

APPLICATION # A-2021-0014
WARD #3

DEFERRED APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **250955 ONTARIO INC.** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 1, Concession 2 EHS, Part 1, Plan 43R-1794 municipally known as **15 HALE ROAD**, Brampton;

AND WHEREAS the applicant is proposing a vehicle impound facility (a permitted use) and is requesting the following variance(s):

1. To permit a lot area of 1550 square metres whereas the by-law requires a minimum lot area of 1800 square metres for a vehicle impound use;
2. To permit 8 parking spaces whereas the by-law requires a minimum of 17 parking spaces.

OTHER PLANNING APPLICATIONS:

The land which is subject of this application is the subject of an application under the Planning Act for:

Plan of Subdivision: _____	NO	File Number: _____
Application for Consent: _____	NO	File Number: _____

The Committee of Adjustment has appointed **TUESDAY, June 22, 2021 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

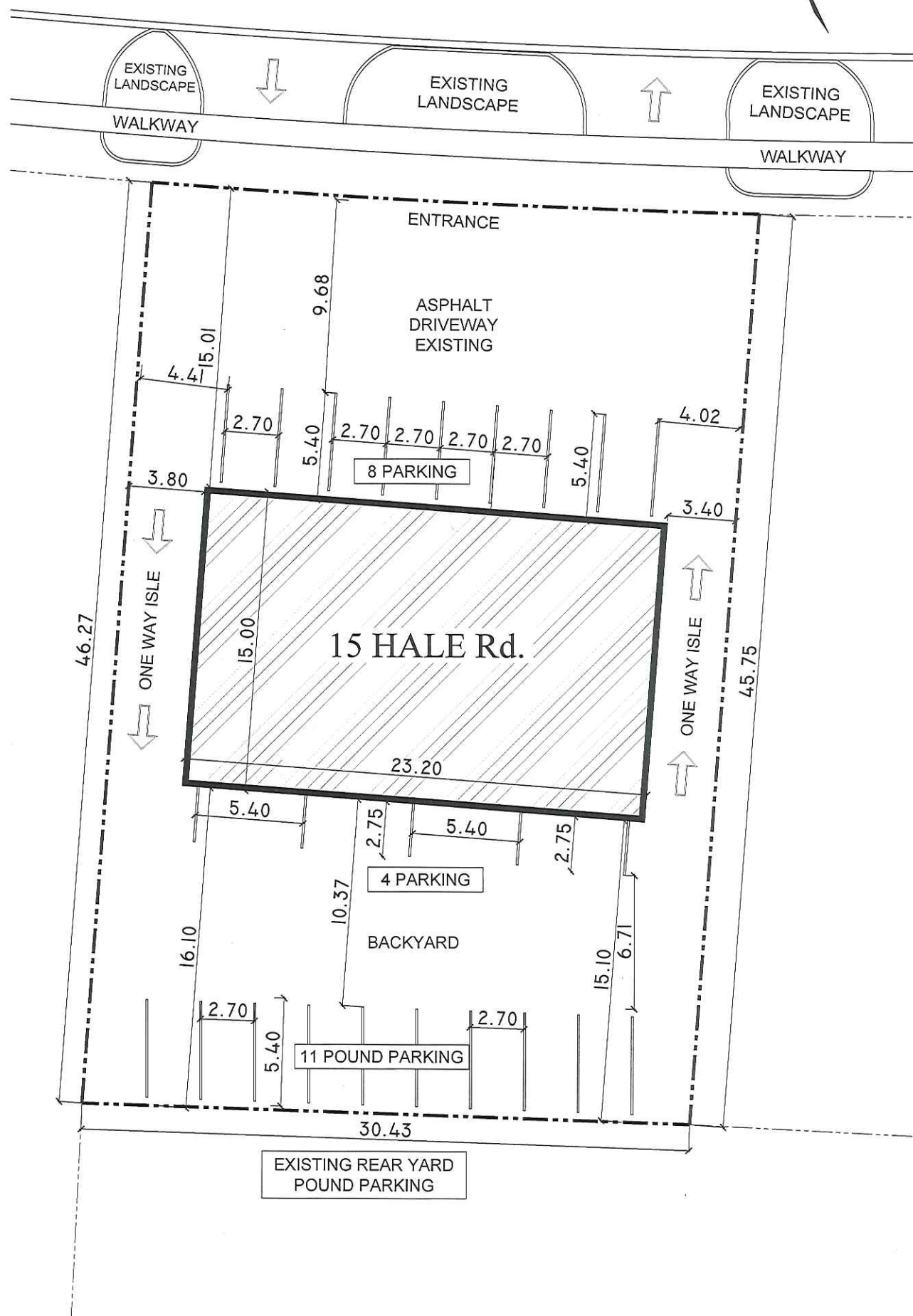
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 10th day of June, 2021.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer
Committee of Adjustment, City Clerk's Office,
Brampton City Hall
2 Wellington Street West,
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117
Fax: (905)874-2119
jeanie.myers@brampton.ca

