

Flower City



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(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2024-0095

The Personal Information collected on this form is collected pursuant to section 45 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 and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION
Minor Variance or Special Permission
(Please read Instructions)

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

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. Name of Owner(s) PAB 410-7 Limited Partnership c/o Kipling Realty Management Inc.
Address 65 Queen Street West, Suite 700, Toronto, ON, M5H 2M5
Phone # (289) 813-9357 Fax # _____
Email aabado@kiplingrealty.com

2. Name of Agent Maurizio Rogato - Blackthorn Development Corp.
Address PO Box 943, Kleinburg, ON L0J 1C0
Phone # (416) 888-7159 Fax # _____
Email mrogato@blackthorncorp.ca

3. Nature and extent of relief applied for (variances requested):

To permit an Indoor Playground being a Place of Commercial Recreation within Unit 106 of an existing Multi Unit Commercial Building whereas the Zoning By-law does not permit the noted Place of Commercial Recreation, within the noted location per Section 411 of the Zoning By-law.

4. Why is it not possible to comply with the provisions of the by-law?

The Zoning By-law does not permit the noted Place of Commercial Recreation, within the noted location per Section 411 of the Zoning By-law.

5. Legal Description of the subject land:
Lot Number Block A
Plan Number/Concession Number Plan 896 & Part 1, Plan 43R-11609
Municipal Address 150 West Drive, Unit 106

6. Dimension of subject land (in metric units)
Frontage 226.55 metres
Depth 399.67 metres
Area 74,127.46 square metres

7. Access to the subject land is by:
Provincial Highway Seasonal Road
Municipal Road Maintained All Year Other Public Road
Private Right-of-Way 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 possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

Building A: 1 Storey, GrFA 19,516sqm, GFA 20,465.6sqm, L 303m, W 72.47m
 Building B: 1 Storey, GrFA 557.4sqm, GFA 557.4sqm, L 30m, W 21m
 Building C: 1 Storey, GrFA 557.88sqm, GFA 557.88sqm, L 31.5m, W 31m
 Building D: 1 Storey, GrFA 736sqm, GFA 736sqm, L 33m, W 25m
 Building E: 1 Storey, GrFA 227sqm, GFA 227sqm, L 18m, W 13.5m
 Building F: 1 Storey, GrFA 1,168sqm, GFA 1,168sqm, L 61.5m, W 20m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

N/A

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 units)

EXISTING

Front yard setback Bldg A: 42.68m, Bldg B: 258m, Bldg C: 138m, Bldg D:16.15m, Bldg E:30.58m, Bldg F: 5.24m
 Rear yard setback Bldg A: 18.6m, Bldg B: 19.43m, Bldg C: 129m, Bldg D:257.1m, Bldg E:252.8m, Bldg F: 274.5m
 Side yard setback NORTH Bldg A: 128.2m, Bldg B: 17.86m, Bldg C: 8.74m, Bldg D:23.32m, Bldg E:57.2m, Bldg F: 73.1m
 Side yard setback SOUTH Bldg A: 10.66m, Bldg B: 162.6m, Bldg C: 178.7m, Bldg D:189.2m, Bldg E:170.9m, Bldg F: 92.5m

PROPOSED

Front yard setback _____
 Rear yard setback _____
 Side yard setback _____
 Side yard setback _____

N/A

10. Date of Acquisition of subject land: _____

11. Existing uses of subject property: Commercial Plaza

12. Proposed uses of subject property: Indoor Playground being a Place of Commercial Recreation within Unit 106 of Building A

13. Existing uses of abutting properties: Commercial, Industrial, Residential

14. Date of construction of all buildings & structures on subject land: Bldg A: 1980, Bldg B: 1995, Bldg C: 2011, Bldg D: 1995, Bldg E: 1995, Bldg F: 2006

