



Report Committee of Adjustment

Filing Date: January 7, 2025

Hearing Date: April 29, 2025

File: A-2025-0007

**Owner/
Applicant:** **A & V Gavallo Investments Ltd (C/O Anthony Cipriani)
Mainline Planning Services Inc. (C/O Joseph Plutino)**

Address: **180 Bovaird Drive West**

Ward: 2

Contact: Megan Fernandes, Planner I

Recommendations:

That application A-2025-0007 is supportable, subject to the following conditions being imposed:

1. That the motor vehicles sales establishment with accessory Office, Motor vehicle repair shop and motor vehicle washing establishment (detailing), and outside display of motor vehicles shall not occur, or business license issued, until such time as the owner has received Site Plan Approval, to the satisfaction of the Director of Development Services;
 2. That the motor vehicles sales establishment with accessory Office, Motor vehicle repair shop and motor vehicle washing establishment (detailing), only operate from Building 'A' as shown in the sketch attached to the Notice of Decision;
 3. That the associated outdoor vehicle display area be dedicated to no more than twenty (20) vehicles and only be located in the area shown as "Motor Vehicle Display Area" on Appendix 1 attached to this Report or an approved Site Plan;
 4. That there be no outside display of motor vehicles for sale within the front yard soft landscaping and within the parking area designated for employees and visitors at the front of the property;
 5. The owner to obtain a building permit for any alterations to the building prior to occupancy of the unit; and
 6. 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 One A – Special Section 160 (M1A-160)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit motor vehicles sales establishment with accessory Office, Motor vehicle repair shop and motor vehicle washing establishment (detailing), whereas the by-law does not permit the use;
2. To allow 156 parking spaces on site, whereas the by-law requires 165 parking spaces; and
3. To permit 0 car stacking spaces for the motor vehicle washing establishment (detailing), whereas the by-law requires 10 car stacking spaces for the motor vehicle washing establishment (detailing); and
4. To permit outside storage for the display of motor vehicles, whereas the by-law does not permit the use.

Current Situation:1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Business Corridor' and 'Industrial' in the Official Plan and 'Highway Commercial and Special Site Area 6 – Snelgrove Heartlake Secondary Plan (Area 1)'. 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 intent of the 'Industrial' Official Plan designation is to provide for a range of light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution. Non-industrial uses will be strictly controlled as they are intended to primarily provide a supporting role to the local employment base.

The subject lands are further designated as 'Highway Commercial' and located within Special Site Area 6 in the Snelgrove Heartlake Secondary Plan (Area 1). Section 2.4.1 of the Snelgrove Heartlake Secondary Plan states Lands designated Highway Commercial on Schedule 1 shall be used for those purposes that are primarily oriented to the traveling public and are limited to service stations, gas bars, motor vehicle washing establishments and related activities. In regards to the Special Site Area 6, the Lands designated Highway Commercial within Special Site Area 6 will predominantly be used for commerce, and designed to accommodate such uses as drive-in restaurants and other eating

establishments, motels, hotels and similar uses, and will also include vehicle sales and service establishments such as service stations, gas bars and car washes. This designation will not prevent limited sales to the general public from certain industrial activities where such sales would constitute an integral part of this operation, and provided that no constraint is imposed on highway commercial uses servicing the predominant use being industry.

In regard to Brampton Plan 2023, the property is designated as 'Employment Areas' on Schedule 1A – City Structure and 'Mixed Use 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 general intent of Employment Areas is to provide employment uses such as manufacturing, warehousing, research and development, office uses, logistics and other ancillary commercial uses, while ensuring their long-term protection for the City's economic prosperity as well as diversifying the economic base for existing and future businesses. Lands designated Employment will be protected and reserved for employment uses including manufacturing, warehousing, logistics, office, and associated commercial, retail and ancillary uses. Brampton Plan provides that compatibility with surrounding uses is a major factor in mitigating any potential adverse impacts. One of the permitted uses within the Employment designation includes vehicle repair and services and vehicle sales and service (Section 2.2.8.5 (a)).

The requested variances relate to permitting a motor vehicles sales establishment with accessory Office, Motor vehicle repair shop and motor vehicle washing establishment (detailing). The subject lands are located in a mixed use (commercial and light industrial), therefore the requested variances are not anticipated to negatively impact the industrial use and character of the surrounding area. Subject to the recommended conditions of approval, the requested 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

The property is zoned 'Industrial One A – Special Section 160 (M1A-160)', according to By-law 270-2004, as amended.

