

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) AAA HOLDINGS LTD.

Address 12 JANETVILLE STREET, BRAMPTON, L6P 2A3.

Phone # 4164506242

Fax #

Email pushapiindal@gmail.com

2. Name of Agent MANNI CHAUHAN MCIP, RPP

Address SUITE #401, 2800 SKYMARK AVENUE, MISSISSAUGA, ON, L4W 5A6.

Phone # 6472969175

Fax #

Email gforceplanners@gmail.com

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

1. To permit 98 Parking spaces whereas the zoning bylaw modified by variance A17-177 requires 107 parking spaces for this specific site. Zoning Bylaw 270-2004 as amended through zoning amendment 259-2020 requires 98 parking spaces which are provided.

2. To vary schedule 'C-Section 252' modified by variance A17-177 to permit 3 commercial units with a total gross commercial floor area of 2247.7 sqm whereas the bylaw modified by variance A17-177 permits a total gross floor commercial area of 2030 sqm.

3. To vary Schedule 'C-Section 252' modified by variance A17-177 for Landscaped

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

It is not possible to comply with the provisions of teh by-law because of the restrictive space.

5. Legal Description of the subject land:

Lot Number Part of Lot 9, Concession 3 E.H.S. City of Brampton File: Sp17-103.000

Plan Number/Concession Number 3 E.H.S. City of Brampton File: Sp17-103.000

Municipal Address 860-870 N Park Dr, Brampton, ON L6S 4N5

6. Dimension of subject land (in metric units)

Frontage 138.4

Depth 110.2

Area 0.88

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.)

Currently, the property accommodates two single-storeys commercial buildings: Building A with a gross floor area of 1,547.7 square meters and Building B covering 481 square meters, set on a total site area of 2.17 acres.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

The Proposal is to add a new commercial Building in existing site along North Park Drive. The gross floor area of new building is 219 SQM

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	Building A:21m	Building B:11m
Rear yard setback	Building A:23m	Building B:10m
Side yard setback	Building A:10m	Building B:73m
Side yard setback	Building A:20m	Building B:2m

PROPOSED

Front yard setback	Building C: 2m
Rear yard setback	Building C: 42m
Side yard setback	Building C: 49m
Side yard setback	Building C: 4m

10. Date of Acquisition of subject land: October, 2005
11. Existing uses of subject property: Commercial
12. Proposed uses of subject property: Commercial
13. Existing uses of abutting properties: Residential on North, east and west side. Burial ground on North-East and Commercial on South.
14. Date of construction of all buildings & structures on subject land: Building A in 1985, Building B in 2020
15. Length of time the existing uses of the subject property have been continued: 38 Years, Since 1985.

16. (a) What water supply is existing/proposed?
- | | | |
|-----------|-------------------------------------|-----------------------|
| Municipal | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Well | <input type="checkbox"/> | |
- (b) What sewage disposal is/will be provided?
- | | | |
|-----------|-------------------------------------|-----------------------|
| Municipal | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Septic | <input type="checkbox"/> | |
- (c) What storm drainage system is existing/proposed?
- | | | |
|---------|-------------------------------------|-----------------------|
| Sewers | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Ditches | <input type="checkbox"/> | |
| Swales | <input type="checkbox"/> | |

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?

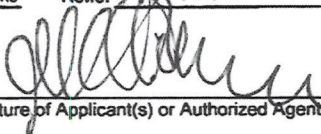
Yes ☒ No ☐

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 # A17-177	Decision COA - Approved with conditions	Relief <small>Setback Area, Landscape Open Space, Natural Area, Green commercial floor area etc.</small>
File # A12-014	Decision COA - Approved with conditions	Relief <small>Unit 10 to be used as a Commercial School (tutoring)</small>
File # A09-172	Decision COA - Approved with conditions	Relief <small>Overlooking, Parking, Loading Space and Outdoor Play Area</small>


Signature of Applicant(s) or Authorized Agent

DATED AT THE City _____ OF Brampton

THIS 10th DAY OF January, 2024

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, Pushap Jindal, OF THE City _____ OF Brampton

