

Public Notice

Committee of Adjustment

APPLICATION # B-2023-0019 Ward # 6

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made DANIELS MPV CORPORATION

Purpose and Effect

The purpose of the application is to request the consent of the Committee of Adjustment for conveyance of Part of Block 4, Plan 43M-1927 to provide for a stratified lot addition of lands currently under ownership of the West Parcel (future condominium) to the East Parcel of land (rental). The effect of the application is to amend ownership boundaries by merging select Parts at grade and in the shared underground garage with the East Parcel of land municipally known as 40 Lagerfeld Drive. (Concurrent Consent Application B-2023-0018).

Location of Land:

Municipal Address: 10, 20 and 30 Lagerfeld Drive

Former Township: Chinguacousy

Legal Description: Part of Block 4, Plan 43M-1927

Meeting

The Committee of Adjustment has appointed TUESDAY, June 20, 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: JUNE 15, 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

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

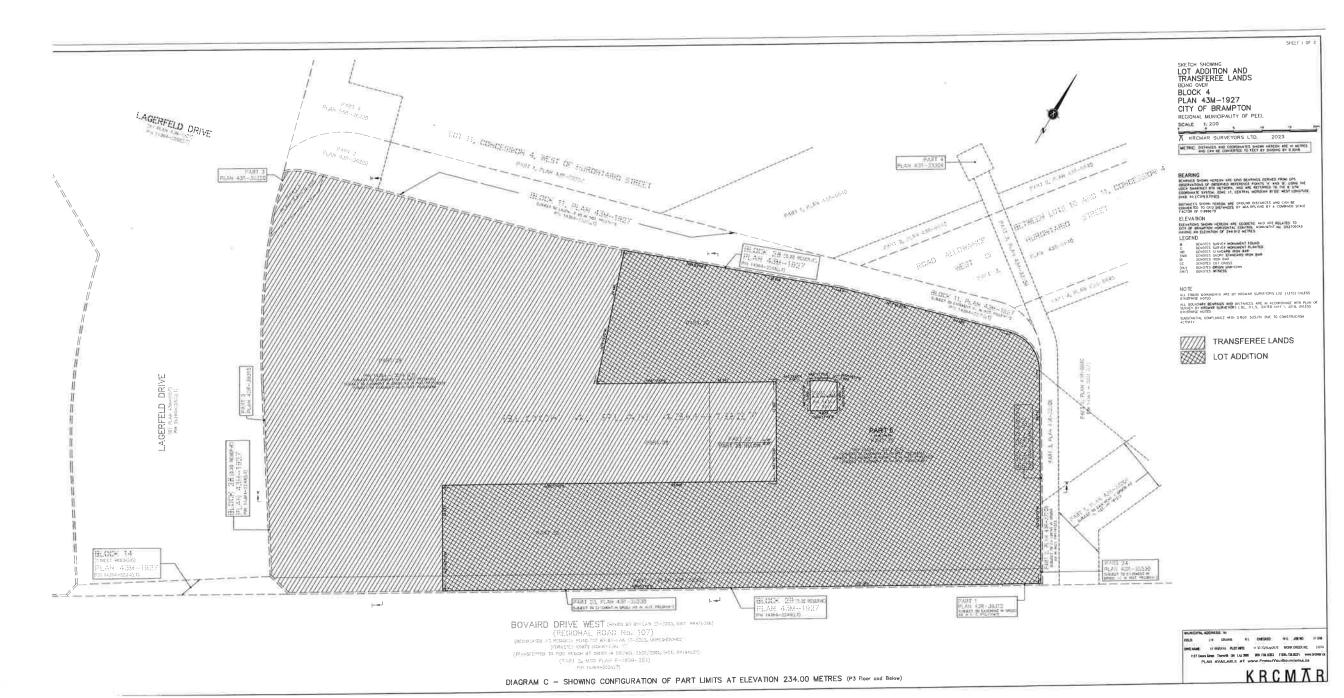
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer 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

