Flower City

brampton.ca

FILE NUMBER: A-2024-0089.

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) 2603562 Ontario Inc.
   Address 10 Jacksonville Drive, Brampton, LP6 2Z3
   Phone # 647-745-8602 Fax #
   Email harpreet.walia@hotmail.com

2. Name of Agent Alpha Environmental
   Address 120 Valonia Drive
   brampton, oN, L6V 4J9
   Phone # 416-454-7745 Fax #
   Email edgill@rogers.com

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

   1. To extend motor vehicle sales establishment in conjunction with accessory to the motor vehicle repair use for a further ten years or permanent, whereas the previous minor variance A19-211 allowed for a three year period which has expired. No comments have been received by the city to-date. No changes to the previously approved parking spaces is being requested.
   2. To allow for a car port with a canopy on the west side driveway to eliminate falling ice and bird droppings from the adjacent large communication tower. A separate building permit application will be submitted for this purpose. The car port as shown on the concept

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

   1. Request to extend the existing motor vehicle sales as an ancilliary use to motor vehicle repairs, as previously approved by minor variance A19-211 (section 32.1.1)
   2. Relief is sort for the canopy and car port on the west side primarily to avoid falling ice and bird droppings from the adjacent communications tower. (section 6.17.2(d)). This may also address some safety concerns. There is no change to use or parking except for the

5. Legal Description of the subject land:
   Lot Number PART OF LOT 3, CONCESSION 2, E.H.S.
   Plan Number/Concession Number PART 2, 43R1967
   Municipal Address 24 SELBY ROAD

6. Dimension of subject land (in metric units)
   Frontage +/- 22.83 M
   Depth +/- 78.75 M
   Area 0.1806 HECATRES

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.)

GROSS FLOOR AREA (GFA) = 405 M2
STOREYS = 1
BUILDING COVERAGE = 22.42%

PROPOSED BUILDINGS/STRUCTURES on the subject land:

NO CHANGES PROPOSED, EXCEPT FOR CAR PORT WITH ROOF CANOPY TO PREVENT FALLING ICE AND BIRD DROPPINGS FROM ADJACENT COMMUNICATIONS TOWER

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	10.75 M
Rear yard setback	30.29 M
Side yard setback	3.04 M (INTERIOR EAST)
Side yard setback	6.79 M (INTERIOR WEST)

PROPOSED

Front yard setback	SAME AS ABOVE
Rear yard setback	SAME AS ABOVE
Side yard setback	SAME AS ABOVE
Side yard setback	SAME AS ABOVE

10. Date of Acquisition of subject land: JAN 2018

11. Existing uses of subject property: MOTOR VEHICLE REPAIR

12. Proposed uses of subject property: MOTOR VEHICLE REPAIR AND MOTOR VEHICLE SALES IN CONJUCTION WITH MOTOR VEHICLE REPAIR

13. Existing uses of abutting properties: INDUSTRIAL

14. Date of construction of all buildings & structures on subject land: APPROX 1974

15. Length of time the existing uses of the subject property have been continued: 30+ 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 # A19-211	Decision APPROVED	Relief MOTOR VEHICLE SALES ANCILLIARY USE
File #	Decision	Relief
File #	Decision	Relief

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON

THIS _____ DAY OF MARCH, 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, EDWARD J GILL, 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 13th DAY OF

MARCH, 2024.

Clara Vani
A Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton
Expires September 20, 2026

A Commissioner etc.

Signature of Applicant or Authorized Agent

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 MARCH 15, 2024

VL

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: 24 SELBY ROAD

I/We, RAJINDER PAL SINGH WALIA
please print/type the full name of the owner(s)

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

EDWARD GILL AND ALPHA ENVIRONMENTAL
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 13 day of MARCH, 2024.

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

(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: 24 SELBY ROAD

I/We, RAJINDER PAL SINGH WALIA
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.

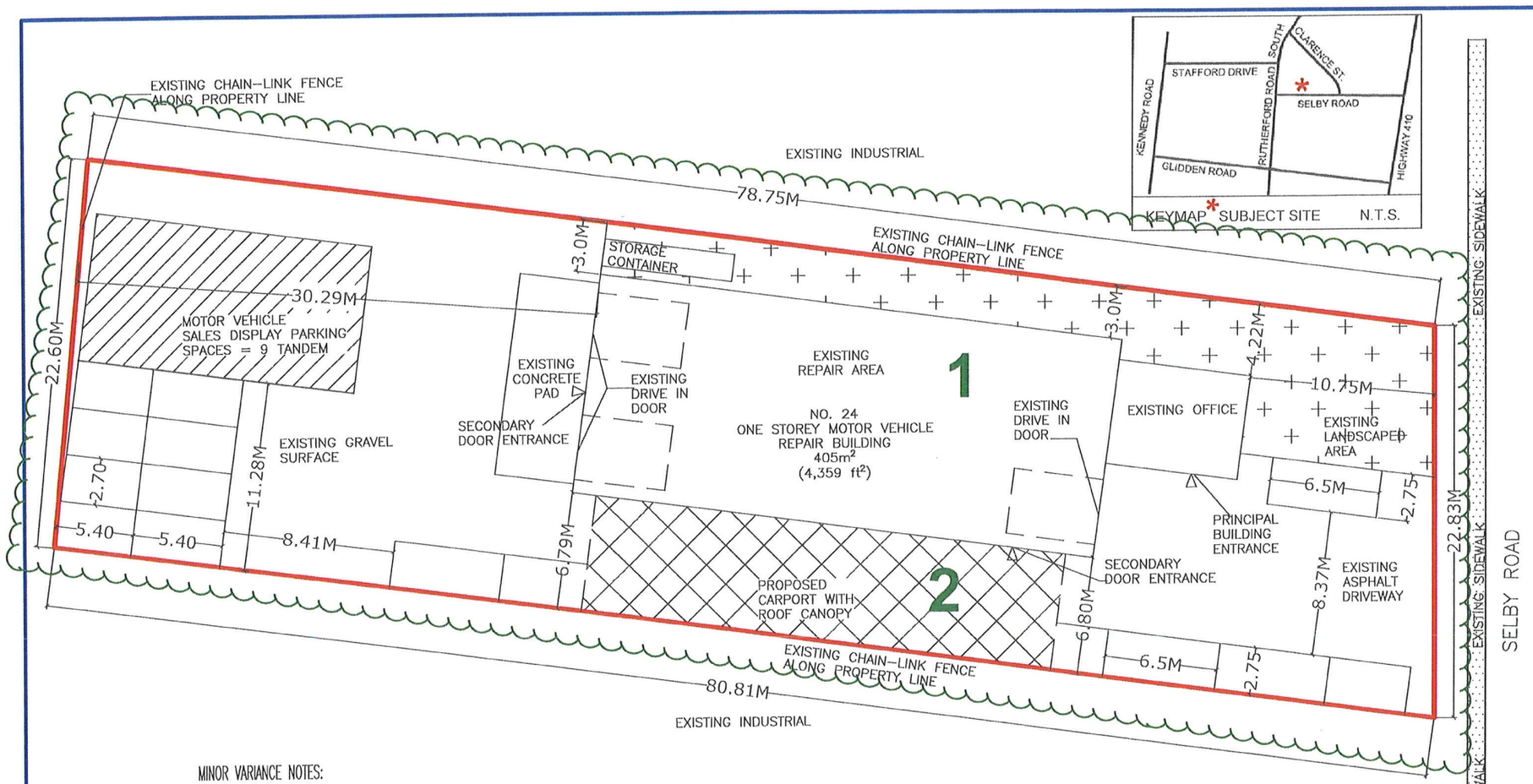
Dated this 13 day of MARCH, 2024.

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

(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



MINOR VARIANCE NOTES:

1. TO EXTEND EXISTING MINOR VARIANCE (A19-2011) APPROVAL FOR A MOTOR VEHICLE SALES ESTABLISHMENT INCLUDING OUTDOOR DISPLAY PARKING SPACES IN CONJUNCTION WITH AND ACCESSORY TO THE MOTOR VEHICLE REPAIR USE TO A FURTHER 10 YEARS OR PERMANENT (A19-2011).
2. TO PERMIT A CARPORT WITH ROOF CANOPY ON THE WEST SIDE DRIVEWAY OF APPROX. 6.5m x 30m (BUILDING PERMIT TO BE OBTAINED PRIOR TO CONSTRUCTION)

LEGEND

PROPERTY BOUNDARY

1-2 MINOR VARIANCE

APPENDIX 1
24 SELBY ROAD.
MODIFIED SITE PLAN
FILE:

ZONING BY-LAW 327-07 (2004-2010)
ZONE: INDUSTRIAL TWO (M2)
LOT AREA: 1,806.29 m² (0.44 ACRES)
BUILDING SETBACKS:
FRONT YARD (SOUTH): 10.75m (35.26ft)
REAR YARD (NORTH): 30.29m (99.37ft)
INTERIOR SIDE YARD (EAST): 3.04m (10.00ft)
INTERIOR SIDE YARD (WEST): 6.79m (22.28ft)

TOTAL BUILDING AREA: 405m² (4,359ft²)
BUILDING COVERAGE: 22.42%

PARKING CALCULATIONS:
PARKING SPACES = 18 SPACES
VEH. PARKING SPACES = 9 SPACES
TOTAL PARKING = 27 SPACES
APPROVED PER MINOR VARIANCE = A19-2011

REV. NO.	DESCRIPTION	DATE
0	INITIAL ISSUE	MAR. 11/2024

STAMP

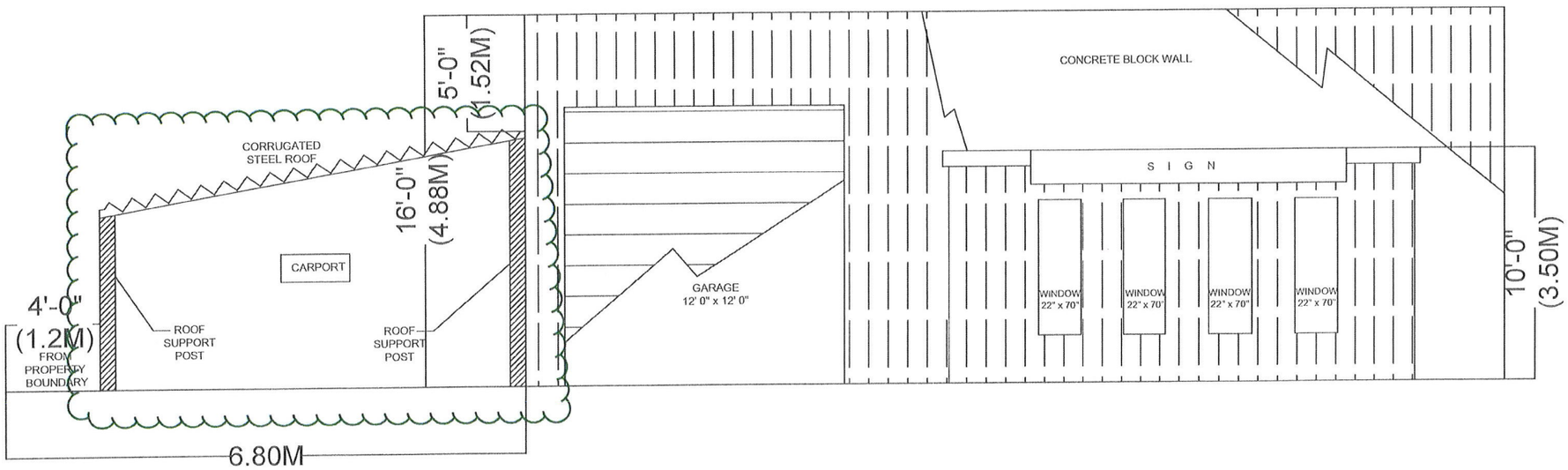
LICENSED PROFESSIONAL ENGINEER
E.I.GILL
16113706
MAR. 12, 2024
PROVINCE OF ONTARIO

