

**APPLICATION # A-2022-0361**  
**WARD 3**

**DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **SONEIL MISSISSAUGA INC.** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of lot 1, Concession 2 EHS municipally known as **350 RUTHERFORD ROAD SOUTH, UNIT 10**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit a private school to operate from Unit 10 whereas the by-law does not permit the proposed use.

The land which is subject of this application is the subject of an application under the Planning Act for:

Plan of Subdivision: \_\_\_\_\_ NO \_\_\_\_\_ File Number: \_\_\_\_\_  
Application for Consent: \_\_\_\_\_ NO \_\_\_\_\_ File Number: \_\_\_\_\_

The Committee of Adjustment has appointed **TUESDAY, May 30, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. 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.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT.** This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant or another member of the public.

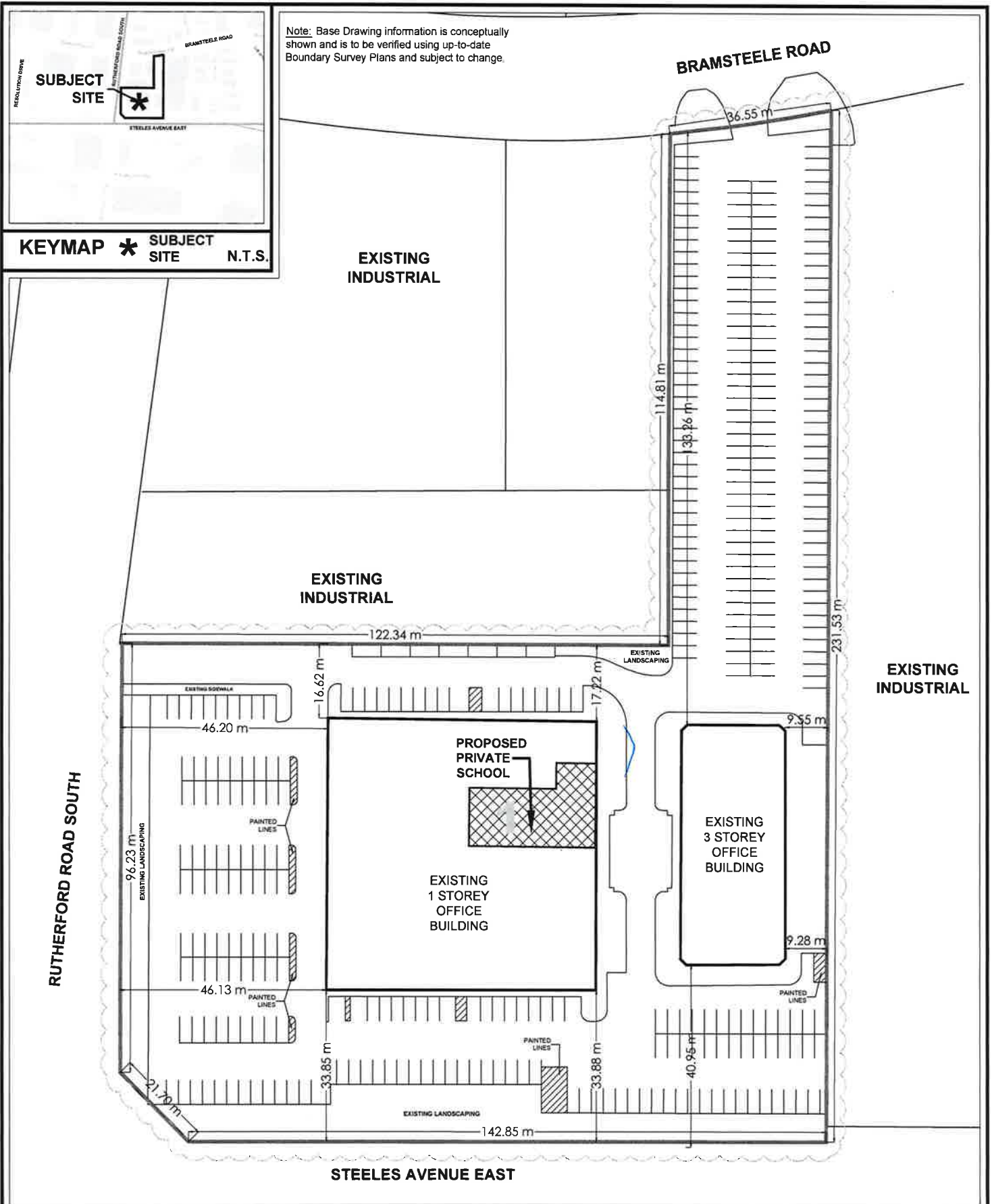
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

**PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC**

DATED at Brampton Ontario, this 18th Day of May, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer  
Committee of Adjustment, City Clerk's Office,  
Brampton City Hall, 2 Wellington Street West,  
Brampton, Ontario L6Y 4R2  
Phone: (905)874-2117  
Fax: (905)874-2119  
[jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca)



Note: Base Drawing information is conceptually shown and is to be verified using up-to-date Boundary Survey Plans and subject to change.

- To permit a Private School in Unit 10 - Plaza 1 whereas the By-law does not permit a Private School.

<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li> PROPERTY BOUNDARY</li> <li> MINOR VARIANCE</li> <li> PROPOSED PRIVATE SCHOOL</li> </ul>	<p><b>SITE STATISTICS</b></p> <p>SITE AREA: 0.749 ha (1.851 ac)</p> <p>BUILDING A - G.C.F.A.: 2,624m<sup>2</sup> (28,242ft<sup>2</sup>)</p> <p>BUILDING B - G.C.F.A.: 2,984m<sup>2</sup> (32,126ft<sup>2</sup>)</p> <p>TOTAL G.C.F.A.: 5,608m<sup>2</sup> (60,364ft<sup>2</sup>)</p> <p><b>PROPOSED PRIVATE SCHOOL</b></p> <p>UNIT 10 - G.C.F.A.: 346m<sup>2</sup> (3,724ft<sup>2</sup>)</p>	<p><b>PARKING</b></p> <p><b>UNIT 10 - PRIVATE SCHOOL (CANSTEM EDUCATION)</b></p> <p>PARKING REQUIRED: 24 SPACES</p> <p><b>ALL USES ON SITE</b></p> <p>PARKING REQUIRED : 293 SPACES</p> <p>PARKING PROVIDED: 385 SPACES</p> <p>PARKING SURPLUS: 92 SPACES</p>
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<p><b>MINOR VARIANCE PLAN</b></p> <p><b>CANSTEM EDUCATION PRIVATE SCHOOL INC.</b></p> <p><b>350 RUTHERFORD ROAD SOUTH</b></p> <p><b>CITY of BRAMPTON</b></p>	<p>P. N. : 20.2716.00</p>	<p>Date: October 20, 2022</p>	
	<p>Scale: N.T.S.</p>	<p>Revised:</p>	
	<p>Drawn By: D.S.</p>	<p>File No : PN 2716_SP_(10_20_2022)</p>	
	<p>21 Queen Street East Suite 500 Brampton, ON L6W 3P1 P (905) 796 - 5790</p>	<p><b>GWD</b> Generalist/Urban Planner Tel Free 1 (855) 771-7266 www.gwdplanners.com</p>	<p>3601 Highway 7 East Suite 310 Markham, ON L3R 0M3 P (905) 477 - 6556</p>

**Under the authority of the Emergency Management and Civil Protection Act and the Municipal Act, 2001, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both in-person and electronically).**

**Electronic/Hybrid Hearing Procedures  
How to get involved in the Hybrid Hearing**

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **May 30, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

**How to Participate in the Hearing:**

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, May 25, 2023.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, May 25, 2023.**
  2. To participate in-person, please email the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, May 25, 2023.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday, May 25, 2023.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance.

Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- All Hearings will be livestreamed on the City of Brampton YouTube account at:  
<https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or  
<http://video.isilive.ca/brampton/live.html> .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca). If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, [www.brampton.ca](http://www.brampton.ca). By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



Principals

Michael Gagnon  
Lena Gagnon  
Andrew Walker  
Richard Domes

May 1, 2023

GWD File:  
20.2716.00 COA

The Corporation of the City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

Attention: Ms. Jeanie Myers  
Secretary-Treasurer, Committee of Adjustment

Subject: SUPPLEMENTARY LETTER  
Application to the Committee of Adjustment – Minor Variance  
CanSTEM Education Private School Inc.  
350 Rutherford Road South, 'Plaza 1' – Unit 10  
Brampton, Ontario  
City File: A-2022-0361  
Ward 3

Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to CanSTEM Education Private School Inc. (CanSTEM).

Minor Variance Application A-2022-0361 was filed by our office on November 8, 2022. The Application was deferred at the December 4, 2022 Committee of Adjustment Hearing to allow our Client an opportunity to consult with City Staff and complete required technical studies.

Please accept this letter as our request to have A-2022-0361 scheduled for the May 30, 2023 Committee of Adjustment Hearing. The Application is supported by the following documents:

- Noise Impact Study; dated April 10, 2023; which concluded that the building's exterior wall construction and fixed windows adequately protect all offices and school classrooms from roadway and stationary sound sources.
- Phase I Environmental Site Assessment (ESA); date April 17, 2023; which did not identify any potentially contaminating activities that would be expected to create areas of potential environmental concern. A Phase II ESA is not required and the Owner/Tenant can proceed to apply to the Ministry of the Environment, Conservation and Parks (MOECC) for a Record of Site Condition (RSC).

