B-2023-0021

# 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

100 EXCHANGE DRIVE, BRAMPTON

We, 1217246 Ontario Inc. c/o Di Poce Management Limited (hereinafter the "Owner"), are the property owners of the lands described as Block 1 and Block 2, Registered Plan 43M-1624, and municipally addressed as 100 Exchange Drive 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. 100 Exchange Drive, application for Consent (the Subject Lands):
  - To permit a right-of-way easement.
- 2. 0 Exchange Drive, application for Minor Variance:
  - To permit site specific regulations for the proposed industrial building.
- 3. 175 Sun Pac Blvd., application for Consent:
  - To permit a right-of-way easement.

In support of the Consent application for 100 Exchange Drive, the following documents have been enclosed:

- 1. Consent Application form;
- Consent Sketch;
   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 1 and Block 2, Registered Plan 43M-1624, are located on the northeast corner of Exchange Drive and Humberwest Parkway as shown on **Figure 1** and are currently occupied by industrial warehousing building. The Subject Lands are approximately 1.67 ha (4.13m acres) with approximately 95.72 m (314 ft.) of frontage along Humberwest Parkway and approximately 145.84 m (478.5 ft.) of frontage on Exchange Drive.

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 Exchange Drive. Further south is Peel

Regional Paramedic Service Station and a range of outdoor storage uses.

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 0 Exchange Drive (lands proposed for a

industrial warehouse building). Further west 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 an access easement for the proposed development at 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 175 Sun Pac Blvd.

It is important to note that both 175 Sun Pac Blvd. 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 100 Exchange Drive (Part 2) 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 Exchange Drive to the rear of the proposed development at 0 Exchange Drive where the drive aisle, loading and parking spaces are proposed to be located. This area is outlined in green on Figure 3. A draft reference plan has been provided as part of this application, see attached.

The easement will allow access to a shared driveway off Exchange Drive, providing access to the proposed parking spaces along the eastern limit of the Subject Lands. In addition, the proposed easement will provide for access to the proposed loading bays are the rear of the proposed building 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



Figure 3: Location of proposed Easement on 100 Exchange Drive. (not to scale)

proposed ingress and egress will ensure minimal impact to adjacent uses, similar to the existing building configurations of 165 and 175 Sun Pack 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





RECEIVED REVUSED
SEP 2 6 2023

CITY CLERK'S OFFICE

**APPLICATION NUMBER:** 

"B"-2033-0021

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.

a) Name	of Owner/Applicant	1217246 Onta	ario Inc.			
Addre	175 Sun Pac Blvd	(print given and family names in full)  175 Sun Pac Blvd, Unit 1A, L6S 5Z6				
Phone	905-793-0093			Fax #		
Email	celeste@dmpl.ca					
) Name	Name of Authorized Agent Di Poce Managemen			imited		
Addre	Address 175 Sun Pac Blvd, Unit		1A, L6S 5Z6			
Phone	905-793-0093			Fax #		
Email	_celeste@dmpl.ca					
. If know	vn, the name of the pers	on to whom the land	d or an inte	rest in the land is to	be transferred, cha	rged or leased.
	iption of the subject I	and ("subject land	" means f	the land to be seve		100
	ne of Street EXC				Number _ Lot(s)	Blocks 1 and 2
	istered Plan No. 43M-1	624				
d) Refe	erence Plan No.				Lot(s)	
e) Asso	21 10 essment Roll No. 21 10	120 002 13540 0000 120 002 13520 0000		Geographic or F	Former Township	
i. Are th	ere any easements o	r restrictive covena	ants affec	ting the subject la	nd?	
Yes		No	X			

lumber and use of buildings and structure existing)  croposed  ccess will be by:  rovincial Highway  funicipal Road - Maintained all year  other Public Road  deasonal Road  rivate Right of Way  f access is by water only, what parking pproximate distance of these facilities from the supply will be by:  Publicly owned and operated water system ake or other body of water	Existing  g and docking facilit m the subject land and	Proposed		
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Nunicipal Road - Maintained all year Other Public Road Regional Road Private Right of Way Fraccess is by water only, what parking pproximate distance of these facilities from the supply will be by: Publicly owned and operated water system	m the subject land an	d the nearest public road?		
Regional Road Reasonal Road Private Right of Way Faccess is by water only, what parking pproximate distance of these facilities from the supply will be by: Publicly owned and operated water system	m the subject land an	d the nearest public road?		
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pproximate distance of these facilities fro  Vater supply will be by:  Publicly owned and operated water system	m the subject land an	d the nearest public road?		
Publicly owned and operated water system		Proposed		
ake or other body of water				
Privately owned and operated individual or communal well				
Other (specify):				
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):				
of retained land: (in metric units)				
Frontage 95.72 m (Humberwest Pky) Depth	145.84 m (Exchange I	Or.) <b>Area</b> 1.67 ac		
Existing Use Industrial Warehouse	Proposed Use	Industiral Warehouse		
Number and use of buildings and structures (both existing and proposed) on the land to be retain				
	ewage disposal will be by:  ublicly owned and operated sanitary ewer system  rivy  rivately owned and operated individual r communal septic system  other (specify):  of retained land: (in metric units)  rontage 95.72 m (Humberwest Pky) Depth existing Use Industrial Warehouse	ewage disposal will be by:  ublicly owned and operated sanitary ewer system  rivy  rivately owned and operated individual r communal septic system  of retained land: (in metric units)  rontage 95.72 m (Humberwest Pky) Depth 145.84 m (Exchange Industrial Warehouse Proposed Use		

