

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **FORCOMM HOLDINGS LTD.** 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 Lot 3, Plan M-343 municipally known as **8 CADETTA ROAD**, Brampton;

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

1. To permit a concrete mixing plant operation as a permitted use whereas the by-law does not permit a concrete mixing plant operation;
2. To permit a reduced side yard width of 1.0m (3.31 ft) whereas the by-law requires a minimum interior side yard width of 8.0m (26.24 ft);
3. To permit a minimum rear yard setback of 2.5m (8.20 ft) whereas the by-law permits a minimum rear yard setback of 7.0m (23 ft);
4. To permit a maximum building height of 12.5m (41 ft) whereas the by-law permits a maximum permitted building height of 10.0m (32.80 ft);
5. To vary Schedule 'C' – Section 1511 of the by-law to permit a 2.5 metre wide Landscaped Open Space Area whereas Schedule 'C' – Section 1511 of the by-law requires a minimum Landscaped Open Space Area of 4.6 metres.

OTHER PLANNING APPLICATIONS:

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, the Minister, a specified person or a public body.

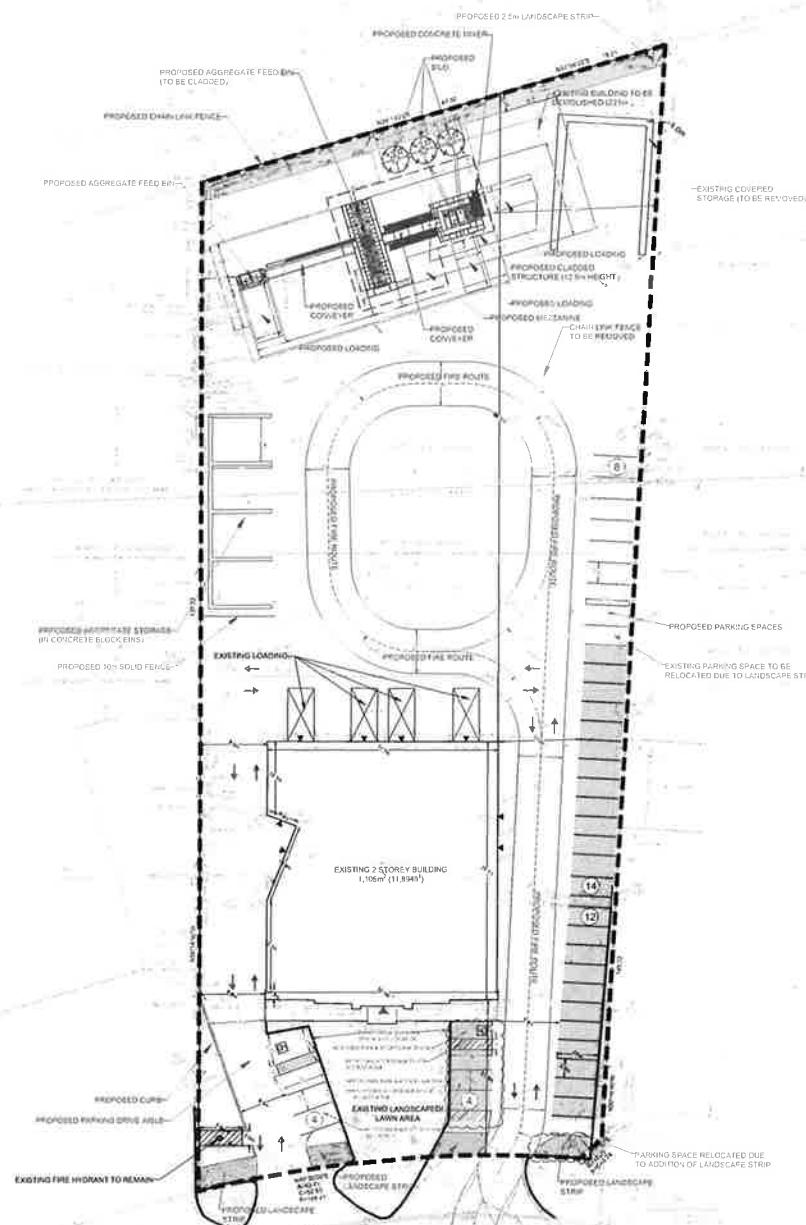
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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



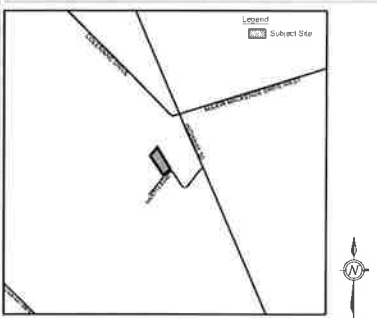
Site Statistics		
Zoning	M2-1511	
Site Area	Required	Provided
Minimum Lot Area	0.8 ha	0.83 m
Minimum Lot Width	40 m	52.7 m
Lot Frontage	N/A	52.7 m
Lot Depth	N/A	137.32 m
Front Yard Setback	18 m	21.0 m
Rear Yard Setback	7 m	2.5 m
Side Yard Setback	8 m	1.0 m
Total Gross Floor Area (Including Storage Areas & Plant)	N/A	2,298 m ²
Maximum Building Height*	10 m	12.5 m
Maximum Lot Coverage	50%	27.5%
Required Parking (1 space/55m ²)	42 spaces	42 spaces
Required Accessible Parking (1 Type A & 1 Type B space/26-50 Spaces)	2 spaces	2 spaces
Required Loading (1 space for 280m ² -1860m ² plus an additional 1 space per additional 1860m ² ; 7.5mx3.6m)	2 spaces	7 spaces
Paved Area	TBD	TBD
Landscaped Strip (North End of Property)	4.6 m	2.5 m
Landscaped Strip (South End of Property)	3.0 m	3.0 m