Variance 1 is requested to permit motor vehicles sales establishment with accessory Office, Motor vehicle repair shop and motor vehicle washing establishment (detailing), whereas the by-law does not permit the use. The intent of the by-law in regulating the permitted uses within a certain zone is to ensure that those uses can function effectively together.

The subject property is zoned M1 which permits a range of industrial uses including a motor vehicle repair shop use and accessory uses associated with the permitted uses listed in Section 31.2 of the Zoning By-law. The requested variances to permit the motor vehicle sales with accessory office, a motor vehicle repair shop and motor vehicle washing establishment (detailing) are not expected to negatively impact the uses of the lands as the M1 Zone permits motor vehicle repair uses and limited

retail and office uses in conjunction with such permitted uses. Limited motor vehicle sale uses and washing establishments may be considered as an extension of, or accessory to the auto repair use. The motor vehicle washing establishment (detailing) is proposed to be conducted in conjunction with motor vehicle repair and sales use. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requested to allow to allow 156 parking spaces on site, whereas the by-law requires 165 parking spaces parking spaces. The intent of regulating minimum parking requirements for industrial properties is to ensure that the site can accommodate the parking demand generated by the permitted uses on the property.

A parking memo was prepared by the applicant Mainline Planning for the onsite parking deficiency, dated February 11, 2025 (Appendix A). City staff reviewed the parking memo and found it to be satisfactory. The study concluded that the proposed total site parking supply will be sufficient to accommodate the parking demand for all uses that will operate in the existing building. The parking variance initially identified for the site was to allow 165 parking spaces on site, whereas the by-law requires 171 parking spaces. The applicant provided staff with the attached Use Allocation markup (Appendix B) and Parking Table Markup (Appendix B) which revised the required parking space count to 165. Overall, there are 170 parking spaces provided on site, of which 20 are proposed to be utilized for the outdoor display of motor vehicles. Traffic Services have reviewed the variance, memo and additional supporting material and have no objections to the parking variance. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit 0 stacking spaces for a motor vehicle washing establishment, whereas the by-law requires 10 car stacking spaces. The intent of the By-law in requiring 10 car stacking spaces is to accommodate the anticipated number of vehicles that would be used for an automated vehicle washing facility without disrupting the site's functionality.

The primary intended business operation for the building is for a motor vehicle sales company which offers servicing and detailing as an accessory business function. The applicant has indicated that the detailing function does not require stacking spaces and will operate within the confines of the building. This is an appointment-based service, meaning that multiple cars are not anticipated to be waiting on the property to access the service at any time, nor is the service automated. Variance 3 is considered to maintain the general intent and purpose of the By-law.

Variance 4 is requested to permit outside storage for the display of motor vehicles, whereas the by-law does not permit the use. The intent of the by-law in restricting the outside storage for the display of motor vehicles is to ensure that the prominent streetscape is not dominated by the displaying of vehicles and that there is adequate landscaping to provide an attractive streetscape.

The site plan attached to the Public Notice illustrates that approximately 20 parking spaces will be utilized for the outside display of vehicles along the east side of the property towards Ironside Drive. Through the Site Plan Approval process, staff will review the proposed outside motor vehicle display areas. that require the applicant to obtain site plan approval and the restriction on the number of motor vehicles being displayed, the requested variance conforms to the general intent and purpose of the Zoning By-law

3. Desirable for the Appropriate Development of the Land

Variances 1 and 3 relate to permitting a motor vehicles sales establishment with accessory Office, Motor vehicle repair shop and motor vehicle washing establishment (detailing) and stacking spaces. The form and configuration of the proposed development will continue to contribute to the efficient use of the lands and will support an existing major employment use within the City. The proposed development is not anticipated to compromise the existing surrounding area which primarily consists of commercial and light industrial uses as it maintains the general policies and provisions of the Official Plan and Zoning By-law. The applicant has provided a use allocation plan of the building which depicts where the uses will be functioning within the existing building. In regards to variance 3, the intended business operation motor vehicle detailing/ washing establishment will operate within the confines of the unit, it is not anticipated to affect the site's functionality or inhibit the functionality of neighbouring businesses. Variances 1 and 3 are considered to be desirable for the appropriate development of the land.

