

FILE NUMBER: A-2023-0378

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) ADA Pet Holdings Ltd.

Address

Phone # Refer to Agent

Fax #

Email Refer to Agent

2. Name of Agent ARCADIS C/O Zara Altakawee

Address

Phone # 647-936-2685

Fax #

Email zara.altakawee@arcadis.com

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

McDonald's Restaurants of Canada Ltd. seeks permission for a 10.4 square-meter building expansion that extends beyond the designated building envelope.

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

Compliance with the by-law is not feasible due to the expansion's location, which extends beyond the specified building envelope requirements.

5. Legal Description of the subject land:

Lot Number PT LT 6 CON 6 EHS CHINGUACOUSY PTS 1, 2 & 3, 43R10152; S/T INTEREST, IF ANY, IN RO622032 ; S/T RO619499,RO845508 BRAMPTON. T/W EASEMENT OVER PT LT 6, CON 6 EHS CHING DES PTS 1 & 2 PL 43R31748, AS IN PR1597505

Plan Number/Concession Number

Municipal Address 2450 Queen Street E, Brampton ON

6. Dimension of subject land (in metric units)

Frontage 2121.92 sm

Depth 66.77 m

Area 8,086.51 sq.m

7. Access to the subject land is by:

Provincial Highway ☒

Municipal Road Maintained All Year ☒

Private Right-of-Way ☐

Seasonal Road ☐

Other Public Road ☐

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.)

An existing McDonald's restaurant with drive-thru, with a total GFA of 623.06 squared-meters.

It is 1 storey tall, with a lot width of 121.90 m² and a frontage of 2121.92 m²

PROPOSED BUILDINGS/STRUCTURES on the subject land:

A 10.4 square-meter building expansion

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	16.94m
Rear yard setback	11.09m
Side yard setback	30.63m
Side yard setback	68.50m

PROPOSED

Front yard setback	16.94m
Rear yard setback	11.09m
Side yard setback	30.63m
Side yard setback	68.50m

10. Date of Acquisition of subject land: Prior to 2003

11. Existing uses of subject property: McDonald's Restaurant with Drive-thru

12. Proposed uses of subject property: McDonald's Restaurant with Drive-thru

13. Existing uses of abutting properties: Tim Hortons on the South and a Dine-in Restaurant on the North

14. Date of construction of all buildings & structures on subject land: Between April 2024

15. Length of time the existing uses of the subject property have been continued: 20+ Years

16. (a) What water supply is existing/proposed?

Municipal☒

Well☐

Other (specify)

(b) What sewage disposal is/will be provided?

Municipal☒

Septic☐

Other (specify)

(c) What storm drainage system is existing/proposed?

Sewers☒

Ditches☐

Swales☐

Other (specify)

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 _____

Zara Altakawee
Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Hamilton

THIS 6th DAY OF November, 2023.

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, ARCADIS C/O ZARA ALTAKAWEE, OF THE City OF Waterloo
IN THE Region OF Kitchener - Waterloo 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 Hamilton

IN THE Region OF

Hamilton THIS 6th DAY OF

November, 2023.

[Signature]
A Commissioner etc.

Jared Vail Marcus, a Commissioner, etc.
Province of Ontario,
for IBI Group.
Expires December 5, 2023.

[Signature]
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

HC1-336

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

2023-11-20

Date

DATE RECEIVED Nov 27, 2023 VL

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: 2450 Queen Street East, Brampton ON

I/We, ADA-PIET HOLDINGS Ltd.
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 26 day of October, 2023

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

JEFFREY D. WARD / SECRETARY & TREASURER
(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

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: 2450 Queen Street East, Brampton ON

I/We, ADA-PET HOLDINGS, Ltd
please print/type the full name of the owner(s)

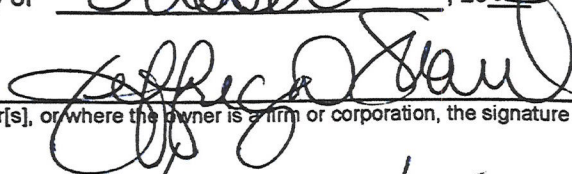
the undersigned, being the registered owner(s) of the subject lands, hereby authorize

ARCADIS C/O Zara Altakawee and Tony Withall

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.

