



Report Committee of Adjustment

Filing Date: August 12, 2024
Hearing Date: September 17, 2024

File: A-2024-0309

**Owner/
Applicant:** **Manorbay Estates Inc.
Tina Amrda (c/o Trinistar Corporation)**

Address: **8750 The Gore Road**

Ward: WARD 8

Contact: Saghar Massah, Planner III

Recommendations:

That application A-2024-0309 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. That a Change of Use permit and a building permit for any interior alterations be required;
 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 subject property is a 5-storey office building which is part of a large commercial plaza located at the northwest corner of Highway 7 and The Gore Road. The Academy of Learning Career College is a private commercial school which offers various programs, such as accounting, business, management, and customer service to adults. The College currently occupies 8740 The Gore Road, but due to an increase in enrollment, is seeking a larger floor area. The College is requesting to transfer their operation to the 3rd floor of 8750 The Gore Road.

The current location of the College at 8740 The Gore Road is subject to Office Commercial Section 1531 (OC-1531), which permits a Commercial School. However, a small portion of this building falls within the OC-1530 zone and was therefore approved for a minor variance to permit the School on December 3, 2019 (A-2019-0068).

Existing Zoning:

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

Requested Variance:

The applicant is requesting the following variance:

1. To permit a Commercial School (Academy of Learning Career College) on the third floor, 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 as 'Office' in the 2006 Official Plan, which is intended to provide a range of employment opportunities, including business, professional, and administrative offices. The proposed variance to permit a commercial school (private career college) on the 3rd floor aligns with this intent by introducing an educational use that complements the existing office environment. Educational institutions, particularly those focused on professional development, contribute to the broader employment objectives by enhancing the skills and qualifications of the workforce, thereby supporting the economic vitality of the area.

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.

The property is further designated as 'Office Node' within the Bram East Secondary Plan (Area 41), specifically within the 'Office Node-Mixed Use High Density' policy area. The Office Node designation allows for a variety of uses, including business, professional, and administrative offices, as well as complementary retail, service, and institutional uses. The introduction of a commercial school fits well within this framework, as it provides an institutional use that is compatible with the primary office function. This supports the development of a mixed-use, high-density area that integrates office uses with complementary services, enhancing the overall functionality and appeal of the Office Node.

The property is located within The Gore MTSA, as identified in the Regionally Approved Brampton Plan. MTSA's are intended to be vibrant, high-density, walkable areas that serve as key hubs for transit-oriented development. The Mixed-Use Employment designation within the MTSA allows for a range of uses, including office, business park, service, and institutional uses. The proposed commercial school supports the MTSA's objectives by contributing to the creation of a 15-minute neighbourhood, where residents and workers have access to a variety of services within walking distance. The school's location within an office building integrates educational services with existing employment uses, promoting a dynamic and functional urban environment that aligns with the MTSA's long-term vision.

The subject lands are recognized as part of a Provincially Significant Employment Zone (PSEZ), which is crucial for long-term job creation and economic development. The general intent of Employment Areas is to accommodate a broad range of employment uses, including offices, services, and institutional uses, while preserving the land for future economic activities. The proposed commercial school is a service-oriented use that complements the primary office function without undermining the long-term development strategy for the Employment Area. It contributes to the diversification of the economic base by providing educational opportunities that support workforce development, aligning with the goals of the PSEZ.

The requested variance to permit a commercial school on the 3rd floor aligns with the intent of the Official Plan, which designates the property for office and mixed-use employment purposes. The proposed use complements the existing office environment by providing educational services that serve the local community and support the broader employment area. This use contributes to the creation of a vibrant, mixed-use area within the Provincially Significant Employment Zone (PSEZ) and Major Transit Station Area (MTSA), enhancing the area's economic vitality while maintaining the long-term planning goals for job creation and sustainable urban development.

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

The variance is requested to permit a Commercial School (Academy of Learning Career College) on the third floor, 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. According to Section 1530 of the Zoning By-law, the subject lands are zoned Office Commercial (OC-1530). The permitted uses under this zoning include; Offices, Banks, trust companies, finance companies, Dining room and convenience restaurants, Retail establishments, Accessory uses to the permitted purposes. The general intent of the OC-1530 zoning is to create a business-oriented environment that supports office uses and complementary services. A commercial school fits within this framework by offering educational services that directly benefit the professional community occupying the office spaces on the third floor of the building. This supports the zoning by-law's intent to foster a cohesive business district.

Subject to the recommend conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested commercial school use is to be contained within the third floor of the existing building, with no changes to the exterior, and it does not increase the intensity of use beyond what the infrastructure can support. The commercial school contributes to the overall viability of the employment area by attracting more individuals to the site and providing services that enhance the skill set of the local workforce. This is consistent with the zoning by-law's broader goals of maintaining a vibrant and economically sustainable office environment. Moreover, 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, the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit a commercial school use is considered minor in nature due to its limited scope and lack of significant impact on the surrounding uses or the broader community. The proposed school will be contained within the third floor of an existing office building, and no changes to the exterior of the building are proposed, ensuring that the variance does not alter the physical character or visual appearance of the site.

Moreover, the school use is compatible with the other uses on-site, which include a mix of offices, medical services, and retail establishments. As an educational institution focused on professional development, the school will integrate well within the office environment and provide complementary services that enhance the overall functionality of the building.

In conclusion, the requested variance is minor in nature, as it does not alter the character of the site, does not increase the intensity of use beyond the capacity of the existing infrastructure, and is compatible with the surrounding uses.

Respectfully Submitted,

Saghar Massah

Saghar Massah, Planner III

