

APPLICATION # **A-2022-0297**  
WARD 10

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **MCVEAN COMMERCIAL CENTRE LTD** 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 Block 385, Plan 43M-1997 municipally known as **11615 – 11705 MCVEAN DRIVE, (Southeast corner of Mayfield Road and McVean Drive)**, Brampton;

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

1. To permit 466 parking spaces on site whereas the by-law requires a minimum of 477 parking spaces;
2. To permit a front yard setback of 2.27m (7.45 ft.) whereas the by-law requires a minimum front yard setback of 6.0m (19.68 ft.);
3. To permit an exterior side yard setback of 4.5m (14.76 ft.) with a reduced setback of 1.99m (6.53 ft.) to the property line abutting the daylight triangle whereas the by-law requires a minimum exterior side yard setback of 6.0m (19.68 ft.);
4. To permit a stacking lane, stairs and retaining walls within the required landscaped open space whereas the by-law does not permit stacking lanes, stairs and retaining walls within the required landscaped open space.

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, October 25, 2022 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 an Ontario Land 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 Ontario Land 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 13th Day of October, 2022

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:

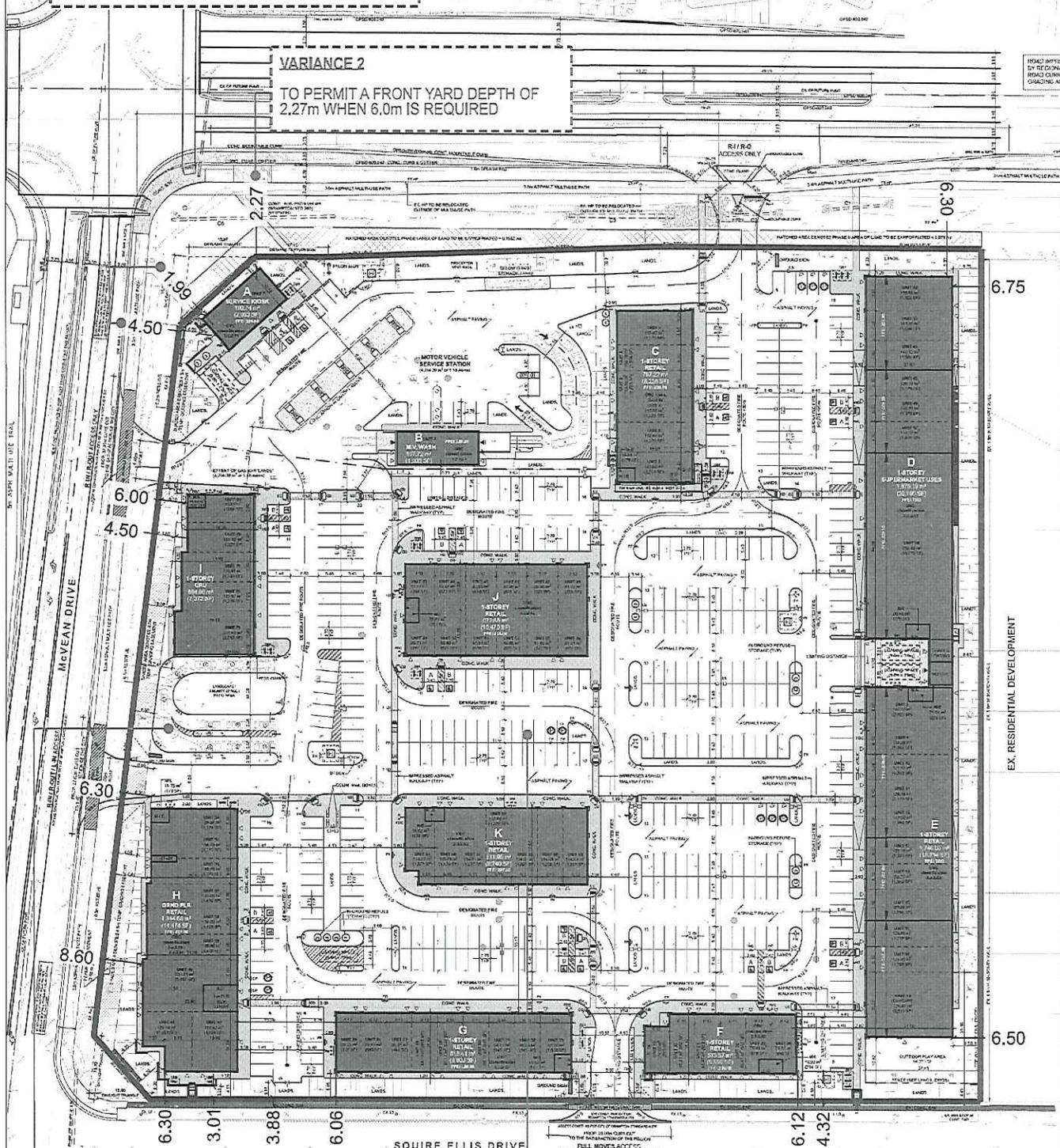
Jeanie Myers, Secretary-Treasurer  
Committee of Adjustment, City Clerk's Office,  
Brampton City Hall, 2 Wellington Street West,  
Brampton, Ontario L6Y 4R2  
Phone: (905)874-2117  
Fax: (905)874-2119  
[jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca)

**VARIANCE 3**  
 TO PERMIT AN EXTERIOR SIDE YARD SETBACK OF 4.5m WITH A REDUCED SETBACK OF 1.99m TO THE PROPERTY LINE ABUTTING THE DAYLIGHT TRIANGLE WHEN 6.0m IS REQUIRED

**VARIANCE 2**  
 TO PERMIT A FRONT YARD DEPTH OF 2.27m WHEN 6.0m IS REQUIRED

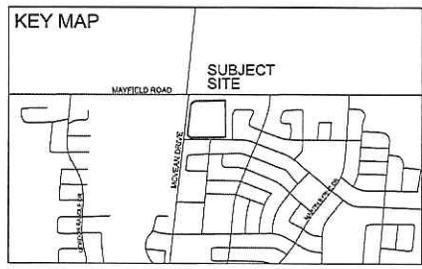
**VARIANCE 4**  
 TO PERMIT A STACKING LANE, STAIRS AND RETAINING WALLS WITHIN THE REQUIRED LANDSCAPED OPEN SPACE WHEREAS THE BYLAW DOESN'T PERMIT IT

**VARIANCE 1**  
 TO PERMIT 466 PARKING SPACES WHEN 477 ARE REQUIRED



ROAD IMPROVEMENTS BY REGIONAL ROAD CORP CHANGING AN

EX. RESIDENTIAL DEVELOPMENT



— Subject Lands  
 - - - Variance Requested

Note: The updated site plan was prepared by Baldassarra Architects Inc. on July 28, 2022

**MINOR VARIANCE SKETCH**

SOUTHEAST CORNER OF MCVEAN DRIVE AND MAYFIELD ROAD  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL



SCALE: SEE SCALE BAR  
 DATE REVISED: Oct 11, 2022  
 Weston File No. 9688

**WESTON CONSULTING**

Vaughan office  
 201 Midway Ave, Suite 19  
 Vaughan, Ontario L4K 5K6  
 T: 905.738.9930 F: 905.738.9937  
 Toronto office  
 268 Berkeley Road  
 Toronto, Ontario M5A 2K5  
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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 and/or as a hybrid meeting (both in-person and electronically).

**Electronic/Hybrid Hearing Procedures  
How to get involved in the Hybrid Hearing**

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **October 25, 2022** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

**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, October 20, 2022.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, October 20, 2022.**
  2. To participate in-person, please email the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, October 20, 2022.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. 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 **Thursday, October 20, 2022.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- 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/hybrid 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto: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](http://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.

***The City of Brampton is reviewing its Committee of Adjustment process. As a participant in this process, if you have comments or input you would like to share about your experience with the Committee of Adjustment, please email [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) to indicate your interest and you will be contacted with more information.***



# WESTON CONSULTING

planning + urban design

Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, ON, L6Y 4R2

October 11, 2022

File 9688

**Attn: Jeanie Myers, Secretary Treasurer**

**RE: Amendment Letter - Application for Minor Variance**

**File: A-2022-0297**

**Southeast Corner of McVean Drive and Mayfield Road**

**Block 385, Plan 43M-1997**

**City of Brampton**

Weston Consulting is the planner for McVean Commercial Centre Ltd., the legally registered landowner of the property described as Block 385, Plan 43M-1997 in the City of Brampton (herein referred to as the "subject property"). A preliminary municipal address of 11615 – 11705 McVean Drive has been assigned to the subject property. The property is located on the east side of McVean Drive, and on the south side of Mayfield Road, in the Vales of Humber Block Plan Area within the City of Brampton.

## **Purpose of the Application**

The purpose of this Minor Variance Application is to address deficiencies in zoning compliance that had been raised by City of Brampton Zoning Staff in their review of Site Plan Approval Application SP19-003. A previous Minor Variance approval was received for the subject property (A-2021-0160) on August 24, 2021 to address the deficiencies. The site plan has since been revised to modify the building footprint of Building I on the plan resulting in an altered gross commercial floor area and a parking count of 466 parking spaces. This Minor Variance Application, submitted by Weston Consulting on September 9<sup>th</sup>, 2022, is required because the revised site plan is not in conformance with the site plan attached to the previous Notice of Decision and as a result, it contravenes the conditions of approval associated with A-2021-0160. The variances sought through the previous Minor Variance approval are still applicable to the revised site plan.

## **Proposed Amendments to the Minor Variance Application**

This Amendment Letter has been prepared to detail amendments which have been made to the proposed Minor Variance Application to address comments raised by Zoning Staff following their initial review of the application. The comments made by Zoning Staff result in the need for revisions to two of the proposed variances and the inclusion of an additional variance which has been impacted by the modification made to Building I. This letter is to be read in conjunction with the

originally submitted Minor Variance Application and Justification Letter dated September 7, 2022 submitted by Weston Consulting.

