

**APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **THE CORPORATION OF THE CITY OF BRAMPTON** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lots 4 and 5, Concession 2 WHS municipally known as **8950 MCLAUGHLIN ROAD SOUTH**, Brampton;

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

1. To permit a hydro transformer with an exterior side yard setback of 6.34m (20.80 ft) whereas the by-law requires a minimum exterior side yard setback of 7.9m (25.92 ft);
2. To permit a generator with an interior side yard setback of 3.74m (12.27 ft) whereas the by-law requires a minimum interior side yard setback of 7.9m (25.92 ft.);
3. To permit a building height of 4 storeys for a proposed long term care facility whereas the by-law permits a maximum building height of 3 storeys;
4. To permit loading spaces with no access to a street whereas the by-law requires loading spaces to be accessible from a street;
5. To permit parking spaces with no access to a street whereas the by-law requires parking spaces to be accessible from a street;
6. To permit a rear yard setback of 3.71m (12.17 ft) whereas the by-law requires a minimum rear yard setback of 7.9m (25.92 ft);
7. To permit an interior side yard setback of 4.17m (13.68 ft.) whereas the by-law requires a minimum interior side yard setback of 7.5m (24.60 ft);
8. To permit lot coverage of 33.93% whereas the by-law permits a maximum lot coverage of 33.3%.

OTHER PLANNING APPLICATIONS:

The land which is subject of this application is the subject of an application under the Planning Act for:

Plan of Subdivision: \_\_\_\_\_ NO \_\_\_\_\_ 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.

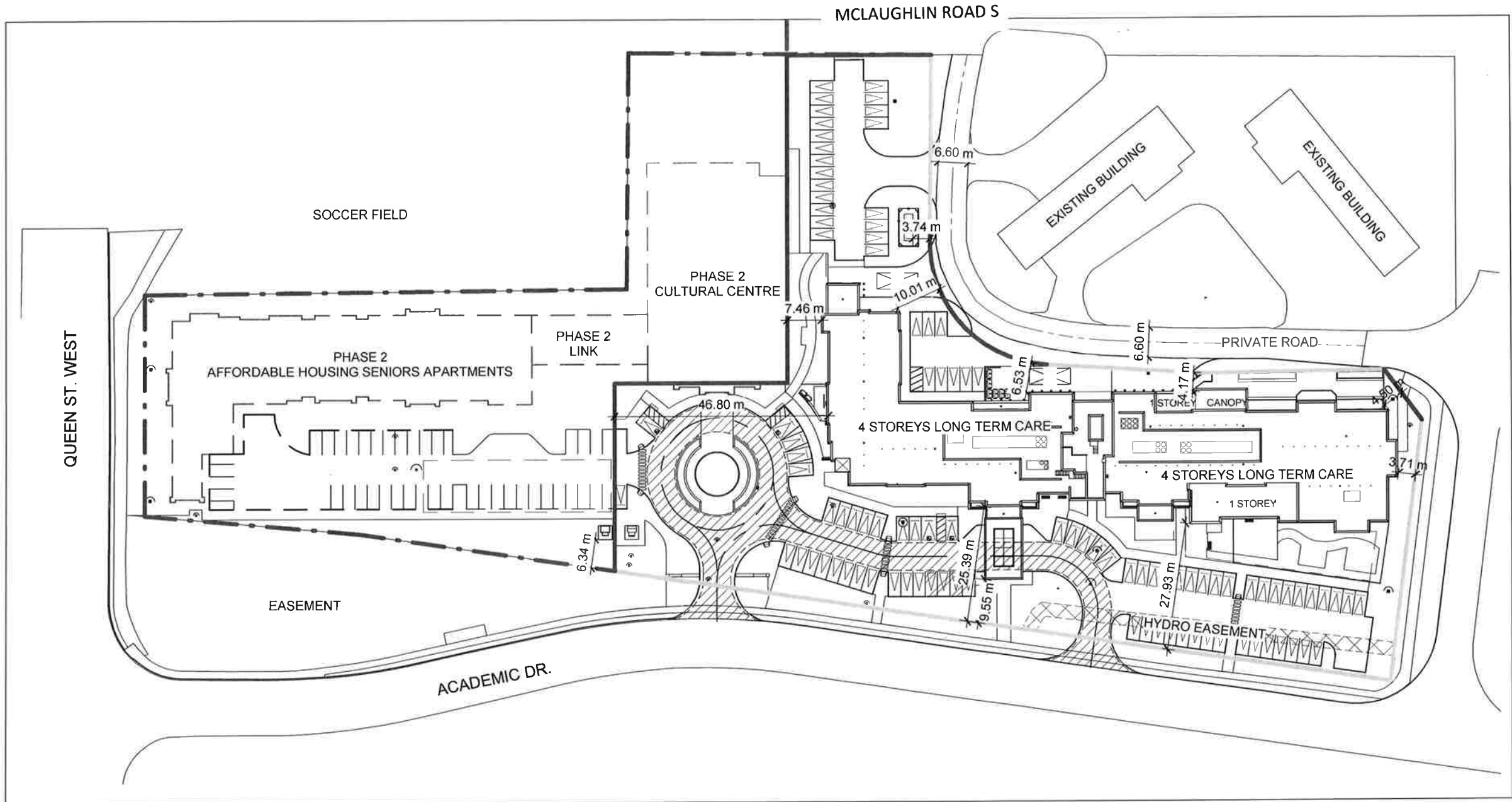
**RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.**

**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)874-2119  
[jeanie.mvers@brampton.ca](mailto:jeanie.mvers@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 in-person and electronically).**

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

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, April 13, 2023.**
  2. To participate in-person, please email the Secretary-Treasurer at [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca) by **4:30 pm Thursday, April 13, 2023.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday, 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](mailto:cityclerksoffice@brampton.ca) or [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca). If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

**NOTE** Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, [www.brampton.ca](http://www.brampton.ca). By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



March 10, 2023

SHS Consulting  
77 Bloor Street West, Suite 600  
Toronto, Ontario M5S 1M2

To: City of Brampton – Committee of Adjustment

A-2023-0082

Attention:

Jeanie Myers, Legislative Coordinator and Secretary-Treasurer Committee of Adjustment  
Telephone: (905) 874-2117  
Email: [jeanie.myers@brampton.ca](mailto:jeanie.myers@brampton.ca)

**Re: Minor Variance for 8950 McLaughlin Road South**

Dear Ms. Myers:

SHS Consulting has been retained as a consultant by Golden Age Village for the Elderly (GAVE), who are acting as agent on behalf of the property owner (the City of Brampton) with respect to a Committee of Adjustment Minor Variance Application for a portion of 8950 McLaughlin Road South located at Queen Street West and Academic Drive. GAVE is leasing the subject property, vacant surplus municipal lands, from the City of develop a retirement village for seniors on this property, designed as a 'campus of care.'

The proposed development consists of 160 Provincially approved and funded Long-Term Care (LTC) beds and an affordable rental housing component for independent seniors. In addition, the project will integrate a cultural centre providing programming for residents of this development, members of the Vietnamese community from across the Greater Toronto Area and the Brampton community at large. The proposed development is to be phased, with the LTC facility to be developed first as part of Phase 1, on the southern portion of the site, in order to meet Provincially-mandated construction timelines. The seniors affordable housing and cultural centre components will be developed as part of a future Phase 2.

The project is currently undergoing Site Plan review with City Planning staff. City Staff are satisfied with the proposed Phasing Line and have confirmed the zoning deficiencies and required variances for the LTC facility in Phase 1, which is the subject of this minor variance application.

The proposed LTC facility consists of a new 160-bed, 4-storey building on a portion of municipal lands which are currently underutilized. The proposal will create new sorely needed LTC beds in



the City of Brampton, which are currently in short supply. The new LTC beds will allow seniors and older adults requiring care to find a home and age-in-place within their community.

The site is zoned under City of Brampton Zoning By-Law 270-2004 as Institutional 2 (I2). Currently, the site is vacant. Additionally, the site has a Major Institutional land use designation in the City of Brampton Official Plan, and is located along a Regional Arterial Road (Queen Street West) in close proximity to the Flower City Community Campus and Flower City Seniors Centre to the south. Immediately west, across Academic Drive, two (2) schools serve nearby residents.