1. Do Not Scale Drawings
2. These Plans Are For Preliminary Design Purposes Only



15 Hale Road, Brampton, ON
Proposed Parking Plan

Harper Dell & Associates Inc.
Planning, Traffic, Parking and Land
Development Consulting
1370 Hurontario St.
Mississauga, ON, L5G 3G4

File No. A-2021-0014

Date: May 30, 2021

Scale: 1:200

SP

Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

**Electronic Hearing Procedures
How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committees are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

How to Participate in the Hearing:

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, June 17, 2021**.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm, Friday, June 18, 2021**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Friday, June 18, 2021**. City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

May 21st 2021

City of Brampton
Public Works & Engineering
1975 Williams Parkway
Brampton, ON
L6S 6E5

Parking Rationale Report
15 Hale Rd. A-2021-0014

By: Harper Dell & Associates Inc.

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1. INTRODUCTION

Harper Dell & Associates Inc. has been retained by the property owner of 15 Hale Rd. to represent and provide evidence to justify a parking deficit created by the ostensibly proposed occupancy of an Impound Facility within an existing Auto Repair, under Minor Variance File: A-2021-0014. The facility was already in full operation in this capacity.

This parking assessment includes the following:

- A review of site location, proposed development, land uses / programs and purpose for undertaking a parking study.
- Results of two consecutive weeks, two days per week, of parking utilization surveys, conducted on-site during peak traffic and operational hours designed to provide a sample of typical parking demands for the existing uses on-site.
- Justification and carefully inferred conclusions from survey data, that the proposed Impound Facility parking demand can be comfortably accommodated with the practice of on-site, typical operation today.

The City of Brampton's Transportation Planning Analyst, Smeeta Adiga was contacted to discuss the project's terms of reference.

2. SITE LOCATION & SURROUNDING ISSUES

The site, shown in Figure 1, is located on the west side of Hale Rd., one property north of the intersection of Bramsteele Rd. and Hale. The site is currently operating in the full capacity of an impound and auto-repair garage. Due to COVID-19, insurance companies are tightening up their paperwork and justification requirements on companies who previously towed cars without a formal zoning certificate.

Thus, this property has been towing and repairing auto-collisions and malfunctioning cars for years, but because insurance companies did not start observing the requirement of a zoning certificate until 2021 my client is now before the Committee.

The current approved Use is for auto-repair. As per Figure 1, the site has a total of 21 parking spaces with two drive aisles on either side of the building, measuring approximately 3.4m, respectively.

3. PROPOSED DEVELOPMENT

The proposed occupancy of a Vehicle Impound facility will make use of the existing unit located within a one storey building entirely. No additional floor area will be dedicated to the administration or parking requirements of this Use in practice. No interior alterations are required.

The proposed unit is currently occupied and in full operation, and was at the time of survey. No portion of the facility was vacant. Fortunately for this study, the proposed Use was operational during the survey, providing adequate insight into the operational nature of the business. Regular operating hours and impact of parking flowed continually without any congestion near or in front of the existing and surrounding businesses.

The site has two accesses, the northerly one can be accessed by driving southbound on Hale road. The southerly access is accessed by driving northbound on Hale Rd. During the course of the study, there was a security fence protecting each entrance, only one of which was left open for cars to drive in and out.