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**GAGNON WALKER DOMES LTD.**

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790  
www.gwdplanners.com • Toll Free: 1-855-771-7266

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**Recommended Conditions of Approval**

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
2. That a Ministry of the Environment, Conservation and Parks (MOECC) Record of Site Condition (RSC) be secured within 12 months of the Committee's decision; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

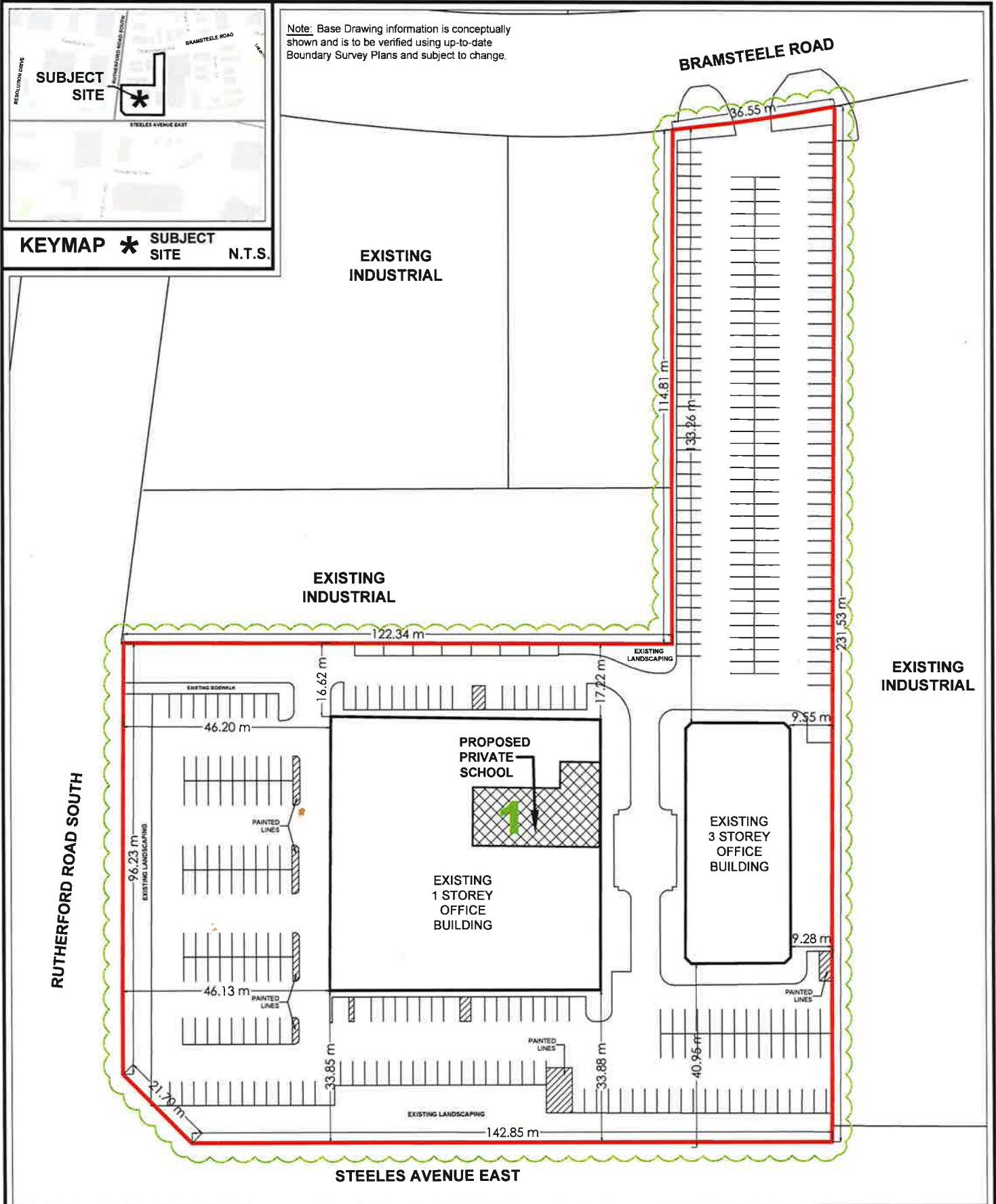
Should you require additional information or have any questions do not hesitate to contact the undersigned.

Yours truly,

Marc De Nardis, B.U.R.Pl., M.C.I.P., R.P.P.  
Planning Associate  
[mdenardis@gwdplanners.com](mailto:mdenardis@gwdplanners.com)

Michelle Harris, M. Sc.  
Planning Associate  
[mharris@gwdplanners.com](mailto:mharris@gwdplanners.com)

- C.c. R. Ahmed, City of Brampton  
R. Fazlullah, City of Brampton  
M. Heralall, City of Brampton  
R. Tiwari, CanSTEM Education Private School Inc.  
M. Gagnon, Gagnon Walker Domes Ltd.



**MINOR VARIANCE**

- To permit a Private School in Unit 10 - Plaza 1 whereas the By-law does not permit a Private School.

<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li><span style="border: 2px solid red; display: inline-block; width: 20px; height: 10px; margin-right: 5px;"></span> PROPERTY BOUNDARY</li> <li><span style="border: 2px solid green; border-radius: 50%; padding: 2px 5px; display: inline-block; width: 15px; height: 15px; margin-right: 5px; text-align: center; line-height: 15px;">1</span> MINOR VARIANCE</li> <li><span style="border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); display: inline-block; width: 20px; height: 10px; margin-right: 5px;"></span> PROPOSED PRIVATE SCHOOL</li> </ul>	<p><b>SITE STATISTICS</b></p> <p>SITE AREA: 0.749 ha (1.851 ac)</p> <p>BUILDING A - G.C.F.A.: 2,624m<sup>2</sup> (28,242ft<sup>2</sup>)</p> <p>BUILDING B - G.C.F.A.: 2,984m<sup>2</sup> (32,126ft<sup>2</sup>)</p> <p>TOTAL G.C.F.A.: 5,608m<sup>2</sup> (60,364ft<sup>2</sup>)</p>	<p><b>PARKING</b></p> <p>UNIT 10 - PRIVATE SCHOOL (CANSTEM EDUCATION)</p> <p>PARKING REQUIRED: 24 SPACES</p>
	<p><b>PROPOSED PRIVATE SCHOOL</b></p> <p>UNIT 10 - G.C.F.A.: 346m<sup>2</sup> (3,724ft<sup>2</sup>)</p>	<p><b>ALL USES ON SITE</b></p> <p>PARKING REQUIRED : 293 SPACES</p> <p>PARKING PROVIDED: 385 SPACES</p> <p>PARKING SURPLUS: 92 SPACES</p>

**MINOR VARIANCE PLAN**

**CANSTEM EDUCATION PRIVATE SCHOOL INC.**

**350 RUTHERFORD ROAD SOUTH**

**CITY of BRAMPTON**

P.N.: 20.2716.00	Date: October 20, 2022
Scale: N.T.S	Revised:
Drawn By: D.S.	File No.: PN 2716_SP_(10_20_2022)

	<p>21 Queen Street East Suite 500 Brampton, ON L6W 3P1 P (905) 796 - 5790</p>	<p>3601 Highway 7 East Suite 310 Markham, ON L3R 0M3 P (905) 477 - 6558</p>
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Principals

Michael Gagnon  
Lena Gagnon  
Andrew Walker  
Richard Domes

November 8, 2022

GWD File:  
20.2716.00 COA

The Corporation of the City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

A-2022-0361

Attention: Ms. Jeanie Myers  
Secretary-Treasurer, Committee of Adjustment

Subject: Application to the Committee of Adjustment – Minor Variance  
CanSTEM Education Private School Inc.  
350 Rutherford Road South, 'Plaza 1' – Unit 10  
Brampton, Ontario

Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to CanSTEM Education Private School Inc. (CanSTEM) who has entered into a lease agreement with Soneil Mississauga Inc. (Soneil), the Registered Owner 350 Rutherford Road South in the City of Brampton; hereinafter referred to as the 'subject site'.

The subject site is irregular in shape having a total area of approximately 2.06 hectare (5.09 acres) with street frontages along Steeles Avenue West, Rutherford Road South, and Bramsteele Road. It is occupied by two (2) buildings (referred to as 'Plaza 1' and 'Plaza 2') which are utilized for a mix of commercial and office uses; including seven (7) Commercial, Technical or Recreation Schools. The buildings are generally described as follows:

'Plaza 1' Building

- Location: Southwest corner of subject site
- Height: 1-storey
- Gross Commercial Floor Area (GCFA): ~ 2,624m<sup>2</sup> (~ 28,242ft<sup>2</sup>)
- Use: Commercial Building
- Unit 10 (CanSTEM) GCFA: ~ 346m<sup>2</sup> (~ 3,724ft<sup>2</sup>)

'Plaza 2' Building

- Location: Southeast corner of subject site
- Height: 3-storeys
- Approximate GCFA: ~ 2,984m<sup>2</sup> (~ 32,126ft<sup>2</sup>)
- Use: Office Building

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Appendix 1 includes aerial photography of the subject site.

### Overview of the Proposal

CanSTEM operates a Commercial, Technical or Recreation School from Unit 10 – Plaza 1 which provides private tutoring, computer and language services for students at elementary, secondary, college and university levels. In addition it operates a small Private School featuring both in-person and on-line instruction. The Private School, which is registered with the Ministry of Education and limited to forty (40) in-person students, provides education to students enrolled between Grades 1 through 12.

Appendix 2 includes a Site Plan (A01) and Existing Floor Plan (A02) prepared by Technoarch Inc.

The subject site's zoning does not permit a Private School use. On April 22, 2021 a Pre-Application Consultation Request seeking the City's preliminary comments, observations and recommendations was filed (City File: PRE-2021-0080). A meeting was held by the City Planning & Development Services Department on May 26, 2021 and thereafter a consolidated report inclusive of comments from City Departments/Divisions was issued. It was determined that a Committee of Adjustment Minor Variance was most appropriate planning approvals process to legalize the Private School in conjunction with the Commercial, Technical or Recreation School.

### Minor Variance Application

GWD is pleased to submit the attached Application to the Committee of Adjustment to permit the following Variance:

1. To permit a Private School in Unit 10 – Plaza 1 whereas the By-law does not permit a Private School.

In support of the Application, we submit the following:

- Completed Application Form;
- Covering Letter;
- Variance Plan (8½"x14") highlighting the requested Variance;
- Transportation Impact and Parking Brief; and
- One (1) cheque in the amount of \$2,662.00 payable to the "City of Brampton".

### The Four Tests

Pursuant to Section 45(1) of the *Planning Act*, a Minor Variance Application must satisfy all 'Four Tests' as follows:

1. Does the Variance conform to the intent of the Official Plan?
2. Does the Variance conform to the intent of the Zoning By-law?
3. Is the proposal desirable for the appropriate development or use of the lands?
4. Is the proposal minor in nature?





### Test 1 – Does the Minor Variance Conform to the Intent of the Official Plan?

The subject site is designated 'Business Corridor' in the City of Brampton Official Plan. This designation permits a broad range of business, service, and institutional uses to serve the general public and adjacent employment areas (Official Plan – Section 4.4.1).

The subject site is designated 'Service Commercial' and 'General Employment Two' in the Highway 410 and Steeles Secondary Plan (Area 5). The General Employment Two designation applies to the northeast limits of the subject site used as a vehicular parking area. The Service Commercial designation applies to the southern half of the subject site coinciding with the two (2) buildings and its abutting parking areas.

The Service Commercial designation permits service commercial uses comprising of small-scale retail and convenience stores, service uses, restaurants, recreation facilities, and small offices (Secondary Plan – Section 1.2.1). While the Private School use is not permitted outright, City Staff indicated during the Pre-Application Consultation process that a Municipal Comprehensive Review (MCR) is not required as the designation is a non-employment category.

