

Public Notice

Committee of Adjustment

APPLICATION # B-2023-0010

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by WILLOW CEDAR ESTATES INC.

Purpose and Effect

The purpose of the application is to request the consent of the Committee of Adjustment for a lease in excess of 21 years. The land to be leased has a frontage of approximately 25.903 metres (84.98 feet), a depth of approximately 33.686 metres (110.52 feet) and an area of approximately 719.56 square metres (0.178 acres), occupied by a commercial building (bank of Nova Scotia). The effect of the application is to facilitate a long term lease (in excess of 21 years) between the owner of the lands, Willow Cedar Estates Inc. and The Bank of Nova Scotia.

Location of Land:

Municipal Address: 150-160 Yellow Avens Boulevard

Former Township: Toronto Gore

Legal Description: Block 4, Plan 43M-1716

Meeting

The Committee of Adjustment has appointed TUESDAY, April 18, 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

LAST DAY FOR RECEIVING COMMENTS: APRIL 13, 2023

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

Minor Variance:

Decision and Appeal

The land which is the subject of the application is the subject of an application under the Planning Act for:

NO File Number: Official Plan Amendment: Zoning By-law Amendment: NO File Number: NO File Number:

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

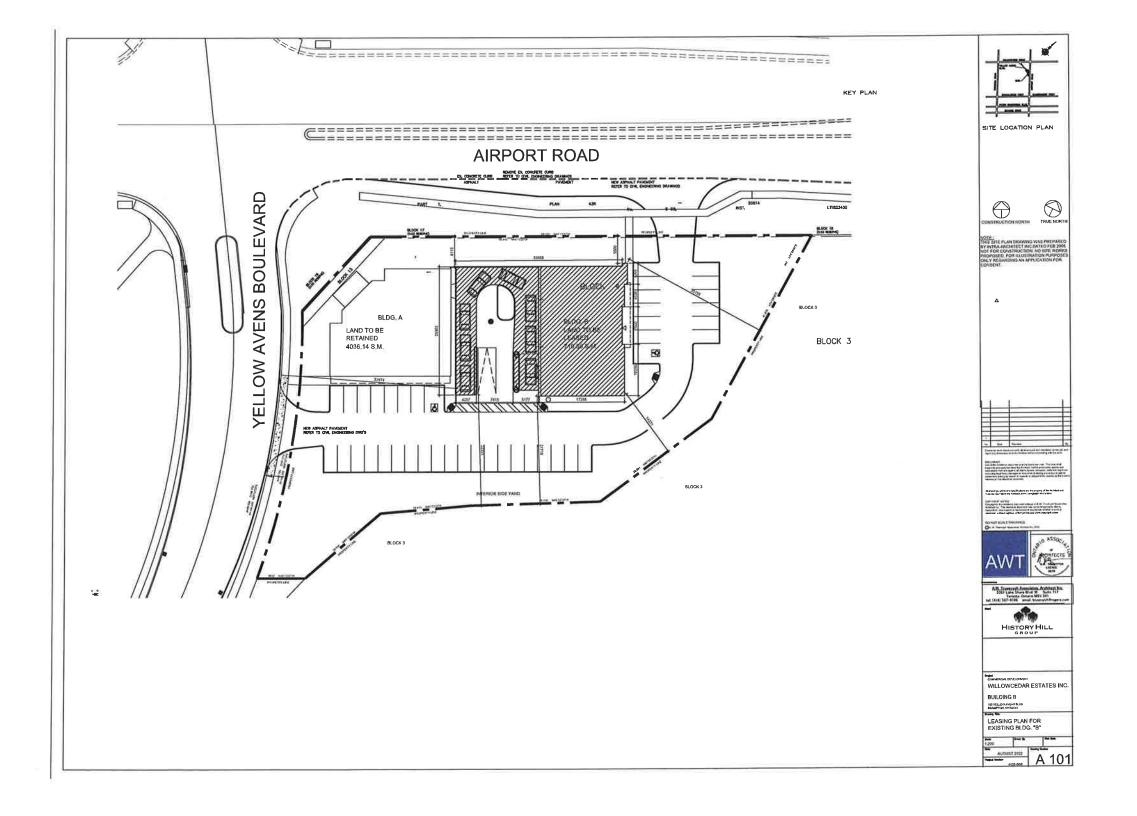
If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss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

DATED AT THE CITY OF BRAMPTON THIS 30th Day of March, 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

(905)874-2119 Phone: (905)874-2117 Fax: 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 **April 18, 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**, **April 13**, **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, April 13, 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, April 13, 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**, **April 13**, **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.