4. AUTOMOBILE IMPOUND FACILITY

Below are the following excerpts from Section 30 and Section 5, respectively, of the Zoning Bylaw:

30.14 Automobile Impound Facilities

Within the area bounded Queen Street, Highway 410, Steeles Avenue, and Kennedy Road, an automobile impound facility shall be permitted subject to the following criteria:

- (a) the site is zoned of a zoning category of Industrial M2 or its subsection;
- (b) there is a permanent building on the site;
- (c) the site has a minimum lot area of 1800 square metres;
- (d) a minimum of 5 public parking spaces is provided on the site;
- (e) the pound area is screened from streets, open space, and properties not zoned to permit outside storage with an opaque fence; and
- (f) a minimum 3 metre wide landscaped strip is provided abutting a public street except at approved access locations.

AUTOMOBILE IMPOUND FACILITY shall mean a place operated by or under an agreement with a public authority for the storage of automobile vehicles, which have been seized pursuant to the power of the public authority and may include a collision-reporting centre.

The assumption for the operation of an Automobile Impound Facility can be reasonably inferred to already impact the subject site. The operation has continued as an auto-collision response facility for some time, however COVID-19 has caused insurance agencies to enforce stricter definitions for insurance policy.

The subject site is not proposed to change one iota as a result of this variance approval, and the parking demand thereof can be assessed based on the existing number of parking.

5. SURVEY METHODOLOGY

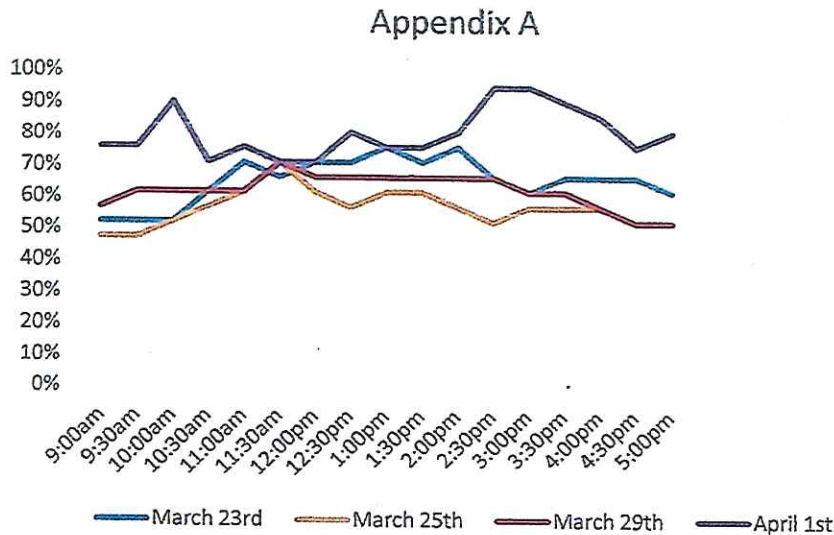
Harper Dell & Associates Inc. conducted parking utilization surveys to record auto parking demands over four days total, and is summarized as follows:

- Two Consecutive weeks totaling four survey days: on Tuesday & Thursday, March 23rd & 25th, and 29th & April 1st.
- Conducted during the hours of 9:00 a.m. to 5:00 p.m. at regular 30 minute intervals (to capture activity during peak hours of average business operation).
- Recorded the number of vehicles parked at the lot, noted any illegal parking, and any spill-over parking (on adjacent lots or streets).

The hours of 9 a.m. – 5 p.m. were used because that is the typical operating hours of peak traffic in Brampton writ large; vehicles requiring impound and repair are most often needed during the peak driving hours of the work day.

This procedure was formed through discussions with Staff to represent the typical day of parking demands that this property is subject to.

6. PARKING SURVEY RESULTS



The results from the four days of surveys show that the peak parking demand was on Thursday April 1st between 2:30 – 3:00 p.m. at 20 spaces occupied out of the 21 provided (totaling 95%). For the other survey days, peak demand ranged from 48 – 90% spaces occupied max.

Two vehicles were parked illegally due to 5 min deliveries and pick-up and drop off scenarios. No off-site parking of vehicles was observed during the four days of surveying.

