

Public Notice

Committee of Adjustment APPLICATION # A-2023-0081

WARD #7

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **2732594 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 Block A, Plan 636, Parts 1, 2, Plan 43R-11024 municipally known as **316 ORENDA ROAD**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- 1. To permit a motor vehicle sales establishment as a permitted use whereas the by-law does not permit a motor vehicle sales establishment;
- 2. To provide 100 parking spaces whereas the by-law requires a minimum of 169 parking spaces.

OTHER PLANNING APPLICATIONS:

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

The Committee of Adjustment has appointed TUESDAY, April 18, 2023 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, the Minister, a specified person or a public body.

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

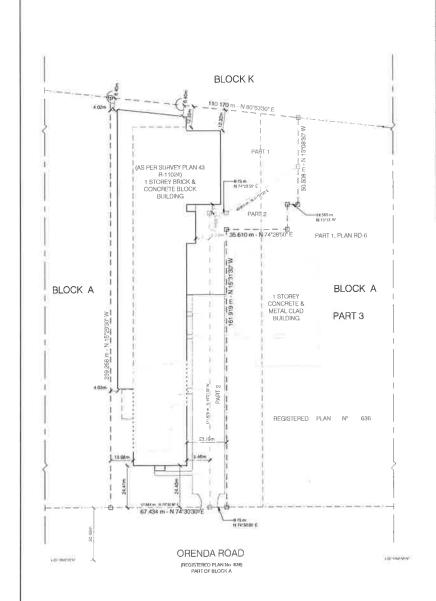
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 5th Day of April, 2023.

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)874-2117 jeanie.myers@brampton.ca



S	ITE DEVELOPMENT			
Z)HC	ZOONING ARLA MIA	(INDUSTRIAL	A')	
AQU-N/B-0	H	PERMIT		
TOTAL LOT AREA		(85)	31 44	
NUMBER OF STREET	10	88 (4 5 m)		
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SITE PLAN

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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 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 **April 18, 2023** 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**, **April 13**, **2023**.

- 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 or jeanie.myers@brampton.ca by 4:30 pm Thursday, April 13, 2023.
 - 2. To participate in-person, please email the Secretary–Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>ieanie.myers@brampton.ca</u> by **4:30 pm Thursday**, **April 13**, **2023**.
- 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, April 13, 2023**. 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.



Land Development | Land Use Planning | Project Management | Government Relations

DELIVERED BY COURIER

March 20, 2023

City of Brampton

Committee of Adjustment 2 Wellington Street West Brampton, ON L6Y 4R2 A-2023-0081

Attention:

Ms. Jeanie Myers, Legislative Coordinator, Secretary Treasurer,

Committee of Adjustment

RE:

Application for Minor Variance

316 Orenda Road

Tax Assessment Roll No. 10-09-0-014-18100-0000, Ward 7

Part of Block A, Registered Plan No. 636

City of Brampton, Region of Peel

Dear Madam,

In accordance with the *Planning Act*, as amended, our office is pleased to submit a Minor Variance Application to seek relief from the *City of Brampton Zoning By-law No. 270-2004*, as amended.

The proposed Minor Variance Application seeks permission to permit a Motor Vehicle Sales Establishment use within an existing Industrial Building, with a maximum of 15% (1,322 Square Metres) of the existing Gross Floor Area (GFA) for the proposed use.

Relief from the Zoning By-law is required to permit the proposed Motor Vehicle Sales Establishment as the current zone applicable to the above captioned lands does not permit the proposed use.

Property Location & Description

The lands subject to the enclosed Minor Variance Application are located within the City of Brampton forming part of Ward 7 and located specifically on the north side of Orenda Road, east of Dixie Road, north of Steeles Avenue East, west of Bramalea Road and south of Birchbank Road ("Subject Lands").

The Subject Lands contain an existing, vacant Industrial Building of approximately 8,814 Square Metres in GFA, together with 100 surface parking spaces including 2 accessible parking spaces.

