

APPLICATION NUMBER: B-2024-0018

The personal information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

APPLICATION
Consent
 (Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a) **Name of Owner/Applicant** Polco Investments Limited c/o Jay Lim
(print given and family names in full)
Address 5 Coachworks Crescent, Brampton, ON L6R 3Y2

Phone # 905-586-0074 **Fax #** _____
Email jaylim@policaro.ca

(b) **Name of Authorized Agent** Glen Schnarr & Associates Inc. c/o Jim Levac
Address 700 - 10 Kingsbridge Garden Circle, Mississauga, ON L5R 3K6

Phone # 905.568.8888 **Fax #** _____
Email jiml@gasai.ca

2. **The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.**
Specify: To facilitate the creation of one (1) non-residential lot , a mutual access easement and servicing easements. See the accompanying Submission Letter and Consent Sketch for further detail

3. **If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.**

4. **Description of the subject land ("subject land" means the land to be severed and retained):**

a) Name of Street <u>Queen Street East</u>	Number <u>2250, 2280, 2300</u>
b) Concession No. <u>CON 6 EHS CHINGUACOUSY</u>	Lot(s) <u>PT LT 6</u>
c) Registered Plan No. _____	Lot(s) _____
d) Reference Plan No. _____	Lot(s) _____
e) Assessment Roll No. _____	Geographic or Former Township _____

5. **Are there any easements or restrictive covenants affecting the subject land?**
 Yes No
Specify: _____

6. Description of severed land: (in metric units)

a) Frontage 56.76 Depth 124.73 Area 1.01 ha

b) Existing Use Commercial - Motor Vehicle Sales Establishment Proposed Use No change

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed: (existing) 3 (proposed) 0

Table with 3 columns: Access will be by, Existing, Proposed. Rows include Provincial Highway, Municipal Road - Maintained all year, Other Public Road, Regional Road, Seasonal Road, Private Right of Way.

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

Table with 3 columns: Water supply will be by, Existing, Proposed. Rows include Publicly owned and operated water system, Privately owned and operated individual or communal well, Other (specify):

Table with 3 columns: Sewage disposal will be by, Existing, Proposed. Rows include Publicly owned and operated sanitary sewer system, Privy, Privately owned and operated individual or communal septic system, Other (specify):

7. Description of retained land: (in metric units)

a) Frontage 111.69 m Depth 63.74 m Area 0.93 ha

b) Existing Use Commercial - Motor Vehicle Sales Establishment Proposed Use No change

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained: (existing) 3 (proposed) 0

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>

Other (specify): _____

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>

Other (specify): _____

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	Land to be Severed	Land to be Retained
Zoning By-Law	<u>HC1-256</u>	<u>HC1-256</u>
Official Plans		
City of Brampton	<u>Mixed Use Employment</u>	<u>Mixed Use Employment</u>
Region of Peel	<u>Urban System</u>	<u>Urban System</u>

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes No

File # _____ Status/Decision _____

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes No

Date of Transfer _____ Land Use _____

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
Official Plan Amendment	_____	_____
Zoning By-law Amendment	_____	_____
Minister's Zoning Order	_____	_____
Minor Variance	A118/00	Approved
Validation of the Title	_____	_____
Approval of Power and Sale	_____	_____
Plan of Subdivision	_____	_____

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the *Planning Act*?
Yes No

10. Is the subject land within an area of land designated under any Provincial Plan?
Yes No

13. If the answer is yes, does the application conform to the applicable Provincial Plan?
Yes No

14. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the Town of Oakville
this 3rd day of October, 2024.

Check box if applicable:

[Signature]
Signature of Applicant, or Authorized Agent, see note on next page

I have the authority to bind the Corporation

DECLARATION

I, Jim Levac of the Town of Oakville

in the County/District/Regional Municipality of Halton solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Mississauga

in the Region of Peel

this 8th day of October, 2024.

[Signature]
Signature of applicant/solicitor/authorized agent, etc.

[Signature]
Signature of a Commissioner, etc.

Laura Kim Amonn, a Commissioner, etc.,
Province of Ontario, for
Glen Schnarr & Associates Inc.
Expires March 3, 2026.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division

This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.

