

DI POCE

Management Limited

September 26, 2023

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

Attn: Clara Vani
Secretary-Treasurer of the Committee of Adjustment

RE: CONSENT APPLICATION
175 SUN PAC BOULEVARD, BRAMPTON

We, Di Poce Management Limited (hereinafter the "Owner"), are the property owners of the lands described as Block 5, Registered Plan 43M-1625, and municipally addressed as 175 Sun Pac Boulevard in the City of Brampton (hereinafter referred to as the "Subject Lands" and/or "Site").

We, the Owners are seeking the Committee of Adjustments approval for a Consent Application to facilitate the proposed industrial warehouse building proposed on 0 Exchange Drive. The Consent application on the Subject Lands will permit an easement for access.

To facilitate the proposed industrial warehousing building on 0 Exchange Drive additional applications on adjacent lands are required. Separate applications have been submitted to the Committee of Adjustment under each individual address, however, all applications should be reviewed parallel. A summary of the required/submitted applications to permit the proposed industrial warehouse building on 0 Exchange Drive are as follows:

1. 175 Sun Pac Blvd., application for Consent (the Subject Lands):
 - To permit a right-of-way easement.
2. 100 Exchange Drive, application for Consent:
 - To permit a right-of-way easement.
3. 0 Exchange Drive, application for Minor Variance:
 - To permit site specific regulations for the proposed industrial building.

In support of the Consent application for 175 Sun Pac Blvd, the following documents have been enclosed:

1. Consent Application form;
2. Consent Sketch;
3. Site Plan for 0 Exchange Drive prepared by VGA inc.; and
4. Draft Reference Plan prepared by Speight, Van Nostrand & Gibson Limited.

1.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The Subject Lands, legally described as Block 5, Registered Plan 43M-1625, and located on the west side of Sun Pac Blvd, north of Exchange Drive as shown on Figure 1 and currently occupied by an industrial warehousing building. The Subject Lands are approximately 1.16 ha (2.89 acres) in size with approximately 79.3 m (260 ft.) frontage along Sun Pac Blvd and approximately 78.6 m (257 ft.) frontage along Humberwest Parkway.

The following are the surrounding land uses adjacent to the Subject Lands:

- NORTH: Immediately north of the Subject Lands is a range of Industrial, Warehouse, and Office uses.
- SOUTH: Immediately south of the Subject Lands is 0 Exchange Drive and 100 Exchange Drive. Further south is Exchange Drive.
- EAST: Immediately east of the Subject Lands is Humberwest Parkway. Further East is a range of commercial and residential uses.
- WEST: Immediately west of the Subject Lands is Sun Pac Blvd. and a range of outdoor storage uses.



Figure 1: Location Map (not to scale)

2.0 PROPOSED DEVELOPMENT ON 0 EXCHANGE DRIVE

As previous mentioned to facilitate the proposed development at 0 Exchange Drive a Consent application for the Subject Lands is required. The proposed Consent application is required to provide access to 0 Exchange Drive.

The proposed development on 0 Exchange Drive consists of a total gross floor area of 3,786.90 sq. m. (40,763.19 sq. ft.) consisting of 592.27 sq. m. (6,375.35 sq. ft.) of office and 3,194.63 sq. m. (34,387.84 sq. ft.) of warehouse uses. The proposed development will provide 45 parking spaces on site.

Given the small size and irregular shape of the Subject Lands, to maximize the development potential and the gross leasable floor area of the proposed building, access to the proposed building will be provided through easements on the Subject Lands and 100 Exchange Drive.

It is important to note that both 100 Exchange Drive and 0 Exchange Drive are owned by Di Poce Management Limited which is a company under the Di Poce Group of Companies umbrella. Further details are provided in the subsequent sections of this letter below.

3.0 CONSENT APPLICATION

The purpose of the consent application is to provide access to the proposed industrial warehouse on 0 Exchange Drive. See attached consent sketch and draft reference plan.

An easement over 175 Sun Pac Boulevard (Part 1) in favour of 0 Exchange Drive in order to provide access to parking and drive aisle for loading.