Email: mrogato@blackthorncorp.ca www.blackthorncorp.ca Tel: (416) 888-7159

The Subject Lands are serviced by existing municipal water and wastewater services.

The Subject Lands are municipally addressed as 316 Orenda Road and legally described as Part of Block A, Registered Plan No. 636, City of Brampton, Region of Peel

Immediate surrounding land uses include existing residential dwellings to the north of the Subject Lands, existing industrial uses to the east, existing industrial uses, and railway corridor to the south along with existing industrial and commercial uses to the west of the Subject Lands.

Land Use Policies & Regulations

The Subject Lands are subject to Provincial Plans and Policies including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020 Consolidation) and Provincial Policy Statement, 2020.

The Subject Lands are designated 'Industrial' per the City of Brampton Official Plan and 'General Employment 1' and 'Special Policy Area' as per the City of Brampton Highway 410 & Steeles Secondary Plan No. 5.

The Subject Lands are zoned 'M1A' (Industrial One A Zone) as per the City of Brampton Zoning Bylaw No. 270-2004, as amended.

Proposed Minor Variance

As mentioned, the enclosed Minor Variance Application seeks relief from the City of Brampton Zoning By-law No. 270-2004, as amended.

Specifically, the enclosed Minor Variance Application seeks permission to permit a Motor Vehicle Sale Establishment use within the existing Industrial Building, with a maximum of 15% (1,322 Square Metres) of the existing Gross Floor Area (GFA) for the proposed use.

The proposed Motor Vehicle Sale Establishment will be conducted indoors only with no outdoor display.

Planning Justification

The proposed Minor Variance Application to seek permission to permit a Motor Vehicle Sale Establishment use within the existing Industrial Building, with a maximum of 15% (1,322 Square Metres) of the existing Gross Floor Area (GFA) represents a minor departure from the Zoning Bylaw, maintains the intent of the Zoning Bylaw, meets the general intent of the Official Plan, and represents an appropriate use of the Subject Lands.

Purpose and Intent of Official Plan:

Section 4.4.2.1 of the *City of Brampton Official Plan* states that the Industrial designations identified on Schedule "A" of the said Official Plan shall provide for a range of uses including mixed industrial/commercial uses.

The proposed minor variance to permit a Motor Vehicle Sale Establishment within 15% of the existing industrial building maintains the purpose and intent of the Official Plan, in that, the majority of the existing building remains available for industrial uses while making use of an underutilized building. Further, there are nearby automobile uses and the industrial uses are not impacted by the introduction of the proposed Motor Vehicle Sale Establishment, which will contain all display and operations indoors.

Accordingly, the proposed Minor Variance does not undermine the Official Plan's intent to maintain industrial uses on the Subject Lands nor does introduction of the use post any adverse impacts to the viability of the surrounding employment uses.

Purpose and Intent of the Zoning By-law:

As mentioned, the Subject Lands are zoned 'M1A' (Industrial One A Zone) as per the City of Brampton Zoning By-law No. 270-2004, as amended.

The applicable Zone does not permit a Motor Vehicle Sale Establishment use and accordingly, relief is proposed through a Minor Variance Application to permit the use to be within a portion of the existing industrial building.

The proposed Minor Variance maintains the purpose and intend of the Zoning By-law, in that, the M1A Zone does recognize and permit accessory land uses including a retail outlet, provided the total GFA does not exceed 15%. The proposed Motor Vehicle Sale Establishment is to occupy 15% of the existing GFA being consistent with the By-law intention to limit retail uses. While a Motor Vehicles Sales Establishment is not considered a retail use, the said use does entail the purchasing of goods being automobiles. Further, the proposed use will remain wholly within the existing industrial building, with no outdoor display.

The existing industrial building and available 100 parking spaces can accommodate the proposed use, as the existing building is vacant, currently used for storage.

Accordingly, the proposed Minor Variance maintains the intent of the Zoning By-law by limiting the proposed use in general accordance with accessory uses being a maximum of 15% of the existing building's GFA while making use of an under-utilized building.

