

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **1382506 B C 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 Block A, Plan 640, Parts 1 to 3, Plan 43R-36203 municipally known as **33 WEST DRIVE**, Brampton;

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

1. To permit a fence in the front yard whereas the by-law does not permit a fence in the front yard of any lot in an industrial zone.

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
Application for Consent: NO

File Number: _____
File Number: _____

The Committee of Adjustment has appointed **TUESDAY, May 30, 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 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.

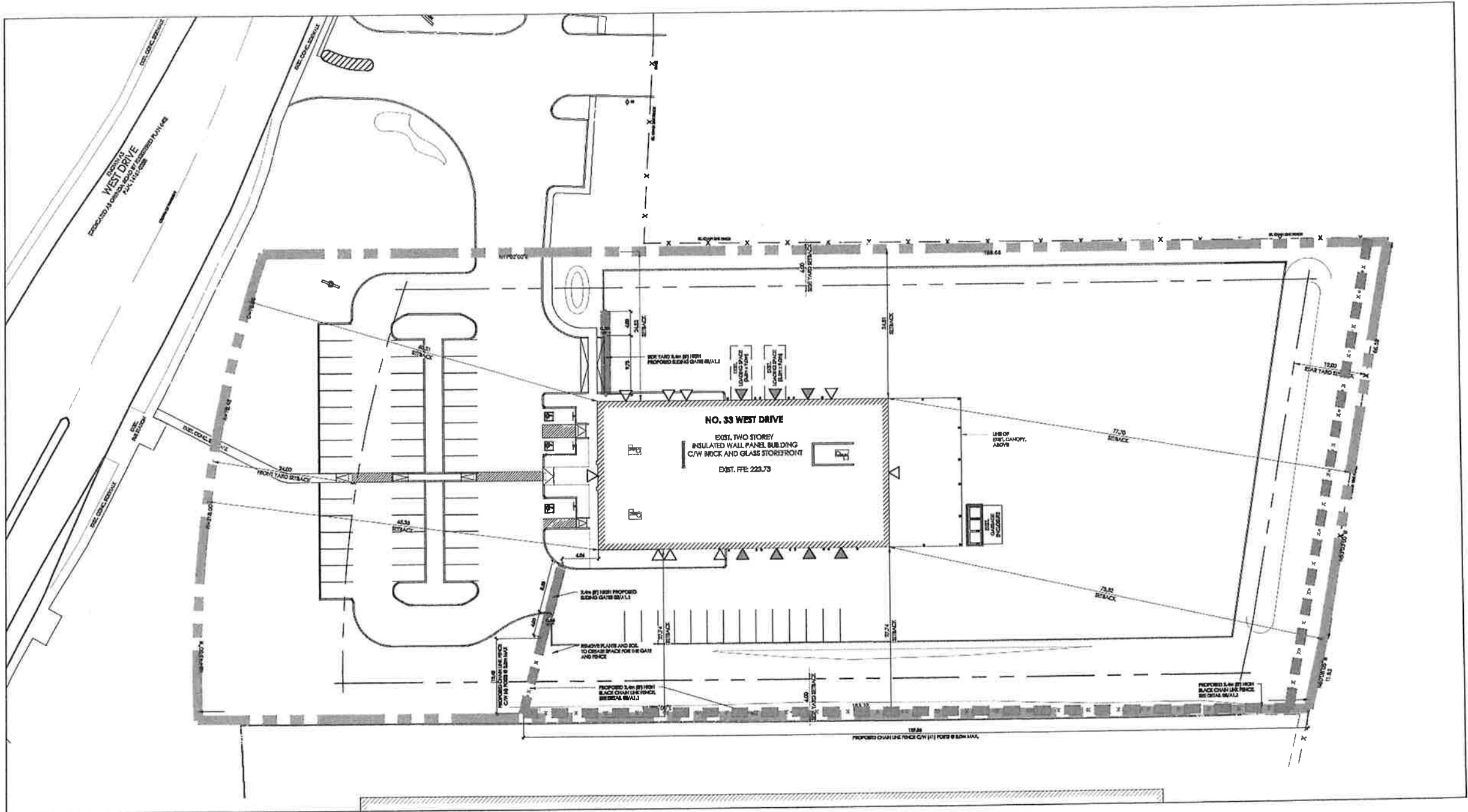
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 18th Day of May, 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 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 **May 30, 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, May 25, 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, May 25, 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, May 25, 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, May 25, 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.



van Groll & Associates Inc.
295 Robison Street, Suite 300
Oakville, ON, L6J 1G7
905-339-2811

ARCHITECTURE vangrollassociates.com

April 12, 2023

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

A-2023-0122

Attention: Members of the Committee

Re: **CANADREAM FACILITY – SECURITY FENCE + GATES**
33 West Drive, Brampton

Dear Members of the Committee,

We are writing to you as the Architects acting on behalf of our client, Canadream + Apollo USA, to discuss the requested variances that we have applied for at 33 West Drive.