3.1 CONSENT EVALUATION

Section 54(1) of the *Planning Act* outlines development criteria which applications for consent must comply.

The proposed easement is required to provide adequate access for vehicles and trucks to 0 Exchange Drive. The proposed easements on the Subject Lands will allow vehicle and truck access from Sun Pac Boulevard to the side/rear parking and loading of the proposed development at 0 Exchange Drive. This area is outlined in green on Figure 2. A draft reference plan has been provided as part of this application, see attached.

The easement will allow access to a shared driveway off Sun Pac Blvd, providing access to the proposed parking spaces along the northern limit of the 0 Exchange Drive. In addition, the proposed easement will provide for access to 100 Exchange Drive, which through an additional easement will provide access to the rear parking and loading bays proposed on 0 Exchange Drive. The proposed ingress and egress of the vehicle parking and loading spaces through the Subject Lands will ensure any parking and/or loading is appropriately screened from the public street. The proposed ingress and egress will ensure minimal impact to

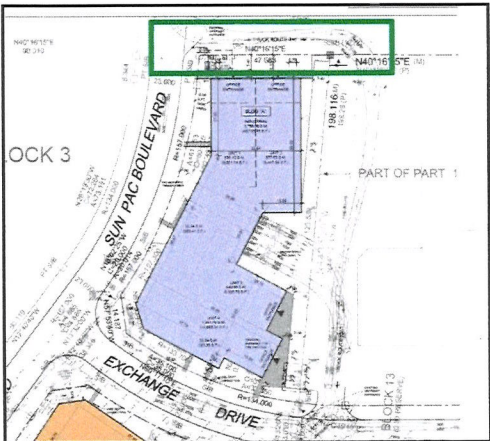


Figure 2: Location of proposed easement on 175 Sun Pac Blvd. Map (not to scale)

adjacent uses, similar to the existing building configurations of 165 and 175 Sun Pac Blvd, as well as allow for a functional industrial warehousing building on 0 Exchange due to the properties irregular shape.

We have reviewed the proposed easement against the development criteria of Section 54 (1) of the *Planning Act* as well as those of the Official Plan and are of the opinion that the proposed consent request is appropriate, reasonable and meets the relevant development criteria. We believe the requested consent application to permit the easements are appropriate and represent good planning.

6.0 CONCLUSION

Based on the above analysis, it is our professional opinion that the proposed easement to support the proposed industrial building at 0 Exchange Drive are appropriate and desirable for the Subject Lands and surrounding area, is in the public interest and represents good planning.

We respectfully request to be scheduled for the earliest Committee of Adjustment hearing possible. In the meantime, should you require any further information or questions, please do not hesitate to contact us.

Thank you,

Sincerely,



Celeste Salvagna, BURPL
Development Manager,
Di Poce Management Limited



Armando Lopes, MCIP, RPP
Vice President of Development,
Di Poce Management Limited

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.

1. (a)

Name of Owner/Applicant

Di Poce Management Limited

(print given and family names in full)

Address

175 Sun Pac Blvd, Unit 1A, Brampton, L6S 5Z6

Phone #

905-793-0093

Fax #

Email

celeste@dmpl.ca

(b)

Name of Authorized Agent

see above.

Address

Phone #

Fax #

Email

2.

The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.

Specify:

Easement for access.

3.

If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

4.

Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street

Sun Pac Blvd.

Number

175

b) Concession No.

Lot(s)

Block 5

c) Registered Plan No.

43M-1625

Lot(s)

d) Reference Plan No.

Lot(s)

e) Assessment Roll No.

21 10 120 002 13460 0000

Geographic or Former Township

5.

Are there any easements or restrictive covenants affecting the subject land?