15. Length of time the existing uses of the subject property have been continued: 44yrs

16. (a) What water supply is existing/proposed?
 Municipal Other (specify) _____
 Well
- (b) What sewage disposal is/will be provided?
 Municipal Other (specify) _____
 Septic
- (c) What storm drainage system is existing/proposed?
 Sewers Other (specify) _____
 Ditches
 Swales

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes No

If answer is yes, provide details: File # _____ Status _____

18. Has a pre-consultation application been filed?

Yes No

19. Has the subject property ever been the subject of an application for minor variance?

Yes No Unknown

If answer is yes, provide details:

File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Vaughan
THIS 19th DAY OF March, 2024

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

I, Maurizio Rogato OF THE City OF Vaughan

IN THE Region OF York SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING 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

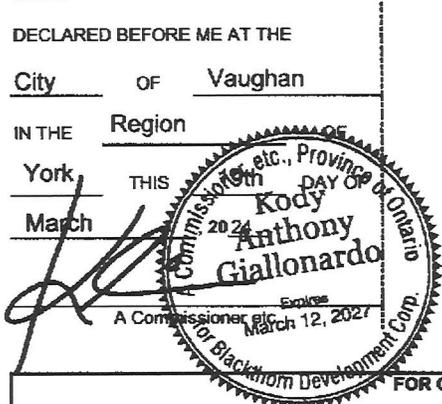
City OF Vaughan

IN THE Region

York, THIS 19th DAY OF

March

Signature of Applicant or Authorized Agent



FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

C3.411 AND M1A-163

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

AMANDA DICKIE

Zoning Officer

MARCH 21.24

Date

DATE RECEIVED

MAR 21, 2024

Date Application Deemed Complete by the Municipality

VL

APPOINTMENT AND AUTHORIZATION OF AGENT

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

LOCATION OF THE SUBJECT LAND: 150 West Drive, Unit 106

I/We, PAB 410-7 Limited Partnership c/o Kipling Realty Management Inc.
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject lands, hereby authorize

Maurizio Rogato - Blackthorn Development Corp.

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

to make application to the **City of Brampton Committee of Adjustment** in the matter of an application for **minor variance** with respect to the subject land.

Dated this 18th day of MARCH, 2024.

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

Mark Boden

(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.

NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.

PERMISSION TO ENTER

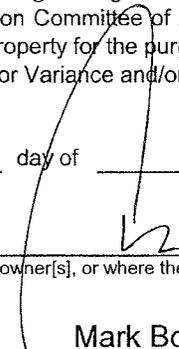
To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
coa@brampton.ca

LOCATION OF THE SUBJECT LAND: 150 West Drive, Unit 106

I/We, PAB 410-7 Limited Partnership c/o Kipling Realty Management Inc.
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 18TH day of MARCH, 2024.



