



## Report Committee of Adjustment

**Filing Date:** April 24<sup>th</sup>, 2025  
**Hearing Date:** May 27<sup>th</sup>, 2025

**File:** A-2025-0044

**Agent:** Ware Malcomb - Valentin Hortiguella  
**Owner:** Tak Investments Inc.

**Address:** 14 Abacus Rd

**Ward:** Ward 8

**Contact:** Marina Shafagh, Planner I, Development

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### Recommendations:

That application A-2025-0044 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the revised sketch attached as Appendix B;
  2. That a total of 116 parking spaces be approved;
  3. That a minimum landscaped open space buffer of 3.0 metres be approved;
  4. That drainage on adjacent properties shall not be impacted;
  5. That the owner finalize site plan approval under City File SPA-2024-0145, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
  6. That the amount of glazed openings on the wall facing the side yard setback will be restricted based on the limiting distance as defined in the Ontario Building Code and is required to conform to Div. B 9.10.15.4 of the OBC; and
  7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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## **Background:**

The current Minor Variance application is associated with a concurrent Site Plan Approval Application File No. SPA-2024-0145, which proposes a three-storey office addition to an existing single-storey industrial/commercial building. The proposal has resulted in five (5) minor variances being requested, as discussed in this report. Planning staff note that through discussion with the applicant, the site plan was revised to provide a larger landscape buffer in the rear yard of the property. This has resulted in a change in scope of the requested variances No. 3 and 5, as discussed in the following.

### Existing Zoning:

The property is zoned 'Industrial (M1) - Special Section 1536 (M1)', according to By-law 270-2004, as amended.

### Requested Variances:

The applicant is requesting the following variances:

1. To permit an office building addition, having a building height of 13.26m, whereas the by-law permits a maximum building height of 10.00 m.
2. To permit a lot coverage of 36.7 %, whereas the by-law permits a maximum lot coverage of 35%.
3. To permit a total of 119 parking spaces, whereas the by-law requires a minimum of 133 parking spaces. *Please note that due to revisions to the site plan (Appendix B), the requested number of parking spaces has been changed to 116.*
4. To permit a total of 1 loading space, whereas the by-law requires a minimum of 2 loading spaces for a building having a floor area of over 280 up to 7,450 sqm.
5. To vary Schedule 'C' - Section 1536 of the by-law to permit the landscape open space as per the site plan attached to the public notice (0.38m in the rear yard), whereas the by-law requires 7m of landscape open space located in accordance with Schedule 'C' - Section 1536. *Please note that due to the revisions to the site plan (Appendix B), the landscape open space buffer was increased to 3 meters.*

## **Current Situation:**

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

The subject property is designated 'Business Corridor' under the 2006 Official Plan (OP 2006) and 'Mixed-Use Employment' in the Brampton Plan (2024). It is further designated 'Mixed Commercial/Industrial' under the Bram East Secondary Plan (Area 41). 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 requested variances due to the addition of office space are not considered to have significant impacts within the context of the Official Plan policies. The proposal aligns with the objectives of the Employment Area designations by supporting job creation, modernizing built form, and promoting more efficient use of employment lands. The proposed office addition contributes to economic development within a designated employment 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 subject property is zoned Industrial Three A (M3A) – Special Section 2544 (M3A-2544) in accordance with Zoning By-law 270-2004, as amended.

Variance 1 is requested to permit a building height of 13.26 metres, whereas the by-law permits a maximum height of 10.00 metres. The intent of this height restriction is to ensure compatibility with adjacent buildings and land uses by regulating the overall scale and massing of development. The site is located within a Mixed-Use Employment area, where surrounding properties are primarily industrial or commercial. The proposed height maintains consistency with the existing built form and does not introduce abrupt transitions in scale. The massing of the proposed addition is appropriate for the site and surrounding context, and it will not result in visual or functional conflicts.

Variance 2 is requested to permit a lot coverage of 36.7%, whereas the by-law permits a maximum of 35%. The purpose of the maximum lot coverage requirement is to ensure that sufficient space remains on-site for parking, circulation, landscaping, and servicing. The proposed increase is minor in nature and does not compromise the functionality of the site. All essential operational requirements are met, and the increase supports the efficient and modern use of employment lands.

Variance 3 is requested to permit a total of 116 parking spaces, whereas the by-law requires a minimum of 133 spaces. Parking requirement standard is intended to ensure that sufficient on-site parking is available for employees, customers, and visitors. A parking study submitted by the applicant was reviewed by traffic staff, and they found the proposed supply of 116 spaces to be acceptable based on the anticipated demand and operational needs of the proposed office addition.

Variance 4 is requested to permit 1 loading space, whereas the by-law requires a minimum of 2 loading spaces for a building with a floor area between 280 m<sup>2</sup> and 7,450 m<sup>2</sup>. From a traffic perspective, the office component does not generate significant loading demand. The traffic comments indicate one loading space is sufficient to accommodate the operational needs of the site.

Variance 5 is requested to vary Schedule 'C' – Section 1536 of the Zoning By-law to permit 3.0 metres of landscaped open space in the rear yard, whereas the by-law requires 7.0 metres. The rear yard abuts the Claireville Conservation Area, and the City's Heritage and Open Space staff have advised that a 3.0 metre buffer is acceptable and provides a reasonable balance between environmental protection and site functionality. The applicant has revised the site plan to accommodate this buffer. The intent of the landscaped open space requirement is to provide a physical and visual buffer between the built form and adjacent uses or natural areas, while supporting stormwater management and drainage. The proposed buffer fulfills these objectives.

As such, and subject to the recommended conditions of approval, the proposed variances are considered to maintain the general intent and purpose of the Zoning By-law.

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

The proposed variances facilitate the redevelopment of an underutilized employment site through the construction of a three-storey office addition. The five requested variances are considered desirable, as they enable efficient and appropriate development without compromising the functionality, safety, or compatibility of the site. The increased building height allows for intensification in a manner that is consistent with the surrounding built form and does not create adverse impacts. The modest increase in lot coverage maintains adequate space for circulation, landscaping, and servicing, while promoting compact and efficient land use. The reduction in parking is supported by a parking study and the request for one loading space is appropriate given the low-intensity nature of office operations, and will not impair site functionality. Variance 5 to allow a 3.0 meter landscaped buffer in the rear yard was reviewed by Heritage and Open Space staff and was deemed acceptable. The revised buffer offers an appropriate balance between environmental protection and site design.

Overall, the site layout continues to accommodate all necessary elements such as landscaping, access, circulation, servicing, and without compromising safety and operational needs. As such, subject to the recommended conditions of approval, the variances are considered desirable and appropriate for the development and use of the land, building, and structure.

### 4. Minor in Nature

The proposed variances are not anticipated to result in any negative impacts on adjacent properties or the broader community and are considered minor in nature. The increased building height and lot coverage are proportionate to the scale and function of the site and are consistent with surrounding employment uses. The reductions in parking and loading spaces have been reviewed and supported by City traffic staff. Regarding the variance 5, the 3 meters of buffer has been reviewed by Heritage and Open Space staff and was deemed to be sufficient. As such, subject to the recommended conditions of approval, the variances are considered appropriate and minor in nature.

Respectfully Submitted,

*Marina Shafagh*

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Marina Shafagh  
Planner I, Development

Appendix A