Yes

No

Specify:

6. Description of severed land: (in metric units) N/A no severance proposed - easement for access

a)

Frontage

Depth

Area

b)

Existing Use

Proposed Use

c)

Number and use of buildings and structures (both existing and proposed) on the land to be severed:

(existing)

(proposed)

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 and docking facilities will be used and what is the approximate distance of these facilities from the subject land and 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

☐

☐

Privately owned and operated individual or communal septic system

☐

☐

Other (specify):

7. Description of retained land: (in metric units)

a)

Frontage

79.3 m

Depth

148.6 m

Area

1.16 ac

b)

Existing Use

Office/Warehousing

Proposed Use

Office/Warehousing

c)

Number and use of buildings and structures (both existing and proposed) on the land to be retained:

(existing)

1

(proposed)

1

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input type="checkbox"/>	<input type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) 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?

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	_____	

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	_____	

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

	Land to be Severed	Land to be Retained
Zoning By-Law	N/A	Service Commercial
Official Plans		Employment
City of Brampton		Employment
Region of Peel		

9. 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 ☐ No ☒

File # _____ Status/Decision _____

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☐ No ☒

Date of Transfer _____ Land Use _____

11. If known, is/was the subject land 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		
Minor Variance	A024/05 & A160/07	Approved
Validation of the Title		
Approval of Power and Sale		
Plan of Subdivision		

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the *Planning Act*?
Yes ☒ No ☐
13. Is the subject land within an area of land designated under any Provincial Plan?
Yes ☒ No ☐
14. If the answer is yes, does the application conform to the applicable Provincial Plan?
Yes ☒ No ☐
15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the _____ City _____ of _____ Brampton _____
this 19th day of SEPTEMBER, 2023

*

Signature of Applicant, or Authorized Agent, see note on next page

Check box if applicable.

☐ I have the authority to bind the Corporation

DECLARATION

I, Di Poce Management Limited of the _____ City _____ of _____ Brampton _____
in the County/District/Regional Municipality of Peel _____ solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the _____ City _____ of _____ Brampton _____
in the Region of Peel _____
this 19th day of SEPTEMBER, 2023

Signature of applicant/solicitor/authorized agent, etc.

Antony Rondinone,
a Commissioner, etc., Province of
Ontario, for Di Poce Management
Limited and its subsidiaries,
associated companies, and affiliates.
Expires May 15, 2024

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division

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

Zoning Officer

Date

NOTES:

1. If this application is signed by an agent or solicitor on behalf of the applicant, the owner's written authorization must accompany this application. If the applicant is a Corporation acting without agent or solicitor, the application must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation. If the application is signed by an agent or solicitor on behalf of the applicant who is a Corporation, the applicant's written authorization must accompany this application and must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation.
2. Each copy of the application must be accompanied by a sketch **and a key map** showing the location of the subject land.
3. Sketches or reproductions are to be no larger than Legal Size. Application plans which are larger may be submitted provided at least **one reproduction** reduced to Legal Size is filed with the application.
4. Where it is determined that a sketch will not adequately provide the information required, it may be necessary to provide a plan prepared by an Ontario Land Surveyor.
5. The sketch shall show:
 - a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
 - b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
 - c) the boundaries and dimensions of the subject land, the part that is to be severed (shown in double hatch lines XXXX) and the part that is to be retained (shown in single hatched lines ////);
 - d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
 - e) the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
 - f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;
 - g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
 - h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
 - i) the location and nature of any easement affecting the subject land; a
 - j) if a natural or artificial feature is to be the proposed new property line or part thereof, identify the feature(s) as such on the sketch.
6. It is required that **1 original copy** of this application be filed, together with **2 copies** of the sketch described in item 2 above, with the Secretary-Treasurer, accompanied by the applicable fee.

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

I/We, Di Poce Management Limited

please print/type the full name of the owner(s)

