



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

FILE NUMBER: A2024-0064

*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)** Metrus (Terra) Properties Inc.  
**Address** 30 Floral Parkway, Concord, ON L4K 0C5  


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**Phone #** 9056699714 **Fax #** \_\_\_\_\_  
**Email** vrego@metrusproperties.com

2. **Name of Agent** Michael Cidylo  
**Address** 10 Morrison Street, TH#3, Toronto, ON M5V 2T8  


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**Phone #** 9058721704 **Fax #** \_\_\_\_\_  
**Email** mcidylo@lakeshoregroup.ca

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

Request to permit accessory Outside Storage use on the subject property. A minor variance was previously granted for Outside Storage in 2012, but the variance has since expired.

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

Outside Storage is not permitted. A minor variance was previously granted for Outside Storage in 2012, but the variance has since expired.

5. **Legal Description of the subject land:**  
**Lot Number** 10-15-0-107-13610-000  
**Plan Number/Concession Number** PLAN M811 BLK 3  
**Municipal Address** 26 Kenview Boulevard

6. **Dimension of subject land (in metric units)**  
**Frontage** Approx. 260m  
**Depth** Approx. 262m  
**Area** Approx. 40,750 sq.m.

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

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

- 8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

**EXISTING BUILDINGS/STRUCTURES on the subject land:** List all structures (dwelling, shed, gazebo, etc.)

Existing industrial building has a GFA of 19,499.6 sq.m.  
No new buildings or structures proposed.

**PROPOSED BUILDINGS/STRUCTURES on the subject land:**

N/A

- 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	31.8m
Rear yard setback	19.3m
Side yard setback	East - Approx. 11.5m
Side yard setback	West - 10.52m

**PROPOSED**

Front yard setback	N/A
Rear yard setback	N/A
Side yard setback	N/A
Side yard setback	N/A

10. Date of Acquisition of subject land: \_\_\_\_\_

11. Existing uses of subject property: Industrial (Manufacturing, warehousing, distribution)

12. Proposed uses of subject property: Existing uses continue. Minor variance to request accessory Outside Storage

13. Existing uses of abutting properties: Industrial; Open Space

14. Date of construction of all buildings & structures on subject land: Approx. 1999

15. Length of time the existing uses of the subject property have been continued: Approx. 1999

16. (a) What water supply is existing/proposed?
- |           |                          |                       |
|-----------|--------------------------|-----------------------|
| Municipal | <input type="checkbox"/> | Other (specify) _____ |
| Well      | <input type="checkbox"/> |                       |
- (b) What sewage disposal is/will be provided?
- |           |                          |                       |
|-----------|--------------------------|-----------------------|
| Municipal | <input type="checkbox"/> | Other (specify) _____ |
| Septic    | <input type="checkbox"/> |                       |
- (c) What storm drainage system is existing/proposed?
- |         |                          |                       |
|---------|--------------------------|-----------------------|
| Sewers  | <input 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 # <u>A12-152</u>	Decision <u>Approved</u>	Relief <u>Outside Storage permitted</u>
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Toronto

THIS 24 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, \_\_\_\_\_ 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 27th DAY OF

February, 2024

A Commissioner etc.

Clara Vani  
a Commissioner, etc.,  
Province of Ontario,  
for the Corporation of the  
City of Brampton

Expires September 20, 2026

Signature of Applicant or Authorized Agent

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

Present Zoning By-law Classification: M1-2616

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

Connor Cowan  
Zoning Officer

2024-02-26  
Date

DATE RECEIVED Feb 27, 2024

Date Application Deemed Complete by the Municipality Clark

**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: 26 Kenview Boulevard

I/We, METANS PROPERTIES II INC.  
please print/type the full name of the owner(s)

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

Michael Cidylo  
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 9 day of February, 2024.



*[Handwritten signature]*

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

ROBERT DELASPARIS

(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: 26 Kenview Boulevard

I/We, ROBERT DE GASPERIS  
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 9 day of FEBRUARY, 2024.

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

**Robert DeGasperis**

(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**







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February 22, 2024

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

To Whom it May Concern:

**RE: 26 Kenview Boulevard – MINOR VARIANCE APPLICATION**

We act on behalf of Metrus (Terra) Properties Inc. ("Metrus"), the landowner/lessor, and Magna International Inc. ("Magna"), the lessee, of the property municipally known as 26 Kenview Boulevard, Brampton (the "subject property"). Magna operates an auto parts manufacturing and distribution facility on the subject property.

