



King Consultants Inc.

Land Use Planning and Development Consultants

T: 905-965-1610

Gursewak@kingconsults.ca

January 17th, 2025
Committee of Adjustment
Planning, Building and Economic Development
City of Brampton
City Hall
2 Wellington St West
Brampton, Ontario L6Y 4R2

Attn: Planning, Building and Development Staff, City of Brampton

RE: Request for Minor Variances for 153 Rutherford Road South, Brampton

King Consultants Inc. is the planning consultant representing the registered owner, A.D. Corporation, of the above-noted property in the City of Brampton. We are applying to the Committee of Adjustment to seek relief from the Zoning By-law to permit the following provisions in this multi-tenanted building:

- A proposed Motor Vehicle sales establishment for luxury vehicles wholly located within Unit A of the existing structure, ancillary to the established and licensed car vehicle repair shop (in Unit B), referred to as Tenant A in this letter.
- A proposed Truck Detailing Use wholly located within Unit C of the existing structure, ancillary to the established and licensed truck repair shop (in Unit D classified as a Class B Repair and Servicing use under the Business Licensing category), referred to as Tenant B in this letter.

The application was initially deferred as we requested more time to complete a Parking Justification Study, Swept Path Analysis, and a modified design for the parking and proposed uses. Staff requested that a site plan agreement be required. The Site Plan Control process will allow the variances to be established in accordance with the specific transportation standards, landscaping standards, and site functionality requirements to be met.

The subject property is legally described as PT LT 3 CON 2 EHSCH PT 1, 43R434 CITY OF BRAMPTON; PIN: 14031-0119 ARN: 211002002114902.

Description of Subject Lands

The subject lands are located on the southwest side of Rutherford Road South and south of Clarence Street in Brampton, Ontario. The site measures a total of 1.03 acres and is supported by a frontage of 32.85m, a width of 30.71m, a depth of 140.97m, and two full movement access driveways from Rutherford Road South. The lot was created through a division of the original lot in 1965 (BI970 & 43R434), and the on-site structure was established through a site plan agreement with the City of Brampton (SP87-152.000). There are two access driveways on Rutherford Road S and entrance and exit lanes to the rear yard. The site is occupied by an 1888.10 SQM F2 Industrial one-storey building with the four defined units known as Unit A, Unit B, Unit C and Unit D. Tenant A currently occupies a licensed motor vehicle repair within Unit B (589.92SQM) and proposing an ancillary indoor motor vehicle sales establishment with displays wholly located inside Unit A (552.45SQM). Tenant B currently occupies a licensed truck repair and servicing shop within Unit D and proposes an ancillary truck detailing operation within Unit C (207.27SQM).

The City of Brampton's *Official Plan* designates the lands as *Industrial*. The Regionally approved *Brampton Plan 2023 Schedule 1A City Structure* designates the property as *Employment Areas*, and *Schedule 2*



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Designations labels the property as *Employment*. *Highway 410 and Steeles Plan Area 5* establish the subject lands as *General Employment Area 2*. The current zoning for the subject lands is *Industrial Two* (M2) under the City's Zoning By-Law 327-07; 204-2010.

Surrounding Uses and Variances

The surrounding uses in this industrial and commercial area predominantly include autobody, motor vehicle, and commercial vehicle repairs and shops, as well as manufacturing, offices, fabricators, logistics, and minor commercial units. The properties to the north are occupied by a construction material supplier and grandfathered asphalt batch plant, distributors and a charitable organization (adjoined at the rear lot). To the west are parts manufacturers, distributors and motor vehicle repair companies, to the south automobile repair uses, industrial multi-tenanted uses, offices and warehouse, a plastics manufacturer and auction house; and to the east, the area consist of a truck wash, motor vehicle sales establishments, truck and car repair, warehousing and multi-tenanted commercial and industrial buildings.

Within the Secondary Plan area and along Rutherford Road S employment lands, the Committee of Adjustment approved the following Motor Vehicle Sales Establishments and Truck Detailing (related services such as car wash) with approval/approval with conditions:

- File A11-006 307 Clarence Street (Motor Vehicle Sales Establishment)
- File A09-029 307 Clarence Street (Motor Vehicle Washing)
- File A16-038 311 Clarence Street (Motor Vehicle Sales and Leasing)
- File A13-119 311 Clarence Street (Motor Vehicle Sales and Leasing)
- File A12-079 329 Clarence Street (Motor Vehicle Sales and Equipment)
- File A-2021-0190 214 Rutherford Road S (Motor Vehicle Sales, Rental & Leasing)
- File A10-180 159 Rutherford Road S (Motor Vehicle Sales, Rental & Leasing)
- File A19-030 236 Rutherford Road S (Motor Vehicle Sales, Rental & Leasing)
- File A16-163 171 Rutherford Road S (Motor Vehicle Sales Establishment)
- File A99-091 266 Rutherford Road S Unit 3 (Motor Vehicle Sales Establishment)
- File A04-356 255 Rutherford Road S (Motor Vehicle Washing)
- File A06-149 71 Stafford Drive (Wash Bay Facility)
- File A04-243 73 Stafford Drive (Motor Vehicle Sales)
- File A06-141 73 Stafford Drive (Truck Wash Facility)
- File A17-125 75 Stafford Drive (Motor Vehicle Sales Establishment)