Zoning Officer

Date

NOTES:

1. If this application is signed by an agent or solicitor on behalf of the applicant, the owner's written authorization must accompany this application. If the applicant is a Corporation acting without agent or solicitor, the application must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation. If the application is signed by an agent or solicitor on behalf of the applicant who is a Corporation, the applicant's written authorization must accompany this application and must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation.
2. Each copy of the application must be accompanied by a sketch **and a key map** showing the location of the subject land.
3. Sketches or reproductions are to be no larger than Legal Size. Application plans which are larger may be submitted provided at least **one reproduction** reduced to Legal Size is filed with the application.
4. Where it is determined that a sketch will not adequately provide the information required, it may be necessary to provide a plan prepared by an Ontario Land Surveyor.
5. The sketch shall show:
 - a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
 - b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
 - c) the boundaries and dimensions of the subject land, the part that is to be severed (shown in double hatch lines XXXX) and the part that is to be retained (shown in single hatched lines ///);
 - d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
 - e) the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
 - f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;
 - g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
 - h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
 - i) the location and nature of any easement affecting the subject land; a
 - j) if a natural or artificial feature is to be the proposed new property line or part thereof, identify the feature(s) as such on the sketch.
6. It is required that **1 original copy** of this application be filed, together with **2 copies** of the sketch described in item 2 above, with the Secretary-Treasurer, accompanied by the applicable fee.

APPOINTMENT AND AUTHORIZATION OF AGENT(S)

To: The Committee of Adjustment, City of Brampton,

I, Polco Investments Limited c/o Jay Lim _____,
(Please print or type full name of the owner)

the undersigned, hereby appoint and authorize/have appointed and authorized as my agent(s) for the purpose of:

1. Signing and filing the application(s) on behalf of the undersigned;
1. Glen Schnarr & Associates Inc. c/o Jim Levac _____ ;
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
2. Representing the undersigned before the Committee of Adjustment,
2. ; Glen Schnarr & Associates Inc. c/o Jim Levac _____
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)
0. Acting on behalf of the owner with respect to all matters related to the application, including but not limited to fulfilling conditions and acquiring the Secretary-Treasurer's Certificate,
3. Glen Schnarr & Associates Inc. c/o Jim Levac _____ ;
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

AND, I do hereby declare and confirm that I am the (an) owner of the land to which this application relates;

AND, I do hereby ratify, confirm and adopt as my own, the act(s), representation(s), reply (replies) and commitment(s) made on my behalf by the said agent(s).

Dated this 3rd day of October, 2024.



(Signature of the owner, or where the owner is a firm or corporation, the signing officer of the owner.)

Basilio Policaro, President

(Where the owner is a firm or corporation, please type or print the full name of the person signing.)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If there is more than one owner, **all owners** shall complete and sign **individual** appointment and authorization forms.
3. If the agent is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

PERMISSION TO ENTER

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 2250, 2280, 2300 Queen Street East

I/We, Polco Investments Limited c/o Jay Lim

please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 3rd day of October, 2024.



