



## Report Committee of Adjustment

**Filing Date:** February 8, 2022

**Hearing Date:** June 20, 2023

**File:** A-2022-0022

**Owner/  
Applicant:** BRANTHAVEN CREDITVIEW INC.

**Address:** 8940 Creditview Road

**Ward:** WARD 4

**Contact:** Rajvi Patel, Assistant Development Planner

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### Recommendations:

That application A-2022-0022 be deferred no later than the last hearing of December 2023.

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### Background:

The subject lands are located on the southwest corner of Creditview Road and Queen Street West. The applicant is proposing a minor variance to permit a temporary sales office for a period of three years. The sales office is intended to be used for the sale of homes proposed under City File No. OZS-2022-0014 which includes Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications. The OZS application proposes to redevelop the subject lands to facilitate the development of 60 single detached residential dwellings. The minor variance application was previously deferred at three different occasions (March 8, 2022, December 6, 2022, and February 14, 2023). The applicant has appealed the related development application (OZS-2022-0014) to the Ontario Land Tribunal for non-decision.

### Existing Zoning:

The property is zoned 'Agricultural (A)', according to By-law 270-2004, as amended.

### Requested Variance:

The applicant is requesting the following variance:

1. To permit a temporary sales office for a period of three (3) years whereas the by-law does not permit the proposed use in an Agricultural Zone.

### **Current Situation:**

The requested variance to permit a temporary sales office is intended to facilitate the sale of residential units on the subject property. The applicant submitted Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment application (OZS-2022-0014) to facilitate the redevelopment of the lands for 60 single-detached residential dwellings. The OZS application has been appealed by the applicant as a result of non-decision by Council and is subject to the ongoing Ontario Land Tribunal (OLT) case OLT-23-000261, a case management conference is scheduled to occur in June 2023.

Staff have reviewed the information provided by the applicant and have concerns that the Minor Variance request is premature as the related OZS application has not been approved. Planning Staff are of the opinion that it is appropriate for a decision to be rendered by the Ontario Land Tribunal prior to providing a recommendation to the Committee of Adjustment for A-2022-0022.

Staff have communicated the above noted matter with the applicant which will need to be addressed prior to staff recommendation. Therefore, staff recommend a deferral of the application to a date no later than the last hearing of December 2023 to allow sufficient time for a decision to be provided as part of OLT-23-000261, and for staff to review and provide a recommendation before the Committee.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Assistant Development Planner