



Report Committee of Adjustment

Filing Date: May 24, 2023
Hearing Date: June 20, 2023

File: A-2023-0172

**Owner/
Applicant:** The Sacco Group Ltd.

Address: 3 Chapel Street

Ward: WARD 3

Contact: Ellis Lewis, Planning Technician

Recommendations:

That application A-2023-0172 is supportable, subject to the following conditions being imposed:

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

Existing Zoning:

The property is zoned 'Downtown Commercial- Special Section 3154 (DC-3154)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a place of amusement (commercial golf simulator) whereas the by-law does not permit the proposed use.

Current Situation:

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

The property is designated 'Central Area' in the Official Plan and 'Central Area Mixed Use' in the Downtown Brampton Secondary Plan (Area 7). The 'Central Area' designation of the Official Plan represents an important corridor along Queen Street where significant public investment has occurred to revitalize the area for significant commercial and tourism activities. The Secondary Plan recognizes that lands designated 'Central Area Mixed-Use' are intended to accommodate any combination of commercial, retail, recreational, office and a full range of entertainment and cultural uses. The requested variance is considered to be aligned with the context of the Official Plan and Secondary Plan policies. The requested variance is considered to maintain the general intent and purpose of the Official Plan.

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

The requested variance is to permit a place of amusement (commercial golf simulator) whereas the by-law does not permit the proposed use. The intent of the by-law in regulating permitted uses on a property is to ensure that uses in the location and building are complementary and appropriate for the proposed use. Staff have no concerns with the compatibility of the proposed establishment on the property. The parent Downtown Commercial zone, permits similar uses such as places of commercial recreation which would include buildings or places designed and used for commercial conduct and leisure activities. The Special Section does not include commercial recreational uses or a place of amusement but does not explicitly list those uses as not being permitted. Additionally, Section 20.3.2 of General Provisions for Commercial Zones states that there is no minimum parking requirement within the area bounded in the Central Area of Downtown Brampton and therefore, there are no concerns surrounding necessary parking on the site. Subject to the conditions of approval, this variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance to permit a place of amusement (commercial golf simulator) on the lot is not expected to have significant impact on surrounding uses. The proposed use supports the intention within the Secondary Plan to accommodate developments with a range of uses. Additional parking will not be needed as the City has identified shortages of off-street parking along with traffic circulation needs for local businesses. Subject to the recommended conditions of approval, the requested variance is appropriate for the development of the land.

4. Minor in Nature

The introduction of a place of amusement (commercial golf simulator) in the Central Area of Brampton is generally consistent with the policies set out in the Official Plan, Secondary Plan and Zoning By-law. The proposal contributes to the expansion of commercial, retail and recreational uses in the downtown part of the City. As per the submitted drawings, there will be no modifications to the exterior of the building and there are no anticipated negative impacts on nearby properties. Subject to the recommended conditions of approval, this variance is considered minor in nature.

Respectfully Submitted,

Ellis Lewis

Ellis Lewis, Planning Technician

Appendix A:

