

Public Meeting Notice Committee of Adjustment

Application for Consent

Section 53 of the Planning Act, R.S.O. 1990 c.P.13

Application Number: B-2023-0025
Property Address: SUN PAC BLVD

Legal Description: BLOCK 5, PLAN 43-M1625

Agent: DIPOCE MANAGEMENT LIMITED Owner(s): DIPOCE MANAGEMENT LIMITED, Other applications: B-2023-0021 and A-2023-0226

under the *Planning Act*

Meeting Date and Time: Tuesday, OCTOBER 24, 2023, at 9:00 am

Meeting Location: Hybrid in-person and virtual meeting – Council

Chambers, 4th Floor Brampton City Hall, 2 Wellington

Street West

Purpose and Effect of the Application:

The purpose of the application is to request the consent of the Committee of Adjustment to the grant access to the proposed industrial warehouse on 0 Exchange Drive. To grant an easment over 100 Exchange Drive in favour of 0 Exchange Drive to order to provide access to shared parking and drive aisle for loading purposes.

Participate in the Meeting:

- Send an email with your written comments to <u>coa@brampton.ca</u>. Written submissions must include your name and mailing address, the application number or property address you are commenting on, and must be received no later than 4:30 pm on Thursday, October 19, 2023.
- Participate in person by attending the meeting on the date and time noted above. You are
 encouraged to register for in person attendance by emailing coa@brampton.ca and
 indicating if you plan to address Committee.
- Participate virtually (computer, tablet or smartphone). To participate virtually via WebEx, you must register in advance, no later than **4:30 pm on Thursday, October 19, 2023** by emailing coa@brampton.ca, and providing your name, mailing address, phone number and email address. Confirmation of registration and participation instructions will be provided.

Note: Information provided in your correspondence, virtual or in-person delegation will become part of the public record and will be posted on the City's website. If you do not participate in the public meeting, Committee may make a decision in your absence and you will not be entitled to any further notice in the proceedings.

Viewing Application Materials: The application and related materials are available online at www.brampton.ca/en/city-hall/meetings-agendas and may be viewed in person in the City Clerk's Office during regular business hours. More information regarding the Committee of Adjustment is available at www.brampton.ca.

Appeal Process: If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary Treasurer. Contact details are provided below.

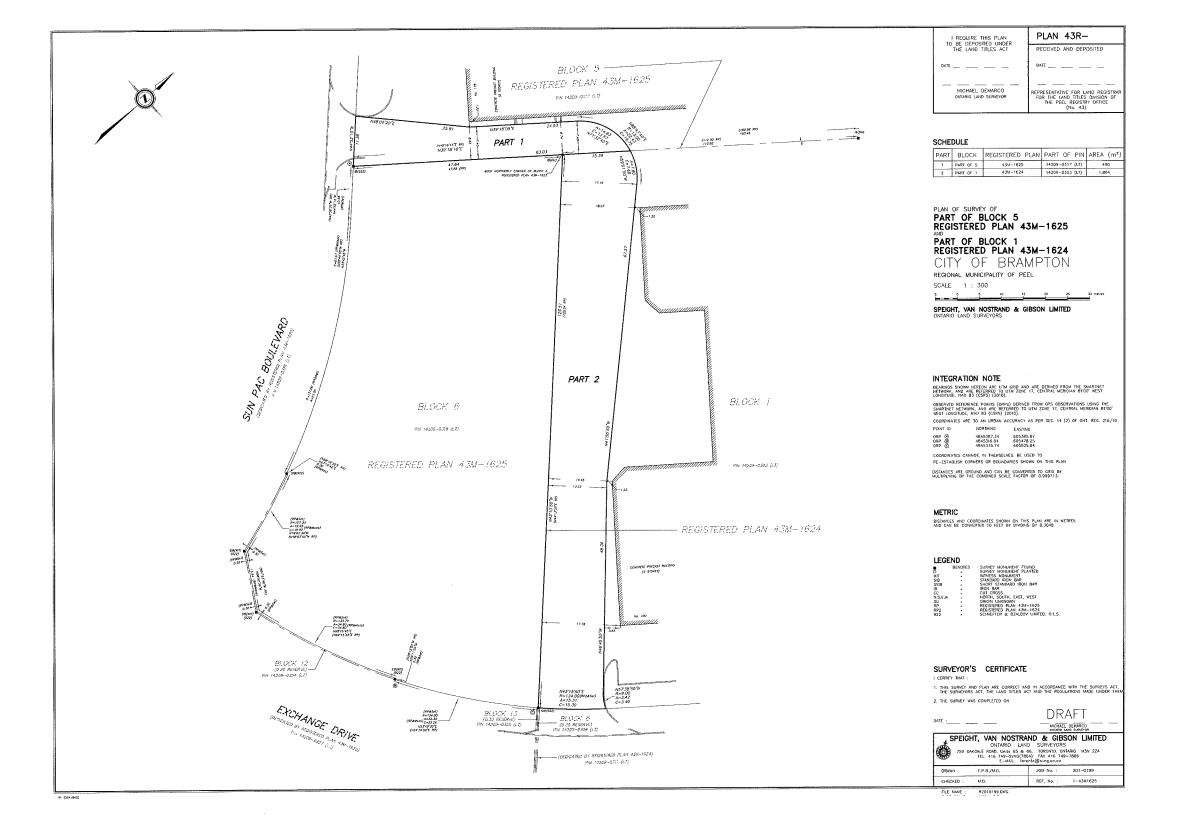
Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. This notice is to be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents.

