



## Report Committee of Adjustment

**Filing Date:** December 20, 2023  
**Hearing Date:** January 28, 2025  
**File:** A-2023-0417  
**Owner/  
Applicant:** ONTARIO KHALSA DR. CORPORATION  
**Address:** 24 REGAN ROAD  
**Ward:** WARD 2  
**Contact:** Satwant Hothi, Planner I, Development

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### **Recommendations:**

That application A-2023-0417 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 oversized motor vehicles do not encroach onto neighbouring property as means of egress; and
  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:**

#### Existing Zoning:

The property is zoned 'Industrial Four A (M4A)' special section 186 (M4A-186), according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a truck loading facility within the front half of the building depth, whereas the by-law does not permit a truck loading facility within the front half of the building depth;

2. To permit a truck loading facility within a front yard, whereas the by-law does not permit a truck loading facility within a front yard; and
3. To permit a rear yard setback of 13.8 metres to a proposed addition, whereas the by-law requires a minimum rear yard setback of 20 metres.

### **Current Situation:**

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

The property is designated 'Employment Areas' in Schedule 1A – City Structure and 'Employment' in Schedule 2 – Designations in the Brampton Plan. On May 16<sup>th</sup>, 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 6<sup>th</sup>, 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 'Employment' in Schedule 1 – City Concept in the City of Brampton 2006 Official Plan (2020 Consolidation).

The requested variances are related to a proposed addition to be constructed on the existing industrial use as means of further expanding operations. The requested variances are not considered to have a significant impact within the context of the policies of the Official Plan. Subject to the recommended conditions of approvals, the requested variances are considered to maintain the general intent of the Official Plan.

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

The property is zoned 'Industrial Four A (M4A)' special section 186 (M4A-186), according to By-law 270-2004, as amended. Variances 1 and 2 are requested to permit a truck loading facility being located within the front yard whereas the by-law does not permit truck loading facilities within the front yard and within the front half of the building. The intent of the by-law in limiting truck loading facilities within the front yard is to mitigate visual impacts from the pedestrian level. It is staff's position that given the existing vegetation on subject site creates a visual barrier and the pedestrian sidewalk is limited to the opposite side of Regan Road, it further limits any visual impacts to pedestrians. Given that Regan Road is largely comprised of Industrial Manufacturing and Warehousing uses, Variances 1 and 2 are considered to maintain the general intent of the Zoning By-law.

Variance 3 is requested to permit a reduced rear yard setback of 13.8 metres to a proposed addition, whereas the by-law requires a minimum rear yard setback of 20 metres. The intent of the by-law in prescribing a minimum rear yard is to ensure massing of proposed development is complimentary to the surrounding developments. Site visit of subject site reveals that the neighbouring property has a similar addition in which rear yard setback were reduced to approximately 13 metres which is consistent with this variance request (Appendix A). Furthermore, even with a reduced rear yard setback of 13.8 metres, the building separation between this proposed addition and abutting property is greater than 30 metres and thus sufficient building separation is maintained, and massing does not negatively impact

adjacent properties. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

The requested variances 1 and 2 relate truck loading facilities being located within the front yard and variance 3 is requested as a relief of minimum rear yard setback. The intent of the owner is to expand upon an existing manufacturing use to increase production and productivity. The requested variances are not anticipated to negatively impact the overall character of the streetscape given its location and similar uses along Regan Road being heavily Employment lands. The reduction in the rear yard setback of 13.8 metres is not anticipated to negatively affect the abutting properties from an operation sense nor contribute to overdevelopment. Moreover, the proposed addition looks to mirror the neighbouring property in terms of massing. A condition of approval is recommended that oversized motor vehicles do not encroach onto neighbouring property as means of egress as demonstrated, to the satisfaction of Traffic staff, on provided SWEPT Path analysis. The variances are considered desirable for the appropriate development of the land.

### 4. Minor in Nature

Variance 3 represents a modest and often nominal relief from the Zoning By-law rear yard setback requirement. The nominal relief is not anticipated to contribute to an overdevelopment of the property and the requested variance, subject to the recommended conditions of approval, are considered minor in nature. Variances 1 and 2 represent a modest relief from the Zoning By-law given the surrounding uses are all similar in nature, relying heavily on truck loading facilities and furthermore is screened naturally as a result of existing vegetation on subject site. Variances 1 and 2, subject to the recommended conditions of approval, are considered minor in nature.

Respectfully Submitted,

*S. Hothi*

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Satwant Hothi  
Planner I, Development

APPENDIX A

