

FILE NUMBER:

A-2024-0035

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) 2644083 Ontario Limited

Address 60 Spy Court, Unit 4, Markham, ON L3R 5H6

Phone # 416-858-8016 Fax # 905-415 9090

Email astenik@astenik.com

2. Name of Agent

Address

Phone # Fax #

Email

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

To permit one take-out restaurant

The maximum gross commercial floor area for a take-out restaurant will be 136 square metres

The combined gross commercial floor area for a dining room restaurant and a take-out restaurant shall be 369 square metres.

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

The Current Temporary Use Zoning By-Law expired on January 27, 2024.

5. Legal Description of the subject land:

Lot Number Part of Block 1, Plan M-873, Parts 1-5, Plan 43R-19977

Plan Number/Concession Number 43M-873

Municipal Address 18 Corporation Dr. Brampton ON L6S 6B5

6. Dimension of subject land (in metric units)

Frontage 229.04 m

Depth 73.50 m

Area 1.2007 Ha

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.)

One Storey Commercial Building current including 9 units with a total of 2626.6 sqm (28272 sqft) ground floor area.  
Width: 73.5m(241.14ft), Length: 170.38M(557 ft), Height: 6.7 m(22ft)

No change

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 (South) 26.38m  
Rear yard setback (North) 23.14m  
Side yard setback (East) 20.48m  
Side yard setback (West) 36.97m

**PROPOSED**

Front yard setback No change  
Rear yard setback  
Side yard setback  
Side yard setback

10. Date of Acquisition of subject land: July 11, 2018
11. Existing uses of subject property: Industrial (M3A-363) By-Law 270-2004
12. Proposed uses of subject property: Commercial Uses in Industrial Zones Sec 30.7, By-Law 270-2004
13. Existing uses of abutting properties: Industrial, Commercial and Institutional uses
14. Date of construction of all buildings & structures on subject land: 1993
15. Length of time the existing uses of the subject property have been continued: 31 years
16. (a) What water supply is existing/proposed?  
Municipal ☒  
Well ☐ Other (specify) \_\_\_\_\_
- (b) What sewage disposal is/will be provided?  
Municipal ☒  
Septic ☐ Other (specify) \_\_\_\_\_
- (c) What storm drainage system is existing/proposed?  
Sewers ☒  
Ditches ☐  
Swales ☐ Other (specify) \_\_\_\_\_

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

Yes ☐ No ☒

If answer is yes, provide details: File # \_\_\_\_\_ Status \_\_\_\_\_

18. Has a pre-consultation application been filed?


Yes ☐ No ☒

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

Yes ☒ No ☐ Unknown ☐

If answer is yes, provide details:

File # A181/93	Decision Approved	Relief Use Size Increase
File # A16-093	Decision Approved	Relief Use Size Increase
File # A16-073	Decision Approved	Relief Use for Worship

  
Signature of Applicant(s) or Authorized Agent

DATED AT THE \_\_\_\_\_ City \_\_\_\_\_ OF \_\_\_\_\_ Brampton

THIS 31st. DAY OF Januaray, 20 24.

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, Feiyu Lou, OF THE Owner OF Property  
IN THE City OF Brampton 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 9th DAY OF

February, 2024.

  
A Commissioner etc.

Gagandeep Jaswal  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton  
Expires September 20, 2026

  
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: \_\_\_\_\_

M3A-363

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

JOHN C. CABRAL

Zoning Officer

2024-02-09

Date

DATE RECEIVED

Feb. 9, 2024.

Date Application Deemed

Complete by the Municipality

VL

**APPOINTMENT AND AUTHORIZATION OF AGENT**

To: The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2  
[coa@brampton.ca](mailto:coa@brampton.ca)

LOCATION OF THE SUBJECT LAND: 18 CORPORATION DR. BRAMPTON


I/We, FEIYU LOU  
please print/type the full name of the owner(s)

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

TOM LOU  
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 31 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.)

FEIYU LOU  
(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  
[coa@brampton.ca](mailto:coa@brampton.ca)

LOCATION OF THE SUBJECT LAND: 18 CORPOARTION DR. BRAMPTON

I/We, FEIYU LOU  
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 31 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.)