7. Minor Variance: Bylaw Context

Minor Variance Request A-2021-0014 is two-fold:

1. To permit a lot area of 1550 square metres whereas the by-law requires a minimum lot area of 1800 square metres for a vehicle impound use;
2. To permit 8 parking spaces whereas the by-law requires a minimum of 17 parking spaces.

The entirety of the 11 parking spaces along the rear lot line have been dedicated to the impound and repair facility's temporary storage requirements. The rear parking area is currently housing the impounded vehicles parking stalls, and is dimensioned and labeled as such on Figure 1.

The bylaw assumes that the rear area parking is to be *deducted* from the overall parking on-site, hence the request for 8 spaces provided whereas this study counted the total on-site parking provided as 21. As such, this data can be read as having a constant parking occupation of 10 cars that were seldom cycled through this lot due to the impound operation.

8. SUMMARY & CONCLUSION

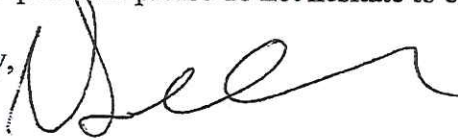
Despite the theory of reduction for the proposed Impound Use, the practice of parking onsite demonstrates that there is adequate parking. As can be interpreted from the Survey Data provided, the site was never at full capacity during site visits. An inconsistent, peak trend can be seen after the lunch-time rush hours on Thursdays, but no other datum suggests congestion to the degree that the variance required for parking is not minor in nature.

As is the case with motor vehicles Uses in general, much of the requirements for parking spaces are taken up by temporary, over-night parking for repairs and parts delivery. Despite the occupying of these 10 spaces on a regular basis, the remaining parking spaces on site were adequate to demonstrate that the existing impound facility has been operating peacefully for the past several years.

By applying the existing parking demands surveyed over the course of two consecutive weeks, it is this author's opinion that the theoretical introduction of an Impound Facility within the existing operation of motor-vehicle repair is sufficient to justify the assumed additional spaces required.

We trust that the enclosed package meets all necessary standards, and should you have any further questions please do not hesitate to contact our offices for clarification.

Yours truly,



—
Nicholas H. Dell B.A.H.
Principal
Parking & Urban Planning Consultant

15 Hale Rd.

	Tuesday March 23 rd	Thursday March 25 th	Tuesday March 29 th	Thursday April 1 st
9:00a.m.	11	10	12	16
9:30a.m.	11	10	13	16
10:00a.m.	11	11	13	19
10:30a.m.	13	12	13	15
11:00a.m.	15	13	13	16
11:30a.m.	14	15	15	15
12:00p.m.	15	13	14	15
12:30p.m.	15	12	14	17
1:00p.m.	16	13	14	18
1:30p.m.	15	13	14	16
2:00p.m.	16	12	14	17
2:30p.m.	14	11	14	20
3:00p.m.	13	12	13	20
3:30p.m.	14	12	13	19
4:00p.m.	14	12	12	18
4:30p.m.	14	11	11	16
5:00p.m.	13	11	11	17

30 min. Interval On-site Parking Counts

Total Provided Parking: 21 spaces

Use: Auto-Repair & Proposed Impound

Notes: long term parking for drop offs
3 in and out tow trucks

11 long term cars



HeyConex Group Inc.

416 854 3761

GENERAL NOTES:

1. Drawings are meant to be read, and not scaled
2. Dimensions to be verified on site
3. Contractors must check and verify all dimensions and report discrepancies to the Project Coordinator before commencing with work
4. All drawings remain the property of HeyConex and shall not be reproduced or reused without written consent.

NO	REVISION	DATE APPROV

OWNER INFORMATION

PROJECT ADDRESS

15 Hale Rd
Brampton, ON L6W 3J9

PROJECT NAME:

SITE PLAN

SEAL

SEAL

SHEET NAME

DRAWN BY:
ALI A.

