

Public Notice

Committee of Adjustment

APPLICATION # A-2022-0322 WARD 8

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **2182036 ONTARIO INC.** under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lot 4, Concession 10 N.D. municipally known as **4523 AND 0 QUEEN STREET EAST**, Brampton;

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

- 1. To permit convenience restaurant uses within the Office Commercial (OC) Section 2545 zone whereas the Office Commercial (OC) Section 2545 zone only permits a take-out restaurant use;
- 2. To permit a drive through facility in conjunction with a convenience restaurant on lands zoned Agricultural and Office Commercial (OC) Section 2545 whereas the by-law does not permit the use on lands zoned Agricultural and only permits a drive-through facility on lands zoned Office Commercial (OC) Section 2545 in association with a vehicle washing establishment;
- 3. To permit all uses permitted in the Office Commercial (OC) Section 2545 zone on lands zoned Agricultural whereas the by-law does not permit the uses on lands zoned Agricultural;
- To permit a minimum gross floor area of 760 square metres of office space whereas the Office Commercial (OC) – Section 2545 zone permits a minimum gross floor area of 950 square metres of office 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:
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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.

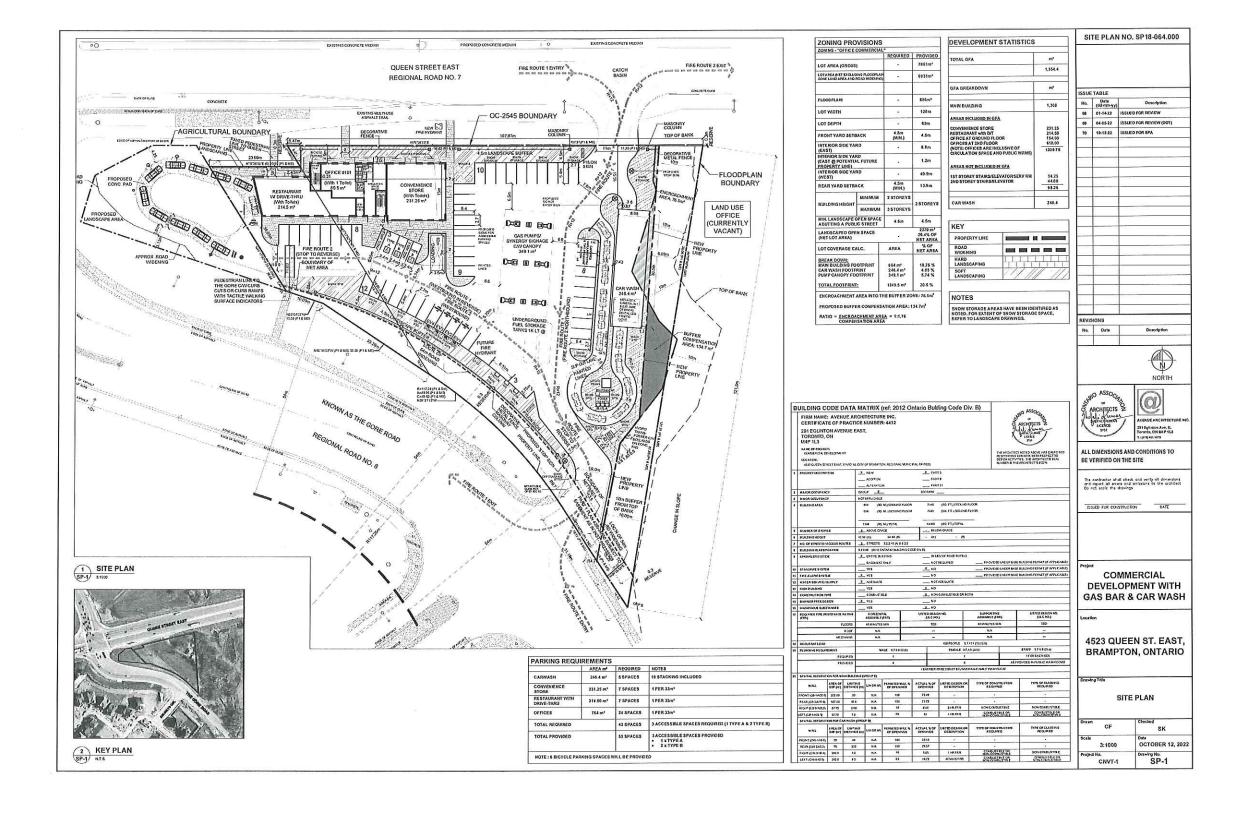
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

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





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 inperson 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:
- Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, October 20, 2022.
- 2. To participate in-person, please email the Secretary–Treasurer at cityclerksoffice@brampton.ca or 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 inperson. 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 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.

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 to indicate your interest and you will be contacted with more information.



WESTON CONSULTING

planning + urban design

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

Attn: Ms. Jeanie Myers, Secretary - Treasurer

Re: Minor Variance Application Addendum 0 and 4523 Queen Street East 2182036 Ontario Inc.

Related City File Nos. SP18.064.000

This planning addendum letter is prepared in light of recent discussions and email correspondence between our office and City of Brampton Planning Staff dated October 5th, October 7th, and October 11th 2022. This addendum serves as an update to the following:

- Modified wording to requested minor variances;
- · Confirmation of proposed office gross floor area values; and
- Additional planning justification in regard to minimum office gross floor area relief.

Weston Consulting is the authorized planning agent for 2182036 Ontario Inc. the registered owners of the lands municipally described as 4523 and 0 Queen Street East in the City of Brampton (herein referred to as the 'subject property'). As an update to the previously submitted request for minor variance application, the requested variances have been <u>updated</u> to request the following zoning relief:

- To permit convenience restaurant uses within the Office Commercial (OC) Section 2545
 Zone; whereas the Office Commercial (OC) Section 2545 Zone only permits a take-out
 restaurant use;
- 2. To permit a drive through facility in conjunction with a convenience restaurant on lands zoned Agricultural and Office Commercial Section 2545; whereas the By-law does not permit the use on lands zoned Agricultural and only permits a drive-through facility on lands zoned Office Commercial Section 2545 in association with a vehicle washing establishment;
- 3. To permit all uses permitted in the Office Commercial Section 2545 Zone on lands Zoned Agricultural; whereas the by-law does not permit the uses on lands zoned Agricultural;
- 4. To permit a minimum gross floor area of 760 square metres of office space; whereas the Office Commercial (OC) Section 2545 Zone permits a minimum gross floor area of 950 square metres of office space.

October 13, 2022

File: 6005

We note since the original submission of the minor variance application request, subtle efficiencies to gross floor areas were advanced, as it specifically relates to proposed office gross floor area. The office gross floor area has been increased from the original request of 730 m² to 760 m², an increase of 30m² (320 square feet). Below is an updated breakdown of the current proposal associated with Site Plan filed no. SP 18.064.000 in comparison to the current development proposal submitted in connection with this minor variance application:

Land Use	City file no. SP18.064.000 Proposal	Current Proposal	Difference
Convenience store	216 m ²	231.5 m ²	+15.50 m ²
Take-away restaurant	276.4 m ²	n/a	- 276.4 m ²
Convenience Restaurant	0 m ²	214.5 m ²	+214.5 m ²
Office (Minimum 950 sq.m permitted by OC-2545)	963.7 m ²	764.0 m ²	- 199.7 m ²
Car wash	246.4 m ²	246.4 m ²	No Change
Gas pumps	349.1 m ²	349.1 m ²	No Change
Total	2,051.60 m ²	1,805.50 m ²	- 246.1 m ²

Planning Analysis and Justification

Test 1: Do the Variances Maintain the Purpose and Intent of the Official Plan?

As identified in the previously submitted minor variance rationale letter dated September 27, 2022, the subject property is designated Office Node per the Bram East Secondary Plan. In particular, Office Node Policy 3.2.5 of the Bram East Secondary Plan permits a wide range of uses, which include "Business, professional or administrative offices, hotels, motels, financial institutions, accessory and personal service retailing, a supermarket, food and beverage establishments, recreation, institutional, convenience retail uses, business support activities, prestige types of manufacturing or assembly that are compatible with an office or research environment, and existing commercial, industrial or business uses that are reasonably compatible with the long term development strategy for the Office Node." The uses proposed through the submission of this minor variance application include business, professional or administrative office uses as well as convenience store and convenience restaurant which are permitted and promoted per the City's Official Plan designation of the Office Node policy. The mixed-use building will contain primarily office uses and a variety of commercial uses that people who work and live in the surrounding area can enjoy. The proposed uses contemplated uphold the intended uses within the Office Node designation.

With regard to the Bram East Secondary Plan Policy 3.2.6, as amended through the approval of site specific OPA 135, the applicable and in-effect policies are referenced below.

The document known as the Bram East Secondary Plan (Chapter 41 of Part II of the City's Official Plan) is hereby amended as follows:

(1) by adding after Section 3.2.5, the following:

"3.2.5.1 A gas bar and motor vehicle washing establishment is only permitted on the lands located at the south-east corner of Queen Street East and The Gore Road having an area of approximately 0.76 hectares (1.88 acres), in conjunction with a minimum amount of office space that is to be identified in the Zoning By-law."

3.2.5.2 Notwithstanding Section 3.2.6, an individual primary office project is permitted at a minimum density of 0.22 Floor Space Index (FSI) within the Office Node designation on the lands located at the south-east corner of Queen Street East and The Gore Road having an area of approximately 0.76 hectares (1.88 acres).

3.2.5.3. Notwithstanding Section 3.2.6, the retail and service commercial component of the office building on the lands located at the south-east corner of Queen Street East and The Gore Road shall not exceed 570 square metres."

Policy 3.2.5.1, speaks to minimum amounts of office space being identified within the implementing zoning by-law, a minimum of 950 m² of office gross floor area. Policy 3.2.5.2 speaks to an *individual primary office project* containing a permitted minimum density of 0.22 FSI. The proposed development has not been designed as an individual primary office project, rather a mixed-use commercial development consisting of office uses and a variety of other permitted uses within the Office Node designation. However, in evaluating the criteria of policy 3.2.5.2, specifically in regard to the referenced minimum density of a primary office project, I note the current proposal before City Planning Staff - in connection with the ongoing SPA File No. 18.064.000, does not meet the minimum 0.22 FSI target illustrated in policy 3.2.5.2. It is our interpretation the previous planning approvals (site specific OPA) included a minimum density policy as a means of <u>only</u> applying to the subject property should it be developed solely as a standalone office development.