FEIYU LOU  
(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.**

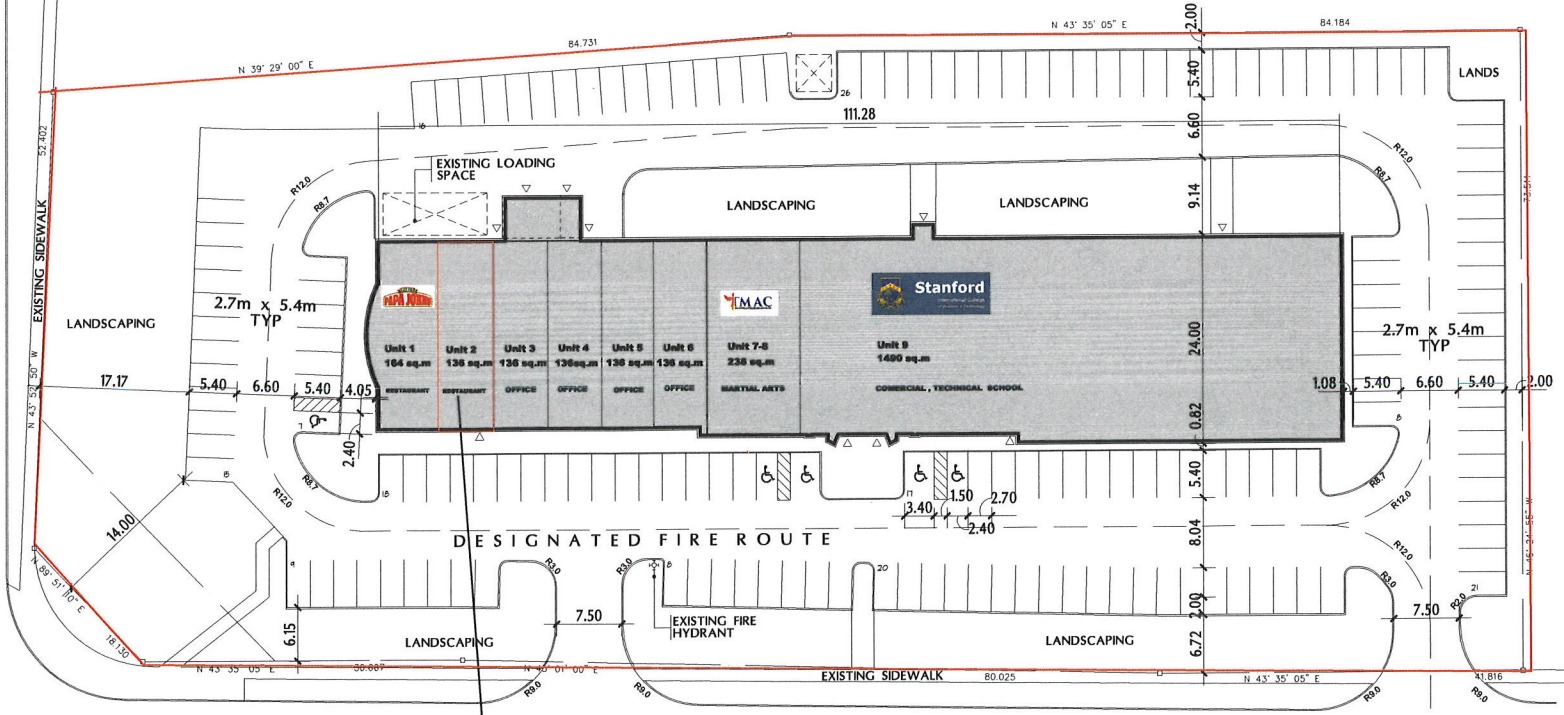
**NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION**



TORBRAM ROAD

EXISTING  
BUILDING  
2,626.60 m<sup>2</sup>  
28,272 sq.ft.

EXISTING  
INDUSTRIAL  
(NO OUTSIDE STORAGE)



CORPORATION DRIVE

TO PERMIT A RESTAURANT (TAKE-OUT) HAVING A MAXIMUM FLOOR AREA OF 136 M2 ( 1463 SQFT).