2603562 ONTARIO INC.
24 SELBY ROAD, CITY of BRAMPTON

FIRM NAME AND ADDRESS:
ALPHA ENVIRONMENTAL
DIVISION OF DIVERSIFIED BUSINESS INC.
PH: 416-454-7745
email: edgill@rogers.com

PROJECT REF. NO.: PROJECT
TITLE: CONCEPTUAL_SITE_PLAN-MINOR_VARIANCE

SCALE: N.T.S.			DRAWING NO.:	REV.
CHECKED BY	EG	MAR. 11/24	A101	0



MINOR VARIANCE NOTES:

1. TO EXTEND EXISTING MINOR VARIANCE (A19-2011) APPROVAL FOR A MOTOR VEHICLE SALES ESTABLISHMENT INCLUDING OUTDOOR DISPLAY PARKING SPACES IN CONJUNCTION WITH AND ACCESSORY TO THE MOTOR VEHICLE REPAIR USE TO A FURTHER 10 YEARS OR PERMANENT (A19-2011).
2. TO PERMIT A CARPORT WITH ROOF CANOPY ON THE WEST SIDE DRIVEWAY OF APPROX. 6.5m x 30m (BUILDING PERMIT TO BE OBTAINED PRIOR TO CONSTRUCTION)

PROPOSED FRONT ELEVATION VIEW

(CARPORT WITH ROOF CANOPY DETAILS TO BE SUBMITTED FOR BUILDING PERMIT PER OBC)

NOTES:
- UNIT OF MEASUREMENT AS NOTED IN THE DRAWING.
- DRAWINGS ARE NOT TO BE SCALED.

REV. NO.	DESCRIPTION	DATE
0	INITIAL ISSUE	MAR12/2024

STAMP

LICENSED PROFESSIONAL ENGINEER
E.I.GILL
16113706
MAR. 12, 2024
PROVINCE OF ONTARIO

2603562 ONTARIO INC.
24 SELBY ROAD, CITY of BRAMPTON

FIRM NAME AND ADDRESS:
ALPHA ENVIRONMENTAL
DIVISION OF DIVERSIFIED BUSINESS INC.
PH: 416-454-7745
email: edgil@rogers.com

PROJECT REF. NO.:

TITLE: CONCEPTUAL_ELEVATION_VIEW-MINOR_VARIANCE

SCALE: NTS			DRAWING NO.:	REV.
CHECKED BY	EG	MAR. 12/23	A102	0

FILE #A-2024-0089

Alpha Environmental
A Division of Diversified Business International Inc.
Cost Efficient and Effective Solutions

120 Valonia Drive, Unit 1
Brampton, ON, L6V 4J9
T: 416 454 7745
edgill@rogers.com

Date: March 13, 2024

The Corporation of the City of Brampton
2 Wellington Street West
Brampton, ON
L6Y 4R2

Attention: Ms Jeanie Myers
Secretary-Treasurer, Committee of Adjustment

Subject: 2603562 ONTARIO INCORPORATED
24 Selby Road
Brampton, ON
Part of Lot 3, Concession 2 EHSCH
LP6 2Z3

Staff Contact: Mr. Francois Hemon-Morneau Planner III

Dear Ms. Myers,

We are the authorized agent for 2603562 Ontario Incorporated, Registered Owner of the property municipally owned as 24 Selby Road, City of Brampton, hereinafter referred to as the 'subject site'.

The owner acquired the property in January 2018 and to the best to our knowledge has occupied it as a Motor Vehicle Repair use for several years.

In 2019, a minor variance (A19-211) was approved to allow for a Motor Vehicle Sales Establishment for a temporary period of 3 years in conjunction with and accessory to Motor Vehicle Repair, a drive aisle of and some parking spaces. A drive aisle was also permitted.

The Motor Vehicle Sales permission has since expired and we are respectfully requesting an extension of this permission for a further period of 10 years or as a permanent use. The sales vehicle parking will be restricted to the previously permitted 9 spaces in the previously approved location in the rear.

In addition, due to falling ice hazards and bird droppings from the large adjacent communications tower (22 Selby Road) we are requesting permission to construct a car port with roof canopy on the west side driveway aisle along the west side wall. A Building Permit will be applied for prior to construction.

No other changes to the exterior or interior of the building are currently proposed.

Alpha
Environmental
A Division of Diversified Business International Inc.
Cost Efficient and Effective Solutions

120 Valonia Drive, Unit 1
Brampton, ON, L6V 4J9
T: 416 454 7745
edgill@rogers.com

We appreciate the preliminary staff support with regards to the two (2) requested minor variances.

We respectfully suggest that the requested Minor Variances conform to the general intent of the City Official Plan and area Secondary Plan; are consistent and complementary with the current uses of the subject property and neighboring land uses; and the proposed uses while limited in scale will remain ancillary and subordinate to the primary use of Motor Vehicle repairs.

No significant, if any, on-site or off-site impacts are anticipated.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

Edward J. S. Gill, M.Eng., P.Eng
Alpha Environmental
Ph: 416 454 7745
Email: edgill@rogers.com

Cc H. Walia, RSB Auto Centre Ltd.

BRAMPTON
Flower City
brampton.ca

Notice of Decision

Committee of Adjustment

FILE NUMBER A19-211 **HEARING DATE** JANUARY 7, 2020

APPLICATION MADE BY 2603562 ONTARIO INC.

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; **ZONING BY-LAW 270-2004** AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION **FOR THE FOLLOWING VARIANCE(S):**

1. **To permit a Motor Vehicle Sales Establishment (including outdoor display of vehicles for sale) in conjunction with and accessory to Motor Vehicle Repair;**
2. **To permit a drive aisle width of 4.0m (13.12 ft.);**
3. **To permit 14 parking spaces on site.**

(24 SELBY ROAD – PT. LOT 3, CONC. 2 EHS)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

SEE SCHEDULE "A" ATTACHED

REASONS:
This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and

2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: R. Power **SECONDED BY:** A. C. Marques

SIGNATURE OF CHAIR OF MEETING:

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER **MEMBER**

MEMBER **MEMBER**

MEMBER

DATED THIS 7TH **DAY OF** JANUARY, 2020

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE JANUARY 27, 2020.

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

Jeanie Myers

SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

Flower City

brampton.ca

THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A19-211**

DATED: **JANUARY 7, 2020**

Conditions:

1. That Variance 3 be approved, in part, and that 18 parking spaces be required on site as identified on the revised Concept Plan dated December 11, 2019 as attached to this decision whereas the by-law requires a minimum of 23 parking spaces;

2. That the motor vehicles sales use be permitted for a temporary three (3) year period;

3. That the motor vehicles sales use only be permitted in conjunction with and accessory to the motor vehicle repair use;

4. That the outdoor display of vehicles be limited to no more than nine (9) vehicles at any time;

5. That no motor vehicles be displayed outside of the designated display areas as identified on the revised Concept Plan dated December 11, 2019 as attached to the report at any time;

6. That failure to comply with and maintain any of the conditions of the Committee will render the approval null and void.

Jeanie Myers

Jeanie Myers
Secretary-Treasurer
Committee of Adjustment

Appendix 1
24 Selby Rd.
Modified Site Plan
File: A19-211

KEYMAP ✱ SUBJECT SITE N.T.S

ZONING BY-LAW 270-2004

ZONE: INDUSTRIAL TWO (M2)

LOT AREA 1,806.29m² (0.44 ACRES)

BUILDING SET BACKS:

FRONT YARD (SOUTH):	10.75m	(35.26ft)
REAR YARD (NORTH):	30.29m	(99.37ft)
INTERIOR YARD (EAST):	3.04m	(10.00ft)
INTERIOR YARD (WEST):	6.79m	(22.28ft)

TOTAL BUILDING AREA: 405m² (4,359ft²)