The updates made to this Minor Variance Application (A-2022-0297) are reflected on the enclosed Minor Variance Sketch. All variances requested through this application are outlined below, with the modified variances and the new variance provided in bold with accompanying justifications.

**1. To permit 466 parking spaces whereas the by-law requires a minimum of 477 parking spaces.**

- The Justification Letter included with the original submission noted that 476 parking spaces were required under the Zoning By-law, whereas Zoning Staff has indicated the requirement to be 477 spaces, an increase of one (1) space. The reason for this increase is because the required parking number results in a fraction and since a fraction of a parking space can't be provided, the required parking number is to be rounded up, not rounded down. The proposed parking supply has not changed.
- The justification provided in Justification Letter enclosed with the initial submission of this application remains applicable and relevant for this requested variance. The Parking Addendum Letter has been updated to reflect this change and is enclosed.

**2. To permit a front yard depth of 2.27m to the front property line whereas the by-law requires a minimum front yard setback of 6.0m.**

- This variance remains unchanged from the original submission.

**3. To permit an exterior side yard setback of 4.5m with a reduced setback of 1.99m to the property line abutting the daylight triangle whereas the by-law requires a minimum exterior side yard setback of 6.0m.**

- Through the review of this Minor Variance Application, Zoning Staff indicated that this variance is to be modified to allow for a further reduced setback of 1.99m from the daylight triangle located at the intersection of McVean Drive and Mayfield Drive, which was not captured previously. The 4.5m aspect of this variance remains unchanged from the original submission.
- The reduced setback to the daylight triangle is sought to permit Building A to be located closer to the intersection at Mayfield Road and McVean Drive in order to increase the prominence of the development at a highly-visible intersection which is considered a community gateway location. This design decision was deemed appropriate by Staff due to the prominent location of the building. The Justification Letter included with the original submission speaks to the reduction in the setback requirements for Building A and the provided justification is applicable and relevant to this modified variance.

**4. To permit a stacking lane, stairs and retaining walls within the required landscaped open space whereas the by-law doesn't permit stacking lanes, stairs and retaining walls within the required landscaped open space.**

- This variance is an additional variance which is being included to address comments from Zoning Staff through their review of this Minor Variance Application. The location of the stacking lane has been altered as a result of the modification made to Building I. The comments raised by Zoning Staff regarding stairs and retaining walls are new comments which have not been raised through the review of the associated Site Plan Application or previous Minor Variance Application.
- This variance meets the general intent and purpose of the Official Plan as it does not prevent the development of the subject property for a commercial space with uses such as retail stores, restaurants and a supermarket, for example, as is intended by the applicable Official Plan and Secondary Plan policies.
- The intent of landscaped open space is to provide a buffer in order to accommodate adequate separation and screening between this commercial area and the associated property lines. A landscaped open space buffer is provided around the entire site, with only minor encroachments in select locations where retaining walls and staircases are proposed, with the majority of the site maintaining the Zoning By-law requirement. The proposed 4.5m buffer between the stacking lane and the property line is sufficient to provide effective screening of the stacking lane from the street, and this area represents only small portion of the site's street frontage along McVean Drive. It is our opinion that the variance maintains the general intent and purpose of the Zoning By-law.
- The proposed retaining walls and staircases are minor site features which are required in order to accommodate site grading and pedestrian access to the site. These features will not prevent the proper screening of the buildings and parking areas from the street.
- The proposed stacking lane located between Building 'I' and Building 'H' provides a landscaped open space width of 4.5m, which is sufficient to provide appropriate landscaping elements to enhance the street edge and screen the stacking lane from the street.
- It is our opinion that this variance is desirable and appropriate, and minor in nature. This variance does not pose any discernable impacts on the surrounding area and doesn't prevent the overall intent of providing landscaped open space around the entirety of the subject lands.

### **Conclusion**

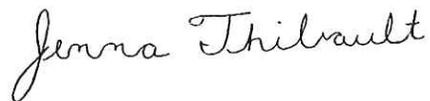
It is our opinion that the proposed variances, as amended, should be approved by the Committee of Adjustment as they satisfy all four tests prescribed by the *Planning Act* and represent good planning. This commercial development will be of benefit to the surrounding residential community and the City of Brampton at large.

We trust that the above is sufficient for staff to facilitate their review. Should you have any questions, or require further information, please contact the undersigned (ext. 309) or Jacob Lapointe (ext. 299).

Yours truly,

**Weston Consulting**

**Per:**



Jenna Thibault, BSc, MPL, MCIP, RPP  
Associate

c. S. Minuk, McVean Commercial Centre Ltd.

520 Industrial Parkway South, Suite 201

Aurora, Ontario L4G 6W8

Phone: 905-503-2563

www.nextrans.ca



NextEng Consulting Group Inc.

October 12, 2022

Minuk Contracting Company Ltd.  
99 Sante Drive, Suite C  
Concord ON L4K 3C4

Attention: Mr. Lorenzo Papi

Re: **Parking Addendum Letter**  
**Southeast Quadrant of Mayfield Road and McVean Drive**  
**City of Brampton, ON**  
**Our Project No. NT-20-033**

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NexTrans Consulting Engineers (a Division of NextEng Consulting Group Inc.) is pleased to present the enclosed Parking Addendum Letter for the above noted property. NexTrans previously prepared a Transportation Impact Study for the commercial development, dated January 2021.

The subject property is located at the southeast corner of the Mayfield Road and McVean Drive intersection, in the City of Brampton. Based on the site plan prepared by Baldassarra Architects Inc., dated July 28, 2022, the development proposal includes eight (8) commercial buildings, a restaurant with drive-thru and a gasoline service station with a car wash, with a collective gross leasable commercial area (GLCA) totaling 11,204.46 m<sup>2</sup> (120,604 ft<sup>2</sup>) and a gross commercial floor area (GCA) of 11,007.47 m<sup>2</sup> (118,483 ft<sup>2</sup>). A total of 466 vehicle parking spaces are provided on the entire site. A total of four (4) vehicular site entrances are proposed, one (1) via Mayfield Road (right-in-right-out), one (1) full movement via future Squire Ellis Drive and two (2) via McVean Drive (right-in-right-out/left-in and right-in-right-out). The site plan is provided in full detail in **Appendix A**.

The purpose of this addendum letter is to provide an update to the parking justification section from our previous Transportation Impact Study based on the site plan revisions, which are summarized in **Table 1**.

**Table 1: Proposed Site Statistics Changes from Previous Site Plan**

	<b>January 14, 2021, Site Plan</b>	<b>July 28, 2022, Site Plan</b>	<b>Difference</b>
Total GLCA	11,084.61 m <sup>2</sup>	11,204.46 m <sup>2</sup>	+119.85 m <sup>2</sup>
Total GCA	10,872.10 m <sup>2</sup>	11,007.47 m <sup>2</sup>	+131.37 m <sup>2</sup>

Based on the site plan dated July 28, 2022, there was an increase in GLCA of 115.93 m<sup>2</sup> and an increase in GCA by 131.61 m<sup>2</sup>. As such, the parking section from our previous Transportation Impact Study was updated as follows.

A total of 466 vehicle parking spaces are provided on the entire site. The property is zoned by Zoning By-law 270-2004, which has been amended by Zoning By-law No. 259-2020.

The technical parking requirements for the proposed development under Zoning By-Law No. 259-2020 are detailed in **Table 2**. It is important to note, the specified GFA below in **Table 2** per land use is based on total Gross Commercial Floor Area (11,007.47 m<sup>2</sup>).

**Table 2: Vehicle Parking Requirements (Zoning By-law No. 259-2020)**

Land Use	Unit / GFA	Parking Rates	Parking Requirement
Shopping Centre over 2000 m <sup>2</sup>	10,839.75 m <sup>2</sup>	1 space per 23 m <sup>2</sup>	472
Motor Vehicle Washing Establishment	167.72 m <sup>2</sup>	5 parking spaces plus 10 car stacking spaces	5
<b>Total Required</b>			<b>477</b>
<b>Total Provided</b>			<b>466</b>
<b>+ Surplus / - Deficiency</b>			<b>-11</b>

In accordance with the City of Brampton's parking provisions outlined in the Zoning By-law No. 259-2020, this site requires 477 parking spaces, resulting in a technical deficiency of 11 parking spaces (2% reduction). It is important to note, the proposed land uses will attract peak parking demands at different times of the day. As such, it is our opinion parking spaces provided on site are expected to be vacant throughout the day.

In addition, the deficiency of parking spaces can be supported through comparisons of several municipality parking By-law requirements for retail uses. **Table 3** summarizes the parking requirements based on City of Markham, City of Vaughan, City of Toronto, Town of Richmond Hill and Town of Ajax Zoning By-law's.

**Table 3: Vehicular Zoning By-Law Parking Requirements for other Municipalities**

Municipality	Use	GCA (m <sup>2</sup> )	Retail Parking Requirement		Total Required (Retail + other uses)	Total Provided	Difference
			Minimum Parking Rate	Parking Spaces Required			
City of Markham Zoning By-Law No. 28-97	Retail Store	10,839.75	1 space / 30 m <sup>2</sup>	361	366	466	+100
City of Vaughan (Recommended IBI March 2010 Study Parking Rates) *Other Base Areas	Retail		3.5 space / 100 m <sup>2</sup>	379	384		+82
City of Toronto Zoning By-Law No. 569-2013	Retail/ Restaurant		1.5 space / 100 m <sup>2</sup>	162	167		+299
Town of Richmond Hill – Parking Strategy	Retail		3.0 space / 100 m <sup>2</sup>	325	330		+136
Town of Ajax Zoning By-Law No. 95-2003	Retail Store		1 space / 28 m <sup>2</sup>	387	392		+74
<b>Maximum Peak Parking Requirement</b>				<b>387</b>	<b>392</b>	<b>466</b>	<b>+74</b>

As detailed in Table 3, the maximum parking requirement for the proposed development based on the parking requirements from other municipalities indicate that a total of 392 parking spaces are required, whereas a total of 466 parking spaces are proposed. The subject site is subjected to the City of Brampton's Zoning By-laws which require a

highly conservative parking requirement rate for shopping center uses.