Dated this 19th day of September, 2023

* _____
(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

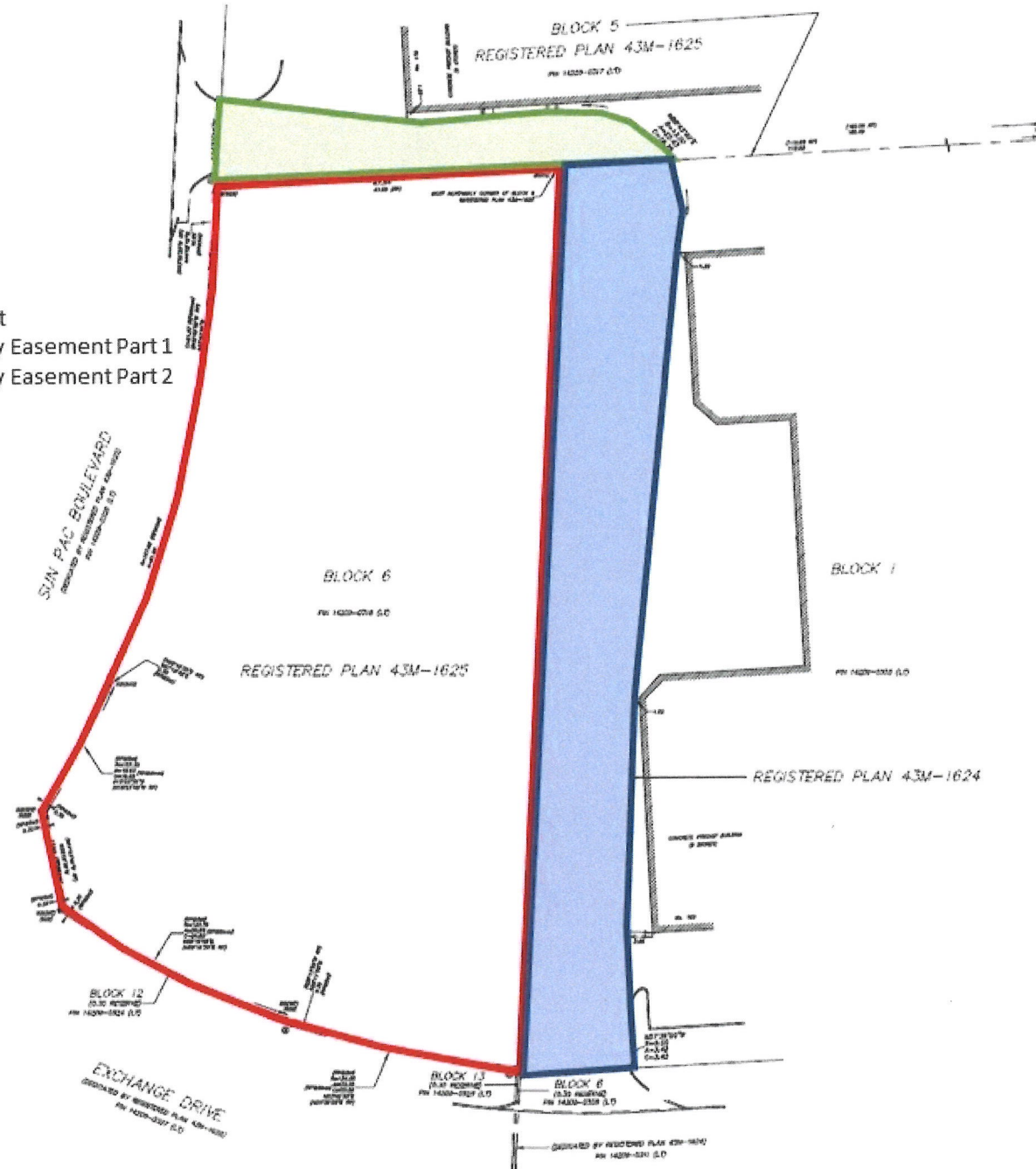
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

