

Notice of Refusal of Application to Amend the Zoning By-law, Bousfields Inc., c/o Litwillow Holdings Ltd., 2 Bartley Bull Parkway, Ward 3, File: OZS-2021-0010

Date of Decision: June 26, 2024
Date of Notice: July 9, 2024
Last Date of Appeal: July 29, 2024

On the date noted above, the Council of the Corporation of the City of Brampton refused an application to amend the Zoning By-law under section 34 (10.9) of the *Planning Act*, RSO 1990 c.P.13, pursuant to an application by Bousfields Inc., c/o Litwillow Holdings Ltd., 2 Bartley Bull Parkway, Ward 3, File: OZS-2021-0010, for the following reasons:

- a. The proposed development is not compatible with the surrounding character of the existing built form,
- b. The size and scale of the proposed development will have undue traffic impact to the existing community taking into account the already approved developments just west of this proposed site,
- c. The development will have a negative effect on the ecosystem of Kiwanis Memorial Park and the Etobicoke Creek,
- d. The scale and massing of the proposed development does not fit within the existing street context.

An explanation of the purpose and effect of the proposed amendments is provided. The decision of Council is final if a notice of appeal is not received on or before the last day for filing an appeal.

The Purpose and Effect: to amend the zoning destination of the lands from 'Highway Commercial One, Section 3132' (HC1-3132), which permits a restaurant or take-out restaurant with prescribed development standards, to 'Residential Apartment B – Section 3132' (R4B-3132) and 'Open Space' (OS), to permit high-rise residential development with ground floor commercial uses and green space adjacent to the existing Kiwanis Memorial Park respectively.

Location of Lands Affected: east of Main Street South and north of Bartley Bull Parkway, legally described as Part of Lot 621, Registered Plan 695, and municipally known as 2 Bartley Bull Parkway.

Obtaining Additional Information: The complete background materials are available for inspection in the City Clerk's Office during regular office hours, or online at www.brampton.ca. Further enquiries or questions should be directed to Edwin Li, City of Brampton, Planning, Building and Growth Management, Edwin.Li@Brampton.ca.

Any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the *Planning Act*, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter.

A person or public body that requested an amendment to the Official Plan and Zoning By-law of the City of Brampton may appeal the refusal of the requested amendments to the Ontario Land Tribunal (OLT) in respect of all or any part of the requested amendments by filing a notice of appeal with the Clerk of the City of Brampton, **no later than July 29, 2024**.

An appeal form is available from the OLT website at

<https://olt.gov.on.ca/tribunals/lpat/forms/>

The Notice of Appeal must:

- (1) set out the reasons for appeal; and,
- (2) be accompanied by the fee required by the OLT in the amount of \$1,100.00, each payable by certified cheque or money order to the Minister of Finance, Province of Ontario. A copy of the Fee Schedule may be found at <https://olt.gov.on.ca/tribunals/lpat/lpat-process/fee-chart/>.

No person or public body shall be added as a party to the hearing of the appeal unless, before the requested Zoning By-law amendment was refused, the person or public body made oral submissions at a public meeting, if any, or written submissions to the council or, in the opinion of the OLT there are reasonable grounds to add the person or public body as a party.

Notice of Appeal may hand delivered to:

City of Brampton
Office of the City Clerk
2 Wellington St. W.,
Brampton, ON L6Y 4R2
905.874.2114