This correspondence, and materials attached herein, form an application for Minor Variance to By-law 270-2004. The requested variance seeks to permit 'Outside Storage' on the subject property.

**1.0 SITE DESCRIPTION AND AREA CONTEXT**

The subject property is located on the southeast side of Steeles Avenue East, approximately 350m southwest of Finch Avenue, in Brampton. The subject property is 55,733.68 sqm. / 13.77 acres in area, and contains a 2-storey industrial building of 19,499.60 sqm. / 209,892 sq.ft. GFA with associated surface parking and truck loading areas. Vehicular access is provided from both Steeles Avenue East and Kenview Boulevard.

The subject property is adjacent to vacant open space and a car rental establishment to the north (across Steeles Avenue); open space to the east; an industrial plaza to the south; and, an industrial use to the west.

Within a 500m radius, the property is generally surrounded by industrial, vacant open space, a car rental establishment, and Highway 407 to the north; industrial and open space to the east; industrial, institutional (Place of Worship), commercial restaurants, and office uses to the south; and, industrial and vacant open space to the west.

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Land Development Approvals • Zoning Due Diligence • Market Intelligence • Litigation Support

10 Morrison Street, TH03, Toronto ON Canada M5V 2T8  
Tel: 416.364.5926 • www.lakeshoregroup.ca





Aerial and Streetview images of the property are shown below:



Source: Brampton GIS Mapping



View of northern facade of subject building from Steeles Ave. E. (Source: Google Streetview, dated July 2023.)





View of southern facade of subject building from Kenview Blvd. (Source: Google Streetview, dated Sept. 2020.)

## **1.1 BACKGROUND INFORMATION**

### **1.1.1 Previous Minor Variance and Non-Conformity**

In 2012, Metrus (on behalf of Magna) obtained minor variance approval to permit outside storage on the subject property; however, the approved variance was time-limited to a duration of two years and expired in 2014. Since 2014, Magna has inadvertently continued to store racks and materials outdoors, and now seeks to obtain permanent permission for such activity.

### **1.1.2 Pre-Consultation Meeting**

A Pre-Consultation Meeting was held with municipal staff on March 29, 2023, to discuss the proposed outside storage use on the subject property. Staff were generally amenable to the proposed outside storage and supported the proposal in principle, subject to obtaining minor variance approval and addressing relevant staff comments.



## **2.0 APPLICATION DETAILS & REQUESTED VARIANCE**

The purpose of this application is to seek permission for the 'Outside Storage' use on the subject property. The City of Brampton By-law 270-2004 applies to the subject property. The By-law does not permit 'Outside Storage' in the M1-2616 zone. As such, the following variance is requested:

1. To permit an 'outside storage' use, whereas Zoning By-law 270-2004 does not permit 'outside storage' in the M1-2616 zone.

## **3.0 CONFORMITY WITH PLANNING ACT TESTS**

The variance requested meets the four tests of Section 45.1 of the *Planning Act* as follows:

### **1. The variance requested meets the intent and purpose of the Official Plan.**

As per the City of Brampton Official Plan, the property is designated as 'Industrial'. Uses permitted in the Industrial designation include, but are not limited to, manufacturing, warehousing, distribution, mixed industrial/commercial and commercial self-storage warehouses. Section 4.4.2 further states that, "it is recognized that employment areas accommodate a certain range of ancillary uses without negatively impacting the viability of employment lands or employment operations."

The subject property is within the Airport Intermodal Secondary Plan area. As per the Secondary Plan, the property is designated as 'Prestige Employment (Industrial)'. Uses permitted in the Prestige Employment designation include, but are not limited to, research and development facilities, warehousing, manufacturing, processing, assembly, packaging, repairing and fabricating. Accessory office and accessory retail and service uses are permitted in association with permitted industrial uses. Outside storage is not permitted in the Prestige Employment designation.

The intent and purpose of the Official Plan and Secondary Plan is to permit industrial uses and ancillary uses, such as the existing operations on the subject property, and to concentrate compatible uses so as to not negatively impact sensitive uses nearby. The subject property currently contains manufacturing, distribution, and warehousing uses. It is common, and often necessary, for such industrial uses to utilize outside storage. There are no sensitive land uses, including residential uses, nearby. The outside storage on the subject property has existed since 2012 and has not negatively impacted the viability of the surrounding employment lands and operations. Outside storage is necessary to the continued use of the subject property, and given that the outside storage will remain in the same locations as previously permitted, there will be minimal future impacts.