(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

Basilio Policaro, President

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION

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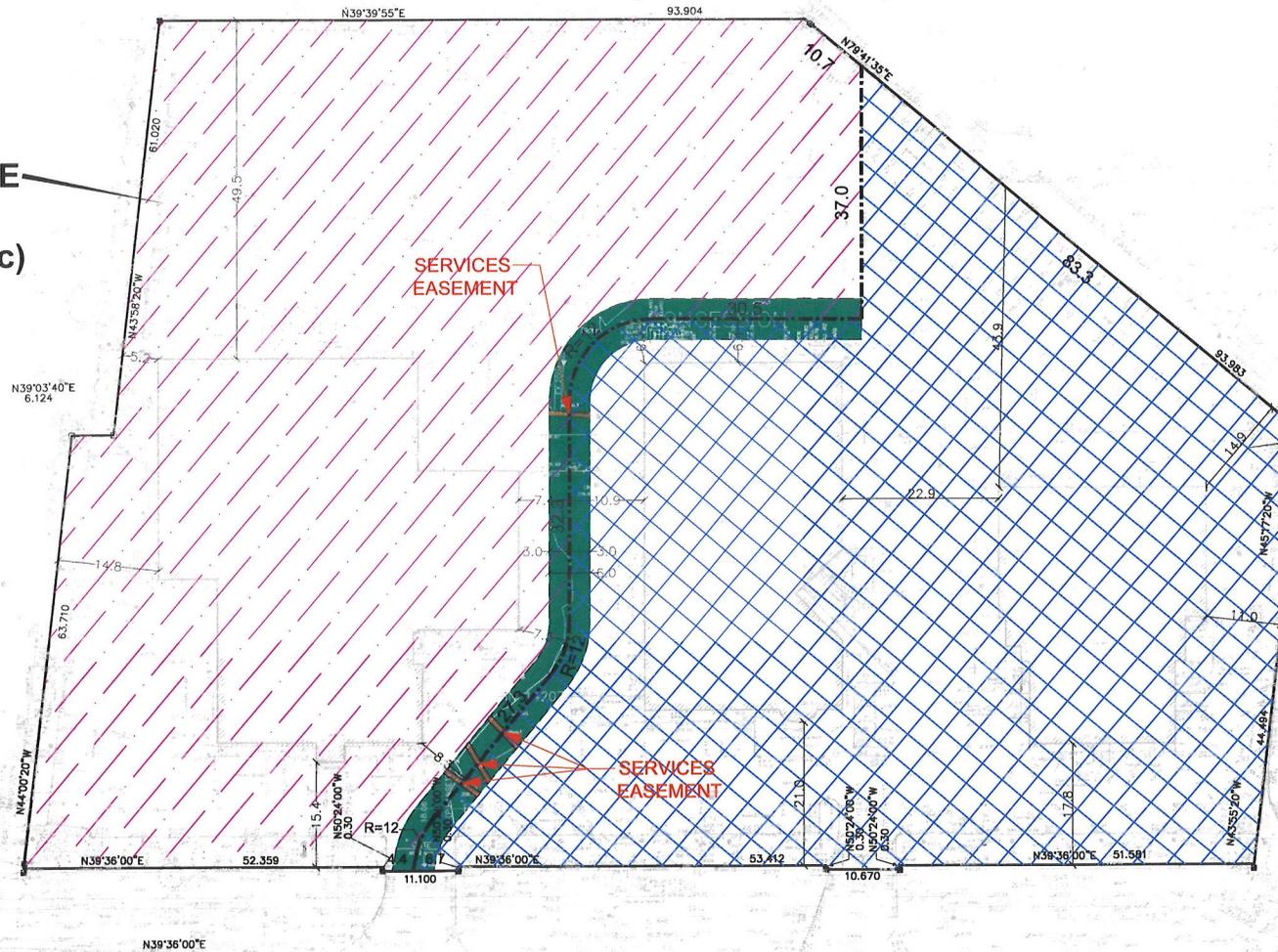
Received / Revised
 JAN 29 2025
 Committee of Adjustment

LANDS TO BE
 RETAINED
 1.01ha (2.49ac)

LANDS TO BE
 SEVERED
 0.93ha (2.30ac)

EXISTING
 COMMERCIAL

EXISTING
 COMMERCIAL



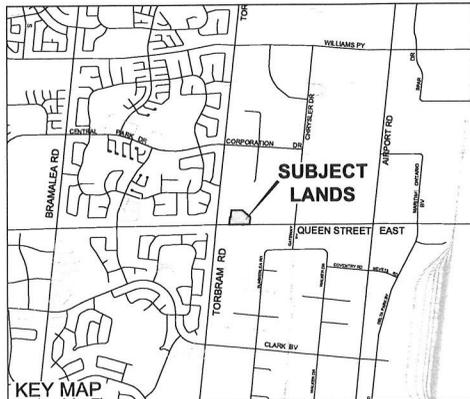
QUEEN STREET EAST

**CONSENT SKETCH
 POLICARO AUTOMOTIVE FAMILY
 2300 QUEEN STREET EAST**

PART OF LOT 6
 CONCESSION 6, E.H.S.
 CITY OF BRAMPTON
 REGIONAL MUNICIPALITY OF PEEL

CONSENT STATISTICS

	LANDS TO BE SEVERED:	0.93ha (2.30ac)
	LANDS TO BE RETAINED:	1.01ha (2.49ac)
TOTAL:		1.94ha (4.79ac)
	ACCESS EASEMENT	0.075ha (0.185ac)
	SERVICES EASEMENT	0.020ha (0.049ac)



SCALE 1:1000
 JANUARY 23, 2025

B-2024-0018

Received **Revised**

JAN 29 2025

Committee of Adjustment



Partners:
Glen Broll, MCIP, RPP
Colin Chung, MCIP, RPP
Jim Levac, MCIP, RPP
Jason Afonso, MCIP, RPP
Karen Bennett, MCIP, RPP

In Memoriam, Founding Partner:
Glen Schnarr

January 27, 2025

GSAI File: 1011-008

Ms. Clara Vani
Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

**RE: Consent and Minor Variance Applications - Updated
Polco Investments Limited
2250, 2280, 2300 Queen Street East, City of Brampton**

Glen Schnarr & Associates Inc. (GSAI) are the planning consultants to Polco Investments Limited (the 'Owner') of the lands municipally known as 2250, 2280 and 2300 Queen Street East, in the City of Brampton (the 'Subject Lands' or 'Site'). On behalf of the Owner, we are pleased to provide this Consent and Minor Variance Application to facilitate the creation of a new non-residential parcel and to permit modified development standards on the Subject Lands.