KEY PLAN

CITY OF BRAMPTON

SCALE 1:300

SUBJECT PROPERTY

TRUE NORTH

PROJECT NORTH

SITE STATISTICS

SITE AREA	11,980.26 m <sup>2</sup>	or	2.86 Ac (12.14 Ha)
REQUIRED	PROVIDED		
FRONT YARD (SOUTH)	15.0m MIN		26.38m
INTERIOR SIDE YARD (EAST)	7.6m MIN		20.48m
EXTERIOR SIDE YARD (WEST)	12.0m MIN		36.97m
REAR YARD (NORTH)	7.6m MIN		23.14m
G.F.A.	GROUND FLOOR (COMMERCIAL UNIT)	2,626.60 m <sup>2</sup>	or 28,272 sqft
	TOTAL BUILDING G.F.A.	2,626.60 m <sup>2</sup>	or 28,272 sqft
SITE COVERAGE	11,980.26 m <sup>2</sup>	2,626.60 m <sup>2</sup>	or 18.4 %
BUILDING HEIGHT		6.7 m	or 22 ft
LANDSCAPED AREA (CORNER LOT)		3,845.43 m <sup>2</sup>	or 32.10%
HARD & SOFT SURFACES			PROVIDED
FRONT YARD (SOUTH)			52.45%
INTERIOR SIDE YARD (EAST)			28.25%
EXTERIOR SIDE YARD (WEST)			84.04%
REAR YARD (NORTH)			48.32%
PAVED AREA	5,508.23 m <sup>2</sup>	or	45.98%
PARKING	Existing	Proposed	
TOTAL PARKING	166 spaces	166 spaces	
DESIGNATED PARKING SPACES	5 spaces	5 spaces	

DESIGNATED BARRIER FREE SIGN STANDARDS

BY PERMIT ONLY  
Van Accessible  
Maximum Fine \$5000  
For Enforcement call (905) 458-3324

BY PERMIT ONLY  
Maximum Fine \$5000  
For Enforcement call (905) 458-3324

SYMBOL LEGEND

MAN DOOR LOCATIONS
LOADING DOCK LOCATIONS
DRIVE-IN OVERHEAD DOORS
HYDRANT-VALVE
DIRECTION OF TRAFFIC FLOW
HANDICAP PARKING
CURB DEPRESSION: BARRIER FREE ACCESS

18 Corporation Drive

Brampton, Ontario

DRAWING TITLE  
Site Plan

DRAWN BY  
SCALE  
1:300

DATE  
Jan. 23, 2024  
CHECKED BY

PROJECT NR  
DRAWING NR  
AST-106-V13  
A-1.0

Applicant: 2644083 ONTARIO LIMITED  
60 SPY CRT. Unit 4, MARKHAM ON L3R 5H6  
Att: Mr. Marcus Lou  
Tel: 416-858-8016  
Email: marcus@astenik.com

To: **Committee of Adjustment**  
City of Brampton  
2 Wellington St. West, Brampton On L6Y 4R2  
Date: January 26, 2024

Dear Sir/Madam,

**RE: APPLICATION FOR MINOR VARIANCE  
AT 18 CORPORATION DRIVE, CITY OF BRAMPTON**

We would like to seek your assistance for a minor variance for the property at 18 Corporation Drive in Brampton (the 'subject property').

- 1) The application is seeking the approval of the Minor Variance and a relief from the City of Brampton's Temporary Use Zoning By-Law #35-2024 which is due for renewing on January 27, 2024.

**Requested Variance:**

- 2) To permit a take-out restaurant with a maximum gross commercial floor area of 136 square metres
- 3) To permit a combined gross commercial floor area for a dining restaurant of 465 square metres or 18% of the total floor area of the building.

**Description of Subject Property**

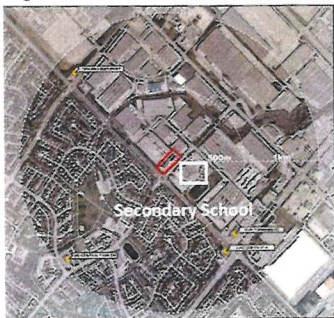
The subject property is located on the north east corner at the intersection of Corporation Drive and Torbram Road (Figure 1), and has an approximate lot area of 12,007 m<sup>2</sup> (1.2007 hectares). There is currently a one-storey industrial mall on the subject property that is 2,626.6 square metres ( 28,272 sq.ft) in size.