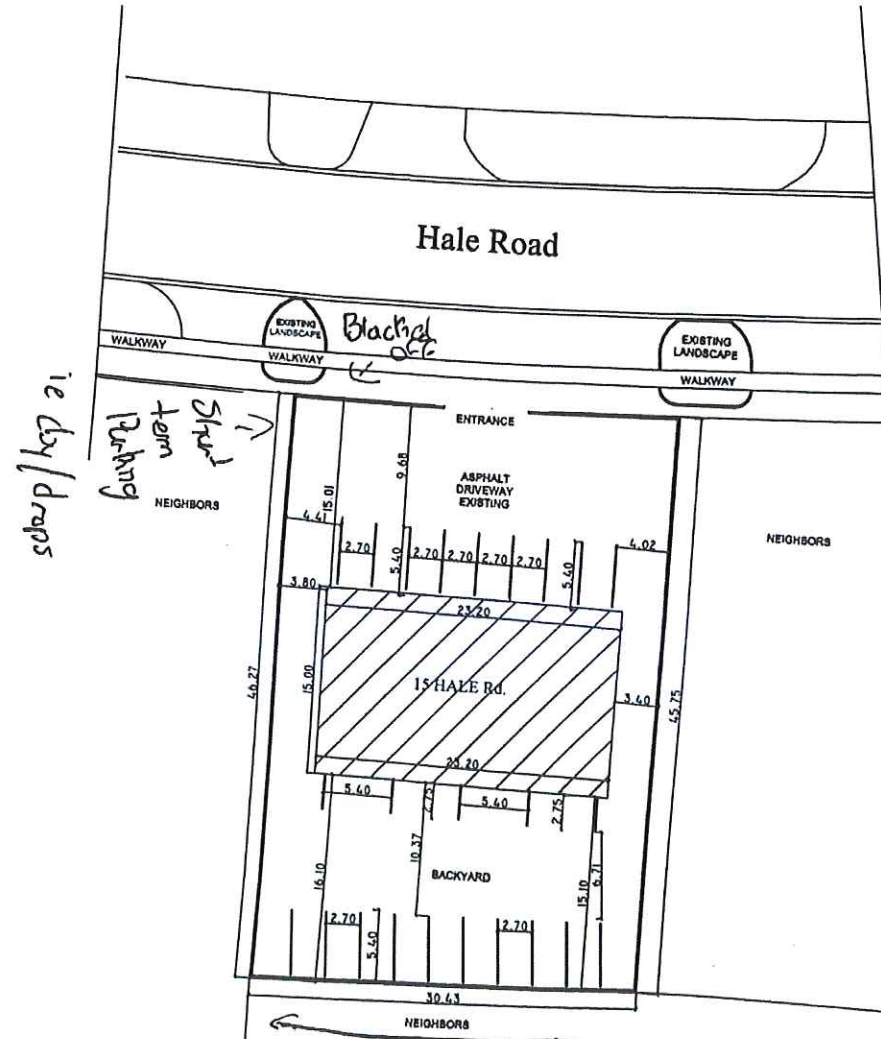
CHECKED BY:
OMAR

DATE: JAN 2011

SHEET NO.