BUILDING COVERAGE: 22.42%

PARKING CALCULATIONS

PARKING RATE: 1 space per 18m²

REQUIRED PARKING: 23 SPACES

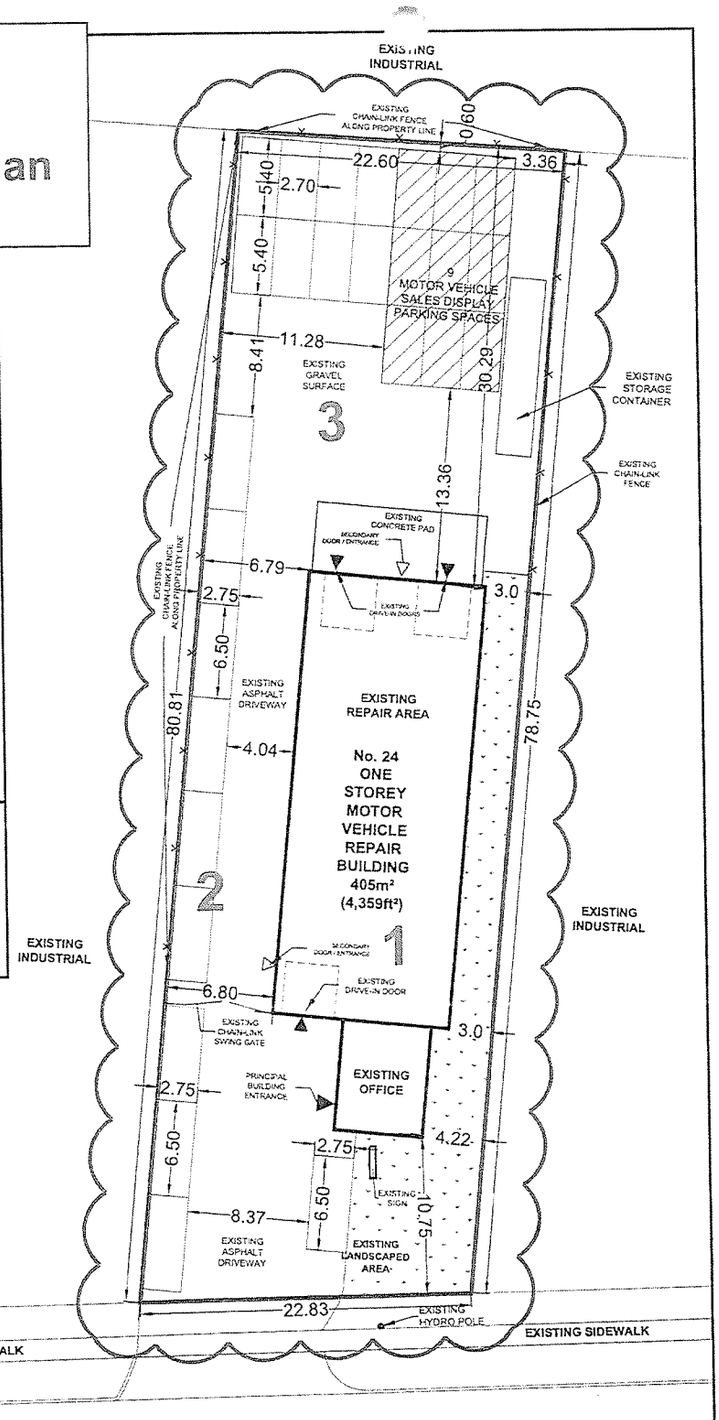
PROVIDED PARKING: 18 SPACES
PARKING DEFICIENCY: 5 SPACES (21.73%)

MOTOR VEHICLE SALES DISPLAY PARKING: 9 SPACES

LEGEND

PROPERTY BOUNDARY

1-3 MINOR VARIANCE



MINOR VARIANCES

1. To permit a Motor Vehicle Sales Establishment including outdoor display parking spaces in conjunction with and accessory to the Motor Vehicle Repair Use, whereas the by-law does not permit the use.
2. To permit a minimum drive-aisle width of 4.0 metres, whereas the by-law requires a minimum of 6.0 metres for two-way traffic.
3. To permit 18 parking spaces whereas the by-law requires a minimum of 23 parking spaces.

CONCEPTUAL SITE PLAN - MINOR VARIANCE

2603562 ONTARIO INC.
24 SELBY ROAD
CITY of BRAMPTON

P.N.: 19-2682	Date: December 11, 2019
Scale: N.T.S	Revised:
Drawn By: D.S	File No.: 2682 MV_DEC_2019

GWD

KEYMAP ✱ SUBJECT SITE N.T.S

ZONING BY-LAW 270-2004

ZONE: INDUSTRIAL TWO (M2)

LOT AREA 1,806.29m² (0.44 ACRES)

BUILDING SET BACKS:

FRONT YARD (SOUTH):	10.75m	(35.26ft)
REAR YARD (NORTH):	30.29m	(99.37ft)
INTERIOR YARD (EAST):	3.04m	(10.00ft)
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TOTAL BUILDING AREA: 405m² (4,359ft²)

BUILDING COVERAGE: 22.42%

PARKING CALCULATIONS

PARKING RATE: 1 space per 18m²

REQUIRED PARKING: 23 SPACES

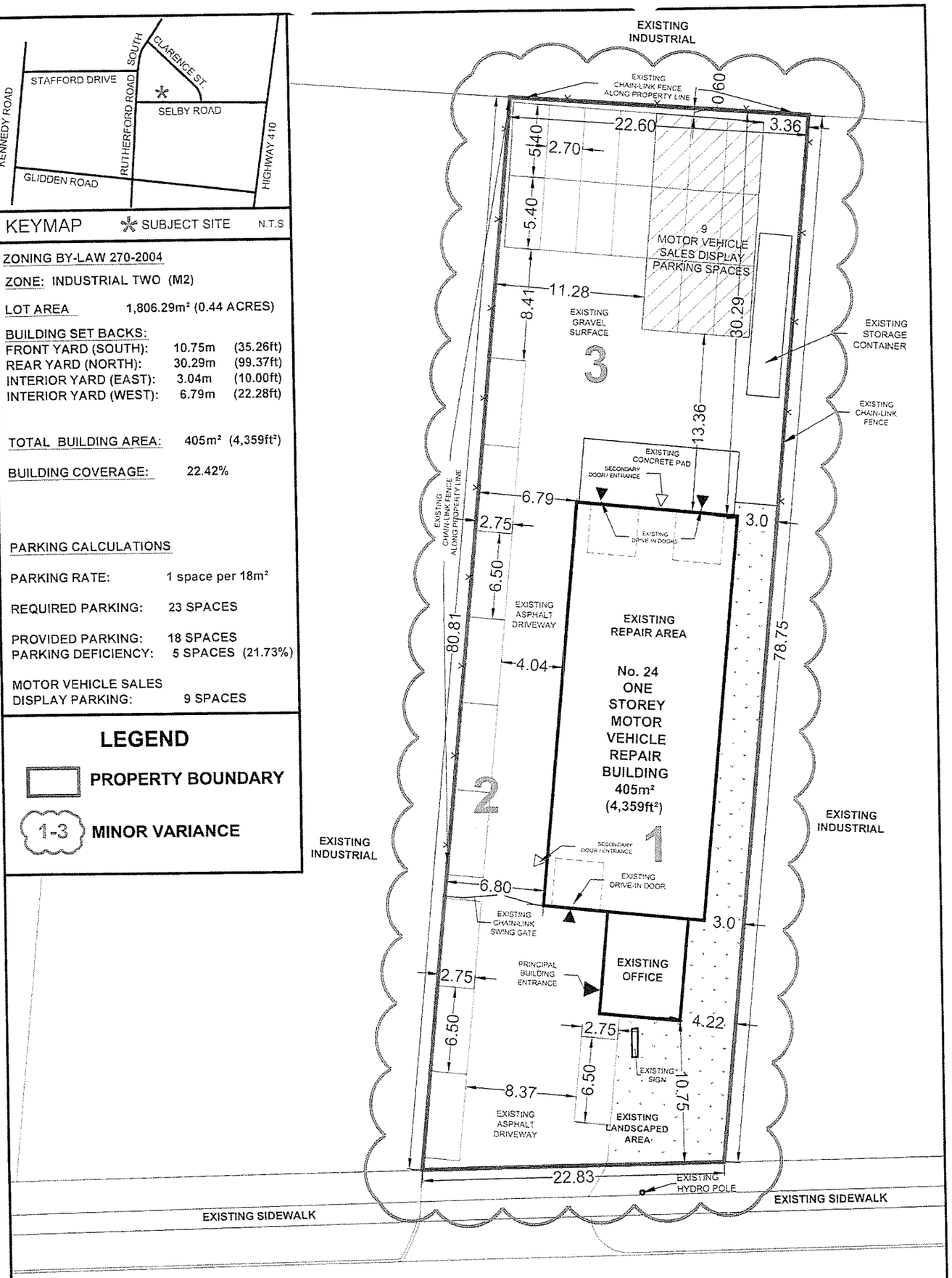
PROVIDED PARKING: 18 SPACES
PARKING DEFICIENCY: 5 SPACES (21.73%)

MOTOR VEHICLE SALES DISPLAY PARKING: 9 SPACES

LEGEND

PROPERTY BOUNDARY

1-3 MINOR VARIANCE



MINOR VARIANCES

1. To permit a Motor Vehicle Sales Establishment including outdoor display parking spaces in conjunction with and accessory to the Motor Vehicle Repair Use, whereas the by-law does not permit the use.
2. To permit a minimum drive-aisle width of 4.0 metres, whereas the by-law requires a minimum of 6.0 metres for two-way traffic.
3. To permit 18 parking spaces whereas the by-law requires a minimum of 23 parking spaces.

CONCEPTUAL SITE PLAN - MINOR VARIANCE

2603562 ONTARIO INC.
24 SELBY ROAD
CITY of BRAMPTON

REVISED A19-211

P.N.: 19 2682	Date: December 11, 2019
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.: 2682 MV_DEC_2019

GWD
21 Queen Street East Suite 100 Brampton, ON L6W 3P1 P (905) 796-5790
Toll Free 1 (800) 721-7296 www.gwdplanners.com
3601 Highway 7 East Suite 310 Markham, ON L3R 0M3 P (905) 477-6556

Zoning Non-compliance Checklist

A-2024-0089.

File No.
~~A-2022-~~

Applicant: 2603562 Ontario Inc.
Address: 24 Selby Road
Zoning: M2
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit a motor vehicle sales establishment in conjunction with motor vehicle repair.	Whereas the by-law does not permit a motor vehicle sales establishment.	
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT/ SIDE / REAR	To permit a side yard setback of 0 metres to a proposed roof canopy.	Whereas the by-law requires a minimum 4 metres side yard setback.	
BUILDING SIZE			
SIDE DOOR			
COVERAGE			
PARKING	To permit 18 parking spaces on site.	Whereas the by-law requires 23 parking spaces.	
DRIVEWAY			
ACCESSORY STRUCTURE			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY AISLE	To permit a drive aisle width of 4 metres.	Whereas the by-law permits a drive aisle width of 6.6 metres.	
LANDSCAPE OPEN SPACE			
SCHEDULE 'C'			
FENCE HEIGHT	.		

Rose Bruno
Reviewed by Zoning

__March 14, 2024_____
Date

BRAMPTON
brampton.ca Flower City

Chief Administrative Office
City Clerk

January 28, 2020

2603562 Ontario Inc.
10 Jacksonville Drive
Brampton, Ontario
L6P 2Z3

Dear Sir/Madam:

Re: Committee of Adjustment Application
2603562 Ontario Inc. – A19-211
Part of Lot 3, Conc. 2, EHS, Part 2, 43R-1967, 24 Selby Road, Brampton

---

Take notice that the Committee of Adjustment for the City of Brampton gave its decision on Tuesday January 7, 2020 with respect to your application for Minor Variance for Part of Lot 3, Conc. 2, EHS, Part 2, 43R-1967, 24 Selby Road, Brampton.

You are hereby notified that the aforementioned decision respecting the above noted application is now final and binding, there having been no notice of appeal within twenty (20) days after making of the decision.

Yours truly,

Jeanie Myers

Jeanie Myers,
Secretary-Treasurer
Committee of Adjustment
Tel (905) 874-2117
Email: jeanie.myers@brampton.ca

JM/

cc: P. Fay
K. Walkey
E. Corazzola
L. McGinn
M. DeNardis - Gagnon Walker Domes Ltd.

