

APPLICATION FOR MINOR VARIANCE

Revised

WHEREAS an application for minor variance has been made by **7724934 CANADA 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 Lot 27, Plan M-1026 municipally known as **370 MAIN STREET NORTH**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit a parking rate of 1 space for each 23 square metres of gross commercial floor area, resulting in a minimum requirement of 822 parking spaces (based on the proposed floor area) whereas the by-law requires that parking be provided at a rate of 1 space for each 19 square metres of gross commercial floor area, resulting in a parking requirement of 996 parking spaces (based on the proposed floor area).

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
Application for Consent: YES

File Number: _____
File Number: B-2020-0016

The Committee of Adjustment has appointed **TUESDAY, September 29, 2020 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 15th day of September, 2020.

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

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 Committee 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, September 24, 2020**.
- 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, September 25, 2020**.
 - 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, **September 25, 2020**. 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.

Memo

B-2020-0016 AND A-2020-0078

Date: Friday, August 28, 2020
Project: Kingspoint Plaza
To: Jinny Tran (SmartCentres)
CC: Adam Davidson (City of Brampton), Daniel Watchorn (City of Brampton)
From: Carl Wong, P.Eng., Amanda Chung, EIT
Subject: Kingspoint Plaza – Parking Justification Study

Introduction

HDR Corporation ("HDR") was retained by SmartCentres to undertake a parking assessment for the existing properties at 370 Main Street North. The property has a total GLA of 18,919 m².

Based on the City of Brampton's by-law requirements, shopping centres having a gross leasable commercial floor area of 2,000 m² or more require a minimum of 1 parking space per 19 m² (approximately 5.26 spaces per 100 m²) of gross commercial floor area. With a GLA of 18,919 m², the property requires a minimum of 996 parking spaces.

The southern portion of the property (currently occupied by 114 parking spaces) will be severed for a proposed self-storage building with its own parking as shown in **Exhibit 1**. With the removal of the 114 parking spaces (and 2 additional spaces removed for the drive aisle), there will be a revised total of 839 spaces (approximately 4.4 spaces per 100 m², or 1 space per 23 m²) on the property to be shared between the plaza and surrounding buildings.

The purpose of the parking assessment is to support a minor variance application for a relief from the removal of parking spaces due to the addition of the self-storage building. SmartCentres is seeking a relief within their property so that the existing supply rate of 1 space per 23 m² can be maintained to accommodate existing uses.



Conclusions

The parking assessment conducted by HDR includes a review of rates from the ITE Parking Generation manual, surveys from historical satellite imagery, projected peak demands, and parking supply rates at other shopping centres that support the subject development can operate with a supply rate of 4.4 spaces per 100 m², or 1 space per 23 m².

Our conclusions are supported by the parking analysis details documented below:

Parking Analysis Details

ITE Parking Generation

The Institute of Transportation Engineers (ITE) Parking Generation (5th Edition) publication provides peak parking demand rates based on parking surveys conducted for various land uses across North America. Calculated demand for the site using the peak demand rate for a Shopping Centre (Land Use Code 820) are shown in **Table 1**.

Table 1: Expected Parking Demand based on ITE Parking Generation (Land Use: Shopping Centre)

Day of Week	Parking Generation [space/ 1000 ft ²]	Demand [spaces]	Utilization (%)	+ Surplus/ - Deficiency [spaces]
Monday - Thursday	1.95	398	47%	441
Friday	2.61	532	63%	307
Saturday	2.91	593	71%	246
Sunday	1.89	385	46%	454

Note: Property has 18,919 m², or 203,639 ft², of commercial floor area and an existing supply of 839 parking spaces.

The above table shows that the provided parking supply of 839 spaces (or 4.4 spaces per 100 m²) would be sufficient in accommodating the expected peak parking demand 593 parking spaces (utilization of 71%, or 246 vacant spaces).

Historical Parking Demand

Multiple satellite images from Google Earth of the site were compared to capture parking demand of the site. Based on the available imagery of the past 5 years shown in **Attachment #1**, the highest count of spaces occurred on Thursday, November 23, 2017 as shown in **Exhibit 2**. Based on Google Streetview shown in **Exhibit 3**, there appears to be only two vacant units – unit 111 (north of Giant Tiger) and 122A (east of Drapery Fabrics). Units 111 and 122A have a floor area of 7,092 m². The occupied commercial floor area can then be reduced by the vacant units to a total of 18,260 m².

Exhibit 2: Satellite Image of Site on Thursday November 23, 2017



Exhibit 3: Google Streetview of Unit 111 (left) and Unit 122A (right) from August 2017



Based on November 2017 image, there is a demand of 449 spaces for the 18,260 m² (2.5 spaces per 100 m²). Projecting the demand rate to assume the plaza is fully occupied results in a demand of approximately 473 spaces (utilization of 56%, or 366 vacant spaces).