The subject site is predominately utilized for office uses along with seven (7) Commercial/Technical Schools. The Private School is similar to the aforementioned schools and is compatible with the office uses.

The requested Variance is considered to conform to the general intent of the City Official Plan and Secondary Plan.

### Test 2 – Does the Minor Variance Conform to the Intent of the Zoning By-Law?

Zoning By-law 270-2004 zones the subject site 'Service Commercial – Special Section 3098 (SC-3098)' and 'Industrial Two (M2)'. The M2 Zone applies to the northeast limits of the subject site whereas the SC-3098 Zone applies to the southern half.

The SC-3098 permits a range of uses; including, but not limited to:

1. Office Uses (excluding medical);
2. Commercial, Technical or Recreation Schools;
3. Retail Establishment (having no outside storage);
4. Bank, Trust and Finance Company; and
5. Health or Fitness Centre.

SC-3098 includes several restrictions and minimum requirements related to structural setbacks, parking, building height, lot coverage, gross leasable floor area, and landscaped open space.



### Variance #1 – Private School

CanSTEM is desirous of allowing a Private School whereas the By-law does not permit the use. The request is specific to Unit 10 – ‘Plaza 1’ having a total area of approximately 346m<sup>2</sup> (3,724ft<sup>2</sup>).

The intent of restricting institutional uses is to protect against conflicting land uses. Institutional uses typically operate under specific hours and restrictions, and have their own set of safety and regulatory concerns. Commercial uses can offer a very broad list of services, and typically generate several trips to the site from vehicles and oversized deliveries. Commercial uses also do not have permissions for outdoor amenity areas and are open to the public.

According to Zoning By-law 270-2004, a Private School provides the same services as a Public School, whereas, a Commercial, Technical or Recreational School provides training in trades skill, languages skills, etc. To allow a Private School use will not be a significant departure from the By-law’s permissions for a Commercial, Technical or Recreational School given their similar operations in a classroom-style setting. The Private School is not anticipated to adversely impact the subject site and should not pose any incompatibility concerns. Lease restrictions with the Registered Owner do not allow for the provision for an outdoor recreation area.

At present the subject site consists of 385 parking spaces which are accessed by driveways fronting onto Rutherford Road and Bramsteele Road. The general intent and purpose of the Zoning By-law in regulating the minimum number of parking spaces is to ensure that the parking provided on a site can accommodate the demand generated by the existing and future uses on the site..

For Private Schools that are located within commercial plazas utilization of the existing parking spaces is a common arrangement. A Traffic Impact and Parking Brief, which is to be read in conjunction with this letter, was commissioned by a qualified transportation consultant in support of the Variance (**Appendix 3**). The Brief concluded that CanSTEM’s Private School will have a negligible impact on the area road network and the 385 parking spaces are sufficient to accommodate the needs of all uses combined on site.

The Variance is considered to conform to the general intent of Zoning By-law No. 270-2004.

### **Test #3 – Is the Minor Variance Desirable and Appropriate for the Area?**

The subject site is located on the periphery of the greater Employment Area with commercial uses to the west and south. Permitting the Private School in conjunction with Commercial, Technical or Recreation School is not anticipated to adversely affect the existing uses operating on site or on neighbouring properties nor will it jeopardize the character or function of the surrounding area. CanSTEM does not propose to renovate the interior or exterior of the building or site.

The Variance is considered desirable and appropriate for the area.



#### Test #4 – Is the Minor Variance Minor in Nature?

The Variance does not pose a departure from the intended or historical use of the lands. CanSTEM's schools are complimentary to one another will not interfere with the daily operations of other uses on-site. No building alterations, expansions, or additional accessory structures are proposed. No significant on-site or off-site impacts are anticipated.

The requested Variance is considered to be minor in nature.

#### Conclusions

The requested Variance has been reviewed in the context of the relevant provisions of the *Planning Act*. We are of the opinion that the Variance satisfies the four (4) tests and can be supported from a land use and policy perspective and represent good planning. We respectfully request that it be approved by the Committee of Adjustment.

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

Yours truly,

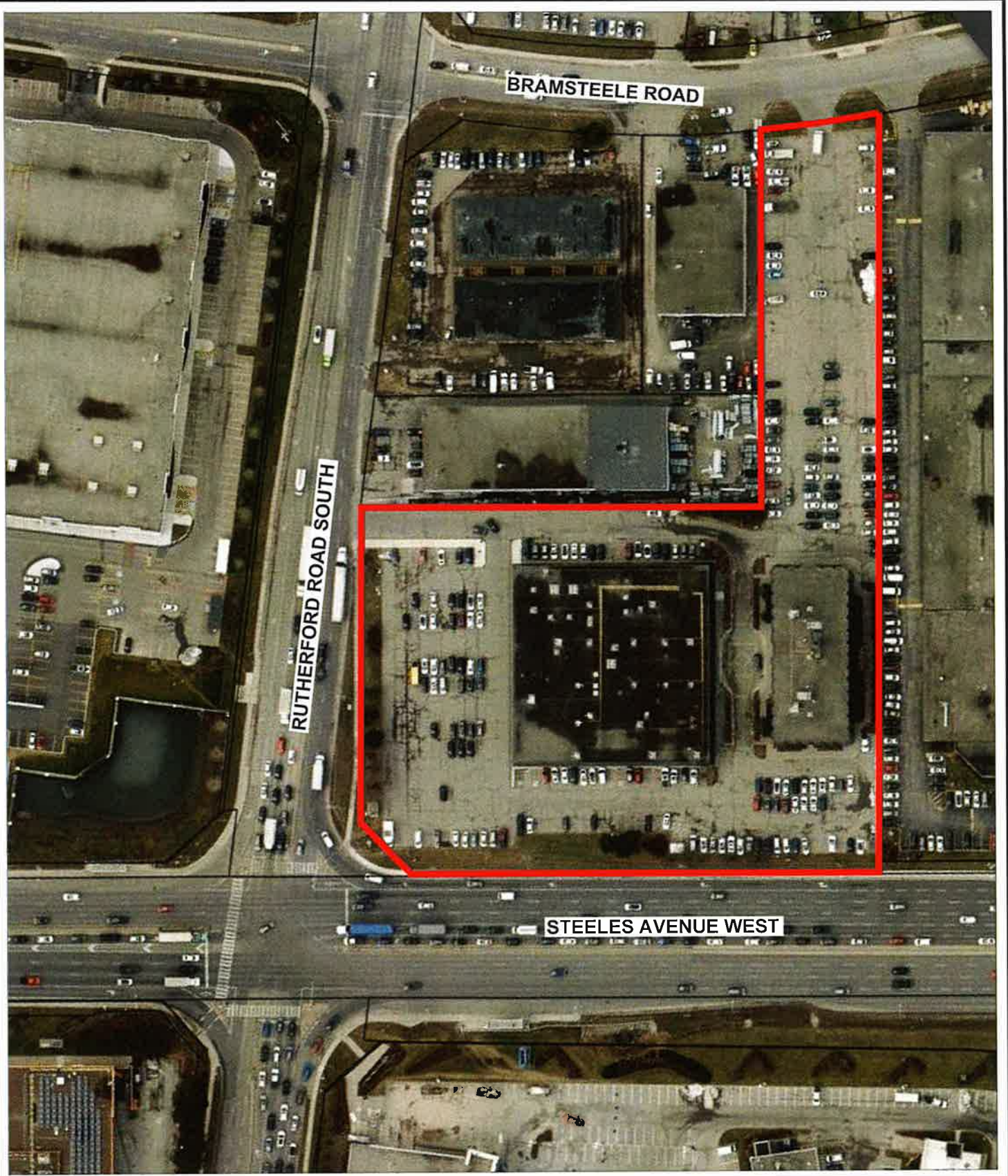
Marc De Nardis, B.U.R.Pl., M.C.I.P., R.P.P.  
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[mdenardis@gwdplanners.com](mailto:mdenardis@gwdplanners.com)

Michelle Harris, M. Sc.  
Planning Associate  
[mharris@gwdplanners.com](mailto:mharris@gwdplanners.com)

C.c. R. Tiwari, CanSTEM Education Private School Inc.  
M. Gagnon, Gagnon Walker Domes Ltd.




# APPENDIX 1



**AERIAL IMAGE - SUBJECT SITE**  
 350 RUTHERFORD ROAD SOUTH  
 CITY of BRAMPTON

**LEGEND**

 SUBJECT SITE

P.N.: 20.2716.00

Date: May 19, 2022

Scale: N.T.S.

Revised:

Drawn By: D.S.