NOTE: THIS VARIANCE BECOMES NULL AND VOID IF ALL THE CONDITIONS OF APPROVAL ARE NOT FULFILLED.

NEW MINOR VARIANCE APPLICATIONS

(1)

A19-211 **2603562 ONTARIO INC.** **PT. OF LOT 3, CONC. 2 EHS, PART 2, PLAN 43R-1967 WARD 3**

The applicant is requesting the following variance(s):

1. To permit a Motor Vehicle Sales Establishment (including outdoor display of vehicles for sale) in conjunction with and accessory to Motor Vehicle Repair whereas the by-law does not permit the proposed use;

2. To permit a drive aisle width of 4.0m (13.12 ft.) whereas the by-law requires a minimum drive aisle width of 6.0m (19.68 ft.) for two-way traffic;

3. To permit 14 parking spaces on site whereas the by-law requires a minimum of 23 parking spaces.

Mr. Marc De Nardis, Gagnon Walker Domes Ltd., authorized agent for the applicant, appeared before committee presenting application A19-211. He advised that he reviewed the staff recommendation report and requests consideration for extension of the staff recommended three year temporary approval to five years.

Committee was informed that City of Brampton planning staff was in support of this application with a number of conditions including approval of the use for a temporary three year period. Staff explained that to go beyond the proposed three years would require another process for rezoning and that with the proposed three year period staff can monitor the site.

Zoning staff advised that for implementation purposes, the conditions as written suggest that variance 3 to allow for a parking variance be refused but in condition 2 it recommends approval of a parking variance. Staff requested that the proposed conditions be amended to remove proposed condition number 1 and proposed condition number 2 be modified to include additional wording *"that variance 3 be approved, in part, and that 18 parking spaces be required on site"*.

Committee expressed that the proposed three years seems adequate noting that the business is already on site and given that this is the first application the three years provides an opportunity to monitor the site. Mr. De Nardis responded that he accepts the condition and understands the intent behind the three years. Following discussion, Mr. De Nardis indicated that the proposed conditions, as amended, were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions, as amended, and the evidence heard at the meeting, reached the following decision:

Moved by R. Power Seconded by A. C. Marques

THAT application A19-211 to permit a Motor Vehicle Sales Establishment (including outdoor display of vehicles for sale) in conjunction with and accessory to Motor Vehicle Repair; to permit a drive aisle width of 4.0m (13.12 ft.) and to permit 14 parking spaces on site be approved for the following reasons and subject to the following conditions:

1. That Variance 3 be approved, in part, and that 18 parking spaces be required on site as identified on the revised Concept Plan dated December 11, 2019 as attached to this decision whereas the by-law requires a minimum of 23 parking spaces;

2. That the motor vehicles sales use be permitted for a temporary three (3) year period;

3. That the motor vehicles sales use only be permitted in conjunction with and accessory to the motor vehicle repair use;

4. That the outdoor display of vehicles be limited to no more than nine (9) vehicles at any time;

5. That no motor vehicles be displayed outside of the designated display areas as identified on the revised Concept Plan dated December 11, 2019 as attached to the report at any time;

6. That failure to comply with and maintain any of the conditions of the Committee will render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and

2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(2)

A19-212 **HIGH-ROSE HOMES INC.** **BLOCK 157, PLAN 43M-1940**
175 VETERANS DRIVE
WARD 6

The applicant is proposing a 100 unit stacked townhouse residential development and is requesting a variance to permit a total of 125 parking spaces on site (108 resident parking and 17 visitor parking) whereas the by-law requires a minimum of 155 parking spaces (130 resident parking and 25 visitor parking).

Mr. David Faye, David Faye and Associates Inc., authorized agent for the applicant, appeared before committee briefly outlining the variance requested for the property located at the south east corner of Sandalwood Parkway and Veterans Drive. He noted that they built the project to the left of the property and that the subject site will be similar.

BRAMPTON
Flower City
brampton.ca

Notice of Decision

Committee of Adjustment

FILE NUMBER A19-211 **HEARING DATE** JANUARY 7, 2020

APPLICATION MADE BY 2603562 ONTARIO INC.

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; **ZONING BY-LAW 270-2004** AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION **FOR THE FOLLOWING VARIANCE(S):**

1. **To permit a Motor Vehicle Sales Establishment (including outdoor display of vehicles for sale) in conjunction with and accessory to Motor Vehicle Repair;**

2. **To permit a drive aisle width of 4.0m (13.12 ft.);**

3. **To permit 14 parking spaces on site.**

(24 SELBY ROAD – PT. LOT 3, CONC. 2 EHS)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS **(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)**

SEE SCHEDULE "A" ATTACHED

REASONS:
This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and

2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: R. Power **SECONDED BY:** A. C. Marques

SIGNATURE OF CHAIR OF MEETING:

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

MEMBER **MEMBER**

MEMBER **MEMBER**

MEMBER

DATED THIS 7TH **DAY OF** JANUARY, 2020

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE JANUARY 27, 2020.

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

Jeanie Myers
SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

Flower City

brampton.ca

THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A19-211**

DATED: **JANUARY 7, 2020**

Conditions:

1. That Variance 3 be approved, in part, and that 18 parking spaces be required on site as identified on the revised Concept Plan dated December 11, 2019 as attached to this decision whereas the by-law requires a minimum of 23 parking spaces;

2. That the motor vehicles sales use be permitted for a temporary three (3) year period;

3. That the motor vehicles sales use only be permitted in conjunction with and accessory to the motor vehicle repair use;

4. That the outdoor display of vehicles be limited to no more than nine (9) vehicles at any time;

5. That no motor vehicles be displayed outside of the designated display areas as identified on the revised Concept Plan dated December 11, 2019 as attached to the report at any time;

6. That failure to comply with and maintain any of the conditions of the Committee will render the approval null and void.

Jeanie Myers

Jeanie Myers
Secretary-Treasurer
Committee of Adjustment

BRAMPTON
Flower City
brampton.ca

Report
Committee of Adjustment

Date: January 7, 2020

File: A19-211

Subject: **2603562 ONTARIO INCORPORATED**
24 Selby Road
WARD: 3

Contact: Stephen Dykstra, Development Planner

Recommendation:

That application A19-211 is supportable in part, subject to the following conditions being imposed:

(1) That variance #3 "To permit 14 parking spaces on site whereas the by-law requires a minimum of 23 parking spaces" be refused;

(2) That 18 parking spaces be permitted on site as identified on the revised Concept Plan dated December 11, 2019 as attached to the report whereas the by-law requires a minimum of 23 parking spaces;

(3) That the motor vehicles sales use be permitted for a temporary three (3) year period;

(4) That the motor vehicles sales use only be permitted in conjunction with and accessory to the motor vehicle repair use;

(5) That the outdoor display of vehicles be limited to no more than nine (9) vehicles at any time;

(6) That no motor vehicles be displayed outside of the designated display areas as identified on the revised Concept Plan dated December 11, 2019 as attached to the report at any time; and

(7) That failure to comply with and maintain any of the conditions of the Committee will render the approval null and void.

Background:

Existing Zoning:

The property is zoned 'Industrial Two (M2)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a Motor Vehicle Sales Establishment (including outdoor display of vehicles for sale) in conjunction with and accessory to Motor Vehicle Repair whereas the by-law does not permit the proposed use;

2. To permit a drive aisle width of 4.0m (13.12 ft.) whereas the by-law requires a minimum drive aisle width of 6.0m (19.68 ft.) for two-way traffic; and,

3. To permit 14 parking spaces on site whereas the by-law requires a minimum of 23 parking spaces.

NOTICE: The temporary use will expire on January 7, 2023 if this application is approved.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated 'Industrial' in the Official Plan and 'General Employment 2' in the Highway 410 and Steeles Secondary Plan (Area 5). It is noted that the 'Industrial' designation within the Official Plan accommodates a range of ancillary uses without negatively impacting the viability of employment lands. The General Employment 2 designation within the Secondary Plan does permit motor vehicle repair and body shops as well as through the General Employment 1 that ancillary uses that serve the principle industrial use is also permitted.

The requested variance does not have an impact within the context of the policies of the Official Plan. The general intent and purpose of the Official Plan is maintained.

2. Conforms to the Intent of the Zoning By-law

The property is zoned 'Industrial Two (M2)', a zone which does not specifically allow motor vehicle sales; however, the zone does include motor vehicle repair as a permitted use, as well as a provision to allow accessory uses in the zone. The application proposes motor vehicle sales in addition to the permitted motor vehicle repair use currently conducted on the site. The motor vehicle sales use is similar in nature to another use permitted under the zone, the rental of equipment and associated retail outlets. A condition is recommended that the motor vehicle sales be allowed only in conjunction with and accessory to the permitted motor vehicle repair use.

Recommendations 1 and 2 were provided as the applicant provided an updated concept site plan that illustrated a total of 18 parking spaces whereas the plan that was submitted as part of the application identified 14 parking spaces.

Staff are of the opinion that subject to the recommended approval conditions, the requested use variance meets the general intent and purpose of the zoning by-law.

3. Desirable for the Appropriate Development of the Land

Allowing limited motor vehicle sales on the property has not created any conflict with the current businesses in the area. The temporary three-year approval has allowed the City the opportunity to monitor the operation to ensure that there have been no adverse impacts. Subject to the recommended conditions of approval to limit the display area and to allow the vehicle sales only in conjunction with the permitted motor vehicle repair, the requested variance is desirable for the appropriate development of the land.

Staff are recommending Condition #3 that the use be permitted on a temporary basis (three years) to ensure that the permitted use and its extents are complied with.

Staff are recommending Condition #4 that the vehicles sales be in conjunction with the primary use of auto vehicle repair to ensure that the primary function of the building be for industrial related uses.

Staff are recommending Condition #5 to limit the amount of vehicle sales to nine (9) spaces to allow for vehicular movement on the site and to allow for access to the storage container.

Staff are recommending Condition #6 to ensure that the motor vehicles for display be allocated to a specific area to limit the extent of the minor variance and also ensure that there are sufficient parking spaces for the primary use and that there is sufficient space for vehicular circulation. As the minor variance application is also requesting a reduction in the drive aisle, staff are of the opinion that sufficient room should be provided at the rear of the property to allow for additional vehicular movement.

Finally, staff are recommending Condition #7 in the event that the applicant / owner are not in compliance with the temporary use that the permissions granted can be revoked.

Subject to the recommended conditions, staff are of the opinion that the requested minor variances are desirable for the appropriate development of the land. Staff note that the owner may wish to apply for a Zoning Amendment if the use is intended to exceed the three (3) year temporary condition.

4. Minor in Nature

Subject to the recommended conditions limiting the scale of the sales use and tying the use to the permitted motor vehicle repair use, the requested variance is considered by staff to be minor in nature.