Minor in Nature:

The proposed Minor Variance to permit a Motor Vehicles Sale Establishment within a portion of an existing industrial building represents a minor departure from the Zoning By-law and poses no adverse impacts to any surrounding land uses. The proposed use will operate within the exiting building with no outdoor display and most customers will arrive by scheduled appointment.

The surrounding area includes automobile sales and repair establishments of larger scale with no evident impact or erosion of the existing employment uses or new employment uses.

Accordingly, the proposed Minor Variance is minor in nature and poses no negative impacts to the Subject Lands or surrounding area. To the contrary, the proposed use will make use of an underutilized building.

Desirable for the Appropriate Development of Land:

The proposed Minor Variance will facilitate the establishment of an indoor Motor Vehicles Sale Establishment with no outdoor display. The proposed use is not anticipated to pose any negative impacts to the surrounding land uses or the existing employment area.

The proposed use will occupy a minor portion of an exiting industrial building which is currently under utilized, for storage of goods and largely vacant. The use can be accommodated within the existing and available building including the available parking supply of 100 parking spaces.

Accordingly, the proposed Minor Variance represents an appropriate use, for a portion of an existing building without creating any negative impacts.

Based on the above, applicable policies and regulations, it is my professional opinion the proposed Minor Variance Application is representative of good land use planning.

Submission Items

In support of a complete application for the enclosed Minor Variance Application, our office is pleased to provide the following Submission Requirements:

- > One (1) original copy of a fully completed Minor Variance Application Form including Agent Authorization Form and Permission to Enter Form, as prepared by the undersigned and executed by the Registered Owner.
- > Two (2) copies of a Plan of Survey, as prepared by J.D. Barnes Surveyors Limited.
- > Two (2) copies of a Site Plan and Floor Plan, sized at 8.5 x 14, showing the location of the existing building, access, parking, and proposed use, as prepared by FCA Architects.

> One (1) cheque in the amount of <u>2.838.00</u> made payable to Treasurer, City of Brampton and representing the required Application Fee.

End of Submission Items enclosed.

Committee of Adjustment Hearing & Public Notice

It is respectfully requested the enclosed Minor Variance Application be considered at the April 18th, 2023, Committee of Adjustment Hearing.

Please contact the undersigned to provide any comments and Public Notice requirements for the enclosed Minor Variance Application.

Your attention regarding the processing of the enclosed Minor Variance Application is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly

BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.

Principal

Copy:

Registered Owner (Encl.)

Flower City



FILE NUMBER: A-2023-0081

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. Questions about the collection of personal information should be directed to the Freedom of information and Privacy Coordinator, City of Brampton.

APPLICATION Minor Variance or Special Permission

(Please read Instructions)