* Sites Exempt From Building Height Provisions

Building Statistics	Approved Building Statistics	Proposed Building Statistics	Total Building Statistics
	Gross Floor Area		Gross Floor Area
Existing Building	1,552m ² (16,705ft ²)		1,552m ² (16,705ft ²)
Existing Covered Storage	236m ² (2,540ft ²)		236m ² (2,540ft ²)
Proposed Building Statistics			
Proposed Aggregate Storage (in concrete bins)		220m ² (2,368ft ²)	220m ² (2,368ft ²)
Plant		290m ² (3,122ft ²)	290m ² (3,122ft ²)
Total Gross Floor Area	1,788m ² (19,245ft ²)	510m ² (5,490ft ²)	2,298m ² (4,735ft ²)

Parking Statistics			
Parking Space Statistics	Approved	Proposed	Total (Approved and Proposed)
Required Parking (1 space/55m ²)	26	17	42
Provided	26	16	42
Loading Space Statistics			
Required Parking (min 1 space- 7.5x3.6m)	1	1	2
Provided	4	3	7
Accessible Parking Space Statistics			
Required Parking (1 Type A & 1 Type B space/ 25-50 Spaces)	1	1	2
Provided	2	0	2

Legal Description
 Lot 3, Plan M 343
 City of Brampton
 Regional Municipality of Peel



KEY MAP 1:15,000

LEGEND

- EX LOT FABRIC (Site Area: 0.83 ha / 2.14 acres)
- DRIVE IN DOOR LOCATION
- MAIN ENTRANCE
- REQUIRED REVISIONS TO LINWORK
- APPROVED PARKING (SEPTEMBER 2010)
- EXISTING SITE ELEMENTS
- PROPOSED SITE ELEMENTS

NOTES
 1 ALL DIMENSIONS ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Revision No.	Date	Issued / Revision	By
Stamp	Date: March 20, 2023		
	Drawn By	T.H.	
	Plan Scale	1:350 (A4: 1:100)	
	File No.	21236 B	
	Checked By	T.G./D.W.	
Project	8 Cadetta Road City of Brampton, ON.		
File Name	SITE PLAN-OPTION 1		
Scale Bar	1 of 2		

SCALE 1:350

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 or 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 or 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 or 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. 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.



KITCHENER
WOODBIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

April 04, 2023

Jeanie Myers
Legislative Coordinator
Secretary-Treasurer
Committee of Adjustment
City of Brampton

Email: jeanie.myers@brampton.ca

Dear Jeanie:

**RE: Application for Minor Variance
Forest Ready Mix Ltd.
8 Cadetta Road, Brampton
Our File: 11148E**

A - 2023-0100

On behalf of our client, Forest Ready Mix Ltd., we are pleased to submit an application for Minor Variance with respect to the lands located at the property municipally addressed as 8 Cadetta Rd, in the City of Brampton (the "Subject Lands").

A minor variance is being applied for to obtain relief from certain zoning provisions in order to permit the proposed development consisting of a concrete batching plant operation on the Subject Lands.

DESCRIPTION OF THE REQUESTED VARIANCES

The purpose of the Minor Variance application is to obtain relief on a site-specific basis from landscape requirements, yard depths, maximum building height requirements and permitted uses outlined within Zoning By-law 270-2004, in order to facilitate the proposed development on the Subject Lands.

Relief to M2-1511 Zone Permitted Uses

1. Section 1511.1 - To permit a concrete mixing plant operation, whereas the M2-1511 Zone only permits "dry industrial uses, but not for any use which is obnoxious by reason of the noise or vibration created or the emission of dust, dirt, objectionable odours or gases". The intent of this variance is to add concrete mixing plant operation as a permitted use in addition to the uses permitted currently by the M2-1511 Zone

Relief to M2-1511 Landscaped Open Space Area Requirement

2. Section 1511.2(2) - To require a Landscaped Open Space Area with a minimum width of 2.5 metres along the northern property line of the Subject Lands, and no landscaped open space along the eastern property line of the Subject Lands, whereas the By-law requires a Landscaped Open Space Area with a minimum width of 4.6 metres to be provided along the northern property line of the Subject Lands

Relief to M2-1511 Minimum Side Yard Width

3. Section 1511.2(3)(d): To permit a minimum side yard width of 1.0 meter for the concrete batching plant and associated aggregate storage bin structures, whereas the By-law requires a minimum side yard width of 8.0 metres.

Relief to M2-1511 Maximum Building Height

4. Section 1511.2(3)(f): To permit a maximum building height of 12.5 meters for the concrete batching plant only, whereas the By-law requires a maximum building height of 10.0 metres.

In our opinion, the following M2 regulation would not apply to the Subject Lands given that the Subject Lands are subject to the specific zoning regulations of M2-1511, which do not include the requirement for a rear yard setback. However, out of an abundance of caution and should it be otherwise interpreted that the following regulation applies, the proposed development would require relief from the Minimum Rear Yard Depth provided for in the general M2 zoning regulations, as follows:

Relief to M2 Minimum Rear Yard Width

5. Section 32.1.2: To permit a minimum rear yard depth of 2.5 meters, whereas the By-law requires a minimum rear yard depth of 7.0 metres

The remainder of the proposed development is in full compliance with the requirements of the Zoning By-law as set out further below in this letter.