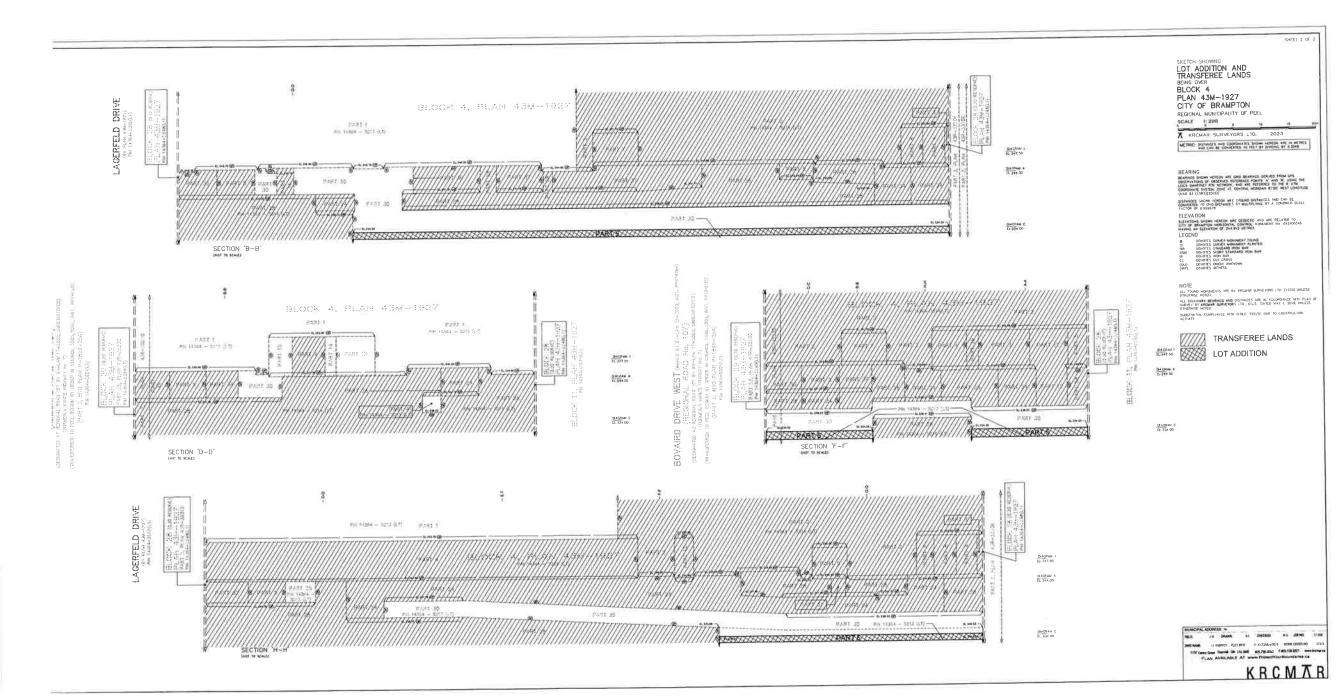
If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss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

DATED AT THE CITY OF BRAMPTON THIS 2nd Day of June, 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







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 **June 20, 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, June 15, 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, June 15, 2023.
 - 2. To participate in-person, please email the Secretary–Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, June 15, 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 4:30 pm Thursday, June 15, 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 <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u>. 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.

DANIELS MPV CORPORATION 130 Queens Quay E 8th Fl., West Tower Toronto, ON M5A 0P6 P: (416) 598-2129 F: (416) 797-0415

May 23, 2023

Attn: Jeanie Myers Legislative Coordinator and Secretary-Treasurer City of Brampton Committee of Adjustment 2 Wellington Street W. Brampton, ON L6Y 4R2

RE: 10, 20 & 30 Lagerfeld Drive, northeast corner of Lagerfeld Dr. and Bovaird Dr. West Block 4 Plan 43M-1927 Application for Stratified Lot Addition Application

B= 2023-0019

Daniels MPV Corporation ('Daniels') is pleased to submit the enclosed application to amend the ownership boundaries of its lands at 10-40 Lagerfeld Drive ('subject site') through a stratified lot addition application. The subject site is currently under construction to develop a residential condominium and a rental apartment atop a shared underground garage. The purpose of this application is to transfer the Parts described below from the rental entity to the future condominium entity.

In 2020, the subject site received approval at the Committee of Adjustment to sever the lands into two parcels under file no. **B2020-0018**. The first parcel, the West Parcel, will be registered as a condominium corporation in the near future and the second parcel, the East Parcel, will be a rental apartment building. Through the design and construction process, unforeseeable revisions were required to the subject site which conflicted with the original severance. As a result, this application aims to rectify the areas where ownership boundaries are misaligned. The below application will see lands currently under ownership of the West Parcel (future condo) being transferred to the East Parcel (rental). A second application will be submitted alongside this one to transfer lands from the East Parcel (rental) to the West Parcel (future condo).