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

Mark Boden

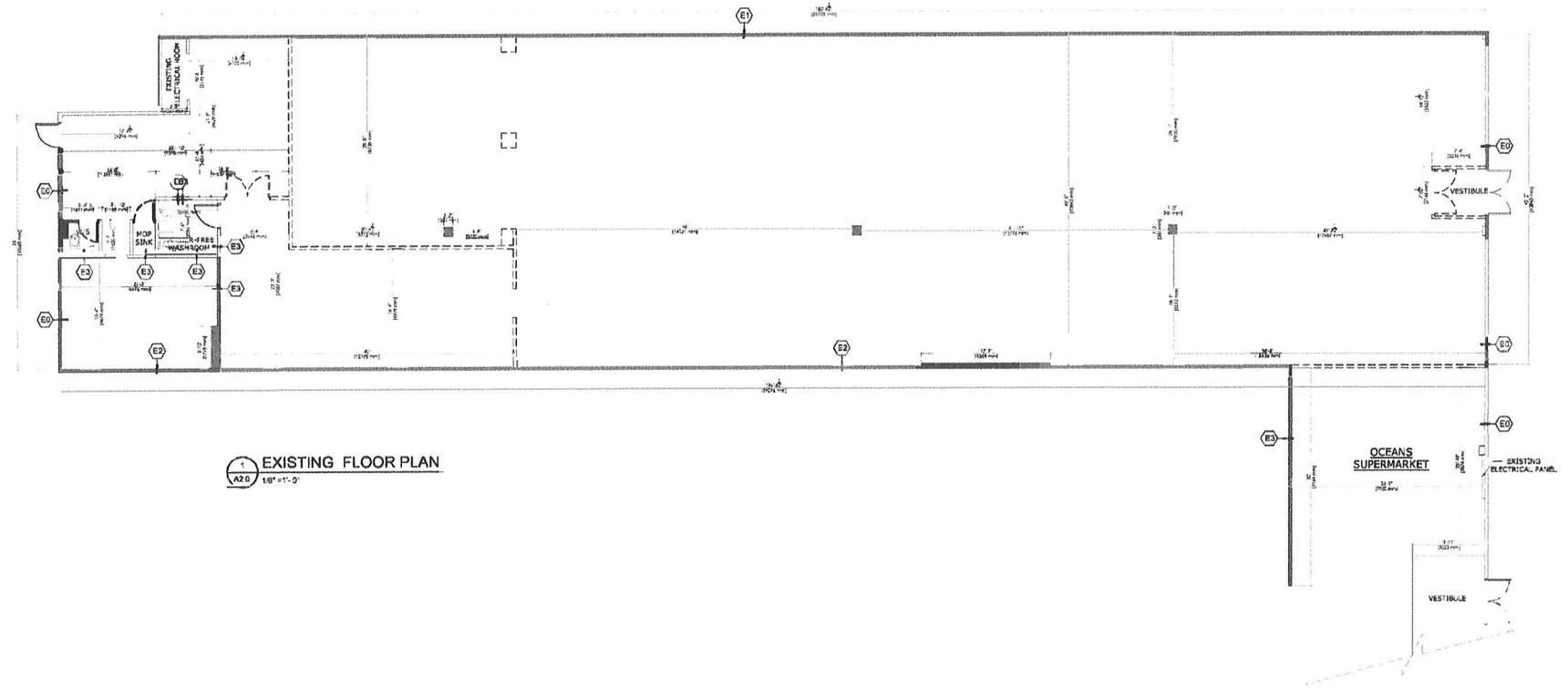
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

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

WALL SCHEDULE

		EXISTING EXTERIOR WALL
		EXISTING DEMISING WALL
		EXISTING DEMISING WALL
		EXISTING INTERIOR WALL
		NEW INTERIOR WALL - 89mm STEEL STUDS (2x4"), SPACED 400MM O.C. - 1 LAYER OF 12.7MM GYPSUM BOARD ON EACH SIDE - UP TO 12 FT
		DEMOLISHING



1 EXISTING FLOOR PLAN
A2.0 1/8" = 1'-0"

No.	Revision	Date	By
2	ISSUED FOR PERMIT	2023-11-10	
1	ISSUED FOR REVIEW	2023-11-10	

JHD Engineering Inc.

7161 Yonge Street, Unit 280
Thornhill, ON
L3T 0C7



Playground

150 West Drive Unit 1106
Brampton, ON

Project number

Drawn JH Scale AS DRAWING (Arch D)