SITE & CONTEXT

The Subject Lands are a commercial parcel, approximately 1.95 hectares (4.81 acres) in size, with frontage and access along Queen Street East. The Site, municipally known as 2250, 2280 and 2300 Queen Street East, is located on the north side of Queen Street East, east of Torbram Road. The Site is currently improved with three (3) commercial structures of varying size and surface parking areas. The area surrounding the Subject Lands is an established Employment Area containing a broad range of commercial structures and uses.

OFFICIAL PLAN & ZONING

The Site is designated 'Mixed Use Employment' by the in-effect Brampton Official Plan and is further designated 'Service Commercial' by the in-effect Airport Intermodal Secondary Plan. Furthermore, the Secondary Plan applies Special Site Area Policy 11. Special Site Area 11 states that the Site shall only be used as a new car sales establishment, together with related facilities. Overall, the in-effect designations permit a range of commercial uses, including motor vehicle sales establishments. Therefore, the Subject Lands contain a permitted use.

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The Site is also subject to the City of Brampton Zoning By-law 260-2008 and is zoned 'Highway Commercial, Special Section 256 (HC1 -256). Motor Vehicle Sales Establishments are a permitted use. Special Section 256 establishes a series of site specific development standards related to maximum permissible commercial floor area, minimum lot area, minimum lot width, maximum building height and minimum landscaping.

PROPOSAL

The Owner is seeking permission to sever the Subject Lands into two (2) parcels so that each parcel can be held in separate ownership. For clarity, the 'Lands To Be Retained' as demonstrated on the accompanying Consent Sketch is to comprise the lands municipally known as 2580 and 2300 Queen Street East, while the 'Lands To Be Severed' are to comprise the lands municipally known as 2550 Queen Street East. Furthermore, no new construction or site alteration is contemplated.

The following provides a summary of the severance proposed:

Lands To Be Severed (2580, 2300 Queen Street East)

Area: 9,300 square metres (0.93hectares; 2.3 acres)
Frontage: 56.76 metres

Lands To Be Retained (2550 Queen Street East)

Area: 10,100 square metres (1.01 hectares; 2.49 acres)
Frontage: 111.69 metres

In addition to the above, a mutual access easement and servicing easements are contemplated. The access easement, comprising an existing drive aisle, is to facilitate the necessary legal arrangement to enable sufficient access to both lots to be provided. The location of the requested access easement is further demonstrated on the accompanying Consent Sketch and is to encompass an area of approximately 750 square metres (0.075 hectares; 0.185 acres). Similarly, the requested servicing easements are to facilitate the necessary legal arrangements so that servicing can be provided to each structure in a manner that is consistent with applicable law. More specifically, there are four (4) locations where servicing easements are required and these are indicated on the accompanying Consent Sketch in red. Once provided, the servicing easements will enable individual services to be provided across the Site, including where servicing crosses the severance line.

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SEVERANCE TESTS

In our opinion, the Proposal satisfies all of the criteria established by Section 51(24) of the *Planning Act*, as amended, based on the following:

The Severance Satisfies Provincial Interests

The Proposal implements applicable Provincial policies which encourage intensification and the efficient use of existing and planned infrastructure. The Proposal is consistent with the policies of the Provincial Planning Statement ('PPS'), 2024.

The Severance Is Not Premature

The Proposal satisfies the current and growing demand for employment opportunities within the City of Brampton in a manner that is consistent with the City Structure and the established character of the surrounding Airport Intermodal Employment Area. The consent process is the appropriate vehicle for the proposed severances and a Plan of Subdivision is not required. Based on the above, the Applications are not premature.

The Severance Conforms To The Official Plan and Adjacent Subdivisions

The Brampton Official Plan describes 'Mixed Use Employment' area lands as areas where employment-related development is to be encouraged and as such, a range of employment-related uses and built forms are permitted. The Proposal complies with the Official Plan's development criteria for 'Mixed Use Employment' areas. Additionally, the new lot and modified lot are in keeping with the existing and planned vision for the surrounding community. Therefore, it is our opinion that the proposed severances comply with the policies of the Official Plan.