File No.: PN 2716\_Aerial\_Images\_May\_2022

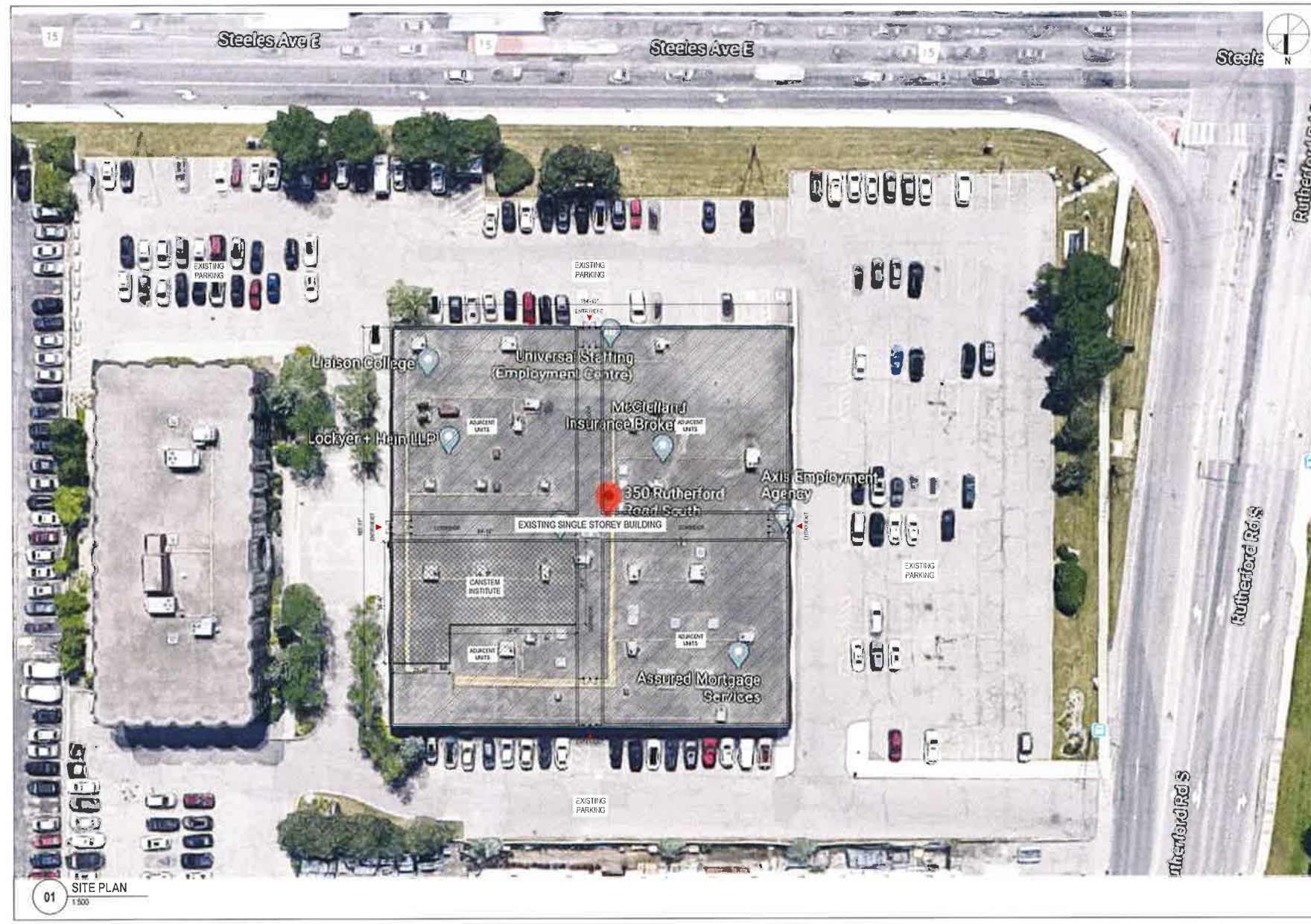


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 www.gwdpart.com

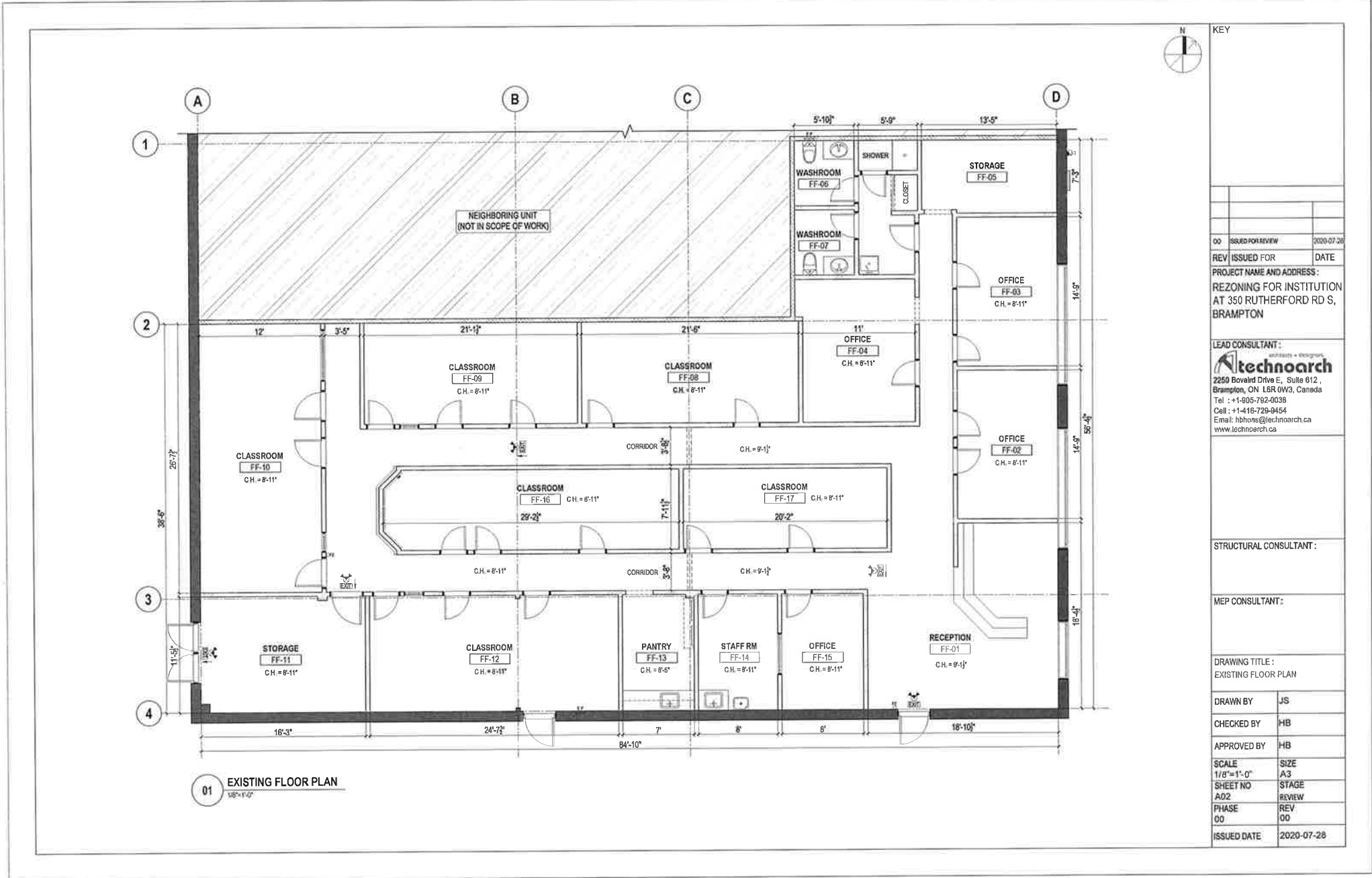


# APPENDIX 2

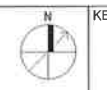


01 SITE PLAN  
1:500

KEY	
00	ISSUED FOR REVIEW
00	ISSUED FOR REVIEW
REV	ISSUED FOR
	DATE
PROJECT NAME AND ADDRESS :	
REZONING FOR INSTITUTION	
AT 350 RUTHERFORD RD S,	
BRAMPTON	
LEAD CONSULTANT :	
 2250 Bovard Drive E, Suite 512, Brampton, ON L6R 0W3, Canada Tel : +1-905-782-6038 Call : +1-416-729-9454 Email: hthans@technoarch.ca www.technoarch.ca	
STRUCTURAL CONSULTANT :	
MEP CONSULTANT :	
DRAWING TITLE :	
SITE PLAN	
DRAWN BY	JS
CHECKED BY	HB
APPROVED BY	HB
SCALE	SIZE
1:500	A3
SHEET NO	STAGE
A01	REVIEW
PHASE	REV
00	00
ISSUED DATE	2020-07-28



01 EXISTING FLOOR PLAN  
1/8"=1'-0"



KEY		
00	ISSUED FOR REVIEW	2020-07-28
REV	ISSUED FOR	DATE
PROJECT NAME AND ADDRESS: REZONING FOR INSTITUTION AT 350 RUTHERFORD RD S, BRAMPTON		
LEAD CONSULTANT:  2250 Bovald Drive E, Suite 612, Brampton, ON L6R 0W3, Canada Tel: +1-905-792-0039 Cell: +1-416-729-9454 Email: hbhorne@technoarch.ca www.technoarch.ca		
STRUCTURAL CONSULTANT:		
MEP CONSULTANT:		
DRAWING TITLE: EXISTING FLOOR PLAN		
DRAWN BY	JS	
CHECKED BY	HB	
APPROVED BY	HB	
SCALE	SIZE	
1/8"=1'-0"	A3	
SHEET NO	STAGE	
A02	REVIEW	
PHASE	REV	
00	00	
ISSUED DATE	2020-07-28	





# APPENDIX 3

August 15, 2022

CanSTEM Education Private School Inc  
350 Rutherford Road South  
Brampton ON, L6W 3M2

**Attention: Rajesh Tiwari**

**Re: Engineering Service – Traffic Brief  
Proposed Private School Redevelopment  
350 Rutherford Road South, City of Brampton  
Our Project No. NT-21-336**

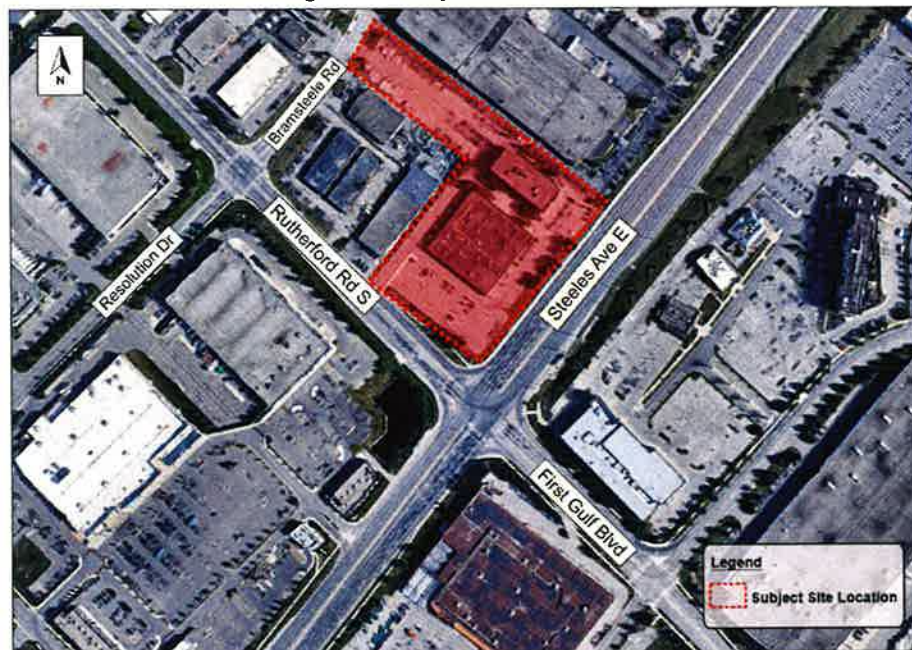
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## 1.0 INTRODUCTION

Nexttrans Consulting Engineers (A Division of NextEng Consulting Group Inc.) was retained by CanSTEM Education Private School Inc. (the Client) to prepare a Traffic Brief in support of a Minor Variance application for a proposed private school use within Unit 10 of 350 Rutherford Road South. The subject property is located northeast of the intersection of Steeles Avenue East and First Gulf Boulevard/Rutherford Road South municipally addressed as 350 Rutherford Road South, in the City of Brampton.

The location of the proposed development is illustrated in **Figure 1-1**.