Accordingly, the proposal in connection with the ongoing SPA provides an office gross floor area of 963.7 m², across a total area of 7,600 m², representing an office density 0.13 FSI. The current proposal hereto provides for a total office gross floor area of 764 m², across a total area of 7,600 m², representing a modest reduction to an office density of 0.10 FSI. Should policy 3.2.5.2 have been written with the intent of requiring a minimum density 0.22 FSI for specifically office uses, a minimum office GFA of 1,700 m² (0.22 FSI), would have been written into site-specific by-law 195-2017.

With respect to the above rationale, it is our interpretation the Official Plan contains <u>no</u> minimum density requirement for office space, established in connection with the approval of OPA 135. We acknowledge a modest reduction of proposed on-site office space from 963 m² to 764 m², however acknowledge the intent and purpose of the Official Plan policies are met as a means of providing a range of uses, including substantive office space within the Office Node designation.

It is our opinion that the Variances maintain the general intent and purpose of the Official Plan.

Test 2: Do the Variances Maintain the Purpose and Intent of the Zoning By-law?

Site-specific Zoning By-law 170-2004 permits a minimum 950 m² office gross floor area. The proposed minor variance application seeks relief to this zoning provision as a means of reducing permitted minimum office gross floor area to 760 m².

The intent of this provision relating to minimum office space was included as a means of ensuring that a minimum distribution of office uses be provided on-site, as a means of ensuring that the dominant uses on-site would be office. The current proposal within the site plan process, proposes an office gross floor area of 963.7 m^2 and a total main building floor area of 1,456.1 m^2 , the percentage of building area devoted to office area ratio is 66%. Whereas, the revised proposal submitted herein includes a reduced office area of 764 m^2 across a main building area of 1,209.75 m^2 , translating to an office area ratio of 64%.

The proposed amount of office space maintains the intent of the Zoning By-law, as it continues to ultimately make up the vast majority of building gross floor area. Overall, a reduction of 199.7 m² of office area, equates to a 2% reduction of office versus other uses ratio. The overall office area allocation still maintains the intent of the zoning by-law as an office dominate floor space area, as nearly two thirds of the proposed building situated along Queen Street consists of office space and associated units.

It is our opinion that the requested variances maintain the general intent and purpose of the zoning by-law.

Test 3: Are the Variances Minor in Nature?

The proposed variance does not create impacts or adverse impacts onto abutting lands, nor does it impact the surrounding area. The modest reduction of required minimum office gross floor area from 950 m² to a minimum of 760 m², still provides for a meaningful amounts of office gross floor area on site, at a location that is accessible by several modes of transportation. The proposed reduction of office area and proposed development allows for a logical extension of development on the lands in a compatible and complimentary manner. Although a 190 m² of office floor area reduction is proposed, the majority of building floor area along Queen Street East provides for solely the use of office floor area. As proposed, the office reduction equates to a 2% decrease in the office versus other uses ratio, by way of a modest reduction from 66% to 64%. Given the site considerations and constraints, there is no ability to enlarge the building beyond what has been designed. Overall, the proposed development, inclusive of office gross floor area reduction - provides for a variety uses at a location which will be easily accessed by nearby employment and nearby residents.

It is our opinion that the requested variance is minor in nature.

Conclusion

The planning analysis and conclusions within the previous submission letter dated September 27, 2022 still remain relevant where it does not conflict with the updates provided herein and should be reviewed in conjunction with this addendum letter. It remains our position that the sough minor variances satisfy the four tests of a minor variance as required by Section 45(1) of the *Planning Act*.

In support of the enclosed minor variance addendum for minor variance, we are pleased to submit the following updated materials, to support and assist the City's review of our application. We trust the submitted materials fulfill the requirement of a minor variance application.

Documents	Prepared By	Date
Revised Site Plan	Avenue Architecture Inc.	October 12, 2022
Floor Plan	Avenue Architecture inc.	October 12, 2022

We trust the enclosed documentation and materials are sufficient to facilitate a review of this application. Please contact the undersigned at ext. 276 or Sandra Patano at ext. 245 should you have any questions or require additional information.

Yours truly,

Weston Consulting

Per:

Adam Santos, BURPI, RPP, MCIP

Senior Planner

C. Clients

Sandra K. Patano, Weston Consulting Steve Ganesh, City of Brampton

Attachments: Approved Site-Specific Official Plan Amendment 135 and Zoning By-law 195-2017



Chief Administrative Office City Clerk

December 8, 2017

Weston Consulting Attn: Alan Young 201 Millway Avenue, Suite 19 Vaughan, ON L4K 5K8

Re: Application by Weston Consulting – 4523 Queen Street East

Official Plan Amendment OP2006-135, adopted by By-law 194-2017

Zoning By-law 195-2017

File C10E04.006

The prescribed period within which appeals could be made has passed and no appeals have been received. Official Plan Amendment Number OP2006-135, adopted by Bylaw 194-2017, and Zoning Bylaw 195-2017 are now approved.

Attached is a copy of the Clerk's Declaration issued in accordance with sections 17 and 34 of the Planning Act, R.S.O., 1990 with regard to the Official Plan Amendment and Zoning By-law.

Please also be reminded that pursuant to City Policy, proof must be provided to the Planning and Development Services Department (Bobbie Flatt 905-874-2336, bobbie.flatt@brampton.ca) within 30 days of receipt of this notice that the sign(s) has/have been removed which will initiate the sign deposit refund process for the deposit which was submitted with your application.

Yours truly,

Charlotte Gravlev Deputy City Clerk

Office of the Chief Administrative Officer

charlotte.gravlev@brampton.ca

Office (905) 874-2116 Fax (905) 874-2119

CC:

A. Balram

E. Corazzola

B. Flatt

Land Parcel Unit, MPAC

P. Cooper

J. Gillespie

A. Karreman

T. Slomke, Region of Peel

D. Waters

gis.planning@brampton.ca

IN THE MATTER OF the *Planning Act*, R.S.O. 1990, as amended, sections 17 and 34;

AND IN THE MATTER OF the City of Brampton By-law 194-2017 being a by-law to adopt Official Plan Amendment OP2006-135, and By-law 195-2017 to amend Zoning By-law 270-2004, as amended – Weston Consulting – 4523 Queen Street East (File C10E04.006)

DECLARATION

- I, Charlotte Gravlev, Deputy City Clerk, City of Brampton, in the Region of Peel, hereby make oath and say as follows:
 - I am the Deputy City Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
 - By-law 194-2017 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 27th day of September, 2017, to adopt Amendment Number OP2006-135 to the 2006 Official Plan.
 - By-law 195-2017 was passed by the Council of the Corporation of the City of Brampton at its meeting held on the 27th day of September, 2017, to amend Zoning By-law 270-2004, as amended.
 - 4. Written notice of By-law 194-2017 as required by section 17(23) of the Planning Act was given on the 5th day of October, 2017, in the manner and in the form and to the persons and agencies prescribed by the Planning Act, R.S.O. 1990 as amended.
 - 5. Written notice of By-law 195-2017 as required by section 34(18) of the *Planning Act* was given on the 5th day of October, 2017, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act, R.S.O. 1990* as amended.
 - No notice of appeal was filed under section 17(24) and section 34(19) of the Planning Act on or before the final date for filing objections.
 - In all other respects, the Official Plan Amendment and Zoning By-law have been processed in accordance with all of the *Planning Act* requirements including regulations for notice.
 - OP2006-135, adopted by By-law 194-2017, is deemed to have come into effect on the 26th day of October, 2017, in accordance with Section 17(27) of the *Planning Act, R.S.O. 1990*, as amended.
 - 9. Zoning By-law 195-2017 is deemed to have come into effect on the 26th day of October, 2017, in accordance with Section 34(21) of the *Planning Act, R.S.O. 1990*, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the City of Brampton in the Region of Peel this 8th day of December, 2017

Charlotte Gravlev

Jeanie Cecilia Myers, a Commissioner, etc., Province of Ontario, for the Corporation of the City of Brampton Expires April 8, 2018.

A Commissioner, etc



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 194 - 2017

To Adopt Amendment Number OP 2006-135 to the Official Plan of the City of Brampton Planning Area

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

 Amendment Number OP 2017 - <u>135</u> to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this bylaw.

ENACTED and PASSED this 27th day of September, 2017.

Approved as to form.

2017/09/14 MR

Approved as to content.

2017/09/11

Allan Parsons

Linda Jeffrey, Mayor

Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006-135 TO THE OFFICIAL PLAN OF THE CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

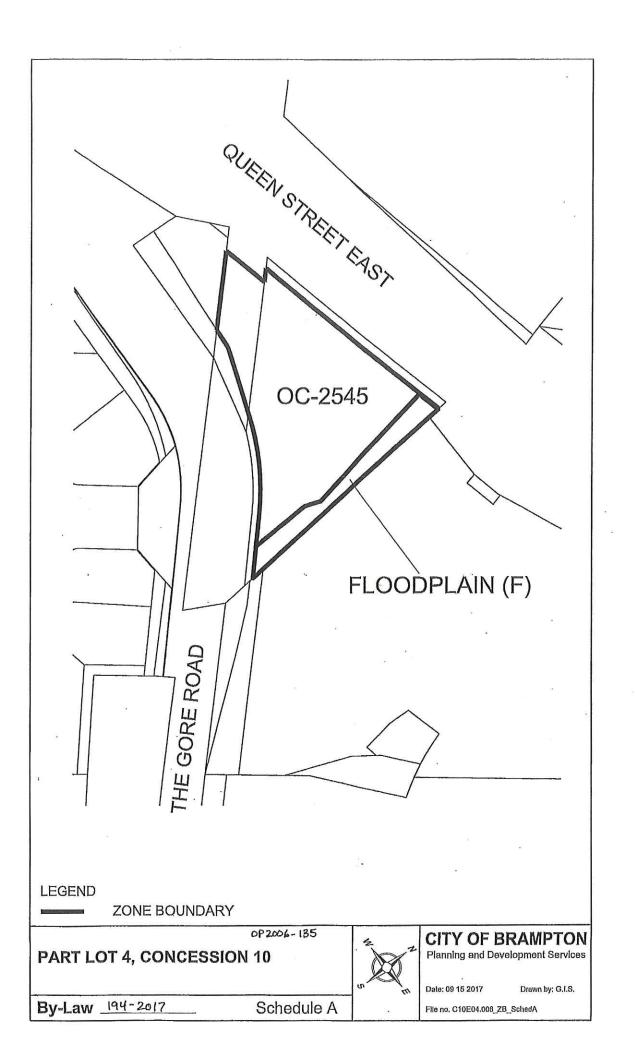
The purpose of this amendment is to add a Section to the Office Node policies of the Bram East Secondary Plan (Chapter 41 of Part II of the City's Official Plan) to permit the development of a gas bar and motor vehicle washing establishment on the lands located at the south-east corner of Queen Street East and The Gore Road having an area of approximately 0.76 hectares (1.88 acres), municipally known as 4523 Queen Street East.