LTC facility design is highly regulated and prescribed by the Ministry of Long-Term Care, presenting unique challenges in building and site design, and ultimately leading to a need for many of the required variances in order to satisfy these Provincial guidelines.

This Cover Memo outlines a summary of the minor variances that would be required to provide relief from the zoning while satisfying LTC design requirements, balancing site constraints, and outlines our rationale for each minor variance.

<b>List of Variances Requested</b>	
1.	Permission to locate hydro transformers with an exterior side yard setback of 6.34 metres, whereas Zoning By-Law 270-2004 specifies a minimum exterior side yard setback of 7.9 metres.
2.	Permission to locate a generator with an interior side yard setback of 3.74 metres, whereas Zoning By-Law 270-2004 requires an interior side yard setback of 7.9 metres.
3.	Permission to increase the maximum building height to 4 storeys for the proposed Long-Term Care facility, whereas Zoning By-Law 270-2004 permits a maximum building height of 3 storeys.
4.	Relief from the requirement in Zoning By-Law 270-2004 that a loading space have direct access to a street.
5.	Relief from the requirement in Zoning By-Law 270-2004 that parking spaces should be accessible from a street.
6.	Permission to reduce the minimum rear yard setback to 3.21 metres, whereas Zoning By-Law 270-2004 requires a minimum rear yard setback of 7.9 metres.

List of Variances Requested	
7.	Permission to reduce the minimum interior side yard setback to 3.67 metres, whereas Zoning By-Law 270-2004 requires a minimum interior side yard setback of 7.5 metres.
8.	Permission to increase the maximum lot coverage permitted to 33.93 percent, whereas Zoning By-Law 270-2004 specifies a maximum lot coverage of 33.3 percent.

<p><b>1. Permission to locate hydro transformers with an exterior side yard setback of 6.34 metres, whereas Zoning By-Law 270-2004 specifies a minimum exterior side yard setback of 7.9 metres.</b></p>
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*Reduced aesthetic impact and safety concern due to greater than typical distance from property line to Academic Drive curb line.*

The City of Brampton Official Plan does not specifically address the location of hydro transformers on properties within the City. However, the Official Plan does address questions of urban design, as well as promote the health and wellbeing of existing and future residents through the promotion development which takes into consideration both aesthetics and safety. This is enforced through regulation in the form of the Zoning By-Law (270-2004), which in the case of hydro transformers, stipulates a minimum distance from the public right-of-way through a minimum exterior side yard distance. The intent of the Official Plan and Zoning By-Law in this regard is to improve the aesthetics of the public realm by separating unseemly mechanical and electrical equipment from pedestrians. Additionally, an ample exterior side yard separation will reduce incidents of equipment damage due to road works or automobile accidents.

With the proposed Long-Term Care facility at 8950 McLaughlin Road South, the planned pad-mounted hydro transformers are located on the west side of the site, 6.34 metres from the property line at Academic Drive. Academic Drive south of Queen Street West, adjacent to the site, has an unusual design in which the actual roadway deviates from its generally north-south path of travel and veers west, away from the site and property line. As a result, the hydro transformers in question are separated from the sidewalk and curb line by almost 10 metres beyond the proposed 6.34 metre side yard setback. In this way they have a reduced impact on the aesthetics and pedestrian experience from the public realm, and pose a vastly minimized risk to safety from any automobile incidents on Academic Drive. As such, their location and the requested variance are consistent with the intent and purpose of both the Official Plan and Zoning By-Law.

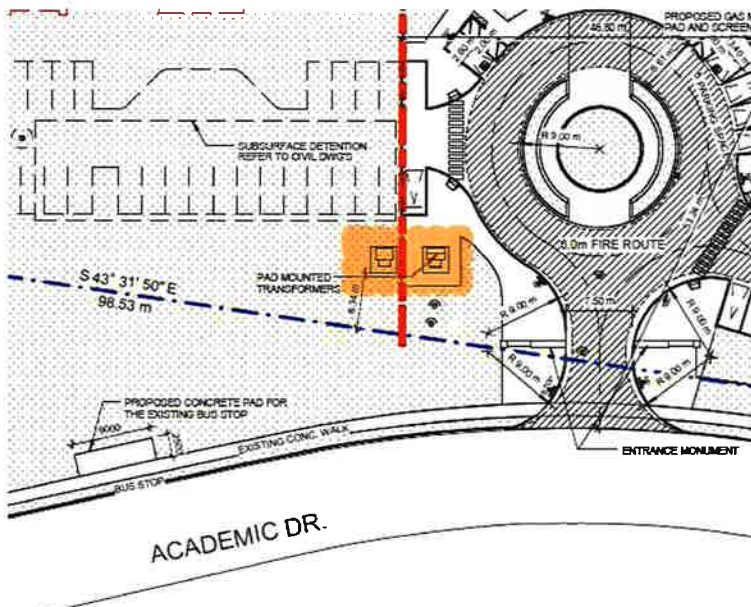


Figure 1. Excerpt of Site Plan showing hydro transformer location; Arcadis IBI Group, 2023.

The location of the hydro transformers in question near the centre of the site and adjacent to the Phasing Line was an intentional choice by the project architects. This location is the most practical as it is near an existing Alectra electrical service which will serve the site, and allows for the grouping of hydro transformers for both Phases 1 and 2 of the proposed development. This makes installation and maintenance simpler and less disruptive for future residents and visitors of the LTC facility and future campus of care. Location of the hydro transformers at the far east end of the site was not feasible due to distance from the existing electrical services in the area. Finally, the location of the transformers is also dictated by the size and shape of the site, as well as parking requirements which necessitate surface parking. As such, the location of the hydro transformers with a reduced exterior side yard setback along Academic Drive is both appropriate and desirable.

As the proposed location of the hydro transformers, including their reduced exterior side yard setback to the Academic Drive right-of-way, has negligible aesthetic or safety impacts on pedestrians, road users, or the community at large, the requested variance should be considered minor in nature.

- 2. Permission to locate a generator with an interior side yard setback of 3.74 metres, whereas Zoning By-Law 270-2004 requires an interior side yard setback of 7.9 metres.**

*Negligible noise impacts on residential property owners due to surrounding institutional land uses.*

The City of Brampton Official Plan does not specifically address the location of back-up or emergency generators on properties within the City. However, the Official Plan does address questions of urban design, as well as promote the health and wellbeing of existing and future residents through the promotion development which takes into consideration health and safety. This is enforced through the Zoning By-Law (270-2004), which in the case of back-up generators, dictates a minimum distance from neighbouring properties so as to reduce the impacts of any combustion emissions and noise. The By-Law does not differentiate between minimum separation distances of back-up generators from residential versus non-residential uses on neighbouring properties.

With the proposed Long-Term Care facility at 8950 McLaughlin Road South, the planned emergency back-up generators are to be located within an enclosure on the east side of the site, 3.74 metres from the site boundary. While this site boundary is technically considered to be an interior lot line as the adjacent roadway is a municipally-owned driveway, rather than a public right-of-way, the driveway provides a buffer of 6.0 metres from adjacent land uses. Furthermore, the planned enclosure surrounding the generator will reduce noise resulting from its operation. Finally, the context of lands and uses surrounding the site are sympathetic to the location of a back-up generator in this location. As part of the Flower City Community Campus, the surrounding lands are open space and community programming space, less sensitive to noise than a residential or mixed-use area. Given the buffer provided by the adjacent driveway, the enclosure surrounding the generator, and the lack of residential uses, the noise and emission impacts of emergency operation of the generator are mitigated. As such, their location and the requested variance are consistent with the intent and purpose of both the Official Plan and Zoning By-Law.