Although the aerial images show higher demand in the 2017 image than the Saturday images, if the weekday demand rate of 2.5 spaces per 100 m² was scaled up by the same proportion as the Thursday to Saturday ITE parking demand rate, the Saturday rate would equate to 3.7 spaces per 100 m² (706 spaces, utilization of 84%, or 133 vacant spaces). This calculated demand could be accommodated with a supply rate of 4.4 spaces per 100 m², or 1 space per 23 m².

Comparison of Parking Supply at Other Shopping Centres

A summary of parking supplies at other retail shopping centres compared to the proposed supply rate for the site is shown in **Table 2**.

Table 2: Parking Supply Rates for Shopping Centres

Location	Supply Rate [spaces / 100m ²]
Proposed Parking Rate for Site	4.4
Scarborough Town Centre, Toronto ¹	3.8
Yorkdale Shopping Centre, Toronto ¹	4.2
Sherway Gardens, Toronto ¹	4.4
Square One, Mississauga ¹	4.2

As shown in the above table, although these other shopping centres are larger indoor malls and would generate much higher parking demands than the subject site, it demonstrates that their parking supply rates are still lower than, or equal to, the proposed supply rate of 4.4 spaces per 100 m² for the subject property.

Considerations of COVID-19

The City was consulted regarding data collection during COVID-19 conditions. In order to mitigate the risk of reduced demand, it was agreed that historical data and ITE parking rates be used for supporting a minor variance rather than collecting new parking counts.



Potential changes to parking demand under post COVID-19 conditions may further decrease parking demand with increased curbside pick-up or delivery, virtual classes, staff working from home, and/or virtual medical consultation. These reductions would further support the parking relief; however, to be conservative, no reductions were applied in the analysis.

Summary

This parking assessment has demonstrated through a review of rates from the ITE Parking Generation manual, surveys from historical satellite imagery, projected peak demands, and parking supply rates at other shopping centres that the subject development can operate with a proposed parking supply rate of 4.4 spaces per 100 m², or approximately 1 space per 23 m².

¹ <http://www7.mississauga.ca/Departments/Marketing/documents/building-planning/Parking-Management-Strategy-October-2019.pdf>

Attachment #1: 5-year Historical Satellite Imagery

Spring 2019	 <p>Source: City of Brampton</p>
06/09/2018 Saturday	 <p>Source: Google Earth</p>