IN THE Region _____ OF Peel _____ 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

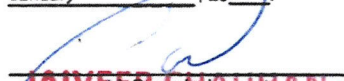
City _____ OF Brampton

IN THE Region _____ OF

Peel THIS 10th DAY OF

January, 2024


Signature of Applicant or Authorized Agent



JAIVEER CHAUHAN
a Commissioner, etc.,
Province of Ontario,
While a Barrister and Solicitor.
LSO#75409F

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

JAN 18, 2024

Revised 2020/01/07

APPOINTMENT AND AUTHORIZATION OF AGENT

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

LOCATION OF THE SUBJECT LAND: 860-870 N Park Dr, Brampton, ON L6S 4N5

I/We, AAA 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

Manni Chauhan
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 10th day of January, 2024.


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

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

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.

PERMISSION TO ENTER

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

LOCATION OF THE SUBJECT LAND: 860-870 N Park Dr, Brampton, ON L6S 4N5

I/We, AAA 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.

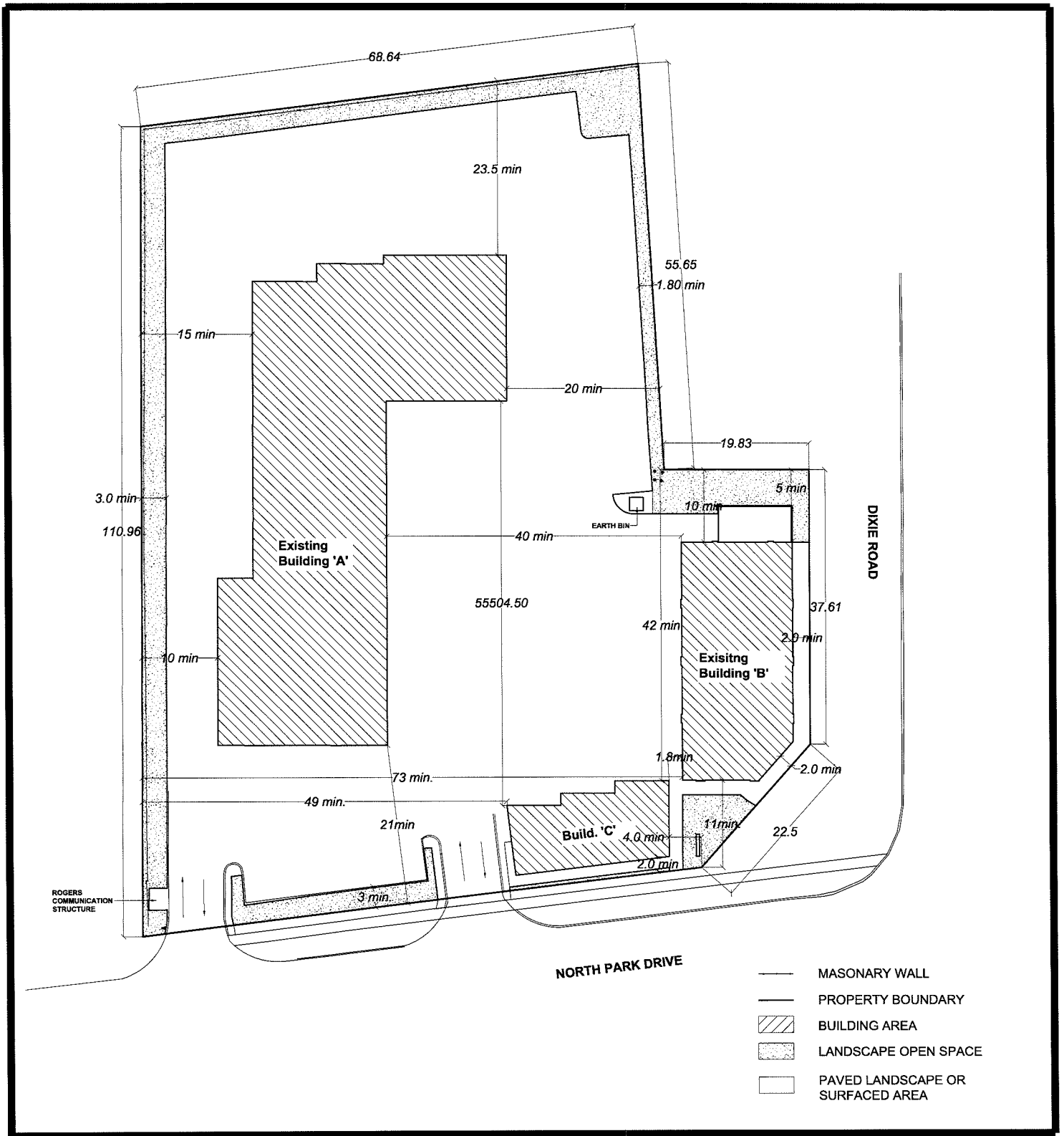
Dated this 10th day of January, 2024.