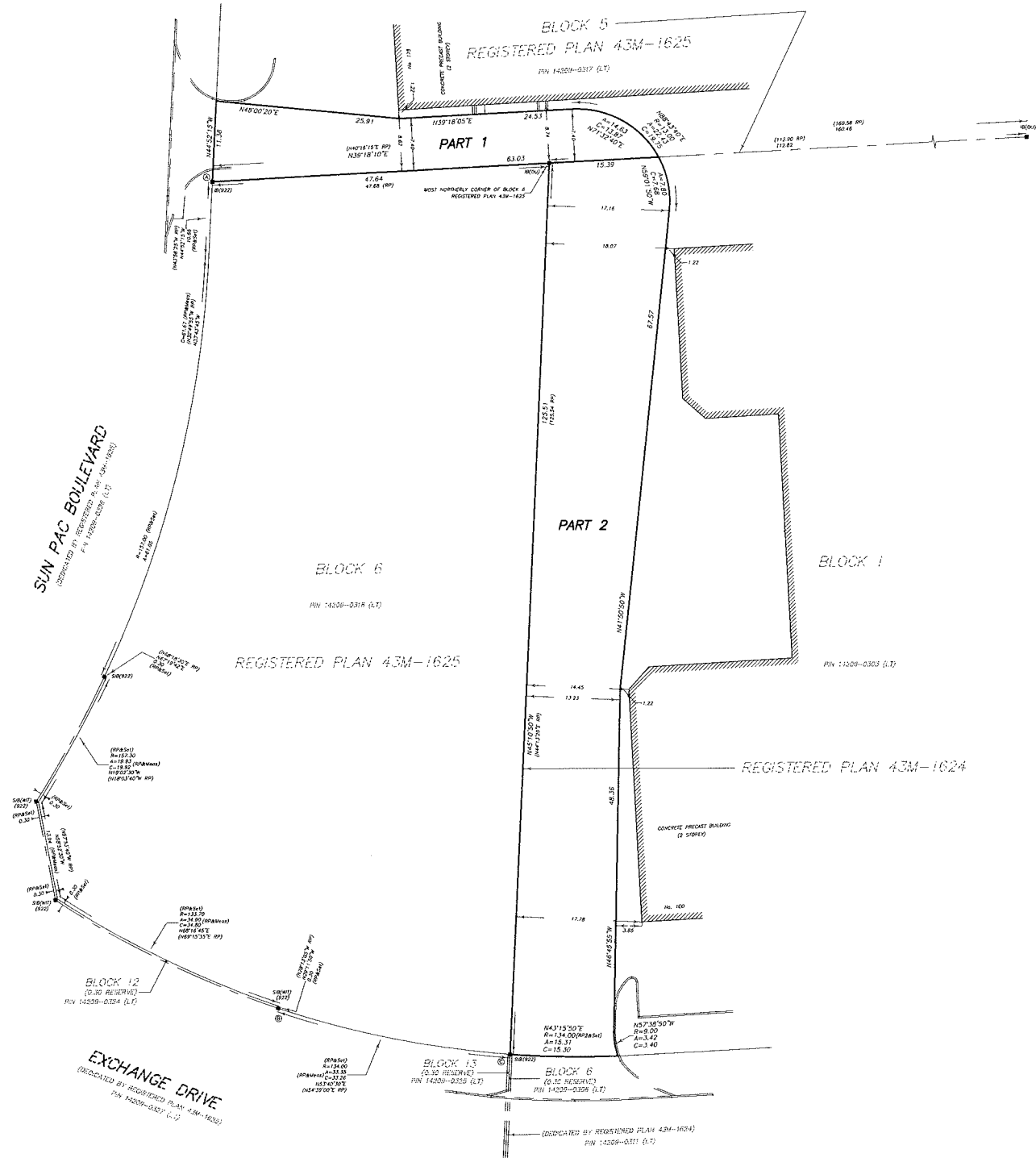
NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION



- Retained Lot
- Right of Way Easement Part 1
- Right of Way Easement Part 2





I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT		PLAN 43R-	
DATE _____		RECEIVED AND DEPOSITED	
DATE _____		DATE _____	
MICHAEL DEMARCO ONTARIO LAND SURVEYOR		REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF THE PEEL REGISTRY OFFICE (No. 43)	

SCHEDULE				
PART	BLOCK	REGISTERED PLAN	PART OF PIN	AREA (m ²)
1	PART OF 5	43M-1625	14209-0317 (LT)	490
2	PART OF 1	43M-1624	14209-0303 (LT)	1,864

PLAN OF SURVEY OF
PART OF BLOCK 5
REGISTERED PLAN 43M-1625
AND
PART OF BLOCK 1
REGISTERED PLAN 43M-1624
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL



SPEIGHT, VAN NOSTRAND & GIBSON LIMITED
ONTARIO LAND SURVEYORS

INTEGRATION NOTE

BEARINGS SHOWN HEREON ARE UTM GRID AND ARE DERIVED FROM THE SMARTNET NETWORK, AND ARE REFERRED TO UTM ZONE 17, CENTRAL MERIDIAN 8100' WEST LONGITUDE, NAD 83 (CSRS) (2010).