In addition, a Basic Site Plan application for the proposed plant operation addition has also been submitted to the City concurrently with this minor variance application. Upon both applications being deemed complete, any further details or changes to the minor variance application and site plan required by the City can be provided throughout the decision making process. This letter provides an overview of the development proposal as well as justification and rationale in support of the requested variances.

In support of this application, please find enclosed the following:

- One (1) copy of the completed Minor Variance Application Form;
- One (1) copy of the application checklist (received at the PAC meeting);

- One (1) copy of the signed Registered Owner's Authorization Form;
- One (1) copy of the Site Plan Drawings, prepared by MHBC Planning;
- One (1) copy of the Landscape Plan Drawings and Cost Estimate, prepared by MHBC Planning;
- One (1) copy of the Survey Plan, prepared by Mauro Group Inc.;
- One (1) copy of the Geotechnical Study, prepared by EXP Services Inc.;
- One (1) copy of the Traffic Brief, prepared by Paradigm Transportation Solutions Limited;

Payment to the City of Brampton in the amount of \$3,838.00 being the municipal application fee for the minor variance will be submitted following confirmation of application receipt.

Further, it is noted that the drawing files submitted for the proposed minor variance application do not contain the required GIS layering as it is a time intensive undertaking. However, once the review and comment process are complete, we will provide final site plans with the GIS layering component as part of the Basic Site Plan Approval review process.

SUMMARY OF THE PROPOSAL

The Subject Lands are located at 8 Cadetta Road, Brampton, within an existing, developed business/industrial park area, and have a total area of 8,380 square metres. The Subject Lands currently consist of an office building with two storage/servicing buildings and outdoor storage in the rear portion of the site. Our client is proposing to develop a concrete mixing plant operation and aggregate transfer facility at the rear of the property, similar to what was approved on the neighbouring property to the west of the Subject Lands. All components of the proposed concrete mixing plant operation will be located behind the existing main building on the Subject Lands, which includes the following:

- Aggregate feed bin and associated ramp to load material into the
- One transfer belt conveyor;
- One twin shaft mixer;
- Two cement screws;
- Three silos and associated structures; and
- Aggregate storage in concrete block bins (220m² outdoor storage area).

In order to accommodate the proposed concrete batching plant, the single storey metal shed structure to the rear of the Subject Lands is proposed to be demolished. Further, the existing covered storage structure located adjacent to the metal shed is also proposed to be removed.

The aggregate feed bin component is proposed to be lowered c.1.5 meters below grade in order to reduce the ramp height and increase safety for loading material into the aggregate bins. All other plant components of the proposal will be situated at grade level. Furthermore, both the aggregate feed bin and mixer components of the proposal will be winterized through applying metal cladding to the lower structure element of the feed bin and the upper structural component of the mixer in

order to protect the plant from harsh weather conditions. Three silos are proposed in total, one of which will be located directly above the mixer component.

A storage area for aggregate material necessary for the concrete batching process will be located along the western property line of the Subject Lands and will comprise of five (5) separate sections to store different materials (sand, gravel etc.).

Access is proposed via the existing southeast driveway from Cadetta Road which will travel along the eastern portion of the Subject Lands towards the rear yard area.

A 2.5 metre landscape strip and chain link fence is proposed to be provided along the northern property line, which comprises of deciduous and coniferous trees and shrubs plants, and sodded areas.

DESCRIPTION OF THE CURRENT OFFICIAL PLAN AND ZONING

The Subject Lands are currently designated "Industrial" and "Logistic/Warehouse/Transportation" within the City of Brampton Official Plan and Highway 427 Industrial Secondary Plan respectfully.

Within the City of Brampton Zoning By-law 270-2004, the Subject Lands are zoned M2-1511 (Industrial Category).

In our opinion, the proposed development conforms with the City of Brampton Official Plan. The proposed development has generally been designed in accordance with the applicable Zoning standards of the M2-1511 zone, with the exception the four (4) specific areas for which site-specific variances are required, as described below.

ANALYSIS AND JUSTIFICATION

Section 45(1) of the *Planning Act* identifies four tests which must be satisfied in order for the requested minor variances to be approved. The proposed variances both individually and cumulatively meet the four tests, as demonstrated in the analysis below.

a) The variance maintains the general intent and purpose of the Official Plan

In our opinion, the proposed development maintains the general intent and purpose of the City's Official Plan and aligns with the policy goals for Industrial areas and more specifically the "Logistic/Warehouse/Transportation" policies set out in the Highway 427 Industrial Secondary Plan as follows.

Relief to M2-1511 Zone Permitted Use

The "Industrial" designation provides for the development of industrial, manufacturing, distribution, mixed industrial/commercial, commercial self-storage warehouses, data processing and related uses and limited office uses, and may also permit limited service and retail uses, open space, public and institutional use as practical.

For lands designated "Logistic/Warehouse/Transportation", the Secondary Plan permits uses including research and development facilities, communication and/or telecommunication facilities, manufacturing and processing of semi processed or fully processed materials deemed not to have harmful impacts arising from dust, fumes, odour, noise or vibrations, assembling, packaging and warehousing facilities, provided that such uses operate within wholly enclosed buildings. In terms of outdoor storage, the storage of goods and materials will be permitted subject to the location and screening criteria contained within the implementing zoning by-law.