The Dimensions and Shapes Of The Proposed Lots Are Appropriate

The dimension and shape of the proposed lots reflect the existing and evolving lotting pattern in the surrounding community. Additionally, the proposed lots have been appropriately designed to be consistent with those found in the surrounding area and to function independently. The development standards for the lots are met. The lots are therefore not out of character and are appropriate for the Site. Finally, the proposed lots are appropriate for the existing development conditions being retained.

No Unreasonable Restrictions Will Apply To The Severed Lots Or Adjacent Lands

Any required easement(s) will be secured as needed and the requested access easement is further demonstrated on the accompanying Consent Sketch. The access easement is required to enable appropriate and sufficient access to continue uninterrupted, while the servicing easements are required to enable appropriate and sufficient servicing to be provided to each of the existing structures. The requested easements will not adversely impact the adjusted lots or adjacent lands. Servicing has been fully examined

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through the preparation of this application. No unreasonable restrictions will apply to the severed lot or adjacent lots.

The Proposed Severance Will Have No Impact On Existing Utilities, Municipal Services

The Subject Lands have access to full municipal services. There are also no servicing capacity concerns.

No Lands Conveyed For Public Purposes

A requirement for a widening has not been identified. Any required dedications will be secured as needed, and this Application will not preclude their future dedication.

The Plan's Design Optimizes The Available Supply, Means of Supply, Efficient Use and Conservation of Energy

To the greatest extent possible, the existing structures efficiently use energy and are in keeping with the requirements of the Ontario Building Code, as amended.

MINOR VARIANCES

As a result of the proposal to sever the Subject Lands, the need for zoning relief is required to recognize the existing site conditions, in relation to the modified lot boundaries. As such, the following is the relief from By-law 270-2004 that the Owner is seeking, organized by parcel.

Severed Lands

1. Section 6.17.1, By-law 270-2004

A parking space shall be a rectangular area measuring not less than 2.70 metres in width and 5.4 metres in length

A reduced size parking space measuring 2.5 metres in width and 4.35 metres in length, is requested.

2. Section 6.17.2.d), By-law 270-2004

A minimum aisle width of 6.6 metres is required.

A minimum drive aisle width of 4.2 metres is requested.

3. Section 24.1.2.2.h), By-law 270-2004

A minimum 20% of the required front yard as landscaped open space is required

4% of the required front yard as landscaped open space is requested.

4. Section 256.2.a, By-law 270-2004

A minimum lot width of 100 metres is required.

A minimum lot width of 56.0 metres is requested.

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5. Section 256.2.d), By-law 270-2004

All buildings shall be located within the area identified as Building Area A and Building Area B on Schedule C – Section 256.

All buildings shall be permitted in the locations specified by the Existing Conditions Plan.

6. Section 256.2.e), By-law 270-2004

The total gross commercial floor area of the building identified as Building Area A on Schedule C-Section 256 shall not exceed 1,900 square metres.

A total gross commercial floor area of 3,075 square metres is requested.

7. Section 256.2.h, By-law 270-2004

A 4.5 metre wide landscaped open space area shall be provided and maintained along Highway Number 7.

A 4.4 metre wide landscaped open space area along Queen Street East is requested.

Retained Lands

1. Section 6.17.1, By-law 270-2004

A parking space shall be a rectangular area measuring not less than 2.70 metres in width and 5.4 metres in length

A reduced size parking space measuring 2.6 metres in width and 3.4 metres in length, is requested.

2. Section 6.17.2.d), By-law 270-2004

A minimum aisle width of 6.6 metres is required.

A minimum drive aisle width of 3.74 metres is requested.

3. Section 20.6.a), By-law 270-2004

A minimum of two (2) loading spaces are required.

One (1) loading space is requested.

4. Section 24.1.2.2.h), By-law 270-2004

A minimum 20% of the required front yard as landscaped open space is required

4% of the required front yard as landscaped open space is requested.

5. Section 256.2.d), By-law 270-2004

All buildings shall be located within the area identified as Building Area A and Building Area B on Schedule C – Section 256.

All buildings shall be permitted in the locations specified by the Existing Conditions Plan.



6. Section 256.2.f), By-law 270-2004

The total gross commercial floor area of the building identified as Building Area B on Schedule C-Section 256 shall not exceed 1,400 square metres.

