



For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2023-0374

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)** Suncor Energy Inc.
Address 3275 Rebecca S., Oakville

Phone # 416-892-5446 **Fax #** _____
Email gkerr@suncor.com

2. **Name of Agent** Glen Schnarr & Associates Inc. (c/o Frank Marzo)
Address 10 Kingsbridge Garden Cir Suite 700, Mississauga, ON L5R 3K6

Phone # 416-628-4522 **Fax #** _____
Email frankm@gsai.ca

3. **Nature and extent of relief applied for (variances requested):**
a variance to allow the the completion of a previously aproved Drive thru facility
- drive thru facility not completely constructed at the time of site plan aproval
-the zoning by-law was updated and drive thru use is no longer permitted (new or expansion)

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

5. **Legal Description of the subject land:**
Lot Number PT LT 6
Plan Number/Concession Number CON 2 EHSCH AS IN R0756157 - PT 1, 43R24179 AS IN PR52192
Municipal Address 354 Queen Street E.

6. **Dimension of subject land (in metric units)**
Frontage 60.69 meters (199 feet)
Depth 112.77 meters (370 feet)
Area 0.65 ha (1.62ac)

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.)

Series 2000 Gas Bar - Building Dimensions 18.2m x 11.9m - GFA 217 sq m (2,335 sq ft)
Car Wash - Building Dimensions 30.5 x 9.1m - GFA 278.7 sq m (2,999.9 sq ft)
Refuse Enclosure 2.9m x 6.9m - GFA 20.01 sq m (215 sq ft)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No new buildings or structures are proposed on the site.
Temporary sod and existing curbs to be removed and replaced by asphalt to facilitate the approved drive-thru (Approved Plan, SP00-10), with additions of restaurant board menu, traffic signage, and drive-thru window previously roughed in during original construction.

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	3.0 meters
Rear yard setback	24.362 meters
Side yard setback	3.024 meters (Red Lobster side)
Side yard setback	0.927 meters (McDonalds side)

PROPOSED

Front yard setback	Unaltered
Rear yard setback	Unaltered
Side yard setback	Unaltered
Side yard setback	Unaltered

10. Date of Acquisition of subject land: Jun 19th, 1986
11. Existing uses of subject property: Commercial Use - Gas Bar and Drive-Thru car wash
12. Proposed uses of subject property: addition of drive-thru restaurant already established in approved 2001 site plan
13. Existing uses of abutting properties: Drive-thru restaurant (McDonalds), Restaurant (Red Lobster)
14. Date of construction of all buildings & structures on subject land: 2001
15. Length of time the existing uses of the subject property have been continued: 22 years

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 _____

DATED AT THE City of Toronto OF Toronto
THIS 14 DAY OF November, 2023

Signature of Applicant(s) or Authorized Agent

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, K. S. Amore OF THE City OF Toronto
IN THE City OF Toronto 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
Town OF Richmond Hill
IN THE Province OF
Ontario THIS 14th DAY OF
November, 2023

A Commissioner etc.

Josh Malkin

Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

QMUT

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

JOHN C. CABRAL

Zoning Officer

2023-11-22

Date

DATE RECEIVED

Nov 23, 2023

VL

Revised 2020/01/07

APPOINTMENT AND AUTHORIZATION OF AGENT

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

LOCATION OF THE SUBJECT LAND: 354 Queen Street East, Brampton, ON

I/We, _____

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

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

Glen Schnarr & Associates Inc. (c/o Frank Marzo)

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 19 day of December, 2023.

[Signature]

(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.

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

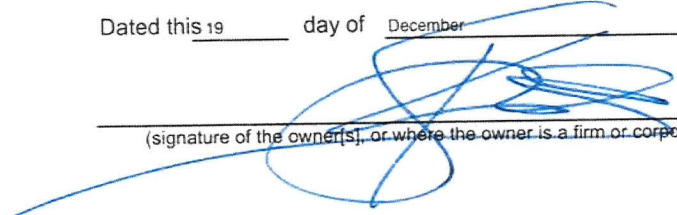
LOCATION OF THE SUBJECT LAND: 354 Queen Street East, Brampton, ON

I/We, Suncor Energy.

