

Application for Minor VarianceSection 45 of the *Planning Act*, R.S.O. 1990 c.P.13

Application Number: A-2023-0279
Property Address: 68 EASTERN AVENUE
Legal Description: LOT 5, CON 2 E.H.S. PLAN 51868 EASTERN AVENUE
Agent: LAXMAN PATEL
Owner(s): WAHEGURU MANAGEMENT INC.,
Other applications: nil
under the *Planning Act*

Meeting Date and Time: Tuesday, OCTOBER 3, 2023, at 9:00 am
Meeting Location: Hybrid in-person and virtual meeting – Council Chambers,
4th Floor Brampton City Hall, 2 Wellington Street West

Purpose of the Application:

1. TO PERMIT A MOTOR VEHICLE SALES ESTABLISHMENT, WHEREAS THE BYLAW DOES NOT PERMIT THE USE;
2. TO PERMIT A MOTOR VEHICLE REPAIR, WHEREAS THE BYLAW DOES NOT PERMIT THE USE;
3. TO PERMIT A COMMERCIAL SCHOOL (TRUCK DRIVING SCHOOL), WHEREAS THE BYLAW DOES NOT PERMIT THE USE; AND
4. TO PERMIT OUTSIDE STORAGE (PARKING OF TRUCKS), WHEREAS THE BYLAW DOES NOT PERMIT THE OUTSIDE STORAGE.

Participate in the Meeting:

- Send an email with your written comments to coa@brampton.ca. Written submissions must include your name and mailing address, the application number or property address you are commenting on, and must be received no later than **12:00 pm on Friday, September 29, 2023**
- Participate in person by attending the meeting on the date and time noted above. You are encouraged to register for in person attendance by emailing coa@brampton.ca and indicating if you plan to address Committee.
- Participate virtually (computer, tablet or smartphone). To participate virtually via WebEx, you must register in advance, no later than **12:00 pm on Friday, September 29, 2023**, by emailing coa@brampton.ca, and providing your name, mailing address, phone number and email address. Confirmation of registration and participation instructions will be provided.

Note: Information provided in your correspondence, virtual or in-person delegation will become part of the public meeting record and will be posted on the City's website. If you do not participate in the public meeting, Committee may make a decision in your absence and you will not be entitled to any further notice in the proceedings.

Viewing Application Materials: The application and related materials are available online at www.brampton.ca/en/city-hall/meetings-agendas and may be viewed in person in the City Clerk's Office during regular business hours. More information regarding the Committee of Adjustment is available at www.brampton.ca.

Appeal Process: If you wish to be notified of the decision of Committee, you must submit a written request to coa@brampton.ca. This will also entitle you to be advised of an appeal of the matter to the Ontario Land Tribunal (OLT). Please be advised that only the applicant, municipality, certain public bodies and the Minister can appeal a decision to the OLT. If a decision is appealed, you may request participant status by contacting olt.clo@ontario.ca.

Owners are requested to ensure that their tenant(s) are notified of this application and meeting date. 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.

Dated this 20th day of September 2023

Secretary Treasurer
Committee of Adjustment, City Clerk's Office
2 Wellington Street West, Brampton, L6Y 4R2
P: 905.874.2117
E: coa@brampton.ca

Flower City



brampton.ca

FILE NUMBER:

A-2023-0279

The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION

Minor Variance or Special Permission

(Please read Instructions)

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

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

1. Name of Owner(s) WAHEGURU MANAGEMENT INC.
Address 1229 LORIMAR DR, MISSISSAUGA, ON, L5S 1R2

Phone # 4164578571 Fax #
Email WAHEGURUMANAGEMENTINC@GMAIL.COM

2. Name of Agent LAXMAN PATEL
Address 1601-21 MARKBROOK LANE, TORONTO, ON, M9V 5E4

Phone # 6479677937 Fax #
Email laxman@kalparchitect.com

3. Nature and extent of relief applied for (variances requested):
1. The building is currently used as an Industrial building for warehouse and manufacturing facilities. The property is zoned 'FD' FUTURE DEVELOPMENT. The owner requests TEMPORARILY permitting COMMERCIAL USES in Unit # 1 & 4; Unit 1 for 'Motor Vehicle (high-end) Sales and repair and Unit 4 for Motor Vehicle repair. Owner also request permitting existing COMMERCIAL DRIVING SCHOOL and proposed OUTDOOR PARKING OF TRUCKS. These uses are not permitted in the current 'FD' zone by-laws, but permitted in the OFFICIAL PLAN. The owner has a definite future plan to develop the property as per the OFFICIAL PLAN AND CENTRAL AREA POLICY guidelines. However, to sustain current economic situation, these interim reliefs are requested for a temporary period for 8-10 years.