A total gross commercial floor area of 2,840 square metres is requested.

7. Section 256.2.h, By-law 270-2004

A 4.5 metre wide landscaped open space area shall be provided and maintained along Highway Number 7.

A 4.4 metre wide landscaped open space area along Queen Street East is requested.

MINOR VARIANCE TESTS

Section 45(1) of the *Planning Act*, as amended, identifies the four tests which must be satisfied in order for the Committee to approve this application. Those tests are:

1. The variance maintains the general intent and purpose of the Official Plan.
2. The variance maintains the general intent and purpose of the Zoning By-law.
3. The variance is desirable for the appropriate development or use of the land.
4. The variance is minor in nature.

In our opinion, the requested variances are supportable and meet the four tests under the *Planning Act* in the following ways:

The Variance Maintains The General Intent & Purpose of the Official Plan

As mentioned above, the Subject Lands are designated 'Mixed Use Employment' by the in-effect Brampton Official Plan. The intent of this designation is to facilitate a range of employment-related uses and built forms. The existing structures and motor vehicle sales establishment uses are permitted.

In our opinion, the proposal complies with the applicable policies of the Brampton Official Plan, including the in-effect Airport Intermodal Secondary Plan. The variances requested are to recognize existing conditions and will not compromise the City's development or growth management objectives. Furthermore, the proposal respects and seamlessly integrates with the character of the surrounding community. When considered collectively and individually, the requested variances meet the general intent and purpose of the Official Plan.

Received / Revised
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The Variance Maintains the General Intent and Purpose of the Zoning By-law

As stated above, the Subject Lands are subject to By-law 270-2004 which zones it as 'Highway Commercial 1, Special Section 256 (HC1-256)'. The requested variances, organized by parcel, seek relief as follows:

Severed Lands

Reduced Parking Space Dimensions & Reduced Drive Aisle Dimensions

The purpose and intent of parking standard and drive aisle regulations is to ensure that adequate parking spaces are provided for a proposed use or combination of uses, on-street parking is minimized and sufficient, safe site circulation patterns are provided. By-law 270-2004 requires that parking spaces have a minimum dimension of 2.70 metres in width and 5.4 metres in depth and that drive aisles have a minimum width of 6.6 metres, whereas reduced parking space dimensions and reduced drive aisle widths are requested.

The requested parking size and drive aisle width reductions are technical in nature and are necessary to recognize existing site conditions. As stated above, the requested variances are triggered by the requested severance. Given the size, proposed configuration and circulation patterns of the lot, the proposed parcel is maximized leaving no space to facilitate differently sized parking spaces nor increased drive aisle widths in select locations. Additionally, the reduced parking space dimensions are requested for a selection of parking spaces across the resultant lot. Overall, the requested parking space dimensions and reduced drive aisles widths are reflective of existing conditions, which have existed without issue for decades and are sufficient to accommodate user demands.

Reduced Landscape Buffer & Front Yard Landscaping

The purpose and intent of landscape buffer and landscaped area regulations is to ensure that there will be sufficient landscaping to provide adequate stormwater drainage for the property, to ensure aesthetic consistency within the surrounding community, as well as to ensure a front yard is not visually dominated by hard surfaces. While By-law 270-2004 requires that a 4.5 metre landscape buffer be provided along the Queen Street lot line and that at least 20% of the front yard be landscaped, the resultant lot has a 4.4 metre landscape buffer width and a 4% front yard landscaping.

In this case, the requested landscape buffer width along Queen Street East and the front yard landscaping are technical in nature and are needed to recognize an existing condition. To be clear, the current landscape buffer along the street lot line and the resultant amount of front yard landscaped area has existed in this manner for decades. In this case, the requested landscape buffer and front yard landscaping will continue to provide for permeable surfaces, proper drainage, adequate access to the lot as well as visual

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consistency with the surrounding community. The established front yard treatment is appropriate for the Subject Lands. It is therefore our opinion that the requested reduction to the landscape buffer along Queen Street East and the reduced front yard landscaping percentage is appropriate, will facilitate an appropriate front yard treatment, will provide for proper drainage, will not result in visual inconsistency among neighbouring properties and will not result in adverse impacts to surrounding lands.

Reduced Lot Width, Modified Buildable Areas & Increased Commercial Area

The purpose and intent of lot width, buildable area and maximum gross floor area regulations is to ensure that adequately sized lots are provided and that the amount of massing or development on a lot is appropriate. By-law 270-2004, in accordance with Special Section 256, requires that a minimum lot width of 100 metres be provided, that buildings be in accordance with a Buildable Area schedule and that the amount of commercial area be limited, whereas a reduced lot width, modified buildable area limits and increased commercial gross floor area permissions are requested.