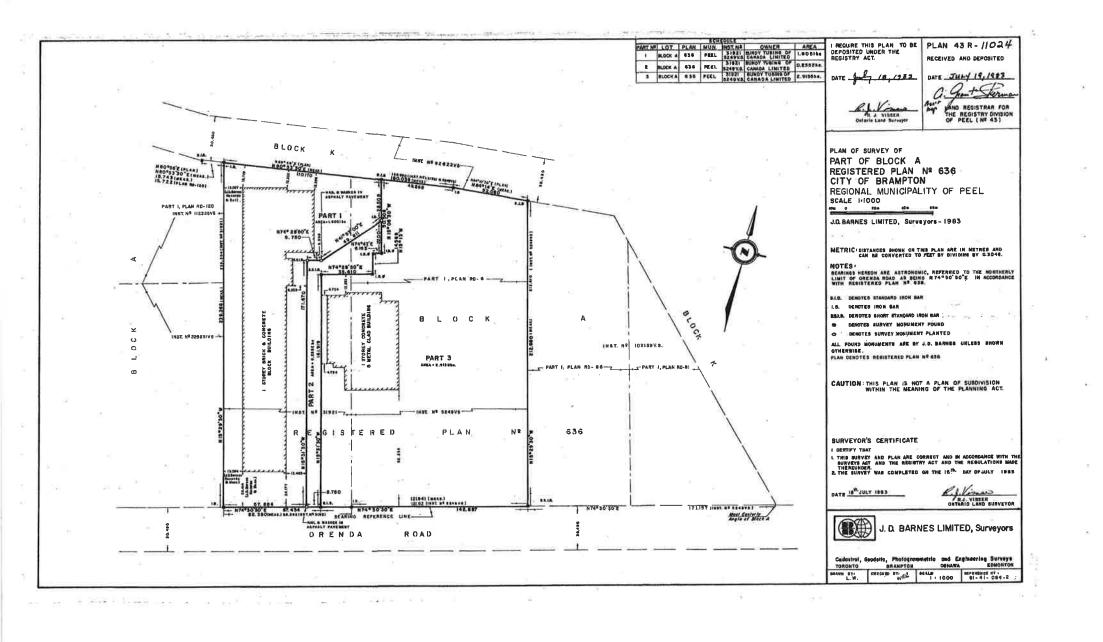
NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

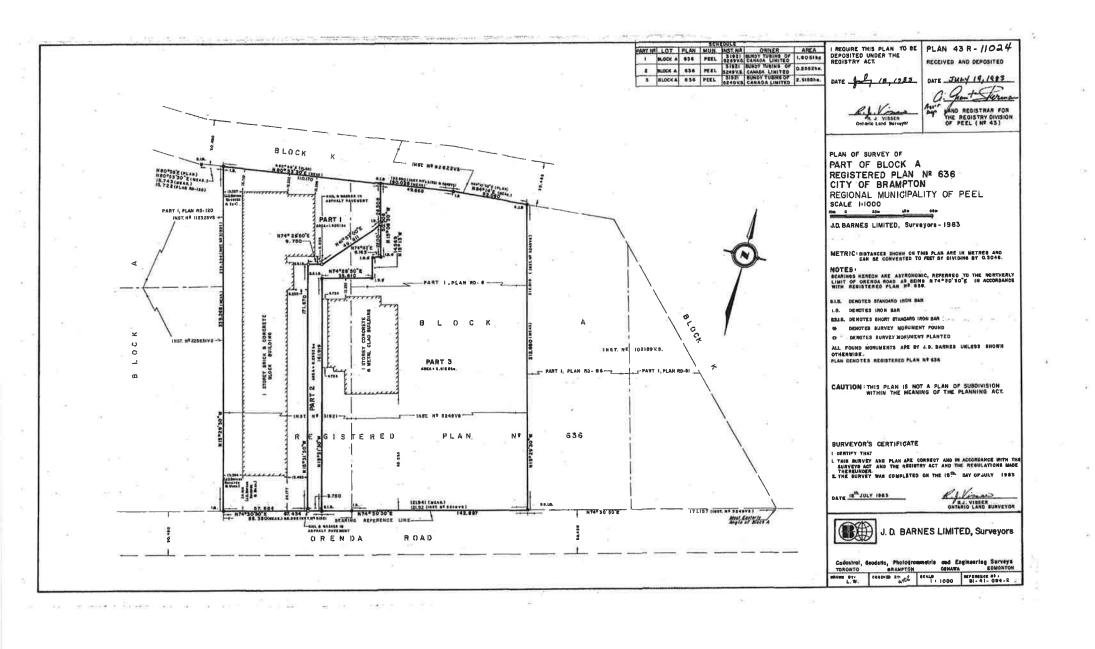
The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the <u>Planning Act</u>, 1990, for relief as described in this application from By-Law 270-2004.