Based on our experience, excessive parking supply imposes environmental costs, contradicts community development objectives for more livable and walkable communities, and tends to increase driving and discourage the use of alternative modes of travel. It is anticipated that the proposed parking provision recommended within this report will completely service the subject site while reducing environmental costs associated with largely underutilized surface parking lots. On this basis, it is our opinion that the parking supply at the subject site can sufficiently accommodate the parking demand generated from the proposed development.

In addition to Zoning By-law 259-2020, the subject site is also required to adhere to the accessible parking requirement within the City of Brampton's Highway and Parking By-law 93-93. The technical parking requirements for the proposed development under By-law 93-93 are detailed in **Table 4**.

**Table 4: Accessible Vehicle Parking Requirements (Zoning By-law No. 93-93)**

Parking Rates	Parking Requirement
Two parking spaces and an additional two per cent for developments between 200 and 1000 total parking spaces	12
<b>Total Provided</b>	21
<b>Difference</b>	+9

In accordance with the City of Brampton's parking provisions outlined in the By-law No. 93-93, this site requires 12 accessible parking spaces resulting in a technical surplus of nine (9) accessible parking spaces.

We trust the enclosed sufficiently addresses your needs. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

**NEXTRANS ENGINEERING**

Prepared by:



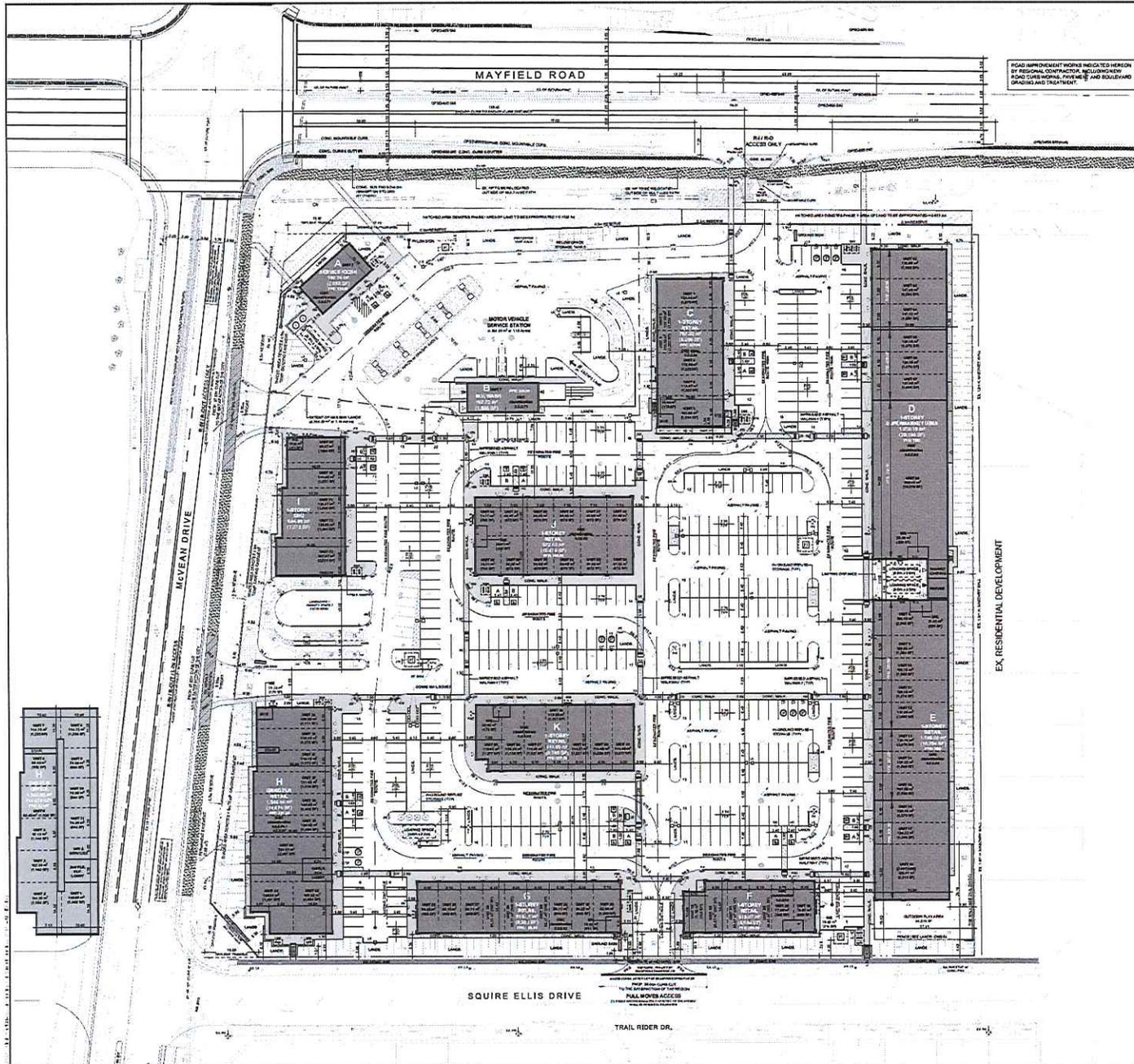
Kristian Aviles, B.Eng.  
Transportation Analyst

Approved by:



Richard Pernicky, MITE  
Principal

## **Appendix A - Proposed Site Plan**



**TOPOGRAPHIC PLAN OF BLOCK 585**  
**SQUIRE ELLIS DRIVE**  
 REGISTERED PLAN 43M-1997  
**8195 MAYFIELD ROAD**  
**MCVEAN DRIVE**  
**CITY OF BRAMPTON**  
**REGIONAL MUNICIPALITY OF PEELE**

Scale: 1" = 20'  
 Date: 10/12/2011  
 Prepared by: B. Baldassarra  
 Checked by: J. Baldassarra  
 Drawn by: J. Baldassarra

**SITE STATISTICS**

TOTAL DEVELOPMENT AREA	46,052.16 sq ft	1,058.46 sq ft
ZONING	C3-33RM	
REQUIRED	25.9 m	190.25 m
PROVIDED	25.9 m	190.25 m
LOT WIDTH	25.9 m	190.25 m
FRONT YARD (MAYFIELD ROAD)	8.25 m	7.27 m
REAR YARD (SQUIRE ELLIS DRIVE)	4.58 m	4.58 m
INTERIOR SIDE (SQUIRE DRIVE)	4.58 m	4.58 m
EXTERIOR SIDE (MAYFIELD ROAD)	4.58 m	4.58 m
BLDG A (SERVICE STATION WOODS)	160.74 sq ft	2,950 sq ft
BLDG B (GARAGE)	160.74 sq ft	1,838 sq ft
BLDG C (CASH)	787.22 sq ft	4,254 sq ft
BLDG D (SUPERMARKET WARE)	1,826.19 sq ft	20,194 sq ft
BLDG E (CASH)	1,248.88 sq ft	14,718 sq ft
BLDG F (CASH)	479.19 sq ft	1,198 sq ft
BLDG G (CASH)	458.93 sq ft	824.51 sq ft
BLDG H (INSTALL CRG)	1,344.88 sq ft	14,474 sq ft
BLDG I (CASH)	604.86 sq ft	1,474 sq ft
BLDG J (CASH)	977.85 sq ft	10,470 sq ft
BLDG K (CASH)	811.93 sq ft	8,248 sq ft
TOTAL G.C.A.	11,306.46 sq ft	129,954 sq ft
OTHER COMMERCIAL FLOOR AREA (SQUARE FOOTAGE)	11,306.46 sq ft	118,449 sq ft
LOT COVERAGE	8.46% (25.9 m)	34.15% (190.25 m)
LANDSCAPED AREA	9,360.27 sq ft	26.89%
PAVED AREA	25,146.47 sq ft	54.38%
REQUIRED	4 STOREYS	2 STOREYS
PROVIDED	4 STOREYS	2 STOREYS

**SYMBOL LEGEND**

1	UNDEVELOPED LOT
2	EXISTING BUILDING
3	PROPOSED BUILDING
4	PROPOSED DRIVE
5	PROPOSED DRIVE
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99	PROPOSED DRIVE
100	PROPOSED DRIVE

**MUNICIPAL & GENERAL SITE PLAN NOTES**

ONE METERS SHALL NOT BE LOCATED ON BUILDING FACADES THAT FACE STREETS AND SHALL BE LOCATED DISCREETELY AWAY FROM PEDESTRIAN TRAVEL ROUTES AND SCREENED FROM PUBLIC VIEW.

ONE METERS SERVING ROOF TOP MECHANICAL EQUIPMENT SHALL NOT BE VISIBLE TO ANY PUBLIC VIEW AND SHALL BE INSTALLED WITHIN THE WALL CONSTRUCTION.