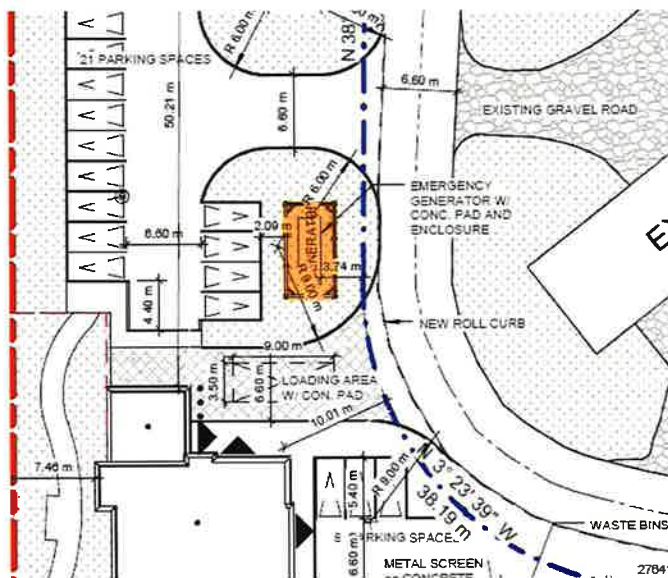


Figure 2. Excerpt of Site Plan showing generator location; Arcadis IBI Group, 2023.





Figure 3. Key Plan showing surrounding context; Valcoustics, 2022.

The purpose of the proposed emergency back-up generators is to provide continuity to life-support systems as well as emergency mechanical and electrical systems required for the safe operation of the LTC facility on the site. This is morally imperative as many LTC residents are unable to be easily relocated on short notice, such as the event of a power failure. In the case of this particular site, location of the generator was constrained by the highly irregular site shape and dimensions. Specifically, the project team was unable to locate the generator on the site and within the Phase 1 lands without sacrificing outdoor amenity space, required parking spaces, or access for maintenance. Given that the proposed location of the generator preserves these important development considerations while also mitigating noise and emissions via a screened enclosure, and has an adequate separation from sensitive uses (e.g. residential), it should be considered appropriate and desirable.

As the proposed location of the emergency back-up generators is not anticipated to have a material impact on neighbouring users of the Flower City Community Campus through either noise or emissions, the requested variance is minor in nature.

**3. Permission to increase the maximum building height to 4 storeys for the proposed Long-Term Care facility, whereas Zoning By-Law 270-2004 permits a maximum building height of 3 storeys.**

*Location adjacent to Queen Street West appropriate for larger-scale development; mid-rise built form appropriate for Long-Term Care facility.*

The general intent and purpose of the Official Plan as it relates to infill development is that new development in and adjacent to existing residential areas should respect the existing physical

character of the area, including the scale and density of development and built form. In addition, the Official Plan promotes accessibility, particularly for public spaces including new community centres or public facilities. This is enforced through the Zoning By-Law (270-2004) which limits the height of development in the Institutional 2 (I2) zone to 3 storeys. As many community centres are in or adjacent to residential neighbourhoods, this is a way of ensure compatibility with neighbouring residential built form. In addition, 3 storeys is a practical limitation the accessibility and scale of community centres.

The proposed LTC facility which is the subject of this application is located in a transition area, surrounded by a mix of uses and built form, and separated from existing residential development by Queen Street West to the north. Immediately adjacent to the site are single-storey buildings to the south and east which contain community space as part of the Flower City Community Campus, two-storey schools to the west across Academic Drive, and municipal parkland to the east. Given the buffer from residential neighbourhoods the north provided by Queen Street West, the lack of sensitive (e.g. residential) uses directly adjacent to the site, and the north-south orientation of the proposed LTC facility, the additional height is not anticipated to impact built character of the surrounding area. Furthermore, the variety of building heights seen in the surrounding built form means there is no prevailing height to adhere to. Finally, the LTC use lends itself towards mid-rise development of four storeys. The additional building height does not negatively impact the accessibility of interior spaces for users, nor does it impact the feasibility of design. As a result of its distance from the nearest residential neighbourhoods, its location in an area of transition between varied building scale and height, and the LTC-specific design considerations unique to institutional uses, the requested variances meet the intent and purpose of the Official Plan and Zoning By-Law.

The LTC design guidelines provided by the Provincial government, as well as functional requirements limit the size of Resident Home Areas (RHAs). This further lends itself towards a smaller floor size for the proposed LTC facility, with a greater number of floors. The other alternative, a reduction in the number of LTC beds proposed for the site would be a negative outcome for the City of Brampton, which does not have enough supply of LTC beds to meet local demand. The additional building height proposed also reduces the building footprint on the site, which increases the opportunity to provide residents and visitors with outdoor amenity spaces and landscaping to blend in with the Flower City Community Campus next door. In these ways, the request to increase the maximum permitted height from three to four storeys is appropriate and desirable.

Given that the requested variance to increase the permitted height of the proposed LTC facility is not anticipated to have any impact on nearby residents or on the effective function of the site, nor the aesthetic character of the area its impacts should be considered minor in nature.

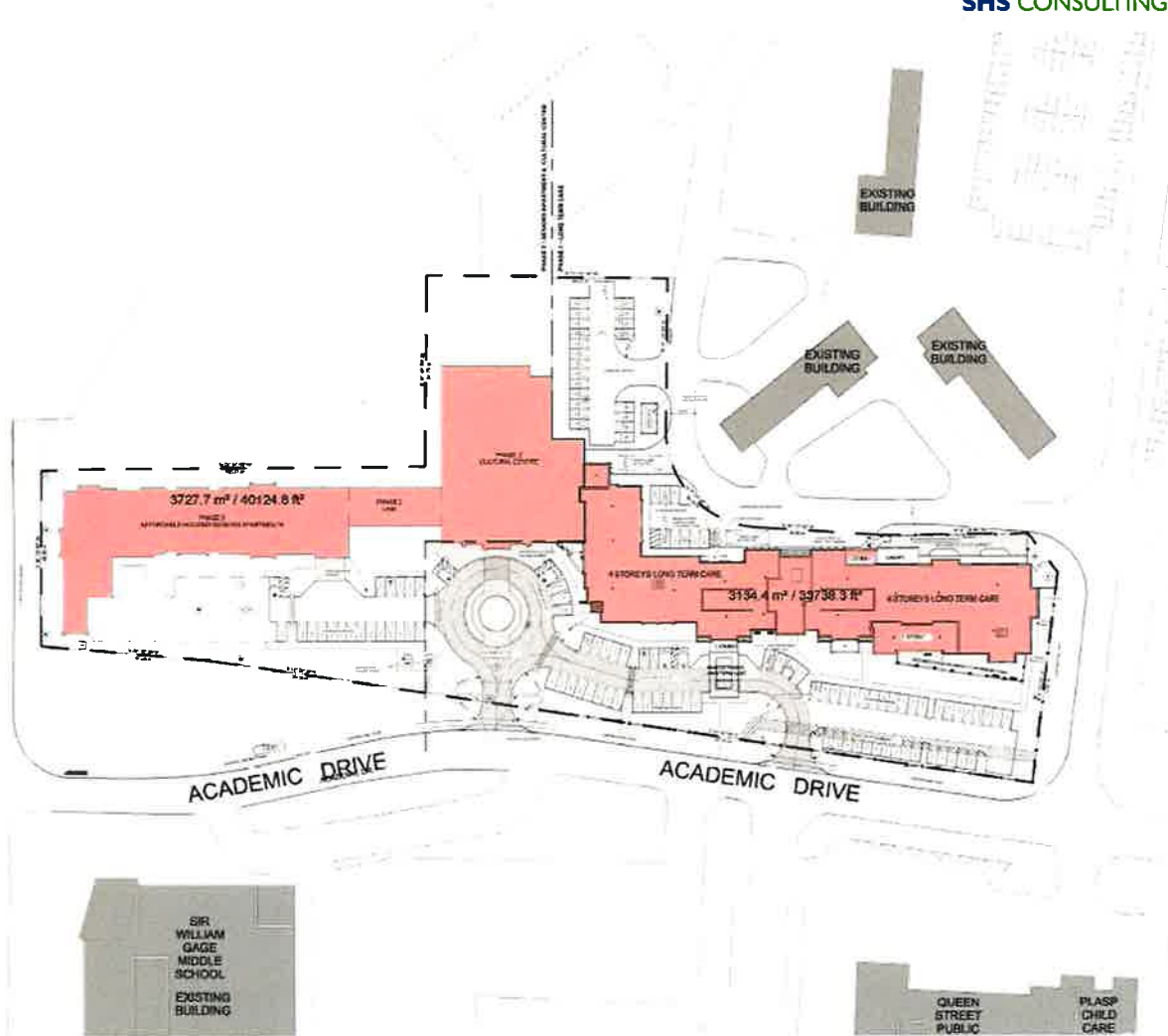


Figure 4. Excerpt from Site Plan showing surrounding context; Arcadis IBI Group, 2023.