Description of the Variance

We are seeking the following relief from the Zoning By-law, as amended:

1. To permit a motor vehicle washing establishment (motor vehicle detailing operation) in conjunction with an existing motor vehicle repair shop;
2. To permit a motor vehicle sales establishment in conjunction with an existing motor vehicle repair shop;
3. To permit 33.0 parking spaces whereas 92.0 spaces required;
4. To permit 0 stacking spaces for a motor vehicle washing establishment; and



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5. To permit 5 tandem parking spaces associated with a vehicle sales establishment.

We note that the current Zoning By-law does not clearly distinguish between trucks (commercial motor vehicles) and vehicles (motor vehicles). Variances 1 and 4 pertain to a legally existing and licensed truck repair shop located in Unit D, as shown in the sketch. The purpose of these variances is to allow for an ancillary detailing service in Unit C to support the truck repair operation. Unit C has two bay doors that facilitate easy entry and exit for trucks, and it does not require stacking since the By-law is designed for a "traditional car wash." The proposed operation will be appointment-based and scheduled.

Variances 2 and 5 relate to a legally existing and licensed motor vehicle repair shop located in Unit B, as shown in the sketch. These variances aim to establish an ancillary vehicle sales establishment for used luxury vehicles in Unit A, allowing the display of vehicles inside the unit with access through the side yard driveway. The tandem parking variance addresses staff concerns about the existing parking layout encroaching into the municipal right-of-way and interfering with the required landscape buffer. The proposed operation will also be appointment-based and conducted online to schedule client showings and sales, with vehicle deliveries arranged off-site.

Variance 3 involves the calculation of the total variances and combined uses, which require a total of 92.0 parking spaces. The proposal includes additional parking spaces inside the units, as discussed with the Traffic Staff; however, the Zoning Staff does not consider internal parking in their calculations, focusing solely on external site requirements. This results in a proposed shortfall of 59.0 parking spaces, which has been addressed in the Parking Study conducted by Traffic+ Engineering Ltd.

Parking Study and Swept Path Assessment

The registered owner retained the services of Traffic+ Engineering Ltd. to provide a parking study to understand the reduction in parking spaces and demonstrate that the proposed truck detailing use and the existing truck repair use are accessible and functional through a swept path analysis. The Zoning By-law prescribes a parking ratio calculation of 92.0 spaces from combining all uses on-site whereas a ratio of 33.0 spaces is proposed for all proposed uses. Traffic+ Engineering Ltd. also assessed the swept path of the Truck passing through the side yard lanes to the rear yard.

The Study concludes with the following key findings in support of the proposed variances:

Truck Detailing Operation

- The site layout can easily accommodate the maneuvering of a typical tractor truck around the site without any issues;
- Parking justification study was undertaken, by performing interview surveys at two proxy sites approved by City's staff.

These sites are: 1. Pro Star Truck Lube & Wash Inc. 307 Clarence St, Brampton, ON L6W 1T6 2. All Truck Lube and Wash Limited 71 Stafford Dr, Brampton, ON L6W 1L3 3. Doaba Truck Lube 153 Rutherford Road South, Brampton, ON L6W 3N5

- Parking survey results concluded that the proposed 18.0 parking spaces will be more than sufficient to accommodate the parking demand for customers, employees, and visitors for the existing truck repair shop and the proposed truck detailing business.



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Vehicles Sales Establishment

- Regarding the proposed Vehicles Sales Establishment and the existing motor vehicle repair shop, the proposed parking supply of 30.0 parking spaces will be more than sufficient to accommodate the parking demand for employees and customers. Parking Justification: The study concluded that the proposed 17.0 parking spaces for the Truck Detailing operation and 30.0 parking spaces for the Vehicle Sales Establishment are sufficient to meet the parking demands of customers, employees, and visitors.

The study concludes that a total of 48.0 parking spaces are available, which includes 46.0 spaces for motor vehicles and 2.0 spaces for tractor trucks. This provision adequately meets the parking demand of all businesses operating in the building. Additionally, according to comments from the traffic staff, the existing truck repair facility can accommodate 5 trucks in the repair bay, while the motor vehicle repair business can park 4 personal vehicles inside.

We note the 30.0 parking spaces noted in the Study include the 15.0 spaces provided for display wholly located within Unit A. The findings support the establishment of both ancillary uses to the existing operations and provide no concerns for the overall site operation. Further technical review and establishment of the uses will be dealt with in the Site Plan process.