**DRIVE-THRU SYMBOLS**

DE -- DRIVE-THRU SYMBOL  
 HE -- HEIGHT CLEARANCE BAR SYMBOL  
 PB -- PARKING BAR SYMBOL  
 TR -- TRAIL RIDER DR. SYMBOL  
 TRAIL RIDER DR. SYMBOL

No.	ISSUED	DATE
1	ISSUED FOR PAC	JAN. 23, 2019
2	ISSUED FOR COORDINATION	APR. 5, 2019
3	ISSUED FOR COORDINATION	JUN. 5, 2019
4	ISSUED FOR SPA	JUN. 11, 2019
5	ISSUED FOR COORDINATION	OCT. 01, 2019
6	ISSUED TO CONSULTANTS PER NEW LAYOUT	FEB. 20, 2020
7	RE-ISSUED FOR SPA	JAN. 21, 2021
8	ISSUED FOR BUDGETING	JULY 2, 2021
9	RE-ISSUED FOR SPA	NOV. 02, 2021
10	ISSUED FOR TENDER	NOV. 23, 2021
11	RE-ISSUED FOR SPA	FEB. 14, 2022
12	ISSUED FOR IPC	APR. 12, 2022
13	ISSUED FOR REVISION TO SPA	JULY 26, 2022

7	UPDATED MAYFIELD RD INTERM & ULT. DESIGNS	JAN. 12, 2022
6	UPDATED BLDG T	JUN. 17, 2021
5	UPDATED TO SHOW INTERIM ROADWAY CONDITIONS	JAN. 14, 2021
4	REVISIONS TO ROADWAYS	OCT. 06, 2020
3	UPDATED GAS BAR	MAY 27, 2020
2	REVISED PER NEW OWNERS DIRECTION	FEB. 02, 2020
1	REVISED TO SUIT SPA COMMENTS	OCT. 01, 2019

**BALDASSARRA**  
 Architects Inc.

30 Great Golf Drive, Unit 20 | Concord ON | L4K 0K7  
 T. 905.660.0722 | www.baldassarra.ca



OWNER OF DEVELOPMENT:  
 McVean Commercial Centre Ltd.

**MAYFIELD-McVEAN PLAZA**  
 BRAMPTON, ON

**SITE PLAN ULTIMATE CONDITION**  
 SP19-003.000

DATE: AUG. 2018	ISSUED BY: L.Y.D.W.	SCALE: 1:500
PROJECT NO. 20-37	DRAWING NO. A-1.1	

**VARIANCE 3**

TO PERMIT AN EXTERIOR SIDE YARD SETBACK OF 4.5m WITH A REDUCED SETBACK OF 1.99m TO THE PROPERTY LINE ABUTTING THE DAYLIGHT TRIANGLE WHEN 6.0m IS REQUIRED

**VARIANCE 2**

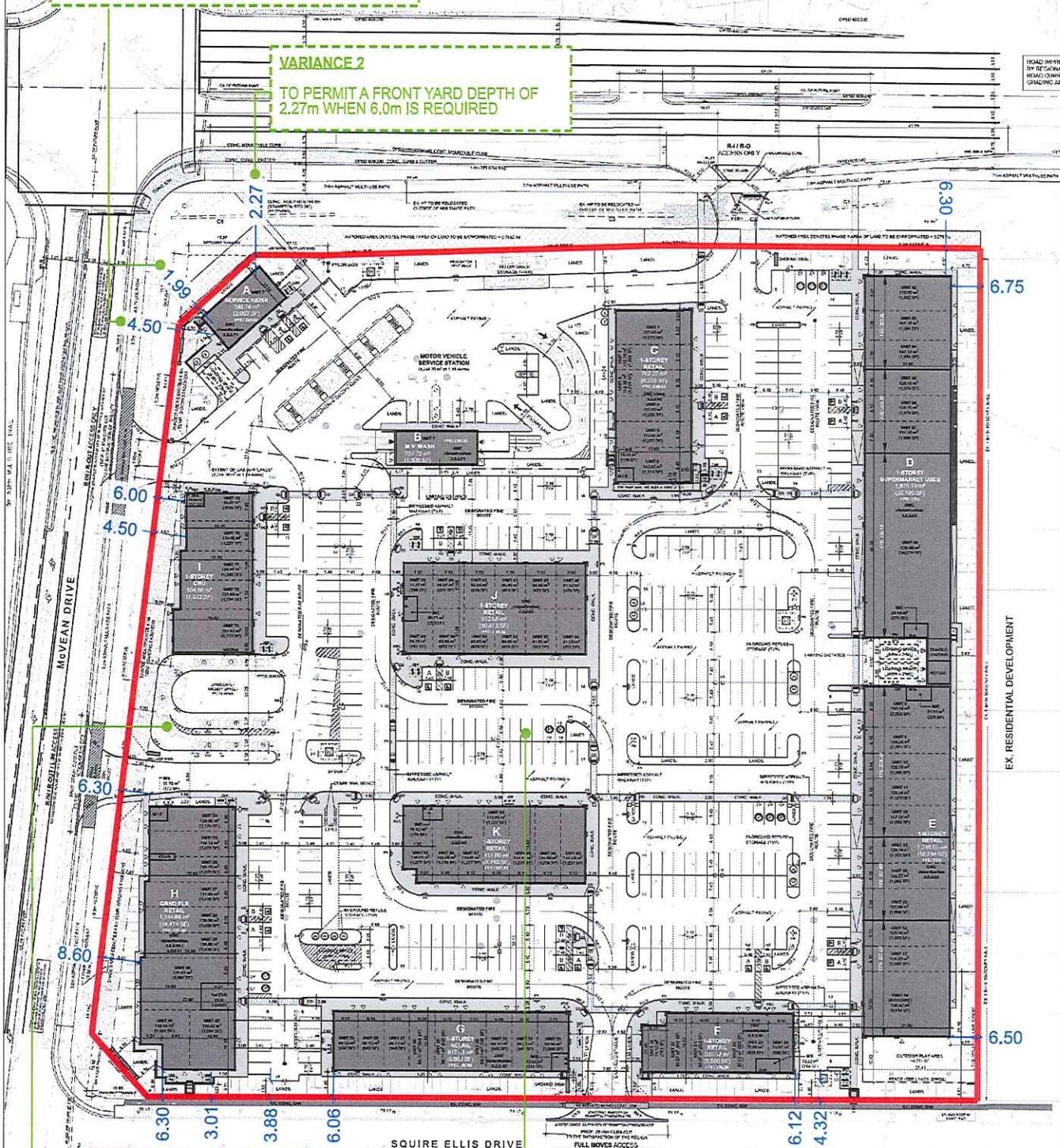
TO PERMIT A FRONT YARD DEPTH OF 2.27m WHEN 6.0m IS REQUIRED

**VARIANCE 4**

TO PERMIT A STACKING LANE, STAIRS AND RETAINING WALLS WITHIN THE REQUIRED LANDSCAPED OPEN SPACE WHEREAS THE BYLAW DOESN'T PERMIT IT

**VARIANCE 1**

TO PERMIT 466 PARKING SPACES WHEN 477 ARE REQUIRED

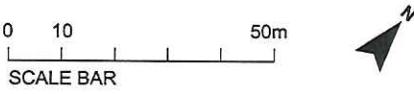


- Subject Lands
- Variances Requested

Note: The updated site plan was prepared by Baldassarra Architects Inc. on July 28, 2022

**MINOR VARIANCE SKETCH**  
 SOUTHEAST CORNER OF McVEAN DRIVE  
 AND MAYFIELD ROAD  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL

SCALE: SEE SCALE BAR  
 DATE REVISED: Oct 11, 2022  
 Weston File No. 9688



Vaughan office  
 201 Midway Ave, Suite 19  
 Vaughan, Ontario L4K 5K2  
 T. 905.738.8880 F. 905.738.9937  
 Toronto office  
 268 Berkeley Road  
 Toronto, Ontario M5A 2X5  
 T. 416.640.9917 F. 905.738.9937



**WESTON  
CONSULTING**

planning + urban design

A-2022-0297

Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, ON, L6Y 4R2

September 7<sup>th</sup>, 2022

File 9688

**Attn: Jeanie Myers, Secretary Treasurer**

**RE: Application for Minor Variance  
Southeast Corner of McVean Drive and Mayfield Road  
Block 385, Plan 43M-1997  
City of Brampton**

Dear Madame,

Weston Consulting is the planner for the McVean Commercial Centre Ltd. the legally registered landowner of the property described as Block 385, Plan 43M-1997 in the City of Brampton (herein referred to as the "subject property"). A preliminary municipal address of 11615 – 11705 McVean Drive has been assigned to the subject property. The property is located on the east side of McVean Drive, and the south side of Mayfield Road in the Vales of Humber Block Plan Area within the City of Brampton.

This letter has been prepared in support of a Minor Variance Application required to address zoning deficiencies related to an ongoing Site Plan Approval application. A previous Minor Variance approval was received for the subject property (A-2021-0160) on August 24, 2021. The site plan has since been revised to modify the building footprint of Building I on the plan resulting in an altered gross commercial floor area (GLCA) of 11,200.54 square metres and a parking count of 466 parking spaces. The variances sought through the previous Minor Variance approval are still applicable to the revised site plan. This Minor Variance Application does not request any additional variances from those previously obtained. This application is required because the revised site plan is not in conformance with the site plan attached to the previous Notice of Decision and as a result, it contravenes the conditions of approval associated with A-2021-0160.

**Description of the Subject Property**

The property is located on the east side of McVean Drive, south of Mayfield Road in the Vales of Humber Secondary Plan Area. The subject property is surrounded by low-rise residential uses to the east and south. Vacant land planned for low-rise residential uses is located to the west. Agricultural and low-rise residential uses are located to the north. Also to the north is a transportation use with outdoor storage for vehicles. These lands to the north are part of the Town

of Caledon. The subject property has a total site area of 40,002 sq.m (9.88 acres, 4.00 ha), and 190.25m of frontage along McVean Drive.

The City of Brampton Official Plan designates the subject property as 'Residential' and 'Neighbourhood Retail' according to Schedule A2 -Retail Structure of the Official Plan. The Vales of Humber Secondary Plan designates the property as 'Neighbourhood Retail', consistent with the Official Plan. The Secondary Plan designation allows for retail uses that cater to the local neighbourhood residents as well as office, restaurant and entertainment uses. The City of Brampton Zoning By-law 270-2004 zones the property as 'C2 – 2386'. The C2 zone permits various office and commercial uses such as retail establishments, a supermarket, restaurants, entertainment uses and personal services. The zoning exception applicable to the subject property imposes development standard restrictions.

