



## Report Committee of Adjustment

**Filing Date:** April 22, 2025

**Hearing Date:** May 27, 2025

**File:** A-2025-0041

**Owner:** 1534738 Ontario Inc. c/o Lakhbir Singh Nirwan  
**Applicant:** Pavneet Kaur (Noble Prime Solutions Ltd.)

**Address:** 142 Kennedy Road South

**Ward:** WARD 3

**Contact:** Shiza Athar, Planner I

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### **Recommendations:**

That application A-2025-0041 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 or as modified through an Approved Site Plan;
  2. That a site plan application shall be submitted within 90 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services; 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 One – Special Section 3445 (M1-3445)', according to By-law 270-2004, as amended.

#### Requested Variance:

The applicant is requesting the following variance:

1. To allow uses permitted in the Service Commercial zone within 109 metres of the front lot line, whereas the by-law permits Service Commercial uses within 50 metres of the front lot line.

## **Current Situation:**

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

The subject property is designated 'Business Corridor' (Schedule A – General Land Use Designations) in the 2006 Official Plan and further designated 'Mixed Commercial/ Industrial' in the Kennedy Road South Secondary Plan (Area 54).

The 'Business Corridor' designation permits a broad range of employment and employment-related uses. Furthermore, the Mixed Commercial / Industrial designation under the Secondary Plan permits a range of service commercial and light industrial uses such as office uses, accessory retail and restaurants. There are also prohibitions on new motor vehicle repair, service, body shop and sales establishments. There are also no warehouse distribution centres permitted.

The property is designated as 'Employment Areas' (Schedule 1A – City Structure) and it is designated 'Mixed-Use Employment' (Schedule 2 – Designations) in the 2024 Brampton Plan. On May 16, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, formally known as the 'Brampton Plan.' The Plan was scheduled to take effect on June 6, 2024, except for any sections that may be subject to appeal. Schedule 1A and 2 have been appealed on a city-wide basis and therefore the 2006 Official Plan designations remain in effect until the appeal is resolved.

The requested variance is intended to facilitate the Service Commercial (SC) uses within all units of the building. The requested variances are compatible within the context of the policies of the Official Plan and Secondary Plan, and they maintain the general intent and purpose of the Official Plan.

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

The subject property is zoned 'Industrial One – Special Section 3445 (M1-3445)', according to By-law 270-2004, as amended. This zoning allows a broad range of light industrial uses, as well as Service Commercial uses through the Special Section, however, limits those Service Commercial uses to within 50 metres of the front lot line. The applicant is requesting a variance to allow these uses to extend up to 109 metres of the front lot line. Since Service Commercial uses are already permitted under the existing zoning, the variance simply expands the area in which they are proposed in order to fully utilize the existing building. It is not anticipated that the proposed change will have any adverse impact on surrounding businesses or properties. 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**

The minor variance application seeks to allow the Service Commercial uses to extend further into the property for full utilization of the existing building without altering the character of the area or causing any adverse impact to the site. As the proposed uses are already permitted under the zoning, the change is not considered significant. Subject to the recommended conditions, the proposed variance is desirable for the appropriate development of the land.

#### 4. Minor in Nature

The proposed variance does not change the range of permitted uses and no exterior modifications to the existing building are proposed. As such, it is not anticipated to negatively impact the adjacent properties given the location on subject lands. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

*Shiza Athar*

Shiza Athar, Planner I