2.0 Location:

The lands subject to this amendment are located on the south-east corner of Queen Street East and The Gore Road. The subject lands have a frontage of approximately 131 metres (430 feet) on Queen Street East and a frontage of approximately 150 metres (492 feet) on The Gore Road. The subject lands are located in Part of Lot 4 Concession 10, Northern Division and Part of the Road Allowance between Concessions 9 & 10, in the City of Brampton.

3.0 Amendments and Policies Relative Thereto:

- 3.1 The document known as the Official Plan of the City of Brampton Planning Area is hereby amended:
 - (1) by adding to the list of amendments pertaining to Secondary Plan Area Number 41: Bram East Secondary Plan as set out in Part II: Secondary Plans, Amendment Number OP 2006- 135.
- 3.2 The document known as the Bram East Secondary Plan (Chapter 41 of Part II of the City's Official Plan) is hereby amended as follows:
 - (1) by adding after Section 3.2.5, the following:
 - "3.2.5.1 A gas bar and motor vehicle washing establishment is only permitted on the lands located at the south-east corner of Queen Street East and The Gore Road having an area of approximately 0.76 hectares (1.88 acres), in conjunction with a minimum amount of office space that is to be identified in the Zoning By-law."
 - 3.2.5.2 Notwithstanding Section 3.2.6, an Individual primary office project is permitted at a minimum density of 0.22 Floor Space Index (FSI) within the Office Node designation on the lands located at the south-east corner of Queen Street East and The Gore Road having an area of approximately 0.76 hectares (1.88 acres).
 - 3.2.5.3. Notwithstanding Section 3.2.6, the retail and service commercial component of the office building on the lands located at the south-east corner of Queen Street East and The Gore Road shall not exceed 570 square metres."





THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 195 - 2017

To amend Comprehensive Zoning By-law 270-2004

- (1) By-law 270-2004, as amended, is hereby further amended:
- (2) By changing Schedule A thereto, the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From:	То;
AGRICULTÚRAL (A)	"Office Commercial – Section 2545 (OC-Section 2545)" and "Floodplain (F)"

- (3) By adding thereto the following Section:
- "2545 The lands designated OC Section 2545 on Schedule A to this by-law:
- 2545.1 Shall only be used for the following purposes:
 - a. An office;
 - b. Only in conjunction with a Minimum Gross Floor Area of 950 square metres of office space:
 - i. A gas bar;
 - ii. A motor vehicle washing establishment;
 - ili. A convenience store;
 - iv. A take-out restaurant;
 - v. A bank, trust company or finance company;
 - vi. A retail establishment
- 2545.2 Shall be subject to the following requirements and restrictions:
 - a. Minimum setback to the lot line abutting Regional Road No. 7 (Queen Street East): 2.1metres;
 - b. Minimum setback to the lot line abutting The Gore Road: 4.5 metres;

- The minimum setback to an interior side lot line shall be 2.0 metres
 except where the lot line abuts a Floodplain (F) zone, the minimum
 setback shall be 1.2 metres;
- d. Minimum Building Height: 2 storeys
- e. Maximum Building Height: 3 storeys
- f. The total Maximum Gross Floor Area for uses permitted in Section 2545.1(2) iii-vi shall not exceed 570 square metres;
- g. Except at approved driveway locations landscaped open space shall be provided as follows:
 - i. A minimum 2.1 metre wide strip abutting Regional Road No. 7 (Queen Street East);
 - ii. A minimum 2.6 metre wide strip abutting The Gore Road; and
 - A minimum of 25% of the lot area shall be landscaped open space.
- h. Minimum Parking requirements:
 - i. Motor vehicle washing establishment: 5 spaces;
 - All other uses: 1 space per 33 square metres of gross floor area.
- i. No outside storage shall be permitted;
- j. Drive-through facilities shall be only be permitted in association with the function of a motor vehicle washing establishment; and
- K. That all lands zoned OC-2545 shall be considered one lot for zoning purposes.

ENACTED and PASSED this 27th day of September, 2017.

Approved as to form.

2017/09/18

John Zingaro

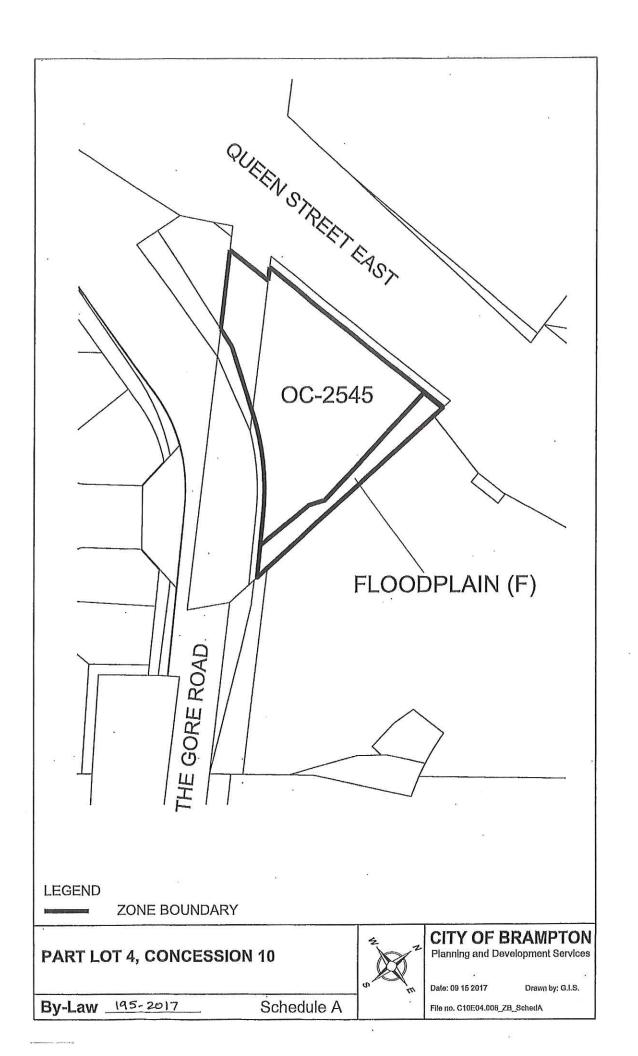
Approved as to content,

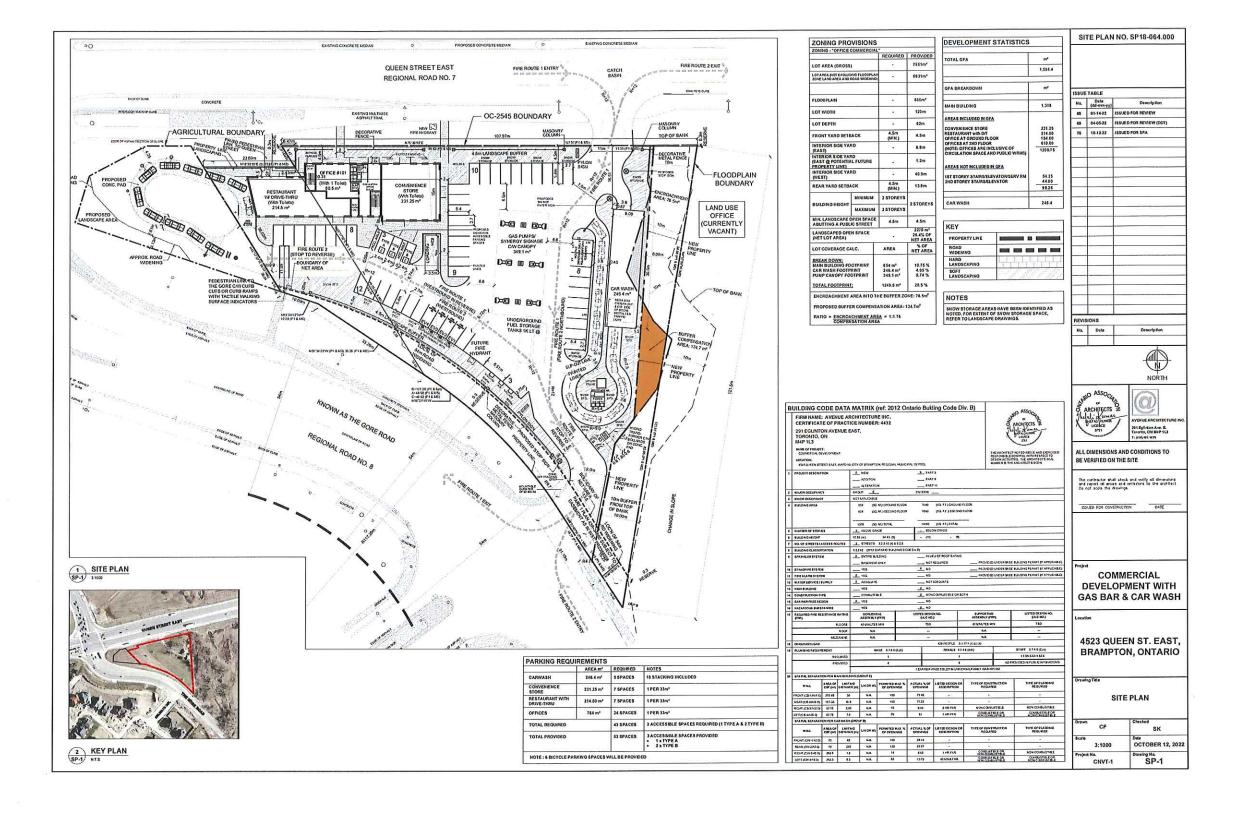
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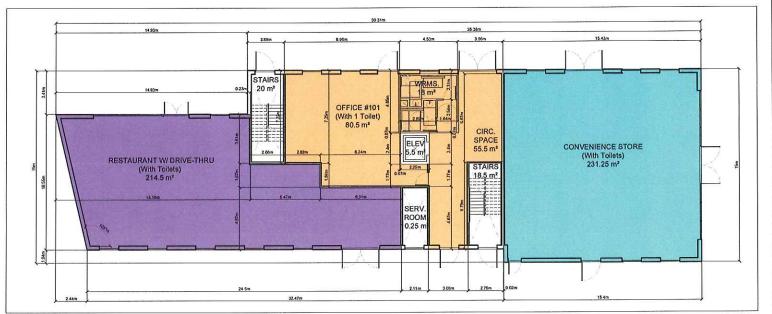
Allan Parsons

