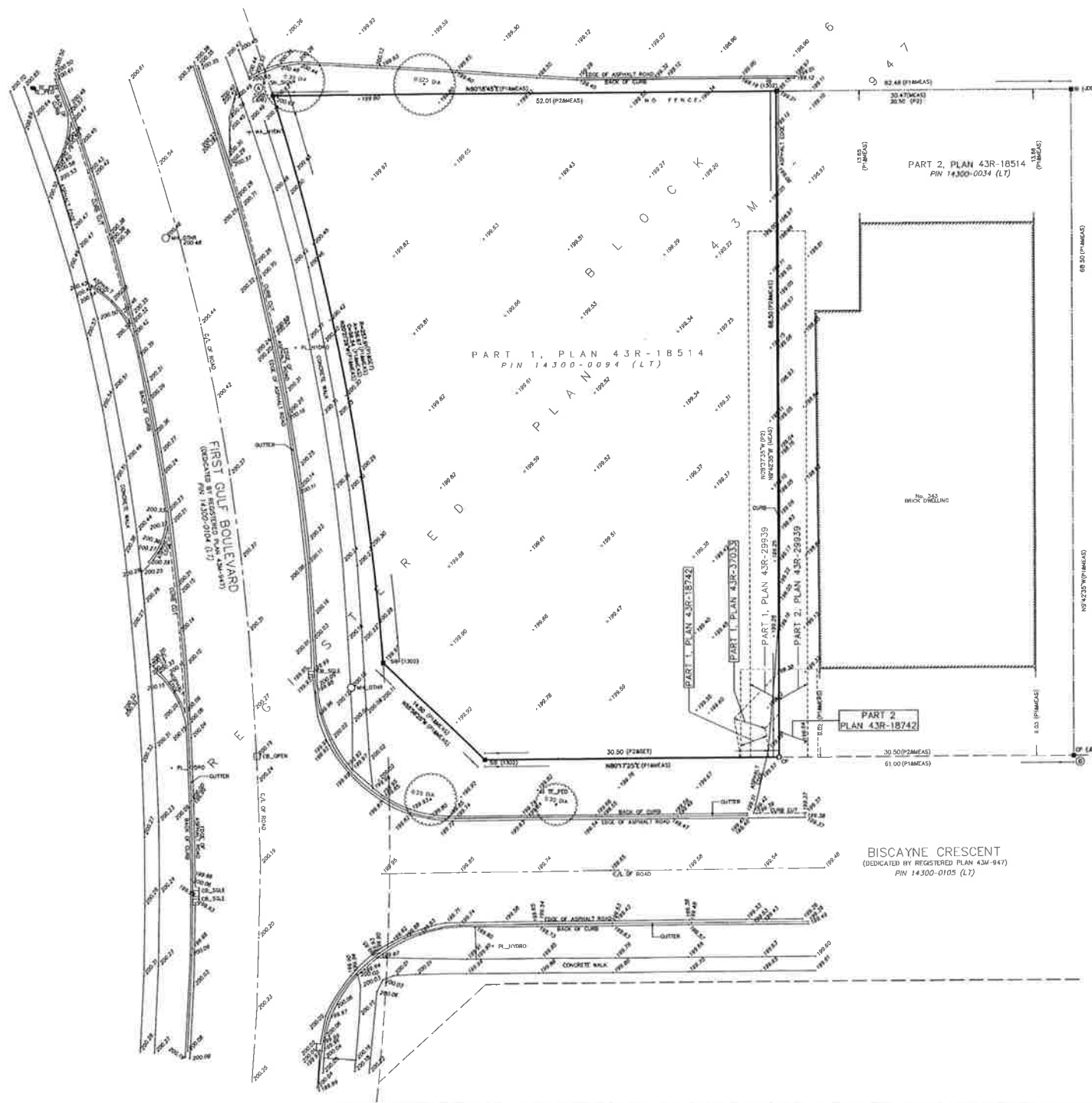
Date

DATE RECEIVED

February 7, 2023

Date Application Deemed Complete by the Municipality





4/20/2009 12:30:25 PM