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 19 day of December, 2023.


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

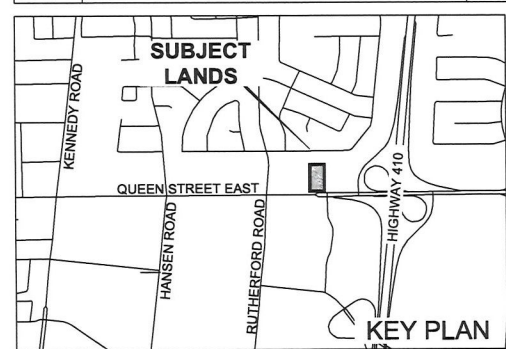
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

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



QUEEN STREET EAST



MINOR VARIANCE SKETCH
IGP REALTY ADVISORS INC.

354 QUEEN STREET EAST
PART OF LOT 6, CONCESSION 2, EHSCH.
CITY OF BRAMPTON
REGION OF PEEL

Required Variances:

1. That the subject lands, subject to the 'Queen Street Mixed Use Transition' (QMUT) zone be permitted to allow the site alteration of subject lands to facilitate the pre-existing stacking lane designed for drive-through restaurant driveway; whereas the Zoning By-law does not allow the expansion of a drive-through stacking lane in this instance.



SCALE 1:1,000
NOVEMBER 14, 2023

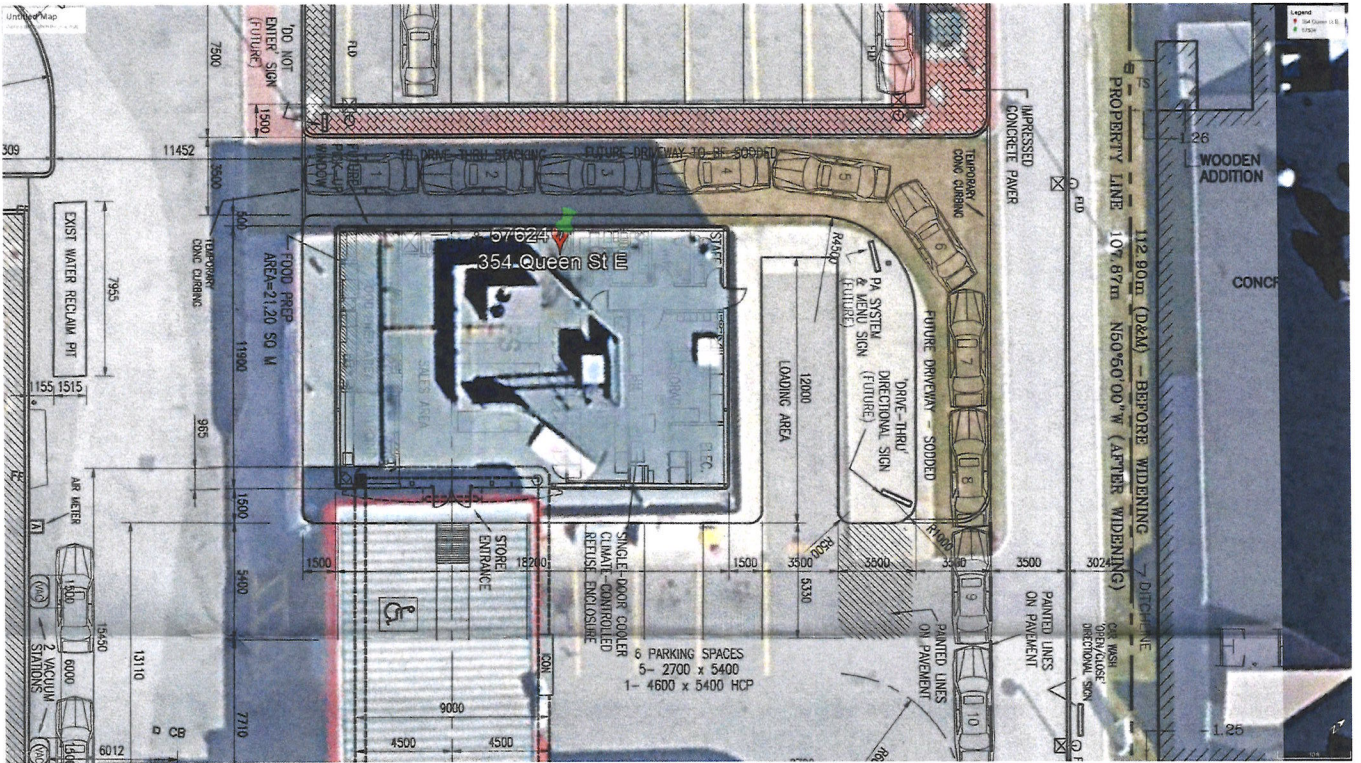


FIGURE 1
ERIN MILLS MAJOR TRANSIT
STATION AREA

5100 ERIN MILLS PARKWAY
BLOCK 1, PLAN 43M823
CITY OF MISSISSUAGA , REGIONAL MUNICIPALITY OF PEEL

LEGEND
[Dashed Line] Subject Lands


SCALE NTS
OCTOBER 10, 2023

Partners:

Glen Broll, MCIP, RPP
Colin Chung, MCIP, RPP
Jim Levac, MCIP, RPP
Jason Afonso, MCIP, RPP
Karen Bennett, MCIP, RPP

In Memoriam, Founding Partner:
Glen Schnarr

November 14, 2023

GSAI File: 1560-002

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

Attention: Clara Vani
Secretary Treasurer

RE: Submission of Minor Variance Application
SUNCOR ENERGY INC.
354 Queen Street East
City of Brampton, Regional Municipality of Peel
File No.: SPA-2023-0024

Glen Schnarr & Associates Inc. (GSAI) are the authorized agents and planning consultants for Suncor Energy Inc., owners of the property municipally addressed as 354 Queen Street East (the "subject property"). On behalf of our client, we are pleased to submit this application for Minor Variance to seek relief of the of the 'Queen Street Mixed Use Transition (QMUT)' zone in the City of Brampton Zoning By-law 270-2004.

