



Report Committee of Adjustment

Filing Date: August 7, 2024
Hearing Date: September 17, 2024

File: A-2024-0303

**Owner/
Applicant:** Trio Global Inc
K-Paul Architects Inc.

Address: 10041 McLaughlin Road

Ward: Ward 2

Contact: Emily Mailling, Planning Technician

Recommendations:

That application A-2024-0303 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 temporary trailer remain for a maximum duration of a year from the date of the Notice of Decision, and;
 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:

The application is to permit a temporary trailer to facilitate proposed renovations within the associated Tim Hortons. The City has received a Site Plan application relating to the described scope of work, that being SPA-2024-0118. Staff also wanted to note a revised Site Plan was received after public notices went out with minor changes. Staff's recommendations have been made based on this revised submission which is included at the bottom of this report.

Existing Zoning:

The property is zoned 'Commercial Three – Special Section 1108 (C3 - 1108), according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a temporary trailer to be located in the parking lot, whereas the by-law does not permit a temporary trailer.

Current Situation:

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

The subject property is designated as 'Employment Areas' (Schedule 1A – City Structure) and 'Mixed-Use Employment' (Schedule 2 – Designations) in the Brampton Plan. On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal. Schedules 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations are in effect until the appeal is resolved.

The property is designated 'Business Corridor' in the Official Plan and 'District Retail' in the Snelgrove-Heartlake Secondary Plan (Area 1). The requested variance has no impact within the context of the policies of the Official Plan and Secondary Plan and maintains the general intent and purpose of the Official Plan.

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

The Variance is requested to permit a temporary trailer to be located in the parking lot, whereas the by-law does not permit a temporary trailer. The intent on the zoning by-law in not permitting the parking of temporary trailers is to ensure required parking spaces are maintained.

Despite temporary trailers not being permitted within the zoning by-law City Staff including Traffic have determined there are no issues pertaining to the flow of traffic or required parking spaces. Additionally, Staff are of the opinion that the temporary trailer facilitating minor renovations to the Tim Hortons will not have an impact on the overall intent of the zoning by-law. Subject to the 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 Variance is requested to permit a temporary trailer to be located in the parking lot, whereas the by-law does not permit a temporary trailer. Staff are satisfied that the temporary use of the trailer to facilitate renovations in association with the application

SPA-2024-0118 are appropriate for the development of the land subject to the recommended conditions.

4. Minor in Nature

The proposed location and duration of the temporary trailer is appropriate given the site context. The requested variance is not considered to have significant impact to the property. Subject to the recommended conditions of approval, the variance is deemed minor in nature.

Respectfully Submitted,

EMailling

Emily Mailling, Planning Technician

Site Visit Photos