Planning Analysis & Section 45(1)

Maintains the General Intent and Purpose of the Official Plan

The City of Brampton's *Official Plan* designates the lands as *Industrial*. The Regionally approved *Brampton Plan 2023 Schedule 1A City Structure* designates the property as *Employment Areas*, and *Schedule 2 Designations* labels the property as *Employment*. *Highway 410 and Steeles Plan Area 5* establish the subject lands as *General Employment Area 2*, which permits a variety of industrial, associated use and motor vehicle repair shops. The proposed variances seek to permit an ancillary truck detailing operation to accompany an existing truck repair and an ancillary motor vehicle sales establishment to an existing motor vehicle repair operation within the same building. The *Official Plan* and *Secondary Plan Area 5* permit a broad range of uses which cover the proposed uses as an accessory or ancillary to permitted uses. The nature of the variance and extent do not contravene the policies and objectives of the *Official Plan*.

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

The subject lands are designated *Industrial Two* which permits a variety of industrial uses, associated accessory use to the principal industrial use and some non-industrial uses. 32.1.1.a.1 permits the following: *the manufacturing, cleaning, packaging, processing, repairing, or assembly of goods, foods or materials including a motor vehicle repair shop and a motor vehicle body shop*. Furthermore, 32.1.1.c.4 further permits purposes accessory to the other permitted purposes that are incidental, subordinate and exclusively to the principal use of the lot and buildings thereon, located on the same lot. The proposed permitted uses generally maintain the intent of the Zoning By-law as the uses are ancillary and, therefore, accessory to the established uses on-site.

The proposed variance to permit 33.0 parking spaces, whereas the By-law requires 92.0 parking spaces, combines the total parking ratio (existing and proposed) across all uses on-site. The Parking By-law only accounts for SQM per parking space required as a means of providing ample parking spaces but does not identify the employee and customer counts typically required for a specific business. The proposed truck detailing ancillary to the existing truck repair is appointment based only and provided as an additional service once repairs are complete. As Traffic Staff required, two truck waiting stalls have been provided to ensure no queuing or stalling in the drive aisles and garage area. The proposed motor vehicle sales



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establishment ancillary to the existing motor vehicle repair operation features a display of used luxury vehicles wholly located within Unit A. The existing and proposed uses contemplated by Tenant A allow for the repair and resale of used luxury vehicles that are sold to or commissioned for repair and resale by customers. No external displays are proposed, and no displays are proposed outside of the Unit to ensure safety and security from theft or vandalism.

The proposed variance is to permit tandem parking spaces in conjunction with a Motor Vehicle Sales Establishment, whereas the By-law only permits tandem parking spaces in conjunction with a Motor Vehicle Repair Shop. The tandem parking is in the front yard against the front wall of Units A and B. The tandem parking spaces remove the existing drive aisle and parking spaces encroaching into the Municipal Right-of-Way and reinstate the required 3.0M landscape buffer against Rutherford Road S and a two-metre walkway.

The Parking Justification Study and swept path assessment further support that the site operations will not be impacted, and while not adhering to the prescribed By-law, the proposed achieves the intent established by the regulations and standards for site performances.

The proposed permitted uses generally maintain the intent of the Zoning By-law as they are ancillary and, therefore, accessory to the established uses on-site.

Desirable for the Appropriate Development of the Land

The requested Variance is appropriate as the surrounding industrial and commercial lands in the planning area contain similar uses, and the Committee of Adjustment has approved similar proposals within the same zoning and special section categories. The proposal does not negatively impact the neighbouring properties and is wholly located within the existing structure while continuing to maintain the existing principal and accessory uses. Usage is effectively screened from the front yard and street line as well as the side yards abutting other businesses. Lastly, the proposed adds value to the existing site operations and consolidates multiple uses in one parcel to generate further economic development in employment areas. Therefore, the proposed variance is desirable and appropriate development of the land.

Minor in Nature

The requested variances are wholly located within portions of the existing structure. The proposed uses are ancillary and subordinate uses to the existing principal uses. The approval and licensed existing uses were approved with reduced parking ratios within a 4-unit multi-tenanted building. The proposal consolidates ancillary uses with the existing operations under two tenants while maintaining similar employee numbers and sufficient customer spaces as per the findings of the supporting Parking Justification Study and parking surveys. The variances proposed for the site performance standards arise from staff comments to ensure the site functionality and objectives of the By-law are minor in nature and do not anticipate major changes to the site operation. Therefore, the variances can be considered minor in nature.

In conclusion, the proposed variances for the land development are justified as they align with the surrounding commercial and industrial landscape while adhering to the principles of responsible zoning. The integration of the proposed uses within the existing structure demonstrates a commitment to enhancing site operations without adversely affecting neighboring properties. Moreover, the minor nature of the requested variances, supported by a comprehensive Parking Justification Study, underscores their suitability and compatibility with existing uses. Ultimately, these changes promote economic growth in the area and reflect a thoughtful approach to adding value proposition to existing employment areas, making the proposal both desirable and appropriate for the land in question.



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We trust that the above materials are in order. Should you require any further information, do not hesitate to contact the undersigned.

Warm regards,

Gursewak Singh
Director, Planner
King Consultants Inc.
Provisional Member MCIP, RPP
Unit 2, 177 Zenway Blvd
Vaughan, ON L4H 3H9
905-965-1610
singhplan@outlook.com
