



Report Committee of Adjustment

Filing Date: October 10, 2024
Hearing Date: November 12, 2024

File: A-2024-0394

**Owner/
Applicant:** 7835 Mississauga Road Holdings Inc.

Address: 7835 Mississauga Road Brampton, ON L6Y 0B9

Ward: WARD 6

Contact: Arjun Singh, Planner

Recommendations:

That application A-2024-0394 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 the proposed parking and any associated grading necessary for its construction shall not encroach into the natural heritage buffer. The applicant shall confirm compliance to the satisfaction of the City's Environmental Planning staff and address any drawing discrepancies prior to site plan approval;
 3. That the owner agrees to finalize their Site Plan Application approval under City File SPA-2024-0078, execute a Site Plan Agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned OFFICE COMMERCIAL (H) - SECTION 2031 (OC(H)-2031), OFFICE COMMERCIAL (H) - SECTION 3785 (OC(H)-3785), OPEN SPACE - SECTION 2032 (OS-2032), according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To allow parking stalls to be located on lands zoned Open Space (OS) – Section 2032, whereas the by-law does not permit parking stalls on lands zoned Open Space (OS) – Section 2032.

Current Situation:

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

The subject property is designated as 'Employment Areas' on (Schedule 1A – City Structure) and 'Employment' on (Schedule 2 – Designations) and 'Mississauga Road Corridor' on (Schedule 12 – Site and Area Specific Policies) in 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 'Office' in the Official Plan and 'Prestige Industrial' in the Bram West Secondary Plan (Area 40c) as per By-law 101-2024. The requested variance is not considered to have impacts within the context of the Official Plan policies as the site is not designated 'Open Space' or 'Natural Heritage System'. The requested variance 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 variance is requested to allow parking stalls to be located on lands zoned Open Space (OS) – Section 2032, whereas the by-law does not permit parking stalls on lands zoned Open Space (OS) – Section 2032, whereas the by-law does not permit parking within the OS-2032 zone. The intent of the by-law is to maintain protections for Natural Heritage features within the City of Brampton. The applicant has since submitted an Ecologists Letter of Opinion which had been identified as a submission requirement and as part of the Holding Provision (Related Applications: OZS-2024-0009, OZS-2024-0060) on the remainder of the subject site. The City's Environmental Planning staff have reviewed the submitted letter and have found it satisfactory to determine the development limits and appropriate buffers from the outermost feature of the Levi Creek (adjacent wetland).

The applicant is proposing a development of three (3) short-bay industrial building and one (1) four (4) storey office building. The proposal currently encroaches within the adjacent Open Space (OS) – Section 2032 zone by providing parking within this zone. Given that staff have reviewed the limits of the development (as noted within the Ecologist Letter of Opinion) and the proposal generally maintains

parking outside the area, staff are satisfied that the general intent of the Zoning By-law is met. A condition has been placed on the approval of this variance to ensure no negative grading impacts onto the adjacent environmental feature are permitted by the subject variance.

3. Desirable for the Appropriate Development of the Land

The requested variance pertains to a larger development project for the property, consisting of three (3) short-bay industrial building and one (1) four (4) storey office building. This variance is necessary to accommodate the required on-site parking and to support the ultimate development approval. Allowing parking within the adjacent OS-2031 zone is not anticipated to negatively impact the nearby Natural Heritage feature nor will it create privacy concerns for the backyards of the adjacent residential subdivision. No properties will be impacted to the rear of the development as the lot abuts a natural heritage feature, mitigating privacy concerns. A condition of approval is recommended that the proposed parking and any associated grading necessary for its construction shall not encroach into the natural heritage buffer. The applicant shall confirm compliance to the satisfaction of the City's Environmental Planning staff and address any drawing discrepancies prior to site plan approval. Subject to the conditions of approval, the requested variance is desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit parking within the OS-2031 zone is not anticipated to negatively impact the feature of adjacent existing residential dwellings. A condition of approval is recommended that the extent of the variance be limited to that shown on the sketch attached to the notice of decision to ensure that the permission is consistent with what is presented in this application. Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

Respectfully Submitted,

Arjun Singh, Planner

Appendix A – Site Visit Photos



Street view looking directly
to site

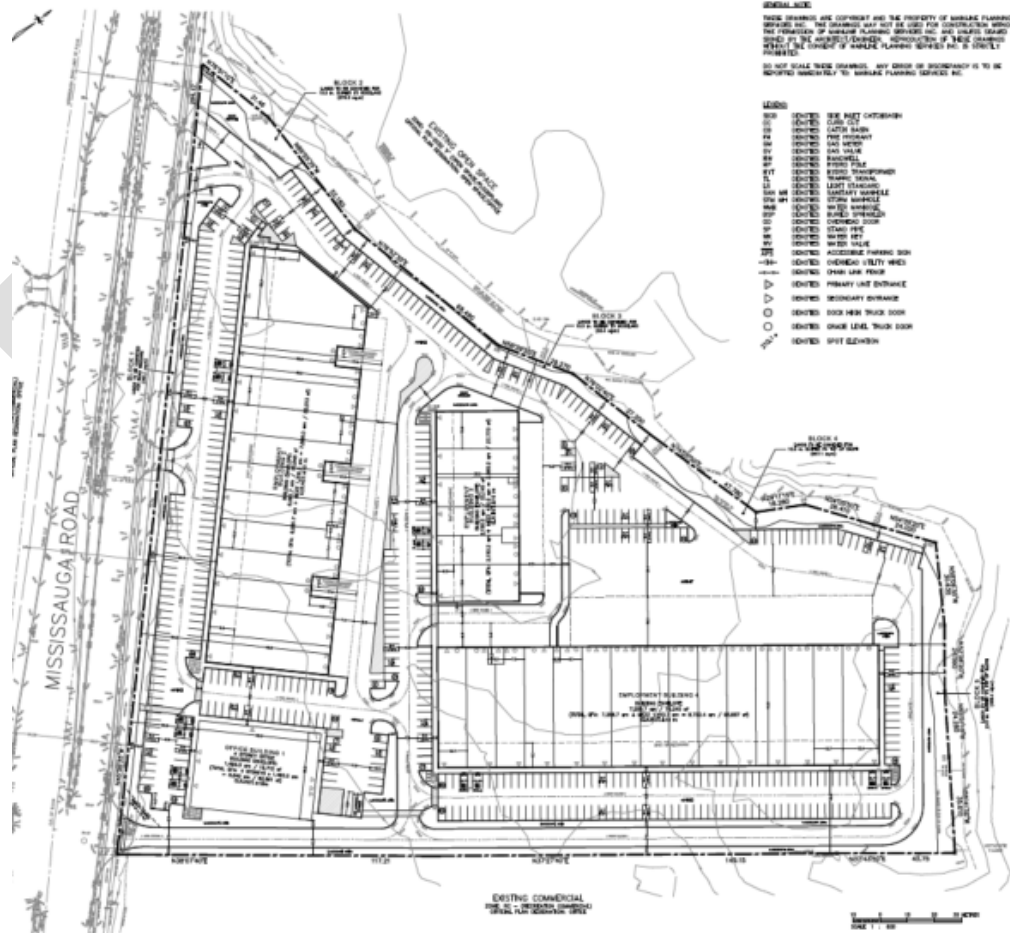


Street view looking North



Street view looking South

Appendix B – Site Plan



Attachment C – Constraint Mapping overlayed with Site Plan