The proposed concrete batching operation involves the manufacturing and distribution of concrete. Although the use will emit noise and dust, the plant will be designed and mitigated to meet all provincial standards and will not be considered 'obnoxious'. The plant will be subject to Environmental Compliance Approval requirements regulated by the Ministry of the Environment, Conservation and Parks that will ensure provincial standards are being maintained and that the operation is not considered obnoxious.

Zoning regulations pertaining to outdoor storage are discussed further below under "test" (b).

Relief for Landscape Open Space Area Requirements

Policy 5.2.9.3 contained within the Highway 427 Industrial Secondary Plan requires that "the development of lands within the Logistic/Warehouse/Transportation designation be subject to

development standards, including landscaping and buffering, to ensure that the potential impact of industrial operations on adjoining uses will be minimized”.

The adjacent lands to the north of the subject property are used for outdoor storage and agriculture beyond. No landscaped open space buffer exists between the two properties currently and the rear portion of the existing building is used for loading and outdoor storage.

The implementation of a landscaped open space area at a width of 2.5 metres will improve the existing condition and is adequate for providing a landscaped buffer between the two uses, while optimizing the use of the Subject Property for industrial use.

Therefore, a landscaped open space area of 2.5 metres (instead of 4.6 metres) in width along the northern property line of the Subject Lands is proposed as part of the concrete batching proposal in order to provide a landscaped buffer between the Subject Lands and the adjoining property to the north.

Relief for Side Yard and Rear Yard Depths

Policy 5.2.9.5 contained within the Secondary Plan states that outside storage areas including truck trailer parking shall not directly abut arterial roads, shall be limited in size and be appropriately set back and screened in accordance with the requirements of the implementing zoning by-law.

Although truck access will come off of Cadetta Road, the concrete batching operation, including outdoor storage of aggregate material will be situated towards the rear of the subject lands. The adjacent lands to the west are being similarly used for a concrete batching operation at the rear of the site up the property line and the adjacent lands to the east and north are also used for outdoor storage up to the mutual property line.

Therefore, the proposed relief to the side and rear yard depths for the operation at the rear of the property will not impact adjacent uses and the proposed operation will be largely screened from Cadetta Road.

Relief for Maximum Building Height

Direction related to minimizing impacts from industrial operations are contained in both policies 5.2.9.3 and 5.2.9.4 of the Highway 427 Industrial Secondary Plan, which indicate that “development of lands within the Logistic/Warehouse/Transportation’ designation will be subject to development standards including landscaping and buffering, to ensure that the potential impact of industrial operations on adjacent uses will be minimized”. The M2-1511 zoning standards were put in place to implement the Highway 427 Industrial Secondary Plan.

Zoning regulations (development standards) pertaining to building height are discussed further below under “test” (b).

b) The variance maintains the general intent and purpose of the Zoning By-law

Zoning By-law 270-2004 implements the land use policies of the City of Brampton Official Plan to ensure development occurs in a consistent and orderly manner and the more specific zoning standards M2-1511 (Industrial Category) within zoning By-law 270-2004, implement the Highway 427 Industrial Secondary Plan.

The M2-1511 Zone permits a range of a range of industrial uses, however, such uses “shall only be used for dry industrial uses, but not for any use which is obnoxious by reason of the noise or vibration created or the emission of dust, dirt, objectionable odours or gases”.

The following Zone provisions apply to the Subject Lands:

Regulation	Requirement	Provided
M2-1511 Zone		
Minimum Lot Area	0.8 hectares	0.84 ha
Minimum Lot Width	40 m	c.53 m
Minimum Front Yard Depth	18 m	c.21 m
Minimum Side Yard Width	8 m	1 m
Minimum Rear Yard Depth	7 m	2.5 m
Maximum Lot Coverage of all buildings and structures	50% of the lot	20 %
Maximum Building Height	10 m	12.5 m
Landscaped Open Space	Minimum width of 4.6 metres shall be provided and shall occupy an area indicated as Landscaped Open Space on SCHEDULE C (i.e. northern and eastern property lines of the Subject Lands)	2.5 m along northern property line
Parking Spaces	One parking space on the same lot for each 55 square metres of gross floor area	Provided.
Loading Spaces	280 square metres to 1860 square metres – One	Provided.

Relief for Permitted Use

The Industrial Two (M2) zoning generally permits the manufacturing, cleaning, packaging, processing, repairing, or assembly of goods, foods or materials, however, special section 1511 of the City of Brampton Zoning By-law outlines that lands zoned M2-1511, including the subject property, shall only be used for “dry industrial uses, but not for any use which is obnoxious by reason of the noise or vibration created or the emission of dust, dirt, objectionable odours or gases”.

In this case, the proposed plant will require the use of water in the concrete batching process. Therefore, a minor variance to permit the proposed use is required.

Further, although the use will emit noise and dust, the emissions will be designed and mitigated to meet all provincial standards and will not be considered ‘obnoxious’.

It is our opinion that the concrete batching plant operation as proposed maintains the general intent and purpose of the Industrial Two zoning and the more specific zoning requirements of M2-1511 for the following reasons:

- The manufacturing nature of the proposed development,
- its location in the rear portion of the property and nature of surrounding land uses,
- that any potential impact relative to water supply is minimal, and that
- potential impact relative to noise and air quality will be mitigated to meet standards set by the Province.