As per communication with City Planning staff through the Pre-Consultation process (Tab 1), no Official Plan Amendment or amendment to the Secondary Plan is required to permit the proposed outside storage use on the subject property.

In light of the foregoing, the requested variance meets the intent and purpose of the Official Plan and Secondary Plan.

**2. The variance requested meets the general intent and purpose of the By-law.**

The subject property is zoned 'Industrial One (M1-2616)' under Zoning By-law 270-2004. Uses permitted in the M1-2616 zone include, but are not limited to, manufacturing, cleaning, packaging, processing, repairing, or assembly of goods, foods or materials within an enclosed building, warehousing, and parking lots. Accessory uses, including accessory office, are permitted. The M1-2616 zone does not permit outside storage.

The general intent of the 'M1' zone is to permit industrial uses and accessory uses, while concentrating similar uses in the area to ensure compatibility with nearby uses, and to minimize impacts on sensitive uses, such as residential. The subject property contains permitted manufacturing, assembly, warehousing and distribution uses which are compatible with surrounding uses. The requested outside storage use is necessary to the operations on the subject property, which have existed for over 20 years. The lessee of the subject property has inadvertently continued their outside storage use beyond the expiry of their minor variance. However, we are advised that there has not been any negative feedback or impacts to nearby properties in that time. Outside storage was previously permitted, and this application simply seeks to continue the use. The outside storage areas will remain in the same locations on the subject property, and therefore will have minimal future impacts. The outside storage on the subject property is not located near any residential or sensitive land uses, and will not impact the function of other surrounding industrial operations in the area.

As such, the requested variance meets the general intent and purpose of the By-law.

**3. The variance requested is desirable for the appropriate development of the applicable lands, building or structure.**

As mentioned, the subject property was previously granted a minor variance to permit outside storage in 2012. This is an existing condition which is proposed to continue to be utilized in the same areas if approved. There will be no new impacts arising from this variance, as the same operations will simply continue. Additionally, we are working with City staff to finalize appropriate screening of the outside storage through an upcoming Limited Site Plan application.



Partial screening of the outside storage areas currently exists in the form of landscaping, trees and shrubbery along Kenview Boulevard, however, additional measures will be taken as per staff's direction.



View of existing natural screening from Kenview Blvd. (Source: Google Streetview, dated Aug 2021.)

Outside storage is necessary for the current operations on the subject property. The lessee has operated their business on the property for over 20 years. Outside storage was previously permitted, and this application simply seeks to continue their outside storage use permanently. There have been no compatibility issues with surrounding properties in the past, as the nearby properties contain other permitted and compatible industrial uses, some of which contain outside storage. Given that there are no new changes proposed, there will continue to be no compatibility issues with nearby properties.

As such, the requested variance is desirable for the appropriate development of the lands and building.

**4. The variance requested is minor in nature.**

No Official Plan Amendment is required to establish the proposed use.

The requested variance meets the general intent and purpose of the Zoning By-law, which is to permit industrial and accessory uses.





The existing industrial uses on the subject property are located near similar uses, and will not impact nearby properties and operations.

The Committee of Adjustment previously approved outside storage on the subject property in the past, and given that the outside storage is proposed in the same areas of the subject property, no significant changes or impacts will arise. Additionally, the applicant will continue to work with staff to finalize appropriate screening of the outside storage through an upcoming Limited Site Plan application.

In light of the foregoing, the request variances are minor in nature. We trust that the Committee will approve the requested variances.

#### **Submitted Plans and Documents**

As part of this application, the following documents are enclosed:

- Complete Committee of Adjustment Application Form
- Complete Owner Authorization Form
- Complete Permission to Enter Form
- Site Plan

Should you have any questions, please feel free to contact me at (416)-364-5926.

Sincerely,

**The Lakeshore Group**

Mike Cidylo, MES, MCIP, RPP  
Planner



# Tab 1

**Consolidated Comment Report**

**Date:** March 24, 2023

**File:** PRE-2023-0010

**Applicant/Owner:** Michael Cidylo / Metrus (Terra) Properties Inc.

**Location:** 26 Kenview Blvd

**Proposal:** Request for pre-application consultation with staff to discuss proposed outdoor storage on the property. Minor variance is contemplated to achieve outdoor storage. Previously approved minor variance decision for this property to permit outdoor storage has expired.