Application Overview

This application is seeking to transfer lands currently under ownership of the West Parcel (future condo) to the East Parcel (rental) through a stratified lot addition application. The affected areas are as follows (please refer to enclosed plans for reference):

1. **Proposed Part 5:** Proposed Part 1 is located below the P3 level in the underground garage. Proposed Part 5 houses mechanical infrastructure and equipment related to rental building located on the East Parcel. Through this application, Proposed Part 5 will join with the existing Part 28, also located in the P3 level of the underground which will ensure smooth operation and maintenance of the mechanical equipment related to the rental building use.

1 of 2

For your review and consideration, the following materials are enclosed in support of the above application:

- Completed application form,
- Plan of survey, prepared by Krcmar Surveyors,
- Draft reference plan, prepared by Krcmar Surveyors,
- Draft reference plan with architectural overlay, prepared by Krcmar Surveyors,
- Draft reference plan with hatching showing the affected lot addition areas, prepared by Krcmar Surveyors.

Should you have any questions or require additional material, please do not hesitate to contact the undersigned.

Sincerely,

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Daniels MPV Corporation

Daniel Grandilli Development Manager (416) 598-2129 dgrandilli@danielscorp.com

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brampton.ca

APPLICATION NUMBER:

"B"2023-0019

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.

| | | | | AF | PLICA | TION | | |
|------------|---|-------------------------------------|----------------|---------------------------------------|---------------|---|--|--|
| | Consent | | | | | | | |
| | | | | (Pleas | se read Ins | tructions) | | |
| informatic | on or materia | I as the Co | mmittee of | Adjustmer | nt may requi | oplicant shall provide re. The Committee ial and the required | e the Committee of Ade of Adjustment may fee are received. | djustment with such refuse to accept or |
| 1. (a) | 1. (a) Name of Owner/Applicant Daniels MPV Corporation (print given and family names in full) | | | | | | | |
| | Address | 130 Queen: | s Quay E, To | ronto ON M | 15A 0P6 | and the second | | |
| | Phone # | 416-598-2 | 129 | | | Fax # | | - |
| | Email | dgrandilli@ | danielscorp. | com | | | | |
| (b) | Name of A | Authorized A | gent _ | Daniel G | randilli | | | |
| | Address | 130 Que | ens Quay E, | Toronto ON | M5A 0P6 | | | |
| | Phone # | 416 591-29 | 914 | | - | Fax # | | |
| | Email | dgrandilli@ | danielscorp. | com | | | | |
| 2. | addition, | an easement stratified part | t lot addition | , a lease of application age. Revisio | to amend the | on of title. | nsfer for a creation on a select few Parts a uired due to site condition | t grade and in the |
| 3. | | he name of t Choice Mount | | | land or an ir | terest in the land is t | to be transferred, char | ged or leased. |
| 4. | Descriptio | on of the su | bject land | ("subject∣ | land" mean | s the land to be sev | vered and retained): | |
| | a) Name (| of Street | Lagerfeld | d Drive | | | Number | 10 |
| | b) Conces | sion No. | | | | | Lot(s)_ | |
| | | red Plan No. | | | | | | |
| | d) Referen | ice Plan No. | RP 43R399 | 900 PARTS | 1, 13-19, 25, | 26, 29, 30 40 AND 41 | | |
| | e) Assessr | nent Roll No. | 10-06-0-00 | 3-00343-00 | 00 | Geographic o | r Former Township _ | |
| 5. | Are there | any easem | ents or res | trictive co | venants aff | ecting the subject | land? | |
| | Yes Specify: | \square | | No | | | | |

| 1. | EASEMENT IN GROSS OVER PT 7 PL 43R35230 AS | S IN PR2366810 |
|----|--|----------------|
| | EASEMENT FOR ENTRY AS IN PR2389562 CITY O | |