Relief for Landscaped Open Space Area Requirements

The zoning by-law sets out that a minimum width of 4.6 metres shall be provided and shall occupy an area indicated as Landscaped Open Space on SCHEDULE C (i.e. the northern property line of the Subject Lands). The proposal provides for a 2.5 metre landscaped strip along the northern property line of the Subject Lands. The adjacent property to the north consists of a separate storage yard area surrounded by agricultural lands. Given the similar nature and uses of the adjacent properties and operations, the proposed landscaping measures will provide for a sufficient buffer between the subject lands and surrounding uses.

Relief for Yard Depths

Minimum Side Yard Width: Relief to the side yard width provision is required in order to accommodate the proposed storage area and concrete batching plant within the rear portion of the property, while still allowing for space for operations, safe truck turning and fire route.

As set out by the zoning by-law, the minimum side yard width is 8 m. The storage area is proposed to be located along the western property line with a 1.0 metre setback, while the proposed concrete

plant is proposed to be setback 3.7 metres (aggregate feed bin component) from the western property line.

The proposed setbacks are generally consistent and reflect the setback distances of the existing built environment of the surrounding and adjacent properties. Further, as the surrounding properties are very similar in nature (industrial) to the proposal and are seen to be compatible, a reduction to the yard depths as proposed is deemed appropriate.

Relief for Maximum Building Height

The maximum building height is 12.5 metres and the silos component of the proposed concrete batching facility are exempt by Section 6.16 of the By-law.

The majority of the proposed plant will meet the 10.0 metre maximum, with the exception of the mixer, which is a small component of the plant and will be 2.5 metres (8.2 feet) above the maximum after cladding is applied for weather protection purposes. The proposed plant will be situated at the rear of the property, behind the existing building on the subject lands, which will help minimize any visual impacts. In addition, the scale and height of the proposed plant is compatible with existing land uses in the surrounding environs of the Subject Lands, which also include an existing concrete batching operation situated directly adjacent to the west. As such, the proposed plant and associated height will fit within the existing built context of the area

c) The variance is desirable and appropriate for the development and use of the land.

The requested variances represent the permission of a manufacturing use on the subject lands, which form part of the overall industrial / business park area, and are designated to accommodate a variety of industrial uses. The approval of the variances will permit a concrete batching plant operation at the rear of the property, which is consistent with the use of the adjacent property to the west and allows for an efficient use of industrial zoned land.

Therefore, it is our opinion that these variances are desirable and appropriate for the development and use of the land as they will permit appropriate intensification and maximizing the usability of the site in a compatible manner with surrounding uses.

d) The variance is minor in nature

The test of minor is an assessment of impact. The requested variances to the permitted uses, landscaping requirements, yard depths and maximum building height are minor in nature, and will not result in any unacceptable adverse impacts on the Subject Lands or surrounding area. The proposed variances are specific to the site conditions and what is needed to implement the proposed plant design. The proposed plant operation is compatible with surrounding land uses which are of similar nature and will also be confined to the rear of the Subject Lands, thereby minimizing impact.

As noted earlier, the plant will be subject to Environmental Compliance Approval as required by the Ministry of the Environment, Conservation and Parks to ensure that noise and air quality standards set by the Province are being met. The ECA process can not be initiated until the zoning is in place to allow for the proposed use.

Based on the above, the requested variances are minor in nature.

PAC Meeting

A Pre-Application Consultation (PAC) for the application was held on 25 January, 2023, where it was confirmed that a Basic Site Plan and Minor Variance application was required for the proposal. Specific application requirements and comments were received on the proposal, which have been addressed in the submitted application documents.

CONCLUSION

In conclusion, the requested variances both individually and cumulatively conform to the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the use of the Subject Lands, and are minor in nature. For the reasons set out above, it can be concluded that the requested variances satisfy the four tests set out in Section 45 (1) of the *Planning Act* and should be approved.

We are pleased to submit additional information as required and respond to any questions you may have.

Sincerely,

MHBC



Debra Walker
Partner



Tomas Glancy
Senior Planner



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

FILE NUMBER: A-2023-0100

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)** Forcomm Holdings Ltd.
Address 240 Chrislea Rd., Vaughan, ON, LVL 8V1

Phone # 416-948-6336 **Fax #** NA
Email domenic.gurreri@forestgroup.ca

2. **Name of Agent** Debra Walker
Address 7050 Weston Road, Suite 230, Woodbridge, ON, L4L 8G7

Phone # 416-605-6039 **Fax #** _____
Email dwalker@mhbcpplan.com

3. **Nature and extent of relief applied for (variances requested):**
 -To permit the use of a concrete mixing plant operation
 -To permit a maximum building height of 12.5m
 -To permit a minimum side yard width of 1.0m
 -To permit a Landscaped Open Space Area width of 2.5m
 Please see application cover letter with full details.

4. **Why is it not possible to comply with the provisions of the by-law?**
 Components of the proposed development and layout of such components require relief from certain zoning provisions including maximum building heights, landscape requirements, yard setbacks and uses permitted.

5. **Legal Description of the subject land:**
Lot Number Lot 3
Plan Number/Concession Number PLAN M-343
Municipal Address 8 Cadetta Road, Brampton

6. **Dimension of subject land (in metric units)**
Frontage 52
Depth 144
Area 8,380

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.)

