



## Report Committee of Adjustment

**Filing Date:** December 20, 2023  
**Hearing Date:** February 20, 2024

**File:** A-2023-0404

**Owner/  
Applicant:** ORNSTOCK DEVELOPMENTS LIMITED

**Address:** 5-85 MONTPELIER STREET

**Ward:** WARD 6

**Contact:** Satwant Hothi, Planner I, Development

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### **Recommendations:**

That application A-2023-0404 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
  2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

5-85 Montpelier is a shopping center (Riverview Commons) located at the intersection of Mississauga Road and Financial Drive and are seeking a minor variance to allow for a reduction in their required parking rate(s). The property is currently subject to the provisions outlined in special section 2424 of the Zoning By-law which dates to the year 2013. The reason for the minor variance request is to allow for the shopping center to be subject to today's parking standards given since the enacting of this special section, the City of Brampton Zoning by-law parking standards have been further amended (year of 2020) to reduce requirements for specific commercial uses and shopping centers.

### Existing Zoning:

The property is zoned 'Office Commercial, special section 2424 (OC-2424)' according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variance:

1. To permit parking to be calculated at a rate of 1 parking space for each 23 square metres of gross commercial floor area of portion thereof (in accordance with the parking rate in section 20.3.1 for a Shopping Centre), whereas special section 2424 of the by-law requires that: notwithstanding section 20.3, the following minimum parking standards shall apply: i) Office: 1 parking space for each 12 square metres of gross commercial floor area or portion thereof for a physician, dentist, or drugless practitioner's office, or 1 parking space for each 15 square metres of gross commercial floor area or portion thereof for a real estate office, or 1 parking space for each 25 square metres of gross commercial floor area or portion thereof for other (general) office uses; ii) All other 1 parking space for each 23 square commercial metres of gross commercial floor area uses or portion thereof.

**Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and 'Neighbourhood Commercial' in the Bram West Secondary Plan (Area 40(d)). The requested variance is not intended to vary the permitted uses as outlined in Special Section 2424 of the Zoning By-law but rather to bring the site specific parking standard into conformity with the City wide modernized parking standard adopted by Council. The requested variance is not considered to have significant impact within the context of the Official Plan policies. Subject to the recommended conditions of approvals, the requested variance is considered to maintain the general intent of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Office Commercial, special section 2424 (OC-2424)' according to By-law 270-2004, as amended.

The requested variance, as amended is to permit parking to be calculated at a rate of 1 parking space for each 23 square metres of gross commercial floor area of portion thereof (in accordance with the parking rate in section 20.3.1 for a Shopping Centre), whereas special section 2424 of the by-law requires that: notwithstanding section 20.3, the following minimum parking standards shall apply: i) Office: 1 parking space for each 12 square metres of gross commercial floor area or portion thereof for a physician, dentist, or drugless practitioner's office, or 1 parking space for each 15 square metres of gross commercial floor area or portion thereof for a real estate office, or 1 parking space for each 25 square metres of gross commercial floor area or portion thereof for other (general) office uses; ii) All other 1 parking space for each 23 square commercial metres of gross commercial floor area uses or portion thereof. The intent of the by-law in prescribing a certain parking standard given individual uses is to ensure that adequate number of parking spaces are available to serve the needs of the commercial shopping center, and street parking is discouraged.

In the current case, while no parking reduction is being proposed, the intent of the variance is to make the site specific parking standard conform to the newly adopted modernized City wide parking standard

which requires fewer parking spaces per square meter of gross commercial floor area. Furthermore, the existing 457 parking spaces on site results in an abundance of parking spaces when compared to the modernized parking standards which would require only 414 parking spaces for the same commercial gross floor area. City Traffic Services staff have reviewed the requested variance and find it to be supportable with no negative impacts anticipated to the functionality of the site or adjacent properties.

Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

The variance being requested has been necessitated only to seek relief of the site specific parking standards and bring the shopping center parking requirements in conformity with the City wide modernized parking standards as amended and adopted in 2020. The requested variance has not been caused by any alteration to the built form or a change to the site or building layout, as approved. The intent of the applicant is to ensure the shopping center remains competitive when seeking tenants as compared to other shopping centers subject to the modernized parking standards. There are no negative impacts anticipated related to the amount of parking spaces provided and required on site as a result of the variance.

Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

### 4. Minor in Nature

The requested variance which is essentially of a technical nature, does not propose the relaxation of any zoning standards but rather seeks to bring the subject site into conformity with the modernized parking standards, and have no adverse impact on the site or any surrounding development. Therefore, subject to the recommended conditions of approval, the required variance is considered minor in nature.

Respectfully Submitted,

*S. Hothi*

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Satwant Hothi  
Planner I, Development