REVISION

SCALE: AS NOTED

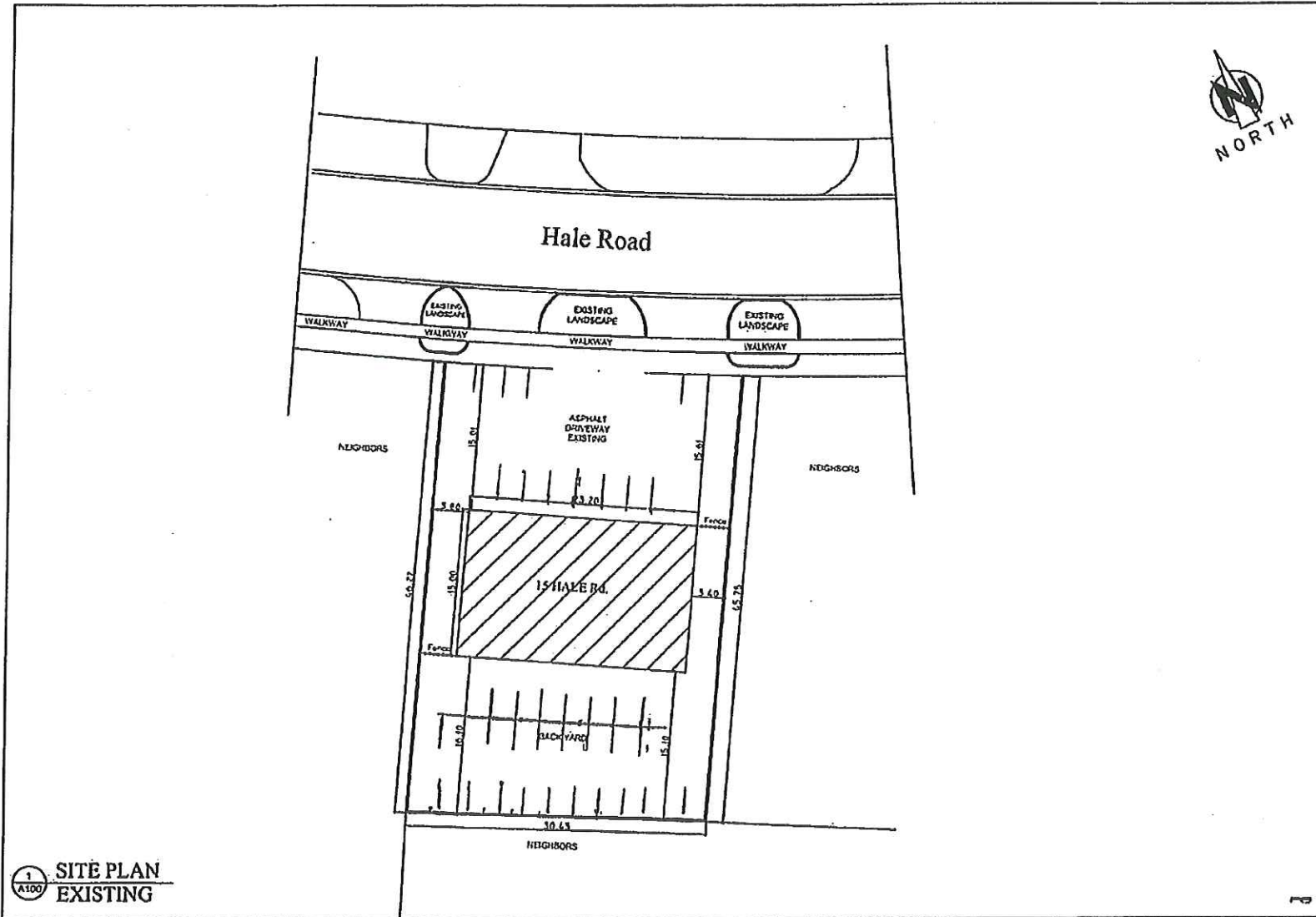


ie day/drops
Short
term
Parking

long term parking
ie Repairing/long term Cars
Impound Location (existing)

1 SITE PLAN
A100 EXISTING

SCALE AS NOTED



1 SITE PLAN
A100 EXISTING



HeyConex Group Inc.
416 854 3761

GENERAL NOTES:

1. Drawings are meant to be read, and not scaled.
2. Dimensions to be verified on site.
3. Contractors must check and verify all dimensions and report discrepancies to the Project Coordinator before commencing with work.
4. All drawings remain the property of HeyConex and shall not be reproduced or reused without written consent.

NO	REVISION	DATE

OWNER'S SIGNATURE

PROJECT ADDRESS

15 Hale Rd
Brampton, ON L6W 3J9

PROJECT NAME

SITE PLAN

SEAL

SEAL

SHEET NAME

DRAWN BY
ALIA

CHECKED BY
OMAR

DATE: JAN 2021

SHEET NO

REVISIONS

SCALE: AS NOTED

AMENDMENT LETTER

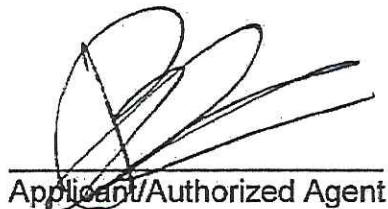
February 24, 2021

To: Committee of Adjustment


RE: APPLICATION FOR MINOR VARIANCE
2509555 ONTARIO INC.
PART OF LOT 1, CONCESSION 2 EHS
A-2021-0014 – 15 HALE ROAD
WARD 3

Please **amend** application **A-2021-0014** to reflect the following:

1. To permit a lot area of 1550 square metres whereas the by-law requires a minimum lot area of 1800 square metres for a vehicle impound use;
2. To permit 8 parking spaces whereas the by-law requires a minimum of 17 parking spaces.