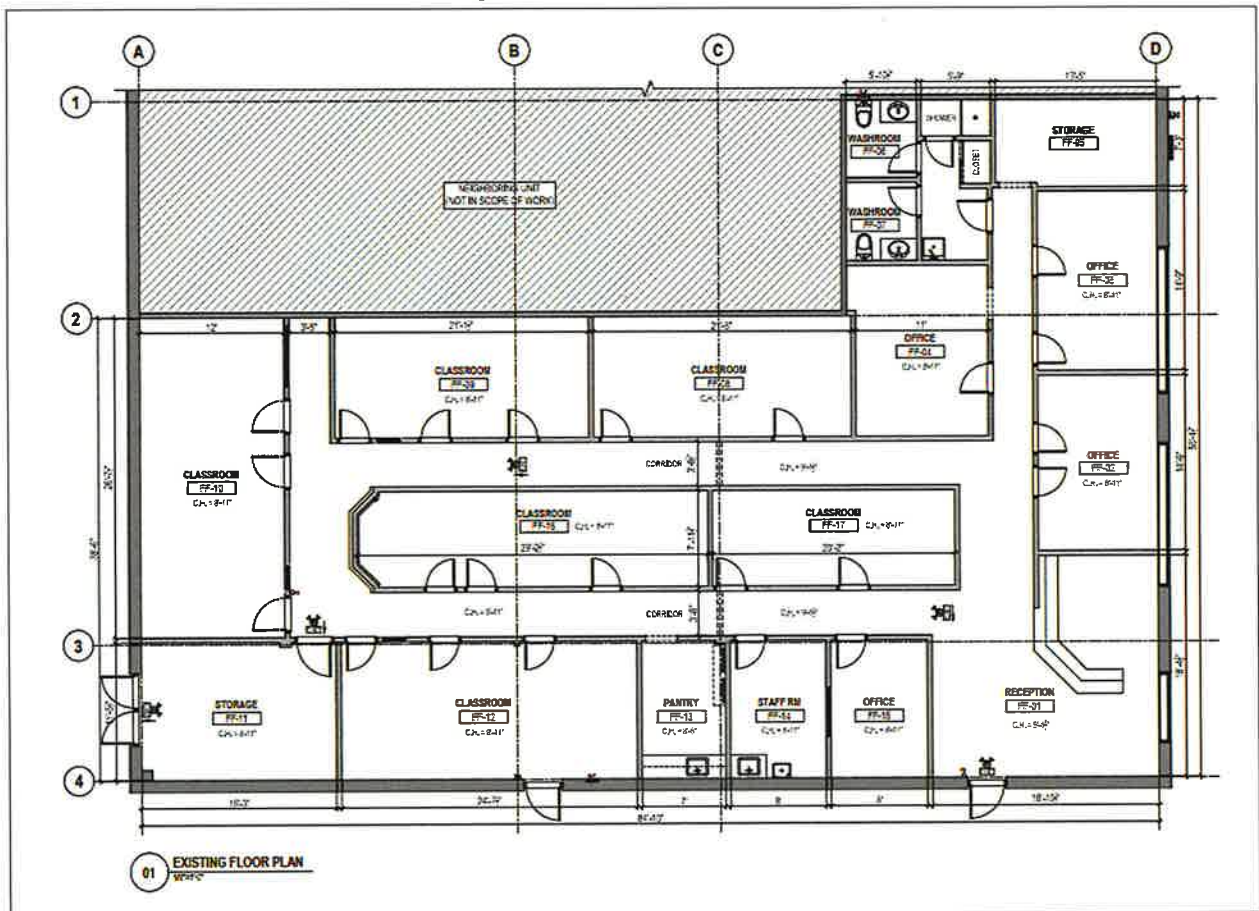
**Figure 1 – Subject Site Locations**



The subject site is currently occupied by two (2) buildings, a single storey commercial building and an existing three (3)-storey office building. Based on the preliminary site plan prepared by Technoarch dated July 28, 2020, the development proposal is to develop Unit 10 of the commercial building into a private school, with Unit 10 having a gross commercial floor area (GFA) of 346 m<sup>2</sup> (3,724 ft<sup>2</sup>). A total of 385 parking spaces are located on the subject site to serve the existing buildings. Vehicular access to the site is proposed via a full movement entrance onto Rutherford Road South and via a full movement entrance onto Bramstele Road.

The proposed site plan is provided in **Figure 1-2**, and **Appendix A** provides the site plan in full detail.

**Figure 1-2 – Proposed Site Plan**



## 2.0 EXISTING CONDITIONS

### 2.1 Existing Road Network

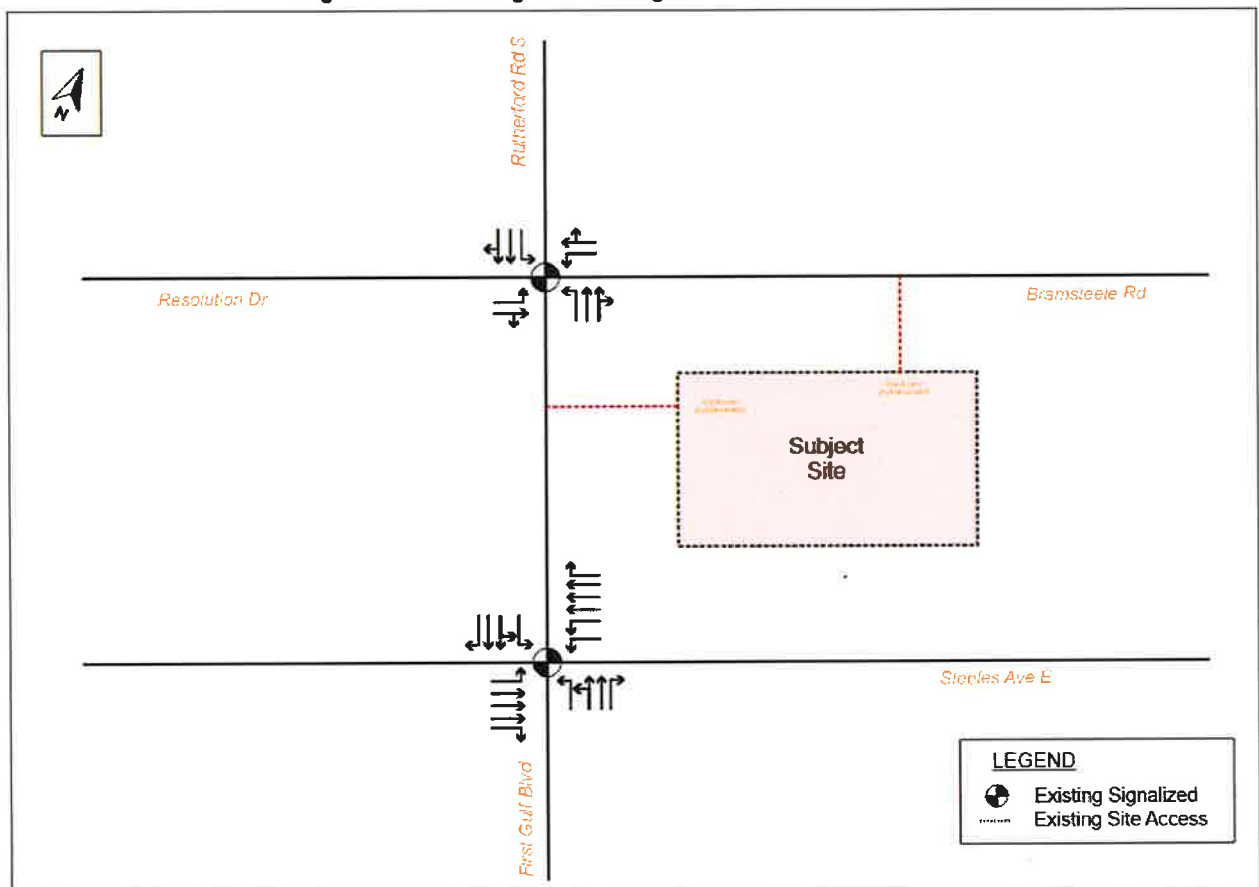
As previously indicated, the proposed development is located northeast of the intersection of Steeles Avenue East and First Gulf Boulevard/Rutherford Road South, in the City of Brampton. The existing road network, lane configuration and existing traffic control for the study are illustrated in **Figure 2-1** and detailed below:

- **Rutherford Road South / First Gulf Boulevard** is a generally north-south minor arterial road consisting of a five (5) lane cross-section (two (2) travel lanes per direction and one (1) center left turn lane), north of Steeles Avenue East and a four (4) lane cross-section (two (2) travel lanes per direction), south of Steeles Avenue East and

maintains a posted speed limit of 60 km/h near the subject site. Within the City, Rutherford Road South/First Gulf Boulevard run to and from Kennedy Road.

- **Steeles Avenue East** is an east-west major arterial road consisting of an existing six (6) lane cross-section (three (3) travel lanes per direction) and maintains a posted speed limit of 70 km/h near the subject site. Within the City, Steeles Avenue runs from City limits to the west and from City limits to the east.
- **Resolution Drive** is a generally east-west local road consisting of an existing two (2) lane cross-section (one (1) travel lane per direction) and maintains an assumed and unposted speed limit of 50 km/h near the subject site. Within the City, Resolution Drive runs from Steeles Avenue East to the southwest and to Rutherford Road South to the northeast.
- **Bramstele Road** is a generally east-west local road consisting of an existing two (2) lane cross-section (one (1) travel lane per direction) and maintains an assumed and unposted speed limit of 50 km/h near the subject site. Within the City, Resolution Drive converges into Heart Lake Road South to the east and to Rutherford Road South to the west.

**Figure 2-1 – Existing Lane Configuration and Traffic Control**



## 2.2 Existing Active Transportation Network

### Sidewalks

Currently, concrete sidewalks available as follows:

- On both sides of First Gulf Boulevard;
- On both sides of Steeles Avenue East, west of Rutherford Road South;
- On the north side of Steeles Avenue East, east of Rutherford Road South;
- On both sides of Rutherford Road South;
- On the south side of Resolution Drive; and
- On the north side of Bramsteele Road.

Sidewalks are adequately maintained, and no improvements are required at this time.

### Cycling

There are currently no dedicated cycling facilities within the immediate area of the subject site.

## 3.0 SITE TRAFFIC

### 3.2 Site Trip Generation

Trip rates and site generated trips were derived from the information contained in the Trip Generation Manual, 10<sup>th</sup> edition, published by the Institute of Transportation Engineers (ITE) for “Private School” (LUC 532). The trip generation summary is shown in **Table 3.2**.