The proposal is to install security gates and fence to 8' in height. Note that an earlier proposal was approved by the planning department. It was only after consultation with the local police department that the owner decided to follow the advice of the police and increase the height of the fencing to 8' and add the gates.

The variances we are requesting are based on drawings prepared by our office, dated March 1, 2023 and the Zoning Comments we received as part of the Site Plan approval process, dated April 4, 2023. The required variances are as follows:

For Zoning By-law No. 270-2004, Section 30 Industrial, as amended:

Item 30.6 Fences

No fences shall be permitted in the front yard of any lot in an industrial zone.

We believe the variance are minor for the following reasons:

1. We originally submitted a revision to the Site Plan Agreement to add a 1.8m high fence along the East property line and back toward the building. The proposed fencing was approved by the planning department. The owner reviewed the proposal with the local police department and they were advised that the fence would not be sufficient to deter theft. The police advised that an 8' high fence with security gates would be required. We resubmitted the proposal to the planning department. They determined that a variance would be required for the proposed fence because a small portion of it is within the front yard. We believe the variance is minor because the portion of the fence within the front yard is well screened with existing soft landscaping. Also, based on the advice of the police, the 8' high fence and security gates are what is required to be effective in deterring theft.



ARCHITECTURE

(2)

It is our opinion that the proposed variance is appropriate and meets the four tests set out in the Planning Act for Minor Variances. Should you have any further questions or concerns please do not hesitate to contact me at 905 339 2811 x228.

Thank you in advance for your time and attention to this matter,

Yours truly,

A handwritten signature in black ink, appearing to read 'E. Van Groll', with a vertical line extending downwards from the 'G'.

Van Groll & Associates Inc.

Eloy Van Groll

B. Arch., Architect OAA, AAA, AIBC, MRAIC, LEED AP

Cc Canadream
File
Encl



FILE NUMBER: A-2023-0122

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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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)** Triple Eight Transport Inc. 1382506 BC LTD.
Address 30697 Marshall Road, Abbotsford, BC V2T 6J7

Phone # (403) 290 6913 **Fax #** _____
Email dbarton@canadream.com ; parora@triple8.ca

2. **Name of Agent** Van Groll & Associates Inc.
Address 300-295 Robinson Street , Oakville ON L6J 1G7

Phone # (905) 339 2811 x 244 **Fax #** _____
Email vangroll@vangrollassociates.com

3. **Nature and extent of relief applied for (variances requested):**
We are applying for 8' fence and gates
(2.4 m)

4. **Why is it not possible to comply with the provisions of the by-law?**
There has been a lot of vehicle theft on the property, the police department had suggested an 8' fence and gate to prevent such activities.

5. **Legal Description of the subject land:**
Lot Number P640 PART OF BLOCK A
Plan Number/Concession Number 10-09-0-023-07710-0000
Municipal Address 33 West Drive, Brampton ON L6T 4A1

6. **Dimension of subject land (in metric units)**
Frontage 11.9m-19.87m
Depth 11.94m
Area 14 507 sqm

7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

- 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:

Existing Two Storey Insulated Wall Panel Building C/W Brick and Glass Storefront
 Lot Area: 14,507 sqm
 Coverage: 1,187.76 sqm
 Gross Floor Area: 1,450.73 sqm

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Existing building to remain as is, we are only adding a fence and gates

- 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 60.21
 Rear yard setback 73.52
 Side yard setback 27.74
 Side yard setback 24.82

PROPOSED

Front yard setback N/A
 Rear yard setback N/A
 Side yard setback N/A
 Side yard setback N/A

10. Date of Acquisition of subject land: TBC 2023

11. Existing uses of subject property: Recreational Vehicle Rental and Repair

12. Proposed uses of subject property: Existing to remain

13. Existing uses of abutting properties: Multiple use commercial building, vehicle rental facility Rogers communications headquarter

14. Date of construction of all buildings & structures on subject land: 2018

15. Length of time the existing uses of the subject property have been continued: 5 years

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 # SPA-2022-0021 Status Review

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 # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

EJG

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton
THIS 1ST DAY OF May, 2023.