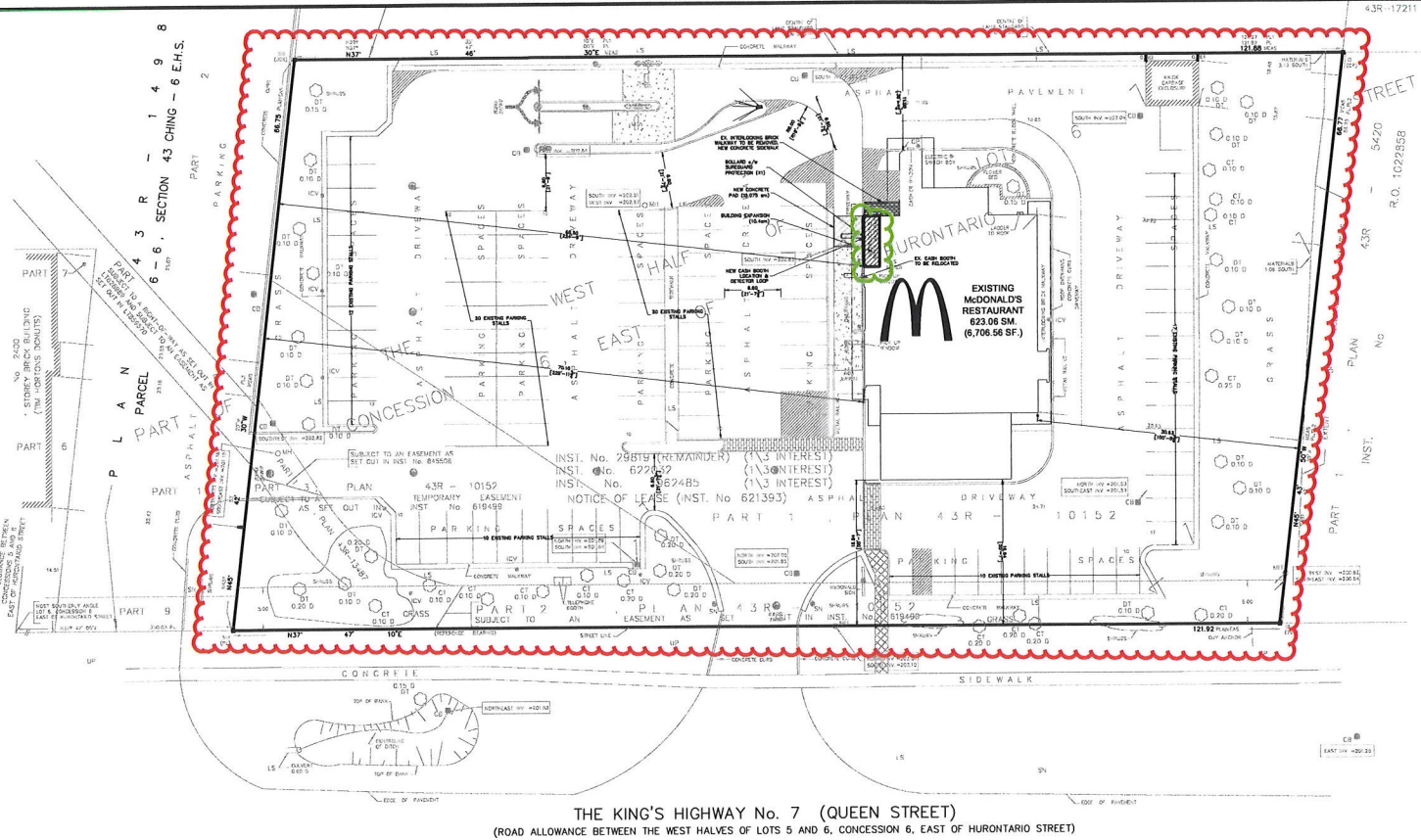
Dated this 26 day of October, 2023


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

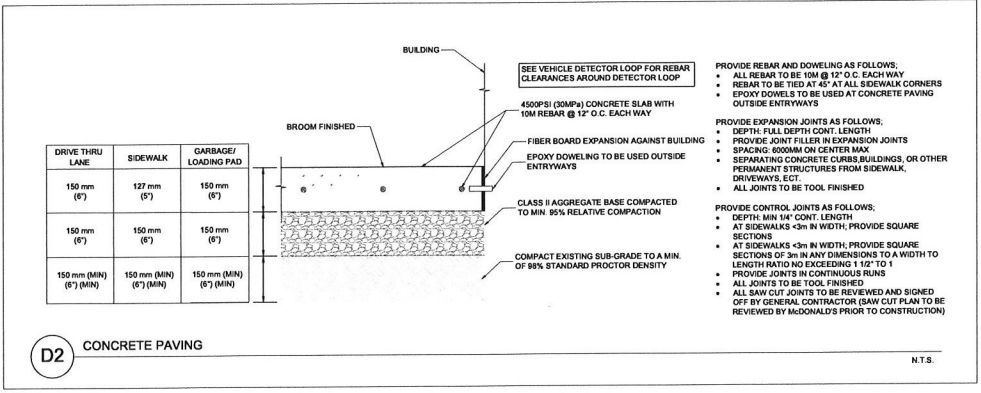
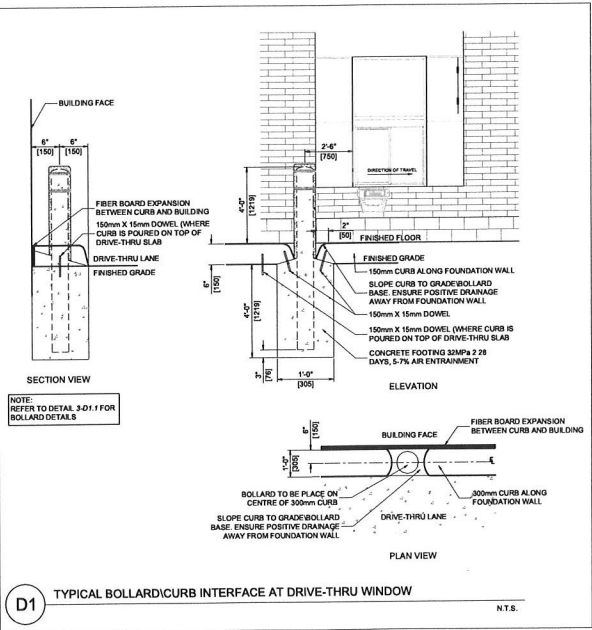
JEFFREY D. WARD / SECRETARY & TREASURER
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

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.



THE KING'S HIGHWAY No. 7 (QUEEN STREET)
(ROAD ALLOWANCE BETWEEN THE WEST HALVES OF LOTS 5 AND 6, CONCESSION 6, EAST OF HURONTARIO STREET)



McDonald's Restaurants of Canada Ltd.
McDonald's Place
Toronto, Ontario
M5C 3A4
Tel: 416-443-1000
Fax: 416-446-3376

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Any reproduction or distribution for any purpose other than authorized by McDonald's is prohibited. Written permission must be obtained from McDonald's for any reproduction. Contractors shall verify and be responsible for any variations from the dimensions and conditions shown on the drawings. Should drawings shall be submitted to McDonald's for approval before proceeding with construction.

