



## Report Committee of Adjustment

**Filing Date:** September 26<sup>th</sup>, 2022

**Hearing Date:** October 24<sup>th</sup>, 2023

**File:** A-2023-0300

**Owner/  
Applicant:** National Brixen (Steeles) Inc./Glen Schnarr & Associates Inc.

**Address:** 245 Steeles Avenue West

**Ward:** 4

**Contact:** François Hémon-Morneau, Principal Planner/Supervisor

---

### Recommendations:

That application A-2023-0300 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 the minimum separation distance between the tower portions of any buildings shall be 25 metres.
  3. That a Site Plan application shall be submitted and deemed complete within 120 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
  4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
- 

### Background:

The Minor Variance application is related to a Pre-Consultation application (PRE-2023-0103) and is submitted in support of a future Site Plan application. The proposed development consists of 2 condominium apartment buildings of 29 and 25 storeys. Variances pertaining to development standards are requested in advance of the formal Site Plan application.

### Existing Zoning:

The property is zoned 'Residential Apartment A – Special Section 2808 (R4A-2808)', according to By-law 270-2004, as amended.

### Requested Variances:

The applicant is requesting the following variances:

1. To permit a front yard setback of 3 metres to a proposed apartment dwelling, whereas the by-law requires a minimum front yard setback of 15 metres.
2. To permit a minimum distance of 18 metres between proposed apartment dwellings, whereas the by-law requires a minimum distance between buildings of 30 metres.
3. To permit a maximum floor space index of 7.5, whereas the bylaw permits a maximum floor space index of 4.5.
4. To permit an apartment dwelling having a building height of 29 storeys, whereas the by-law permits a maximum building height of 25 storeys.

### **Current Situation:**

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

The subject property is designated "Residential" on Schedule A General Land use of the Official Plan. It is also located within the Gateway Mobility Hub, centred at Main St/Hurontario St S and Steeles Ave, and along an Intensification Corridor, per Schedule 1 City Concept. The Site is designated "High Density" in the Fletchers Creek South Secondary Plan (Area 24). The "Residential" designation of the subject lands permits a full range of residential uses as well as complementary commercial uses in order to support the creation of complete communities. Gateway Mobility Hubs are planned to accommodate a concentration of higher density, mixed-use development.

The requested variances to allow reduction in minimum front lot line setback to the first storey and minimum distance between buildings (variances 1 and 2) have no impact with regard to the policies of the Official Plan or Secondary Plan.

The proposed variances to permit a maximum height of 29 storeys and maximum floor space index of 7.5 (variances 3 and 4) do not interfere with the general intent for residential uses established by the Official Plan. These will contribute to the transit-supportive intensification objectives for the Gateway Mobility Hub and Intensification corridor.

The requested variances maintain the general intent and purpose of the Official Plan.

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

Variance 1 is requested to permit a front yard setback of 3 metres to a proposed apartment dwelling, whereas the by-law requires a minimum front yard setback of 15 metres. The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area. In large-scale, mixed-use development parking is discouraged in the front of the site and is preferred to be accommodated in the rear or in a parking garage. Parking is being provided primarily in a parking garage and the building footprint is located closer to Steeles Avenue West to reinforce the street edge and urban design principles. In this case, the proximity of the buildings to the front lot line enhances the public realm along Steeles Avenue West.

Variance 2 is requested to permit a minimum distance of 18 metres between proposed apartment dwellings, whereas the by-law requires a minimum distance between buildings of 30 metres. The variance speaks to the separation distance between the 7 and 2-storey podiums of Tower B and C. A 25m separation distance is proposed for the two towers. Special Section 2808 of the Zoning By-law regulates the minimum distance between buildings to ensure that sufficient space is provided between buildings for fire safety and outdoor amenity space. A courtyard is being provided between the proposed Towers contributing to the outdoor amenity space on-site. The reduction in minimum distance would allow for the creation of a more enclosed space to mitigate impacts of traffic noise along Steeles. Furthermore, in order to ensure adequate separation between the towers of Phase 1 and Phase 2, staff are recommending a condition to ensure the distance between the towers is 25 metres.