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lame of	Agent	Maurizio Rogato - Bi	acklinom Developina	nt Corp.	
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		s 169 Parking Spaces			
Why Is It	not possibl	e to comply with	the provisions	of the by-law?	
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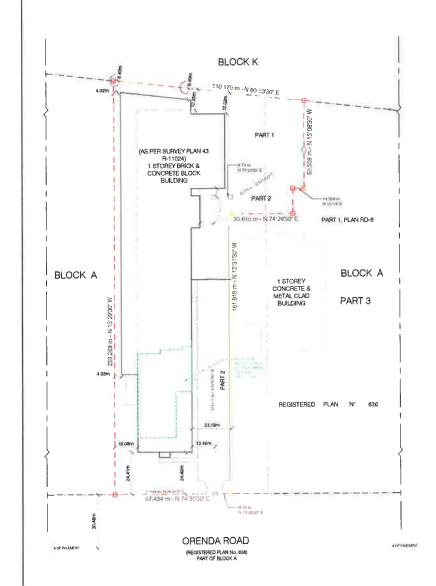
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16			
		GS/STRUCTURES on t	the subject land:
	N/A as there are no structure No new building proposed.		ment to be indoor within the existing building.
9.	(specify distance EXISTING Front yard setback	e from side, rear 24.18 m	uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u>)
	Rear yard setback Side yard setback Side yard setback	5.76m 4m 23.2 m	
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback		roposed.
10.	Date of Acquisition	of subject land:	2020
11.	Existing uses of sul	pject property:	1987
12.	Proposed uses of s	ubject property:	A Motor Vehicle Sales Establishment to occupy 15% of the existing building.
13.	Existing uses of ab	utting properties:	North: Industrial, East: Rail Corridor & Industrial, West: Industrial, East: Commercia
14.	Date of constructio	n of all buildings & stri	uctures on subject land: 1987
15.	Length of time the	existing uses of the su	bject property have been continued: approx. 33 year
16. (a)	What water supply Municipal () Well	is existing/proposed?	Other (specify)
(b)		osal is/will be provided	Other (specify)
(c)	What storm draina	ge system is existing/p	oroposed? Other (specify)

17.	Is the subje			t of an ap	plication u	nder the P	Planning A	ct, for a	approval of a plan	of
	Yes	N	· 🗹							
	If answer is	yes, provid	e detalls:	File #_			;	Status		
18.	Has a pre-co	onsultation	application	been file	d?					
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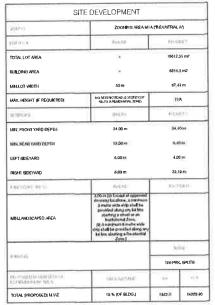




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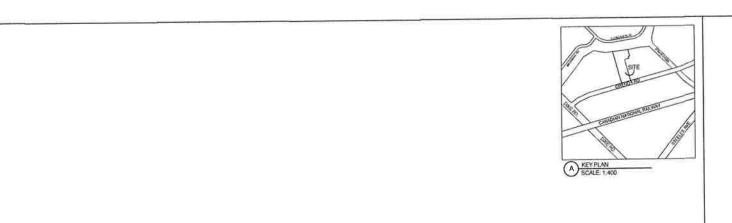
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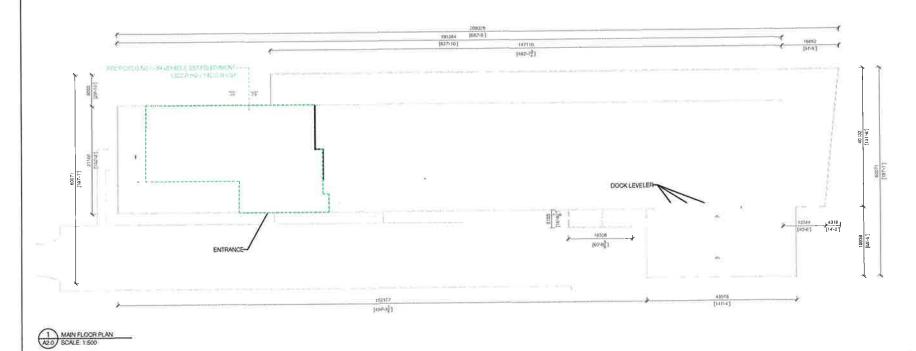