This report contains comments from the technical groups who have reviewed the proposal. Additional comments may be forthcoming pending the review of any revised drawings/reports/etc. The applicant/owner must address all of the comments by creating a "Comment Response Table" identifying how all comments have been addressed. In order to resubmit, please upload all revised drawings/reports/etc., and as a final step, upload the "Comment Response Table". If you have any questions or concerns, please contact the planner assigned to your file: Megan Fernandes (megan.fernandes@brampton.ca)

<b>Development Review</b>	<b>Final Comments Provided</b>
Megan Fernandes - megan.fernandes@brampton.ca	
<i>Final Comments</i>	<b>Policy Review Comments</b>
	<u>Official Plan Review</u>
	The subject property is designated 'Industrial' as per Schedule A of the Official Plan
	As per Section 4.4.2.1 of the Official Plan, the industrial designations identified on Schedule A of this Plan shall provide for the development of industrial, manufacturing, distribution, mixed industrial/commercial. Within the Industrial designation, areas intended for open storage and truck trailer parking shall be identified in the relevant Secondary Plan.
	As per section 4.4.2.11 of the Official Plan The sub-designations in Secondary Plans that permit prestige industrial and/or commercial uses will generally indicate areas:
	<ol style="list-style-type: none"> <li>I. That accommodate significant office, retail and service uses;</li> <li>II. That generally accommodate prestige industrial uses;</li> <li>III. That will be subject to site and building design standards intended to maintain attractive high quality appearances;</li> <li>IV. Where outdoor storage will not be permitted unless it is a limited display area for visually pleasing finished products;</li> <li>V. Where relatively direct access or a high degree of visibility is an integral</li> </ol>

- requirement of most of the dominant uses; and,
- VI. Where natural features and/or man made buffers can be provided to screen the designation from other areas containing uses such as heavy industry, transportation terminals, recycling plants, and industry with outside storage.

An amendment to the Official Plan is not required.

Airport Intermodal Secondary Plan (Area 4).

The subject property is designated 'Prestige Employment' in the Airport Intermodal Secondary Plan.

As per section 1.4.1 of the Secondary Plan, uses permitted on lands designated Prestige Industrial on Schedule 4 shall include:

- I. research and development facilities, warehousing, manufacturing, processing, assembly, packaging, repairing and fabricating provided that such uses operate within an enclosed building and have no outside storage;
- II. offices ancillary to an industrial use;
- III. business, administrative and government office buildings;
- IV. product showroom and display facilities;
- V. one restaurant per industrial mall;
- VI. ancillary retail and service uses;
- VII. hotels, motels and banquet halls;
- VIII. recreation facilities or structures;
- IX. day nurseries.

An amendment to the Secondary Plan is not required.

**Development Review Comments**

A desktop review of the site (Appendix A) depicts areas of existing open storage located towards the south west side of the property abutting Kenview blvd that are exposed and partially screened by low shrubs from the street. Additionally, the provided concept plan does not indicate that the exposed outdoor storage areas will be screened. In accordance with OP Section 4.4.2.11 it is recommended that the applicant provide natural features and/or man made buffers can be provided to screen the outdoor storage area.

The provided concept indicates open storage along a fire route located on the south west side of the property. Additionally, a desktop review of the site (Appendix B) indicates existing open storage located along the south east property line not included in the provided concept. Please advise if the existing storage is being moved?

Please refer to comments from the City's Traffic Services comments. A TIS and Parking Study is required, please provide a terms-of-reference to be submitted to the Traffic for review and approval prior to commencing with the parking study.

A Limited Site Plan and a Minor Variance applications are required to proceed with the proposal. It is recommended that the limited site plan application be submitted prior to the Minor Variance Application to confirm zoning by-law requirements.



# Zoning Non-compliance Checklist

File No.  
A-2024-0064

Applicant: Michael Cidylo  
 Address: 26 Kenview Blvd  
 Zoning: M1-2616  
 By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit outside storage for an existing manufacturing building	Whereas the by-law does not permit the use	31.1.1
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR			
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
BELOW GRADE ENTRANCE			
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
TWO-UNIT DWELLING			
SCHEDULE "C"			
OTHER – DECK			

Connor Cowan

Reviewed by Zoning

2024-02-26

Date