Main office building (1,105 m²)
Single storey metal shed (221 m²)
Covered storage structure (242 m²)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Concrete batching plant, ramp area, and aggregate storage area (348 m² - excluding ramp area)

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 21.0 m
Rear yard setback 4.6m
Side yard setback 8.6m
Side yard setback 1.0m

PROPOSED

Front yard setback N/A
Rear yard setback N/A
Side yard setback 1.0m
Side yard setback 14.0m

10. Date of Acquisition of subject land: Jun 03, 2010
11. Existing uses of subject property: Office and storage
12. Proposed uses of subject property: Concrete batching plant operation
13. Existing uses of abutting properties: Industrial, logistics, storage
14. Date of construction of all buildings & structures on subject land: c. 2011
15. Length of time the existing uses of the subject property have been continued: c.2011-present

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

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

Yes No

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

18. Has a pre-consultation application been filed?

Yes No

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

Yes No Unknown

If answer is yes, provide details:

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

Signature of Applicant(s) or Authorized Agent

DATED AT THE City of Vaughan OF Ontario

THIS 29 DAY OF March, 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, Thomas Blancy, OF THE City OF Toronto

IN THE Province OF Ontario 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 11th DAY OF
April, 2023

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

Signature of Applicant or Authorized Agent

A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

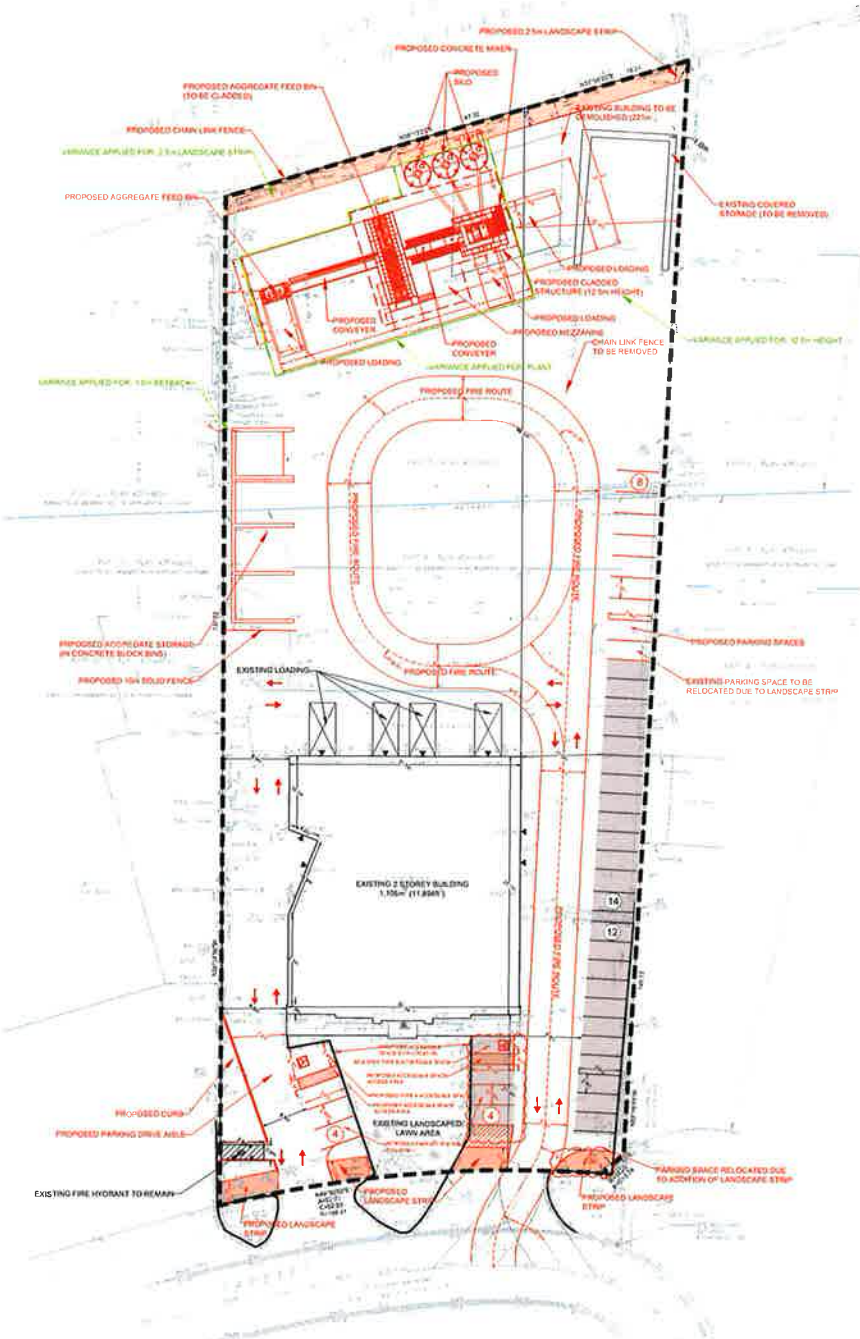
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

Zoning Officer

Date

DATE RECEIVED April 11th, 2023

Date Application Deemed Complete by the Municipality _____



Site Statistics		
Zoning	M2-1511	
Site Area	8,368 m²	
	Required	Provided
Minimum Lot Area	0.8 ha	0.83 m
Minimum Lot Width	40 m	52.7 m
Lot Frontage	N/A	52.7 m
Lot Depth	N/A	137.32 m
Front Yard Setback	18 m	21.0 m
Rear Yard Setback	7 m	2.5 m
Side Yard Setback	8 m	1.0 m
Total Gross Floor Area (Including Storage Areas & Plant)	N/A	2,298 m²
Maximum Building Height*	10 m	12.5 m
Maximum Lot Coverage	50%	27.5%
Required Parking (1 space/55m²)	42 spaces	42 spaces
Required Accessible Parking (1 Type A & 1 Type B space/26-50 Spaces)	2 spaces	2 spaces
Required Loading (1 space for 280m²-1860m² plus an additional 1 space per additional 1860m²; 7.5mx3.6m)	2 spaces	7 spaces
Paved Area	TBD	TBD
Landscaped Strip (North End of Property)	4.6 m	2.5 m
Landscaped Strip (South End of Property)	3.0 m	3.0 m