The City of Brampton Official Plan designates the subject property as Industrial. The subject property is further designated as Prestige Industrial under the Bramlea North Industrial Secondary Plan. The City of Brampton Zoning By-law 270-2004 zones the subject property as Industrial (M3A-363).

Figure 1.



Figure 2: Within Range of Major Transit Station on Torbram and Queen St.





**Existing Zoning:**

- 1) Building is zoned as Industrial (M3A-363) with a temporary use zoning amendment that allows for take-out restaurants with a maximum floor area of 136 square meters and a cumulative gross floor area for dining restaurants on the property of 368 square meters.
- 2) The temporary use zoning amendment was approved on March 3, 2021 and expired on Jan 27, 2024.

**History of The Property:**

The building was custom built more as a commercial and office space to be leased and occupied by the single tenant Service Canada back since 1993, it is a single story building designed to suit more for commercial uses than industrial uses in the specific industrial zone.

After the Service Canada moved out seven years ago, it has been approximately 40-60% vacant during the past years, one of the main reasons being the use limitations under the industrial zoning by-laws.

Due to the long vacancy status at this site, the parking space at the back of this building has become a preferable meeting place for the drug users and traders. Besides, it also services as a site for garbage dumpers and vandalisms on regular bases.

Despite being zoned as industrial, this single story building was built as a commercial building with inadequate ceiling height and a lack of back garage doors or loading docks needed for manufacturing & assembly. This limitation left the building largely vacant for many years, since industrial businesses cannot use it.

As the new owner of this property since July 11, 2018, we have spent a large amount of capital to improve and up-keeping the property after acquisition, eventually managed to achieve the full occupancy as listed below:

Unit #	Gross Floor Area(Sq.m)	Gross Floor Area(Sq.ft)	Existing Permitted Use	Zoning By-Law	Existing Tenants	Minor Variance
1	164	1,759	Restaurant-Take Out	Complied	Papa Jones Pizza	No
2	136	1,463	Restaurant-Take Out	Complied	Punjabi Karahi & Sweets	Temp.ByLaw 35-2024
3	136	1,463	Medical Office	Complied	Physiotherapy	No
4	136	1,463	Medical Office	Complied	Canadian Heart Care	No
5	136	1,463	Wellness Office	Restaurant	Herb Medicine	No
6	136	1,463	Medical Office	Complied	Dentistry	No
7-8	238	2,557	Commercial School	Complied	TMAC-Martial Art	A19-011
9	1490	16,035	Technical School	Complied	Stanford College	A16-093
Total	2,572	27,666				

**Minor Variance in Nature:**

We strongly believe that the requested variance will not change the overall nature of the existing zoning use, and conform the city’s new Brampton Official Plan dated in September 2023 in the following ways:

- (1) The new Brampton Official Plan section 2.2.8.6.c supports small-scale restaurants, catering facilities.
- (2) This property is located within the range of a Major Transit Station on Torbram Rd & Queen St, allowing for integration of non-employment uses in specific portions of Employment Areas.
- (3) This is a small-scale takeout restaurant/catering service that is ancillary to and does not hinder the planned function of Employment designation in the area.
- (4) It is supportive to the catering demands directly by the technical school in the subject property as well as St. Thomas Aquinas Secondary School across the street towards the East, along with residential areas to the south & west.
- (5) This non-employment use serves all industrial, residential and educational areas nearby, thereby directly supporting the city’s efforts to create “Community Hubs” in the form of “15- minute neighborhoods”



(6) Following the Temporary Use Zoning by-Law #35-2021, the current tenant at Unit #2, has taken position since May 1, 2022, with an initial setup investment over \$200,000 in renovations and built up a successful food catering business at this location, in the meantime by creating jobs and contributing to Brampton’s “Complete Community” design. ( see photos below)



**Parking Compliance:**

The current site coverage allows for sufficient parking to accommodate the retail & restaurant businesses, as shown in the table below.