In this case, the requested relief are technical in nature and are needed to recognize an existing condition. To be clear, the current buildable area and commercial gross floor area of the existing structure on the lot are to remain unchanged. The variances are required to recognize and legalize an existing condition, based on a modified lot fabric triggered by the severance. Furthermore, the requested reduced lot width is to recognize and implement the modified lot fabric as a result of the severance. Given the existing building and site conditions are to remain intact and unchanged, the proposal does not adversely impact the deployment of mass and scale across the Site. Therefore, the Site is not overdeveloped and there will not be adverse impacts to surrounding lands.

Retained Lands

Reduced Parking Space Dimensions & Reduced Drive Aisle Dimensions

The purpose and intent of parking standard and drive aisle regulations is to ensure that adequate parking spaces are provided for a proposed use or combination of uses, on-street parking is minimized and sufficient, safe site circulation patterns are provided. By-law 270-2004 requires that parking spaces have a minimum dimension of 2.70 metres in width and 5.4 metres in depth and that drive aisles have a minimum width of 6.6 metres, whereas reduced parking space dimensions and reduced drive aisle widths are requested.

The requested parking size and drive aisle width reductions are technical in nature and are necessary to recognize existing site conditions. As stated above, the requested variances are triggered by the requested severance. Given the size, proposed configuration and

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circulation patterns of the lot, the proposed parcel is maximized leaving no space to facilitate differently sized parking spaces nor increased drive aisle widths in select locations. Additionally, the reduced parking space dimensions are requested for a selection of parking spaces across the resultant lot. Overall, the requested parking space dimensions and reduced drive aisles widths are reflective of existing conditions, which have existed without issue for decades and are sufficient to accommodate user demands.

Reduced Landscape Buffer & Front Yard Landscaping

The purpose and intent of landscape buffer and landscaped area regulations is to ensure that there will be sufficient landscaping to provide adequate stormwater drainage for the property, to ensure aesthetic consistency within the surrounding community, as well as to ensure a front yard is not visually dominated by hard surfaces. While By-law 270-2004 requires that a 4.5 metre landscape buffer be provided along the Queen Street lot line and that at least 20% of the front yard be landscaped, the resultant lot has a 4.4 metre landscape buffer width and a 4% front yard landscaping.

In this case, the requested landscape buffer width along Queen Street East and the front yard landscaping are technical in nature and are needed to recognize an existing condition. To be clear, the current landscape buffer along the street lot line and the resultant amount of front yard landscaped area has existed in this manner for decades. In this case, the requested landscape buffer and front yard landscaping will continue to provide for permeable surfaces, proper drainage, adequate access to the lot as well as visual consistency with the surrounding community. The established front yard treatment is appropriate for the Subject Lands. It is therefore our opinion that the requested reduction to the landscape buffer along Queen Street East and the reduced front yard landscaping percentage is appropriate, will facilitate an appropriate front yard treatment, will provide for proper drainage, will not result in visual inconsistency among neighbouring properties and will not result in adverse impacts to surrounding lands.

Reduced Loading

The purpose and intent of loading standard regulations is to ensure that adequate loading spaces are provided for a proposed use or combination of uses and traffic disruption is minimized. By-law 270-2004 requires that one (1) loading space per be provided to accommodate the existing motor vehicle sales establishment use, whereas 147 parking spaces are requested.

The requested parking reduction is technical in nature and necessary to recognize existing site conditions. As stated above, this requested variance is triggered by the requested severance. Given the size and proposed configuration of the lot, the proposed parcel is

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maximized leaving no space to facilitate additional parking spaces. Additionally, on-street parking is available in the surrounding area and the parking standard on the resultant lot is sufficient to accommodate user demands. The requested standard, which represents a deficiency of approximately 5.9%, is also reflective of current and evolving market conditions, whereby expansive surface parking areas to store new vehicles is no longer necessary nor an efficient and effective utilization of land.

We also highlight that the existing parking supply has existed for decades, without issue. The proposed supply of parking spaces, including tandem spaces, along the property lines is appropriate and is sufficient to accommodate user demands of the lot. We further note that given the existing site conditions and character of the surrounding area, additional surface parking spaces would create an unpleasant pedestrian environment, would negatively impact site circulation and would further reduce the provision of landscaped open space.