4. Why is it not possible to comply with the provisions of the by-law?
1. The current zoning bylaws Future Development 'FD' permits use that was existing on the date of passing the by-law amendment on 23rd October 2019. The proposed Commercial uses - Motor Vehicle Sales and Motor Vehicle repair, Commercial school and outdoor truck parking are not the current uses and therefore it is not possible to comply. However, they were the permitted use under the Industrial two M2 zone that was in effect prior to 23rd October, 2019.

5. Legal Description of the subject land:
Lot Number 5
Plan Number/Concession Number CON.2 E.H.S. REGISTERED PLAN RP-518
Municipal Address 68 EASTERN AVE, BRAMPTON L6W 1X8

6. Dimension of subject land (in metric units)
Frontage 189.45m
Depth 9.441m, 66.82m
Area 1.51 Ha.

7. Access to the subject land is by:
Provincial Highway ☐ Seasonal Road ☐
Municipal Road Maintained All Year ☒ Other Public Road ☐
Private Right-of-Way ☐ 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: List all structures (dwelling, shed, gazebo, etc.)

Ground floor area/Gross floor area = 53485 Sq.M.
number of storeys = one (1)
width = 103.35m
Length = 73.56m
Height = 7.67m
Note: Existing building parameters remain unchanged.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

None
Existing building parameters remain unchanged. Only interior changes are proposed.

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 9.38m
Rear yard setback 8.16m
Side yard setback 34.8m, 3.03m
Side yard setback 51.57m

PROPOSED

Front yard setback Existing to remain unchanged
Rear yard setback
Side yard setback
Side yard setback

10. Date of Acquisition of subject land: 1980
11. Existing uses of subject property: INDUSTRIAL
12. Proposed uses of subject property: INDUSTRIAL
13. Existing uses of abutting properties: INDUSTRIAL
14. Date of construction of all buildings & structures on subject land: 1980-1996
15. Length of time the existing uses of the subject property have been continued: JUNE 2021
16. (a) What water supply is existing/proposed?
Municipal ☒ Other (specify) _____
Well ☐
- (b) What sewage disposal is/will be provided?
Municipal ☒ Other (specify) _____
Septic ☐
- (c) What storm drainage system is existing/proposed?
Sewers ☒ Other (specify) _____
Ditches ☐
Swales ☐

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

Yes ☐ No ☒

If answer is yes, provide details: File # _____ Status _____

18. Has a pre-consultation application been filed?


Yes ☐ No ☒

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

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____


Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF BRAMPTON

THIS 10 DAY OF JULY Sep, 20 23

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, LAXMAN PATEL, OF THE CITY OF TORONTO

IN THE PROVINCE OF ONTARIO 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 6 DAY OF

SEPTEMBER, 20 23


A Commissioner etc.

Laurie Dianne Robinson
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 22, 2024.


Signature of Applicant or Authorized Agent


FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____


FD

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


Zoning Officer

SEPT 5.23
Date

DATE RECEIVED

Sept 10, 2023


APPOINTMENT AND AUTHORIZATION OF AGENT

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 68 EASTERN AVE
BY: BALBIR BHARWALIA
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject lands, hereby authorize

LAXMAN PATEL
please print/type the full name of the agent(s)

to make application to the **City of Brampton Committee of Adjustment** in the matter of an application for **minor variance** with respect to the subject land.

Dated this 29th day of August, 2023.

x Balbir Bhargava
(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.

Zoning Non-compliance Checklist

File No.