Dated this 6th day of October, 2023

Secretary Treasurer Committee of Adjustment, City Clerk's Office

2 Wellington Street West, Brampton, L6Y 4R2

P: 905.874.2117 E: <u>coa@brampton.ca</u>





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Legal Description:

Agent: Owner(s):

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B-2023-0025 SUN PAC BLVD

BLOCK 5, PLAN 43-M1625

DIPOCE MANAGEMENT LIMITED DIPOCE MANAGEMENT LIMITED,

B-2023-0021 and A-2023-0226

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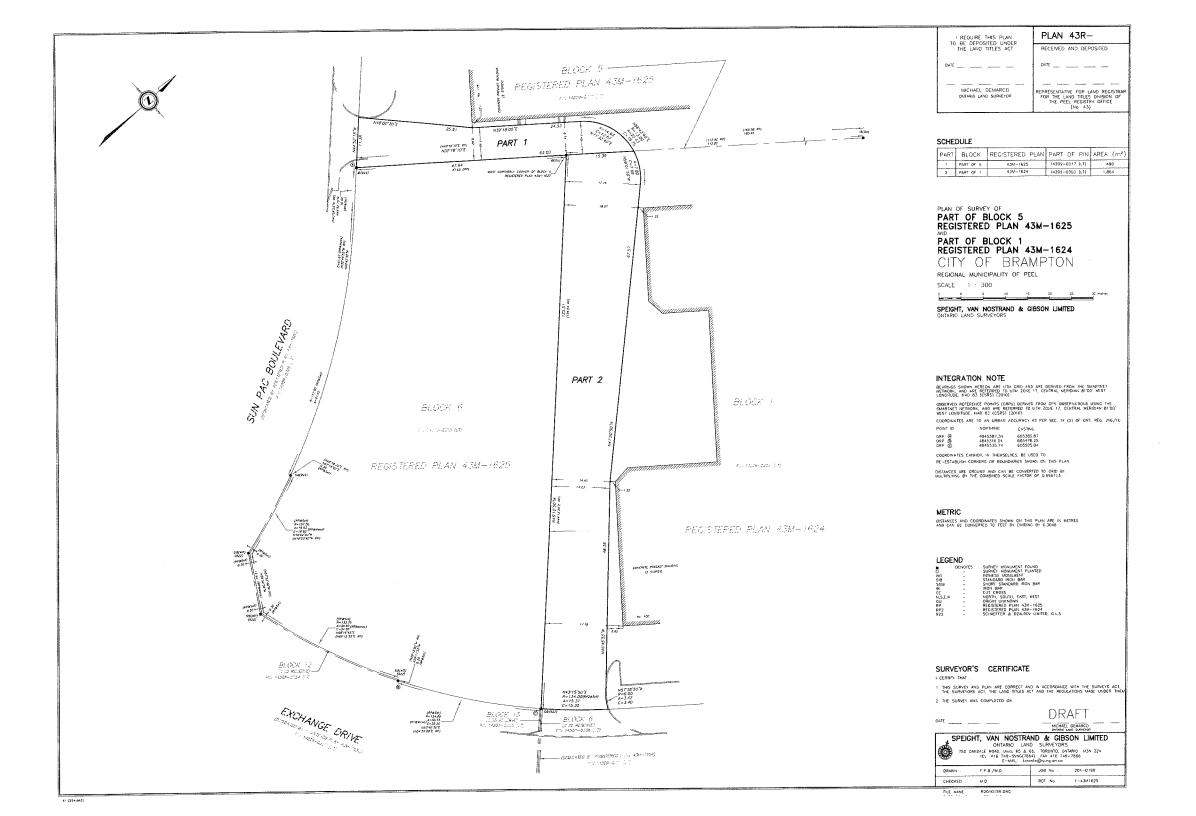
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Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. This notice is to be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents.