Based on the above, it is our opinion that the requested variance will provide for the continued use of the property for an appropriate employment-related development and will provide for an environment that is both pleasant and respects the character of the surrounding community. The general purpose and intent of the By-law regulation is maintained.

Modified Buildable Areas & Increased Commercial Area

The purpose and intent of buildable area and maximum gross floor area regulations is to ensure that the amount of massing or development on a lot is appropriate. By-law 270-2004, in accordance with Special Section 256, requires that buildings be in accordance with a Buildable Area schedule and that the amount of commercial area be limited, whereas a modified buildable area limit and increased commercial gross floor area permissions are requested.

In this case, the requested relief are technical in nature and are needed to recognize an existing condition. To be clear, the current buildable area and commercial gross floor area of the existing structures on the lot are to remain unchanged. The variances are required to recognize and legalize an existing condition, based on a modified lot fabric triggered by the severance. Given the existing building and site conditions are to remain intact and unchanged, the proposal does not adversely impact the deployment of mass and scale across the Site. Therefore, the Site is not overdeveloped and there will not be adverse impacts to surrounding lands.

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***Reduced Landscape Buffer***

The purpose and intent of landscape buffer regulations is to ensure that there will be sufficient landscaping to provide adequate stormwater drainage for the property, to ensure aesthetic consistency within the surrounding community, as well as to ensure a yard is not visually dominated by hard surfaces. While By-law 0225 – 2007 requires that a 4.5 metre landscape buffer be provided along a lot line that is a street line and a 3.0 metre landscape buffer be provided along a lot line that abuts a Commercial Zone property, a 1.76 metre landscape buffer along a street line is requested, a 1.33 metre landscape buffer along the southern lot line abutting a Commercial Zone area and a 0.0 metre landscape buffer along a (eastern) lot line abutting a Commercial Zone area.

In this case, the requested landscape buffer along a street line is technical in nature and is needed to recognize an existing condition. To be clear, the current landscape buffer along the street lot line has existed in this manner for decades. In this case, the requested landscape buffer will continue to provide for permeable surfaces, proper drainage, adequate access to the lot as well as visual consistency with the surrounding community. The established front yard treatment is appropriate for the Subject Lands. It is therefore my opinion that the requested reduction to the landscape buffer along a street lot line is appropriate, will facilitate an appropriate front yard treatment, will provide for proper drainage and will not result in visual inconsistency among neighbouring properties.

A reduced 1.33 and 0.0 metre landscape buffer, respectively, along a lot line abutting a Commercial Zone is also requested. In this case, the requested landscape buffer widths are measured along the lot's southern and eastern property lines. The requested reduced landscape buffer is technical in nature and is needed to recognize an existing condition that has existed in this manner for decades. The requested landscape buffer will continue to provide for permeable surfaces, proper drainage, adequate access to the lot as well as visual consistency with the surrounding community. The established landscape treatment is appropriate for the Subject Lands. It is therefore my opinion that the requested reduction to the landscape buffer along the southern and eastern property lines are appropriate, will provide for proper drainage and will not result in adverse impacts to surrounding lands.

The Variance is Desirable for the Appropriate Development or Use of the Land

The variances arising from the proposed consent are technical in nature and will allow for the creation of an additional industrial lot to be held in separate ownership. Furthermore, the requested variances will maintain appropriate built forms, heights and massing that will preserve the character of the surrounding Employment Area community.

Overall, it is our opinion that the proposed variances are required to facilitate the existing structures and site conditions, while also are in keeping with the existing character of the Subject Lands and

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the surrounding community. As such, the proposal will not negatively affect surrounding uses and represents efficient, compatible and appropriate development that is desirable.

The Variance is Minor in Nature

The requested variances will permit the existing structures to be held in separate ownership and existing site conditions to remain intact. Furthermore, the variances required do not represent overdevelopment as they will recognize existing structures and existing site conditions. Overall, the variances requested will not result in adverse impact on adjoining properties or the surrounding community. Collectively and individually, it is our opinion that the variances are minor in nature.

CONCLUSION

As described above, the requested variances arising from the Consent Application satisfy the four tests of Section 45(1) of the *Planning Act* and represent good planning. Additionally, the criteria of Section 51(24) of the *Planning Act* was considered in preparation of the Consent Application and in this regard, the criteria has been satisfied. We trust this is helpful.

If you require any further information, please do not hesitate to contact the undersigned.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

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