March 6, 2023

Committee of Adjustments Corporation of the City of Brampton 2 Wellington Street West Brampton, ON L6Y 4R2

ATTN: Secretary Treasurer

RE: Application for Consent for a Lease Greater than 21 Years

150-160 Yellow Avens Blvd Willowcedar Estates Inc. THE BANK OF NOVA SCOTIA

B-2023-0010

On behalf of Willowcedar Estates Inc., the owner of 160 Yellow Avens Blvd, Building B (the subject lands) we submit this Consent Application to permit a lease agreement to be registered on title between the owner and THE BANK OF NOVA SCOTIA (the tenant) for a period of 21 years or greater.

Pursuant to section 50(3) of the Planning Act, any conveyance of land or entitlement in land that exceeds a period of 21 years or more is prohibited unless relief is granted. Section 50(3)(f) of the planning act specially permits relief to this requirement, and states "a consent is given to convey, mortgage or charge the land, or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of the land;"

The intended purpose of this application is to seek Planning Act Consent to permit THE BANK OF NOVA SCOTIA to remain in their existing location for a period of 21 years or greater, allowing the existing lease agreement to be extended. As such, the intent of giving consent is mainly for administrative purposes. Additionally, there are currently no other approvals under the Planning Act required or being applied for to create an interest in this property.

Provincial Policy

As prescribed under subsection 3(5) of the planning act decisions made by the Committee of Adjustments must be consistent with Provincial Policy Statement, 2020 and must confirm with all provincial plan that may apply to subject lands.

The Subject Lands and the Remaining Lands do not fall within the regulated area of any Provincial Plana

Supporting Materials:

In Support of This Application for Consent Application to permit a lease greater than 21 years, Find Enclosed the Following materials:

- Application Form
- Application Fee, in the form of a Cheque
- Consent Sketch
- Property Site plan
- Parcel Register.
- Instrument PR1390865

On Behalf of Limestone Gallery Investments Inc, we trust that this submission is to the satisfaction of the City of Brampton. Please feel free to contact the undersigned in order to discuss this application.

W Ni A

Regards,

Steven De Santis

stevend@historyhillgroup.com

416-736-9978 ext.439

Flower City



APPLICATION NUMBER:

"B"_2023-0010

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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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.

Name of O	wner/Applicant	Willow 0	Cedar Estate	es Inc.			
Address	8700 Dufferin S	St, Vaughan ON	, L4K 4S6	(print given and	d family names in ful	ll)	
Phone #	416-736-9978			Fax #			
Email	brunob@histo	ryhillgroup.com					
Name of Au	ıthorized Agent	Steven I	De Santis				
Address	8700 Dufferin S	t, Vaughan, L4k	(486				
Phone #	416-736-9978	ext.439	6	Fax #			
Email	stevend@hist	oryhillgroup.com	<u>1</u>				
	e name of the pers		land or an in	nterest in the land	is to be transferi	red, char	ged or leased.
THE BAN							
	N OF NOVA SCOTI	and ("subject la		s the land to be			150-160
a) Name of	of the subject la			s the land to be	N	tained): umber_	
a) Name of	of the subject last street YEL on No.	and ("subject la		s the land to be	N	umber_	
a) Name of	of the subject last street YEL on No. PLA	and ("subject la		s the land to be	N	umber_ Lot(s)_ Lot(s)_	150-160
a) Name of b) Concessi c) Registere	Street YEL on No. d Plan No. PLA	and ("subject la			N	Lot(s)_Lot(s)_Lot(s)_	150-160 BLOCK 4
a) Name of b) Concessi c) Registere d) Reference e) Assessme	Street YEL on No. d Plan No. PLA	and ("subject la LOW AVENS B N 43M-1716 7-0-009-06612	iLVD	Geographic	No.	Lot(s)_Lot(s)_Lot(s)_	150-160 BLOCK 4