### **Concurrent Site Plan Application and Previous Minor Variance Application**

The site is subject to a concurrent Site Plan Approval Application (SP19-003) which is at an advanced stage of the approvals process. The proposed development currently provides for a total of 11 buildings with a GCLA of 11,200.54 square metres. 7 of the 11 buildings are 1-storey commercial/retail buildings, one of which is designed to accommodate a supermarket. A 2-storey building with commercial/retail units on the ground floor and offices on the second storey is also proposed. The final 3 buildings include a single-storey commercial/retail building accommodating a convenience restaurant with a drive-through facility, a motor vehicle wash, and a gas bar with a service kiosk. City Staff issued a memo of substantial completion in favour of the Site Plan Application in 2021.

An application for a Minor Variance (A-2021-0160) was previously submitted and approved in August 2021. This application sought relief from provisions in the by-law in order to allow for an exterior side-yard setback of 5.4 meters and a front yard depth of 2.27 meters, whereas 6.0 meters is required in both cases. As well, the application sought a reduction in the required number of parking spaces from 467 to 456 spaces. Planning staff supported the requested variances, which were approved by the Committee of Adjustment at their meeting of August 24<sup>th</sup>. The first and third conditions of approval outlined in the Notice of Decision state:

- 1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision.*
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.*

Unanticipated revisions to the proposed site plan due to the departure of a tenant necessitated revisions to the proposed 'Building I', which was revised from a single-tenant building, to a multi-tenant building. Planning Staff have indicated that the revised site plan no longer complies with the conditions of approval associated with the previous Notice of Decision, requiring the submission of a new Minor Variance Application.

The revised site plan still does not comply with the provisions of the Zoning By-law sought by the previous Minor Variance Application. All three variances approved in 2021 remain applicable. This application is being submitted in order to request relief from those three provisions of the by-law again, as it pertains to the revised site plan. The provisions relate to the minimum exterior side yard and front yard setbacks, as measured from Building A, as well as parking. One change from the previous application is that the revisions to the site plan allowed for compliance with the required 6.0 meter exterior side yard setback for Building I. The revised site plan also increased the required rate of parking from 467 spaces, whereas 456 were proposed (11 space deficiency), to 476 spaces, whereas 466 are proposed (10 spaces deficiency). The required rate of parking increased but the magnitude of the parking deficiency decreased by one space.

A Transportation Impact Study, prepared by NexTrans was submitted with the previous Minor Variance Application. A Parking Addendum Letter to this study has been prepared and is included in this submission which indicates that the proposed parking supply remains sufficient to support the proposed development.

### **Purpose of Application**

The purpose of this application is to seek relief from the following provisions of the City of Brampton Zoning By-law 270-2004:

1. Section 2386.2
  - o (b) Minimum Front Yard Depth: 6.0 metres, whereas 2.27 metres is proposed.
  - o (c) Minimum Exterior Side Yard Depth 6.0 metres, whereas 4.50 metres is proposed.
2. Section 20.3.1:
  - o Minimum of 1 parking space for each 23 square metres of gross commercial floor area or portion thereof, as well as 5 spaces for a motor vehicle wash, resulting in a required parking supply of 476 spaces, whereas 466 spaces are provided.

### **Planning Justification and Analysis**

Section 45(1) of the *Planning Act* directs that a minor variance may be granted if, in the opinion of the Committee of Adjustment, the following tests are met:

- The variance requested maintains the general intent and purpose of the Official Plan;
- The variance requested maintains the general intent and purpose of the Zoning By-law;
- The variance is desirable for the appropriate use of the land; and;
- The variance is minor in nature.

Additionally, Bill 73 introduced a further condition (Section 45 (1.0.1)) stating that a minor variance must conform to any prescribed criteria and/or criteria established by the local municipality by by-

laws, if any. At this time, there are no additional criteria. The following provides a summary of how the requested variances meet the four tests under the *Planning Act*.

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

The subject property is designated as '*Residential*' and '*Neighbourhood Retail*' by the City of Brampton Official Plan and is designated '*Neighbourhood Retail*' by the Vales of Humber Secondary Plan. The subject property is the only site in the Secondary Plan Area with this designation. The purpose of the '*Neighbourhood Retail*' designation is to implement the "Local Retail" policies of the City of Brampton Official Plan. In addition to prescribing where to designate local retail sites, the Official Plan describes that the intent of the designation is to provide commercial space to serve the needs of the community and be easily accessible to residential areas. The policies define which uses are permitted in the designation, and those uses include supermarkets, junior department stores, pharmacies, restaurants, and service establishments. Drive-through facilities, car washes, gas bars and convenience restaurants are also permitted.

The proposed development of the subject property meets the general intent and purpose of the Official Plan and the Vales of Humber Secondary Plan. The proposed development is in conformance with all of the policies of the '*Neighbourhood Retail*' designation of the Vales of Humber Secondary Plan, as well as the '*Local Retail*' policies of the Official Plan. The proposed development proposes to provide commercial uses such as retail stores, a supermarket and a convenience restaurant and limited small-scale office uses that will be of benefit to the community. It is our opinion that the requested variances meet the general intent and purpose of the Official Plan.

#### **Maintains the General Intent and Purpose of the Zoning Bylaw**

The City of Brampton Zoning By-law 270-2004 zones the subject property as 'C2 – 2386', which allows for various commercial and office uses. The Zoning By-law also contains provisions that regulate the size and siting of buildings, as well as the required number and size of parking spaces. The purpose of the C2 zone is to provide for a range of retail, service, restaurant and offices uses that serve the community. The proposed development will provide local retail uses, a convenience restaurant, gas bar, personal service uses and limited office uses which are all uses which comply with the Zoning By-law.

The proposed development provides a total of 466 parking spaces, which is 10 spaces short of the requirement of 476 spaces, or a variance of approximately 2%. A Parking Addendum Letter, prepared by NexTrans Consulting Engineers, found that a parking supply of 466 spaces will be sufficient to serve the proposed development. The report explains that the mix of uses on the property will attract peak parking demands during different times of the day. For example, offices typically require more parking during the morning and mid-day, whereas retail typically requires more parking during the evening and on weekends. In addition, the report makes comparisons to required parking rates in other nearby municipalities, where lower parking rates are required for similar uses. This requested variance to reduce the number of parking spaces meets the general

intent and purpose of the Zoning By-law as it will still allow for an adequate supply of off-street parking for the businesses and services on-site.

One of the buildings proposed will not meet two setback requirements under the Zoning By-law. Building A, the service kiosk associated with the gas bar, is proposed to have an exterior side yard depth of 4.5m and a front yard depth of 2.27m, whereas 6.00m is required in both cases. The purpose of these reduced setbacks for the service kiosk is to increase the prominence of this building at the corner, which is considered a community gateway to the City of Brampton. In consultation with City Staff, it was determined that the location of this building at a prominent corner location makes these reduced setbacks appropriate in this commercial area. All other buildings comply with the required yard setbacks outlined by the Zoning By-law. The intent of the Zoning By-law to ensure sufficient space is provided for aesthetic and functional purposes at the front and sides of the buildings within the site is maintained.

It is our opinion that the requested variances to allow for relief from the parking requirement and the setback requirements as described above, maintain the general intent and purpose of the Zoning By-law.

#### **Desirable and Appropriate**

The proposed development is planned to provide retail, service, restaurant and office uses that are permitted by the Official Plan and Zoning By-law. The proposed development will benefit the surrounding local community by improving access to goods and services that are of an appropriate type and scale for the community. As well, the proposed uses which include a gas bar and a convenience restaurant, as well as a food store, local retail, personal service shops, and offices, will benefit the city at-large. The proposed development will provide uses that contribute to a strong, livable community.

The proposed variance for parking is a reduction of 2% from the by-law requirement. The enclosed Parking Addendum Letter supports this parking reduction by indicating that the proposed development can be served with fewer parking spaces than what is required by the Zoning By-law. A reduced parking rate, when appropriate, as is the case for the subject property, is desirable because it improves walkability, while reducing dependence on automobiles. Reduced parking rates also allow for a more efficient use of infrastructure and land resources.

The reduced setbacks proposed for Building A at the intersection of McVean Drive and Mayfield Road satisfy the City's urban design objectives for development adjacent to a community gateway location. The reduced setbacks allow Building A to be sited closer to the corner of the site. The placement of the building, in conjunction with the building's two-storey massing and the corner entry feature, which has been approved by City Staff, enhances the prominence of this corner location. The reduced setbacks are required to achieve this site condition at this corner of the subject property. This setback reduction will not adversely impact the streetscape along McVean Drive.

It is our opinion that the requested variances are both desirable and appropriate.

### **Minor in Nature**

The requested variances are minor in nature as they maintain the general intent and purpose of the Official Plan and Zoning Bylaw, are desirable and appropriate, and will not have any adverse impacts on the surrounding area. The variances are proposed to seek relief from the Zoning By-law to allow for reduced building setbacks that are appropriate for the location and a reduction in parking that is appropriate given the anticipated parking demand of the subject property.

The reduction in the setback requirements will allow Building A to be brought closer to the street. This will increase the prominence of the development at a community gateway location, fronting onto a street with a wide right-of-way width. Bringing this building closer to the sidewalk will also animate the public realm and increase the level of pedestrian comfort and accessibility to the site.

The reduced number of parking spaces results in a variance of 2% from the Zoning By-law requirement. This 2% reduction is supported by the enclosed Parking Addendum Letter, which examined the parking needs anticipated on the site given the proposed uses and context. Given that the reduced parking supply is projected to meet the demand for parking on the site without the need to implement transportation demand management measures, the proposed reduction in parking is minor in nature.

It is our opinion that the proposed variances do not pose any discernable impacts on the surrounding area, nor are they inconsistent with the general intent and purpose of the Official Plan and Zoning By-law. For these reasons, it is our opinion that the variances are minor in nature.