05/07/2018
Monday



Source: Google Earth

11/23/2017
Thursday



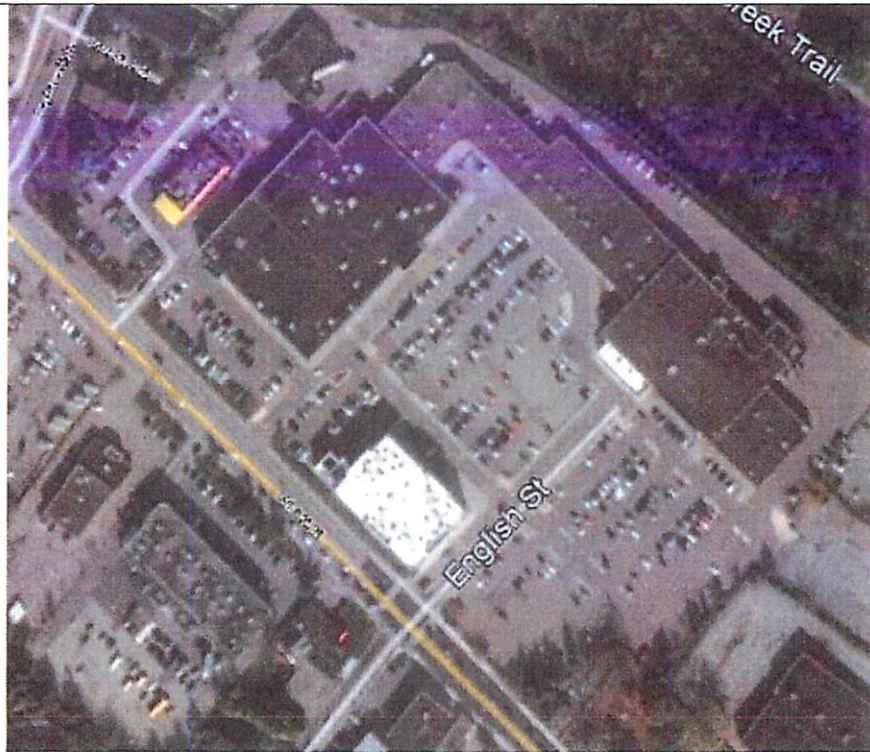
Source: Google Earth

08/12/2017
Saturday



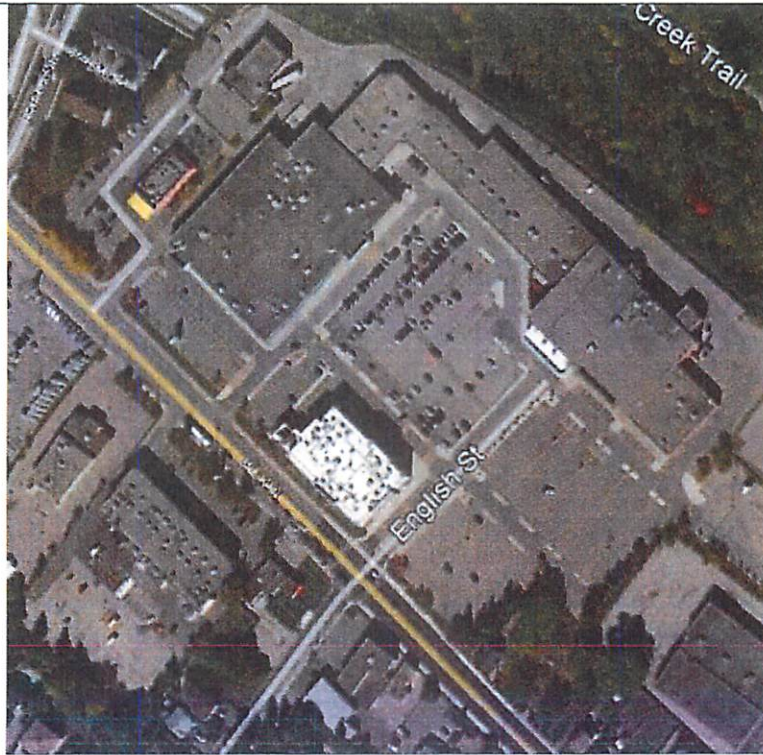
Source: Google Earth

10/27/2016
Thursday



Source: Google Earth

10/09/2016
Sunday



Source: Google Earth

09/12/2016
Monday



Source: Google Earth

07/20/2016
Wednesday



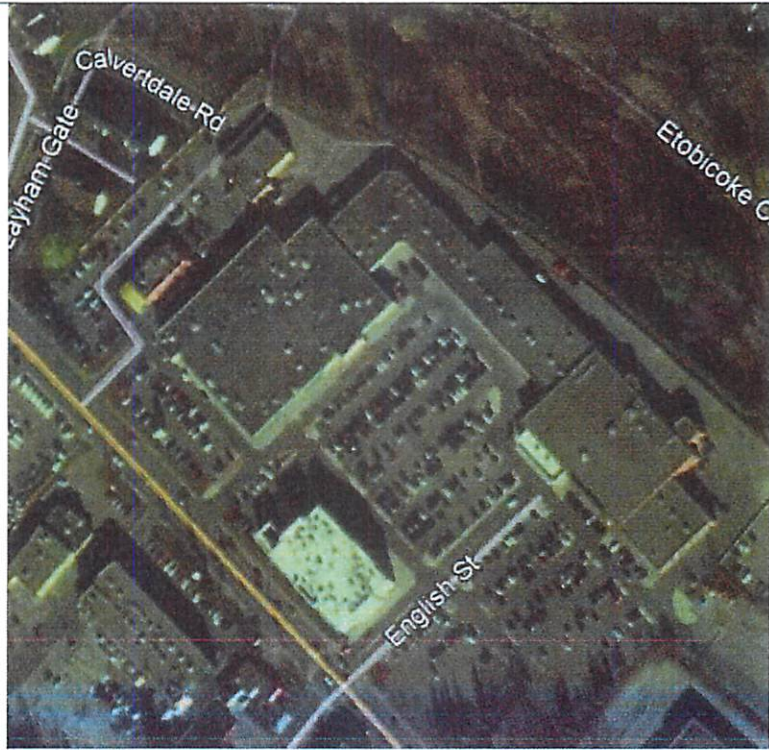
Source: Google Earth

04/19/2016
Tuesday



Source: Google Earth

12/10/2015
Thursday



Source: Google Earth

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.)
Commercial shopping centre consisting of 3 standalone retail buildings and 1 L-shaped commercial complex.
Approximate GFA of 203,639 sq. ft. or 18,918.6 sq. m.

PROPOSED BUILDINGS/STRUCTURES on the subject land:
No change to the commercial buildings. We are proposing to construct a commercial self-storage facility
at the south end of the plaza and will be severing the lands. Variance is required to reduce the required
number of parking spaces for the commercial plaza.