Dated this 5th day of October, 2023

Secretary Treasurer Committee of Adjustment, City Clerk's Office 2 Wellington Street West, Brampton, L6Y 4R2 P: 905.874.2117

E: coa@brampton.ca



B-2023-0025

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;
- 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 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

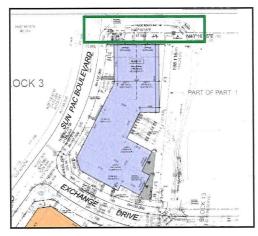


Figure 2: Location of proposed easement on 175 Sun Pac Blvd. Map (not to scale)

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







CITY CLERK'S OFFICE

APPLICATION NUMBER:

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.

Name of 0	Owner/Applican	t Di Poce Ma	anagement Li			
Address	175 Sun Pac I	Blvd, Unit 1A, Bramp	oton, L6S 5Z6	(print given and family	names in full)	
Phone #	905-793-0093			Fax #		
Email	celeste@dmpl	.ca				
Name of A	Authorized Age	nt see above.				
Address						
Phone #				Fax #		
Email						
If known,	the name of the p	person to whom the la	and or an inte	rest in the land is to	be transferred, cha	ged or leased.
		ct land ("subject la				£
•		un Pac Blvd.				
b) Conces	sion No.				Lot(s)	Block 5
c) Registe	red Plan No	43M-1625			Lot(s)	
d) Referei						
		1 10 120 002 13460 000			_ Lot(s)	
		1 10 120 002 13460 000				
e) Assess	ment Roll No. 21		00	Geographic or F	_ Lot(s) ormer Township	

	Frontage Depti	1	Area				
b)	Existing Use	Use Proposed Use					
c)	Number and use of buildings and structures (both existing and proposed) on the land to be severe						
	(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						
f)	Water supply will be by:	Existing	Proposed				
f)	Water supply will be by: Publicly owned and operated water syste	Existing	Proposed				
f)			Proposed				
f)	Publicly owned and operated water syste	en	Proposed				
f)	Publicly owned and operated water system Lake or other body of water Privately owned and operated individual	en	Proposed				
f)	Publicly owned and operated water syste Lake or other body of water Privately owned and operated individual or communal well	en	Proposed Proposed				
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g)	Publicly owned and operated water syste Lake or other body of water Privately owned and operated individual or communal well Other (specify): Sewage disposal will be by: Publicly owned and operated sanitary sewer system Privy Privately owned and operated individual or communal septic system	Existing					
g)	Publicly owned and operated water syste Lake or other body of water Privately owned and operated individual or communal well Other (specify): Sewage disposal will be by: Publicly owned and operated sanitary sewer system Privy Privately owned and operated individual or communal septic system Other (specify):	Existing	Proposed Area 1.16 ac				
g)	Publicly owned and operated water system Lake or other body of water Privately owned and operated individual or communal well Other (specify): Sewage disposal will be by: Publicly owned and operated sanitary sewer system Privy Privately owned and operated individual or communal septic system Other (specify):	Existing	Proposed				