Suncor Energy Inc. originally filed a site plan application (SP00-10) which was approved on January 9th, 2001 to facilitate the development of a Gas Bar, Drive-through and Car Wash. That site plan indicates that the drive-through stacking lane would be temporarily sodded for the future development of a restaurant drive-through driveway. Suncor Energy Inc. is proposing the minor variance application to seek zoning relief from the 'Queen Street Mixed Use Transition' (QMUT) zone to facilitate the continuation of the site plan agreement established in 2001.

Site Description

The subject property is municipally addressed as 354 Queen Street East, located on the north side of Queen Street East, generally south of the intersection of Queen Street West and highway 410 in the City of Brampton. The subject property has a frontage of approximately 60.69 meters (199 feet) along Queen Street East, a depth of

approximately 112.77 meters (370 feet) and a total site area of approximately 0.65 ha (1.62 ac).

The subject property is located in the City's 'Built Boundary' and designated 'Central Area' in the City of Brampton Official Plan and 'Central Mixed Use' in the Queen Street Corridor Secondary Plan (SPA 36). Additionally, the subject property is zoned 'Queen Street Mixed Use Transition' (QMUT) in the City of Brampton Zoning Bylaw (270-2004) and is currently occupied with three (3) structures, a car wash, a gas bar convenience store and garbage refuse enclosure.

Proposal – Completion of Site Plan Agreement PR55210 (March 14, 2001)

Suncor Energy Inc. filed a site plan application (SPA-2023-0024) on February 13, 2023 to the site alteration of the existing temporary sod, curbs and interior renovation of existing gas bar/convenience store. The site alteration would remove existing sod and curbs which were installed as temporary landscaping as per the approved site plan (SP99-10). The temporary sod/curbs would be replaced by asphalt and curbs which would facilitate the operation of the existing drive-through lanes. Further installations of a drive-through window and signage for traffic direction, commercial operations, would be added on the site.