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	45.05 m
Rear yard setback	18 m
Side yard setback	11 m
Side yard setback	4 m
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: 2010
11. Existing uses of subject property: Commercial
12. Proposed uses of subject property: Commercial
13. Existing uses of abutting properties: Commercial
14. Date of construction of all buildings & structures on subject land: 1984
15. Length of time the existing uses of the subject property have been continued: 36 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 # TBD

Status Applying for consent application concurrently

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

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Toronto
THIS 21 DAY OF August, 20 20

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, Daniel Orellana, OF THE City OF Toronto

IN THE Province OF Ontario 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 Vaughan

IN THE Province OF

Ontario THIS 21 DAY OF
August, 20 20

[Signature]
A Commissioner etc.

Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

C3-3235

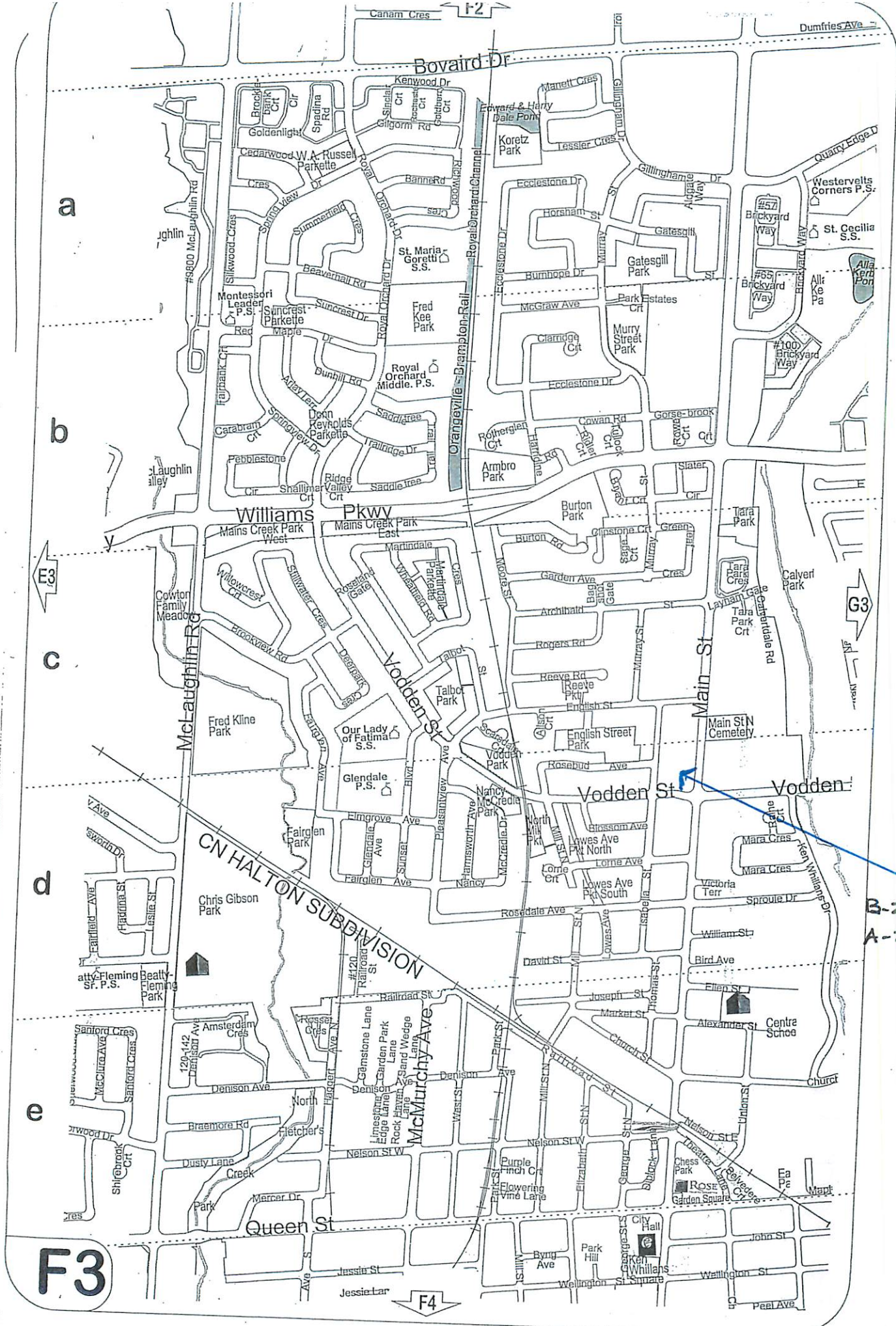
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

[Signature]
Zoning Officer

September 1, 2020
Date

DATE RECEIVED

August 28, 2020



B-2020-0016
A-2020-0078