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	3590 NUTHERFORD VAUGHAN, ONTARN 416-806-70 FCORTESE@FCARCI	D, L4H 318 00
BALES	PROPOSED MOTOR ESTABLISHMENT WITHIN 316 ORENDA P BRAMPTON, 210 OF RRAMP OHLUBO	EXISTING BUILDING IOAD
(MANAPY)	SITE PLA	AN
NOME BATE NOME	150.500 DO	2020-01 444-
CHANNE	ALMOND.	A1.0



SGO	PEIOE WORK A	REA		
ri _p a.	TOTAL	AVERAGE IN		
FL4	(A) (10 ²⁴			
FOTAL (DISTING) GROUPS PLOCA MARK	en un	94076_EI UQFT	130/30%	
TOTAL PROPOSED SCORE OF VISION	1922.0m2 1432.30 9QFT		15,00%	



KEY PLAN



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No.	ECCOMPTION
	REVISIONS

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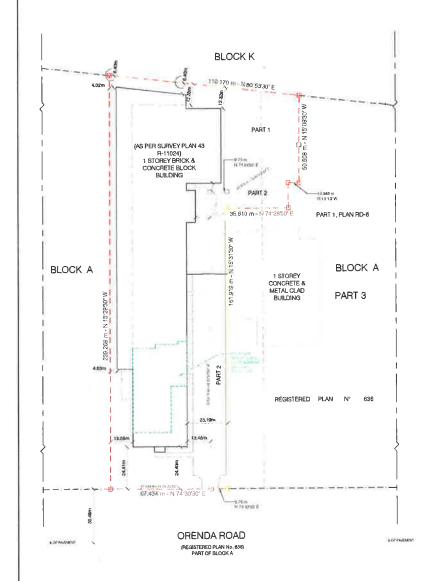
FAUSTO CORTESE ARCHITECTS

3590 RUTHERFORD RD, UNIT 7 VAUGHAN, ONTARIO, 14H 3TB 416-806-7000 FCORTESE@FCARCHITECTS.CA

PROPOSED MOTOR VEHICLE 8ALES ESTABLICHMENT VITHIN EOSTING BUILDIN (316 ORENDA ROAD BRAMPTON, ON (314 CE 88279/104) (318 AND)

MAIN FLOOR PLAN

OTHER



1 SITE PLAN A1.0 SCALE: 1:1000

SI	ITE DEVELOPMENT			
Province	AIM A3FA DIMAGOS	(TIJOUSTRIAL	Α)	
ICP NO. 4	886.00	Hen	1000	
TOTAL TOT AREA	= " = = = = = = = = = = = = = = = = = =	18012	31 m2	
BUILDING AREA	98	67,43 m		
MINLOT WEDTH	30 m			
MAX, HEIGHT (IF REQUIERED)	AGUES A PERIODINIA (2 STORE) THE ABUES A PERIODINIAL ZOME:			
Wildows.	man, in	Alto	e (c)	
MIN FRONT YARD DEPTH	24.00 m	24	10 m	
HIN REAR YARD DEPTH	12,00 m	4.02 m 23.10 m		
LEFT SIDEYARD	6.00m			
GHT SIDEYARD	6.00 m			
LANCOUNT AND ALL	460.0	PA-	153/	
MIN LANDSCAPED AREA	A (Com III) Except of approved developing transform, a minimum à major sobre sing a half for provided along tony like the stacting a street or an heat-threet it come. (ii) A minimum in metre wide they shalf be pro-fided along any for two observing a Re-infected 2 min.)			
PACTO.		30	har	
		100 PR	K SPOTS	
Personal Property Committee Committe	ME AUDINE	100	200	
10TAL IPROPOSEDI M.V.E	15 % (OF BLDG.)	1322.5	14229-90	





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SITE PLAN

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