4. Relief from the requirement in Zoning By-Law 270-2004 that a loading space have direct access to a street.
5. Relief from the requirement in Zoning By-Law 270-2004 that parking spaces should be accessible from a street.

*Adequate access provided from municipally-owned driveway to the east of the site, future agreement with City for access to be dealt with through Site Plan Control process.*



Requested variances #4 and #5 both relate to proposed vehicular site access from the municipally-owned driveway which partly borders the site on its south and east sides. As such, the rationale for the requested variances will be addressed together.

The City of Brampton's Official Plan does not specifically reference the location of parking or loading spaces on new development, but it does promote resident wellbeing, health and safety through design. The intent and purpose of the Official Plan as it relates to the location of and access to parking and loading spaces is that they should be easily and safely accessible in such a way as to minimize conflict between vehicles and with pedestrians. The proposed location of the loading space and 29 parking spaces on the east side of the LTC facility makes them accessible from the adjacent municipally-owned driveway, rather than a public street. Notwithstanding that, the project design team has designed both parking and loading spaces, as well as their access from the driveway consistent with municipal standards required for access to public streets. Furthermore, this design has been reviewed by City Staff as part of an ongoing Site Plan Control process and will need to satisfy Staff as to the safety of its design prior to approval and construction. In this way, the proposal meets the general intent and purpose of the Official Plan.

The general intent of the Zoning By-Law as it pertains to vehicular access for parking and loading spaces also relates to safety through design. However, in addition, the Zoning By-Law also seeks to ensure that safe and efficient access to and from parking and loading spaces is maintained. The simplest approach to achieving these goals is to require that access be from a public street. With this particular proposal however, these intents will be met as the municipally-owned driveway will be upgraded to the requisite municipal roadway standards so that driver safety does not decline over time. Furthermore, the efficient function of the site and continued viability of this access point will be maintained through agreements between the applicant (GAVE) and the City for both access to the site, as well as ongoing maintenance of the upgraded driveway. These agreements will be enforced through the Site Plan Control process which is currently underway. In these ways, the requested variances meet the intent and purpose of the Zoning By-Law.

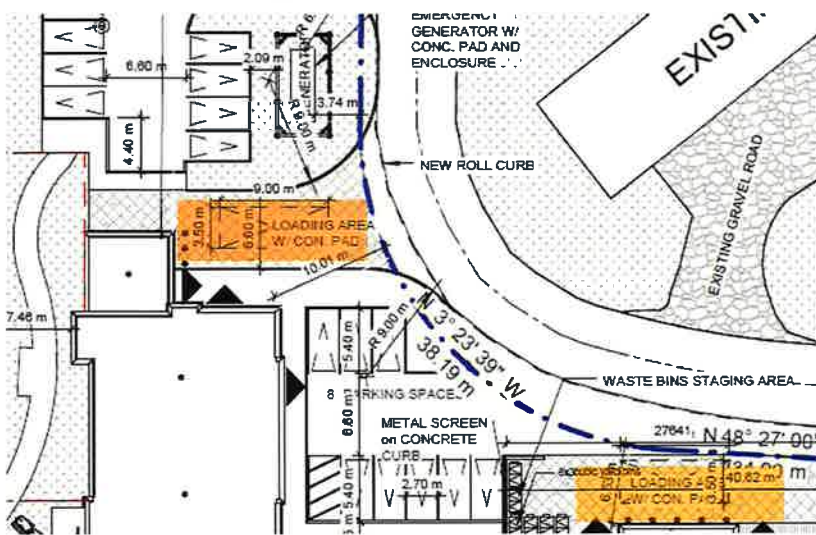


Figure 5. Excerpt from Site Plan showing proposed Loading Space accessed from municipally-owned driveway; Arcadis IBI Group, 2023.

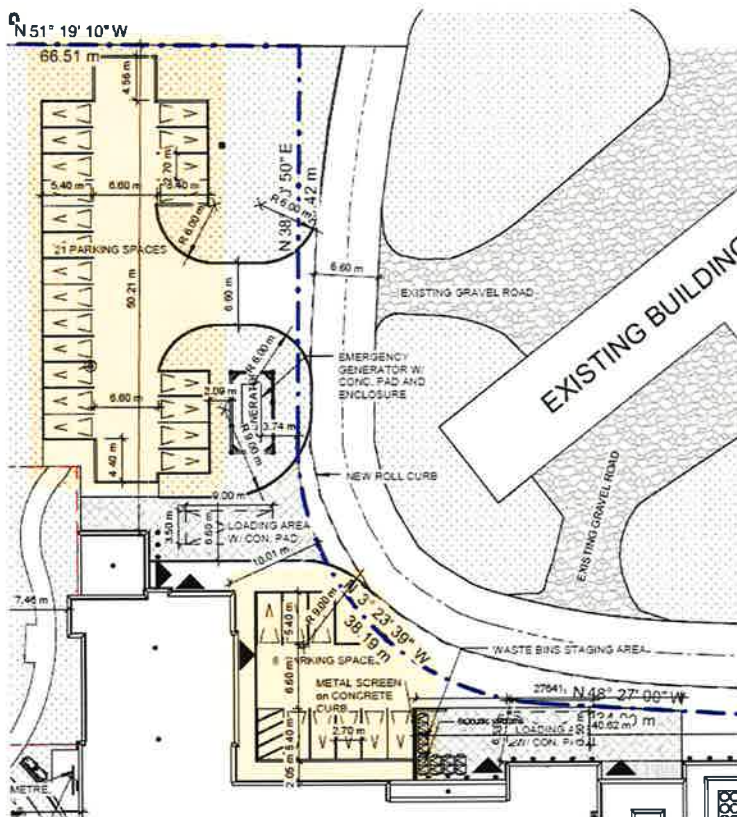


Figure 6. Excerpt from Site Plan showing proposed parking spaces accessed from municipally-owned driveway; Arcadis IBI Group, 2023.

The request to permit access to the proposed loading space and 29 parking spaces for the LTC facility at the eastern end of the site has three advantages. First, it reduces the number of parking spaces located on the west of the site, between the LTC facility and Academic Drive. This will improve pedestrian safety. Second, it will allow the proposed LTC to frame the street and contribute to an eventual continuous street wall facing Academic Drive, an important urban design objective. Third, it will permit LTC staff to park behind the building, allowing more visitors to park in the more easily accessible parking lot on the west side of the site. As such, these requested variances are appropriate and desirable.

Finally, as the proposed location of the loading space and 29 parking spaces on the east side of the site is not anticipated to create significant safety concerns for visitors, staff, or members of the broader public, as confirmed by a Transportation Study prepared by IBI Group, the requested variances are minor in nature.

**6. Permission to reduce the minimum rear yard setback to 3.21 metres, whereas Zoning By-Law 270-2004 requires a minimum rear yard setback of 7.9 metres.**

*Negligible shadow or privacy impacts on Flower City Community Campus to the south.*

The general intent and purpose of the Official Plan as it relates to infill development is that consideration should be given to so as to allow sunlight and sky views, and to minimize impacts on neighbour privacy. In the case of the proposed LTC facility at 8950 McLaughlin Street South, the site's frontage faces Queen Street West to the north, making the rear lot line the opposite, southern site boundary, adjacent to the municipally-owned private driveway which intersects with Academic Drive. Across this driveway is the City of Brampton's Flower City Community Campus which contains a variety of community facilities and programming. In this way, there are no directly adjacent uses, let alone sensitive residential uses which might be affected by a reduced setback. Furthermore, the north-south orientation of the proposed LTC facility maximizes the sky views and sunlight visible from the abutting lands, and minimizes the visual impact of the development. In this way, the proposal meets the intent and purpose of the Official Plan.