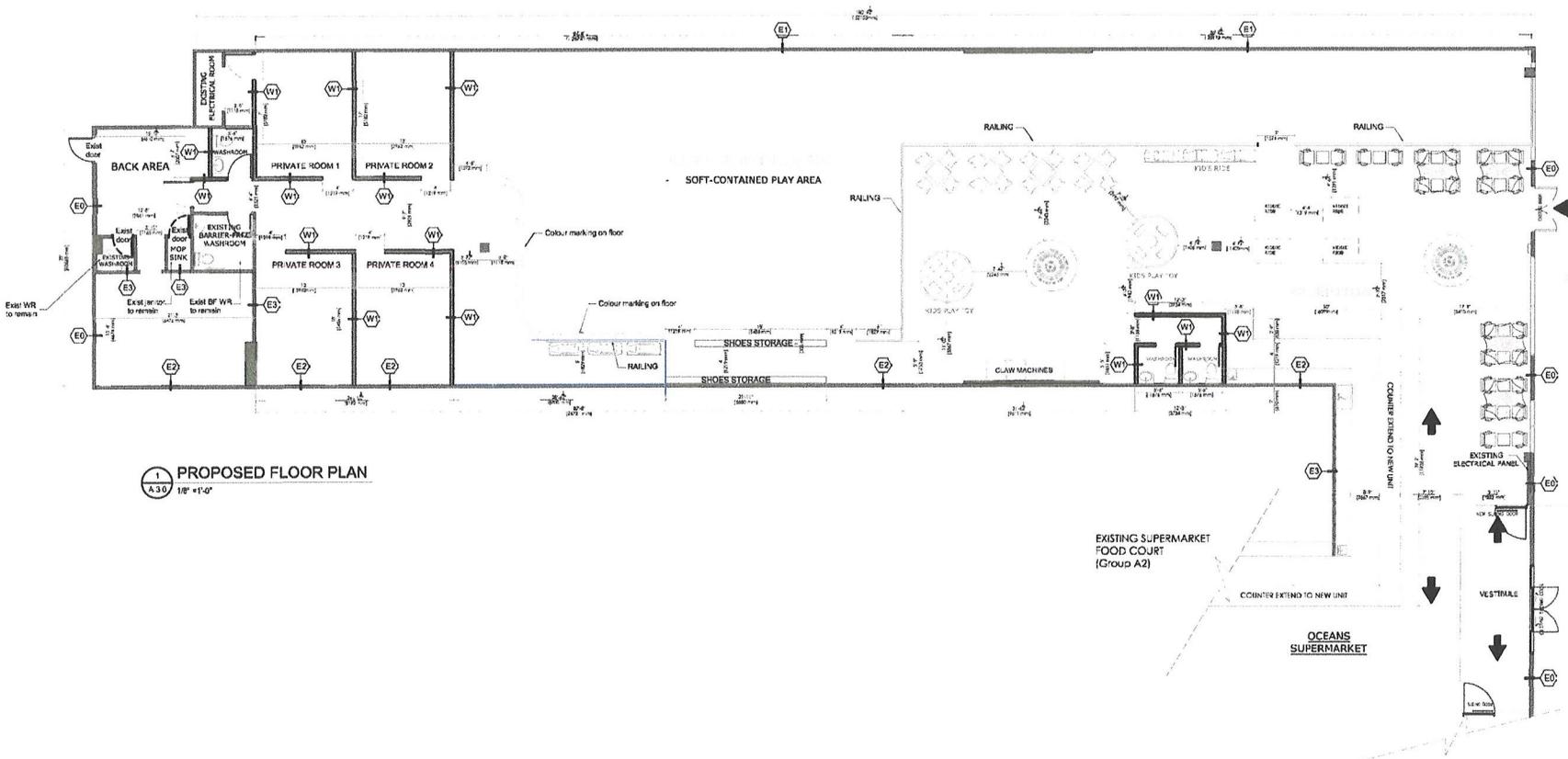
Checked JH Date Nov 2023

Existing Floor Plan - Demolishing

Drawing No.
A 2.0

WALL SCHEDULE

-  **E0**  EXISTING EXTERIOR WALL
-  **E1**  EXISTING DEMISING WALL
-  **E2**  EXISTING DEMISING WALL
-  **E3**  EXISTING INTERIOR WALL
-  **W1**  NEW INTERIOR WALL
- 89mm STEEL STUDS (2x4"), SPACED 400MM O.C.
- 1 LAYER OF 12.7MM GYPSUM BOARD ON EACH SIDE
- UP TO 12 FT
-  DEMOLISHING



1 PROPOSED FLOOR PLAN
A 3.0
1/8" = 1'-0"

No.	Revision	Date	By
2	ISSUED FOR PERMIT	2023-11-10	
1	ISSUED FOR REVIEW	2023-11-10	

JHD Engineering Inc.