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

DUSHAP JINDAL
(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



SCHEDULE C- SECTION 252
BY LAW 270-2004
860-870 NORTH PARK DRIVE,
CITY OF BRAMPTON

CITY OF BRAMPTON



Manni Chauhan, MCIP, RPP
Principal Planner, G-force
Urban Planners & Consultants

2800, Skymark Ave,
Suite 401,
Mississauga, Ontario,
Canada L7G 4S5

Mobile: 647-296-9175
Email: gforceplanners@gmail.com
Web: <http://www.gforceplanners.ca/>
In: ca.linkedin.com/in/gforceplanners/



G-force Urban Planners

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

January 16th, 2024

Regarding: 860-870 North Park Dr - Application for Minor variance.

Hello,

G-Force Urban Planners is pleased to submit an application for a Minor Variance for the property municipally addressed as 860-870 N Park Dr, Brampton, ON, L6S 4N5.

Prior to making the application for a Minor variance, we met with city Planning Staff on January 9th, 2024 over a Pre-Consultation Application (PRE-2023-0143) for a Basic Site Plan to accommodate a new commercial building on the site. Comments received by Staff pointed to the requirement of making an application to the Committee of Adjustment for variances to the zoning bylaw to ensure zoning compliance.

In view of this, we request the following variances:

1. To permit 98 Parking spaces whereas the zoning bylaw modified by variance A17-177 requires 107 parking spaces for this specific site. Zoning Bylaw 270-2004 as amended through zoning amendment 259-2020 requires 98 parking spaces which are provided.
2. To vary schedule 'C-Section 252' modified by variance A17-177 to permit 3 commercial units with a total gross commercial floor area of 2247.7 sqm whereas the bylaw modified by variance A17-177 permits a total gross floor commercial area of 2030 sqm.
3. To vary Schedule 'C-Section 252' modified by variance A17-177 for Landscaped Open Space, to permit a reduced Landscaped Open Space of 2m, whereas the zoning bylaw requires that the Landscaped Open Space shall be provided as per Schedule C-Section 252' modified by variance A17-177.
4. To vary Schedule 'C-Section 252' modified by variance A17-177 for building setback, to permit a reduced building setback of 2m, whereas the zoning bylaw

requires that the building setback shall be 12m as provided in Schedule C-Section 252' modified by variance A17-177.

Background and Proposal:

Currently, the site accommodates two single-storeys commercial buildings: Building A with a gross floor area of 1,547.7 square meters and Building B covering 481 square meters, set on a total site area of 2.17 acres. The current proposal involves the addition of a new commercial building along North Park drive, designated as Building C in the site plan submitted as part of this submission package. This new building is proposed to have a gross floor area of 219 square meters.

The Zoning By-law 270-2004 as amended requires parking standards of 1 parking spaces for every 23m² of gross commercial floor area. With the new proposed building the total commercial gross floor area is 2247.7 m² and parking required is 98 parking spaces. As a result of this, we are able to maintain parking standards, despite the inclusion of the new building to the site and the reciprocal increase in the gross commercial floor area.

