



## Report Committee of Adjustment

**Filing Date:** May 17, 2024  
**Hearing Date:** June 18, 2024

**File:** A-2024-0178

**Owner/  
Applicant:** MANORBAY ESTATES INC.

**Address:** 8750 The Gore Road

**Ward:** WARD 8

**Contact:** Rajvi Patel, Planner I

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### **Recommendations:**

That application A-2024-0178 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
  2. That the public library use be limited to the ground floor or second floor of Building A as shown on the sketch attached to the Notice of Decision;
  3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

#### Existing Zoning:

The property is zoned 'Office Commercial (OC-1530)', according to By-law 270-2004, as amended.

#### Requested Variance:

The applicant is requesting the following variance:

1. To permit a public library whereas the by-law does not permit the use.

### **Current Situation:**

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

The subject property is designated 'Office' in the Official Plan and 'Office Node, Stormwater Management Facility' in the Bram East Secondary Plan (Area 41).

The 'Office' Official Plan designation is intended to provide employment opportunities ranging from small professional offices to large scale headquarters, permitting uses such as business, professional or administrative offices. Furthermore, the Office designation supports placemaking which result in a concentration of uses and activities which contribute to a strong image and identity of the area.

The subject lands are further designated as 'Office Node' in the Bram East Secondary Plan. The Office Node designation permits business, professional or administrative offices, hotels, motels, financial institutions, accessory and personal service retailing, a supermarket, food and beverage establishments, recreation, **institutional**, convenience retail uses, business support activities, prestige types of manufacturing or assembly that are compatible with an office or research environment, and existing commercial, industrial or business uses that are reasonably compatible with the long term development strategy for the Office Node.

Moreover, Section 3.2.5 of the Bram East Secondary Plan refers to Section 4.2 and other relevant policies relating to the development of the lands designated Office Node. Section 4.4.7 of the Official Plan outlines the policies relating to the Bram East Office Centre recognized the area as a gateway into the City and will be development in accordance with urban design policies. The designation will permit both office uses and complementary retail and service uses.

As per the Regionally-Approved Brampton Plan the subject property is designated the following:

- Employment Area, Transit Station, Primary Major Transit Station Area (MTSA), Secondary Urban Boulevards – Schedule 1A
- The Gore (QUE-14) MTSA – Schedule 1B
- Mixed-Use Employment – Schedule 2
- Designated Greenfield Area, Provincially Significant Employment Zone – Schedule 5
- Mixed-Use Employment (Office Mixed-Use) – Schedule 13k

The subject lands are recognized to be located within a Provincially Significant Employment Zone (PSEZ). PSEZ's are identified by the Province for the purposes of long-term planning for job creation and economic development. Additionally, the subject lands are located within a Designated Greenfield Area which is comprised of land outside of the delineated built-up area. New lands designated Neighbourhoods, Mixed-Use, and Employment Areas within the Designated Greenfield Area provide a key opportunity for the establishment of 15-minute neighbourhoods that provide a diverse mix of land uses, including clusters of business and economic activity, and creating an urban form that supports active transportation and transit.

The general intent of Employment Areas is to provide employment uses such as manufacturing, warehousing, research and development, office uses, logistics and other ancillary commercial uses, while ensuring their long-term protection for the City's economic prosperity as well as diversifying the economic base for existing and future businesses.

Lands designated Mixed-Use Employment will be to accommodate a broad range of office, business and business park, service, and **institutional** uses to serve the general public and adjacent Employment Areas in a more compact, vertical and urban form in support of the designation's proximity to the transit network.

Lands designated Mixed-Use Employment that are located within MTSA's have the potential to support the integration of Employment Areas with non-employment uses to develop vibrant, mixed-use areas, and innovation hubs.

*Section 2.2.8.20 Where a Major Transit Station Area Study identifies retail, residential, commercial, and non-ancillary uses within the Mixed-Use Employment designation, the following policies apply in support of creating 15- minute neighbourhoods:*

- a. The types of permitted services are of a scale that serve the local neighbourhood and employees working in designated Mixed-Use Employment such as grocery stores, civic uses, recreational, health and fitness uses and service commercial uses including but not limited to convenience commercial, retail, office and restaurants.*
- b. The permitted services described in subsection .a are encouraged to be located within the base of buildings or integrated within a building containing permitted Mixed-Employment uses.*

The lands are recognized to be located within The Gore MTSA. MTSA's are generally defined as the area within a 500 meter to 800 meter radius around any existing or planned higher order transit station or stop, or the area including and around a major bus depot. The City of Brampton's MTSA's are strategically located along Brampton's rapid transit corridors and the Kitchener GO rail line, and are areas where significant intensification is to be located. MTSA's will transition over time into vibrant high density walkable places that include open spaces, services and amenities, employment uses, an attractive public realm, and are located within walking distance or easy access to transit facilities.