Staff are of the opinion that this use can be supported provided that it is strictly controlled in size and conducted only with a motor vehicle repair establishment operating on site. The recommendation that this use be permitted on a temporary basis is to allow the opportunity to monitor the operation and ensure that there are no adverse impacts occurring as a result of the motor vehicle sales use. Staff will be reviewing aerial photos and streetviews and potentially other means to ensure that the concept site plan is adhered to.

Subject to the recommended conditions, staff are of the opinion that the requested minor variances are minor in nature.

Respectfully Submitted,

Stephen Dykstra MCIP, RPP
Development Planner

Appendix 1
24 Selby Rd.
Modified Site Plan
File: A19-211

KEYMAP * SUBJECT SITE N.T.S

ZONING BY-LAW 270-2004

ZONE: INDUSTRIAL TWO (M2)

LOT AREA 1,806.29m² (0.44 ACRES)

BUILDING SET BACKS:

FRONT YARD (SOUTH):	10.75m	(35.26ft)
REAR YARD (NORTH):	30.29m	(99.37ft)
INTERIOR YARD (EAST):	3.04m	(10.00ft)
INTERIOR YARD (WEST):	6.79m	(22.28ft)

TOTAL BUILDING AREA: 405m² (4,359ft²)

BUILDING COVERAGE: 22.42%

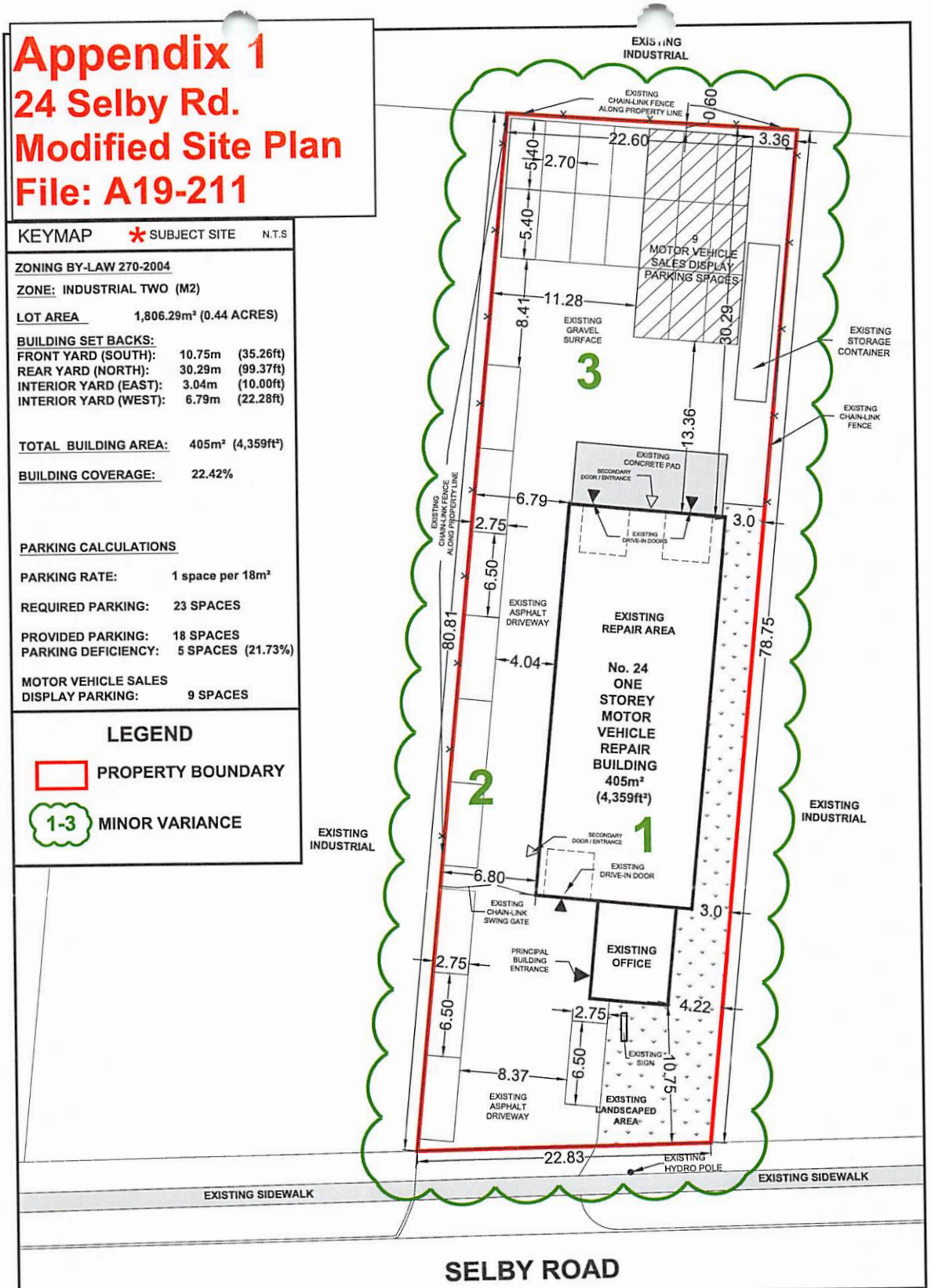
PARKING CALCULATIONS

PARKING RATE:	1 space per 18m²
REQUIRED PARKING:	23 SPACES
PROVIDED PARKING:	18 SPACES
PARKING DEFICIENCY:	5 SPACES (21.73%)
MOTOR VEHICLE SALES DISPLAY PARKING:	9 SPACES

LEGEND

PROPERTY BOUNDARY

1-3 MINOR VARIANCE



MINOR VARIANCES

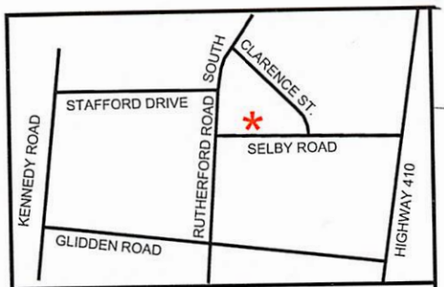
1. To permit a Motor Vehicle Sales Establishment including outdoor display parking spaces in conjunction with and accessory to the Motor Vehicle Repair Use, whereas the by-law does not permit the use.
2. To permit a minimum drive-aisle width of 4.0 metres, whereas the by-law requires a minimum of 6.0 metres for two-way traffic.
3. To permit 18 parking spaces whereas the by-law requires a minimum of 23 parking spaces.

CONCEPTUAL SITE PLAN - MINOR VARIANCE

2603562 ONTARIO INC.
24 SELBY ROAD
CITY of BRAMPTON

P.N.:19.2682	Date: December 11, 2019
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.:2682 MV_DEC_2019

GWD



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LEGEND

PROPERTY BOUNDARY

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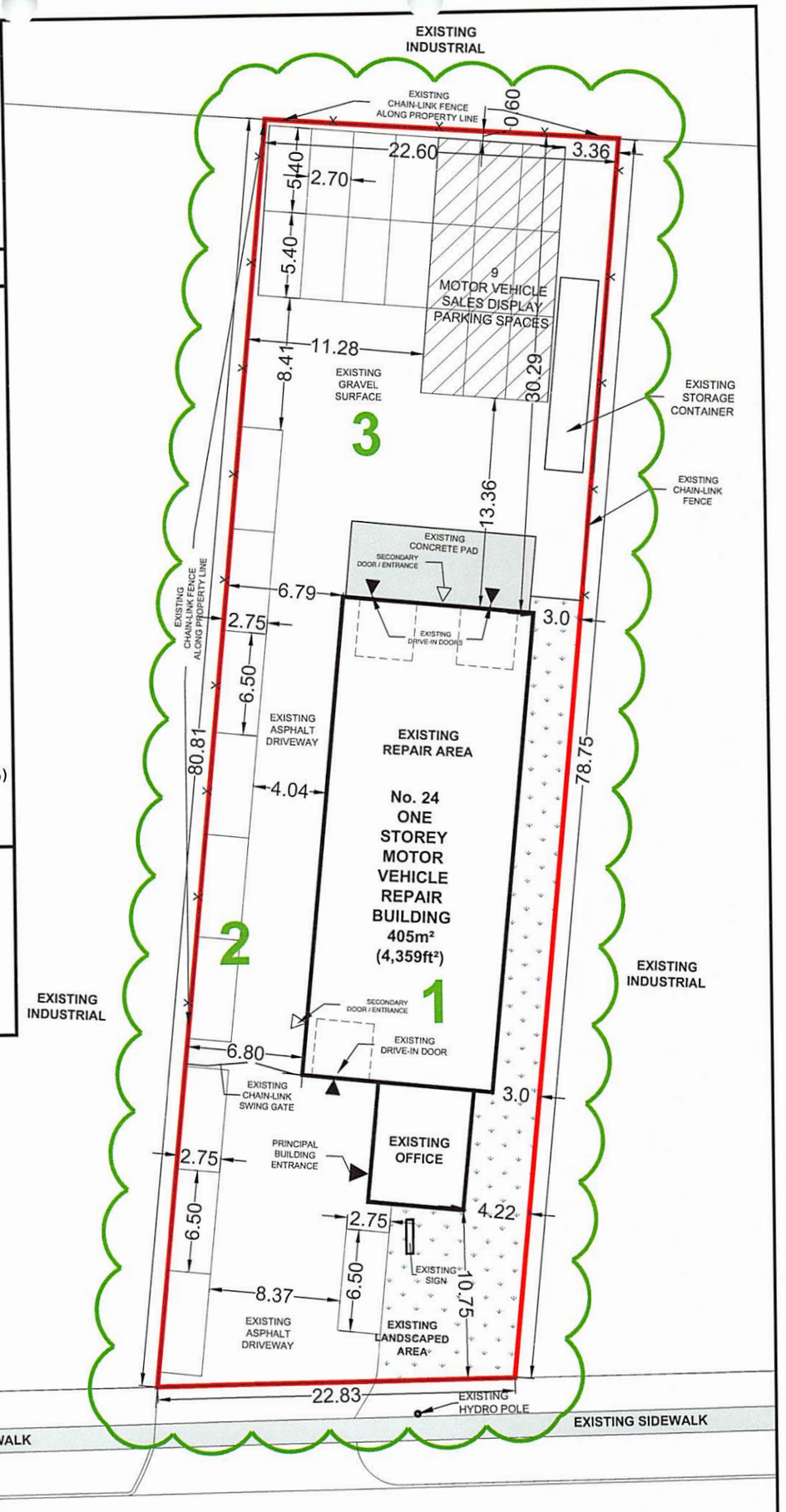

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3. To permit 18 parking spaces whereas the by-law requires a minimum of 23 parking spaces.