Linda deffrey, Mayo

Peter Fay, City Clerk

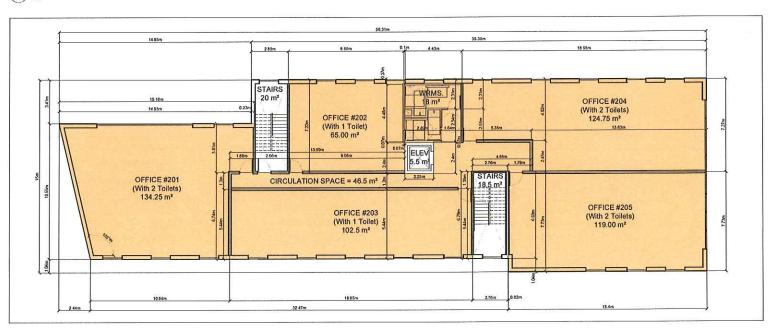






COMMERCIAL BUILDING: GROUND FLOOR PLAN

SP-2/ 1109



2 COMMERCIAL BUILDING: SECOND FLOOR PLAN

SITE PLAN NO. SP18-064.000

SSUE	TABLE	
Ho.	Oute (dd-ens-yy)	Description
63	01-14-22	ISSUED FOR REVIEW
69	04-05-22	ISSUED FOR REVIEW (DOT)
70	10-12-22	ISSUED FOR SPA
-		
	10.102.110	
-		
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	-	





No. Date



ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON THE SITE

The contractor shall check and varify all dimensions and report all errors and arrelations to the architect to not scale the drawings.

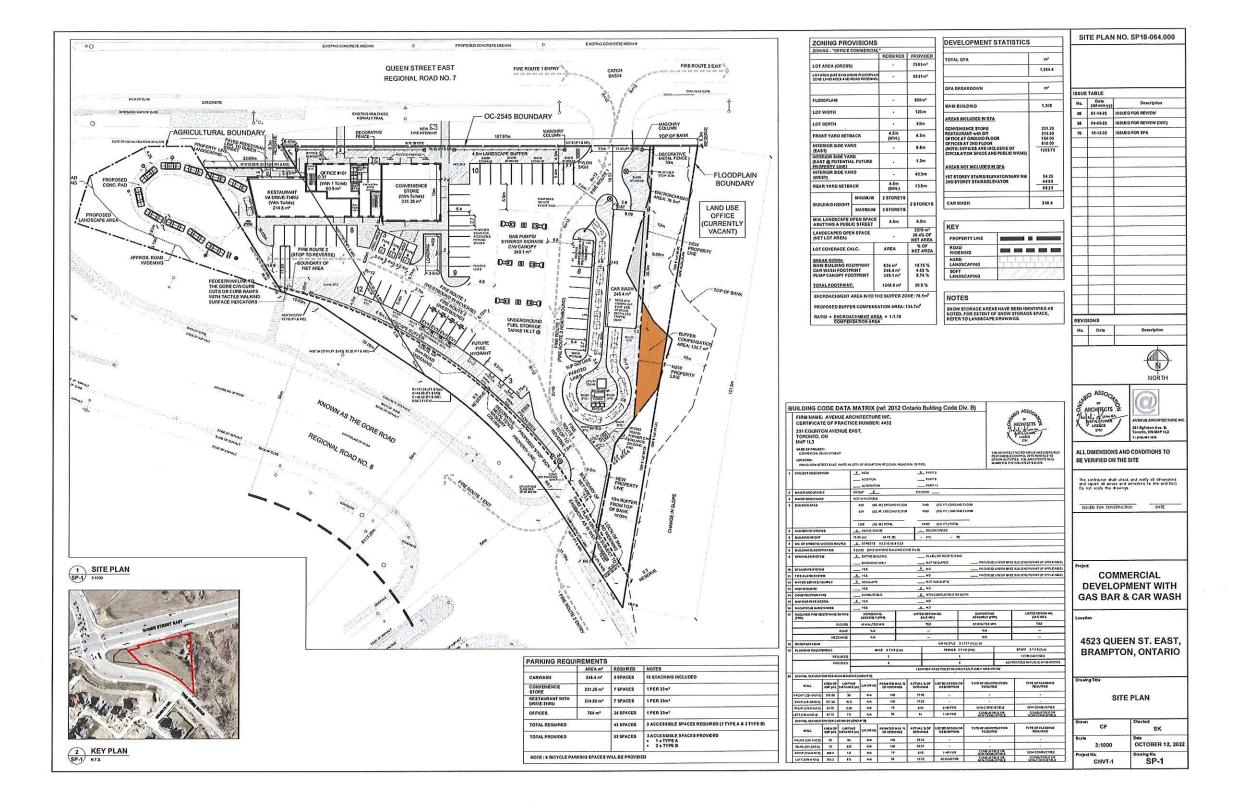
HISLED FOR CONSTRUCTION DATE

COMMERCIAL **DEVELOPMENT WITH GAS BAR & CAR WASH**

4523 QUEEN ST. EAST, BRAMPTON, ONTARIO

COMMERCIAL BUILDING LAYOUT PLANS

Drawn	Checked
SK	SK
Scale 1:100	OCTOBER 12, 2022
Project No. CNVT-1	Drawing No. SP-2



22 September 2022

Project: 220230

A-2022-0 322

Adam Santos, BURPI Planner Weston Consulting 210 Millway Avenue, Suite 19 Vaughan ON L4K 5K8

Dear Mr. Santos:

RE: PARKING REVIEW ADDENDUM LETTER, 4523 QUEEN STREET EAST, CITY OF BRAMPTON

Introduction

Weston Consulting, on behalf of 2182036 Ontario Inc. (the client), is seeking to develop lands at 4523 Queen Street East in the City of Brampton. The site is located on the southeast corner of the Queen Street East and The Gore Road intersection. Land uses for the planned development include a convenience store, office space, a car wash facility, a convenience restaurant with a drive-through, and 12 vehicle fueling stations.

To serve the planned land uses on site, an adequate supply of vehicle parking is required. Three parking studies to-date have been conducted by Paradigm Transportation Solutions Ltd. (Paradigm). The following is a list of reports that have been completed:

- ▶ 131380 4523 Queen Street Parking Review (October 2013)¹;
- ▶ 150080 4523 Queen Street East Updated Parking Review (April 2015)²: an update to the 2013 parking review due to site plan changes; and
- 162030 4523 Queen Street East Parking Review Addendum Letter (October 2016)³: an addendum to the 2015 parking review to address the City of Brampton's request for additional rational regarding the reduction in parking proposed for the car wash facility.

The development concept has evolved since the 2016 parking review. Most notably, the restaurant planning designation was changed from take-away restaurant to convenience restaurant with a drive-through. **Figure 1** illustrates the current site plan.

The current development concept consists of the following:

³ 162030: 4523 Queen Street East, Brampton, Parking Review Addendum Letter, Prepared for Weston Consulting by Paradigm, October 2016.



¹ 131380: 4523 Queen Street Parking Review, Prepared for Weston Consulting by Paradigm, October 2013.

² 150080: 4523 Queen Street East, Updated Parking Review, Prepared for Weston Consulting by Paradigm, April 2015.

- One convenience store (231.5 m2 in size);
- Office space (731 m2 in size);
- One car wash facility (246.4 m2 in size);
- One convenience restaurant with a drive-through (198 m² in size); and
- 12 vehicle fueling stations.

The purpose of this Parking Study Addendum is to assess the parking needs of the site and to confirm the adequacy of the proposed parking supply based on the current development concept.

2016 Parking Review

The development concept in the 2016 parking review consisted of the following:

- One convenience store (230 m² in size);
- Office space (998 m² in size);
- One car wash facility (280 m² in size);
- Two fast food take-away restaurants (279 m² in size, total); and
- 12 vehicle fueling stations.

The parking supply consisted of 52 parking spaces. The parking requirement under the City of Brampton Zoning By-law was 72 parking spaces at that time. The resulting gap between the supply and Zoning By-law requirement was 20 parking spaces.

The 2016 parking review investigated parking demand of the subject site using seven methodologies, including Zoning By-law requirements, Zoning By-law requirements (shared parking), Institute of Transportation Engineers (ITE) parking rates, ITE shared parking rates, parking surveys at proxy sites, parking surveys at proxy sites (shared parking), and parking surveys at proxy site plus Zoning By-law (shared parking). Detailed analysis can be found in the 2016 parking review addendum letter.

Parking data collected at comparable proxy sites is considered an accurate indicator of parking demands expected for a planned development. The parking demand rates that were obtained through a study of the proxy sites indicated a maximum daily peak parking demand of 44 parking spaces, resulting in a surplus of 8 spaces.