The general intent and purpose of the Zoning By-Law (270-2004) as it relates to rear yard setbacks echoes that of the Official Plan, to minimize shadow and privacy impacts on neighbouring properties, while also allowing adequate room for landscaping. The requested 3.21 metre minimum rear yard setback incorporates an approximately 0.5 metre buffer to permit minor changes in the Site Plan and building design. The current proposed actual setback from the rear lot line is 3.71 metres which, while approximately half of the required rear yard setback, permits integration of a landscaped strip and outdoor amenity areas for LTC residents around the perimeter of the building. With no residential properties or similarly sensitive uses adjacent to the site, the requested reduction in the required minimum rear yard setback will not impact

neighbours' privacy. The north-south orientation of the proposed building and its location to the north of the Flower City Community Campus means that there will be no shadow impacts on lands to the south, abutting the rear lot line. As such, the proposal meets the intent and purpose of the Zoning By-Law.

The requested reduction in the minimum rear yard setback is necessary to accommodate the proposed 160 LTC beds which are proposed for the site, and which the applicant (GAVE) has committed to providing in this location through agreements with both the Ministry of Long-Term Care and the City of Brampton, which owns the property. Any reorganization of the building footprint would result in new zoning deficiencies affecting the function of the site, including building height, outdoor amenity spaces for residents, or required parking spaces. In this way, the reduced minimum rear yard setback is appropriate and desirable.

With no shadow impacts to the south, across the rear lot line, nor privacy impacts on sensitive (e.g. residential) uses, the requested variance is minor in nature.

**7. Permission to reduce the minimum interior side yard setback to 3.67 metres, whereas Zoning By-Law 270-2004 requires a minimum interior side yard setback of 7.5 metres.**

*Negligible privacy impacts or increase in shadow impacts on Flower City Community Campus to the east.*

The general intent and purpose of the Official Plan as it relates to infill development is that consideration should be given to so as to allow sunlight and sky views, and to minimize impacts on neighbour privacy. In the case of the proposed LTC facility at 8950 McLaughlin Street South, the site's eastern boundary is considered to be an interior lot line, as the is part technically part of the same property parcel as the adjacent Flower City Community Campus. Functionally however, the eastern property boundary has more in common to an exterior side yard as it abuts a municipally-owned driveway which buffers it from other uses. In this way, there are no directly adjacent uses, let alone sensitive residential uses which might be affected by a reduced setback. The buffering effect of the driveway minimizes the impact of a 3.83 metre reduction in side yard setback on sky views and sunlight visible from the Flower City Community Campus lands to the south and east. In this way, the proposal meets the intent and purpose of the Official Plan.

The general intent and purpose of the Zoning By-Law (270-2004) as it relates to side yard setbacks echoes that of the Official Plan, to minimize shadow and privacy impacts on neighbouring properties, while also allowing adequate room for landscaping. The requested 3.67 metre minimum rear yard setback incorporates an approximately 0.5 metre buffer to permit minor changes in the Site Plan and building design. The current proposed actual setback from the east site boundary is 4.17 metres which permits integration of landscaping and sidewalk around the perimeter of the building. With no residential properties or similarly sensitive uses

adjacent to the site, the requested reduction in the required minimum rear yard setback will not impact neighbours' privacy. The 3.83 metre reduction in the side yard setback to the east will not materially increase shadow impacts on lands to the east. It is also important to note that the lands affected by the moderate increase in shadowing are not used for outdoor programming, and so the use and enjoyment of the use those lands will not be materially impacted. As such, the proposal meets the intent and purpose of the Zoning By-Law.

As with the previous variance, the requested reduction in the interior side yard setback is necessary to accommodate the proposed 160 LTC beds which are proposed for the site, and which the applicant (GAVE) has committed to providing in this location through agreements with both the Ministry of Long-Term Care and the City of Brampton, which owns the property. Any reorganization of the building footprint would result in new zoning deficiencies affecting the function of the site, including building height, outdoor amenity spaces for residents, or required parking spaces. In this way, the reduced minimum interior side yard setback is appropriate and desirable.

With no shadow impacts on outdoor programming areas within the Flower City Community Campus to the south or east, nor privacy impacts on sensitive (e.g. residential) uses, the requested variance is minor in nature.

**8. Permission to increase the maximum lot coverage permitted to 33.93 percent, whereas Zoning By-Law 270-2004 specifies a maximum lot coverage of 33.3 percent.**

*Negligible impact on built form or physical character, additional stormwater runoff to be dealt with on-site through low impact development techniques.*

The general intent and purpose of the Official Plan as it relates to infill development is that new development in and adjacent to residential areas should respect the existing physical character of the area, including the scale and density of development and built form. The site is not directly adjacent to residential areas – it is separated by the Queen Street West right-of-way to the north. Its immediate context is that of similarly zoned institutional uses, with two public schools located across Academic Drive to the west. The proposed lot coverage is comparable to that of the schools to the west. Furthermore the proposed lot coverage exceeds the permitted lot coverage by a mere 0.63 percent (approximately 127 square metres), with no visible difference in built character as seen from the public realm. The location and orientation of the proposed LTC facility will help develop street wall along Academic Drive. In this way the proposed development is consistent with the intent and purpose of the Official Plan.

The general intent and purpose of the Zoning By-Law as it pertains to performance standards relating to lot coverage is two-fold. First, the By-Law seeks to regulate the physical character of neighbourhoods and create a consistent and aesthetically pleasing environment. Second, the By-Law seeks to ensure opportunities for the infiltration of stormwater runoff, thereby limiting





downstream effects of overland stormwater flows. Again, the proposed LTC facility has a similar built form and physical character to the schools across Academic Drive. The proposed development will also include an underground stormwater storage tank that will maintain stormwater runoff flows on-site to the predevelopment condition. This is a level consistent with City of Brampton guidelines. In these ways, the proposed development is consistent with the general intent and purpose of the Zoning By-Law.

The proposed development is in a transition zone with institutional uses and buildings of various scales and typologies. The proposed building design and site design is comparable in character to the schools across Academic Drive. Additionally, the building footprint is partly governed by Ministry of Long-Term Care design guidelines which regulate the relationship between support spaces, circulation space, common areas and bed counts. Reducing the LTC facility building footprint in order to reduce the lot coverage would require a reduction in LTC beds. Given that the purpose of the proposed development is to add sorely needed LTC beds in the City of Brampton, which is experiencing a shortage, allowing an increase in the maximum permitted lot coverage to 33.93 percent to accommodate the creation of 160 new units on the site is an appropriate and desirable outcome.

As the proposed development would improve the streetscape along Academic Drive and minimize stormwater runoff by employing low impact development techniques, the increase in lot coverage should be considered minor in nature.

In summary, the proposed development at 8950 McLaughlin Road South represents good planning and, in our opinion, the above outlined variances meet the general intent of the official plan and zoning by-law, are appropriate and desirable from a planning perspective, and are minor in nature.