(d)	Access will be by:		Existing	Proposed	
		Provincial Highway		X		
		Municipal Road - Maint	tained all year			
		Other Public Road				
		Regional Road				
		Seasonal Road				
		Private Right of Way				
1	e)				king facilities will be used and whect land and the nearest public road?	at is the
	f)	Water supply will be by	y:	Existing	Proposed	
		Publicly owned and op	perated water system	X		
		Lake or other body of	water			
		Privately owned and o or communal well	perated individual			
		Other (specify):				
	g)	Sewage disposal will l	be by:	Existing	Proposed	
		Publicly owned and op sewer system	perated sanitary	X		
		Privy				
		Privately owned and or communal septic s				
		Other (specify):				
8.	What is tl		of the land in any app Land to be Severed	olicable zor	ning by-law and official plan?	
	Zoning B	y-Law	N/A		Service Commercial	
	Official P	lans f Brampton			Emplolyment	
	Re	gion of Peel	Light to		Employment	
9.	section 5	subject land ever beer of the Planning Act o umber of the application	or a consent under se	ection 53 o	n for approval of a plan of subdivis f the Act and if the answer is yes and cation?	ion under if known,
	Yes	No X				
	File#		Status/Decision			
10.	Has any	land been severed from	the parcel originally	acquired b	by the owner of the subject land?	
	Yes	No X	,	-	-	
	163					

8.

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 v	vith Policy Statements issued	I under subsection 3(1) of the <i>Plannia</i> Yes X No	
13.	Is the subject land within a	n area of land designated und	ler any Provincial Plan? Yes 🔀 No	· 🗆
14.	If the answer is yes, does the	ne application conform to the	applicable Provincial Plan? Yes No	.
15.	If the applicant is not the c is authorized to make the AGENTS" form attached).	wner of the subject land, the application, shall be attach	written authorization, of the owner led. (See "APPOINTMENT AND AU"	that the applicant
thi	3 <u></u> 3u, s.		Check box if applicable:	
		DECLARATI	the Corporation	
	l. Di Poce Management L	imited of the Cit	ty _{of} Brampton	
the Co	unty/District/Regional Municipa			
	on are true and I make this as if		solemnly declare that all the states of "The Canada Evidence Act".	ments contained in t
eclared be	City efore me at the	Brampton f	٨	_
the L	REGION of P	2001		1
is 19	th day of SEPTEM	Bell 20 03 -	Signature of applicant/solicitor/authonze	ed agent, etc.
	Antony Rondinone, a Commissioner, etc., Provinc Ontario, for DI Poce Managen Limited and its subsidiarie ssociated eompanes and affi Expires May 15, 2024	nent (1)		
		FICE USE ONLY - To Be Com	· · · · · · · · · · · · · · · · · · ·	
		viewed with respect to possible d review are outlined on the att	e variances required and the results of tached 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;
 - 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.

PERMISSION TO ENTER

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

	LOCATIO	N OF THE SUBJECT LAND: 175 Sun Pac Blvd
	I/We.	Di Poce Management Limited
	,,,,,	please print/type the full name of the owner(s)
	City of E noted pr	rsigned, being the registered owner(s) of the subject land, hereby authorize the Members of the rampton Committee of Adjustment and City of Brampton staff members, to enter upon the above operty for the purpose of conducting a site inspection with respect to the attached application for riance and/or consent.
*	Dated th	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.)
		signature of the owner[a], or more than

(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