Unit #	GFA(Sq. m)	GFA(Sq. ft)	Existing/Proposed Use	Parking Rate #m2/pp	# of Parking Required	Existing Tenants
1	164	1,759	Restaurant-Take Out	16.70	9.8	Papa Jones Pizza
2	136	1,463	Restaurant-Take Out	16.70	8.1	Punjabi Karahi & Sweets
3	136	1,463	Medical Office	12.00	11.3	Physiotherapy
4	136	1,463	Medical Office	12.00	11.3	Canadian Heart Care
5	136	1,463	Wellness Office	25.00	5.4	Herb Medicine
6	136	1,463	Medical Office	12.00	11.3	Dentistry
7-8	238	2,557	Commercial School	20.00	11.9	TMAC-Martial Art
9	1490	16,035	Technical School	20.00	74.5	Stanford College
Total		2,572	27,666	Required Parking	143.8	
				Available Parking	166	

We sincerely hope the city of Brampton will support our application for this minor variance and bring the existing property to its best uses for the benefits of the neighboring community, schools, residents and businesses.

Yours truly,

Marcus Lou,  
2644083 ONTARIO LIMITED



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 35 - 2021

A Temporary Use Zoning By-law passed under Sections 39 and 34 of the  
Planning Act, R.S.O. 1990, C.P.13

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**WHEREAS** (2644083 Ontario Inc.) has submitted an application for a Temporary Use Zoning By-law to permit a temporary restaurant use to operate within one of the units of an existing multi-unit industrial mall located at 18 Corporation Drive for a period of not more than three years;

**WHEREAS** upon review of the foregoing, the Council of The Corporation of the City of Brampton has determined that the proposed by-law is desirable and appropriate for the temporary continued use of the subject property and will not negatively impact the underlying use permissions of the Industrial Three A – Section 393 (M3A-393) zone; and,

**WHEREAS** pursuant to Section 39 of the *Planning Act*, R.S.O 1990, c.P.13, as amended, the council of a local municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the zoning by-law.

**NOW THEREFORE** the Council of The Corporation of the City of Brampton ENACTS as follows:

1. Notwithstanding Sections M3A-363.1 and M3A-363.2 of By-law 270-2004, for the lands shown on Schedule A hereto:

(1) One take-out restaurant shall be permitted, and

(2) The following requirements and restrictions shall apply:

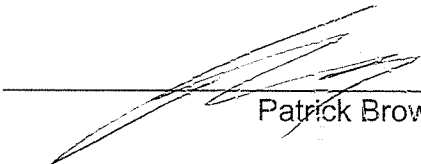
- a) The maximum gross commercial floor area for a temporary take-out restaurant shall be 136 square metres;
- b) The combined gross commercial floor area for a dining room restaurant and a temporary take-out restaurant shall be 369 square metres.

2. This Temporary Use Zoning By-Law expires on January 27, 2024.

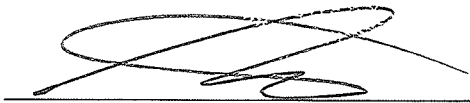
ENACTED and PASSED this 3<sup>rd</sup> day of March, 2021.

Approved as to  
form.  
2021/02/26  
CJP

Approved as to  
content.  
2021/02/01  
AAP



Patrick Brown, Mayor



Peter Fay, City Clerk

(OZS-2020-0016)