Studies of the Zoning By-law requirements and ITE parking rates indicated higher parking space requirements than the proxy site studies. However, reviewing the data and methodology, it was confirmed that the observation of similar proxy sites was the most accurate indicator of parking demands.

Based on the 2016 parking review results, it can be concluded that the proposed parking supply of 52 spaces is sufficient and will likely accommodate the peak parking demands of the subject site.

Updated Site Plan and Parking Requirements

The development concept has evolved since the 2016 parking review with the most notable update being a change in the land use designation of the two fast food take-away restaurants to one convenience restaurant with a drive-through.

Compared to the 2016 parking review, the current site plan includes the following changes:

- Convenience store space increases by 1.5 m2;
- Office space reduces by 267 m2;
- Car wash facility space reduces by 33.6 m2;
- Change from fast food take-away restaurants to a convenience restaurant with a drive-through, with a reduction of 81 m2 in size; and
- Proposed parking supply increases by one space.

The Zoning By-law has also been updated since the 2016 parking review. The current Zoning By-law 195-2017 is an amendment of the Comprehensive Zoning By-law 270-2004 for the subject site area. The subject site is identified as Office Commercial -2545 zone based on Zoning By-law 195-2017. The current City of Brampton parking requirements for the subject site are:

- Motor vehicle washing establishment: 5 spaces; and
- All other uses: 1 space per 33 m² of gross floor area (GFA).

Table 1 summarizes the parking requirements for the subject site based on the City of Brampton parking standards.

TABLE 1: ZONING BY-LAW REQUIREMENTS

		Parking Stalls			
Land Use	GFA	By-law Requirements	By-law Required	Actual Provided	
Convenience Store	231.5 m ²	1 space per 33 m² of GFA	7 spaces		
Office Space	731 m ²	1 space per 33 m ² of GFA	23 spaces	53 spaces	
Car Wash Facility	246.4 m ²	5 spaces	5 spaces		

Convenience Restaurant with a Drive-Through	198 m²	1 space per 33 m ² of GFA	6 spaces	
	Total		41 spaces	53 spaces

As shown above, the total parking requirement for the subject site under the latest City of Brampton Zoning By-law is 41 spaces, which is 31 spaces fewer than the Zoning By-law 270 – 2004 requirement. Furthermore, the current site plan provides 53 parking spaces, indicating a surplus of 12 parking spaces. It is noted that three out of the 53 parking spaces are accessible parking spaces, including one Type A and two Type B accessible spaces. In summary, the proposed parking supply of 53 parking spaces meets and satisfies the latest Zoning By-law requirements.

It should be noted that City of Brampton is undertaking a comprehensive review of the current in-force Zoning By-laws. It is anticipated that one of the outcomes of the review could be lower minimum parking requirements, as there has been a common trend in the Greater Toronto and Hamilton Area (GTHA) towards lowering minimum parking requirements. This implies that the proposed parking supply would likely meet and satisfy future Zoning By-law requirements as well.

Transportation Demand Management

Transportation Demand Management (TDM) is a program that encourages more efficient transportation networks, primarily by reducing vehicle demand. TDM approaches consider how travel mode choice is affected by land use patterns, development design, parking availability, parking cost, and the relative cost, convenience, and availability of alternative modes of travel. Various TDM strategies are used to influence those factors so that the alternatives are more competitive with driving alone and potentially reduce reliance on motor vehicles, thereby further reducing parking demands.

While the proposed parking supply satisfies the Zoning By-law requirements, the following initiatives can be considered in order to reduce vehicle demand and further promote a more balanced mode share.

- Walking/Cycling: The development is well suited to enable employees and customers to travel to and from nearby residential areas by walking/cycling. It is noted that the proposed development has planned to provide six bicycle parking spaces on site. The allocation of space in a storage area may need to be managed by the property owner but priority could be given to employees who have not requested a vehicle parking space;
- Locker Facilities: A common locker location for office employees can be provided within the development for those who wish to bike or jog to work to provide changing facilities to further support active transportation. Notices of these facilities can be placed on the bulletin board of tenant and property websites and provided to employers to distribute to existing and new employees;



- Marketing and Promotion: Promotion of alternative means of commuting can be provided in the building bulletin board as well as paper copies of information from Brampton Transit. The property manager can regularly distribute information regarding commuting alternatives on a bulletin board within the lobby. There can be a single point of contact for parking and commute alternatives by designating one of the building management or employer staff to take on the role of TDM coordinator among other functions. The building management could allow the Brampton Transit staff to hold regular spring and fall special events at or near the building to promote the sustainable transportation; and
- Guaranteed Ride Home: Employers can be encouraged to implement a guaranteed ride home program for employees using alternatives modes to the site for emergencies and working late.

Summary and Conclusions

The 2016 parking review has justified a parking reduction of 20 spaces using observed parking utilization surveys at proxy sites in the City of Brampton. Recent changes in the site plan (i.e., changes in size and planning designation) and the City Zoning By-law requirements indicate that the latest vehicle parking requirement for the subject site is 41 parking spaces. The proposed parking supply of 53 vehicle parking spaces meets and satisfies the latest Zoning By-law requirements with a surplus of 12 spaces. Therefore, it is expected that the proposed parking supply would accommodate the proposed parking demand.

If you have any questions or comments, please contact the undersigned.

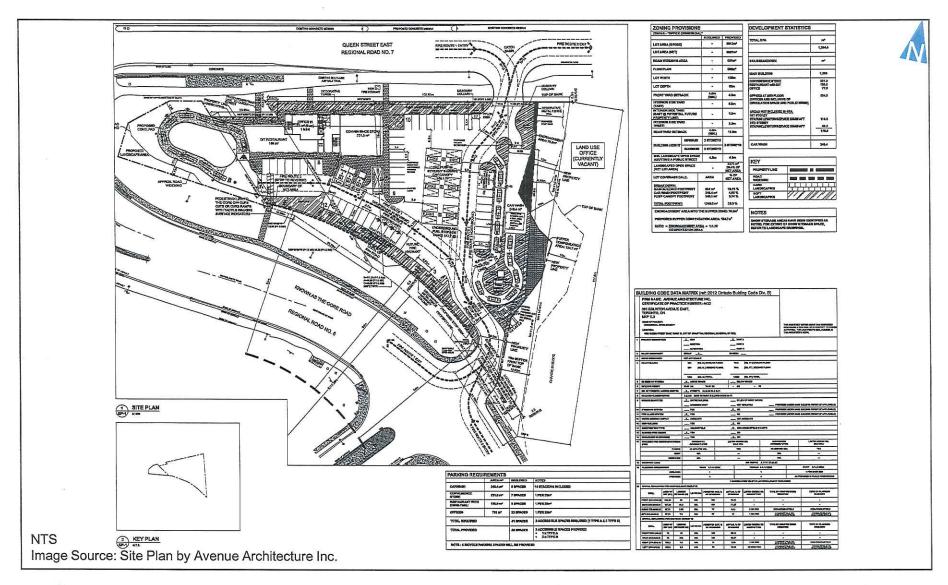
Yours very truly,

PARADIGM TRANSPORTATION SOLUTIONS LIMITED

Josh de Boer

P.Eng., M.Eng., PTOE Project Manager, Associate BONNOE OF ONTHE

J DE BOER 100219363





Concept Site Plan



WESTON CONSULTING

planning + urban design

A-2022-0322

September 27, 2022

File: 6005

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

Attn: Ms. Jeanie Myers, Secretary – Treasurer

Re: Minor Variance Application

0 and 4523 Queen Street East

2182036 Ontario Inc. and Padda Sons Holdings Ltd.

Related City File Nos. SP18.064.000

Weston Consulting is the authorized planning agent for 2182036 Ontario Inc. the registered owners of the lands municipally described as 4523 and 0 Queen Street East in the City of Brampton (herein referred to as the 'subject property'). This letter has been prepared in support of a proposed Minor Variance application to facilitate a commercial development. It is noted that preliminary discussions were held with City Staff in regard to our intent to submit this minor variance application. A Pre-Consultation Application meeting was held on July 21, 2022 with City Staff.

Description of Subject Property

The subject property is located at the southeast corner of the intersection formed by The Gore Road and Queen Street East. The westerly corner parcel, municipally known as 0 Queen Street East is approximately 988 square metres (0.1 ha) in size, and the easterly parcel, municipally known as 4523 Queen Street East is approximately 6,973 square metres (0.70 ha) in size. The cumulative size of the land holding is approximately 0.80 ha (1.97 acres) in size, with an approximate lot frontage along The Gore Road of 206 metres and an approximate lot frontage along Queen Street East of 158 metres. The surrounding land uses include:

Direction	Land Use				
North	Queen Street East separating employment uses, vacant and environmental lands.				
South	The Gore Road separating low density residential, employment and institutional uses.				
West	The Gore Road separating low density residential, employment and institutional uses.				
East	Existing creek and last mile logistic employment uses under construction at 4629 Queen Street East.				

The subject property is designated for *Employment uses* by the Brampton Official Plan, and further designated as Office Node within the City's Bram East Secondary Plan Area. The westerly corner parcel, 0 Queen Street East is zoned Agricultural, and the easterly parcel, 4523 Queen Street East is zoned Office Commercial – Section 2545.

Background Information and Purpose of Minor Variance Application

Weston Consulting has been assisting the property owners with a Site Plan application, referenced as *City file no. SP18.064.000* associated with the property located at 4523 Queen Street East. The current pending Site Plan application intends to facilitate the redevelopment of the Subject Property with a mixture of commercial uses, including a convenience store, office space, gas station, car wash, restaurant uses and drive-through facility. The property located at 4523 Queen Street East has a long history of development planning approvals, which is discussed below.

On December 14, 2021, our client, the owner of 4523 Queen Street East purchased 0 Queen Street East, the westerly corner parcel known as the *former* Sorbara lands or "Orchard Ridge Parcel" (herein referred to as the 'acquired parcel'). The acquired parcel is nominal in size, with 988 square metres in lot area, which is significantly constrained by regional road widening requirements. It is estimated that net developable area of this parcel may be approximately 615 square metres, with approximately a third of the lands required for regional road widening improvements. Future discussions with the Region are required to determine specific requirements for road widenings components along Queen Street East and the sight triangle. Being situated at the corner of two major arterial roads, the redevelopment of this parcel as a standalone parcel presents significant challenges given its small size, required conveyances for road widenings, and site access obstacles.

