

Filing Date: February 7, 2023

Hearing Date: March 7, 2023

File: B-2023-0003

**Owner/
Applicant:** 2849150 ONTARIO INC

Address: 150 First Gulf Boulevard

Ward: WARD 3

Contact: Megan Fernandes, Planning Technician

Proposal:

The purpose of the application is to request consent to the grant of an easement having a width of approximately 3 metres (9.84 feet); a depth of approximately 63 metres (206.70 feet) and an area of approximately 189 square metres (0.467 acres). The effect of the application is to create an easement for mutual access and a servicing easement for storm water purposes over Part 2 on Plan 43R-29939 in favor of the adjacent property municipally addressed as 343 Biscayne Avenue to facilitate mutual access over a shared driveway; and a servicing agreement between 343 Biscayne Crescent and 150 First Gulf Boulevard (Concurrent Consent Application B-2023-0002).

Recommendations:

That application **B-2023-0003** is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
2. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received;
3. That a mutual access easement with a width of 3.0m (11.81 ft.) for the purpose of access in favour of the adjacent property municipally known as 343 Biscayne Cres (as depicted in Appendix B) be approved.
4. That the Applicant/Owner provide proof that the required access easement has been registered on title in perpetuity and that the access easements will be to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.

Background:

A mutual access easement was previously approved by the Committee of Adjustment in April 2004 (B04-021) but was not registered and has since lapsed. The associated Staff Planning Report and Decision are provided in Appendix A. Additionally, an updated sketch (Appendix B) was received to reflect the drive aisle width of 6.6 m this resulted in the easement for access over 343 Biscayne Cres in favor of 150 Firs Gulf Blvd being increased to 3.6m (11.81 ft.).

Appendix B is provided as it depicts the revised measurements of the mutual access easements requested.

- **Official Plan:** The subject property is designated '**Industrial**' in the Official Plan;
- **Secondary Plan:** The subject property is designated '**General Employment**' Two within the Highway 410 and Steeles Secondary Plan (Area 5).
- **Zoning By-law:** The subject property is zoned '**Industrial Two (M2)**' according to By-Law 270-2004, as amended.

Current Situation:

The requested easement will facilitate mutual access over a shared driveway and create a servicing easement for the purposes of stormwater management between a proposed four storey office development with accessory commercial and private recreational uses and an existing industrial equipment supply facility. Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician

SCHEDULE "A"

CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

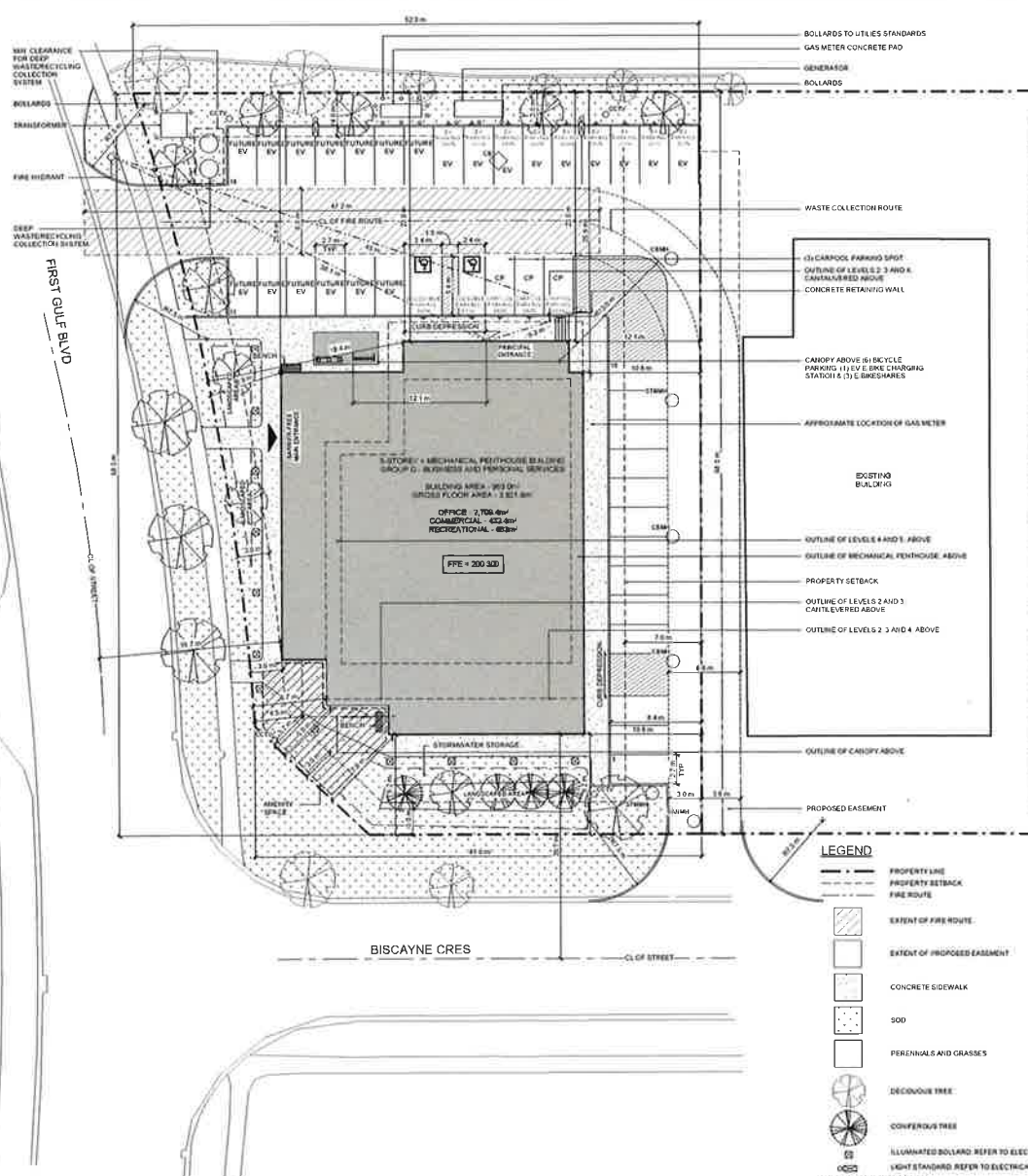
CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The proposed mutual access easement has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed mutual access easement is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed mutual access easement does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The easement is required to facilitate mutual access on a proposed shared driveway for 343 Biscayne Crescent and 150 First Gulf Boulevard.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed mutual access easement does not present any concern with regard to the adequacy of the roadwork network.
f) <i>The dimensions and shapes of the proposed lots;</i>	No lots are proposed to be created. The requested consent will create an access easement in favor of the property to the east.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	The proposed easement area is intended to accommodate mutual access for a proposed development and an existing building.
h) <i>The conservation of natural resources and flood control;</i>	The proposed easement presents no concerns with regard to flood control and the conservation of natural resources.