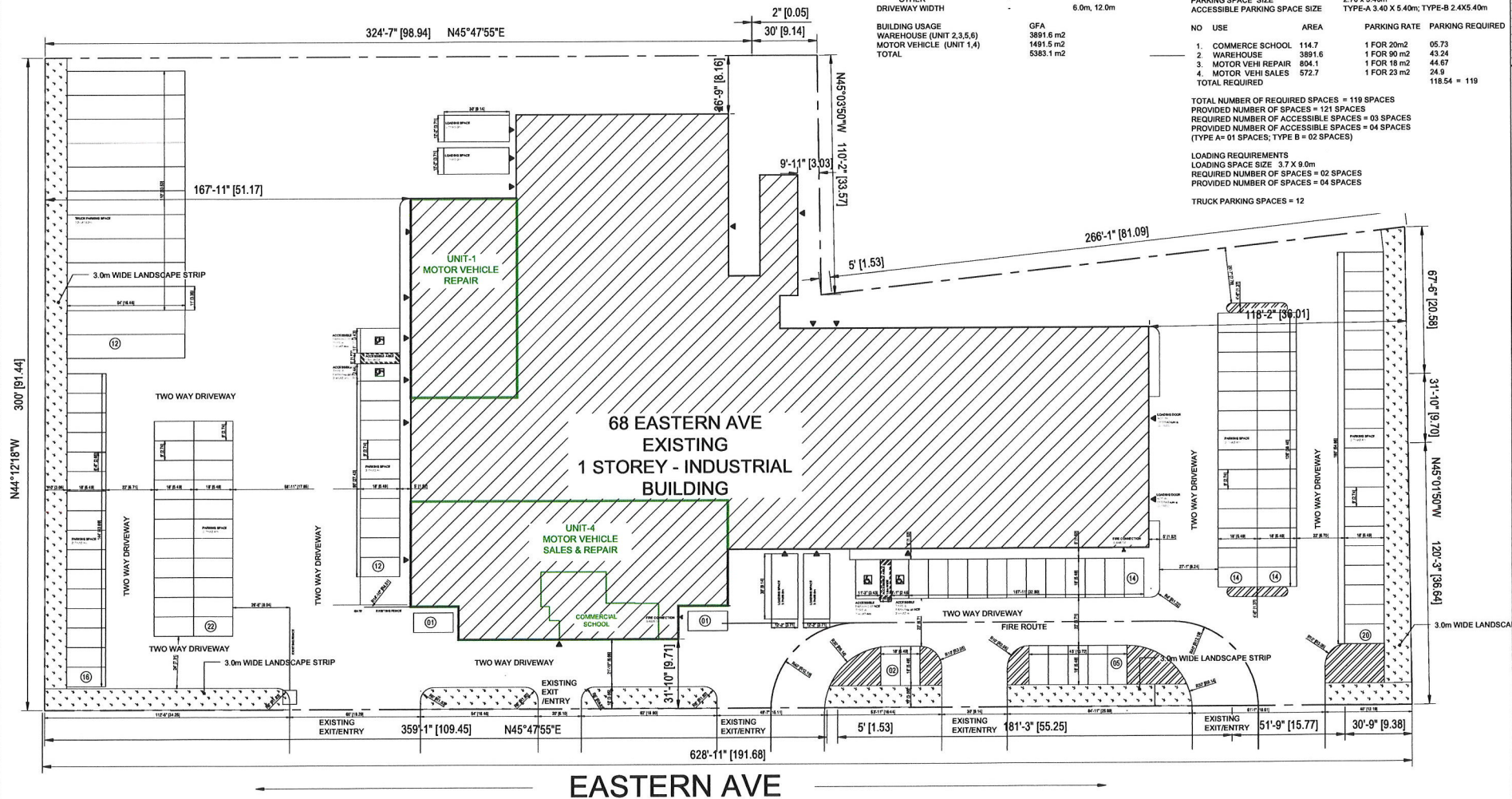
Applicant: Waheguru Management Inc.
Address: 68 Eastern Ave
Zoning: Future Development FD
By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit the following uses: -motor vehicle sales -motor vehicle repair -commercial school (driving school) -outside storage (parking of trucks)	Whereas the By-law does not permit the uses	29.4.1
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR			
BUILDING SIZE			
BUILDING HEIGHT			
COVERAGE			
BELOW GRADE ENTRANCE			
ACCESSORY STRUCTURE SETBACKS			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE			
ENCROACHMENTS			
TWO-UNIT DWELLING			
SCHEDULE "C"			
OTHER – DECK			