**Table 3.2 – Site Traffic Trip Generation**

ITE Land Use	Parameter	Morning Peak Hour			Afternoon Peak Hour		
		In	Out	Total	In	Out	Total
Private School (LUC 532)	Gross New Trips	20	12	32	8	12	20
	Gross Rate	0.50	0.30	0.80	0.20	0.29	0.49
	<b>Net New Trips</b>	<b>20</b>	<b>12</b>	<b>32</b>	<b>8</b>	<b>12</b>	<b>20</b>

The proposed development is expected to generate 32 new auto trips (20 inbound and 12 outbound) during the AM peak period, and 20 new auto trips (eight (8) inbound and 12 outbound) during the PM peak period. **Based on the expected number of trips that the proposed development is expected to generate, it is our opinion that the proposed development will have a negligible impact on the adjacent road network.**

## 4.0 PARKING ASSESSMENT

### 4.1 Vehicular Parking Requirements

The subject lands are under the City of Brampton Zoning by-Law 270-2004. The parking requirements in accordance with By-law 270-2004 are summarized in **Table 4.1**.

Table 4.1 – City of Brampton Zoning By-law 270-2004

Unit No.	Land Use	GCFA / No. of Classrooms	Parking Rates	Parking Requirement	Parking Provided	(+) Surplus / (-) Shortfall
<b>Plaza 1</b>						
1	All Other Commercial Uses	580 m <sup>2</sup>	1 space / 23 m <sup>2</sup> of GCFA	25 spaces	<b>385 parking spaces</b>	<b>+244 spaces</b>
16		112.4 m <sup>2</sup>		5 spaces		
2	Commercial School	425 m <sup>2</sup>	4 spaces for each classroom or 1 space for every 20 m <sup>2</sup> of GCFA, whichever is greater	21 spaces based on GCFA		
3, 8, 15		246.8 m <sup>2</sup>		12 spaces based on GCFA		
10, 14, 15 (Subject Site)		346 m <sup>2</sup> 6 classrooms		24 spaces based on classrooms		
6		303.8 m <sup>2</sup>		15 spaces based on GCFA		
4	Office	152.7 m <sup>2</sup>	1 space / 30 m <sup>2</sup> of GCFA	5 spaces		
12		127.1 m <sup>2</sup>		4 spaces		
7	Finance Company	321.3 m <sup>2</sup>	1 space / 15 m <sup>2</sup> of GCFA	21 spaces		
9	Health Centre	194.2 m <sup>2</sup>	1 space / 22 m <sup>2</sup> of GCFA	9 spaces		
<b>Total</b>	-	<b>2,819.3 m<sup>2</sup></b>	-	<b>141 spaces</b>		
<b>Plaza 2</b>						
102	Office	85.7 m <sup>2</sup>	1 space / 30 m <sup>2</sup> of GCFA	3 spaces	<b>385 parking spaces</b>	<b>+233 spaces</b>
202		131.9 m <sup>2</sup>		4 spaces		
210		44.6 m <sup>2</sup>		1 space		
212		32.5 m <sup>2</sup>		1 space		
220B		146.3 m <sup>2</sup>		5 spaces		
222		111.5 m <sup>2</sup>		4 spaces		
223		114.1 m <sup>2</sup>		4 spaces		

225A	Office	185.8 m <sup>2</sup>	1 space / 30 m <sup>2</sup> of GCFA	6 spaces	<b>385 parking spaces</b>	<b>+233 spaces</b>
225B		92.9 m <sup>2</sup>		3 spaces		
305		171.7 m <sup>2</sup>		6 spaces		
310		150.1 m <sup>2</sup>		5 spaces		
320		589 m <sup>2</sup>		20 spaces		
103	Finance Company	95.6 m <sup>2</sup>	1 space / 15 m <sup>2</sup> of GCFA	6 spaces		
104		133.3 m <sup>2</sup>		9 spaces		
106		312.4 m <sup>2</sup>		21 spaces		
208		133.8 m <sup>2</sup>		9 spaces		
100 & 110	Commercial School	417.1 m <sup>2</sup>	4 spaces for each classroom or 1 space for every 20 m <sup>2</sup> of GCFA, whichever is greater	21 spaces		
220A		111.5 m <sup>2</sup>		6 spaces		
221		96.7 m <sup>2</sup>		5 spaces		
300	Health Centre	294.8 m <sup>2</sup>	1 space / 22 m <sup>2</sup> of GCFA	13 spaces		
<b>Total</b>	-	<b>3,451.3 m<sup>2</sup></b>	-	<b>152 spaces</b>		
<b>Grand Total</b>	-	<b>6,270.6 m<sup>2</sup></b>	-	<b>293 spaces</b>	<b>385 parking spaces</b>	<b>+92</b>

In accordance with by-law 270-2004, the subject site requires 24 vehicular parking spaces for the proposed private school and 293 vehicular parking spaces for all uses on-site, including the proposed private school. In comparing the parking requirement for all uses on-site with the current existing supply of 385 vehicular parking spaces, there is a surplus of 92 parking spaces. Thus, the proposed parking supply can adequately accommodate the parking demands of all uses on-site.

## 5.0 CONCLUSION

The findings and conclusions of this analysis are as follows:

- The subject site is currently occupied by two (2) buildings, a single storey commercial building and an existing three (3)-storey office building. Based on the preliminary site plan prepared by Technoarch dated July 28, 2020, the development proposal is to develop Unit 10 of the commercial building into a private school, with Unit 10 having a gross commercial floor area (GFA) of 346 m<sup>2</sup> (3,724 ft<sup>2</sup>). A total of 385 parking spaces are located on the subject site to serve the existing buildings. Vehicular access to the site is proposed via a full movement entrance onto Rutherford Road South and via a full movement entrance onto Bramsteele Road.
- The proposed development is expected to generate 32 new auto trips (20 inbound and 12 outbound) during the AM peak period, and 20 new auto trips (eight (8) inbound and 12 outbound) during the PM peak period. Based on the expected number of trips that the proposed development is expected to generate, it is our opinion that the proposed development will have a negligible impact on the adjacent road network.

- In accordance with by-law 270-2004, the subject site requires 24 vehicular parking spaces for the proposed private school and 293 vehicular parking spaces for all uses on-site, including the proposed private school. In comparing the parking requirement for all uses on-site with the current existing supply of 385 vehicular parking spaces, there is a surplus of 92 parking spaces. Thus, the proposed parking supply can adequately accommodate the parking demands of all uses on-site.

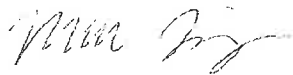
We trust the enclosed sufficiently addresses your needs. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

**Nextrans Consulting Engineers**

A Division of NextEng Consulting Group Inc.

Prepared by:



Marc Dimayuga  
Transportation Analyst

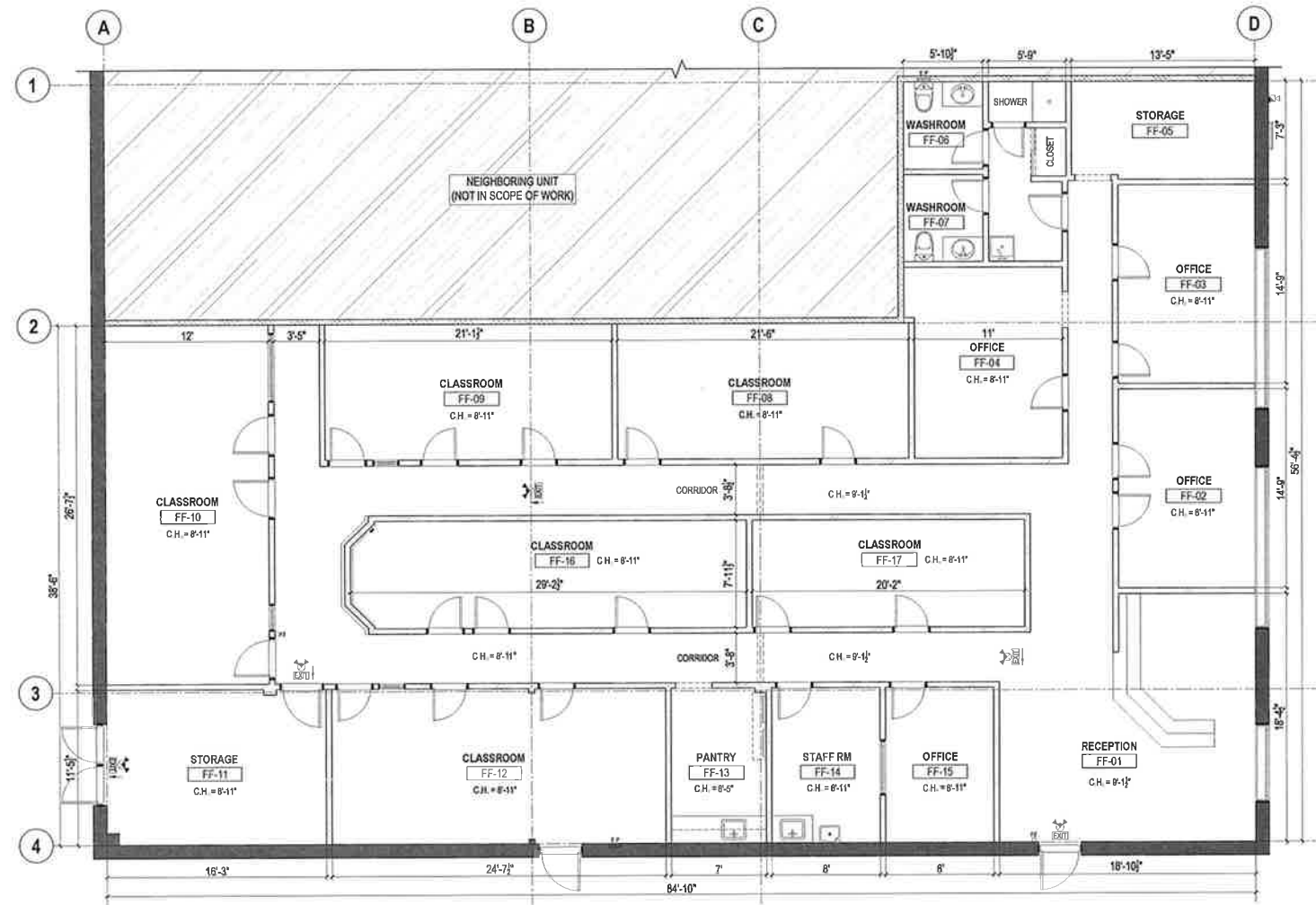
Approved by:



Richard Pernicky, MITE  
Principal



## **Appendix A - Proposed Site Plan**



01 EXISTING FLOOR PLAN  
1/8"=1'-0"



KEY	
00	ISSUED FOR REVIEW 2020-07-28
REV	ISSUED FOR DATE
PROJECT NAME AND ADDRESS: REZONING FOR INSTITUTION AT 350 RUTHERFORD RD S, BRAMPTON	
LEAD CONSULTANT:  2250 Bovard Drive E, Suite 612, Brampton, ON L6H 0W3, Canada Tel: +1-905-792-0038 Call: +1-416-729-2454 Email: hbhons@technoarch.ca www.technoarch.ca	
STRUCTURAL CONSULTANT:	
MEP CONSULTANT:	
DRAWING TITLE: EXISTING FLOOR PLAN	
DRAWN BY	JS
CHECKED BY	HB
APPROVED BY	HB
SCALE	SIZE
1/8"=1'-0"	A3
SHEET NO	STAGE
A02	REVIEW
PHASE	REV
00	00
ISSUED DATE	2020-07-28

## **Appendix B – Existing Transit Information**

10



10



notes

Route 10 does not operate on Saturdays, Sundays or Holidays.