Variance 3 is requested to permit a maximum floor space index of 7.5, whereas the bylaw permits a maximum floor space index of 4.5. The intent of the By-law in regulating floor space index is to avoid excessive densities that impact adjacent properties. The floor space index is calculated by dividing the gross residential floor area of all floors in a building between the exterior walls by the area of the lot. The proposed density represents a 3 point increase from what the By-law permits and remains in keeping with the intent of the planning policies for the area. This will facilitate a form of development that aligns with the intent of the area to accommodate an appropriate amount and distribution of density, height and massing.

Variance 4 is requested to permit an apartment dwelling having a building height of 29 storeys, whereas the by-law permits a maximum building height of 25 storeys. The intent of the by-law in regulating the maximum permitted building height for a property is to ensure that there are no negative massing impacts on adjacent properties. Special Section 2808 of the Zoning By-law permits a maximum building height of 25 storeys. The applicant is requesting permission to allow 4 additional storeys to Tower B. A condition of approval is recommended that the variance to permit a maximum building height of 29 storeys be limited to Tower B only. Through the submission of a future Site Plan application, the applicant is required to submit a Shadow Study, and 45 Degree Angular Plan drawing. The studies and plans will speak to the building massing and evaluate shadowing impacts of the development. The ultimate determination of an allowable building height within the Site Plan application will be made by City staff, guided by the outcomes of these studies. Through the Site Plan submission, if it is determined by Staff's review of the Shadow Study and 45 Degree Angular Plane drawing are not supportable, the applicant will be advised to revise their development to achieve City standards with respect to height.

Overall, the variances are reflective of the intent and purpose of the existing zoning for the property being an older zoning by-law that does not reflect current zoning standards that should apply along an intensification corridor in close proximity to the Hurontario LRT station at Hurontario St/Main St S and Steeles Avenue West. Subject to the recommended conditions of approval, the proposed variances maintain the general intent and purpose of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

Variances 1 to reduce the setback to the front yard will allow the buildings to be placed closer to Steeles Ave which will create a desirable urban edge while also pushing the buildings mass away from the lower-density residential development to the south. The reduced setbacks are not anticipated to pose adverse impacts on-site or off-site. The proposal allocates massing of greatest height along Steeles Ave achieving an appropriate built-form transition to the adjacent residential area to the south. The reduction of minimum setbacks to front lot line will facilitate a desirable urban edge along Steeles Ave.

Variance 2 is requested to reduce the minimum distance between buildings. The effect of the variance will allow the podiums to be located closer while the towers will maintain a 25m separation distance. This reduction will help the development achieve the intended design vision and create consistency with the high-density development to the east.

In regards to variance 3, the increase in Floor Space Index would allow the ratio between the area of the building to the area of the site to increase. This would facilitate greater density in an area intended to receive buildings of the “greatest mass and highest densities” in Brampton, being along an intensification corridor and within the Gateway Mobility Hub.

In regards to variance 4, the increase in building height to 29 storeys for Tower B will help to accommodate more units within an intensification corridor and Gateway Mobility Hub. The increase in height will bring the building further in-line for what is proposed in the area, and will support the use of transit and active transportation, reducing reliance on personal vehicles.

Therefore, the proposed variances are desirable for the appropriate development of the land.

### 4. Minor in Nature

In regards to variance 1, it is required in order to bring the by-law in-line with high-density mixed-use development that provides an activated street frontage to support active transportation and transit.

In regards to variance 2, which speaks to the minimum distance between buildings in phase 1 of this development and the future building in phase 2. The reduction in distance between these towers will not have an impact on surrounding land uses.

Variance 3 speaks to Floor Space Index, which is only proposed to increase by 3.0, which is a minor increase and encouraged given that this development is within an intensification area.

In regards to variance 4, the proposed increase is for 4 additional storeys and is minimal given the surrounding intensification of the area and planned high-density function of the site.

The proposed variances do not change the intended use or impede the intended function of the subject lands for residential as a primary use. Rather, they represent minor refinements to support project implementation and are consistent with the direction of other similar developments in the City of Brampton. Therefore, it is staff's opinion that the proposed minor variances are minor in nature.

Respectfully Submitted,

*François Hémon-Morneau*

François Hémon-Morneau, Principal Planner/Supervisor