| 6. | Description of severed land: (in metric units) | | | | | | |
|----|--|--|--|---|--|--|--|
| | a) | Frontage ~70m Depth | ~60m | Area ~3792.1m at grade | | | |
| | b) | Existing Use under construction | Proposed Use | Residential rental | | | |
| | c) | Number and use of buildings and structure | s (both existing and prop | oosed) on the land to be severed: | | | |
| | | (existing)under construction of one rental towe | r | | | | |
| | | (proposed one residential rental tower | | | | | |
| | d) | Access will be by: | Existing | Proposed | | | |
| | , | Provincial Highway | | | | | |
| | | Municipal Road - Maintained all year | | | | | |
| | | 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 fro | g and docking faciliti m the subject land and | es will be used and what is the the nearest public road? | | | |
| | 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 | | | | | |
| | | Privy | | | | | |
| | в | Privately owned and operated individual or communal septic system | | | | | |
| | | Other (specify): | | | | | |
| 7. | Descript | ion of retained land: (in metric units) | | | | | |
| | a) | Frontage ~60m Depth | ~72m | Area 3,846.7m at grade | | | |
| | b) | Existing Use under construction | Proposed Use | residential condo | | | |
| | c) | Number and use of buildings and structur | - es (both existing and pro | oposed) on the land to be retained: | | | |
| | , | | | 2 blocks of back to back townhouses) | | | |
| | | (proposed 3 residential condo buildings (1 6-storey midrise, 2 3-storey back to back townhouses) | | | | | |

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e. _ ,7

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| Access will be by: | Existing | Proposed |
|--------------------------------------|----------|----------|
| Provincial Highway | | |
| Municipal Road - Maintained all year | | |
| Other Public Road | | |
| Regional Road | | |
| Seasonal Road | | |
| Private Right of Way | | |

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? e)

| f) | Water supply will be by: | Existing | Proposed |
|----|---|----------|----------|
| | Publicly owned and operated water systen | Ā | |
| | 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 | Z | |
| | Privy | | |
| | Privately owned and operated individual or communal septic system | | |
| | | | |

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

| | | Land to be Severed | Land to be Retained |
|-----|---|--|---|
| | Zoning By-Law | R4A-3527 | R4A-3527 |
| | Official Plans City of Brampton | Residential | Residential |
| | Region of Peel | Urban Structure | Urban Structure |
| 9. | Has the subject land ever bee section 51 of the Planning Act of the file number of the application Yes No File # 21T-10022B | or a consent under section 53 on and the decision on the appl | on for approval of a plan of subdivision under of the Act and if the answer is yes and if known, ication? ed (Plan 43M-1927) |
| 10. | Has any land been severed from | n the parcel originally acquired | by the owner of the subject land? |
| | Yes 🗌 No 📐 | L | |
| | Date of Transfer | Land Us | e |

d)

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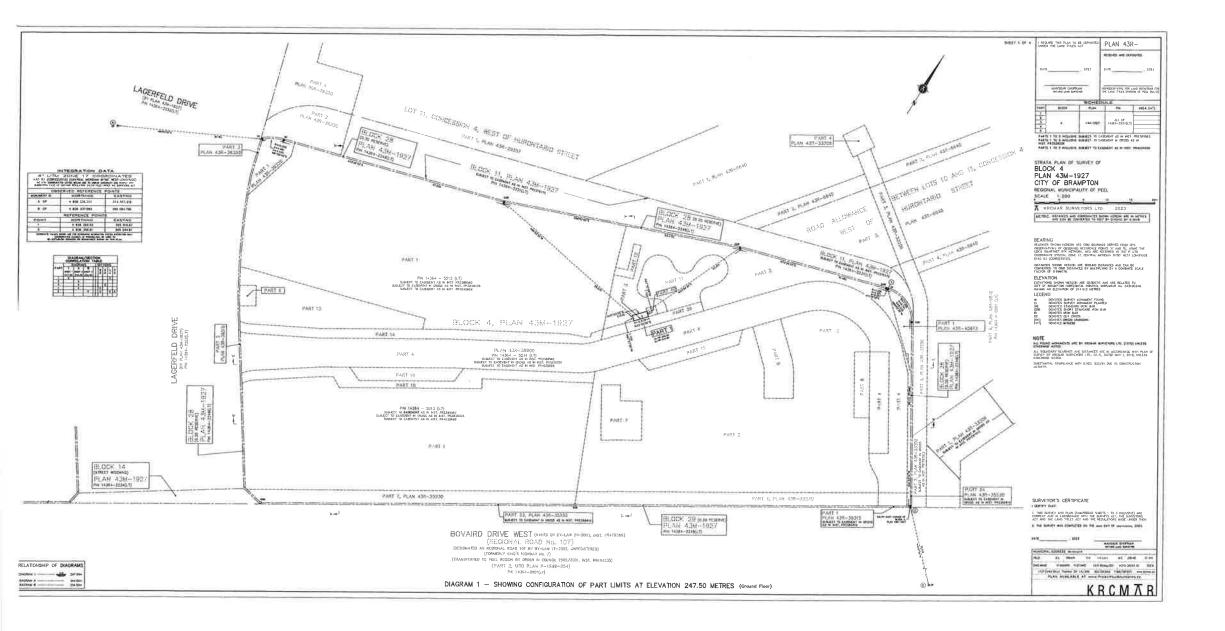
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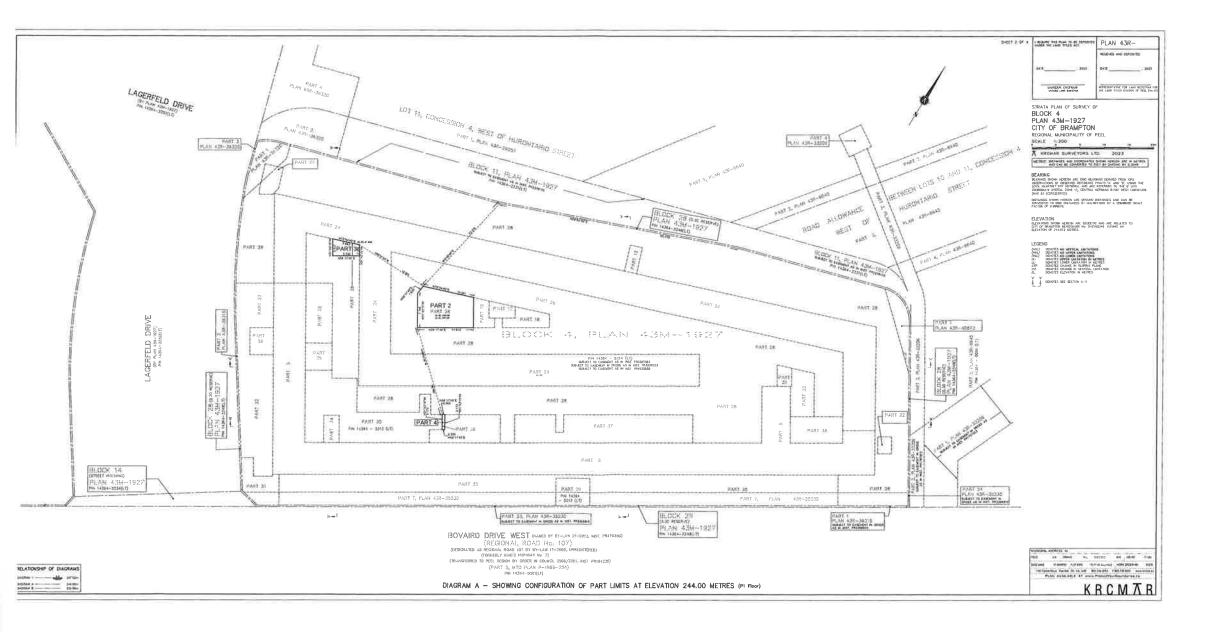
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| 11. | If known, is/was the subject land the subject of any other application under the Planning Act, such as: |
|-----|---|
|-----|---|