### **Submission Materials**

The following materials have been included with this digital submission:

- The complete application form, including Appointment and Authorization form and Permission to Enter form;
- A Minor Variance Sketch; and,
- Parking Addendum Letter.

The required fee of \$2,662.00 is enclosed with this submission.

### **Conclusion**

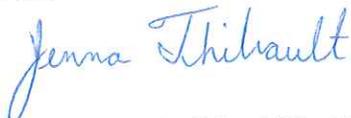
It is our opinion that the proposed variances should be approved by the Committee of Adjustment as they satisfy all four tests prescribed by the *Planning Act* and represent good planning. This commercial development will be of benefit to the surrounding residential community and the City of Brampton at large.

We trust that the above is sufficient for staff to facilitate their review. Should you have any questions, or require further information, please contact the undersigned (ext. 309) or Jacob Lapointe (ext. 299).

Yours truly,

**Weston Consulting**

**Per:**



Jenna Thibault, BSc, MPL, MCIP, RPP  
Associate

c. S. Minuk, McVean Commercial Centre Ltd.

520 Industrial Parkway South, Suite 201  
Aurora, Ontario L4G 6W8  
Phone: 905-503-2563  
www.nextrans.ca



July 28, 2022

Minuk Contracting Company Ltd.  
99 Sante Drive, Suite C  
Concord ON L4K 3C4

Attention: Mr. Lorenzo Papi

Re: **Parking Addendum Letter**  
**Southeast Quadrant of Mayfield Road and McVean Drive**  
**City of Brampton, ON**  
**Our Project No. NT-20-033**

A-2022-0297

NexTrans Consulting Engineers (a Division of NextEng Consulting Group Inc.) is pleased to present the enclosed Parking Addendum Letter for the above noted property. NexTrans previously prepared a Transportation Impact Study for the commercial development, dated January 2021.

The subject property is located at the southeast corner of the Mayfield Road and McVean Drive intersection, in the City of Brampton. Based on the site plan prepared by Baldassarra Architects Inc., dated June 27, 2022, the development proposal includes eight (8) commercial buildings, a restaurant with drive-thru and a gasoline service station with a car wash, with a collective gross leasable commercial area (GLCA) totaling 11,200.54 m<sup>2</sup> (120,562 ft<sup>2</sup>) and a gross commercial floor area (GCA) of 11,003.71 m<sup>2</sup> (118,443 ft<sup>2</sup>). A total of 466 vehicle parking spaces are provided on the entire site. A total of four (4) vehicular site entrances are proposed, one (1) via Mayfield Road (right-in-right-out), one (1) full movement via future Squire Ellis Drive and two (2) via McVean Drive (right-in-right-out/left-in and right-in-right-out). The site plan is provided in full detail in **Appendix A**.

The purpose of this addendum letter is to provide an update to the parking justification section from our previous Transportation Impact Study based on the site plan revisions, which are summarized in **Table 1**.

**Table 1: Proposed Site Statistics Changes from Previous Site Plan**

	<b>January 14, 2021, Site Plan</b>	<b>June 27, 2022, Site Plan</b>	<b>Difference</b>
Total GLCA	11,084.61 m <sup>2</sup>	11,200.54 m <sup>2</sup>	+115.93 m <sup>2</sup>
Total GCA	10,872.10 m <sup>2</sup>	11,003.71 m <sup>2</sup>	+131.61 m <sup>2</sup>

Based on the site plan dated June 27, 2022, there was an increase in GLCA of 115.93 m<sup>2</sup> and an increase in GCA by 131.61 m<sup>2</sup>. As such, the parking section from our previous Transportation Impact Study was updated as follows.

A total of 466 vehicle parking spaces are provided on the entire site. The property is zoned by Zoning By-law 270-2004, which has been amended by Zoning By-law No. 259-2020.

The technical parking requirements for the proposed development under Zoning By-Law No. 259-2020 are detailed in **Table 2**. **It is important to note, the specified GFA below in Table 2 per land use is based on total Gross Commercial Floor Area (11,003.71 m<sup>2</sup>).**

**Table 2: Vehicle Parking Requirements (Zoning By-law No. 259-2020)**

Land Use	Unit / GFA	Parking Rates	Parking Requirement
Shopping Centre over 2000 m <sup>2</sup>	10,835.99 m <sup>2</sup>	1 space per 23 m <sup>2</sup>	471
Motor Vehicle Washing Establishment	167.72 m <sup>2</sup>	5 parking spaces plus 10 car stacking spaces	5
<b>Total Required</b>			476
<b>Total Provided</b>			466
<b>+ Surplus / - Deficiency</b>			<b>-10</b>

In accordance with the City of Brampton's parking provisions outlined in the Zoning By-law No. 259-2020, this site requires 476 parking spaces, resulting in a technical deficiency of 10 parking spaces (2% reduction). It is important to note, the proposed land uses will attract peak parking demands at different times of the day. As such, it is our opinion parking spaces provided on site are expected to be vacant throughout the day.

In addition, the deficiency of parking spaces can be supported through comparisons of several municipality parking By-law requirements for retail uses. **Table 3** summarizes the parking requirements based on City of Markham, City of Vaughan, City of Toronto, Town of Richmond Hill and Town of Ajax Zoning By-law's.

**Table 3: Vehicular Zoning By-Law Parking Requirements for other Municipalities**

Municipality	Use	GCA (m <sup>2</sup> )	Retail Parking Requirement		Total Required (Retail + other uses)	Total Provided	Difference
			Minimum Parking Rate	Parking Spaces Required			
City of Markham Zoning By-Law No. 28-97	Retail Store	10,835.99	1 space / 30 m <sup>2</sup>	361	367	466	+99
City of Vaughan (Recommended IBI March 2010 Study Parking Rates) *Other Base Areas	Retail		3.5 space / 100 m <sup>2</sup>	379	385		+81
City of Toronto Zoning By-Law No. 569-2013	Retail/ Restaurant		1.5 space / 100 m <sup>2</sup>	162	165		+301
Town of Richmond Hill – Parking Strategy	Retail		325	320	330		+136
Town of Ajax Zoning By-Law No. 95-2003	Retail Store		1 space / 28 m <sup>2</sup>	387	393		+73
<b>Maximum Peak Parking Requirement</b>				<b>387</b>	<b>393</b>	<b>466</b>	<b>+73</b>

As detailed in Table 3, the maximum parking requirement for the proposed development based on the parking requirements from other municipalities indicate that a total of 393 parking spaces are required, whereas a total of 466 parking spaces are proposed. The subject site is subjected to the City of Brampton's Zoning By-laws which require a

highly conservative parking requirement rate for shopping center uses.

Based on our experience, excessive parking supply imposes environmental costs, contradicts community development objectives for more livable and walkable communities, and tends to increase driving and discourage the use of alternative modes of travel. It is anticipated that the proposed parking provision recommended within this report will completely service the subject site while reducing environmental costs associated with largely underutilized surface parking lots. On this basis, it is our opinion that the parking supply at the subject site can sufficiently accommodate the parking demand generated from the proposed development.

In addition to Zoning By-law 259-2020, the subject site is also required to adhere to the accessible parking requirement within the City of Brampton's Highway and Parking By-law 93-93. The technical parking requirements for the proposed development under By-law 93-93 are detailed in **Table 4**.

**Table 4: Accessible Vehicle Parking Requirements (Zoning By-law No. 93-93)**

Parking Rates	Parking Requirement
Two parking spaces and an additional two per cent for developments between 200 and 1000 total parking spaces	12
<b>Total Provided</b>	21
<b>Difference</b>	+9

In accordance with the City of Brampton's parking provisions outlined in the By-law No. 93-93, this site requires 12 accessible parking spaces resulting in a technical surplus of nine (9) accessible parking spaces.

We trust the enclosed sufficiently addresses your needs. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

**NEXTRANS ENGINEERING**

Prepared by:



Kristian Aviles, B.Eng.  
Transportation Analyst

Approved by:



Richard Pernicky, MITE  
Principal

## **Appendix A - Proposed Site Plan**





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)** McVean Commercial Centre Ltd.  
**Address** 99 Sante Drive, Suite C, Concord, ON, L4K 3C4

**Phone #** 905-738-3675 ext. 27 **Fax #** \_\_\_\_\_  
**Email** sandyminuk@minukcorp.com

2. **Name of Agent** Weston Consulting c/o Jenna Thibault  
**Address** 201 Millway Avenue, Suite 19, concord, ON, L4K 5K8

**Phone #** 905-738-8080 ext. 309 **Fax #** 905-738-6637  
**Email** jthibault@westonconsulting.com

3. **Nature and extent of relief applied for (variances requested):**

Setbacks:  
Front Yard: 6.00m required, 2.27m provided  
Exterior Side Yard: 6.00m required, 4.50m provided.

Parking Spaces:  
476 required, 466 provided

4. **Why is it not possible to comply with the provisions of the by-law?**

In consultation with Staff, Building A was located closer to the intersection of McVean and Mayfield to create prominence at the intersection. A Parking study was undertaken to determine the appropriateness of the proposed parking rate and indicates that the proposed rate is sufficient to serve the proposed development.

5. **Legal Description of the subject land:**  
**Lot Number** N/A  
**Plan Number/Concession Number** Block 485, Plan 43M1997  
**Municipal Address** Preliminary: 11615 - 11705 McVean Drive

6. **Dimension of subject land (in metric units)**  
**Frontage** 190.25m  
**Depth** 205.3m  
**Area** 40,002.14 sq.m.

7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

- 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.)

The proposed development is under construction in accordance with the June 14th, 2021 memo of substantial completion and Approved Minor Variance A-2021-0160. The requested variances through this application are required to complete construction.