Given the location of the acquired parcel, situated at the southeast corner of Queen Street East and The Gore Road, this site naturally lends itself to a comprehensive development jointly with the larger 4523 Queen Street East parcel. With this notion in mind, our client acquired this land with the intention of utilizing both parcels by way of a comprehensive commercial development scheme. It is our understanding the ownership of both parcels have been consolidated under the ownership of 2182036 Ontario Inc. The appropriate legal process is currently underway by the owner to merge both parcels under one parcel identification number.

To redevelop the newly acquired parcel with the larger land holdings under *City file no. SP18.064.000*, zoning relief is required. Given the size of the newly acquired parcel, which represents **12 percent** of the total land holding, together with the merger of the lands, and the out-of-date Agricultural zoning permissions which exist on the acquired parcel, we believe that a minor variance process pursuant to the Committee of Adjustment is most appropriate and practical given the site context and size of land holding. Accordingly, a minor variance application is required to address areas of zoning non-compliance.

The purpose of minor variance application is:

- 1. To permit convenience restaurant uses within the Office Commercial Section 2545 Zone. Whereas the Office Commercial Section 2545 Zone only permits a take-out restaurant use.
- 2. To permit a drive through facility in conjunction with a convenience restaurant on lands zoned Agricultural and OC-2545; whereas the By-law does not permit the use on lands zoned Agricultural and only permits a drive-through facility on lands zoned OC-2545 in association with a vehicle washing establishment.
- 3. To permit a minimum gross floor area of 730 square metres of office space; whereas the Office Commercial Section 2545 Zone permits a minimum gross floor area of 950 square metres of office space.

Planning Application History

As mentioned above, the property located at 4523 Queen Street is currently subject to an ongoing site plan control application, referenced as *City file no. SP18.064.000*. Staff and Agency comments to date have been resolved with final approval forthcoming. Given the expanded context of our client's landholding, we acknowledge that a site plan re-submission will be required to accommodate City and Regional Staff review of the expanded land holding and proposed modifications to the proposal. We acknowledge that matters such as road widenings, streetscape improvements and the merits of adequate landscape buffering and screening of the proposed drive-through facility will ultimately be reviewed, evaluated, and approved through the associated site plan process. We look forward to continuing to work collaboratively with City and Regional Staff in this regard.

Prior to the original submission of said application for site plan control, both Official Plan and Zoning By-law Amendment applications (City file no. C10E04.006) were submitted in November 2013, with eventual approval granted by City of Brampton Council on September 27, 2017. The approved Official Plan Amendment is referred to as OPA 135 and the implementing site-specific zoning by-law is referred to as By-law 195-2017.

The purpose of the approved Official Plan Amendment was to permit the use of a gas bar and motor vehicle washing establishment within the Official Node designation. The Zoning By-law Amendment had the purpose of re-zoning the lands from an Agricultural Zone to Office Commercial (OC) and Floodplain (F) Zones, which would permit a number of commercial and service uses, including an office, a gas bar, a motor vehicle washing establishment, a convenience store, a bank, trust company or finance company, a retail establishment, a take-out restaurant, and a drive-through in conjunction with a car washing establishment use. The permitted uses noted above are permitted only in conjunction with a minimum office space gross floor area of 950 square metres. Site-specific zoning by-law 195-2017 set minimum/maximum development standards relating to building height, building setbacks, landscape open space, and parking requirements.

City of Brampton Recommendation Report, dated May 25, 2015 provided context to issues raised during the Statutory Public Meeting regarding the future development of the abutting remnant parcel to the west, the now acquired parcel. A demonstration plan was prepared at that time to show how both parcels could be developed comprehensively in the future. Below is the demonstration concept plan that was endorsed by City Council, which illustrates the two parcels being developed comprehensively as one.

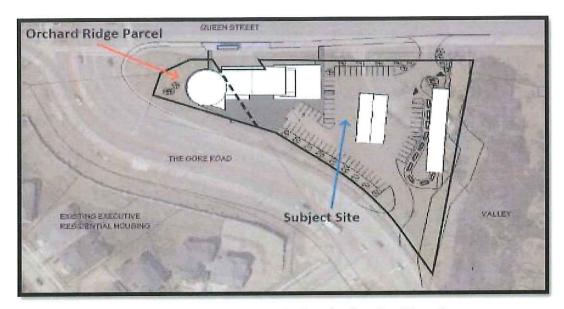


Figure 1: Concept Plan including the Acquired Parcel

The rezoning agreement for 4523 Queen Street East, between the parties of 2182036 Ontario Inc., City of Brampton, and the Region of Peel contained a specific clause which would ensure both lands would redevelop together in the future in a comprehensive manner to ensure the lands would not be orphaned or landlocked. The referenced clause is as follows:

"The Owner shall not object to a future access easement, if required, in favour of the abutting property located to the west, to the satisfaction of the Region and the City's Commissioner, Planning and Development Services Department."

Current Development Proposal

In light of the recently acquired lands, the proposal has evolved to include the newly acquired parcel into the development scheme. A major component of the current development proposal is the inclusion of a drive-through facility, to be operated in tandem with a convenience restaurant use. During our client's marketing and leasing efforts, the market responded directly with requirements for a drive-through facility component. We understand that at this time several established restaurant vendors require a drive-through facility to ensure alignment with their respective business models. The revised development proposal is a direct response to feedback our clients have received from the market.

With the acquisition of the former Sorbara lands, the planned mixed use commercial development concept integrates the addition of a drive-through loop on the acquired parcel. A component of the revised development proposal is the conversion of the previously proposed take-out restaurant use to a convenience restaurant use with an associated drive through. The said drive-through is entirely located within the extent of the westerly parcel. The drive-through component accommodates an 11 - vehicle stacking lane with a functional layout, with adequate setbacks from lot lines, providing an opportunity to be robustly screened and buffered by landscape features.

Below is a breakdown between land use gross floor areas associated with the latest site plan on file (City file no. SP18.064.000, dated August 11, 2021) and the currently proposed site plan submitted herein:

Land Use	City file no. SP18.064.000 Proposal	Current Proposal	Difference
Convenience store	216 sq.m	231.5 sq.m	+15.50 sq.m
Take-away restaurant	276.4sq.m	n/a	- 276.4 sq.m
Convenience Restaurant	0 sq.m	198.0 sq.m	+198.0 sq.m
Office (Minimum 950 sq.m permitted by OC-2545)	963.7 sq.m	731.0 sq.m	- 232.7 sq.m
Car wash	246.4 sq.m	246.4 sq.m	No Change
Gas pumps	349.1 sq.m	349.1 sq.m	No Change
Total	2,051.60 sq.m	1,756.00 sq.m	- 295.6 sq.m

Nominal modifications to gross floor areas as indicated above are proposed by way of the updated development concept. With respect to other zoning standards relating to building height, building setbacks, parking, and landscaping, no variances or areas of zoning non-compliance are observed. The development proposal as proposed maintains the integrity of the approved commercial plaza layout and function. Through the pending site plan approval process, there remains opportunity to provide for additional improvements and enhancement to the overall site.

Planning Analysis and Justification

Section 45(1) of the *Planning Act* authorizes the Committee of Adjustment to grant minor variances from the provisions of the zoning by-law, provided that an application satisfies the "four tests": that the variances requested maintain the general intent of the Official Plan and Zoning By-law, that the requested variances are minor in nature, and that the proposed variances are desirable for the appropriate development or use of the lands.

The following is a summary of how in our opinion, the proposed development and requested variances meets the four tests of a minor variance under Section 45 (1) of the *Planning Act*:

Test 1: Do the Variances Maintain the Purpose and Intent of the Official Plan?

The City of Brampton Official Plan designates the subject property as *Employment* per Schedule 1 – City Concept. The City Official Plan further designates the lands as *Office* per Schedule A – General Land Use Designations. The subject property is located within the City's Bram East Secondary Plan Area, by which the lands are designated Office Node. As mentioned previously, OPA 135 adopted by City Council in 2017 had the cumulative effect of establishing the appropriateness of a drive through in connection with a car wash establishment and restaurant uses on the lands of 4523 Queen Street East. Through the approved OPA, the use of a drive through in connection with a car wash establishment and restaurant uses were deemed appropriate and acceptable by both City Planning Staff and City Council at the time. During the planning approvals process the retention of office commercial uses of the site were integral to the development planning approval.

The acquired parcel also contains the Office Node designation as well. The uses proposed herein this proposal, inclusive of a convenience restaurant are permitted by the policies of the Office Node designation. *Policy 3.2.5* of the Bram East Secondary Plan states the Office Node designation promotes the use of *food and beverage establishments*, which this proposal seeks to establish by way of convenience restaurant uses.

We understand that on April 28, 2022, Regional Council adopted their new Regional Official Plan, which currently awaits Provincial approval. A component of the Regional Official Plan adoption was the delineation of Major Transit Station Areas (MTSA). As identified to date, the subject property is situated at the southeast periphery of The Gore MTSA, where it abuts environmental lands. Collectively the subject property consists of a **1.1 percent** land area of the overall MTSA land area.

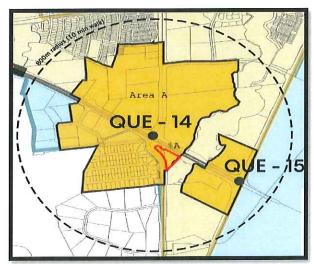


Figure 2: Subject Property in Context of MTSA Boundary

The site is located within The Gore Primary MTSA, which prescribes a minimum density target of 160 people and jobs per hectare. It is our opinion that the proposed commercial mixed-use development which includes office, restaurant, and service uses will aid in supporting MTSA policies by assisting the region with employment density targets prescribed as a minimum density target of 160 people and job per hectare.

The acquired parcel is not large enough to support a form of intensified development envisioned by the MTSA policies. By extension of being accommodated within the current proposal for the larger landholding, this parcel avoids the potential of becoming sterilized and left vacant for the foreseeable future.