Sincerely,

Andrew Vrana  
Senior Planner, SHS Consulting  
77 Bloor Street West, Suite 600  
Toronto, Ontario M5S 1M2  
Telephone: (905) 763-7555 ext. 103  
Email: [avrana@shs-inc.ca](mailto:avrana@shs-inc.ca)



**Copy:**

Tanya Thanh-Nhã Nguyen, Golden Age Village for the Elderly (GAVE)  
Ed Starr, SHS Consulting  
Brad Chase, Arcadis IBI  
Yi Zhou, Arcadis IBI

**Attachments:**

1. Application Form
2. Architectural Site Plan



The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. 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 Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. **Name of Owner(s)** Corporation of the City of Brampton  
**Address** 2 Wellington Street West  
Brampton, ON  
L6Y 4R2  
**Phone #** 905-874-2145 **Fax #** \_\_\_\_\_  
**Email** cheryl.waters@brampton.ca

2. **Name of Agent** Golden Age Village for the Elderly (GAVE)  
**Address** 11088 Pine Valley Drive  
Woodbridge, ON  
L3L 0B9  
**Phone #** 647-524-0018 **Fax #** \_\_\_\_\_  
**Email** tanya.nguyen@tuoihac.org

3. **Nature and extent of relief applied for (variances requested):**
1. to permit hydro transformers with an exterior side yard setback of 6.34m, whereas the by-law requires an exterior side yard setback of 7.9m;
  2. to permit a generator with an interior side yard setback of 3.74m, whereas the by-law requires an interior side yard setback of 7.9;
  3. to permit building height of 4 storeys for the proposed long term care facility, whereas the by-law permits a maximum building height of 3 storeys.
  4. to permit loading spaces with no access to a street, whereas the by-law requires loading spaces to be accessible from a street.
  5. to permit parking spaces with no access to a street, whereas the by-law requires parking spaces to be accessible from a street.
  6. to permit a rear yard setback of 3.71m, whereas the by-law requires a rear yard setback of 7.9m
  7. to permit an interior side yard setback of 4.17m, whereas the by-law requires an interior side yard setback of 7.5m.
  8. To permit a lot coverage of 33.93%, whereas the by-law permits a maximum lot coverage of 33.3%

4. **Why is it not possible to comply with the provisions of the by-law?**  
The size of the site which the City of Brampton has agreed to lease to Golden Age Village for the Elderly (GAVE) for the purpose of developing a Long-Term Care (LTC) facility is not large enough to otherwise provide the number of LTC beds which GAVE is obligated to provide through agreements with both the City and Ministry of Long-Term Care while meeting both Ministry design standards for LTC facilities as well as the city's zoning for lands zoned Institutional-2 (I2). Relief from the zoning is required to satisfy both City and provincial requirements within the site area.  
This is addressed in detail in the attached cover memo.

5. **Legal Description of the subject land:**  
**Lot Number** Part of Lot 5  
**Plan Number/Concession Number** CON. 2. W.H.S.  
**Municipal Address** 8950 McLaughlin Road South.

6. **Dimension of subject land (in metric units)**  
**Frontage** \_\_\_\_\_  
**Depth** \_\_\_\_\_  
**Area** \_\_\_\_\_

7. **Access to the subject land is by:**
- |                                    |                                     |                   |                          |
|------------------------------------|-------------------------------------|-------------------|--------------------------|
| Provincial Highway                 | <input type="checkbox"/>            | Seasonal Road     | <input type="checkbox"/> |
| Municipal Road Maintained All Year | <input checked="" type="checkbox"/> | Other Public Road | <input type="checkbox"/> |
| Private Right-of-Way               | <input type="checkbox"/>            | Water             | <input type="checkbox"/> |

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land:

There are no buildings or structures currently on the subject land, as it is a vacant parcel of surplus land owned by the City of Brampton and to be leased to the agent, Golden Age Village for the Elderly (GAVE).

PROPOSED BUILDINGS/STRUCTURES on the subject land:

4-storey 160-bed Long-Term Care facility, with gross floor area of 22,259 sq. m., with 125 parking spaces to be provided as part of Phase 1 construction, including 2 Type A and 2 Type B accessible parking spaces in a surface parking lot.

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)

EXISTING

Front yard setback N/A
Rear yard setback N/A
Side yard setback N/A
Side yard setback N/A

PROPOSED

Front yard setback 147.8 metres to property line; 7.46 metres to phasing line
Rear yard setback 3.21 metres
Side yard setback 3.67 metres
Side yard setback 24.89 metres

10. Date of Acquisition of subject land: The subject land is in the process of being leased to the applicant by the City of Brampton.

11. Existing uses of subject property: The site is currently vacant surplus land owned by the City of Brampton.

12. Proposed uses of subject property: 160-bed Long-Term Care facility
Flower City Community Campus to the south and east, Brampton Parking Enforcement and Zoning department municipal offices to the south, Flower City Seniors Centre to the south, Queen Street Public School and Sir William Gage Middle School to the west, and single detached residential uses north, across Queen Street West.

13. Existing uses of abutting properties: Queen Street Public School and Sir William Gage Middle School to the west, and single detached residential uses north, across Queen Street West.

14. Date of construction of all buildings & structures on subject land: N/A

15. Length of time the existing uses of the subject property have been continued: Unknown

16. (a) What water supply is existing/proposed?

Municipal [X] Other (specify)
Well [ ]

(b) What sewage disposal is/will be provided?

Municipal [X] Other (specify)
Septic [ ]

(c) What storm drainage system is existing/proposed?

Sewers [X] Other (specify)
Ditches [ ]
Swales [ ]

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes  No

If answer is yes, provide details: File # SPA-2022-0160 Status Active/In-Progress

18. Has a pre-consultation application been filed?

Yes  No

19. Has the subject property ever been the subject of an application for minor variance?

Yes  No  Unknown

If answer is yes, provide details:

File #	A-2021-0137	Decision	Variance Approved	Relief	Permission for Seniors Affordable Housing as part of a campus of care on the subject lands.
File #		Decision		Relief	
File #		Decision		Relief	

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton

THIS 17th DAY OF March, 2023

IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

I, Thanh-Nha Nguyen OF THE City OF Mississauga IN THE Region OF Peel SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE

City OF Brampton IN THE Region OF Peel THIS 20<sup>th</sup> DAY OF March, 2023

Signature of Applicant or Authorized Agent

Marie Nguyen  
A Commissioner etc.

FOR OFFICE USE ONLY

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

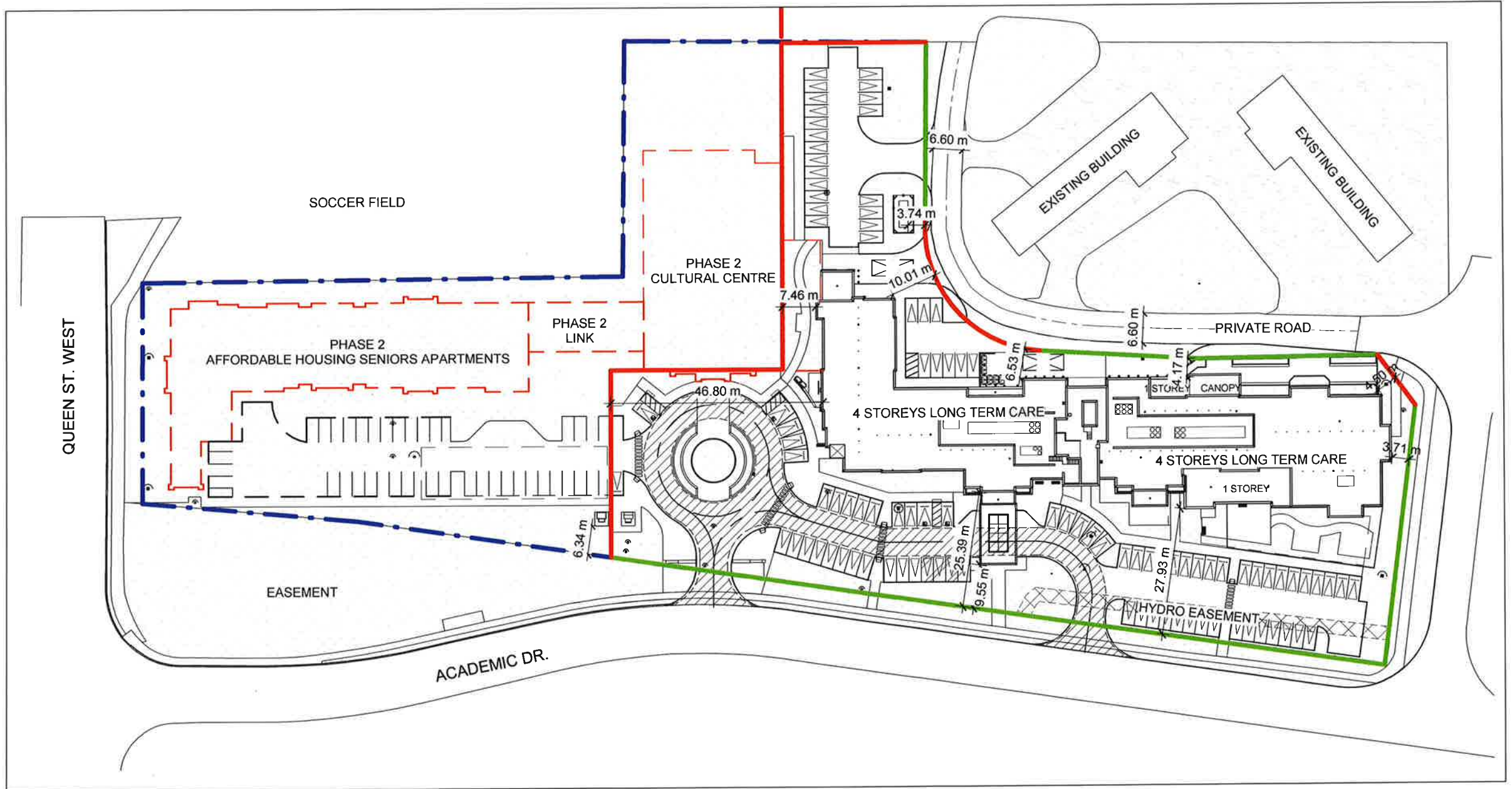
Present Zoning By-law Classification: 12