**PROPOSED BUILDINGS/STRUCTURES on the subject land:**

Seven single-storey commercial buildings, one two-storey mixed-use building with commercial on the ground floor and offices above, a single-storey convenience restaurant with drive-through, gas bar, motor vehicle wash and service kiosk.  
 Total Gross Commercial Floor Area (less deductible areas): 11,200.54 m2  
 (Shopping Centre: 11,032.82m2 + Vehicle Wash 167.72m2)

- 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	<u>N/A</u>
Rear yard setback	<u>N/A</u>
Side yard setback	<u>N/A</u>
Side yard setback	<u>N/A</u>

**PROPOSED**

Front yard setback	<u>2.27m</u>
Rear yard setback	<u>6.06m</u>
Side yard setback	<u>6.50m (Interior, East)</u>
Side yard setback	<u>4.50m (Exterior, West)</u>

- 10. Date of Acquisition of subject land: 2019/12/12

- 11. Existing uses of subject property: Property zoned C2-2386, which permits various commercial uses such as restaurants, retail and personal service

- 12. Proposed uses of subject property: Commercial and Limited Office

- 13. Existing uses of abutting properties: Residential

- 14. Date of construction of all buildings & structures on subject land: Site is under construction

- 15. Length of time the existing uses of the subject property have been continued: Construction is underway

- 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? Subject property is subject to a Site Plan application (SP19.003)

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 # A-2021-0160 Decision Approved Relief Front and exterior yard setbacks, parking
File # \_\_\_\_\_ Decision \_\_\_\_\_ Relief \_\_\_\_\_
File # \_\_\_\_\_ Decision \_\_\_\_\_ Relief \_\_\_\_\_

Jenna Thibault
Signature of Applicant(s) or Authorized Agent

DATED AT THE Town \_\_\_\_\_ OF Newmarket \_\_\_\_\_

THIS 7 DAY OF September, 2022.

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, Jenna Thibault, OF THE Town OF Newmarket

IN THE Region OF York 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 REGION OF

YORK THIS 7TH DAY OF

SEPTEMBER, 2022

Patrizia Santino, a Commissioner, etc., Province of Ontario, for Weston Consulting Group Inc. Expires 09/30/2024

Jenna Thibault
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: \_\_\_\_\_

Present Zoning By-law Classification: C2-2386

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

SEPT.15.22
Date

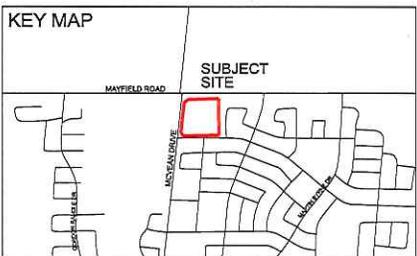
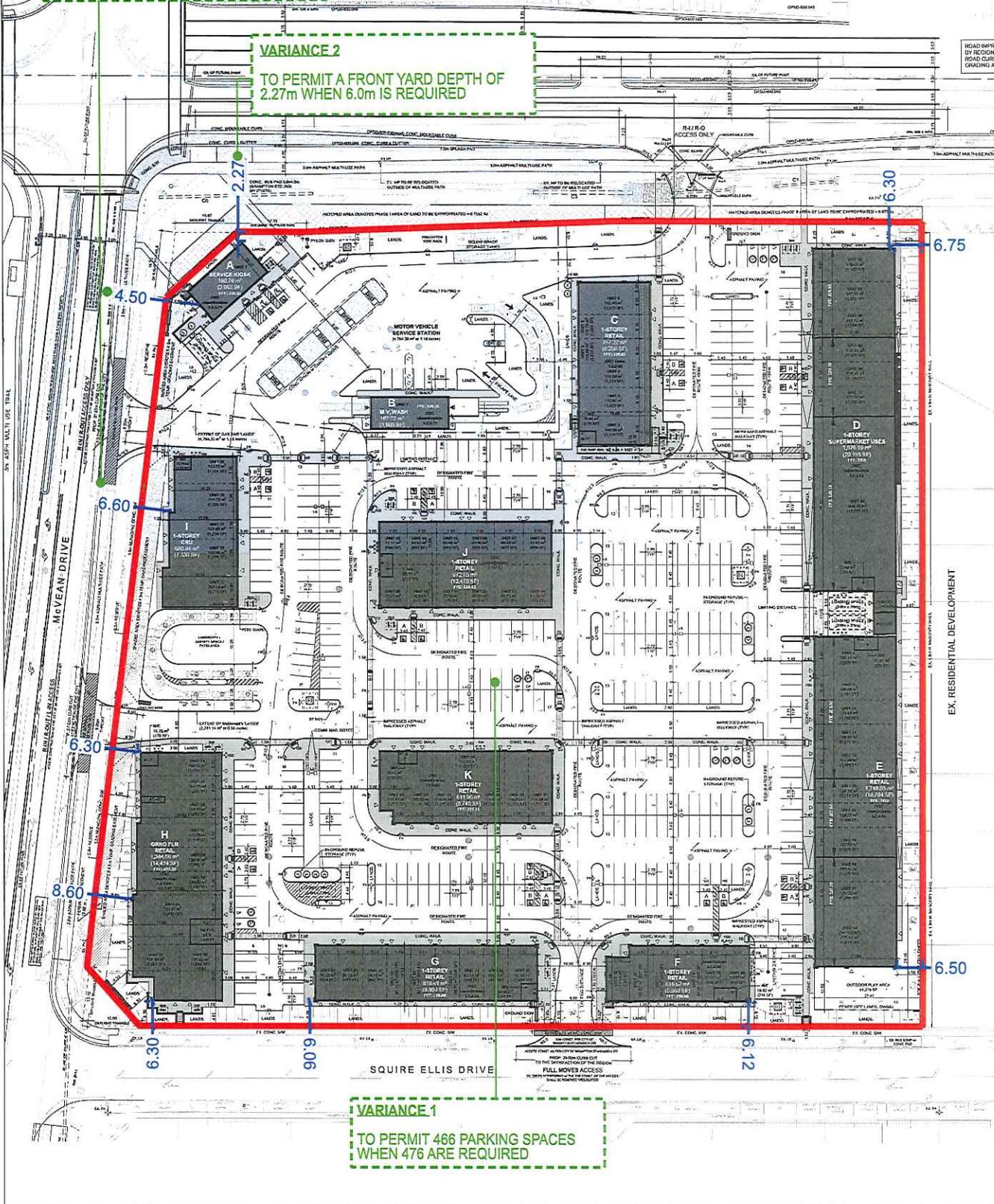
DATE RECEIVED September 9th, 2022

Date Application Deemed Complete by the Municipality \_\_\_\_\_

**VARIANCE 3**  
 TO PERMIT AN EXTERIOR SIDE YARD  
 DEPTH OF 4.5m WHEN 6.0m IS REQUIRED

**VARIANCE 2**  
 TO PERMIT A FRONT YARD DEPTH OF  
 2.27m WHEN 6.0m IS REQUIRED

**VARIANCE 1**  
 TO PERMIT 466 PARKING SPACES  
 WHEN 476 ARE REQUIRED

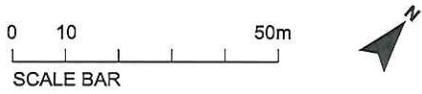


- Subject Lands
- Variances Requested

Note: The updated site plan was prepared by Baldassarri Architects Inc. on July 28, 2022

### MINOR VARIANCE SKETCH

SOUTHEAST CORNER OF MCVEAN DRIVE  
 AND MAYFIELD ROAD  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL



SCALE: SEE SCALE BAR  
 DATE REVISED: Sept 07, 2022  
 Weston File No. 9686



Vaughan office  
 201 Midway Ave, Suite 19  
 Vaughan, Ontario L4K 9K5  
 T. 905.738.8090 F. 905.738.9937  
 Toronto office  
 268 Berkeley Road  
 Toronto, Ontario M5A 2K5  
 T. 416.840.9917 F. 905.738.9937

FILE NUMBER A-2021-0160

HEARING DATE AUGUST 24, 2021

APPLICATION MADE BY MCVEAN COMMERCIAL CENTRE LTD

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE(S):

1. To permit a front yard setback of 2.27m (7.45 ft.);
2. To permit an exterior side yard setback of 4.5m (14.76 ft.);
3. To permit 456 parking spaces.

(11615 - 11705 MCVEAN DRIVE, BLOCK 385, PLAN 43M,-1997)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS  
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

**SEE SCHEDULE "A" ATTACHED**

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: D. Colp

SECONDED BY: R. Power

CHAIR OF MEETING: RON CHATHA

WE THE COMMITTEE MEMBERS NOTED BELOW HEREBY CONCUR IN THE DECISION

*AUTHORIZED BY VOTE HELD AT A MEETING ON AUGUST 24, 2021*

RON CHATHA, MEMBER

DESIREE DOERFLER, MEMBER

ROD POWER, MEMBER

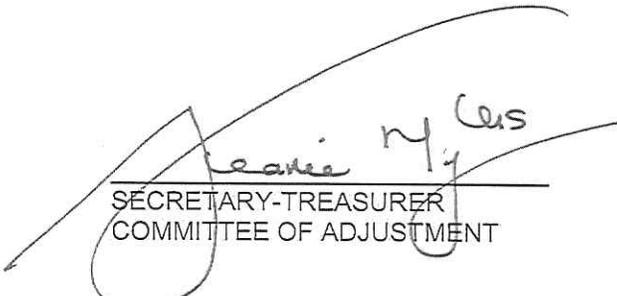
DAVID COLP, MEMBER

ANA CRISTINA MARQUES, MEMBER

DATED THIS 24TH DAY OF AUGUST, 2021

**NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE SEPTEMBER 13, 2021**

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT

Flower City



brampton.ca

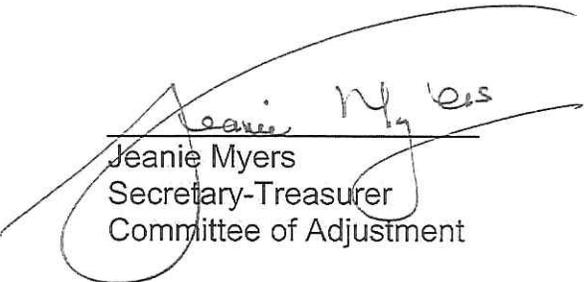
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A-2021-0160**