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, Elroy Van Grull, OF THE City OF Toronto
IN THE prov. OF Ontario 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

City OF Brampton
IN THE Region OF
Peel THIS 1ST DAY OF
May, 2023

Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.

J.M.

EJG

Signature of Applicant or Authorized Agent

Jeanie Myers
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

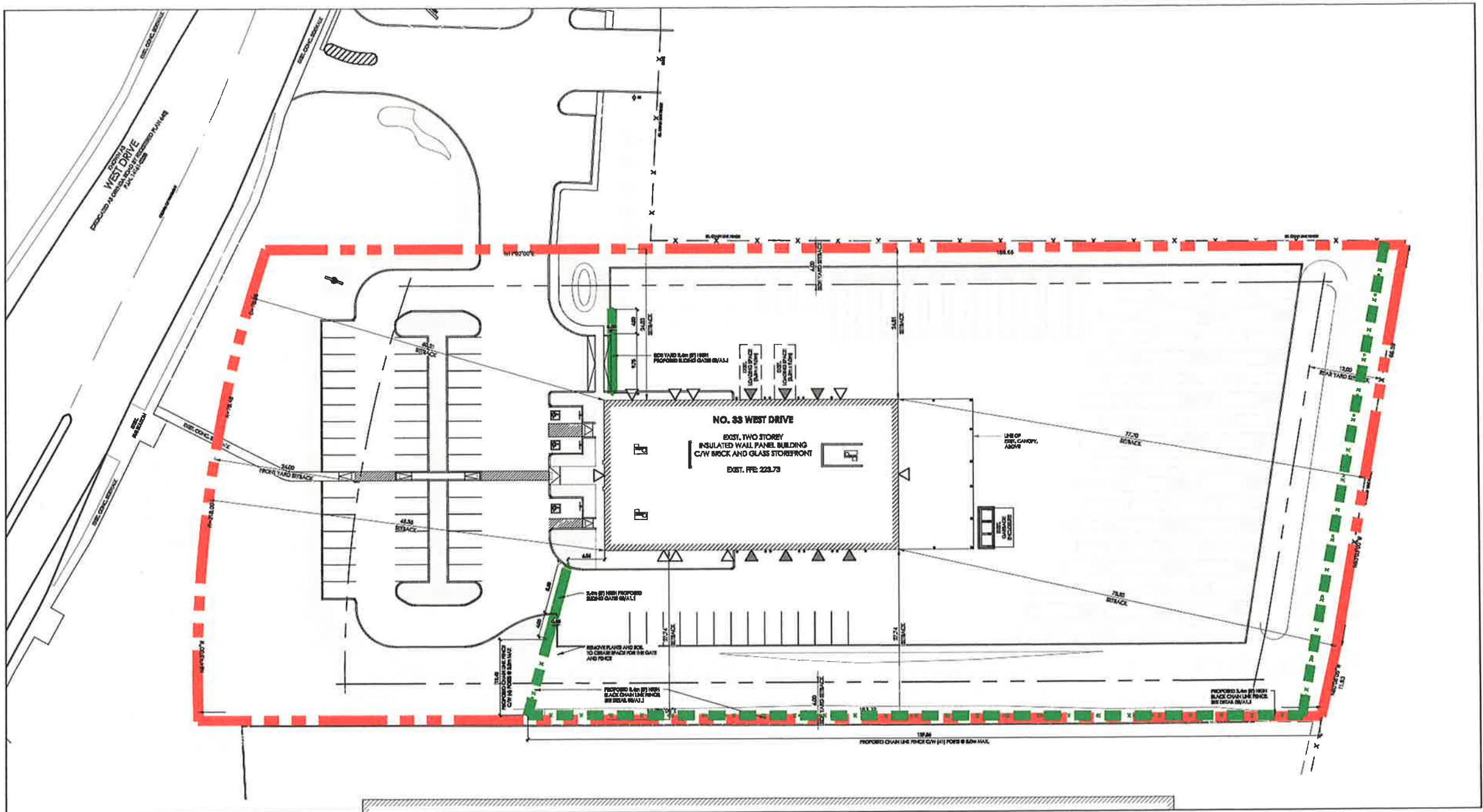
Present Zoning By-law Classification: M1A-595

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

Tom Payne
Zoning Officer

May 4, 2023
Date

DATE RECEIVED May 17 2023





A-2023-0122