7181 Yonge Street, Unit 250
Thornhill, ON
L3T 0C7



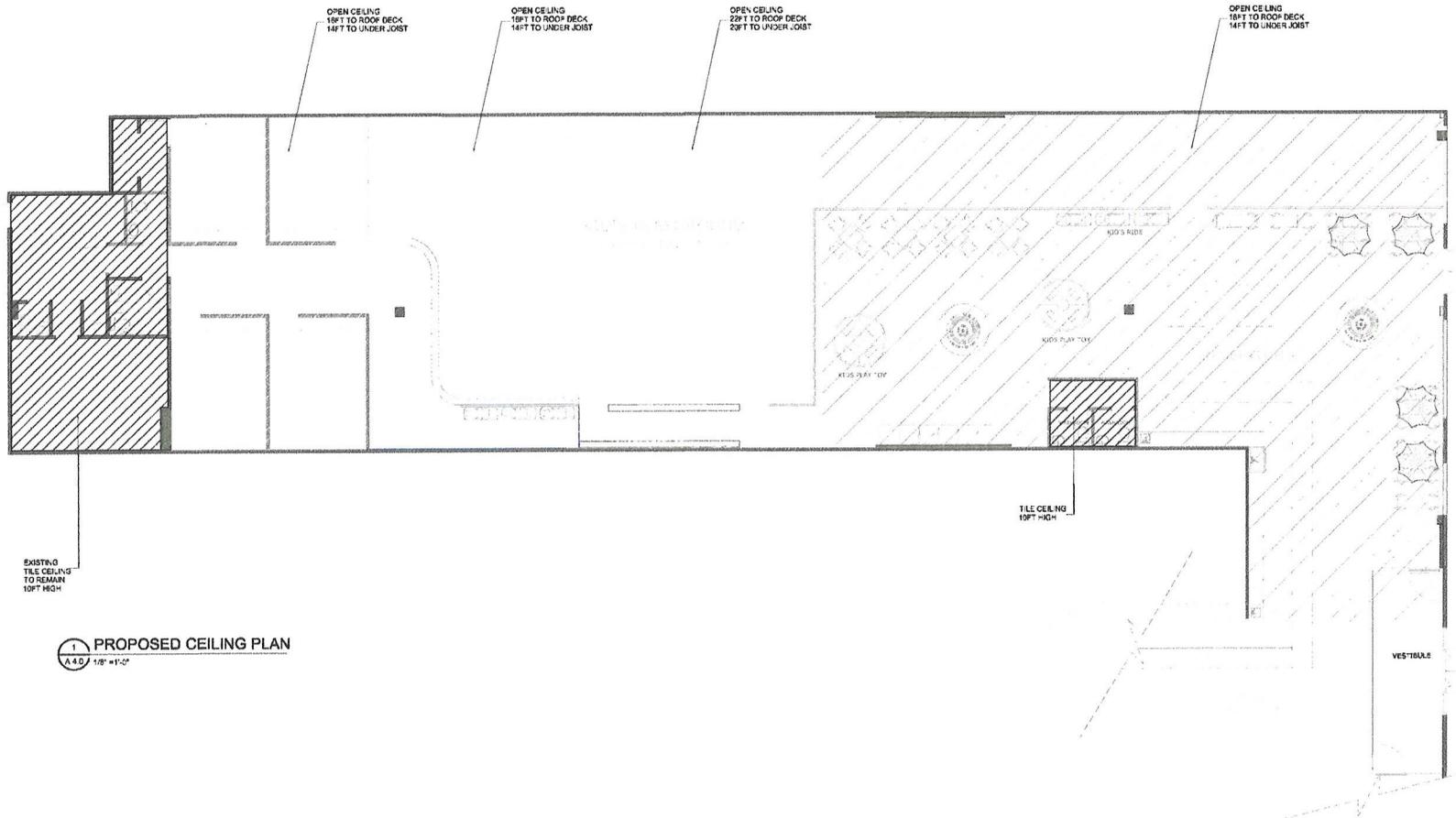
Playground

150 West Drive Unit 1105
Brampton, ON

Project number	
Drawn	JH Scale AS DRAWING (Arch D)
Checked	JH Date Nov 2023

Proposed Floor Plan

Drawing No.
A 3.0



1 PROPOSED CEILING PLAN
A4.0 1/8" = 1'-0"

No.	Revision	Date	By
2	ISSUED FOR PERMIT	2023-11-10	
1	ISSUED FOR REVIEW	2023-11-10	

JHD Engineering Inc.

7181 Yonge Street, Unit 290
Thornhill, ON
L3T 0C7



Playground

150 West Drive Unit 105
Brampton, ON

Project number

Drawn *JH* Scale AS DRAWING (Arch D)

Checked *JH* Date Nov 2023

Proposed Ceiling Plan

Drawing No.
A4.0



March 21, 2024

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

**Attention: Ms. Clara Vani, Legislative Coordinator, Secretary Treasurer,
Committee of Adjustment**

RE: Application for Minor Variance
150 West Drive, Building A, Unit 106
Tax Assessment Roll No. 10-09-0-023-08010-0000, Ward 3
Block A, Plan 896 & Part 1, Plan 43R-11609
City of Brampton, Region of Peel

Dear Madam,

In accordance with the *Planning Act*, as amended, our office is pleased to submit a Minor Variance Application to seek relief from the *City of Brampton Zoning By-law No. 270-2004*, as amended.

The proposed Minor Variance Application seeks permission to permit the following:

1. To permit an **Indoor Playground** being a **Place of Commercial Recreation within Unit 106** of an existing Multi Unit Commercial Building whereas the Zoning By-law does not permit the noted Place of Commercial Recreation, within the noted location per Section 411 of the Zoning By-law.

