



Report Committee of Adjustment

Filing Date: November 18, 2024
Hearing Date: December 10, 2024
File: A-2024-0430
**Owner/
Applicant:** Ashok Sahi
Harjinder Singh (MEM Engineering Inc)
Address: 2500 Williams Parkway, Units 6 & 7
Ward: WARD 8
Contact: François Hémon-Morneau, Principal Planner/ Supervisor

Recommendations:

That application A-2024-0430 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 owner obtain a permit for a change of use prior to occupancy of the building;
 3. That the proposed food manufacturing with a maximum of 22.22% accessory retail establishment shall be accessory and subordinate to the primary permitted food manufacturing use on site;
 4. That outside storage is not permitted; and,
 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

The applicant has submitted a minor variance application to permit food manufacturing and a maximum of 22.22% accessory retail, in Units 6 and 7 of the building. During the review process, Zoning staff requested a detailed parking calculation chart to assess whether a parking deficiency exists on the site. This chart would need to account for all buildings and units on the parcel, providing detailed information on business types, unit areas, and floorplans.

As of this report, the requested parking calculation information has not been submitted for review. Staff note that this documentation will remain a requirement and must be provided prior to the issuance of building permits to ensure compliance with parking and zoning regulations.

Existing Zoning:

The property is zoned 'Industrial Four – Special Section 1548 (M4-1548)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit food manufacturing (Indian sweets), whereas the by-law does not permit the use;
and
2. To permit 22.22% retail in connection with the food manufacturing, whereas the by-law permits a maximum of 15% retail in connection with a permitted industrial use.

Current Situation:

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

The property is designated 'Industrial' in the Official Plan and 'General Employment 1' in Airport Intermodal Secondary Plan (Area 4). The Official Plan supports manufacturing in Industrial areas including food production. The General Employment 1 designation within SPA 4 supports a broad range of industrial uses as well as manufacturing and processing of goods. The designation does not expressly identify the use of food manufacturing. It is our interpretation that food production is within the permitted uses within this designation.

In regards to Brampton Plan 2023, the subject site is designated as 'Employment Areas' on Schedule 1A – City Structure and 'Employment' on Schedule 2 – Designations. 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 request to allow for food manufacturing and increase in retail area is compatible with the Industrial and employment designations of both the Official Plan and Secondary Plan. The variances are considered to maintain the general intent and purpose of the Official Plan.

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

Variance 1 is requested to permit food manufacturing (Indian sweets), whereas the by-law does not permit the use. Variance 2 is requested to permit 22.22% retail in connection with the food manufacturing, whereas the by-law permits a maximum of 15% retail in connection with a permitted industrial use.

The parent zone, Industrial Four, permits the manufacturing of goods, foods and materials. The Special Section, which is specifically for this site does not include the manufacturing of food, it also does not expressly prohibit food production as a use. The primary role of this zone is for the manufacturing and processing of materials. It is also noted that a maximum of 22.22% of the unit's gross floor area will be dedicated to accessory retail. The proposed use is relatively close to the permitted uses and in addition,

it should not significantly impact the surrounding uses. Subject to the recommended 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 proposed additional use of food manufacturing with a maximum of 22.22% accessory retail in Unit 6 and 7 will not have a significant impact on the surrounding uses. The proposed use fulfills a need within the community for food production with a subordinate retail component. A food manufacturing use on this property is considered to be appropriate in area and is not a sensitive use. A condition of approval is recommended that the proposed use shall be accessory and subordinate to the primary permitted food production use on site. Subject to the recommended conditions of approval, the variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The introduction of food manufacturing in units 6 and 7 of this industrial property is generally consistent with the policies of the Official Plan and Secondary Plan and the Zoning By-law. No modifications to the existing building (outside) is proposed. It is anticipated that there will be no negative impacts to the site or the surrounding uses or properties. Subject to the recommended conditions of approval, the variances are minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Principal Planner/ Supervisor