Planning Rationale:

The subject lands are designated 'Residential' in the Official Plan and "Convenience Retail" in the Bramalea Secondary Plan (SPA 3). Lands designated 'residential' in the Official Plan permits residential land uses and may also include uses subject to relevant policies of the corresponding Secondary Plan. (OP Section 4.2.1.1 and Secondary Plan SPA 3- 2.2.1).

The subject property (860-870 North Park Dr) is zoned as 'Commercial One,' Special Section 252 (C1-252), according to By-law 270-2004, as amended. There is no change in permitted use required. A previous variance application A17-177, permitted 107 parking spaces instead of the required 115 spaces needed to accommodate Building B. Since that decision, the zoning bylaw 270-2004 has been amended to bring all shopping centers, regardless of their gross commercial floor area (Above or under 2000m² under one use; being "Shopping Centre". A Shopping Centre now need to provide 1 parking space for each 23 sqm of gross commercial floor area or portion thereof. As per the current zoning bylaw, the required number of parking spaces for the site with the addition of a new building is 98 spaces. The change in parking standards has afforded the owner the opportunity to propose intensification of the site by increasing the GFA on site by proposing a third building. This increase in GFA does not affect parking.

Considering this, in our opinion, the development is in alignment with the general intent and purpose of the Zoning By-law and the Official Plan.

With the addition of Building C (GFCFA 219 sqm) the site will have 3 buildings with a total of 2247.7 sqm gross commercial floor area and a total coverage of 25.59%. The proposed additional commercial GFCFA will provide additional uses to better serve the existing residential community and not alter the overall character of the surrounding area. The proposal represents the optimization of the site, services, and infrastructure while providing appropriate intensification and efficient use of available space. The addition of the third building will provide for employment, increase financial investment and increased commercial services that will benefit the community. It may increase walkability scores with the provision of a variety of commercial services to serve the public.

As such the proposal is desirable and minor in nature. The requested variances will help the owner move forward on his site plan application.

Enclosed herewith, please find:

1. Application for Minor Variance
2. Site Plan
3. Draft Schedule C

Conclusion:

We believe that the proposed variances are in alignment with the current use of the site. The proposed building requests variance with setback, coverage, gross floor area, parking and minimum landscaped open space requirements. In our opinion, the requested variances meet the four tests of a minor variance and represent a balanced approach to the development of the site.

Should you need further clarification or information, please feel free to contact us via email or phone. We appreciate your attention to this matter and trust you'll consider this as our formal submission for the hearing.

With warm regards,



Manni Chauhan,
MCIP RPP Principal,
G-force Urban Planners & Consultants,
Suite 401, 2800 Skymark Ave, Mississauga, ON L4W 5A6.

SITE PLAN REVIEW
ZONING ISSUES
(Contact Elizabeth Corazzola at elizabeth.corazzola@brampton.ca)

File No.: PRE-2023-0143
Date Reviewed: December 8, 2023
Site Address: 860 – 870 North Park Drive
By-Law Number: 270-2004, as amended
Zone: C1 – Section 252 (Schedule C – Section 252)
C of A: A06-045, A09-172, A12-014, A17-177, A-2019-0053

Category	Proposal	By-Law Requirement	By-Law Conformity
Use	Unspecified Commercial Uses	Uses permitted in the C1 – 252 zone subject to the requirements and restrictions of the site-specific zone and all associated variances	Unknown
Lot Area	N/A	N/A	Yes
Lot Width	N/A	N/A	Yes
Front Setback	N/A	As prescribed by building envelope depicted on Schedule C – Section 252, modified by variance A17-177	No – See Note *1
Rear Setback	N/A	As prescribed by building envelope depicted on Schedule C – Section 252, modified by variance A17-177	No – See Note *1
Interior Setback	N/A	As prescribed by building envelope depicted on Schedule C – Section 252, modified by variance A17-177	No – See Note *1
Exterior Setback	N/A	As prescribed by building envelope depicted on Schedule C – Section 252, modified by variance A17-177	No – See Note *1
Building Height	1 storey	1 storey	Yes
Coverage	Unknown	Building Area limited to that shown on Schedule C – Section 252, as modified by variance A17-177	No – See Note *1
Gross Commercial Floor Area	2,247.7 sq.m	Maximum 2,030 sq.m per variance A17-177	No – See Note *2
Hydro Transformer	Not indicated	Must meet all yard setbacks;	TDB if new location or infrastructure proposed
Parking Space Qty.	98, including 5 accessible spaces	107 per variance A17-177 (previously reduced to 115 spaces by variance A09-172) <i>Accessible Parking required in accordance with By-Law 93-93</i>	No – See Note *3
Parking Space Dim.	Typ. Perpendicular 2.7m x 5.4m Typ. Parallel 2.75m x 6.5m	2.7 x 5.4 metres (minimum) for perpendicular 2.75m x 6.5m for parallel	