* Sites Exempt From Building Height Provisions

Building Statistics			
	Approved Building Statistics	Proposed Building Statistics	Total Building Statistics
Existing Building	Gross Floor Area 1,552m² (16,705ft²)	Gross Floor Area	Gross Floor Area 1,552m² (16,705ft²)
Existing Covered Storage	236m² (2,540ft²)		236m² (2,540ft²)
Proposed Building Statistics			
Proposed Aggregate Storage (in concrete bins)		220m² (2,368ft²)	220m² (2,368ft²)
Plant		290m² (3,122ft²)	290m² (3,122ft²)
Total Gross Floor Area	1,788m² (19,245ft²)	510m² (5,490ft²)	2,298m² (4,735ft²)

Parking Statistics			
Parking Space Statistics	Approved	Proposed	Total (Approved and Proposed)
Required Parking (1 space/55m²)	25	17	42
Provided	26	16	42
Loading Space Statistics			
Required Parking (min 1 space: 7.5x3.6m)	1	1	2
Provided	4	3	7
Accessible Parking Space Statistics			
Required Parking (1 Type A & 1 Type B space/ 25-50 Spaces)	1	1	2
Provided	2	0	2

Legal Description
 Lot 3, Plan M-343
 City of Brampton
 Regional Municipality of Peel



KEY MAP 1:15,000

LEGEND

- EX LOT FABRIC (Site Area: 0.83 ha / 2.14 acres)
- DRIVE-IN DOOR LOCATION
- MAIN ENTRANCE
- REQUIRED REVISIONS TO LINEWORK
- APPROVED PARKING (SEPTEMBER 2010)
- EXISTING SITE ELEMENTS
- PROPOSED SITE ELEMENTS

NOTES
 1 ALL DIMENSIONS ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Revision No. _____ Date _____ Issued / Revision By _____

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
 230,700 MIDON ROAD WOODBINE, ON L4L 6L7 P: 905.741.5066 F: 905.743.5187 WWW.MHBC.MALCOM

Stamp: **DEBRA S. WALKER** REGISTERED PROFESSIONAL PLANNER R.P.P.
 Date: March 20, 2023
 Drawn By: T.H.
 Plan Scale: 1:350 (Arch D)
 File No.: 21238 B
 Checked By: T.G./D.W.
 Other: _____