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McGILL PROFESSIONAL SERVICES (CANADA) INC.

1	2023-11-03	2A	ISSUED FOR MINOR VARIANCE
1	DATE	BY	DESCRIPTION
			DRAWING ISSUE RECORD

DETAILS OF DEVELOPMENT		
DATA	REQUIRED	PROPOSED
ZONING	HIGHWAY COMMERCIAL ONE - SECTION 336 (HC1-336)	
FY	24.20m	18.94m (EX)
RY	18.80m	11.09m (EX)
INT. SY 1	6.50m	30.63m (EX)
INT. SY 2	6.50m	68.50m (EX)
LOT AREA	8,088.51 sq.m	
LOT FRONTAGE	2121.92 m	
LOT WIDTH	121.90 m	
LOT DEPTH	66.77 m	
RESTAURANT AREA	612sq. m (EX)	
PROPOSED EXPANSION	10.4 sq.m	
TOTAL RESTAURANT AREA	622.4 sq.m	
LOT COVERAGE - BEFORE PROPOSED EXPANSION	612.66 sq.m = 7.57 %	
LOT COVERAGE - AFTER PROPOSED EXPANSION	623.06 sq.m = 7.70 %	
SEATS	(EX)	
# OF LOADING SPACES	1	
LANDSCAPE AREA	2,144.56 sq.m	
GARAGE ENCLOSURE	DETACHED	
DT STACKING	16	
PARKING REQUIRED	97 SPACES	
PARKING PROVIDED	100 SPACES	