In contrast to the adopted MTSA policy and mapping contained with the Region's Official Plan, a significant portion of the subject property is identified as being within a Provincial Significant Employment Zone (PSEZ). These are areas of high economic output, which are strategically located to provide stable, reliable employment opportunities which support job creation. The existing approvals of the larger landholding and sought variances are complementary to support the form and function of the larger surrounding employment area and adjacent low rise residential subdivision.

A portion of our client's lands are zoned and designated for a mixture of commercial uses, with a long history of development approvals. The inclusion of the acquired parcel is in keeping with the intent of the City's Official Plan, given the recently acquired parcel is ultimately not large enough to be redeveloped on its own. Access to this parcel is restricted through the larger landholding. We understand that the Region would not support access onto Queen Street East and The Gore Road – as it relates to the recently acquired parcel. At the time of approvals associated with 4523 Queen Street East, it was considered that the abutting lands to the west would either become acquired by the Region for ongoing road improvements (*which did not materialize*) or would be developed in conjunction with 4523 Queen Street East for commercial development. It is logical and always envisioned that the only redevelopment scenario of the corner parcel would to comprehensively integrate the lands into the 4523 Queen Street East development scheme. Redevelopment of the corner parcel was always contemplated to be an expansion of the existing development scheme and approvals of 4523 Queen Street East.

The use of a drive-through on the lands referred to as 4523 Queen Street East has already been deemed suitable by way of OPA 135 approval. The use of a drive-through in this scenario is a means to incorporate the acquired lands which may be otherwise deemed sterol. With the property being located at the corner of two major regional arterial roads, the use of a drive through facility will support the multi-modal approach to Zum Transit, compounded with the existing and proposed sidewalk infrastructure. The request for variances to permit the proposed development achieves a multi-modal approach to the redevelopment of this intersection. Overall, the proposal and request for variances expressed herein are aligned with the approved OPA 135 framework.

The Office Node designation and OPA 135 promotes office use on the subject property. Although the current development proposal slightly reduces the overall proposed office gross floor area meaningful office space remains proposed which is supportive of the transportation investment

along the Queen Street Corridor. The inclusion of meaningful office space provides for the function of a mixed-use commercial development and assists in generating employment along the corridor, and supports a complete community.

Given the context outlined above, it is our opinion that that Variances maintain the general intent and purpose of the Official Plan.

Test 2: Do the Variances Maintain the Purpose and Intent of the Zoning By-law?

The subject property is currently split zoned, with the larger landholding zoned Office Commercial (OC) – Section 2545 and the acquired parcel zoned Agricultural (A). Site-specific provisions of exception 2545 permit a variety of office commercial uses including and not limited to:

- An Office;
- A Take Out Restaurant; and
- Drive Through Facilities permitted in associated with the function of a motor vehicle washing establishment.

It is noted here that uses permitted within the site-specific zoning are permitted only in conjunction with a minimum gross floor area of 950 square metres of office space.

The acquired parcel is designated Office Node within the Bram East Secondary Plan (Secondary Plan Area 41), according to schedule SP41(a), and is zoned *Agricultural*. The Agricultural zone category permits the use of agricultural uses, single family homes, cemetery, kennel, group homes, and an animal hospital.

Given the site's location at the intersection of The Gore Road and Queen Street East, a former Provincial Highway – the existing zoning permissions are not reflective of the present urban context of the surrounding area. The existing zoning of these lands represent an out-of-date zoning regulation, given that agricultural uses are not in keeping of the context of the immediate and surrounding area. The zoning relief request on lands zoned agricultural are scoped to the extent of which a drive-through facility would be permitted in conjunction with a convenience restaurant. The function and placement of a drive-through facility does not require permanent structures on site, nor does it require substantial relief to the Agricultural zoning provisions. Rather it seeks to establish a paved driveway area, serving the form and function of a drive-through that would ultimately function as an extension of the existing approvals and development at 4525 Queen Street East. Through our preliminary discussions with City Planning Staff, we understand the retained Agricultural zoning of the lands was likely an oversight which could have been re-zoned to the appropriate urban zone category by way of a City initiated housekeeping amendment.

As it relates to the permissions contained within the OC-2545 zone category, relief is necessary to permit a convenience restaurant, and a drive through in conjunction with said convenience restaurant use. The use of restaurants and drive-through facilities on the lands have been deemed appropriate by Council's adoption of the site-specific zoning of the subject property as both the

use of a take-out restaurant and drive-through associated with a car wash facility are permitted on site. The request for a convenience restaurant and an associated drive-through are intended to serve the needs of the local area residents and employees. The addition of the requested uses can be considered similar in nature and complementary to the planned office and commercial uses previously approved on these lands through OPA 135 and ZBA 195-2017.

Lasty, an additional variance is required to reduce the minimum office gross floor area to 730 square metres, permitted in conjunction with other commercial uses. During our client's endeavors of selecting potential office space suitors, the market has provided uncertainty to the future of office space demands – given the dramatic shift towards work from home. During the leasing process, we understand there have been major obstacles with leasing office space, albeit at a prominent location such at Queen Street East and The Gore Road. Our team have reviewed the internal workings of the site and share a re-designed development concept which presents a more marketable proposal in response to market feedback to date.

As a result, a reduction of approximately 230 square metres of office gross floor area is proposed. Although a reduction has been requested, the general intent and purpose of the zoning by-law is still maintained by providing a meaningful amount of office gross floor area on site for this development proposal.

It is our opinion that the requested variances maintain the general intent and purpose of the zoning by-law.

Test 3: Are the Variances Minor in Nature?

Based on the Official Plan policies and Zoning By-law provisions, the request for zoning relief represents in our opinion a request that is minor in nature. Introducing the use of a convenience restaurant and drive-through are consistent with the general intent and purpose of the Official Plan, Secondary Plan and Zoning By-law. The uses requested herein are similar and are intended to function similar to the permitted uses contained within the in-effect zoning by-law.

The development concept prepared in support of this minor variance application is required to extend the office and commercial permissions onto the newly acquired parcel. The acquired parcel reflects an increase of the total landholdings by 12 percent (988 square metres). The additional land added is nominal, while most importantly helps facilitate a comprehensive development as contemplated by previous approvals associated with 4523 Queen Street East.

The modest reduction of office gross floor area to a minimum of 730 square metres, still provides for a meaningful amount of office gross floor area on site. The proposed use of lands represents a compatible form of development at this location. Given the site's context, the variances are not anticipated to generate any negative impacts to the site or nearby abutting lands. Further, by way of the current development proposal, no additional variances to building height, building setbacks, or landscaping is required. No variances to building siting and/or landscape provisions have been requested, which further exemplifies the minor nature of the request for variances.

It is our opinion that the requested variances are minor in nature.

Test 4: Are the Variances Desirable for the Appropriate Development or Use of Lands?

The variances are required to implement the proposed site plan and development as expressed herein. The subject property is situated within a well-established area and immediately bound by Queen Street East to the north, The Gore Road and low density residential to the west and south, and abut an existing creek and under construction employment uses to the east. The planned redevelopment of the subject property, inclusive of the variances sought herein provide an overall benefit to the surrounding area, as a greater variety of convenience and benefit is provided to the area and community. The use of eating establishments on the subject lands are appropriate given the projected employment generation and the intention of serving existing and future residential developments/uses, including nearby employment uses. The subject property has previously been contemplated for the use of a mixed-use commercial plaza, while the variances requested aim to facilitate the extension of use permissions as a means of achieving a comprehensive development.

It is our opinion that the requested variances are desirable for the appropriate development or use of lands.

Conclusion

Based on the above, it is our opinion that the variances satisfy the four tests of a minor variance as required by Section 45(1) of the *Planning Act* as the variances:

- Maintain the purpose and general intent of the Official Plan;
- 2. Maintain the purpose and general intent of the Zoning By-law;
- 3. Are minor in nature; and
- 4. Are desirable for the appropriate development or use of lands.

In support of the enclosed application for minor variance, we are please to submit the following materials, to support and assist the City's review of our application. We trust the submitted materials fulfill the requirement of a minor variance application.

Documents:	Prepared By:	Date:	Copies
City of Brampton Minor Variance Application Form	Weston Consulting	September 27, 2022	One
Minor Variance Application Fee	Owners	September 23, 2022	One
Site Plan	Avenue Architecture	September 27, 2022	One
Parking Review Addendum Letter	Paradigm Transportation Solutions Ltd.	September 26, 2022	One
Parcel Register	Land Registry Office	September 26, 2022	One

We trust the enclosed documentation and materials are sufficient to facilitate a review of this application. Please contact the undersigned at ext. 276 or Sandra Patano at ext. 245 should you have any questions or require additional information.