Where Employment Areas are within or overlap with a MTSA, the City will initiate a study to support the integration of non-employment uses in specific portions of Employment Areas based on the planning context to develop vibrant, mixed-use areas, and innovation hubs.

Within The Gore MTSA, the subject lands are proposed to have a Mixed-Use Employment (Office Mixed-Use) designation. The Mixed-Use Employment (Office Mixed-Use) designation shall permit personal service, social services and day care centres, etc. as a secondary use, provided that their function will not restrict the development of the primary use (i.e. Major Office, innovation and technology, hotels, conference/ convention centres, etc.). Secondary uses shall be integrated within the primary use building and are not permitted to be developed as a stand alone building.

The requested variance seeks to permit a public library within an existing office building. The public library is considered to be a community service use as it will serve the local neighbourhood and will support creating a 15-minute neighbourhood by transitioning employment uses with non-employment uses. Furthermore, the proposed use will not hinder the primary function of the office building, staff recommend a condition of approval that the public library use be limited to the ground floor or second floor of Building A as shown on the sketch attached to the Notice of Decision. The location of the public library on the ground or second floor will integrate the use with existing employment/ office uses in the

building. Subject to the recommended conditions of approval, the requested variance is not considered to have significant impacts within the context of the Official Plan and Secondary Plan policies, and is considered to maintain the general intent and purpose of the Official Plan.

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

The subject property is currently zoned 'Office Commercial,' Special Section 1530 (OC-1530), according to By-law 270-2004, as amended.

The variance is requested to permit a public library whereas the by-law does not permit the use. The intent of the by-law in regulating permitted uses on a property is to ensure compatibility with other uses permitted on site.

The subject lands are located within an office commercial plaza occupied by eight buildings that contain a variety of uses including office, walk-in clinic, post-secondary, retail, restaurant uses, convention centre, hotel etc. The proposed variance seeks to permit a public library within the five-storey office commercial building (labeled as Building A on the sketch) located at the southern portion of the plaza. The existing use of the building on site as an office commercial building is listed as a permitted use within the OC-1530 Zone. The requested variance will facilitate the existing use in conjunction with the proposed library. Given the nature of the property and surrounding context, the public library use is not anticipated to generate negative impacts to the operations and function of the site and surrounding area. A condition of approval is recommended that the public library use be limited to the ground floor or second floor of Building A as shown on the sketch attached to the Notice of Decision to ensure that the use remains accessory to the principal office use. The total gross floor area of Building A is 5,227.63 sq. m (56,269.73 sq. ft.). The ground floor area of the building is 1,005.49 sq. m (10,823 sq. ft.) and second floor area is 1,066.48 sq. m (11,479.49 sq. ft.). The location of the public library on the ground or second floor will integrate the use with existing employment/ office uses in the building. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

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

The requested variance is to permit a public library within the office commercial building. The proposed variance will contribute to the efficient use of the lands and will support an existing mixed employment use within the City and support transit-oriented development by serving the local community. The public library is not anticipated to compromise the primary employment function of the site as it maintains the general policies and provisions of the Official Plan and Zoning By-law. Nor is the public library anticipated to create adverse impacts relating to compatibility of the use and function of the site on-site or off-site as it considered a community service use and secondary use in the Mixed-Use Employment (Office Mixed-Use) designation. Furthermore, the public library will provide transition of employment to non-employment uses within the area. The proposed use will maintain the existing employment character of the area while achieving efficient use and appropriateness of the lands. Subject to the recommended conditions of approval, the variance is considered to be desirable for the appropriate development of the land.

## 4. Minor in Nature

The variance is requested to permit a public library in conjunction with the permitted office commercial building. Given the location and function of the subject lands, the proposed use is considered to be compatible with the other uses on site and is not anticipated to have a negative impact on the function of the site. Subject to the recommended conditions of approval, the variance is considered to be minor in nature.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Planner I