Reviewed by Zoning

SEPT.5.23
Date



SITE STATISTICS

ZONING:	CURRENT : FD	PREVIOUS : M2 INDUSTRIAL	
STANDARD	REQUIRED	PROVIDED	EXISTING
LOT AREA (MIN)		15060 m2	YES
LOT FRONTAGE (MIN)	30m	191.88m	YES
BUILDING COVERAGE (MAX)	-	4969 m2	
BUILDING WIDTH (MIN)	-	-	
BUILDING SETBACKS (MIN)			
FRONT YARD	9.0m	9.71m	YES
REAR YARD	7.0m	8.16m	YES
INTERIOR SIDE	4.0m	3.0-36.01-51.17m	YES
EXTERIOR SIDE	6.0m	-	
BUILDING HEIGHT	2 STOREYS	1 STORY	YES
LANDSCAPE AREA (MIN)			
PLANTING STRIP WIDTH			
FRONT	3.0m	3.0m	
INTERIOR SIDES	3.0m	3.0m	
PARKING SPACE SETBACK	-	-	
FRONT	-	-	
OTHER	-	-	
DRIVEWAY WIDTH	-	6.0m, 12.0m	
BUILDING USAGE	GFA		
WAREHOUSE (UNIT 2,3,5,6)	3891.6 m2		
MOTOR VEHICLE (UNIT 1,4)	1491.5 m2		
TOTAL	5383.1 m2		

BUILDING USE:

UNIT No	AREA m2 (sq ft)	USE
1	683.2 (7354)	PROPOSED COMMERCIAL USE- MOTOR VEHICLE RETAIL
1	271.4 (2921)	MEZZANINE AREA - PART OF MV SALES & REPAIR UNIT-1
1A	114.7 (1235)	EXISTING COMMERCIAL SCHOOL TO REMAIN
3	1274.4 (13718)	EXISTING WAREHOUSE TO REMAIN
5	1424.8 (15337)	EXISTING WAREHOUSE TO REMAIN
5	142.8 (1538)	EXISTING MEZZANINE TO REMAIN - PART OF UNIT-5
2	649.3 (6998)	EXISTING WAREHOUSE TO REMAIN
4	422.2 (4545)	PROPOSED COMMERCIAL USE- MOTOR VEHICLE R
6	400.2 (4308)	EXISTING WAREHOUSE TO REMAIN
	114.7 (1235)	COMMERCIAL SCHOOL
	3891.6 (41889)	WAREHOUSE
	804.1 (8655)	MOTOR VEHICLE REPAIR @40% OF UNIT-1, 100% O
	572.7 (6165)	MOTOR VEHICLE SALE @ 60% OF UNIT-1
	5383.1 (57944)	TOTAL AREA
	27.34 %	% MOTOR VEHICLE AREA OF TOTAL AREA

PARKING REQUIREMENTS

PARKING SPACE SIZE		2.70 x 5.40m		
ACCESSIBLE PARKING SPACE SIZE		TYPE-A 3.40 X 5.40m; TYPE-B 2.4X5.40m		
NO	USE	AREA	PARKING RATE	PARKING REQUIRED
1.	COMMERCE SCHOOL	114.7	1 FOR 20m2	05.73
2.	WAREHOUSE	3891.6	1 FOR 90 m2	43.24
3.	MOTOR VEH REPAIR	804.1	1 FOR 18 m2	44.67
4.	MOTOR VEH SALES	572.7	1 FOR 23 m2	24.9
TOTAL REQUIRED				118.54 = 119

TOTAL NUMBER OF REQUIRED SPACES = 119 SPACES
PROVIDED NUMBER OF SPACES = 121 SPACES
REQUIRED NUMBER OF ACCESSIBLE SPACES = 03 SPACES
PROVIDED NUMBER OF ACCESSIBLE SPACES = 04 SPACES
(TYPE A= 01 SPACES; TYPE B = 02 SPACES)

LOADING REQUIREMENTS
LOADING SPACE SIZE 3.7 X 9.0m
REQUIRED NUMBER OF SPACES = 02 SPACES
PROVIDED NUMBER OF SPACES = 04 SPACES

TRUCK PARKING SPACES = 12

ALL DIMENSIONS ARE DIMENSIONS EXCEPT AS NOTED AND SHOWN ON THE PLAN.
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3. REVISED 2020/05/25
2. REVISED FOR MINOR VARIANCE 2020/05/25
1. REVISED FOR MINOR VARIANCE 2020/05/25
NO. DESCRIPTION DATE



PROJECT
INTERIOR ALTERATION
68 EASTERN AVE, BRAMPTON, ON

DRAWING TITLE
SITE PLAN

SCALE BY
DATE
SCALE
DRAWING No. REV No. FILE No.

SP-01

PERMISSION TO ENTER

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 68 EASTERN AVE

INW. BALBIR BHARWALIA
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 29TH day of August, 2023.

X Balbir Bhargava
(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION

PERMISSION TO ENTER

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

LOCATION OF THE SUBJECT LAND: 14 Tranvalley Dr. Brampton, Ontario L7A 2N3

I/We, Mr. Gokulrich Balendran
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 1st day of September, 2023.



(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION