## APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by AIRPORT 407 BUSINESS CAMPUS LIMITED PARTNERSHIP, AIRPORT 407 BUSINESS CAMPUS G.P INC. AND AIRPORT 407 BUSINESS CAMPUS INC. 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 Lot 15, Concession 7 Southern Division municipally known as 40 DRIVER ROAD, Brampton;

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

1. To permit a maximum building height of 18.2 m ( 59.8 ft ) whereas the by-law permits a maximum building height of $17.5 \mathrm{~m}(57.4 \mathrm{ft})$.

## 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: $\qquad$ File Number: $\qquad$
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 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 8th Day of June, 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<br>Committee of Adjustment, City Clerk's Office,<br>Brampton City Hall, 2 Wellington Street West,<br>Brampton, Ontario L6Y 4R2<br>Phone: (905)874-2117<br>Fax: (905)874-2119<br>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:

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, June 15, 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, 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 $\mathbf{4 : 3 0} \mathbf{~ p m}$ 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 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 SecretaryTreasurer at 905-874-2117.

## Hand Delivered

Our File: 168
May 23, 2023

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

Dear Committee:

## Re: 40 Driver Road

Minor Variance Application
Airport 407 Business Campus Limited Partnership $\quad A-2023=0190$
Patterson Planning Consultants Inc. is pleased to submit this Minor Variance application on behalf of the property owner for the lands at 40 Driver Road in the City of Brampton. The subject lands are currently built out with an $11,934.3 \mathrm{~m}^{2}$ manufacturing facility that is operated by Albea Canada.

In support of their continued operations, Albea wish to install a new vertical equipment line. This vertical system will require an increase in building height to allow its installation and use.

The subject lands are currently zoned "M1" in City of Brampton Zoning By-law 270-2004. Further the lands are subject to special provisions as found in Section 2724.

Section 2724.2 (8) permits a maximum building height of 17.5 metres. In order to accommodate the vertical equipment, a portion of the roof of the existing building needs to be raised. As such, relief from the by-law is required as follows:

1) Relief from Section 2724.2 (8) which permits a Maximum Building Height of 17.5 metres whereas a Building Height of $\mathbf{1 8 . 2}$ metres is proposed.
"Building Height" is defined in the By-law as "shall mean the vertical distance between the established grade, and:
(a) in the case of a flat roof, the highest point of the roof surface,
(b) in the case of a mansard roof, the deck line, or
(c) in the case of a peaked, gabled, hip or gambrel roof, the mean height level between eaves and ridge."

The roof of the existing building is a flat roof and the increased height for a portion of the building will be attributable to the area where the new equipment is being installed.

6095 Line 66 Monkton, ON NOK 1P0 scott@lpplan.com P: 519-577-9817

We trust that the submitted material and the above information are sufficient for the acceptance of a complete application at this time, and would greatly appreciate this item coming forward at the next Committee of Adjustment meeting

Should you have any questions or concerns please do not hesitate to contact our office.

Yours truly,
Patterson Planning Consultants Inc.


Scott Patterson, BA, CPT, MCIP, RPP Principal

SP/jk
Copy: Waddell Engineering

brampton.ca

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\text { FILE NUMBER: } A=2023-01 M 0
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## APPLICATION <br> Minor Variance or Special Permission <br> (Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Commiltee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby epplies to the Committee of Adjustment for the Clity of Brampton under section 45 of the Planilna Act, 1990, for relief as described in this application from By-Law 2702004.

Airport 407 Business Campus Limited Partnership by its General Partner, Addrees 1 Airoort 407 Business Campus G.P. Inc. and Airport 407 Business Campus In 1875 Buckhorn Gate, Suite 601 Mississauga, Ontario L4W 5P1
Phene 意
Emall mari.crucillo@bgo.com
2. Name of Agont PATEERSAN PLANNING CONSUTTANTS WC. (SCOTT PATTERSON) Address 6095 LINE folh MONTKON, ONT NOK $1 P O$

| Phons * | 519-577-9817 | Fax |
| :---: | :---: | :---: |
| Emall | Scont ${ }^{\text {P }}$ Implar |  |

3. Nature and extent of rellef applled for (variances requested):

THE PROPERT IS 2ENES MI-272Y. RELIEF FROM SEETION $2724,2(8)$ WHICH PERMITS A MAXIMUM BUILONG HEGAT of 17.5 m WHERGAS A BuILDing HEIGHT of 18.2 m is PROPOSED.
4. Why is it not possible to comply with the provislons of the by-faw?