Category	Proposal	By-Law Requirement	By-Law Conformity
		<u>Type A:</u> 3.4 x 5.4m (minimum) with an accessible aisle that is 1.5 metres wide (minimum) <u>Type B:</u> 2.4 x 5.4m (minimum) with an accessible aisle that is 1.5 metres wide (minimum)	Yes
Parking Aisles	6.6m	6.6 metres – for 90° stalls	Yes
Driveways	6m	6 metres – for two-way traffic 3 metres – for one-way traffic	
Minimum Landscaped Open Space	2m between Building C and North Park Drive	Minimum 3m between proposed Building C and North Park Drive per Schedule C – 252 (landscaping requirements previously modified by variance A17-177	No – See Note *4
Loading Spaces	2 spaces	2 spaces	Yes
Restaurant Uses in Commercial Zones	Not Indicated and/or existing	Refuse storage for restaurant uses permitted in any commercial zone of this by-law shall be contained in a climate controlled area within a building.	Yes

NOTES:

1. All buildings shall be located in an area shown as **BUILDING AREA** on Schedule C – Section 252, as modified by variance A17-177. The addition of a third building on this site will require a Planning Act approval (rezoning or variance).
2. The maximum Gross Commercial Floor Area as prescribed by Section 252 is 1,547.71 sq.m. Maximum GCFA was increased to 2,030 sq.m with approval of variance A17-177. Any further increase to the GCFA will require a Planning Act approval (rezoning or variance).
3. The minimum number of parking spaces required by Section 252 is 127 spaces. The parking requirement was reduced to a minimum 107 spaces with approval of variance A17-177 (previously reduced to 115, variance A09-179). Further reduction in parking to the 98 spaces proposed will require a Planning Act approval (rezoning or variance).
4. Landscaped Open Space shall be provided and maintained in the area shown as **LANDSCAPED OPEN SPACE** on Schedule C – Section 252, as modified by variance A17-177. The reduction in required landscaping along the lot line abutting North Park Drive will require a Planning Act approval (rezoning or variance).
5. Please revise plans/drawings to conform to all Zoning requirements or seek advice from Development Planning staff on options to resolve the Zoning compliance issue(s) identified.
6. Any changes made to the plans/drawings will require further Zoning review.

Zoning Non-compliance Checklist

File No.
A - 2024 - 001 1

Applicant: AAA Holdings Ltd
Address: 860-870 North Park
Zoning: C1-252
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE			
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR			
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
BELOW GRADE ENTRANCE			10.23
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
GFA	To permit a gross commercial floor area of 2247.7m2	Whereas the By-law permits a maximum commercial floor area of 1547.71m2	252.2 (b)
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
PARKING	To provide 98 parking spaces	Whereas the By-law requires a minimum of 127 parking spaces	252.2 (l)
SCHEDULE "C"	To vary schedule C of the by-law to permit a 2.0m landscaped open space	Whereas the by-law requires all landscaped open space area be in accordance with Schedule C	252.2 (c)
	To vary schedule C of the By-law to permit an additional permitted building area	Whereas the by-law requires all buildings be constructed in accordance with Schedule C	252.2 (a)



Reviewed by Zoning

October 17/23
Date