Yours truly,

Weston Consulting

Per:

Adam Santos, BURPI, RPP, MCIP

Senior Planner

C. Clients

Sandra K. Patano, Weston Consulting Steve Ganesh, City of Brampton



FILE NUMBER: A -2022-0322

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

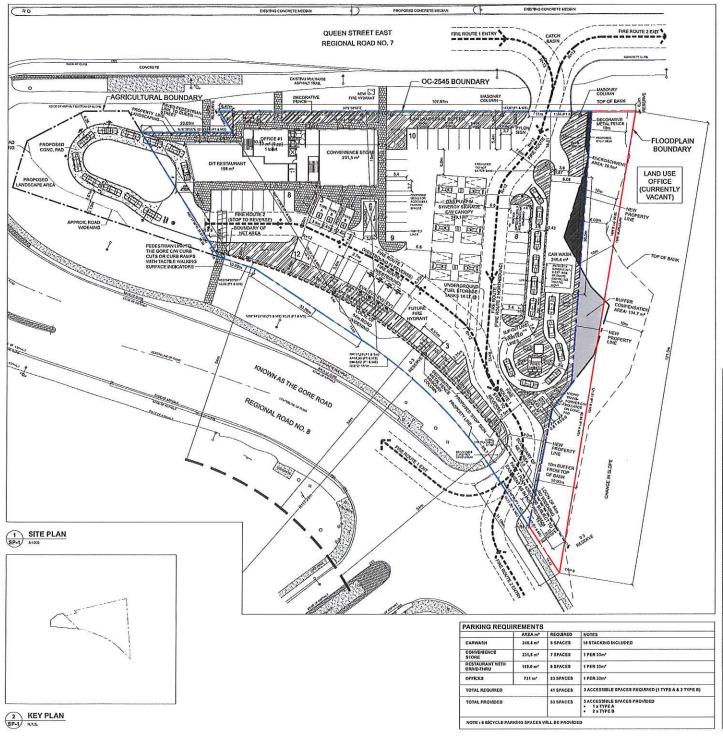
(Please read Instructions)

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

	the Plann	ing Act, 1990, for rel	es to the Committee of ief as described in this	Adjustment for the Ci application from By-L	ity of Brampton u aw 270-2004.	nder section 45 of
1.			036 Ontario Inc. (c/o n Blvd. Units 4-10 L6Y 4E6	Sammy Padda)		
	Phone # Email	647-267-5756 sammy.padda@	gmail.com	Fax #		
2.	Name of Address	Agent <u>Adam</u> 201 Millway Ave Vaughan, ON, L				
	Phone # Email	905-738-8080 x asantos@westo	276 onconsulting.com	Fax #		
3.	Nature ar	nd extent of relief a	oplied for (variances i	requested):		
	Whereas 2. To pe zoned A Whereas through 3. To pe Office C	s the Office Comremit a drive throus gricultural and Ostones the By-law does facility on lands zermit a minimum of	restaurant uses winercial - Section 25 gh facility in conjunt C-2545. In not permit the use coned OC-2545 in a gross floor area of 7 ion 2545 Zone permit the permit the permit the permit the section 2545 Zone permit the	545 Zone only permotion with a converge on lands zoned Aussociation with a 2/30 square metres	mits a take-out enience restau Agricultural and vehicle washir of office spac	t restaurant use. rant on lands d only permits a driveng establishment. e. Whereas the
4.	Please r	efer to submitted with provisions of	nply with the provisio covering letter for the by-law along w	detailed explanation		
5.	Lot Numb	be <u>r Part of Lot 4</u> nber/Concession No	ject land: Part of Lo umber <u>43R</u> and 0 Queen Street	40092	0 Northern Di	vision
6.		on of subject land (in 158 metres varies 0.80 hectares	n metric units)			
7.	Provincia Municipa	o the subject land is al Highway Il Road Maintained / ight-of-Way		Seasonal Other Pul Water		

8.	Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible) EXISTING BUILDINGS/STRUCTURES on the subject land: The subject property is currently vacant.							
	3 							
	PROPOSED BUILDINGS/STRUCTURES on the subject land:							
	Two storey comm	ercial building propo	elopment, consisting of: osing a gross floor area of 1 ,160.50 sq.m					
	Detached car was	sh station comprised	s pump canopy totalling an area of 349.1 sq.m Lof an area of 246.4 sq.m					
9.	Location of all (specify distance	buildings and str ce from side, rear	ructures on or proposed for the subject lands: and front lot lines in metric units)					
	EXISTING Front yard setback Rear yard setback	No existing struc	ture on site - section not applicable					
	Side yard setback Side yard setback							
	PROPOSED Front yard setback	4.5 metres						
	Rear yard setback	13.9 metres						
	Side yard setback Side yard setback	1.2 metres 40.8 metres						
10.	Date of Acquisition of	of subject land:	2008, 2013, and 2021					
11.	Existing uses of sub	ject property:	Vacant					
12.	Proposed uses of su	bject property:	Commercial					
13.	Existing uses of abu	tting properties:	Environmental - East / Vacant - North / Residential - West and South					
14.	Date of construction	of all buildings & stru	ctures on subject land: Not applicable					
15.	Length of time the ex	kisting uses of the sub	ject property have been continued: Not applicable					
16. (a)	What water supply is Municipal X Well	s existing/proposed? 	Other (specify)					
(b)	What sewage disposements Municipal X Septic	al is/will be provided?] 	Other (specify)					
(c)	Sewers X	system is existing/pr						
	Ditches		Other (specify)					

17.	Is the subject property the subject of subdivision or consent?	an application under the Planning Act, for approval of a plan of
	Yes 🛛 No 🗌	
	If answer is yes, provide details:	ile # B-2021-0028 Status Approved with Conditions
18.	Has a pre-consultation application bee	10-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-
	Yes 🛛 No 🗌	
19.	Has the subject property ever been the	subject of an application for minor variance?
	Yes No X	Unknown
	If answer is yes, provide details:	
	File # Decision Decision	Relief
	File # Decision	Relief Relief
		Schr
		Signature of Applicant(S) or Authorized Agent
	ED AT THE <u>City</u> OF	Brampton
	DAY OF September	, 2022
THE APP	JECT LANDS, WKILLEN AUTHORIZATIO	SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF N OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF PPLICATION SHALL BE SIGNED BY AN OFFICER OF THE SHALL BE AFFIXED.
1	, Adam Santos	, OF THECity OFRichmond Hill
	Region OF York	SOLEMNLY DECLARE THAT:
ALL OF T BELIEVIN OATH.	HE ABOVE STATEMENTS ARE TRUE AI G IT TO BE TRUE AND KNOWING THAT	ND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER
DECLARE	D BEFORE ME AT THE	
Town	OF Now Technisek	
IN THE	Country OF	
Sincoe	THIS 23 DAY OF	Adam County an Adam during County of
Scoto	Mber , 20 23.	Santos Signature of Applicant or Authorized Agent
11	1. 18	Asnley Sara-Lynne Mannello, a Commissioner, etc
N.V.	A Commissioner etc.	Province of Ontario, for Weston Consulting. Expires October 19, 2023.
	FOR C	FFICE USE ONLY
	Present Official Plan Designation:	
	Present Zoning By-law Classification:	OC-2545 / Floodplain
	This application has been reviewed with resaid seview are out	espect to the variances required and the results of the lined on the attached checklist.
	Wall Tayre	Sept, 27, 2022
	Zoning Officer	Date
	DATE RECEIVED	Septomber 27 2022 Revosed 20200 1/07



ZONING PRO		_		DEVELOPMENT STATISTICS			
ZONING - "OFFICE	COMPERCIAL	REQUIRED	PROVIDED		94		
7-02 0-04 No. No.			7861m²	TOTAL GFA	m,		
LOT AREA (GROSS	50		1961M		1,554,4		
LOT AREA (NET EXCLLORED FLOGOFLAR ZONE LAND AREA AND ROAD WEENING)		. 693im'					
				GFA BREAKDOWN	m'		
FLOODPLAIN		•	\$16m*				
LOT WIDTH		•	120m	MAIN BUILDING	1,308		
LOT DEPTH			62m	CONVENIENCE STORE RESTAURANT with DIT OFFICE			
FRONT YARD SETE	ACK	4,5m (M)N.)	4.5m	OFFICES AT 2ND FLOOR	654.0		
INTERIOR SIDE YAS (EAST)	ro O		6,8m	CIRCULATION SPACE AND PUBLIC WRMS)			
INTERIOR SIDE YAS (EAST @ POTENTIA PROPERTY LINE)		•	1.2m	AREAS NOT INCLUDED IN GFA 191 STOREY STARS/FLEVATOR/SERVICE RW/SHAFT 1			
INTERIOR SIDE YAS (WEST)	so.	(*)	40,9m	STARRSELEVATOR/SERVICE RM/SHAFT 118. 119. 119. 119. 119. 119. 119. 119.			
REAR YARD SETBA	ck	(MN)	13.9m				
BUILDING HEIGHT	MENIMUM	2 STOREYS	2 STOREYS CAR WASH		248.4		
	MUNICAM	3 STOREYS		10 to 10			
MIN, LANDSCAPE (ABUTTING A PUBL		4.5m	4.5m	KEY			
LANDSCAPED OPE	N SPACE		2270 m ¹ 28.4% OF	NG I			
(NET LOT AREA)		(2.5)2	NETAREA	PROPERTY LINE	-		
LOT COVERAGE CA	rc.	AREA	% OF NET AREA	ROAD WIDENING			
BREAK DOWN: MAIN BUILDING FOOTPRINT		654 m³	10,75 % 4,05 % 5,74 %	HARD LANDSCAPING			
CAR WASH FOOTPRINT PUMP CANOPY FOOTPRINT		244.4 m² 343.1 m²		SOFT LANDSCAPPIG	1/1		
TOTAL FOOTPRINT;		1249,5 m²	20,5 %				
ENCROACHMENT	REA INTO TH	E BUFFER ZO	NOTES				
PROPOSED BUFFER COMPENSATION AREA: 134,7m² RATIO = ENCROACHMENT AREA = 1:1.78 COMPENSATION AREA				SNOW STORAGE AREAS HAVE BEEN DENTIFIED AS NOTED. FOR EXTENT OF SNOW STORAGE SPACE, REFER TO LANDSCAPE DRAWINGS.			

	FIRM NAME	AVEN	UE ARCH	TECTU	E INC.		Ing Code Div	-/				
	CENTECATE OF PRACTICE NUMBER: 4432 231 ECLINION AZENUE EAST, TORONTO, ON MAP 11.3											
	NAME OF PROJECTS COMMENTATION OF STREETS (CONTRACT)								THE ARCHITECT PARTIES AROUND HAS EXPANSED RESPONDED BY THE PROPERTY TO DESIGN ASSEMBLY TO BE ARRESTED BY THE PROPERTY OF THE P			
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	FRONT (CENTALLY)	2071	36	NA.	100	71/4						
	KENAGRARA	167,33	40.5	NA	100	7123						
	PENT (ON PAIN)	025	2.03	144	9	CH .	2 HARPHAR	NONCOM		MONGONEUS TELE		
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	FRONT (CA-1464)	n a		10.4	109	124		*		18		
ı	REAN SCH-LASS	2	726	MA	100	HAI						
	MACHINE SCHOOLS	261.3	u	-	- 4	1.15	SHAPAR	COMP.	TWEECH BUSTELE	COMPLETE CO		

SITE PLAN

JANUARY 14, 2022

SP-1