Applicant/Authorized Agent



Flower City



brampton.ca

For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2021-0014

The Personal Information collected on this form is collected pursuant to section 45 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 and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION

Minor Variance or Special Permission

(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law 270-2004.

1. Name of Owner(s) 2509555 Ontario Inc
Address 34 PINEWAY PL. BRAMPTON, L6S5S5

Phone # 6479243892 Fax # _____
Email boban3636@gmail.com
2. Name of Agent n.a
Address _____

Phone # _____ Fax # _____
Email _____
3. Nature and extent of relief applied for (variances requested):

We are applying for minor variance to permit a vehicle impound facility
4. Why is it not possible to comply with the provisions of the by-law?

we are applying for minor variance or special permission.
5. Legal Description of the subject land:
Lot Number part lot 1 _____
Plan Number/Concession Number 2 EHSCH PART 1, 43R1794
Municipal Address 15 HALE RD. BRAMPTON, ON. L6W3J9
6. Dimension of subject land (in metric units)
Frontage 30.4 METRE
Depth 46.27 METRE
Area 1550 SQ.METRE
7. Access to the subject land is by:
Provincial Highway ☐ Seasonal Road ☐
Municipal Road Maintained All Year ☒ Other Public Road ☐
Private Right-of-Way ☐ Water ☐

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

1 INDUSTRIAL BUILDING. TOTAL AREA 368 SQ.METRE

HIGH CEILING SINGLE STORY

PROPOSED BUILDINGS/STRUCTURES on the subject land:

N.A

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)

EXISTING

Front yard setback 30.4 metre by 15.01 metre

Rear yard setback 30.4 metre by 16.10 metre

Side yard setback 3.8 metre by 15.01 metre

Side yard setback 3.4 metre by 15.01 metre

PROPOSED

Front yard setback n.a

Rear yard setback n.a

Side yard setback n.a

Side yard setback n.a

10. Date of Acquisition of subject land: SEPT. 2016
11. Existing uses of subject property: AUTO BODY SHOP(FIX ACCIDENT/DANAGED CAR)
12. Proposed uses of subject property: AUTO BODY SHOP AND VEHICLE POUND FACILITY
13. Existing uses of abutting properties: AUTOMOTIVE SERVICES
14. Date of construction of all buildings & structures on subject land: 40 PLUS YEARS
15. Length of time the existing uses of the subject property have been continued: 4 YEARS
16. (a) What water supply is existing/proposed?
Municipal ☒ Other (specify) _____
Well ☐
- (b) What sewage disposal is/will be provided?
Municipal ☒ Other (specify) _____
Septic ☐
- (c) What storm drainage system is existing/proposed?
Sewers ☒ Other (specify) _____
Ditches ☐
Swales ☐

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☐ No ☒

If answer is yes, provide details: File # _____ Status _____

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☐ Unknown ☒

If answer is yes, provide details:

File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

X

Signature of Applicant(s) or Authorized Agent

DATED AT THE 15 HALE RD OF BRAMPTON

THIS 27th DAY OF JANUARY, 2021

IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

I, ROBERT JAMES OF THE City OF BRAMPTON
IN THE Region OF Peel SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE

City OF Brampton

IN THE Region OF Peel THIS 4th DAY OF

February, 2021.

April Dela Cerna
A Commissioner etc.

Signature of Applicant or Authorized Agent

Submit by Email

April Dela Cerna,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires May 8, 2021.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

M2

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

HOTHI S.

Zoning Officer

FEB 11 2021

Date

DATE RECEIVED Feb. 04, 2021

Date Application Deemed Complete by the Municipality Feb. 11, 2021