Relief from the Zoning By-law is required as the above-mentioned Place of Commercial Recreation is not permitted in accordance with the existing use permissions applicable to the above captioned land, zoned 'Commercial C3-Section 411' per the *City of Brampton Zoning By-law No. 270-2004*, as amended.

BLACKTHORN DEVELOPMENT CORP.

Property Location & Description

The lands subject to the enclosed Minor Variance Application are located within the City of Brampton, forming part of Ward 3, and located west of West Drive, east of Highway 410, south of Queen Street East, and Clark Blvd. (“*Subject Lands*”).

The Subject Lands contain six (6) existing commercial structures including a Multi Unit Commercial Structure and associated surface parking with existing Site Accesses from Queen Street East and two accesses from West Drive.

The Subject Lands are serviced by existing municipal water and wastewater services.

The Subject Lands are municipally addressed as 150 West Drive and legally described as Block A, Plan 896 & Part 1, Plan 43R-11609.

The Subject Lands have a total Site Area of approximately 7.41 Hectares (18.3 Acres).

The proposed Minor Variance pertains to Unit 106 within the existing Multi Unit Commercial Building, unit of which has a Total Gross Floor Area (GFA) of approximately 827 Square Metres and the Building having a total GFA of approximately 20,465.6 Square Metres (220,297 Square Feet).

Units 104 and 105 are presently being utilized as a Grocery Store (e.g., *Oceans Supermarket*) and the proposed Minor Variance will facilitate the expansion of the existing use into Unit 106, while permitting an Indoor Playground for patrons to use within Unit 106.

The Subject Lands have a total of 1,035 Surface Parking Spaces with 600 Parking Spaces attributed to the Multi Unit Commercial Building, shown as Building ‘A’ on the enclosed Site Plan.