OBSERVED REFERENCE POINTS (ORPs) DERIVED FROM GPS OBSERVATIONS USING THE SMARTNET NETWORK, AND ARE REFERRED TO UTM ZONE 17, CENTRAL MERIDIAN 8100' WEST LONGITUDE, NAD 83 (CSRS) (2010).

COORDINATES ARE TO AN URBAN ACCURACY AS PER SEC. 14 (2) OF ONT. REG. 216/10

POINT ID	NORTHING	EASTING
ORP @	4845387.34	605385.87
ORP @	4845316.04	605478.25
ORP @	4845335.74	605505.04

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999713.

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

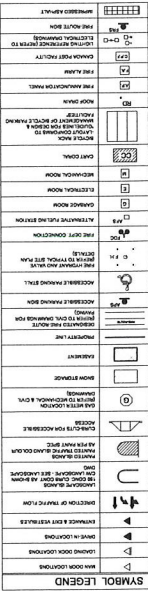
SYMBOL	DESCRIPTORS	SURVEY MONUMENT FOUND
WM	WITNESS MONUMENT	+
SIB	STANDARD IRON BAR	+
SIBB	SHORT STANDARD IRON BAR	+
IB	IRON BAR	+
CC	CUT CROSS	+
N.S.E.W	NORTH, SOUTH, EAST, WEST	+
OU	ORIGIN UNKNOWN	+
RP	REGISTERED PLAN 43M-1625	+
RP2	REGISTERED PLAN 43M-1624	+
922	SCHMETER & DZALDOY LIMITED, O.L.S.	+

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM
- THE SURVEY WAS COMPLETED ON _____

DATE _____		DRAFT	
MICHAEL DEMARCO ONTARIO LAND SURVEYOR			
SPEIGHT, VAN NOSTRAND & GIBSON LIMITED ONTARIO LAND SURVEYORS 750 OAKDALE ROAD, UNIT 65 & 66, TORONTO, ONTARIO M3N 2Z4 TEL. 416 749-5VING(7864) FAX 416 749-7866 E-MAIL: toronto@svng.on.ca			
DRAWN : F.P.D./M.D.	JOB No. : 201-0199		
CHECKED : M.D.	REF. No. : 1-43M1625		
FILE NAME : P2010199.DWG			



SITE ANALYSIS (sqm)	
1.07 AREA (block G)	6,555.19 S.M.
BUILDING AREA INDUSTRIAL	
BUILDING W/ OFFICE	159.27 S.M.
BUILD. W. GARAGEHOUSE:	3,917.63 S.M.
ROAD W/ DRIVEWAY:	3,866.90 S.M.
COVERAGE:	57.77%
F.S.I.:	0.88
PARKING REQUIRED:	47 SPACES
TOTAL PARKING REQUIRED:	47 SPACES
1,792.95 @ 1 CAR / 98 S.M.	
PARKING PROVIDED:	45 SPACES
PAVED AREA:	1,926.10 S.M.
ACCESSIBLE PARKING:	4 SPACES
LANDSCAPED AREA:	1,408.04 S.M.
ADDITIONAL PARKING:	22 (50%)
2 TYPE A & 2 TYPE B	

PLAN OF SUBDIVISION OF
PART OF LOT 6
CONCESSION 7, NORTHERN DIVISION
TOWNSHIP OF TORBOLTON CO. COUNTY OF P.E.I.
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF P.E.I.
SCHMIDT & SCHAEFER LIMITED
MAY 21, 2003