Proposed Variances

Suncor Energy Inc. is proposing the following variances under the 'Queen Street Mixed Use Transition' (QMUT) parent zone to facilitate:

- 1. That the subject property, subject to the 'Queen Street Mixed Use Transition' (QMUT) zone, be permitted to allow the site alteration of subject lands to facilitate the pre-existing stacking lane designed for drive-through restaurant driveway; whereas the Zoning By-law does not allow the expansion of a drive-through stacking lane in this instance.*

Planning Rationale for Proposed Variances

Section 45(1) of the Planning Act, as amended, identifies the four tests which must be satisfied for the Committee to approve this application. The following section provides an analysis demonstrating how the variances satisfies these tests.

- 1. The variance maintains the general intent and purpose of the Official Plan.*

The subject property is within the Official Plan 'Central Area' designation and designated within the Queen Street Corridor secondary plan as 'Central Mixed use'. The objectives of both these planning documents are to promote the intensification of the subject property and the surrounding area for redevelopment with a mix of residential, retail and commercial uses as a prime location for live, work and play. The proposed minor variance is for the completion of a pre-existing drive-through use that is to be for a

temporary period until such time as the gas bar is no longer able to operate once the life cycle of the existing gas tanks runs out. Therefore, the existing gas bar and completion of the drive-through are not intended to be long-term uses that do not achieve the objectives of the secondary plan but rather currently exist maintaining the general intent of transition of the Central Area. Section 4.1 of the Brampton Official Plan speaks to the existing character of the Central Area east of Kennedy Road being dominated with retail, highway commercial and automotive related uses and therefore recognizing transition uses to realize the future vision of the Central Area in this location. Furthermore, the policies contained in Section 9 of the Plan are intended to manage the transition within this portion of the Corridor and ensure existing uses may continue without compromising the full transformation of this important corridor into a vibrant, mixed-use centre.

On this basis, in our opinion, all of the current and previously proposed uses are permitted within the official plan designation. The proposed minor variance is to allow the completion of the drive-through approved during the original site plan in 2001. This application will neither extend or enlarge the building or alter the existing uses and will provide adequate parking plus car drive-through stacking as per approved site plan (SP00-10) (Official Plan 5.18.4 (i)(ii)(v)).

Since the time of the original site plan approval in 2001, there have been extensive changes to the municipal legislation limiting the additions of drive-through uses in this neighborhood. To provide stability to businesses, the Official Plan sets forth policy direction which gives consideration to plans which have been previously approved specifically policy 5.18.5 (i) 'the proposed zoning is considered in relation to the economic life of the use;' as the client aims to redevelop the property in line vision of the area once the 'economic life of use' of the gas station has come to an end which is an estimated to be within the next ten (10) years. It is our understanding that at that time Suncor is committed to working with the City of Brampton to realize the long-term vision of the subject property as part of the Central Area Mixed-Use corridor.

The Queen Street Corridor secondary plan (36) further details how the Central Area of the Official Plan will be developed over time. Section 1.7 sets out transition policies of low-rise commercial for the area generally located between Highway 410 and Etobicoke Creek which speak to allowing expansions to commercial use buildings if the expansion does not compromise future road works, site consolidation, maintains proper setbacks, ensuring adequate site circulation is maintained and no impact adjacent uses. This application does not set to expand the existing commercial building and conforms with the aforementioned policies.

Furthermore, the secondary plan sets out to restrict the construction of new or expanding drive-through uses (9.1.2.d). This iteration of the secondary plan was passed in November 2019; the proposed minor variance seeks to construct a drive-through restaurant which was already partially installed (roughed-in) at the time of construction, as outlined in the site plan approved in 2001 (Figure 1).