i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j) <i>The adequacy of school sites;</i>	The proposed easement present no concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	The proposed easement area does not include any area to be conveyed for public purposes.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed easement has no impact on matters of energy conservation.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	The proposed mutual access easement is required in order to facilitate the development of the property located at 150 First Gulf Boulevard. A development application for a Zoning By-law Amendment and an Official Plan Amendment (OZS-2022-0043) is currently being reviewed by Staff.

WHITE SYMBOL
WHITE CHARACTER
WHITE SYMBOL

**ACCESSIBLE PARKING
PAVEMENT MARKING**

ACCESSIBLE PARKING SIGN PLACEMENT



LEGEND	
	PROPERTY LINE
	PROPERTY SETBACK
	PAVE ROUTE
	EXTENT OF FIRE ROUTE
	EXTENT OF PROPOSED EASEMENT
	CONCRETE SIDEWALK
	SOO
	PERENNIALS AND GRASSES
	DECIDUOUS TREE
	CONIFEROUS TREE
	ILLUMINATED BOLLARD REFER TO ELECTRICAL STANDARD REFER TO ELECTRICAL

ABBREVIATIONS

CB	CATCH BASIN. REFER TO CAVS
CBNH	CATCH BASIN MAN HOLE. REFER TO CBN
BLD	BOLLARD. REFER TO CAL HFO STRUCT
CCTV	POLE MOUNTED SECURITY CAMERA. REFER TO ELECTRICAL
EDC	REAR TANKY CONNECTION
SANWH	SANITARY MAN HOLE. REFER TO CIVIL
STWHH	STORMWATER MAN HOLE. REFER TO CIVIL

KEY PLAN

PRELIMINARY DESIGN

THESE DOCUMENTS ARE NOT COMPLETE
IN ALL DETAILS AND MAY BE SUBJECT TO
CHANGE AS DESIGN DEVELOPMENT AND
CODE REVIEW IS ADVANCED

B	APPLICATION FOR SITE PLAN APPROVAL	02/03/23
C	ISSUED FOR UTILITY REVIEW	17/05/23
D	SITE PLAN REVISED	16/06/23
E	ISSUED FOR OP#28A	04/10/23
Rev	ISSUE / REVISION	00/00/00

THREE COMPANIES HAVE BEEN FORMED BY 21 MEMBERS WHO OWNED, OPERATED AND MANAGED THE 100-ROOM HOTEL FOR THE PAST 10 YEARS. THE NEWLY FORMED COMPANIES WILL OWN, OPERATE AND MANAGE THE HOTEL FOR THE NEXT 10 YEARS. THE COMPANIES WILL BE OWNED BY THE MEMBERS WHO OWNED, OPERATED AND MANAGED THE HOTEL FOR THE PAST 10 YEARS. THE COMPANIES WILL BE OWNED BY THE MEMBERS WHO OWNED, OPERATED AND MANAGED THE HOTEL FOR THE PAST 10 YEARS.

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JD J. J. Richards

J.A. Henrichs
 ENGINEERS ARCHITECTS PLANNERS

CONSULTANT

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PEARL BUILDERS
OFFICE BUILDING

150 FIRST GULF BLVD. BRAMPTON, ON

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CITY FILE NUMBER PRE-2022-0153

ARCHITECTURAL SITE PLAN

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1. *Journal of the American Medical Association*, 2000; 283: 2686-2692.