NOTES

- PARKING CALCULATIONS:
CONVENIENCE RESTAURANT:
1 SPACE PER EACH 6.25 sq.m OF GFA
623.06 + 10.4 (EXPANSION) = 633.46
633.46sq.m / 6.25 = 97.4 (97 STALLS)
100 STALLS ARE REQUIRED
100 STALLS ARE PROVIDED
CONTRACTOR TO ASSESS QUANTITY OF REPLACEMENT TREES REQUIRED WITHIN LANDSCAPE AREAS SURROUNDING THE SITE. REFER TO LANDSCAPE NOTES ON DRAWING SP2 (LANDSCAPE DETAILS & NOTES)
- ALL SITE FEATURES ARE EXISTING UNLESS OTHERWISE NOTED.
- THESE DRAWINGS ARE COMPILED FROM INFORMATION SUPPLIED BY McDONALD'S AND SHALL BE SITE VERIFIED BY CONTRACTOR AT BID TIME.
- CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS PERTINENT TO WORK BEING PERFORMED, PRIOR TO STARTING CONSTRUCTION, AND REPORT ANY DISCREPANCIES OR VARIANCES TO PROJECT MANAGER.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION AND BE RESPONSIBLE FOR SAME.
- ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF LOCAL CODES.
- CONTRACTOR SHALL MAKE GOOD ALL EXISTING CONDITIONS THAT ARE DISTURBED BY NEW WORK.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY REPAIRS OR RELOCATION ASSOCIATED WITH CURB/ASPHALT/CONC. BASE WORK.

CONCRETE PAD DETAILS

- CONCRETE PAD SHALL BE 150mm MIN. THICK, 100% COMPACTED GRANULAR FILL LEGAL DESCRIPTION

PRIME CONSULTANT

ARCADIS
Professional Services (Canada) Inc.
Suite 500, East King St. West (near Queen St. West)
Hamilton, ON L8L 1Y1 (CANADA)
T: 905 946 1910
www.arcadis.com

PROJECT

McDONALD'S
6560-TORBRAM
2450 QUEEN STREET EAST,
BRAMPTON, ONTARIO

PROJECT NO: 141239
DRAWN BY: ND
CHKD BY: TW
SCALE: 1:300
DATE: 23-05-10

SHEET TITLE

SITE PLAN

SP1.0

SHEET 1 OF 2

Zoning Non-compliance Checklist

File No.
A-2023-0378

Applicant: ADA PET HOLDINGS
Address: 2450 QUEEN ST E, BRAMPTON, ON, L6S 5X9
Zoning: HC1-336
By-law 270-2004, as amended


Category	Proposal	By-law Requirement	Section #
OTHER	To vary Schedule 'C' Section 336 of the by-law to permit a proposed 10.4m ² building addition located outside the approved building envelope.	Whereas the by-law requires that all buildings be constructed in accordance with Schedule 'C' Section 336 to the by-law;	Schedule C – Section 336
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

2023-11-20

Date

 **ARCADIS**
200 East Wing –
360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010

November 3rd, 2023

File: 116260

Committee of Adjustment
City Clerks Office
Planning, Building and Growth Management
City of Brampton
2 Wellington Street West |
Brampton, ON | L6Y 4R2

To Whom it May Concern,

**2450 QUEEN STREET EAST, MCDONALD’S, BRAMPTON ON
MINOR VARIANCE APPLICATION**

We are acting as agents for McDonalds Restaurants of Canada Ltd., owners of the subject lands located on 2450 Queen Street East. On behalf of our client, we are pleased to submit, for your review, an application for Minor Variance Approval.

Proposal:

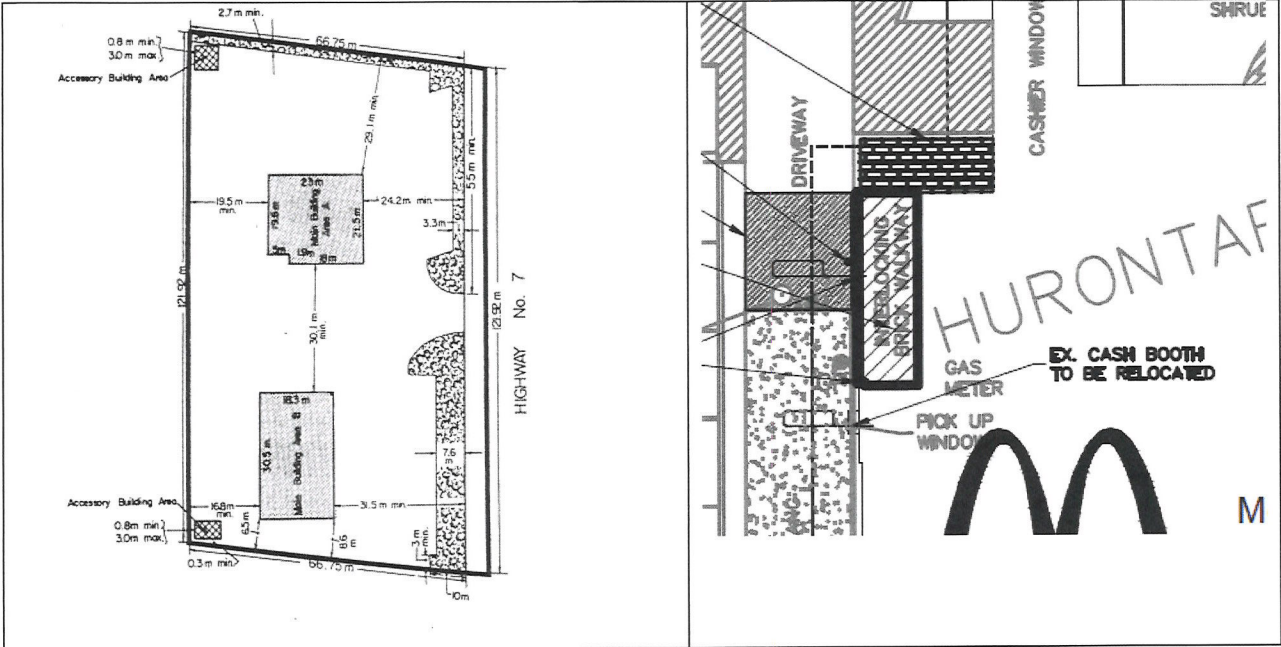
On behalf of McDonald's Restaurants of Canada Ltd., we are pleased to present a proposal for a 10.4m² expansion through the Minor Variance Process. This expansion necessitates construction beyond the designated building footprint. We have received formal notice from a City of Brampton Zoning Examiner requiring compliance with bylaw 270-2004, specifically regarding the designated building footprint.

Enclosed and below, you'll find the accompanying digital materials and justifications supporting our application for a Minor Variance. We seek approval for a 10.4m² building expansion beyond the boundaries of the designated building footprint.

Zoning Matrix

The subject site is zoned *Highway Commercial One – Section 336 (HC1-336)*, under by-law 270-2004 as amended. Below is a zoning matrix identifying what provisions in the by-law the proposal does not conform to.

Provision	Proposed
The designated building footprint is classified under Section 336 of schedule C, in by-law 270-2004	McDonald’s Restaurants of Canada Ltd. proposes a 10.4 sq.m building expansion outside of the designated building footprint.



1.0 SITE LOCATION AND CONTEXT

The subject lands are municipally known as 2450 Queen Street E. Situated in the City of Brampton, within the Region of Peel. The site is adjacent to the Queen Street East and Torbram Road signalized intersection, the development site can be accessed primarily through Queen Street East.