2. The variance maintains the general intent and purpose of the Zoning By-law.

This application is a housekeeping amendment to realize the full intent of the original development plans for a gas bar use with a drive-through facility. Notwithstanding prohibition on drive-through facilities in the Zoning By-law 270-2004 section 29.3.2.iv which lists drive-through facilities as a prohibited use, the proposed minor variance is not proposing a new facility therefore should only be held to the policy 29.3.3.k which restricts the expansion of the number of stacking lanes or spaces as existed. Which as per the approved 2001 site plan is ten (10) vehicle stacking spaces.

The general intent of the Zoning By-law has been met as no new drive-through facilities or expansion of facilities are being constructed, all other uses proposed on the site conform with the Zoning By-law.

3. The variance is desirable for the appropriate development or use of the land.

The minor variance is appropriate for the subject property for the following reasons:

- Allowance of this variance will allow the economic potential of the site to be fulfilled for the remainder of the life cycle of the gas bar (less than 10 years)
- The transition of the Queen Street Corridor has only begun, and the adjacent uses will not be redeveloped for some time
- The proposed change is appropriate and compatible with the adjacent existing land uses
- The location of a drive-through take-out restaurant attached to a gas bar is appropriate for customers seeking to meet their daily needs while travelling longer distances adjacent to a 400-series highway and major arterial road and prevents further traffic filtering deeper into communities to find such quick service take-out services

4. The variance is minor in nature.

Yes, the application remains minor in nature due to the lack of increasing of GFA, and application is to complete a previous approved application for which uses are still permitted.

Conclusion

In conclusion, it is our opinion that the proposed minor variance application to permit the previously approved drive-through use on the subject property as it meets the intent of the transitional policies in the Official Plan and Secondary Plan, does not propose a new drive-through use, which is prohibited in the Zoning by-law, is desirable and

appropriate for an existing gas bar and car wash use and is minor in nature whereby existing landscaping and curbing will be removed to complete a previously roughed in drive-through lane.

Application Materials:

In support of the Minor Variance Application, please find enclosed the following materials:

- One (1) copy of the Cover Letter, prepared by Glen Schnarr and Associates Inc., dated November 14, 2023;
- One (1) copy of Minor Variance Sketch, prepared by Glen Schnarr and Associates Inc., dated November 14, 2023;
- One (1) copy of Minor Variance Application Form, prepared by Glen Schnarr and Associates Inc., dated November 14, 2023

We trust that these materials are sufficient for Staff's review and look forward to being considered for the December 19, 2023, hearing date. Please contact the undersigned should you require additional information or wish to clarify anything contained in this application.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



Frank Marzo, MCIP, RPP
Associate



**SUNCOR ENERGY PRODUCTS
PARTNERSHIP**
3275 Rebecca Street
Oakville, ON L6L 6N5
Tel: ((905) 954-0865

June 16, 2023

TO: City of Brampton

RE: Authorization – 354 Queen Street East

This letter is to inform you that I.G.P. Realty Advisors Inc., have been retained by Suncor Energy as our agent(s) to Make such applications as may be required on our property at 354 Queen Street East to allow for the opening of the drive thru and other application as they may be necessary.

This letter shall serve as full authorization in all matters relating to the development of the property.

Yours truly,

SUNCOR ENERGY PRODUCTS PARTNERSHIP

Graeme Kerr
Manager - Real Estate & Development – Ontario
gkerr@suncor.com

Zoning Non-compliance Checklist

File No.
A-2023-0374

Applicant: SUNCOR ENERGY, INC
Address: 354 Queen St E, Brampton, ON L6V 1C3
Zoning: QMUT
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit an associated drive through facility.	Whereas the by-law prohibits a drive-through facility associated with any use.	29.3.2.a.
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BELOW GRADE ENTRANCE			
SETBACKS			
BUILDING HEIGHT			
OUTSIDE STORAGE			
LOT COVERAGE			
DRIVEWAY			
FENCE HEIGHT			
ACCESSORY STRUCTURE HEIGHT			
ACCESSORY STRUCTURE SETBACK			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE			
GARAGE DOOR HEIGHT			

John C. Cabral
Reviewed by Zoning

2023-11-22
Date