Project: 8 Cadetta Road, City of Brampton, ON

File Name: SITE PLAN-OPTION 1
 Sheet No.: 1 of 2

Scale Bar: _____

SCALE 1:350

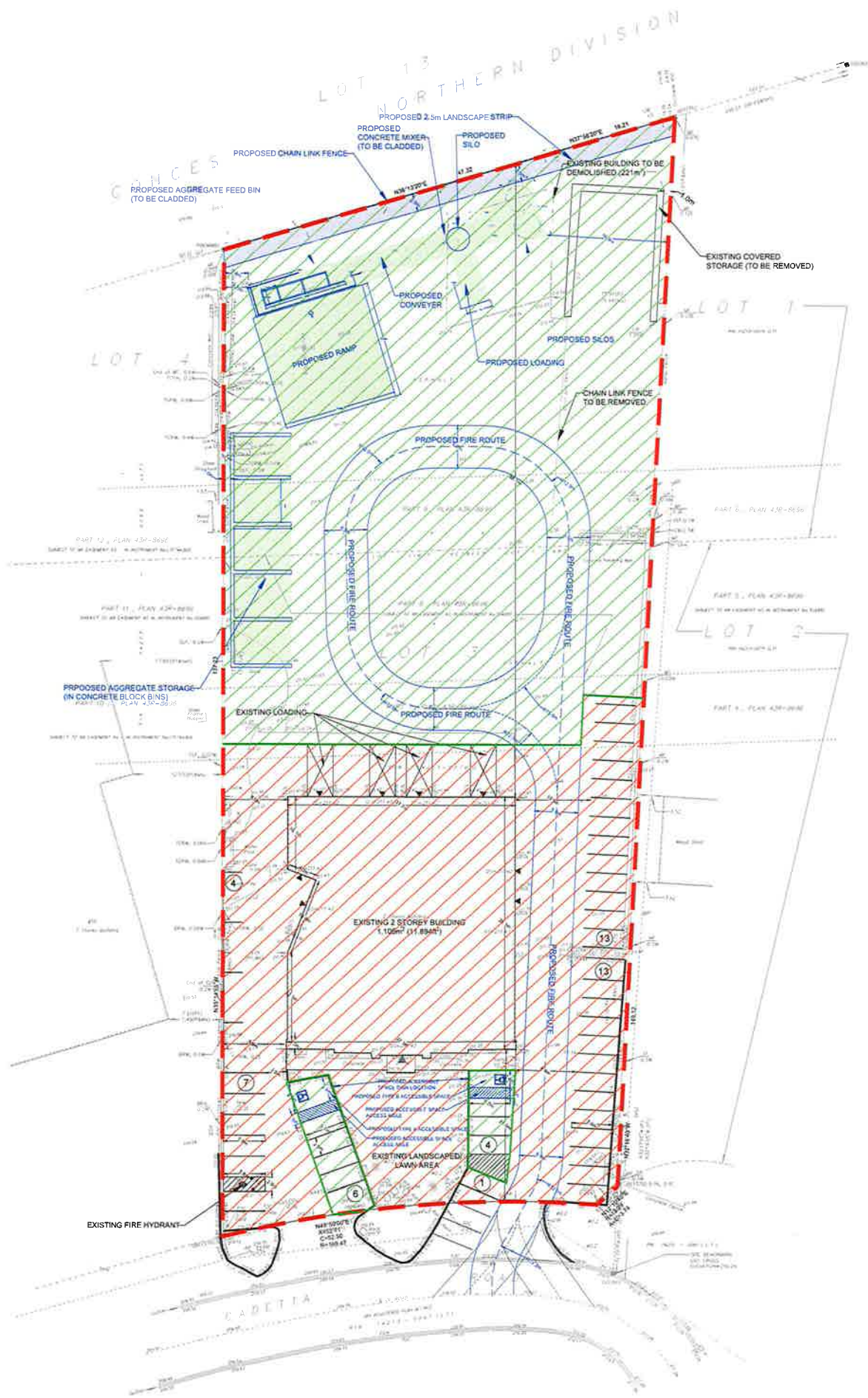


Figure
Minor Variance
Sketch

LEGEND

- Subject Lands
- Areas Not Subjected to Requested Variance
- Requested Variance

DATE: April 4, 2023

SCALE 1:750



8 Cadetta Road,
Brampton, Ontario

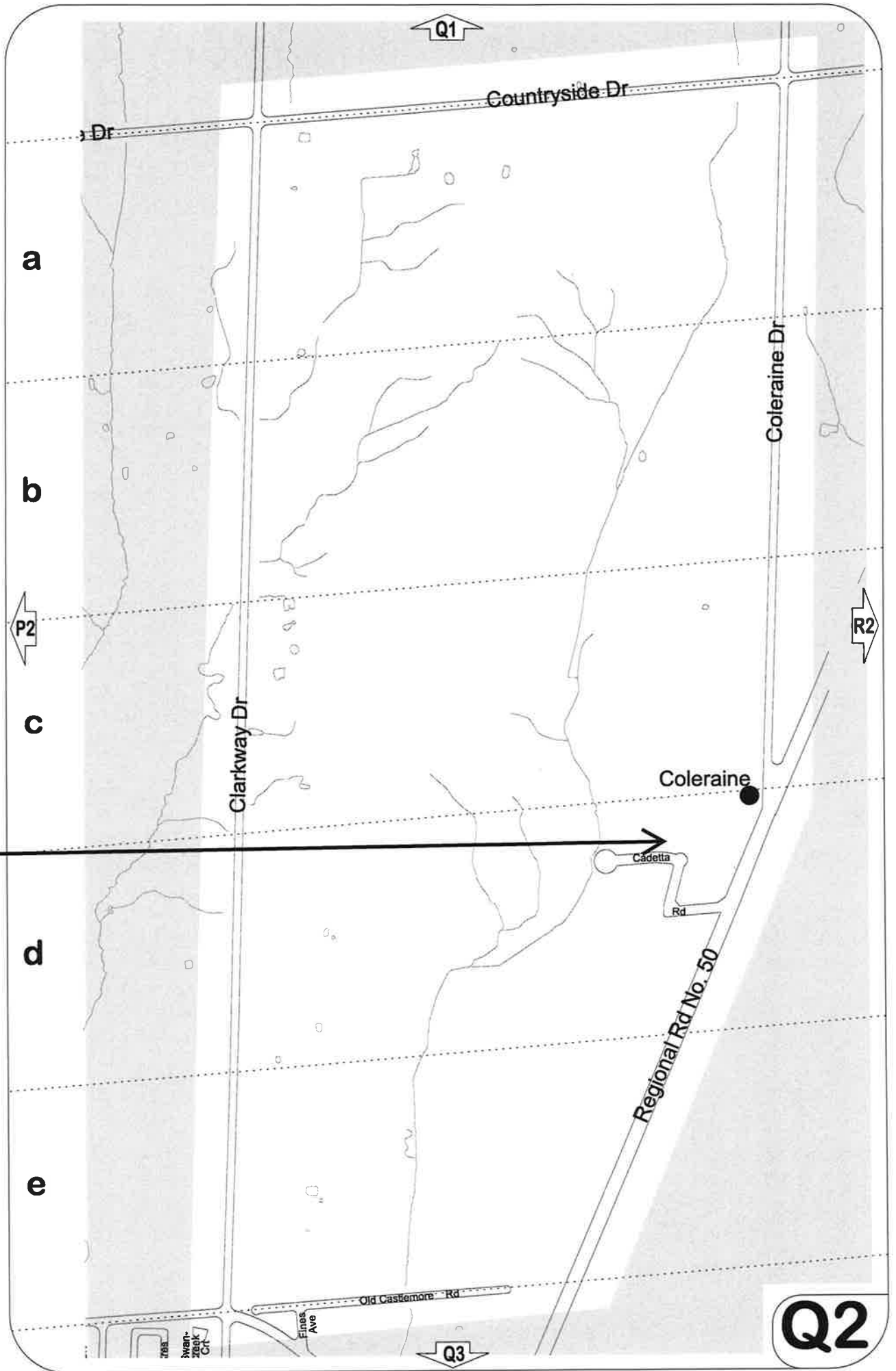
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**PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE**

MHBC

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A-2023-0100



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