CONCEPTUAL SITE PLAN - MINOR VARIANCE

2603562 ONTARIO INC.
24 SELBY ROAD
CITY of BRAMPTON

REVISED A19-211

P.N.: 19.2682	Date: December 11, 2019
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.: 2682 MV_DEC_2019

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BRAMPTON
Flower City
brampton.ca

Public Notice

Committee of Adjustment

APPLICATION # *A19-211*
WARD # 3

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **2603562 ONTARIO INC.** 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 Part of Lot 3, Concession 2 EHS, Part 2, Plan 43R-1967 municipally known as **24 SELBY ROAD**, Brampton;

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

1. To permit a Motor Vehicle Sales Establishment (including outdoor display of vehicles for sale) in conjunction with and accessory to Motor Vehicle Repair whereas the by-law does not permit the proposed use;

2. To permit a drive aisle width of 4.0m (13.12 ft.) whereas the by-law requires a minimum drive aisle width of 6.0m (19.68 ft.) for two-way traffic;

3. To permit 14 parking spaces on site whereas the by-law requires a minimum of 23 parking spaces.

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, January 7, 2020 at 9:00 A.M. in 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 attend at 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.**

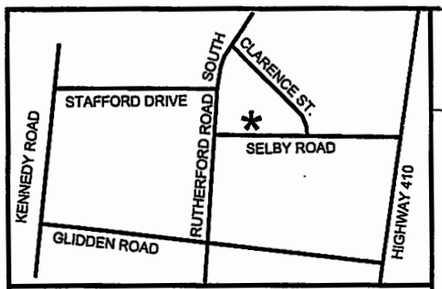
IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

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

DATED at Brampton Ontario, this 13th day of December 2019.

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



KEYMAP ✱ SUBJECT SITE N.T.S

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ZONE: INDUSTRIAL TWO (M2)

LOT AREA 1,806.29m² (0.44 ACRES)

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PARKING RATE:	1 space per 18m²
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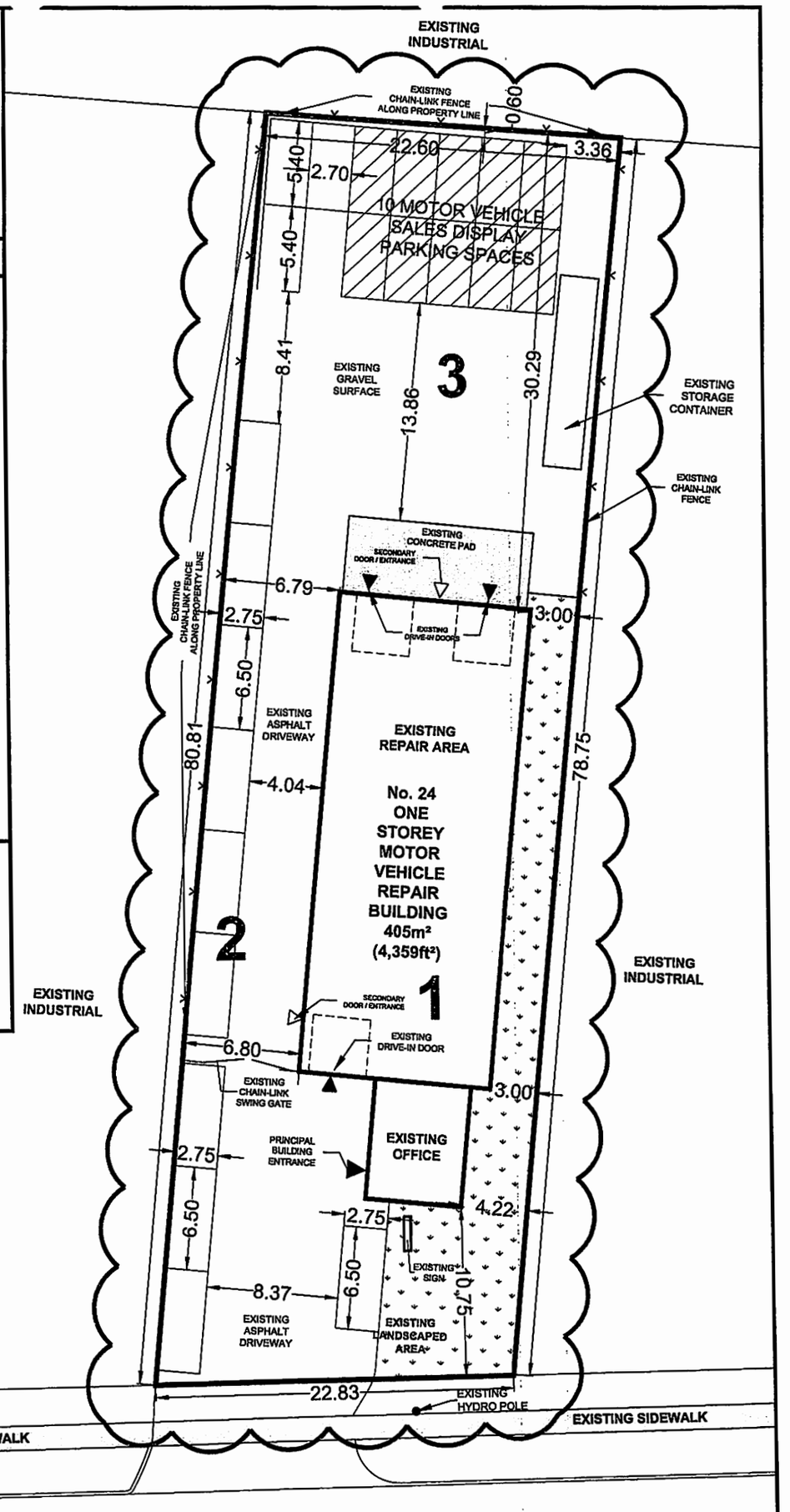
LEGEND

PROPERTY BOUNDARY

1-3 MINOR VARIANCE



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CONCEPTUAL SITE PLAN - MINOR VARIANCE

2603562 ONTARIO INC.
24 SELBY ROAD
CITY of BRAMPTON

P.N.:19.2682	Date: December 9, 2019
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.:2682 MV_NOV_2019

BRAMPTON 21 Queen Street East Suite 500 Brampton, ON L6W 3P1 P (905) 796 - 5790
GWD Toll Free 1 (833) 771-7296 www.gwdplanners.com
MARKHAM 3601 Highway 7 East Suite 310 Markham, ON L3R 0K3 P (905) 477 - 6556

GWD
Gagnon Walker Domes
PROFESSIONAL PLANNERS

Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

December 10, 2019

The Corporation of the City of Brampton
2 Wellington Street West
City of Brampton, Ontario
L6Y 4R2

Attention: **Ms. Jeanie Myers**
Secretary-Treasurer, Committee of Adjustment

Re: **Application to the Committee of Adjustment – Minor Variance**
2603562 Ontario Inc.
24 Selby Road
Part of Lot 3, Concession 2 EHSCH
Part 2 of 43R-1967
City of Brampton, Ontario
City File: A19-211
GWD File: 19.2682.00

Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to 2603562 Ontario Inc., the Registered Owner of the property municipally known as 24 Selby Road in the City of Brampton, hereinafter referred to as the 'subject site'.

Minor Variance Application A19-211 was filed on November 25, 2019. Our office has been engaged in discussions with Staff of the Planning & Development Services Department.

Please accept this letter as our formal request that Minor Variance Application A19-211 be amended to request the following Variances:

1. To permit a Motor Vehicle Sales Establishment including outdoor display parking spaces in conjunction with and accessory to the Motor Vehicle Repair Use, whereas the by-law does not permit the use.

2. To permit a minimum drive-aisle width of 4.0 metres, whereas the by-law requires a minimum of 6.0 metres for two-way traffic.

3. To permit 14 parking spaces whereas the by-law requires a minimum of 23 parking spaces.

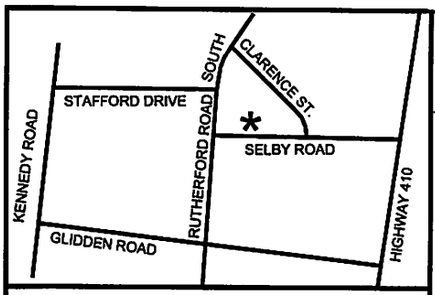
In support of the Application we submit the enclosed Variance Plan dated December 9, 2019.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

Marc De Nardis, B.U.R.Pl., M.C.I.P., R.P.P.
Planning Associate

C.c. H. Walia, RSB Auto Centre Ltd.
M. Gagnon, Gagnon Walker Domes Ltd.



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LEGEND

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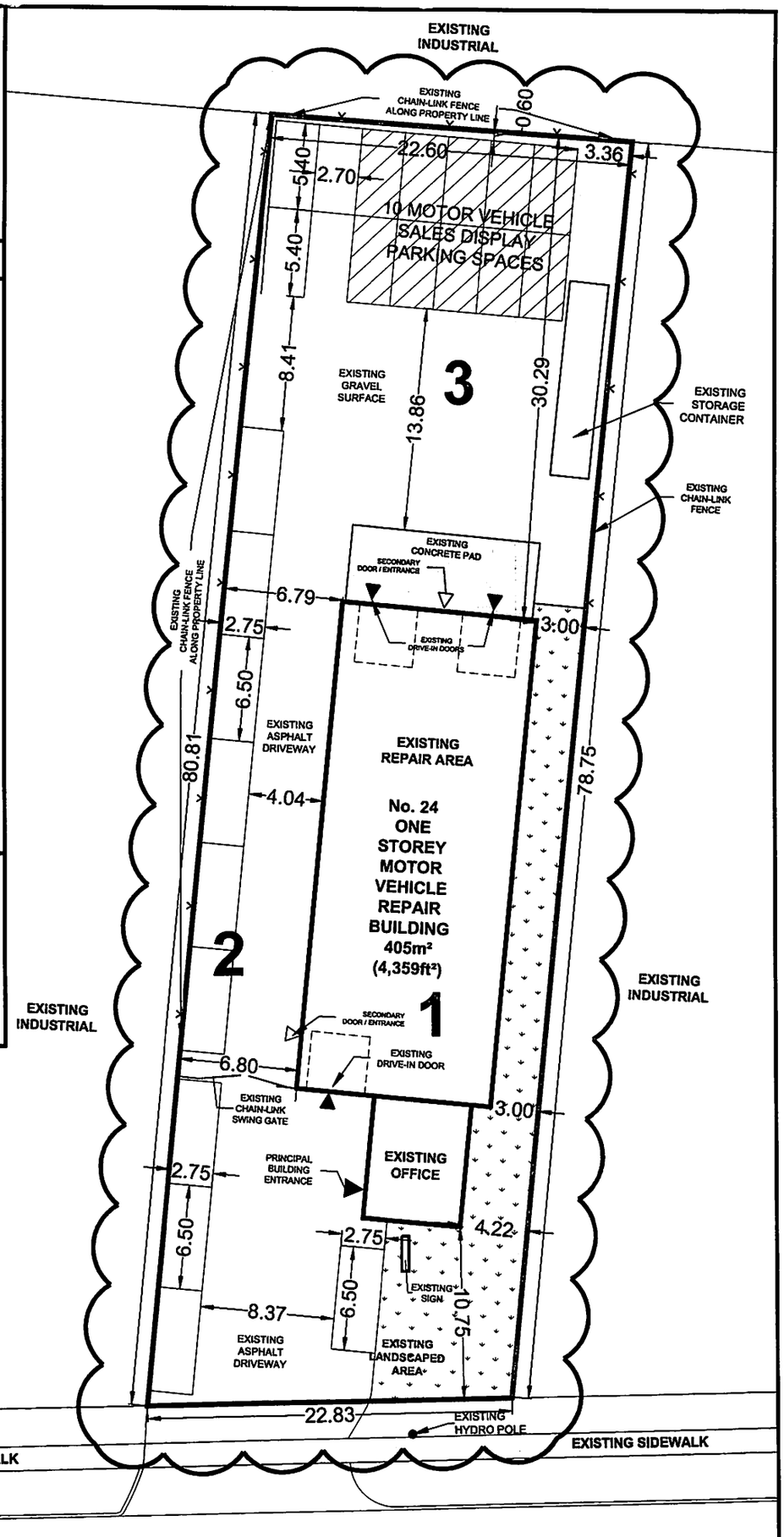
1-3 MINOR VARIANCE