Variance 2 is requested to allow 156 parking spaces on site, whereas the by-law requires 165 parking spaces. The parking reduction was generated as a result of the proposed uses on site and the associated parking requirement rate as outlined in the City's Zoning By-law. The applicant has conducted and submitted a parking memorandum in support of the variance which has found to be satisfactory by staff. Subject to the recommended conditions, the proposed variance is desirable for the appropriate development of the land.

Variance 4 is requested to permit outside storage for the display of motor vehicles, whereas the by-law does not permit the use. The area in which the applicant has proposed the outside display of motor vehicles abuts an industrial In regards to this application, conditions of approval is recommended that only twenty (20) motor vehicle be permitted to be stored outside for sales and be limited to the display location shown on the sketch attached to the public notice or as approved during the Site Plan Application review.

4. Minor in Nature

Variance 1 is requested to permit motor vehicles sales establishment with accessory Office, Motor vehicle repair shop and motor vehicle washing establishment (detailing), whereas the by-law does not permit the use. The variance is not considered to significantly impact the use of the site and will continue to maintain the existing mixed-use area and employment function of the property. Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

The proposed parking reduction requested in Variance 2 represents 5% of the overall parking requirement for the property. Variance 4 is requested to permit the outside storage for the display of motor vehicles whereas the bylaw does not permit outside storage. The proposed variance is not anticipated to negatively impact the daily function and operation of the subject property or adjacent properties. Through the review of the Traffic/ Parking memo submitted by Mainline Planning, City Traffic Staff find that sufficient parking will be provided for both staff and visitors for the development. Subject to the recommended conditions of approval, Variances 2 and 4 is considered to be minor in nature.

Variance 3 is requested to permit 0 stacking spaces for a motor vehicle washing establishment. The business operation is limited to within the unit which will not impede the ongoing operation of the existing permitted industrial uses on site, nor will it create any adverse impacts to the surrounding area. Variance 3 is considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planner I



Memorandum

To: Huzefa Ansari
Traffic Planning Analyst, City of Brampton

From: Nicholas Moore
Junior Planner, Mainline Planning Services Inc.

Date: February 11, 2025

Subject: 180 Bovaird Drive W (A-2025-0007)

Comments:

The incoming business to 180 Bovaird Drive W is a motor vehicle sales company. The type of services provided by the business are car and light truck sales and servicing. The business hours of operation are 8am to 8pm.

The City of Brampton's Zoning Bylaw 270-2004, as amended, requires the following parking allocation
(Rates confirmed by Lesley Barbuto – Plans Examiner, City of Brampton on December 18th 2024):

Building	Use	Sqm (approx.)	Rate	Spaces Required
A	Showroom	1,393.5	1 / 23m ² GFA	60.59
	Office	464.5	1 / 30m ² GFA	15.48
	Repair Shop	696.8	1 / 18m ² GFA	38.71
	Servicing	260.1	5 parking + 10 stacking	5.00
	Tire / Rim Area	260.1	1 / 18m ² GFA	14.45
	Other (remaining area)	103.8	1 / 60m ² GFA	1.73
B	Industrial	2,051.7	1 / 60m ² GFA	34.20
TOTAL				170.16

The site will provide 165 parking spaces. As such, a minor variance is required to allow 165 parking spaces, whereas the Bylaw requires 171 parking spaces (a 4% [6 parking spaces] reduction).

The dealership will provide a repair service for their customers as an accessory to their primary business function, which is to sell cars.

cc: Lesley Barbuto (Plans Examiner, City of Brampton)
Megan Fernandes (Planner I, City of Brampton)
Allan Parsons, MCIP, RPP (Director of Planning, City of Brampton)
Joseph Plutino, MCIP, RPP (Principal, Mainline Planning Services Inc.)

Fernandes, Megan

From: Nicholas Moore <NMoore@mainlineplanning.com>
Sent: 2025/02/12 2:19 PM
To: Ansari, Huzefa; Joe Plutino; Fernandes, Megan; Parsons, Allan
Cc: Hemon-Morneau, Francois; COA; Barbuto, Lesley
Subject: RE: [EXTERNAL]180 Bovaird Dr W - A-2025-0007

Hi Huzefa,

Thank you for your questions.