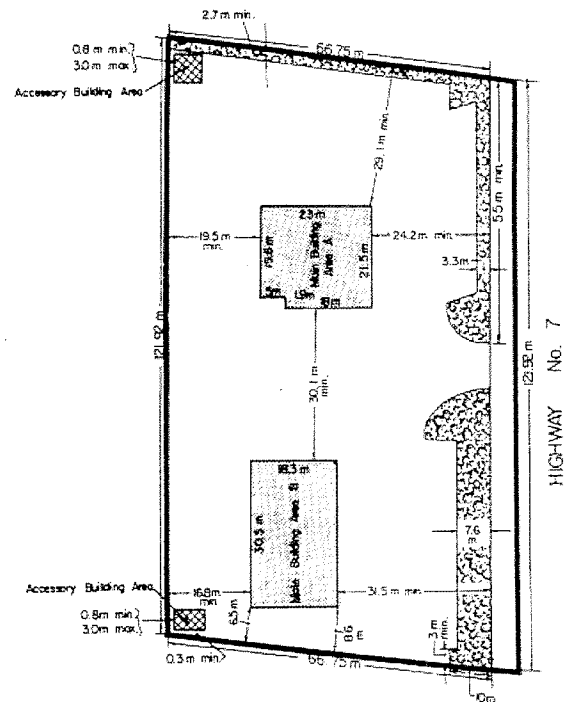
2.0 PROPOSED DEVELOPMENT

Arcadis, retained by McDonald's Canada (referred to as the 'Client'), is to evaluate the advantages and implications of expanding the building footprint by 10.4 square meters. This assessment will ascertain whether the proposed modifications to the existing building will still comply with the zoning requirements outlined in the City of Brampton's By-Law 270-2004.

3.0 REQUESTED VARIANCES

As per By-law 270, the legal building footprint has been designated under Section 336 of Schedule C. Any modifications that propose to alter this footprint must undergo a minor variance process. A City Zoning Examiner has commented the following:

The building addition is complying with Schedule C section 336 of the Zoning By-law. A minor variance is required. The addition proposed is not within the footprint shown on Schedule C Section 336 of the zoning by-law. The variance is to go beyond the building area shown on Schedule C. No additions can occur without a minor variance at this point.



Section 336 of Schedule C – Designated Building Footprint

The requested variance seeks relief to allow for a revision of the building footprint, enabling the inclusion of a 10.4m² building addition.

4.0 PLANNING ANALYSIS:

1. Maintain the general intent and purpose of the Official Plan.

The subject site is designated Employment Areas within the Brampton Official Plan. A restaurant and drive through facility, among others, are permitted uses within the land designation. As such, the proposal seeks to expand a permitted use within the Official Plan while permitting an addition of 10.4m² of storage space. It is our opinion that the proposal maintains the general intent and purpose of the Official Plan.

2. Maintain the general intent and purpose of the Zoning By-law.

The subject site is zoned HC1-336 (Highway Commercial One – Schedule 336) in Zoning Bylaw 270-2004. The primary intent of this zoning provision is to regulate land-use development, ensuring orderly and planned growth while safeguarding the community's character, safety, and functionality.

The proposed addition, a modest extension of only 10.4m² within the building footprint, is not expected to significantly impact the community's character, safety, or functionality. It is our professional opinion that this minor addition maintains compliance with the bylaw's general intent and purpose, concurrently enhancing the operational efficiency of the restaurant.

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

We believe that the requested variance is both beneficial and suitable for the land's development. It enables the subject site to maintain a use permitted by the Official Plan policy framework and the relevant Zoning By-law. Additionally, the 10.4m² building addition will expand storage capacity, enhancing the efficiency and effectiveness of the existing operations.

4. The variance is minor in nature.

In our opinion, the variances being requested are minor in both a quantitative and qualitative nature. Minor in nature can not only be determined through a numerical perspective, but also whether there are any negative impacts to the subject site or surrounding area. In our opinion, the variance requested is minor in a quantitative nature as the building addition is only by 10.4m², creating insignificant impacts on the surrounding environment. This would amount to 1.64% of the building footprint. Furthermore, the variance being requested is, in our opinion, minor in a qualitative nature as no negative impact to the subject site or surrounding area is anticipated.

As part of a complete submission, electronic copies of the following will be provided via email to you as discussed to address comments provided above. If further hard copies are required, please advise:

- 6560-McDonald's-Torbram-Application-form_2023-10-25 (*Includes a Permission to Enter Form and an Appointment of Authorization Form*)
- 6560-Torbram-McDonald's-SP1.0-2023-11-03

We trust the above noted information and electronic submission addresses all concerns raised by City staff. If you have any questions or concerns, do not hesitate to contact the undersigned.

Yours truly,

ARCADIS



Zara Altakawee,
Project Coordinator