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CONCEPTUAL SITE PLAN - MINOR VARIANCE

2603562 ONTARIO INC.
24 SELBY ROAD
CITY of BRAMPTON

P.N.:19.2682	Date: December 9, 2019
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.:2682 MV_NOV_2019

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GWD
Toll Free 1 (866) 771-7266 www.gwddesigns.com
MARKHAM 3601 Highway 7 East Suite 310 Markham, ON L3R 0M3 P (905) 477 - 0336

Myers, Jeanie

From: Dykstra, Stephen
Sent: 2019/12/09 4:19 PM
To: Marc DeNardis
Cc: Payne, Todd; Myers, Jeanie
Subject: RE: [EXTERNAL]RE: 24 Selby Road, Brampton; GWD File: 2682

Marc,

There are some additional details that we require.

- The parallel parking spaces require a width of 2.75m (currently the plan indicates 2.7m). Please update sketch. This will also decrease the drive aisle.
- Please indicate the vehicles sales portion of the building. The parking rate required for vehicles sales is 1 space per 23m^2 of GFA within the building. This may decrease the required parking calculation.
- Minor variance #2 on the sketch indicates 6.6m is required for two-way traffic. The actual requirement is 6.0m. Please update sketch

If you have any questions, please contact me.

Thank you,

Stephen Dykstra MCIP, RPP
Development Planner III
Tel: (905) 874-3841

From: Marc DeNardis <mdenardis@gwdplanners.com>
Sent: 2019/12/09 3:31 PM
To: Dykstra, Stephen <Stephen.Dykstra@brampton.ca>
Subject: [EXTERNAL]RE: 24 Selby Road, Brampton; GWD File: 2682

From: Marc DeNardis
Sent: December-09-19 3:32 PM
To: 'Dykstra, Stephen'
Subject: RE: 24 Selby Road, Brampton; GWD File: 2682

Hi Stephen, further to phone conversation this afternoon, attached for your consideration the revised/updated Variance Plan dated December 9, 2019.

- The interior side yard drive aisle width has been corrected;
- Ten (10) motor vehicle sales display parking spaces have been identified in the rear yard;
- The three (3) front yard angled parking spaces have been replaced with 3 parallel parking spaces;
- A third Variance is proposed to reflect an overall supply of 14 spaces whereas 23 spaces are required, the 10 display spaces are excluded from the supply.

Advise if acceptable and I can submit an amendment letter to Jeanie's attention.

Thank you.

Marc De Nardis

GWD Ltd.
(905) 796-5790 x257

GWD
Gagnon Walker Domes
PROFESSIONAL PLANNERS

Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

November 21, 2019

A19-211

The Corporation of the City of Brampton
2 Wellington Street West
City of Brampton, Ontario
L6Y 4R2

Attention: **Ms. Jeanie Myers**
Secretary-Treasurer, Committee of Adjustment

Re: **Application to the Committee of Adjustment – Minor Variance**
2603562 Ontario Inc.
24 Selby Road
Part of Lot 3, Concession 2 EHSCH
Part 2 of 43R-1967
City of Brampton, Ontario
GWD File: 19.2682.00

Dear Jeanie:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to 2603562 Ontario Inc., the Registered Owner of the property municipally known as 24 Selby Road in the City of Brampton, hereinafter referred to as the 'subject site'.

The site is rectangular in shape having a total area of 0.18 hectares (0.44 acres), a lot width of 22.83 metres (74.90 feet) and a lot depth of 78.75 metres (258.36 feet). It is located within a developed industrial area in the south-central part of Brampton which contains a mix of industrial and quasi-commercial businesses.

The site is occupied by a 1-storey industrial building having a Gross Floor Area (GFA) of approximately 405 m² (4,359 ft²). It is our understanding that the building was constructed in the mid 1970's and is approaching 50 years in age.

The Owner acquired the property in January 2018 and to the best of our knowledge has been occupied by a Motor Vehicle Repair use for many years.

No changes to the exterior and interior of the existing building are proposed.

No new buildings or structures are proposed.

GAGNON WALKER DOMES LTD.
21 Queen Street East, Suite 500 • Brampton ON Canada L6W 3P1 • P: 905-796-5790
3601 Highway 7 East, Suite 310 • Markham ON Canada L3R 0M3 • P: 905-477-6556
www.gwdplanners.com • Toll Free: 1-855-771-7266

Minor Variance Application

GWD is pleased to submit the attached Application to the Committee of Adjustment to permit the following Variances:

1. To permit a Motor Vehicle Sales Establishment in conjunction with and accessory to the Motor Vehicle Repair use, whereas the by-law does not permit the use; and
2. To permit a minimum drive-aisle width of 4.5 metres, whereas the by-law requires a minimum of 6.60 metres for two-way traffic.

In support of the Application we submit the following:

- One (1) copy of the Completed Application Form inclusive of Appointment and Authorization Form and Permission to Enter Form;
- One (1) copy of the following covering letter;
- Twelve (12) copies of a Plan (8½"x14") highlighting the requested Variances dated November 8, 2019; and
- One (1) cheque in the amount of $2,461.00 made payable to the "Treasurer, City of Brampton".

The Four Tests

Pursuant to Section 45(1) of the Planning Act, a Minor Variance Application must satisfy all 'Four Tests' as follows:

1. Does the Variance conform to the intent of the Official Plan?
2. Does the Variance conform to the intent of the Zoning By-law?
3. Is the proposal desirable for the appropriate development or use of the lands?
4. Is the proposal minor in nature?

Test 1 – Does the Minor Variance Conform to the Intent of the Official Plan?

The subject site is designated *'Industrial'* in the City of Brampton Official Plan (BOP) and *'General Employment 2'* within the Highway 410 and Steeles Secondary Plan (Area 5).

Pursuant to Section 4.4.2 of the BOP non-industrial uses are to be strictly controlled within industrial areas as they are intended to primarily have a supportive function to the employment uses. The Industrial designation permits the development of industrial, manufacturing, distribution, mixed industrial/commercial, commercial self-storage warehouses, data processing and related uses and limited offices uses, and may also permit limited service and retail uses, open space, public and institutional uses as practical and appropriates subject to the Secondary Plan policies.

The BOP also sets out that through the Secondary Plans, the Industrial designation will be further refined into various sub-designations (Section 4.4.2.5). This will include specific sub-designations and policies for retail and services uses, among others. Furthermore Section 4.4.2.12 sets out that Secondary Plans for primarily industrial uses may indicate areas for limited non-industrial uses such as service uses, so long as they do not hinder the operation of the predominantly industrial use.

The General Employment 2 designation of the Secondary Plan permits a broad range of industrial uses including but not limited to: warehousing and storage of goods; manufacturing; processing; repairing and servicing operations; distribution centres; motor vehicle repair and body shops; waste processing and transfer station; public utility installations; public uses and works; and a range of ancillary uses that serve the principal industrial use.

In this regard, Variance #1 which seeks to permit Motor Vehicle Sales to be operated in conjunction with the existing Motor Vehicle Repair use is considered an ancillary use, so long as it is limited in scale. Variance #2 is performance related as opposed to land use and as such does not impact or conflict with the goals and objectives of the BOP or Secondary Plan.

The requested Variances are considered to conform to the general intent of the City Official Plan and area Secondary Plan.

Test 2 – Does the Minor Variance Conform to the Intent of the Zoning By-Law?

City Zoning By-law 270-2004, zones the subject site *'Industrial Two (M2)'*.

Variance #1 – Motor Vehicle Sales Establishment

The M2 zone category does not specifically allow Motor Vehicle Sales; however the zone does permit Motor Vehicle Repair, Motor Vehicle Body Shop and a provision to allow accessory uses. Select non-industrial uses are permitted such as a radio/television broadcasting/transmission establishment, a building sales establishment, and recreation facility. Retail uses are only permitted but restricted in size in conjunction with a limited range of the industrial uses.

The intent of the Zoning By-law in regulating use is to ensure that the lands are used for industrial purposes. Variance #1 proposes a Motor Vehicle Sales Establishment in conjunction with and accessory to the Motor Vehicle Repair use currently taking place on the subject site. The outside storage and display of vehicles for sale is to be strictly confined to the rear of the property and limited to a maximum of 12-14 vehicles. Given the location and quantity of vehicles the use is seen as a reasonable extension of a permitted use. The general function of the property for its primary purpose is not impacted and the use will remain ancillary and subordinate to the primary use. No impacts on the neighbouring properties are anticipated.

The Variance conforms to the general intent of Zoning By-law No. 270-2004 as amended

Variance #2 – Drive Aisle Width

The intent of regulating minimum aisle width is to ensure adequate on-site circulation in parking areas. The Zoning By-law requires that a drive aisle for two way traffic leading to a parking area to have minimum width of 6.6 metres.

In the case of the subject site because there is not a great deal of traffic volume and the operational aspects of the Motor Vehicle Repair and Motor Vehicle Sales Establishment practice are known, the reduced drive aisle width of 4.75 metres along the west side of the building still provides adequate access for vehicles to maneuver safely throughout the property.

The Variances are considered to conform to the general intent of Zoning By-law No. 270-2004.

Test #3 – Is the Minor Variance Desirable and Appropriate for the Area?