DATED: **August 3, 2021**

Conditions:

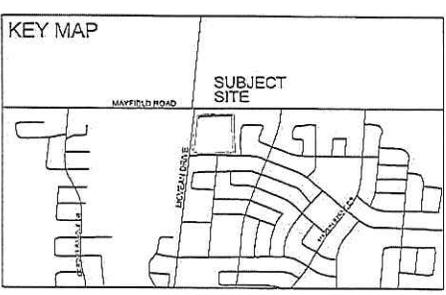
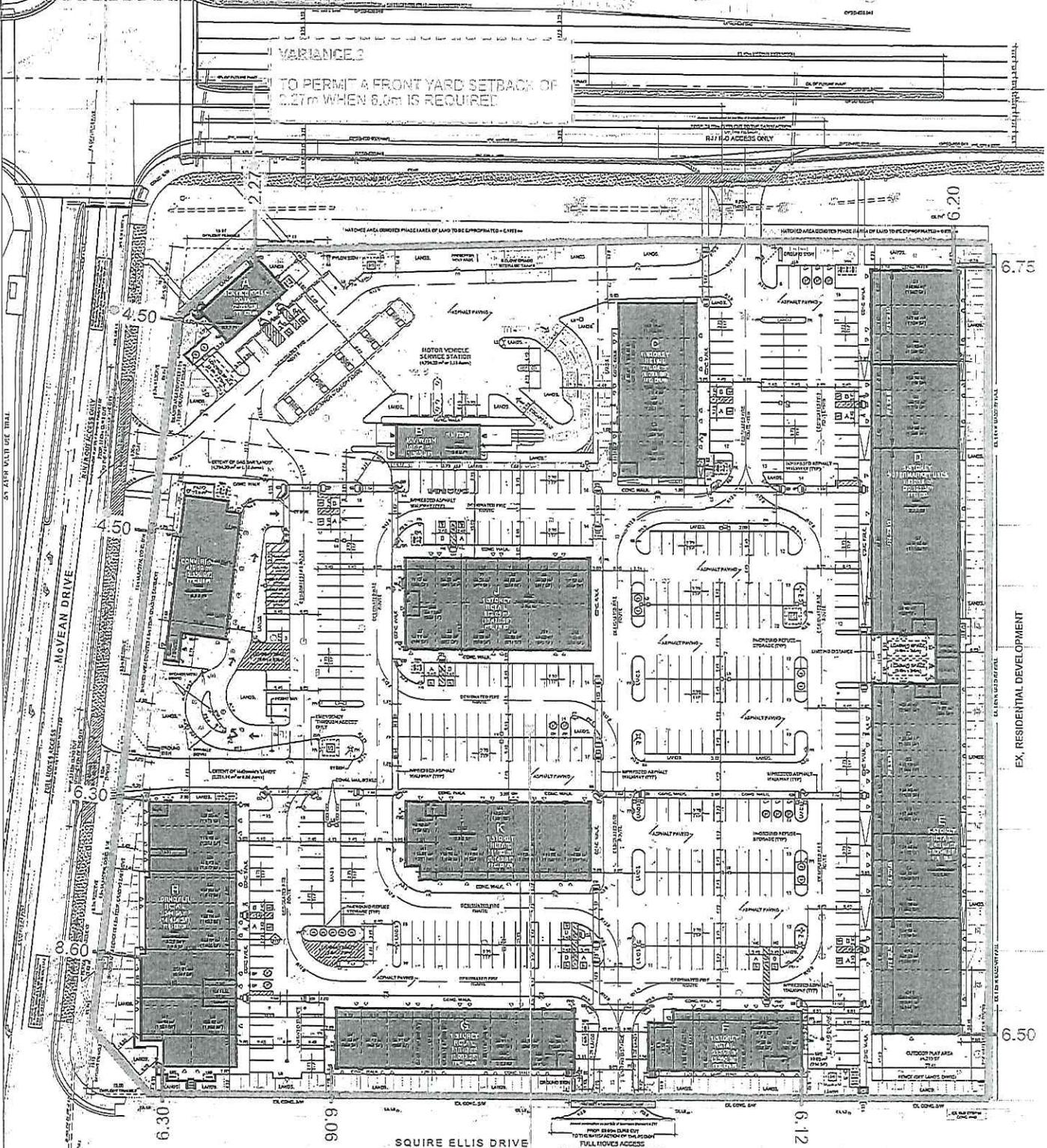
1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the owner finalize site plan approval under City File SP-19-003-000 and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

  
Jeanie Myers  
Secretary-Treasurer  
Committee of Adjustment

VARIANCE 3  
 TO PERMIT A SIDE YARD SETBACK OF  
 4.5m WHEN 6.0m IS REQUIRED

VARIANCE 2  
 TO PERMIT A FRONT YARD SETBACK OF  
 0.27m WHEN 6.0m IS REQUIRED

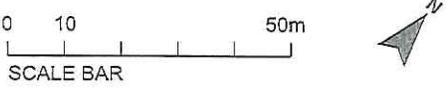
VARIANCE 1  
 TO PERMIT 456 PARKING SPACES  
 WHEN 467 ARE REQUIRED



Subject Lands  
 Variance Requested

Note: The original drawing was prepared by Baldassarra Architects Inc. on June 17, 2021

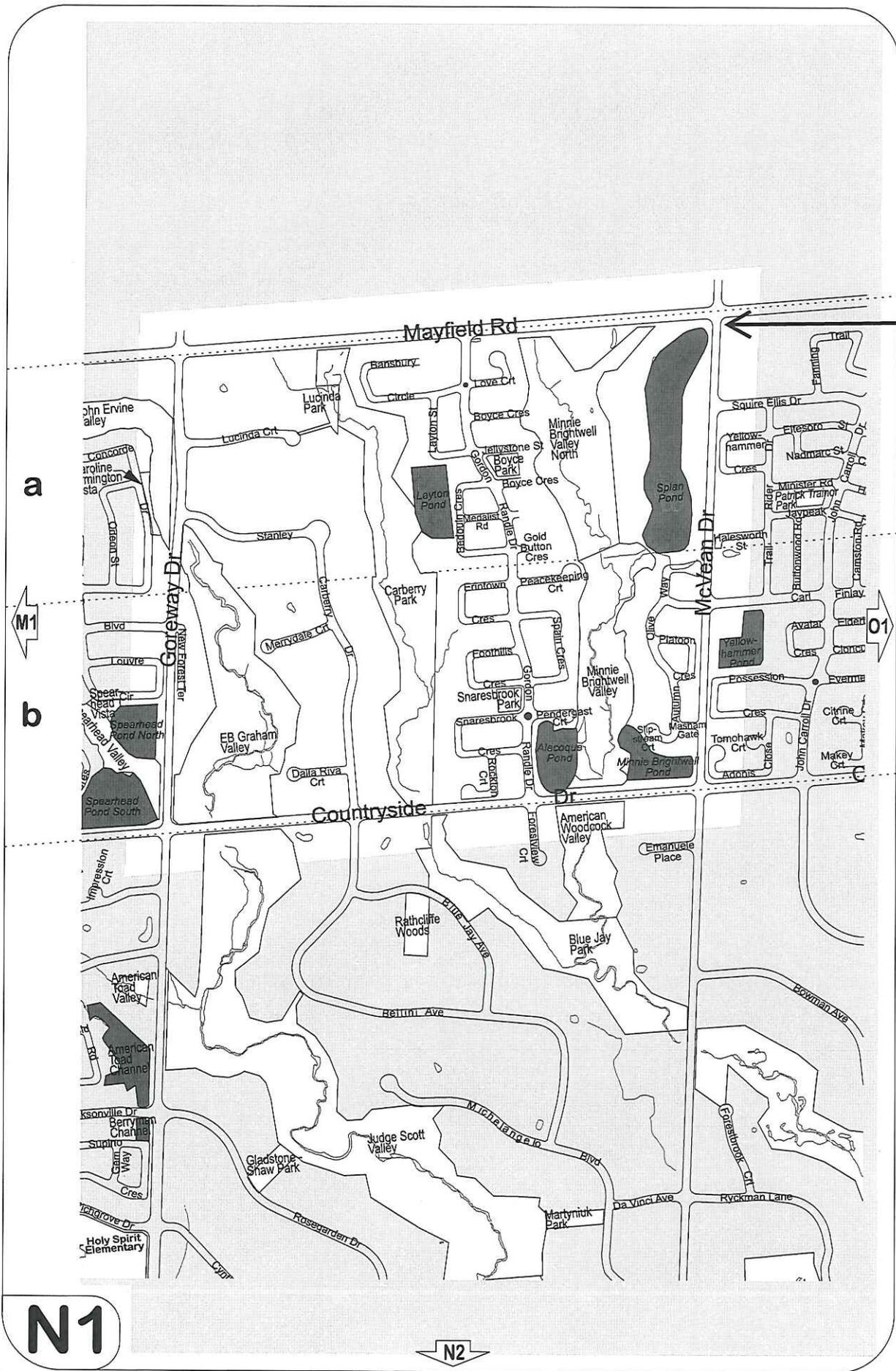
**MINOR VARIANCE SKETCH**  
 SOUTHEAST CORNER OF McVEAN DRIVE  
 AND MAYFIELD ROAD  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL



SCALE: SEE SCALE BAR  
 DATE DRAWN: JULY 08, 2021  
 Weston File No. 9688



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 201 McEwen Ave. Suite 109  
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 T: 905.738.8080 F: 905.738.0937  
 Toronto office  
 300 Berrymore Road  
 Toronto, Ontario M5A 2K5  
 T: 416.640.9917 F: 905.738.9937



a

b

M1

O1

N1

N2