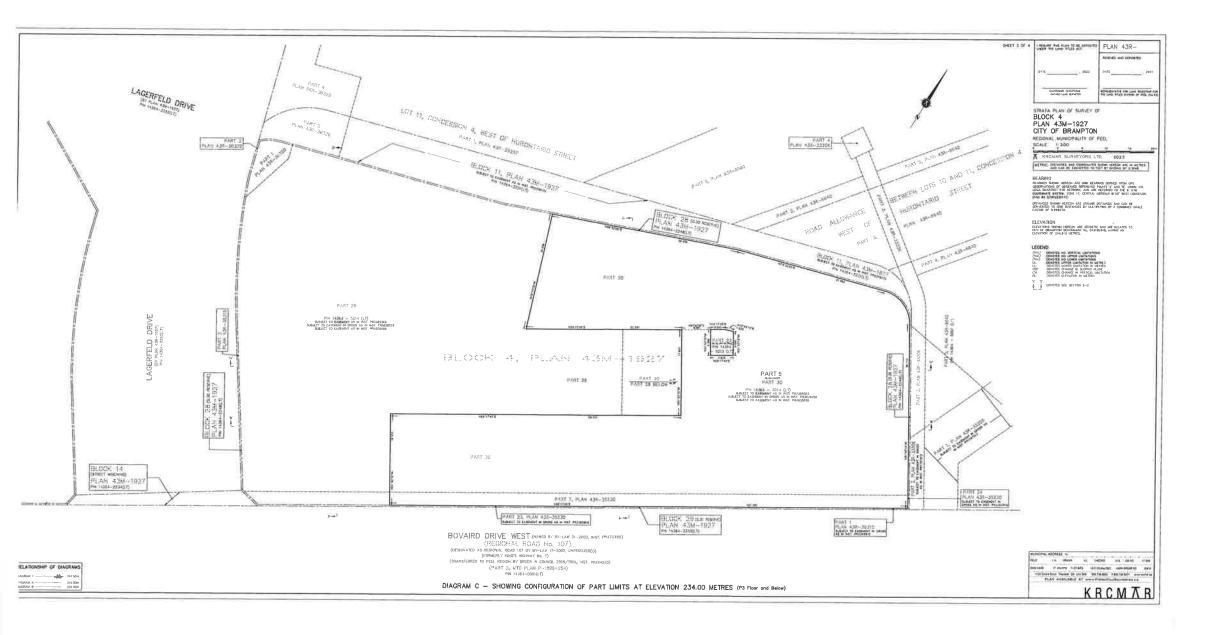
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| | File Number | Status | |
|---|---|--|--|
| Official Plan Amendment | | | (|
| Zoning By-law Amendment | | | × |
| Minister's Zoning Order | | | |
| Minor Variance | A19-144, A2020-0115 | approved | |
| Validation of the Title | | - | |
| Approval of Power and Sale | | | |
| Plan of Subdivision | 21T-10022B | approved | |
| 12. Is the proposal consistent with | Policy Statements issue | ed under subsection 3(1) of the <i>Plar</i> Yes | nning Act? No |
| 13. Is the subject land within an ar | ea of land designated un | nder any Provincial Plan? Yes | No 🗌 |
| 14. If the answer is yes, does the a | pplication conform to the | e applicable Provincial Plan? Yes 🗌 | No 🗌 |
| 15. If the applicant is not the own is authorized to make the ap AGENTS" form attached). | er of the subject land, th plication, shall be attac | ne written authorization, of the owr hed. (See "APPOINTMENT AND / | ner that the applicant AUTHORIZATION OF |
| Dated at the City | of Toronto | | |
| this 23rd day of May | - | 20 <u>23</u> . | |
| Signature of Applicant, or Automated A | | Check box if applicable: | |
| | DECLARAT | ION | |
| I, Daniel Grandilli | of theF | Province of Ontario | |
| in the County/District/Regional Municipality of | of Toronto | solemnly declare that all the st | atements contained in t |
| application are true and I make this as if ma | de under oath and by virtu | e of "The Canada Evidence Act". | |
| Declared before me at the $Cily of$ in the $Qily of$ of $Pily$ this $2u^{T}$ day of Moy - | Buarpton al | Signature of applicant/solicitor/author | prized agent, etc. |
| Signature of a Commissioner, etc. | 1 - Las | Jeanie Cecilia Myers a Commissioner, etc., Province of Ontario for the Corporation of the City of Brampton Expires April 8, 2024. | e . m. |
| | | npleted By the Zoning Division le variances required and the results of | of |
| the said re | eview are outlined on the at | ttached checklist. | |
| Zoning Officer | | Date | - |