The repair facility will have at least 4 bays for service. As repairs will mostly be for customers and cars that are to be sold, they will be conducted by appointment, so there will be NO additional outside storage.

There is a showroom that will accommodate approximately 50-70 cars, lessening the need to occupy parking spaces.

The business will have approximately 10-15 employees present on site at any given time. The business will operate on an appointment basis but is accepting of walk-ins.

In summary, cars for sale are displayed indoors and outdoors. Approximately 50-70 cars are stored indoors on the sales floor plus 4 bays for servicing. After servicing, cars are immediately dispatched to the customer. The repairs are accessory to the dealership.

Thank you,

Nicholas Moore
Junior Planner
mainline planning services inc.
P.O. Box 319 | Kleinburg, Ontario | L0J 1C0

office: 905-893-0046 x235
fax: 888-370-9474

Office Hours: Monday to Friday – 8:30am to 4:30pm

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From: Ansari, Huzefa <Huzefa.Ansari@brampton.ca>

Sent: February 11, 2025 11:07 AM

To: Nicholas Moore <NMoore@mainlineplanning.com>; Joe Plutino <jplutino@mainlineplanning.com>; Fernandes,

Megan <Megan.Fernandes@brampton.ca>; Parsons, Allan <Allan.Parsons@brampton.ca>

Cc: Hemon-Morneau, Francois <Francois.HemonMorneau@brampton.ca>; COA <coa@brampton.ca>; Barbuto, Lesley <Lesley.Barbuto@brampton.ca>

Subject: RE: [EXTERNAL]180 Bovaird Dr W - A-2025-0007

CAUTION: This email originated from a sender outside of Mainline Planning. Do not click this, open attachments or respond unless you recognize the sender and know the content is safe.

Good morning Nicholas,

Thank you for sending me the letter,

Can you clarify the number of staff present on-site at any given time? Will the business operate on an appointment basis, or will it allow walk-ins? Are the cars for sale stored inside the building or outdoors? Additionally, after servicing, are the vehicles kept on-site for a period, or are they dropped off immediately? Lastly, how many cars can be stored inside the building for servicing?

Please let me know if you have any questions or concerns.

Kind Regards,

Huzefa Ansari

Traffic Planning Analyst

Road Maintenance, Operations & Fleet, Public Works and Engineering

City of Brampton

T: (905)874-3452

M: (437)244-9552

huzefa.ansari@brampton.ca



From: Nicholas Moore <NMoore@mainlineplanning.com>

Sent: 2025/02/11 10:17 AM

To: Ansari, Huzefa <Huzefa.Ansari@brampton.ca>; Joe Plutino <jplutino@mainlineplanning.com>; Fernandes, Megan <Megan.Fernandes@brampton.ca>; Parsons, Allan <Allan.Parsons@brampton.ca>

Cc: Hemon-Morneau, Francois <Francois.HemonMorneau@brampton.ca>; COA <coa@brampton.ca>; Barbuto, Lesley <Lesley.Barbuto@brampton.ca>

Subject: RE: [EXTERNAL]180 Bovaird Dr W - A-2025-0007

Good morning Hufeza,

Please find attached the memo you requested regarding 180 Bovaird Dr W.

Kindly let me know if you are satisfied with the attached or have any questions.



NEWPORT
 180 Bovaird Dr W
 File #: XX.

Parking Table

Updated: Mar 27, 2025

Building	Use	Sq.ft (approx.)	Sq.m (approx.)	Rate	Spaces Required
A	Showroom	15,000	1,393.5	1 / 23m ² GFA	60.59
	Office	5,000	464.5	1 / 30m ² GFA	15.48
	Body Shop	7,500	696.8	1 / 18m ² GFA	38.71
	Detailing	2,800	260.1	5 parking + 10 stacking	5
	Tire / Rim Area	2,800	260.1	1 / 18m ² GFA	14.45
	Other (remaining space not listed in markup)	1,117	103.8	1 / 60m ² GFA	1.73
B	Office	2,208	205.1	1 / 31m ² GFA	6.62
	Industrial	19,876	1,486.6	1 / 91m ² GFA	20.29
TOTAL					162.87