6.	Description	on of severed land: (in metric units)		
	a)	Frontage 25.903m Depth	33.686m	Area 719.56m2
	b)	Existing Use COMMERCIAL	Proposed Use	COMMERCIAL
	c)	Number and use of buildings and structure	s (both existing and prop	posed) on the land to be severed:
	•	(existing) One existing building. U		
		(proposed not applicable		
	d)	Access will be by:	Existing	Proposed
		Provincial Highway		
		Municipal Road - Maintained all year	abla	
		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 from N/A		
	Α.	Makes some beställ bes hore	Factoria	D
	f)	Water supply will be by:	Existing	Proposed
		Publicly owned and operated water system		
		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	abla	
		Privy		
		Privately owned and operated individual or communal septic system		
		Other (specify):		
7.	Description	on of retained land: (in metric units)		
	a)	Frontage 63.978 m Depth	Irregular	Area 4036.14m2
	b)	Existing Use COMMERCIAL	Proposed Use_	COMMERCIAL
	c)	Number and use of buildings and structure	== es (both existing and prop	posed) on the land to be retained:
		(existing) 1 Building. Use: Pharmacy, S	alon, Dentist, Cleaners	
		(proposed Not Applicable		

		-3-			
d)	Access will be by:		Existing	Proposed	
	Provincial Highway				
	Municipal Road - Mair	ntained all year	\checkmark		
	Other Public Road				
	Regional Road		abla		
	Seasonal Road				
	Private Right of Way				
е)				cking facilities will be use lect land and the nearest pu	
f)	Water supply will be b	py:	Existing	Proposed	
	Publicly owned and o	perated water system	\bigvee		
	Lake or other body of	water			
	Privately owned and o	operated individual			
	Other (specify):				
g)	Sewage disposal will	be by:	Existing	Proposed	
	Publicly owned and o sewer system	perated sanitary	abla		
	Privy				
	Privately owned and or communal septic s				
	Other (specify):				
What is to Zoning E		of the land in any app Land to be Severed C1-1375	ilicable zor	ning by-law and official plar Land to be Retained C1-1375	?
Official I		Residential	7	Residential	
-	egion of Peel	Urban System		Urban System	
section	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 🗸	Z No				
File#	21T-92025B	Status/Decision	ar	oproved and in effect	
Has any	land been severed from	the parcel originally	acquired b	by the owner of the subject	land?
Yes [□ No 🗸				
Date of	Transfer	-	Land Use		

8.

9.

10.

11.	If known, is/was the subject land	I 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	2		_
	Minor Variance			_
	Validation of the Title			_
	Approval of Power and Sale			_
	Plan of Subdivision	43M-1716	Approved and registered	_
12.	Is the proposal consistent with I	Policy Statements issued	under subsection 3(1) of the Pla	nnning Act? No
13.	Is the subject land within an are	a of land designated und	er any Provincial Plan? Yes	No 🏑
14.	If the answer is yes, does the ap	plication conform to the	applicable Provincial Plan? Yes	No 🗀
15.	If the applicant is not the owner is authorized to make the app AGENTS" form attached).			
Date	d at the <u>Cit</u>	of <u>Vaugha</u>	.^	
this	s 6 day of Ma	rsh , 20	<u> 33</u> .	
	Signature of Applicant, or Authorized Age	ent, see note on next page	Check box if applicable: I have the authority to bind the Corporation	
		DECLARATIO	DN	
1	, Steven De Sa	ntis of the	it, of Toront	٥
n the Cou	unty/District/Regional Municipality of	-	solemnly declare that all the s	tatements contained in t
applicatio	n are true and I make this as if made	e under oath and by virtue o	of "The Canada Evidence Act",	
Declared be	efore me at theC;+y	Vaughan		
in the Le	jum Hereitaily 1/00	K ,	Me	3
this 6	_ day of _Mach	, 20 23 .	Signature of applicant/solicitor/auth	norized agent, etc.
	Ø.	` 		
154	Signature of a Commissioner, etc.	LiB		
116	FOR OFFICE	USE ONLY - To Be Compl	leted By the Zoning Division	
	This application has been reviewed the said reviewed	ed with respect to possible wew are outlined on the atta	variances required and the results ched checklist.	of
	Zoning Officer		Date	-

