



## Report Committee of Adjustment

**Filing Date:** August 17, 2021

**Hearing Date:** September 13, 2022

**File:** A-2022-0273

**Owner/**

**Applicant:** ADMINS BRAMPTON INVESTMENT CORP

**Address:** 17 Bramalea Road

**Ward:** WARD 7

**Contact:** Simran Sandhu, Assistant Development Planner

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### **Recommendations:**

That application A-2022-0273 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
  2. That the parking requirement for parking for any combination of uses permitted in the "Industrial Two – Special Section 2936 (M2-2936)" zone, and any uses permitted by way of Minor Variance shall not exceed 387 parking spaces;
  3. That the applicant shall obtain a building permit for the "change of use" within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; and
  4. 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 Two (M2-2936)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a commercial, technical or recreational school in Building B (2,018 sq. m building) whereas the by-law does not permit the proposed use;

2. To permit 374 parking spaces on site whereas the by-law requires a minimum of 387 parking spaces.

**Current Situation:**

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

The subject property is split designated "Office" and "Business Corridor" in the Official Plan and "Office", "Mixed Use – Office & Retail" and "Mixed Industrial Commercial" in the Bramalea Mobility Hub Secondary Plan (Area 9).

The Official Plan policies within the "Business Corridor" designation are intended to provide for the development of 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.

Furthermore, the Secondary Policies for areas within the "Office", "Mixed Use – Office & Retail" and "Mixed Industrial Commercial" designations are intended to permit business and professional or administrative office buildings, a range retail uses such as convenience and personal service retailing, restaurants, recreational and institutional uses, and a broad range of commercial activities such as warehousing, manufacturing, processing and storage of goods.

The requested variance is intended to facilitate the establishment of the proposed use of the property for Mixed Office & Retail and Mixed Industrial Commercial uses. As a result, the proposed variances have no impact within the context of the policies of the Official Plan and Secondary Plan, and maintains the general intent and purpose of the Official Plan.

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

Variance 1 is requesting to permit a commercial, technical or recreational school in Building B (2,018 sq. m building) whereas the by-law does not permit the proposed use. A commercial, technical or recreation school is a permitted use as per the 'Industrial Two' zoning by-law. However, Special Section 2936 of the existing zoning by-law states that lands designated M2- Section 2936 shall only be used for the purposes of warehouse with accessory administrative offices, an office excluding offices for medical, dental or drug practitioner uses and a retail establishment or restaurant with a combined total gross floor area of the principal use. The intent of the by-law in prescribing the permitted uses on an industrial/commercial property is to ensure that the uses are consistent with the industrial and commercial character of the property. The requested use for a commercial, technical or recreational school is proposed to be ancillary to the existing industrial businesses and commercial use on site and is considered to be complementary to those uses. Allowing the proposed use is not anticipated to negatively impact the existing uses on site or adjacent properties. Variance 1 is considered to maintain the general intent and purpose of the zoning by-law.

Variance 2 is requesting to permit 374 parking spaces on site whereas the by-law requires a minimum of 387 parking spaces. The intent of the by-law in regulating the minimum number of parking spaces is

to ensure that sufficient parking is provided for use on the site, and that there is no impacts to the site function, operation, or neighbouring properties.

A parking justification letter, prepared by John D. Rogers & Associates Inc. was provided for staff review. The letter concludes that the required parking rate applied during the Site Plan was for office use at 1 space per 25 square metres resulting in 81 spaces. The required parking spaces for a technical or commercial school is 1 spaces per 20 square metres resulting in 101 spaces being provided with a deficiency of 20 spaces, however the by-law has been amended since the time of the Site Plan and the parking requirement for an office has decreased resulting in a deficiency across the site of 13 spaces, or approximately 3.5%. The parking layout and number of parking spaces is satisfactory given the current conditions. Staff are satisfied that the reduction of parking by less than 3.5% (374 parking spaces, whereas the by-law requires a minimum of 387 parking spaces) will not alter site functions or operations in any significant manner. Staff recommend that condition 2 be imposed, as it is intended to limit additional uses with higher parking requirements on site. Subject the recommended conditions of approval, the variance 2 maintains the general intent and purpose of the Zoning By-law.

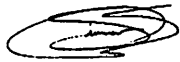
### 3. Desirable for the Appropriate Development of the Land

Permitting a commercial, technical or recreational school in Building B on the subject lands will not alter the character of the area or create any adverse impacts to the site. The presence of the use is considered compatible with the already permitted uses on the property and is not considered to represent a significant change. The requested variances to reduce the required number of parking spaces on site is not anticipated to generate negative impacts to the functioning of the site and is considered sufficient to accommodate the proposed use. Subject to the recommended conditions of approval, the requested variances are considered desirable for the appropriate development of the land.

### 4. Minor in Nature

The proposal to permit a commercial, technical or recreational school use is ancillary to the proposed principal use of industrial businesses and commercial uses on site and it is not anticipated to negatively impact the adjacent properties given the location on the subject lands. The reduction in the total number of required parking spaces is not anticipated to limit the functioning of the site or generate negative impacts to the surrounding properties. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,



Simran Sandhu, Assistant Development Planner