- CLF DENOTES CHAIN LINK FENCE
- DT DENOTES DECIDUOUS TREE
- CTF DENOTES CONIFEROUS TREE
- LSL DENOTES LIGHT STANDARD CONCRETE
- CB DENOTES CATCHBASIN
- MH DENOTES MANHOLE
- MV DENOTES WATER VALVE
- FH DENOTES FIRE HYDRANT
- UP DENOTES UTILITY POLE
- OW DENOTES MANHOLE WATER
- BB DENOTES BELL BOX
- SI DENOTES SIGN
- MV DENOTES GAS VALVE
- FIOL DENOTES DRAIN INLET (PVC)
- TS DENOTES TRAFFIC SIGNAL

LAND USE SCHEDULE

TOTAL SITE AREA:	= 16,485.9 sq.m. (100.0%)
TOTAL BUILDING ENVELOPES:	= 5,230.5 sq.m. (31.7%)
BUILDING 'A':	= 3,178.8 sq.m.
BUILDING 'B':	= 2,051.7 sq.m.
TOTAL LANDSCAPED AREA:	= 832.0 sq.m. (5.0%)
TOTAL ASPHALT GRAVEL AREA:	= 10,423.4 sq.m. (63.3%)
BUILDING HEIGHT:	= ±5.6 m (ONE STOREY)
GARBAGE:	= STORED INDOORS
REQUIRED PARKING:	= 171 TOTAL (INC. 6 ACC. SP.)
PROVIDED PARKING:	BLDG (A): 1 / 23 sq.m. = 128
	BLDG (B): 1 / 60 sq.m. = 35
	= 155 TOTAL (INC. 6 ACC. SP.)
EXISTING ZONING:	= M1A-160 (INDUSTRIAL ONE)
PROPOSED ZONING:	= M1A-160 (INDUSTRIAL ONE)
USE OF BUILDING 'B':	= SUPPLIER OF STONE FOR CONSTRUCTION OF BUILDINGS
EXISTING USE OF BUILDING 'A':	= WAREHOUSE INCL. ACCESSORY RETAIL
PROPOSED USE OF BUILDING 'A':	= MOTOR VEHICLE SALES ESTABLISHMENT INCL. ACCESSORY MOTOR VEHICLE REPAIR SHOP
ADJACENT USE OF LAND:	= SEE PLAN

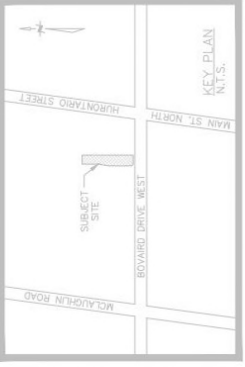
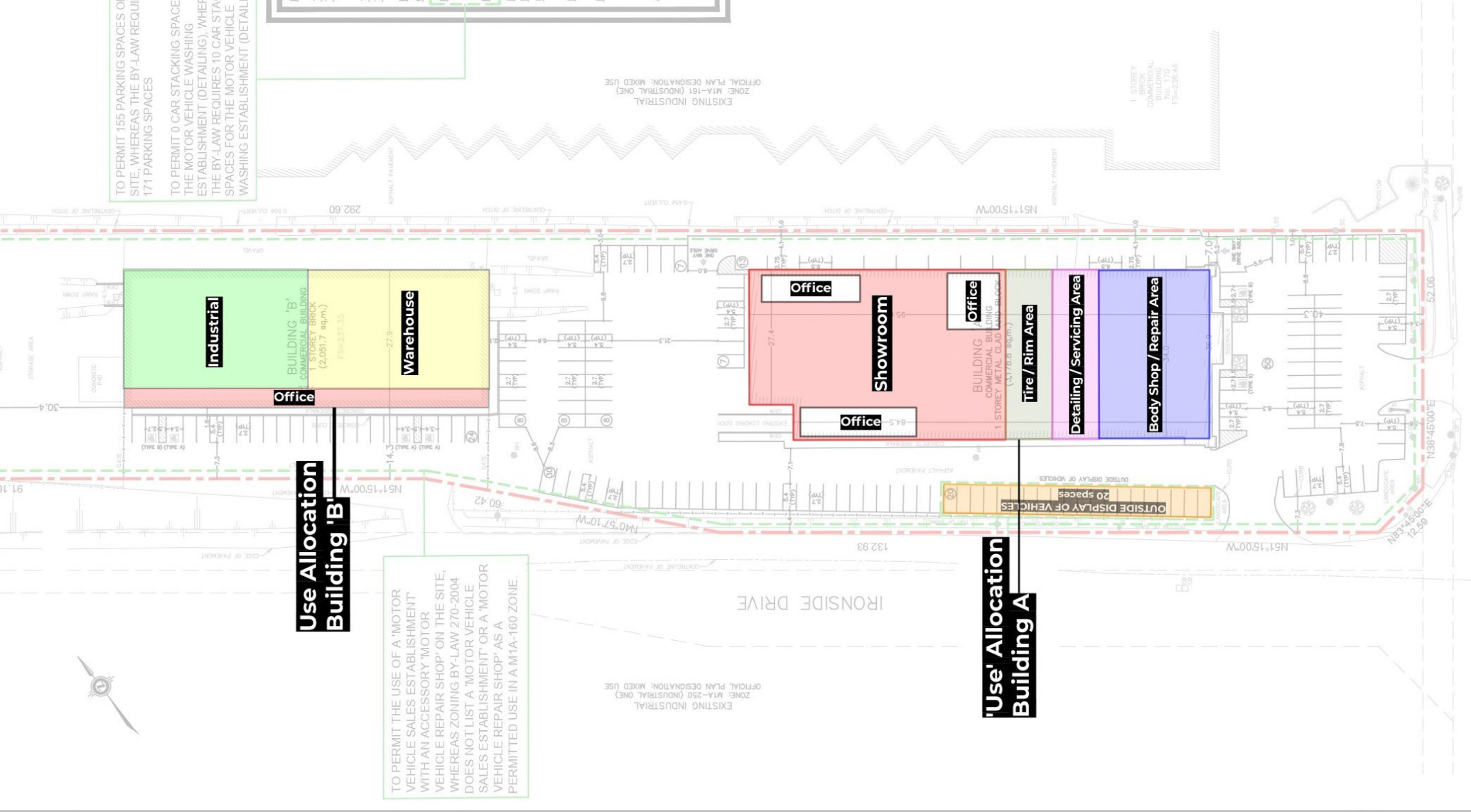
TO PERMIT 155 PARKING SPACES ON SITE, WHEREAS THE BY-LAW REQUIRES 171 PARKING SPACES