Immediate, surrounding land uses include existing residential dwellings to the north of the Subject Lands, existing commercial and industrial uses to the east, existing industrial uses to the south, along with Highway 410 to the west of the Subject Lands.

Existing Land Use Policies & Regulations

The Subject Lands are subject to Provincial Plans and Policies including *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020 Consolidation)* and *Provincial Policy Statement, 2020*.

BLACKTHORN DEVELOPMENT CORP.

The Subject Lands are located within the City's Central Area and designated 'Residential' per the *City of Brampton Official Plan* and 'Central Area Mixed Use' per the *City of Brampton Queen Street Corridor Secondary Plan Area 36*.

The Subject Lands are zoned 'Commercial C3-Section 411' per the *City of Brampton Zoning By-law No. 270-2004*, as amended.

Proposed Minor Variance

As mentioned, the enclosed Minor Variance Application seeks relief from the *City of Brampton Zoning By-law No. 270-2004*, as amended.

Specifically, the enclosed Minor Variance Application seeks permission to permit the following:

1. To permit an **Indoor Playground** being a **Place of Commercial Recreation within Unit 106** of an existing Multi Unit Commercial Building whereas the Zoning By-law does not permit the noted Place of Commercial Recreation, within the noted location per Section 411 of the Zoning By-law.

As mentioned, the proposed Minor Variance will facilitate the expansion of the existing use into Unit 106, while permitting an Indoor Playground for patrons to use within Unit 106.

Planning Justification

The proposed Minor Variance Application represents minor departures from the Zoning By-law, maintains the general intent of the Zoning By-law, meets the general intent of the Official Plan, are minor in nature and are representative of an appropriate use of the Subject Lands.

Purpose and General Intent of Official Plan:

Section 4.1 of the *City of Brampton Official Plan* outlines the Objectives and Policies applicable to the Central Area. Per Section 4.1.2 a full range of uses are permitted, within the Central Area including commercial and entertainment uses. Presently, the Subject Lands are being utilized for commercial use and the request to permit an Indoor Playground being a Place of Commercial Recreation, within Unit 106, will help sustain the continued use of the Subject Lands including the expansion of the existing Supermarket use.

Further, Section 4.2.1 of the Official Plan states that the Residential designations shown on Schedule "A" permit predominantly residential land uses including a full range of dwelling types with Complimentary Uses, permitted, such as commercial uses.

BLACKTHORN DEVELOPMENT CORP.

In accordance with the *Queen Street Corridor Secondary Plan Area 36*, the Subject Lands are designated as 'Central Area Mixed Use' being within Community Improvement Area and Special Study Area No. 2.

The Secondary Plan recognizes the existing commercial uses and their function within the community. The proposed Minor Variance will sustain the continued use of the Subject Lands for commercial uses, notably a Supermarket within an existing Multi Unit Commercial Building. The addition of an Indoor Playground being a Place of Commercial Recreation is a complimentary use to the existing Supermarket which is proposed to be expanded to permit the Indoor Playground for use by patrons.

Accordingly, the requested variance supports the continued use of the Subject Lands, as intended, being a mix of commercial uses within the Central Area and therefore, the proposed Minor Variance conforms to the general intent of the Official Plan including the applicable Secondary Plan.

Purpose and General Intent of the Zoning By-law:

As mentioned, the Subject Lands are zoned 'Commercial C3-Section 411' per the *City of Brampton Zoning By-law No. 270-2004*, as amended.

The applicable zoning provisions do not permit an Indoor Playground being a Place of Commercial Recreation, as defined, within the Zoning By-law.

Accordingly, relief is required, from the Zoning By-law requirements to permit the Indoor Playground or Place of Commercial Recreation is required.

The applicable site-specific zone permits a wide range of Commercial uses including the existing Supermarket, presently located within Unit 104 and 105. The addition of an Indoor Playground will facilitate the expansion of the Supermarket into the adjacent Unit (*e.g., Unit 106*). The use is complimentary to the existing Commercial use and will permit the children of patrons to use the Indoor Playground. The enclosed Floor Plan includes typical programming of an Indoor Playground including seating, play areas with rides and play equipment, storage, and individual rooms.