5. Legal Deserpption of the subject land

Lot Number PARS OF LOT 15 , CONCESSION 7 SOUTHEEN DIUISION, CTHY OF BRAMPTON Plan Numbor/Concession Number Municipal Addross 40 DRIVER ROAD
6. Dimension of subject land (in matric unlts)

Frontage 197.74 m
Depth $\frac{136.698}{26,754.8 \mathrm{~m}^{2}}$
7. Access to the subject land is by: Provnelal Highway Munkelpal Road Malntained All Year $\square$
$\square$

## Seasonad Road Other Public Road Water

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 possibe)

EXISTING BUILDINGSISTRUCTURES on the subject land:
EXISTING INDUSTRIAL Bull IING, $-11,394.3 \mathrm{~m}^{2}$
$\qquad$
PROPOSED BUILDINGS/STRUCTURES on the subject land:
NO NEW SHILDINGS PDF Propased
RENOYPTRON TO EXSTING BUILDING AND NEW EGUIPMIANT REGUIFING AODITONAL BUILOINE HEIGHT.
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 unlts)

17. Is the subject property the subject of an applleation under the Planning Act, for approval of a plan of subdivision of consent?
Yes $\square$ No $\square$
If answer is yes, provide details: Fie " $\qquad$ Status
18. Has a pre-consultation application been filed?
YesNo
19. Has the subject property ever been the subject of an application for minor variance?
Yes
No X
Unknown

If answer is yes, provide details:


IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORZATION OF THE OWNER MUST ACCOMPANY THE APPLCATION. IF THE APPLICANT IS A CORPORAJON, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATIONS SEAL SHALL BE AFFIXED.

$$
\begin{aligned}
& \text { IISCOTI PATTERSON } \\
& \text { INTHECOUNTY OF PERTH OF THE MUNICIPPLDTIOF NARTEI PERTH }
\end{aligned}
$$

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELEVING 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
Mun of North Perth





## srainpton

## Zoning By-Law Office Consolidation

2724 The lands designated M1 - SECTION 2724 on Sheet 82 of Schedule A to this by-law:
2724.1 shall only be used for the following purposes:
(1) the manufacturing, processing, assembling, packaging repairing, fabricating, warehousing and storage of goods within an enclosed building, excluding a motor vehicle repair shop and a motor vehicle body shop;
(2) a retail warehouse, excluding a supermarket, a grocery store, a convenience store, a variety store or a motor vehicle parts retail outlet;
(3) an office:
(4) a furniture and appliance store;
(5) a recreational facility or structure;
(6) a community club;
(7) a garden centre sales establishment;
(8) a service shop;
(9) a banquet hall; and,
(10) purposes accessory to the other permitted purposes.
2724.2 shall be subject to the following requirements and restrictions:
(1) Minimum Front Yard Depth: 9 metres;
(2) Minimum Rear Yard Depth: 7 metres except where it abuts:
(a) a rail line the minimum requirement for uses 2724.1 (2) to (9) shall be 30.0 metres;
(b) a rail line the minimum requirement for uses 2724.1 (1) shall be 15.0 metres; and,
(c) a spur line, there is no requirement
(3) Minimum Exterior Side Yard Width: 9 metres;
(4) Minimum Interior Side Yard Width: 4 metres except where it abuts
(a) a rail line the minimum requirement for uses $2724.2(2)$ to (9) shall be 30.0 metres;
(b) a rail line the minimum requirement for uses $2724.2(1)$ shall be 15.0 metres;
and,
(c) a spur line, there is no requirement
(5) Minimum Lot Width: 30 metres;
(6) Minimum Lot Area: 0.8 hectares;
(7) Maximum Lot Coverage: 50 percent;
(8) Maximum Building Height: 17.5 metres;
(9) Minimum Landscaped Open Space:
(a) a 3.0 metre wide landscaped open space area shall be provided abutting all roads except at approved access locations; and,
(b) a 9.0 metre wide landscaped open space area shall be provided abutting Airport Road except at approved access locations.
(10) Maximum Floor Space Index for an office: 0.5
2724.3 for the purposes of this section:

Retail Warehouse shall mean a building or structure or part of a building or structure having a minimum gross leasable floor area of 1860 square metres, where the building or structure, or part of the building or structure is occupied by a single user, and where the use is the warehousing and retailing of goods and materials to the general public. A retail warehouse shall not include a supermarket, a grocery store, a convenience store, a variety store or a motor vehicle parts retail outlet.