Variance #1 which proposes to introduce a Motor Vehicle Sales Establishment is considered a compatible and complimentary use to the existing permitted Motor Vehicle Repair use operating on the subject site with no anticipated negative impacts to the abutting properties and greater area context.

Variances #2 regularizes an existing condition. The Owner does not propose to relocate, expand, or construct any new building(s).

The Variances are considered desirable and appropriate for the area.

Test #4 – Is the Minor Variance Minor in Nature?

Subject to any conditions limiting the quantity and location of the vehicle display area, permitting a Motor Vehicle Sales Establishment in conjunction with a Motor Vehicle Repair use is not expected to adversely impact the existing use on the site or other uses on adjacent properties.

Variance #2 regularizes an existing condition. No significant on-site or off-site impacts are anticipated.

Based on the foregoing the requested Variances are minor in nature.

Conclusions

The two (2) Variances have been reviewed in the context of the relevant provisions of the *Planning Act*. We are of the opinion that the Variances satisfy the four (4) tests and can be supported from a land use and policy perspective and represent good planning. We respectfully request that they be approved by the Committee of Adjustment.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

Marc De Nardis, B.U.R.Pl., M.C.I.P., R.P.P.
Planning Associate

C.c. H. Walia, RSB Auto Centre Ltd.
M. Gagnon, Gagnon Walker Domes Ltd.

Flower City

brampton.ca

FILE NUMBER: A19 — 211

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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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)** 2603562 Ontario Inc.
   Address 10 Jacksonville Drive
   City of Brampton, Ontario
   LP6 2Z3 L6P
   Phone # 647-745-8602 **Fax #**
   Email harpreet-walia@hotmail.com

2. **Name of Agent** Gagnon Walker Domes Ltd.
   Address 21 Queen Street East, Suite 500
   City of Brampton, Ontario L6W 3P1
   Phone # 905-769-5790 X257 **Fax #** 905-796-5792
   Email mdenardis@gwdplanners.com

3. **Nature and extent of relief applied for (variances requested):**
   1. To permit a Motor Vehicle Sales Establishment in conjunction with and accessory to the Motor Vehicle Repair Use, whereas the by-law does not permit the use.
   2. To permit a minimum drive-aisle width of 4.5 metres, whereas the by-law requires a minimum of 6.60 metres for two-way traffic.

4. **Why is it not possible to comply with the provisions of the by-law?**
   1. Section 32.1.1 does not permit a Motor Vehicle Sales Establishment.
   2. Section 6.17.2 (d) requires a two-way drive aisle leading to a parking space(s) to have a minimum width of 6.6 metres

5. **Legal Description of the subject land:**
   Lot Number Part of Lot 3, Concession 2, E.H.S.
   Plan Number/Concession Number Part 2, 43R1967
   Municipal Address 24 Selby Road

6. **Dimension of subject land (in metric units)**
   Frontage +/- 22.83 metres
   Depth +/- 78.75 metres
   Area 0.1806 hectares

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**	☐

Flower City

brampton.ca

FILE NUMBER: A-2020-0001

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   Email mdenardis@gwdplanners.com

RE-PLACED

3. **Nature and extent of relief applied for (variances requested):**
   1. To permit a Motor Vehicle Sales Establishment in conjunction with and accessory to the Motor Vehicle Repair Use, whereas the by-law does not permit the use.
   2. To permit a minimum drive-aisle width of 4.5 metres, whereas the by-law requires a minimum of 6.60 metres for two-way traffic.

4. **Why is it not possible to comply with the provisions of the by-law?**
   1. Section 32.1.1 does not permit a Motor Vehicle Sales Establishment.
   2. Section 6.17.2 (d) requires a two-way drive aisle leading to a parking space(s) to have a minimum width of 6.6 metres

5. **Legal Description of the subject land:**
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   Frontage +/- 22.83 metres
   Depth +/- 78.75 metres
   Area 0.1806 hectares

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.)

Gross Floor Area (GFA) - 405 m2
Storeys - 1
Building Coverage - 22.42%

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No changes proposed.

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	10.75 metres
Rear yard setback	30.29 metres
Side yard setback	3.04 metres (interior, east)
Side yard setback	6.79 metres (interior, west)

PROPOSED

Front yard setback	Same as above.
Rear yard setback	Same as above.
Side yard setback	Same as above.
Side yard setback	Same as above.

10. **Date of Acquisition of subject land:** January 2018

11. **Existing uses of subject property:** Motor Vehicle Repair

12. **Proposed uses of subject property:** Motor Vehicle Repair
Motor Vehicle Sales in conjunction with Motor Vehicle Repair

13. **Existing uses of abutting properties:** Industrial

14. **Date of construction of all buildings & structures on subject land:** 1974/1974, Existing for 40 years

15. **Length of time the existing uses of the subject property have been continued:** 20-30 years

16. (a) **What water supply is existing/proposed?**
Municipal ☑
Well ☐
Other (specify) NA

(b) **What sewage disposal is/will be provided?**
Municipal ☑
Septic ☐
Other (specify) NA

(c) **What storm drainage system is existing/proposed?**
Sewers ☑
Ditches ☐
Swales ☐
Other (specify) NA

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 Brampton

THIS 21 DAY OF November, 20 19.

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, Marc De Nardis, OF THE City OF Vaughan

IN THE Region OF York 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

York THIS 25 DAY OF

November, 20 19.

Jeanie Myers
A Commissioner etc.

Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.

J.M.

Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: M2.

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

NOV. 25/19
Date

DATE RECEIVED November 25, 2019.

Revised 2019/01/06

KEYMAP * SUBJECT SITE N.T.S

ZONING BY-LAW 270-2004

ZONE: INDUSTRIAL TWO (M2)

LOT AREA 1,806.29m² (0.44 ACRES)

BUILDING SET BACKS:

FRONT YARD (SOUTH):	10.75m	(35.26ft)
REAR YARD (NORTH):	30.29m	(99.37ft)
INTERIOR YARD (EAST):	3.04m	(10.00ft)
INTERIOR YARD (WEST):	6.79m	(22.28ft)

TOTAL BUILDING AREA: 405m² (4,359ft²)

BUILDING COVERAGE: 22.42%

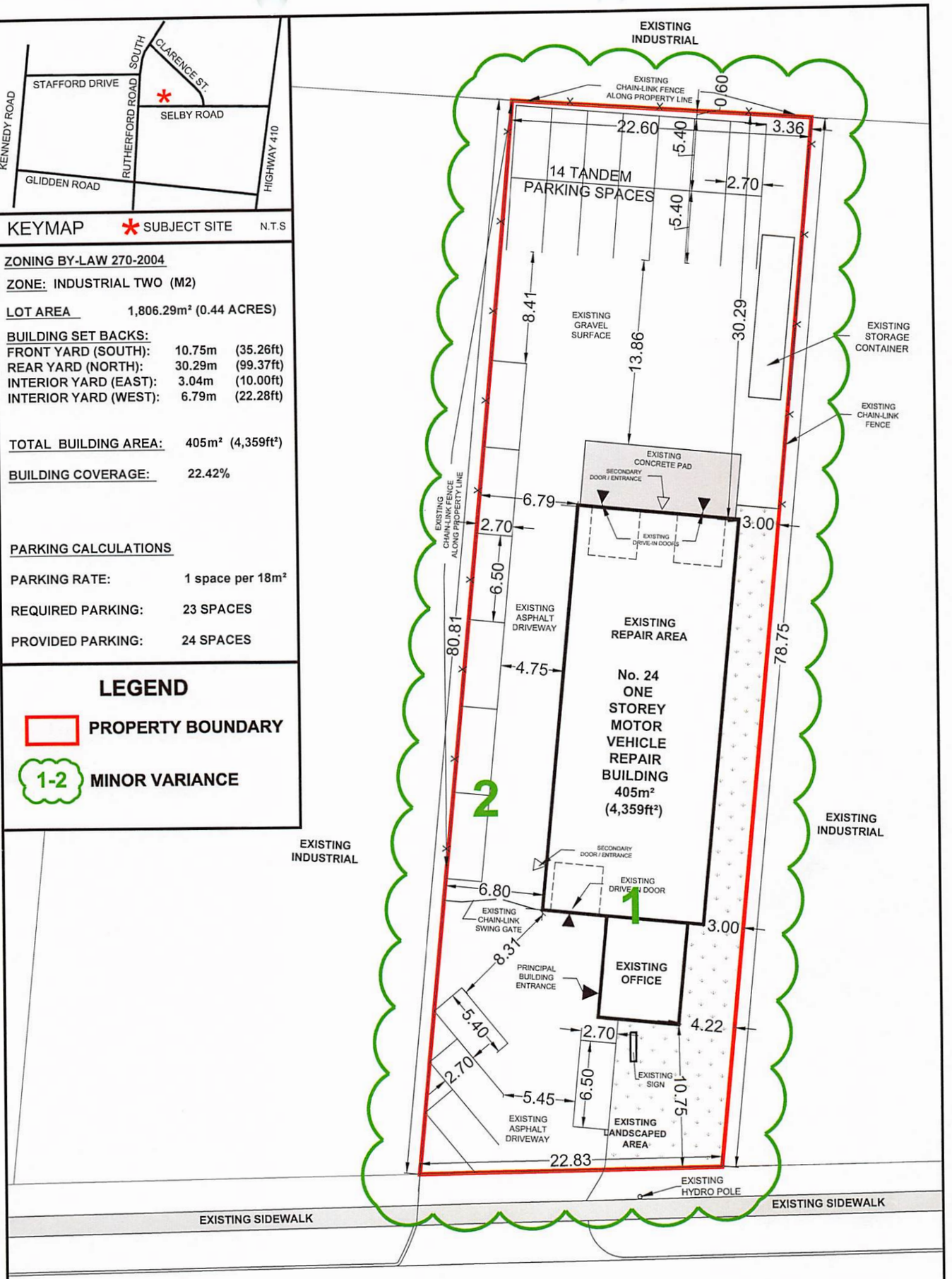
PARKING CALCULATIONS

PARKING RATE:	1 space per 18m²
REQUIRED PARKING:	23 SPACES
PROVIDED PARKING:	24 SPACES

LEGEND

PROPERTY BOUNDARY

1-2 MINOR VARIANCE



MINOR VARIANCES

1. To permit a Motor Vehicle Sales Establishment in conjunction with and accessory to the Motor Vehicle Repair Use, whereas the by-law does not permit the use.
2. To permit a minimum drive-aisle width of 4.5 metres, whereas the by-law requires a minimum of 6.60 metres for two-way traffic.

CONCEPTUAL SITE PLAN - MINOR VARIANCE

2603562 ONTARIO INC.
24 SELBY ROAD
CITY of BRAMPTON

P.N.:19.2682	Date: November 8, 2019
Scale: N.T.S.	Revised:
Drawn By: D.S.	File No.:2682 MV_NOV_2019

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