The Subject Lands has sufficient surface parking to accommodate both the existing uses and proposed minor addition of the proposed Indoor Playground or of Commercial Recreation.

Being located within the Central Area, the Subject Lands do not have a minimum parking requirement per amending By-law No. 259-2020.

BLACKTHORN DEVELOPMENT CORP.

Further, the proposed use will be reviewed as part of an Interior Alteration Permit, assuring all structural, mechanical and safety requirements are properly implemented for the playground.

Accordingly, the proposed Minor Variance maintains the general intent and purpose of the Zoning By-law with no demonstratable, adverse impacts onto adjacent uses arising from the proposed Indoor Playground within the existing Multi Unit Commercial Building.

Desirable and Appropriate Development of Land:

The proposed Minor Variance does not pose adverse impacts to the surrounding land uses or the existing commercial uses within the plaza.

As mentioned, the addition of an Indoor Playground being a Place of Commercial Recreation is a complimentary use to the existing Supermarket, which is proposed to be expanded to permit the Indoor Playground for use by patrons.

Accordingly, the proposed Minor Variances represent appropriate use of the Subject Lands sustaining the existing Supermarket, by adding a complimentary use for children of shopping patrons.

Minor in Nature:

The proposed Minor Variance is representative of a minor departure from the Zoning By-law permitted use(s) requirements, in that, the applicable Zone permits a wide range of commercial uses and the addition of a Place of Commercial Recreation, as an Indoor Playground, is complimentary to the existing uses including the Supermarket which will be expanded to incorporate the Indoor Playground for children of shopping patrons to utilize.

Accordingly, the proposed Minor Variances are minor in nature and pose no adverse impacts to the Subject Lands or surrounding area.

Based on the above, applicable policies and regulations, it is my professional opinion the proposed Minor Variance Application is representative of good land use planning and conforms to the test set out within the *Planning Act*.

Submission Items

In support of a complete application for the enclosed Minor Variance Application, our office is pleased to provide the following Submission Requirements:

BLACKTHORN DEVELOPMENT CORP.

- One (1) copy of this Cover Letter, as prepared by the undersigned.
- One (1) original copy of a fully completed Minor Variance Application Form including Agent Authorization Form and Permission to Enter Form, as prepared by the undersigned and executed by the Registered Owner.
- Two (2) copies of a Site Plan, sized at 8.5 x 14, depicting the Entire Site including all existing buildings, a Site Plan including a Key Plan depicting Building A, Existing Floor Plan of Units 104 and 105 (*Supermarket*), Existing Floor Plan and Proposed Floor Plan and Ceiling Plan of Unit 106 (*Indoor Playground Expansion*), as prepared by Petroff Partnership Architects and JHD Engineering Inc.
- One (1) cheque in the amount of **\$2,838.00** made payable to Treasurer, City of Brampton and representing the required Application Fee.

End of Submission Items enclosed.

Committee of Adjustment Hearing & Public Notice

It is respectfully requested the enclosed Minor Variance Application be considered at the **April 23rd, 2024**, Committee of Adjustment Hearing.

Please contact the undersigned to provide any comments and Public Notice requirements for the enclosed Minor Variance Application.

Your attention regarding the processing of the enclosed Minor Variance Application is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,
BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Principal

Copy:

Client.

Zoning Non-compliance Checklist

File No.
A-2024-0095

Applicant: PAB 410-7 Limited Partnership c/o Kipling Realty Management Inc.

Address: 150 West

Zoning: C3-411 AND M1A-163

By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit a place of commercial recreation (indoor playground)	Whereas the By-law does not permit the use.	411.1
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR			
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
BELOW GRADE ENTRANCE			
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
PARKING			
SCHEDULE "C"			

AMANDA DICKIE
Reviewed by Zoning

MARCH 21.24
Date