TO PERMIT 0 CAR STACKING SPACES FOR THE MOTOR VEHICLE WASHING ESTABLISHMENT (DETAILING), WHEREAS THE BY-LAW REQUIRES 10 CAR STACKING SPACES FOR THE MOTOR VEHICLE WASHING ESTABLISHMENT (DETAILING)

TO PERMIT THE USE OF A 'MOTOR VEHICLE SALES ESTABLISHMENT' WITH AN ACCESSORY 'MOTOR VEHICLE REPAIR SHOP' ON THE SITE, WHEREAS ZONING BY-LAW 270-2004 DOES NOT LIST A 'MOTOR VEHICLE SALES ESTABLISHMENT' OR A 'MOTOR VEHICLE REPAIR SHOP' AS A PERMITTED USE IN A M1A-160 ZONE.

'Use Allocation Building 'B'

'Use Allocation Building A'



LEGAL DESCRIPTION
 PART OF LOT 11, CONCESSION 1
 WEST OF HURONTARIO STREET
 CITY OF BRAMPTON
 REGIONAL MUNICIPALITY OF PEEL

NOTE:
 ALL SURVEY INFORMATION PROVIDED BY THAM SHAMUGARAJAH SURVEYING LTD., ONTARIO LAND SURVEYORS
 4101 WESTON ROAD, UNIT 1 TORONTO, ONTARIO, M8L 1W8

NO.	DATE	DESCRIPTION	BY
1	SEP-24	ISSUED FOR MUNICIPAL APPROVAL	J.P.P.

mainline
 planning services inc.

PH (905) 893-0046 FAX (888) 370-9474
 P.O. BOX 319, KLEINBURG, ONTARIO, L0J 1C0

DRAWING TITLE	MINOR VARIANCE APPLICATION
PROJECT	180 BOYVARD DRIVE BRAMPTON, ONTARIO
DEVELOPER/OWNER	

EXISTING INDUSTRIAL
 ZONE: M1A-161 (INDUSTRIAL ONE)
 OFFICIAL PLAN DESIGNATION: MIXED USE

1 STOREY
 BRICK
 COMMERCIAL
 BUILDING
 No. 170
 FS-235-48