



Report Committee of Adjustment

Filing Date: October 31, 2024

Hearing Date: January 28, 2025

File: A-2024-0413

**Owner/
Applicant:** 1000340771 Ontario Inc
We Design Build Inc. c/o Haroon Malik

Address: 2084 Steeles Avenue East, Unit 3 & 4

Ward: 7

Contact: Megan Fernandes, Planner I

Recommendations:

That application A-2024-0413 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 no outside display or storage of vehicles shall be permitted on site;
 3. The owner to obtain a building permit for any alterations to the building prior to occupancy of the unit;
 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned 'Industrial 2 (M2)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a motor vehicle sales establishment, whereas the by-law does not permit the use;
and

2. To permit 448 parking spaces to be provided on site, whereas the by-law requires 588 parking spaces to be provided on site.

Current Situation:

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

The property is designated 'Business Corridor' in the Official Plan and 'General Employment 2' in the Highway 410 and Steeles Secondary Plan (Area 5). In regards to the 'Business Corridor' designation, section 4.4.1 of the Official Plan states that the Business Corridor designation permits a broad range of employment and employment-related uses. Certain lands within the Business Corridor designation are planned to accommodate a broad range of business, service, and institutional uses to serve the general public and adjacent employment areas. It is recognized that employment areas typically accommodate a certain range of ancillary uses without negatively impacting the viability of employment lands or employment operations

The 'General Employment 2' designation in the Secondary Plan permits a broad range of uses including but not limited to: i.) distribution centres; ii.) motor vehicle repair and body shops; iii.) waste processing and transfer station; iv.) public utility installations; v.) business and administrative office buildings; and, vi.) public uses and works. The designation also permits the uses permitted in the General Employment 1 designation which includes repairing and servicing operations, but excluding motor vehicle body shops. It is staff's interpretation that the proposed motor vehicle sales establishment is complementary to existing businesses operating in the area. The request to allow for a motor vehicle sales establishment with indoor motor vehicle sale is compatible with the business corridor and General Employment designations of the Official Plan and Secondary Plan as its operations will be restricted to only occur inside of Units 3 and 4. A condition of approval is recommended that no outside display or storage of vehicles shall be permitted on site

The subject property is designated as 'Employment Areas' on Schedule 1A – City Structure and 'Employment' on Schedule 2 – Designations within the recently endorsed City of Brampton Official Plan 2023. The 'Employment' designation permits vehicle sales and service consistent with the variance being requested. The City of Brampton Official Plan is endorsed but not yet in full force and effect and represents the direction of Brampton Council.

Variance 2 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 property is zoned 'Industrial 2 (M2)', according to By-law 270-2004, as amended. The zoning provision permits a variety of industrial uses such as: the manufacturing, cleaning, packaging, processing, repairing, or assembly of goods, foods or materials including a motor vehicle repair shop and a motor vehicle auto body shop, non-obnoxious industrial uses, a printing establishment, a warehouse, a parking lot, a freight classification yard, among others. The industrial designation also permits a number of non-industrial uses such as: radio or television broadcasting and transmission

establishment, a building supplies sales establishment, a recreational facility or structure, a community club, an animal hospital, and a place of worship. Other accessory uses are permitted including: an associated educational use, an associated office, a retail outlet operated in connection with a particular purpose permitted provided that the gross commercial floor area of the retail outlet is not more than 15% of the total gross industrial floor area of the particular industrial use.

Variance 1 is requested to permit a motor vehicle sales establishment whereas the by-law does not permit the use. The intent of the by-law in prescribing the permitted uses on an industrial property is to ensure that the uses are consistent with the industrial character of the property.

The proposed motor vehicle sales establishment will be operating from units 3 and 4, and will have an overall gross floor area of approximately 857 square metres. Furthermore, staff note that there will be no vehicles for sale displayed outside, and the vehicles will be stored within the units. This use may be seen as supportive and complementary to the existing permitted uses on site. The nature and size of the motor vehicle sales establishment is not anticipated to deter from the predominant industrial character of the property or impact the functioning of the site and thus, is considered to maintain the general intent and purpose of the zoning by-law.

Variance 2 is requested to permit 448 parking spaces to be provided on site, whereas the by-law requires 588 parking spaces to be provided on site. The intent of regulating minimum parking requirements is to ensure that the site can accommodate the parking demand generated by the permitted uses on the property.

The proposed parking reduction represents a 140 parking space reduction or approximately 24% of the overall parking requirement for the site. A parking study was submitted in support of the requested parking reduction. Traffic services staff have reviewed the request and have no objections to the parking reduction as it is not anticipated to negatively impact the function of the site. 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

Variance 1 is intended to facilitate the establishment of an automobile sales use within two units of an existing building, currently being underutilized. The proposed use is not anticipated to have a significant impact on the overall function of the property given its proposed scale. Variance 2 is requested to permit a maximum of 448 parking spaces whereas the by-law permits a minimum of 588 spaces be required. The proposed use will be operating in the existing building with no outdoor display. Conditions of approval are recommended that the proposed use be limited to units 3 and 4 of the building as outlined in the sketch attached to the notice of decision; and that no outdoor display or storage of vehicles shall be permitted on site. Additionally, the applicant is advised to obtain a building permit for any alterations to the building prior to occupancy of the unit. Subject to the recommended conditions of approval, variances 1 and 2 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Motor vehicle sales establishments are not permitted within the M2 Industrial zone. The requested variance proposes to use two units with having an approximate size of 857 square metres for motor

vehicle sales. A second variance is requested to provide a maximum of 448 parking spaces whereas a minimum of 588 parking spaces are required. The existing supply of parking spaces on site is considered sufficient to support the proposed use and the parking justification ensures that there will be no outdoor display; sufficient parking is available for employees and customers. The additional use is not anticipated to impact the overall function of the property. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planner I