	d)	Access will be by:	Existing	Proposed
		Provincial Highway		
		Municipal Road - Maintained all year	X	
		Other Public Road		
		Regional Road		
		Seasonal Road		
		Private Right of Way		
	e)	If access is by water only, what parkin approximate distance of these facilities from		
	f)	Water supply will be by:	Existing	Proposed
		Publicly owned and operated water system	ı X	
		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	X	
		Privy		
		Privately owned and operated individual or communal septic system		
		Other (specify):		
8.	What is th	ne current designation of the land in any ap	plicable zoning by-law	and official plan?
		Land to be Severed	Land to	be Retained
	Zoning B	y-LawN/A	Service	Commercial
	Official Pl	ans f Brampton	Employ	ment
	Reg	jion of Peel	Employ	ment
9.	section 5	subject land ever been the subject of an 1 of the Planning Act or a consent under sumber of the application and the decision o	ection 53 of the Act a	
	File#	Status/Decision	1	
10.	Has any I	and been severed from the parcel originally	acquired by the own	er of the subject land?
	Yes	No X		
	Date of T	ransfer	Land Use	

		File Number	Status	
	Official Plan Amendment			_
	Zoning By-law Amendment			200
	Minister's Zoning Order	***************************************		_
	Minor Variance	A175-07	Approved	
	Validation of the Title			<u></u>
	Approval of Power and Sale			-
	Plan of Subdivision			_
2.	is the proposal consistent wi	th Policy Statements issued	under subsection 3(1) of the <i>Pla</i> Yes 🄀	nning Act?
13.	Is the subject land within an	area of land designated unde	er any Provincial Plan? Yes	No 🗀
14.	If the answer is yes, does the	application conform to the	applicable Provincial Plan? Yes X	No 🔲
15.	If the applicant is not the ov	vner of the subject land, the	written authorization, of the owed. (See "APPOINTMENT AND	mer that the applicant
		1	23	
۲	Signature of Applicant, or Authorize		Check box if applicable.  I have the authority to bind the Corporation	
4	Signature of Applicant, or Authorize		Check box if applicable.  I have the authority to bind the Corporation	
->	Signature of Applicant, or Authorize	d Agent, see note on next page	Check box if applicable.  I have the authority to bind the Corporation	
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#### 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.
- 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;
  - 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;
  - 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;
  - 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.

### APPOINTMENT AND AUTHORIZATION OF AGENT(S)

	j_ 1217546 Ontano Inc
	(Please print or type full name of the owner)
the unde	rsigned, hereby appoint and authorize/have appointed and authorized as my agent(s) for the purpose
	<ol> <li>Signing and filing the application(s) on behalf of the undersigned.</li> </ol>
	1 Di Poce Management Limited
	(Please pinit or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
	Representing the undersigned before the Committee of Adjustment,  Di Poce Management Limited
	(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
	Acting on behalf of the owner with respect to all matters related to the application, including but not limited to fulfilling conditions and acquiring the Secretary-Treasurer's Certificate.  Di Pose Massaccia and acquiring the Secretary-Treasurer's Certificate.
	3. Di Poce Management Limited
	(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

AND, I do hereby ratify, confirm and adopt as my own, the act(s), representation(s), reply (replies) and commitment(s) made on my behalf by the said agent(s).

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

#### NOTES:

- If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this
  appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed
- 2. If there is more than one owner, all owners shall complete and sign individual appointment and authorization forms.
- If the agent is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

## PERMISSION TO ENTER

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

LOCATIO	N OF THE SUBJECT LAND:	100 Exchange Drive
I/We,	1217246 Ontario Inc.	
		please print/type the full name of the owner(s)
City of to	roperty for the purpose of columniate and/or consent.	d owner(s) of the subject land, hereby authorize the Members of the stment and City of Brampton staff members, to enter upon the above inducting a site inspection with respect to the attached application for TAMBELL, 2013
<b>* *</b>	(signature of the owner(s), or wher	e the owner is a firm or corporation, the signature of an officer of the owner)
	1-0	
		or corporation, please print or type the full name of the person signing)
	(where the owner is a firm o	or corporation, please print or type and

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