While every effort will be made to keep to the timetables, Brampton Transit does not undertake that its buses will be operated in accordance with them, or at all. Brampton Transit will not be responsible for any loss, damage or inconvenience caused by any operating failure or in consequence of any inaccuracies in this timetable. Timings highlighted in blue indicate the trip is in a.m. hours. Timings highlighted in red indicate the trip is in p.m. hours.

For more information, call 905-874-2999.  
Monday to Friday 7:00 a.m. to 9:00 p.m.  
Saturday 7:00 a.m. to 7:00 p.m.  
Sunday 9:00 a.m. to 6:00 p.m.

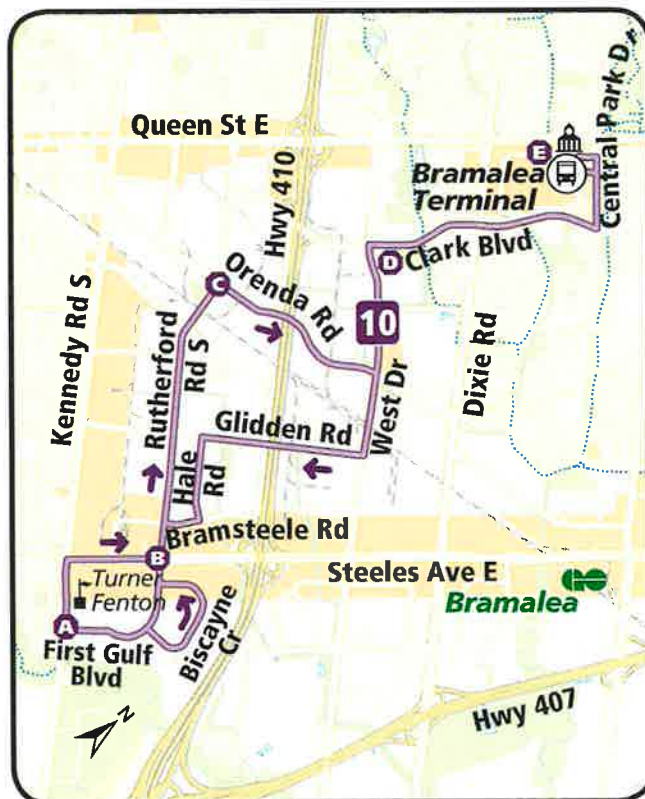
Alternate formats available upon request.



# South Industrial

Monday – Friday

Effective: September 3, 2019



bramptontransit.com



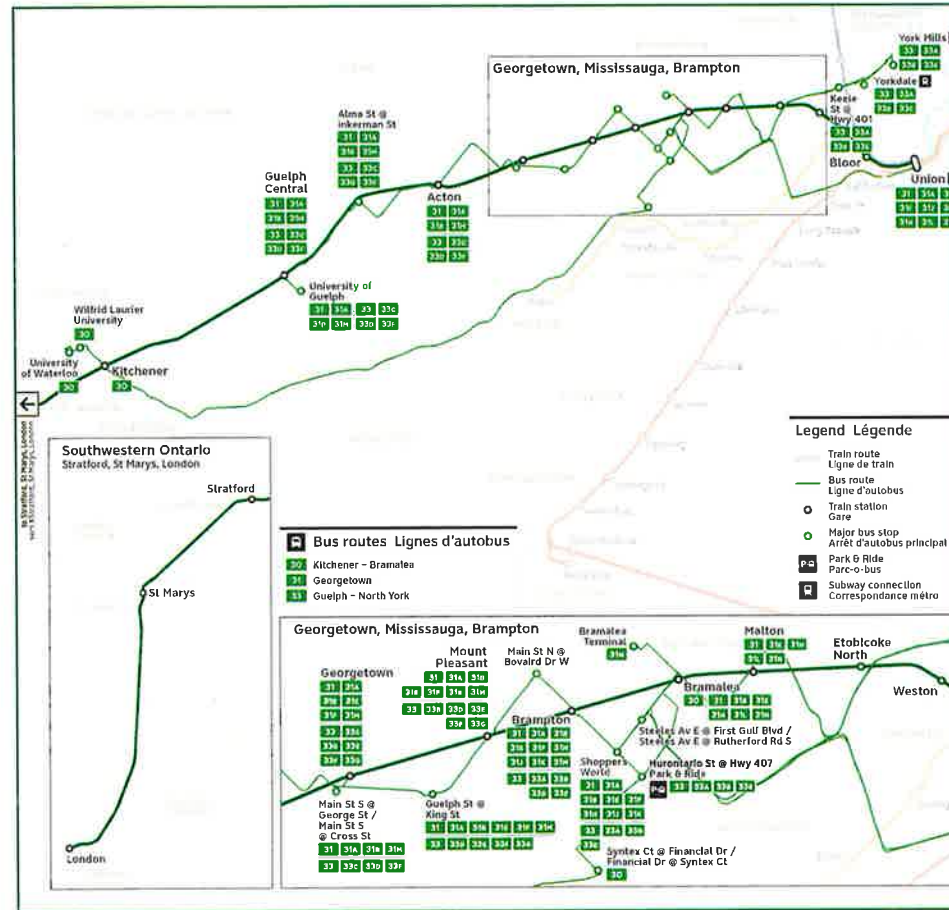
bramptontransit.com



# 30-31-33

Route number  
Numéro du trajet

## Kitchener



### CONTACT US

1-888-438-6646  
416-869-3200  
TTY/ATS:  
1-800-387-3652

[gotransit.com/schedules](https://www.gotransit.com/schedules)

@GOtransitKT

See Something?  
Say Something.  
24/7 Transit Safety Dispatch:  
1-877-297-0642

[prestocard.ca](https://www.prestocard.ca)

Sign-up for email or  
text alerts/ Inscrivez-  
vous pour recevoir des  
alertes par courriel ou  
message texte.  
[gotransit.com/OnTheGO](https://www.gotransit.com/OnTheGO)

*Face coverings are mandatory on  
GO Transit. Let's keep each other safe.*

*Le port d'un masque est obligatoire lors de  
vos trajets sur GO Transit. Protégeons notre  
santé les uns les autres.*

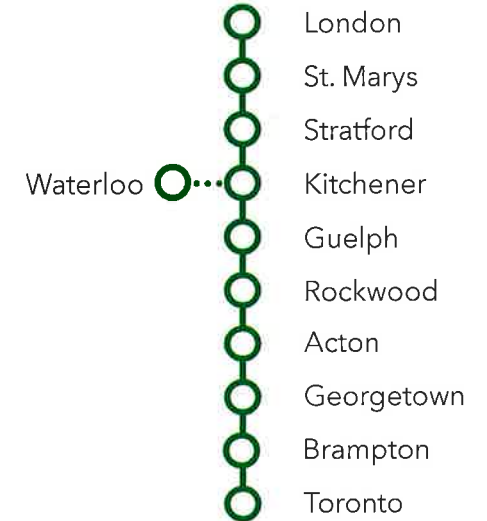
## Kitchener



GO Train and Bus Schedule/  
Horaire des trains et des autobus GO



KT 30 31 33



### Daily / Quotidiennement

Includes GO Bus routes 30, 31, and  
33 / Inclut les trajets 30, 31, et 33  
d'autobus GO

Effective / À partir de:  
**25** JUNE  
JUN 2022







*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)** Soneil Mississauga Inc.  
**Address** 46 West Drive, Brampton, Ontario L6T 3T6  


---

**Phone #** (905) 565-0360 X401 **Fax #** N/A  
**Email** neil.jain@soneil.com

2. **Name of Agent** Gagnon Walker Domes Ltd.  
**Address** 7685 Hurontario Street, Suite 501, Brampton, Ontario L6W 0B4  


---

**Phone #** (905) 796-5760 X257 **Fax #** (905) 796-5792  
**Email** mdenardis@gwdplanners.com

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

To permit a Private School in conjunction with a Commercial, Technical and Recreational School within Unit 10 - 'Plaza 1'

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

Section 3098.1 does not permit a Private School

5. **Legal Description of the subject land:**  
**Lot Number** Part Lot 1, Chinguacousy  
**Plan Number/Concession Number** Con. 2 E.H.S., Part Lot 1 RP 43R-408, Part 18, 25 RP 43R-1012, Part 1, 2 RP 43R-1386 Part 5  
**Municipal Address** 350 Rutherford Road South, Unit 10 - 'Plaza 1'

6. **Dimension of subject land (in metric units)**  
**Frontage** 96.23  
**Depth** 158.28  
**Area** 2.06

7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>



- 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.)

Two (2) Commercial Buildings  
 PLAZA #1 - 2,624 M<sup>2</sup>  
 PLAZA #2 - 2,984 M<sup>2</sup>.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No new structures. Recognize a small Private School featuring both in-person and on-line instruction from within Unit 10 - 'Plaza 1' in conjunction with a Commercial, Technical and Recreational School.

- 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	46.13
Rear yard setback	9.28
Side yard setback	16.62
Side yard setback	33.85

**PROPOSED**

Front yard setback	No changes, same as above.
Rear yard setback	No changes, same as above.
Side yard setback	No changes, same as above.
Side yard setback	No changes, same as above.

- 10. Date of Acquisition of subject land: N/A MAY 02, 2017.
- 11. Existing uses of subject property: Commercial
- 12. Proposed uses of subject property: Private School in conjunction with the permitted Commercial, Technical or Recreation School
- 13. Existing uses of abutting properties: Commercial and Office
- 14. Date of construction of all buildings & structures on subject land: 1990s
- 15. Length of time the existing uses of the subject property have been continued: N/A 30 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 # <u>A142/00</u>	Decision <u>May 09, 2000</u>	Relief <u>Front yard setback of 12.0 metre, etc.</u>
File # <u>A031/03</u>	Decision <u>February 18, 2003</u>	Relief <u>Training facility/commercial school</u>
File # <u>A13-065</u>	Decision <u>February 12, 2013</u>	Relief <u>Commercial, technical and recreational school</u>

[Signature]  
Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton

THIS 08 DAY OF November, 2022

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, Marc De Nardis, 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 Brampton

IN THE Region OF

Peel THIS 08 DAY OF

November, 2022

Jeanie Cecilia Myers  
a Commissioner, etc.,  
Province of Ontario  
for the Corporation of the  
City of Brampton  
Expires April 8, 2024.