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

L Barbuto  
Zoning Officer

March 20, 2023  
Date

DATE RECEIVED March 20, 2023



Project No: 138909

**MV-101**

FILE NUMBER A-2021-0137

HEARING DATE JULY 13, 2021

APPLICATION MADE BY THE CORPORATION OF THE CITY OF BRAMPTON

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

1. To permit a seniors residential apartment dwelling.

(8950 MCLAUGHLIN ROAD SOUTH – PART OF LOT 5, CONC. 2 W.H.S.,)

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

**SEE SCHEDULE “A” ATTACHED**

REASONS:

This decision reflects that in the opinion of the Committee:

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

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

MOVED BY: A.C. Marques

SECONDED BY: D.Colp

CHAIR OF MEETING: RON CHATHA

WE THE COMMITTEE MEMBERS NOTED BELOW HEREBY CONCUR IN THE DECISION

*AUTHORIZED BY VOTE HELD AT A MEETING ON JULY 13, 2021*

RON CHATHA, MEMBER

DESIREE DOERFLER, MEMBER

ROD POWER, MEMBER

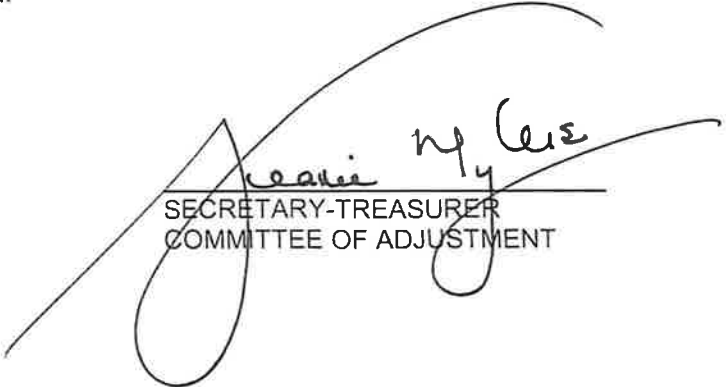
DAVID COLP, MEMBER

ANA CRISTINA MARQUES, MEMBER

DATED THIS 13TH DAY OF JULY, 2021

***NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE AUGUST 2, 2021***

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

  
SECRETARY-TREASURER  
COMMITTEE OF ADJUSTMENT



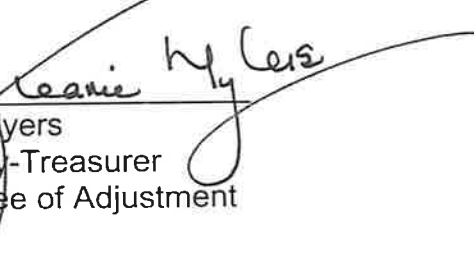
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A-2021-0137**

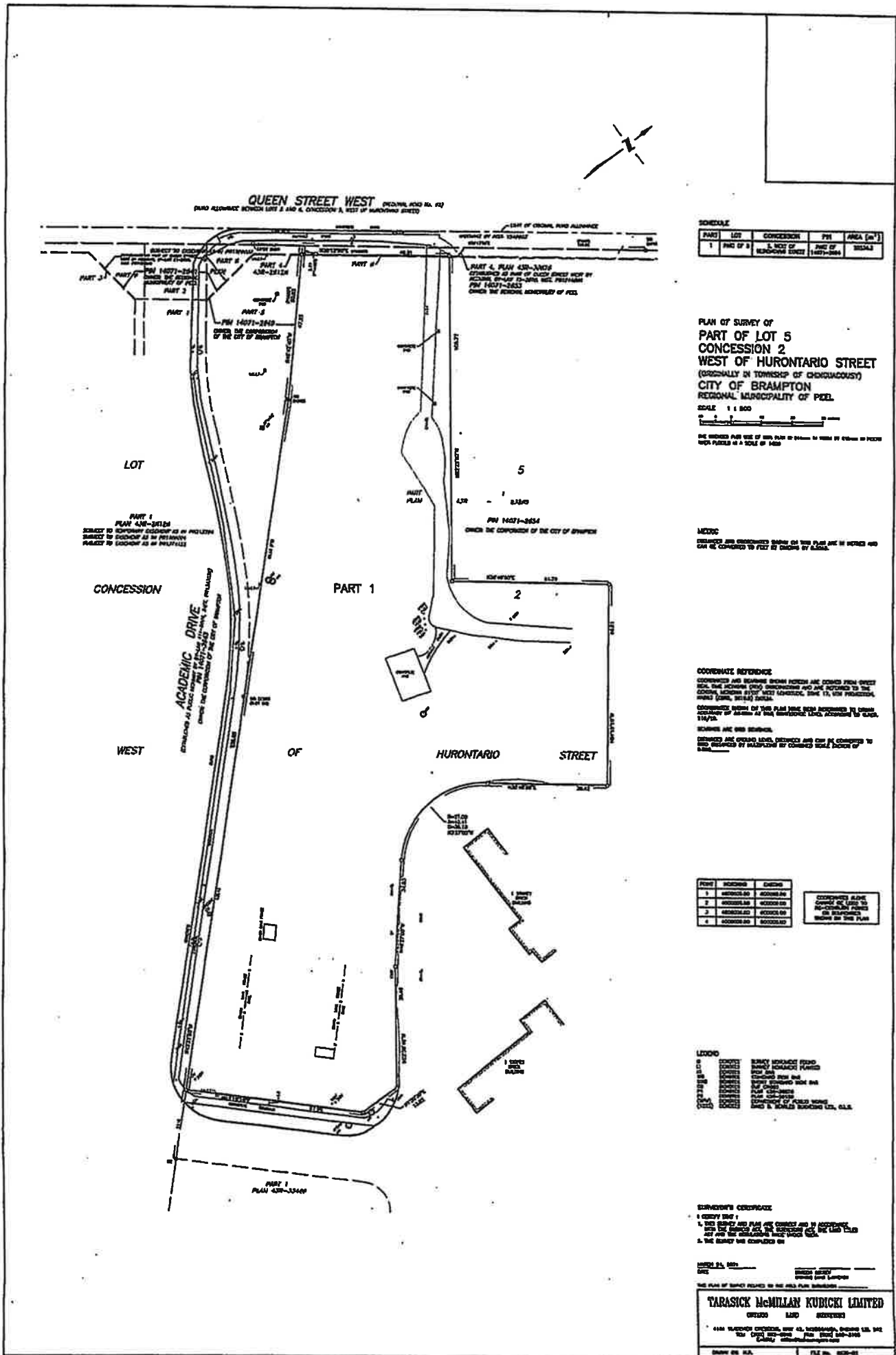
DATED: **JULY 13, 2021**

Conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That the seniors residential apartment dwellings shall only be permitted in conjunction with a long term care facility;
3. That the seniors residential apartment dwellings must be located within a building operated by a non-profit and non-commercial organization and only be for the housing of senior citizens;
4. That the applicant submit a Site Plan application, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
5. The Region of Peel will require a subsequent Site Plan application to facilitate the proposed seniors residential apartment dwelling and any other proposed uses on the subject site. Through the submission of technical materials required under the Site Plan application process, the applicant is required to demonstrate that all necessary Site Servicing, Traffic and Regional Requirements are met to the satisfaction of the Region prior Site Plan Approval;
6. The applicant must confirm through the required Site Plan application that the proposal does not exceed the capacity of Regional infrastructure. In the event that the proposal exceeds the capacity of Regional infrastructure (including water, wastewater, stormwater, and transportation), any infrastructure upgrades required to facilitate the proposed development will be at the sole cost of the applicant;
7. The consultant is required to complete and submit the Single-Use Demand table for the Region to fulfil our modelling requirements and determine the proposal's impact to the Existing system. The demand table shall be in digital format and accompanied by the Supporting graphs for the hydrant flow tests and shall be stamped and signed by the Professional Consulting Engineer. This demand table will be required prior to Site Plan Approval; and;
8. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