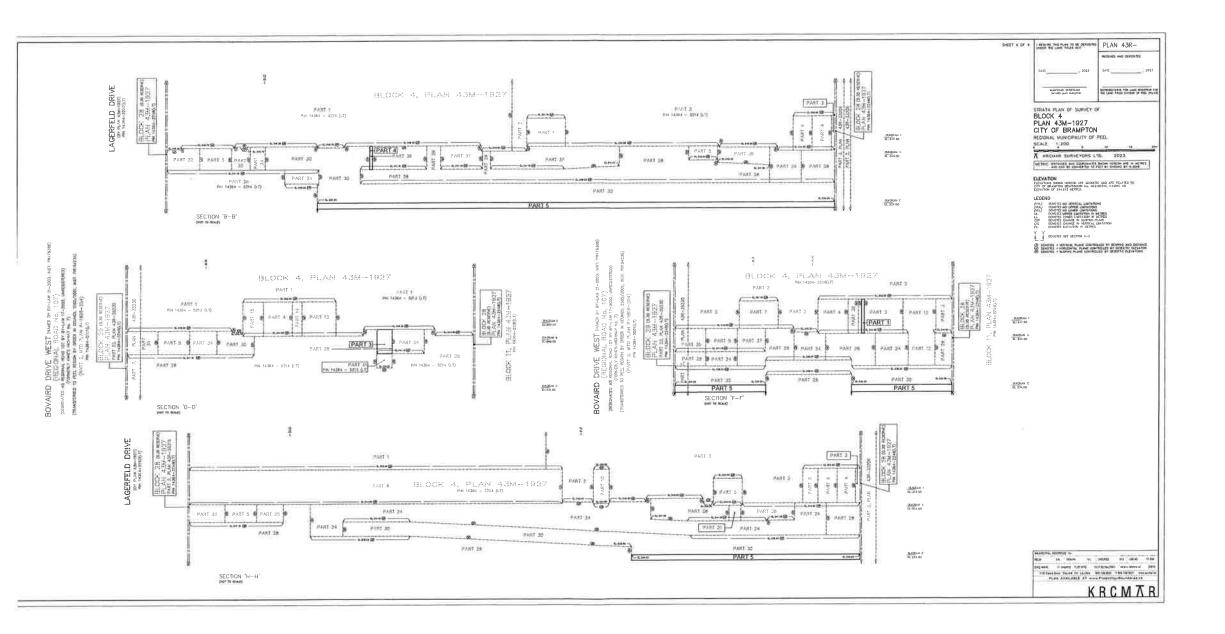


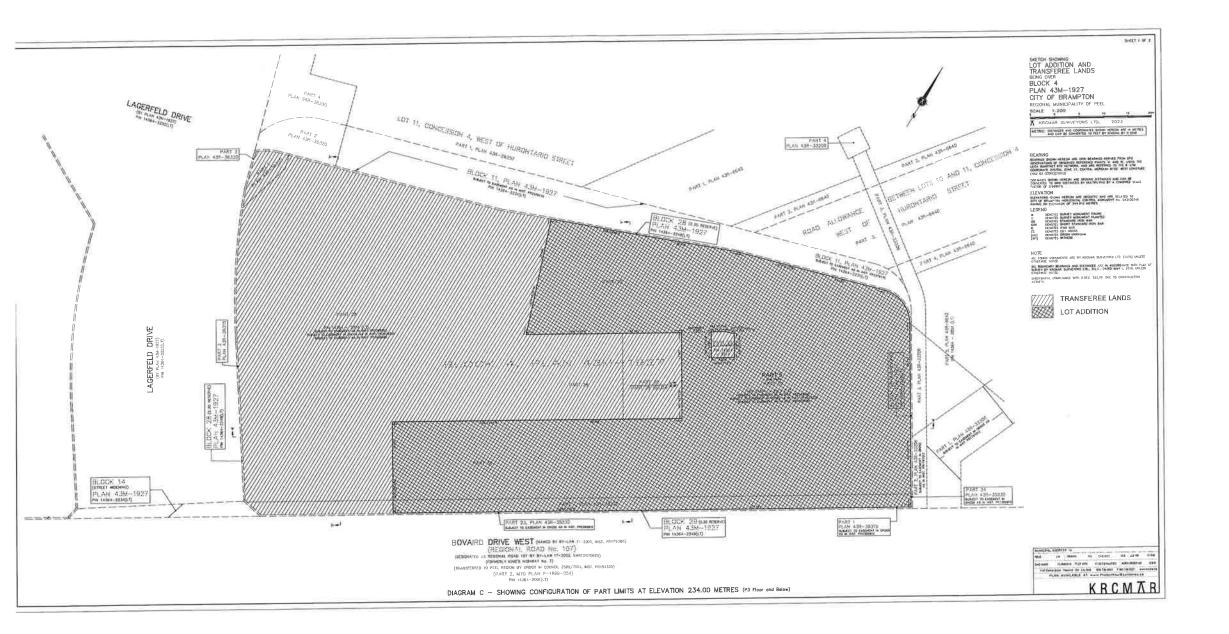


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