[Signature]  
Signature of Applicant or Authorized Agent

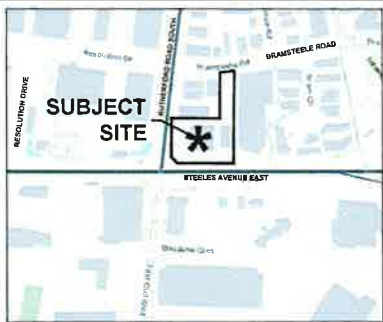
**Submit by Email**

[Signature]  
A Commissioner etc.

FOR OFFICE USE ONLY	
Present Official Plan Designation:	_____
Present Zoning By-law Classification:	_____
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.	
_____	_____
Zoning Officer	Date

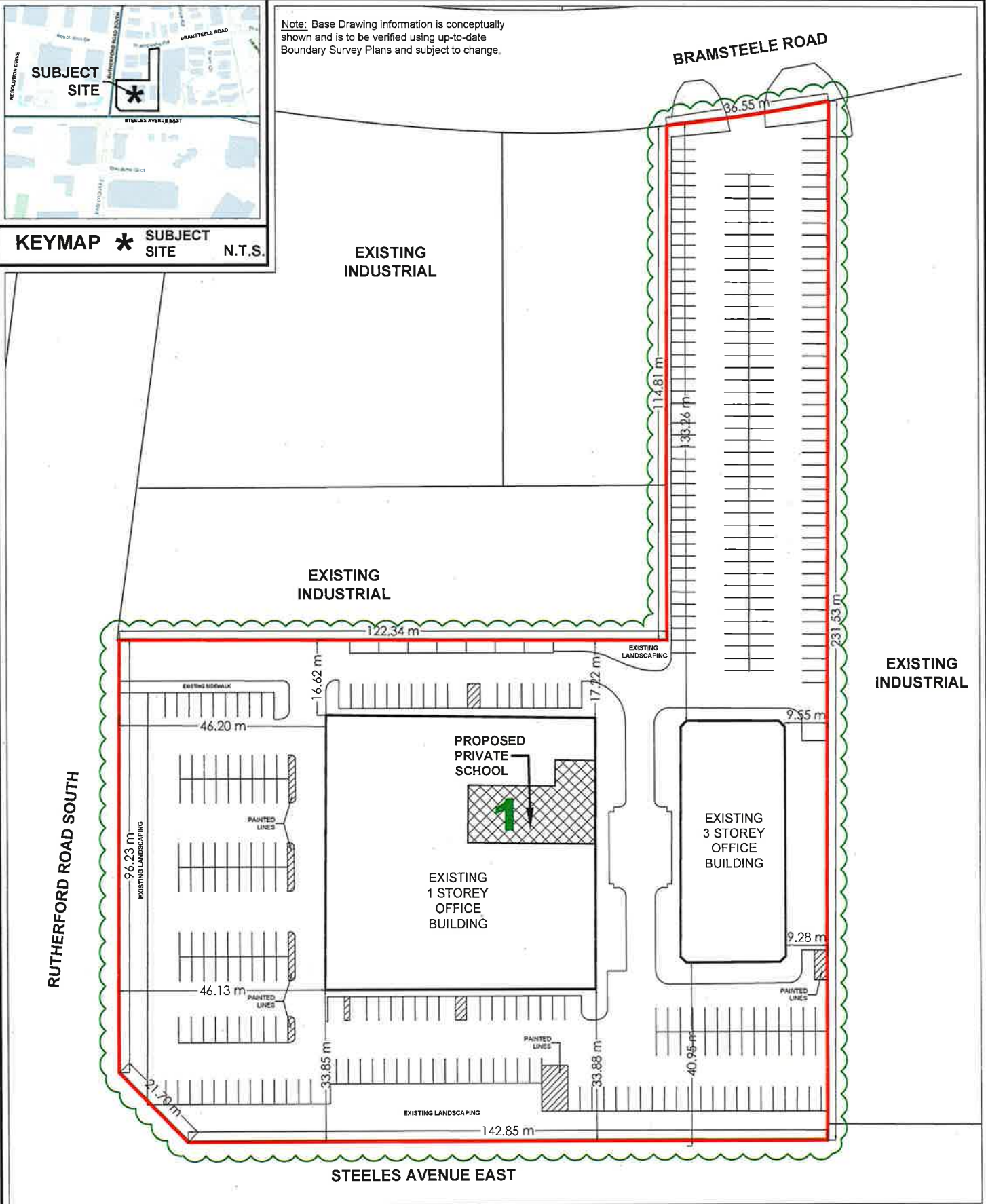
DATE RECEIVED NOVEMBER 8, 2022

Date Application Deemed Complete by the Municipality \_\_\_\_\_



**KEYMAP** \* **SUBJECT SITE** N.T.S.

Note: Base Drawing information is conceptually shown and is to be verified using up-to-date Boundary Survey Plans and subject to change.



**MINOR VARIANCE**

- To permit a Private School in Unit 10 - Plaza 1 whereas the By-law does not permit a Private School.

**LEGEND**

- PROPERTY BOUNDARY
- MINOR VARIANCE
- PROPOSED PRIVATE SCHOOL

**SITE STATISTICS**

SITE AREA: 0.749 ha (1.851 ac)  
 BUILDING A - G.C.F.A.: 2,624m<sup>2</sup> (28,242ft<sup>2</sup>)  
 BUILDING B - G.C.F.A.: 2,984m<sup>2</sup> (32,126ft<sup>2</sup>)  
 TOTAL G.C.F.A.: 5,608m<sup>2</sup> (60,364ft<sup>2</sup>)

PROPOSED PRIVATE SCHOOL - G.C.F.A.: 346m<sup>2</sup> (3,724ft<sup>2</sup>)

PARKING PROVIDED: 385 SPACES

**MINOR VARIANCE PLAN**

**CANSTEM EDUCATION PRIVATE SCHOOL INC.**  
 350 RUTHERFORD ROAD SOUTH  
 CITY of BRAMPTON

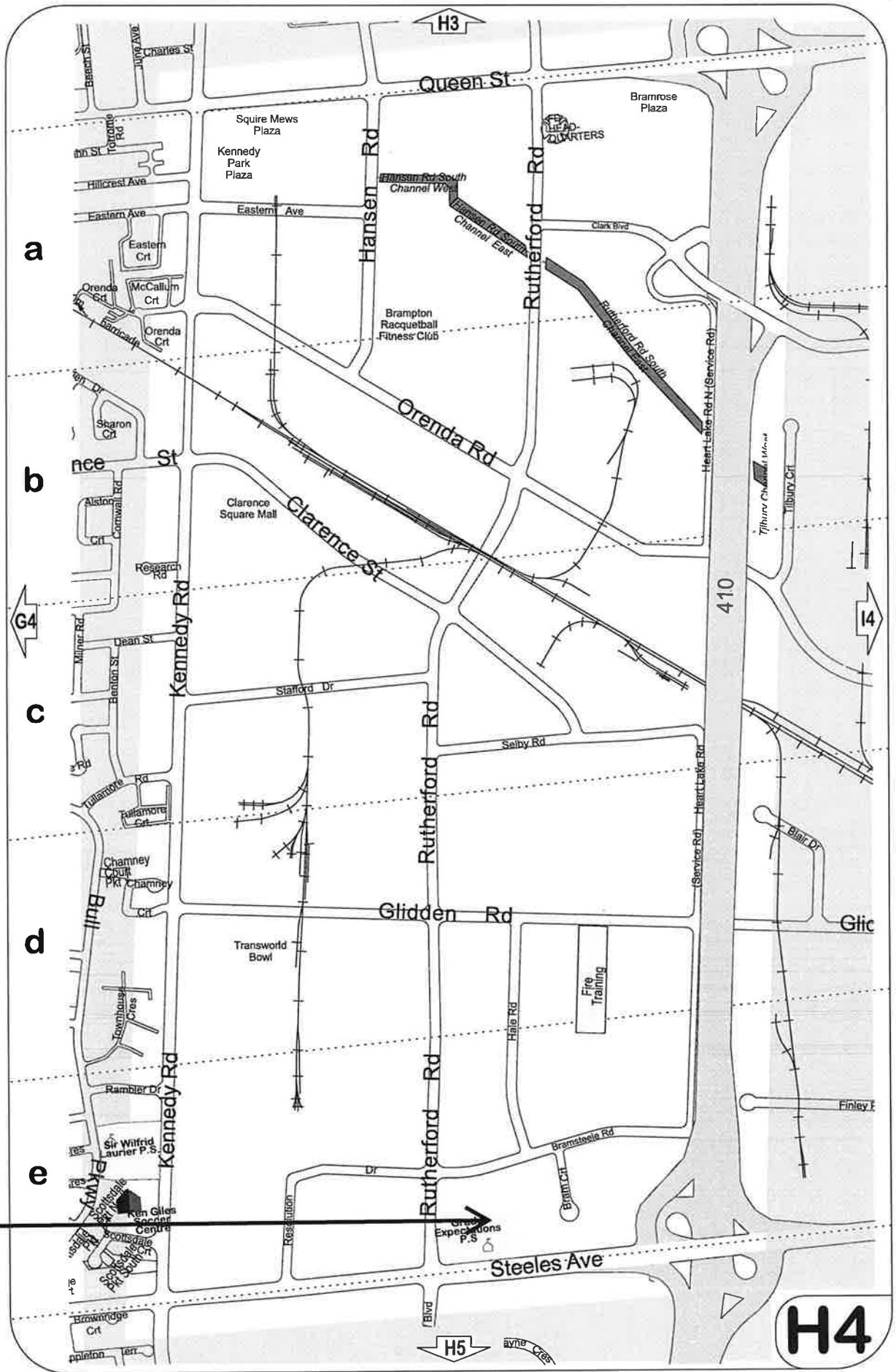
P.N.: 20.2716.00	Date: October 20, 2022
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.: PN 2716_SP_(10_20_2022)



**BRAMPTON**  
 21 Queen Street East  
 Suite 500  
 Brampton, ON  
 L6W 3P1  
 P (905) 796 - 5790



**MARKHAM**  
 3601 Highway 7 East  
 Suite 310  
 Markham, ON  
 L3R 0M3  
 P (905) 477 - 8556



A-2022-0361

H4