**BRAMPTON**  
Flower City

PLANNING AND DEVELOPMENT SERVICES

File: OZS\_2020\_0016\_ZBLA

Date: 2021/01/04

Drawn by: ckovac

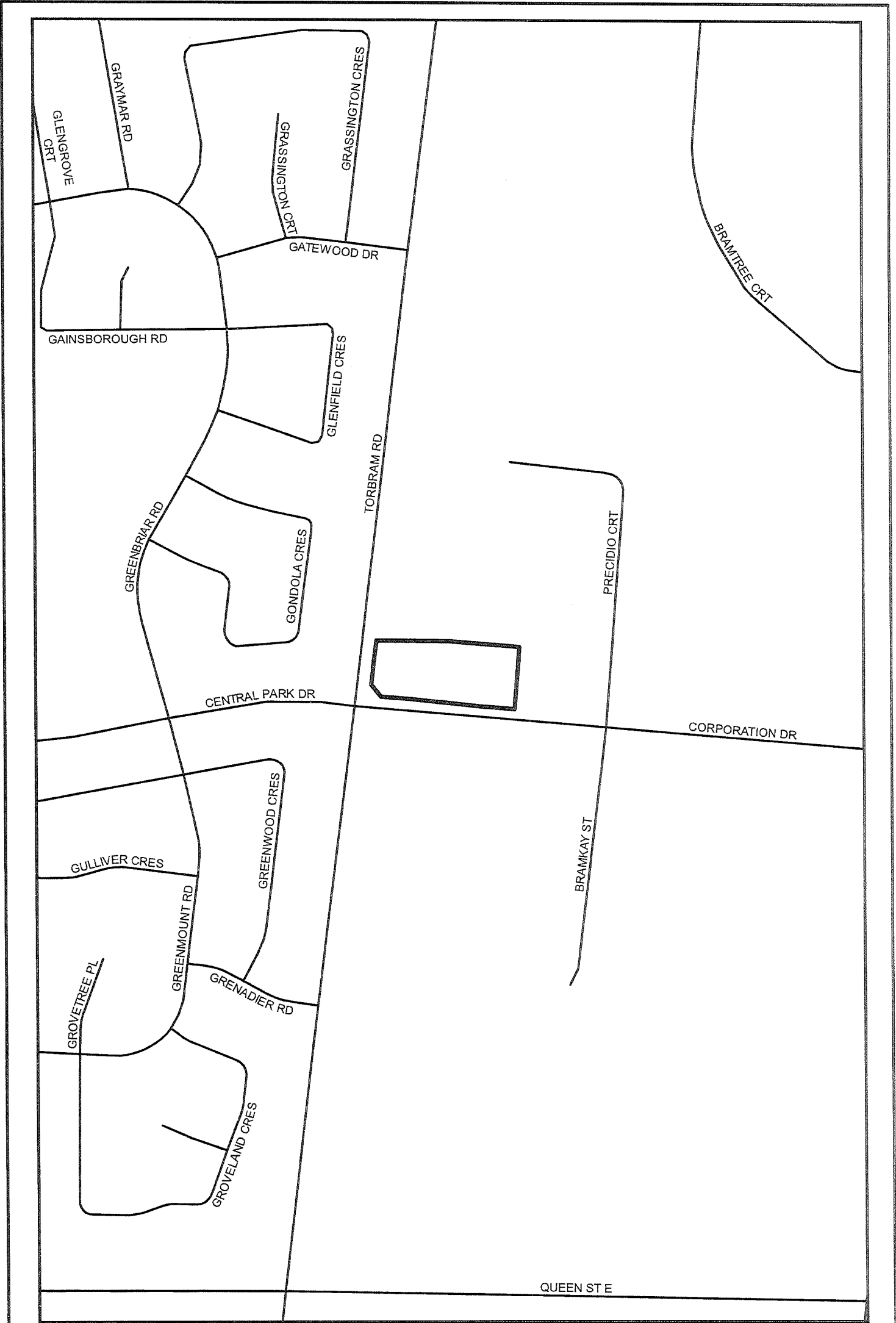



**PART LOT 7, CONCESSION 6 E.H.S**

BY-LAW 35-2021

**SCHEDULE A**





 SUBJECT LANDS



# Zoning Non-compliance Checklist

File No.  
A-2024-0035

Applicant: 2644083 Ontario Limited  
Address: 18 Corporation Dr, Brampton, ON L6S 6B5  
Zoning: M3A-363  
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit a take-out restaurant with a maximum gross floor area of 136m² (Unit 2)	Whereas the by-law does not permit the use.	Special Section 363
LOT DIMENSIONS AREA / DEPTH / WIDTH	To permit a combined gross commercial floor area for a dining room restaurant and take out restaurant of 369m².	Whereas the by-law permits a dining room restaurant or a convenience restaurant, to a maximum of one restaurant per industrial mall, and a maximum gross leasable area of 465 square metres or 5% of the total gross floor area of the building whichever is less.	30.7
BELOW GRADE ENTRANCE			
SETBACKS			
BUILDING HEIGHT			
OUTSIDE STORAGE			
LOT COVERAGE			
DRIVEWAY			
FENCE HEIGHT			
ACCESSORY STRUCTURE HEIGHT			
ACCESSORY STRUCTURE SETBACK			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE			
GARAGE DOOR HEIGHT			

John C. Cabral

Reviewed by Zoning

2024-02-09

Date