  
Jeanie Myers  
Secretary-Treasurer  
Committee of Adjustment





QUEEN STREET WEST (SECTIONAL PLAN NO. 40)  
 ROAD ALLOWANCE WHICH LIES 2 AND 4, CONCESSION 3, WEST OF HURONTARIO STREET

PART	LOT	CONCESSION	PH	AREA (M <sup>2</sup> )
1	PART OF 5	A, WEST OF HURONTARIO STREET	PART OF 14071-2654	2624.2

PLAN OF SURVEY OF  
 PART OF LOT 5  
 CONCESSION 2  
 WEST OF HURONTARIO STREET  
 (ORIGINALLY IN TERRITORY OF CHICAGOUS)  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL  
 SCALE 1 : 500

THE SHOWN PART OF THIS PLAN IS SHOWN IN RED IN OTHER PLANS PLACED IN A SCALE OF 1:500

NOTES  
 CONVEYANCES AND ENCUMBRANCES SHOWN ON THIS PLAN ARE IN RED AND CAN BE COMPARED TO THE RECORDS OF THE CITY OF BRAMPTON

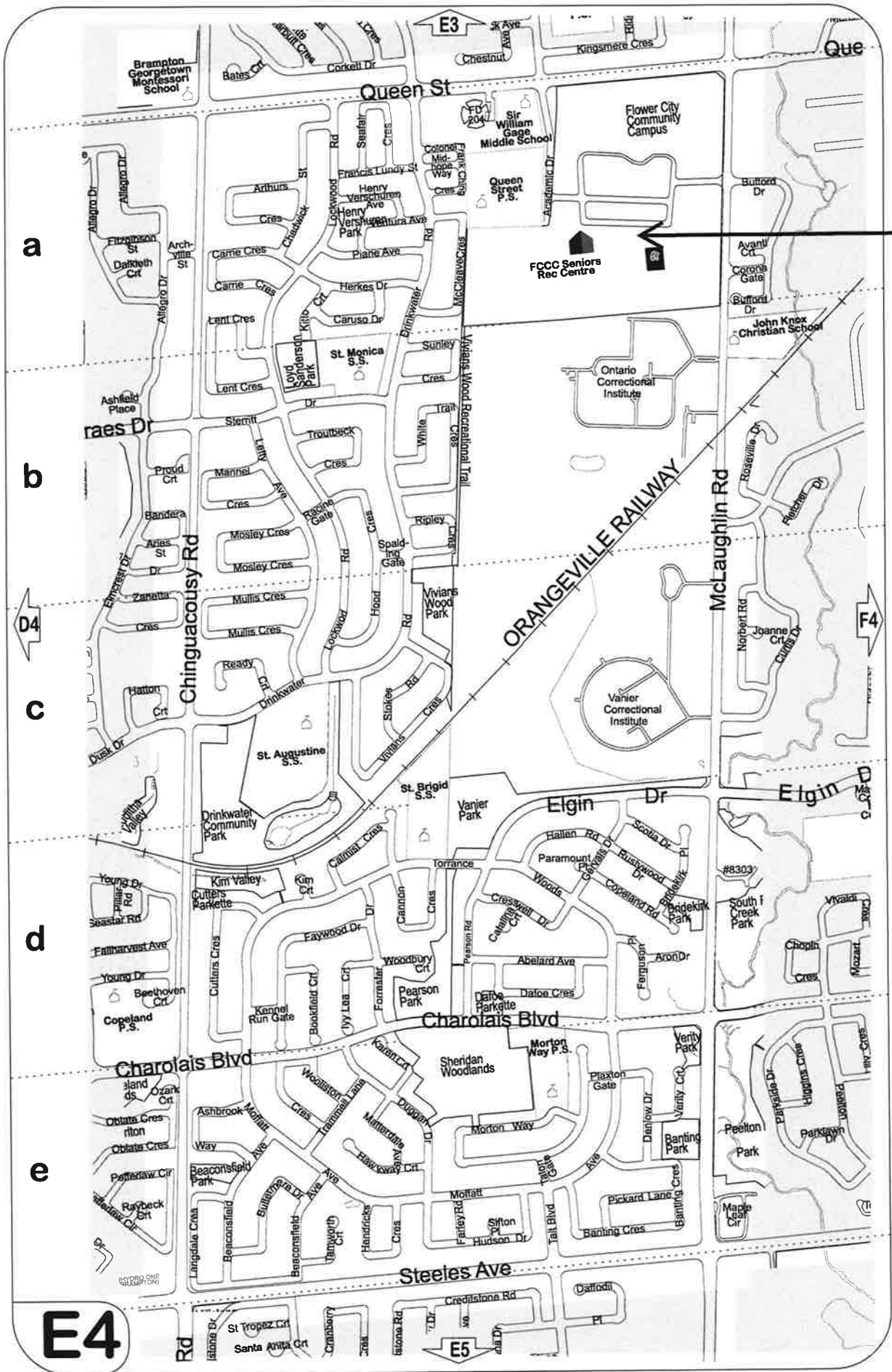
COORDINATE REFERENCE  
 CONVEYANCES AND ENCUMBRANCES SHOWN ARE DERIVED FROM GREAT BOUNDARY SURVEY DATA AND ARE REFERRED TO THE CANADIAN NATIONAL GRID (NAD 83), UTM PROJECTION, ZONE 18, UTM PROJECTION, UTM (NAD 83) DATA.  
 COORDINATE POINTS OF THIS PLAN ARE REFERRED TO GREAT BOUNDARY SURVEY DATA AS THE SOURCE OF THE COORDINATE DATA.  
 SCALING AND GRID REFERENCE  
 DISTANCES AND OTHER MEASUREMENTS ARE NOT TO BE COMPARED TO THE RECORDS OF THE MUNICIPALITY OF CHICAGO, ILLINOIS

PART	DESCRIPTION	STATUS
1	CONVEYANCES	AS SHOWN
2	ENCUMBRANCES	AS SHOWN
3	ENCUMBRANCES	AS SHOWN
4	ENCUMBRANCES	AS SHOWN

- LEGEND
- 1. CONVEYANCES
  - 2. ENCUMBRANCES
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  - 50. ENCUMBRANCES

ENGINEER'S CERTIFICATE  
 I HEREBY CERTIFY THAT THE PLAN AND THE PARTS THEREOF AND THE CONVEYANCES AND ENCUMBRANCES SHOWN THEREON ARE TRUE AND CORRECT AND THAT THE PLAN IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS SHOWN TO ME.

DATE: 2014-05-20  
 ENGINEER: T. McMillan  
 FIRM: TARASICK McMILLAN KUMICKI LIMITED  
 4140 HURONTARIO STREET, SUITE 401, MISSISSAUGA, ONTARIO L4Z 2M4  
 TEL: (905) 277-8888 FAX: (905) 277-8889  
 WWW: www.tmk.ca



A-2023-0082

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b

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e

E3

E4

E5

D4

F4

E4