



Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

November 13, 2023

GWD File: 18.2539

**The Corporation of the City of Brampton
Committee of Adjustment
2 Wellington Street West
Brampton, Ontario
L6Y 4R2**

Attention: Ms. Clara Vani, Secretary-Treasurer, Committee of Adjustment

Members of City of Brampton Committee of Adjustment

**Re: Input Letter- Committee of Adjustment Application
22 Bramsteele Road, City of Brampton
2411038 Ontario Inc.
Minor Variance Application File No. A-2023-0314**

Dear Members of Committee:

Gagnon Walker Domes Ltd. ("GWD") is planning consultant and agent to 2411038 Ontario Inc. ("Nawab Motors"); the registered owner of the property municipally known as 22 Bramsteele Road in the City of Brampton (the "Subject Site").

A Minor Variance to permit a Motor Vehicle Sales Establishment in conjunction with a Motor Vehicle Repair Shop on the Subject Site was previously approved by the Committee of Adjustment ("CoA") in 2018 for a temporary period of five (5) years. On October 11, 2023 GWD submitted a new Minor Variance Application to the CoA to permit a Motor Vehicle Sales Establishment in conjunction with a Motor Vehicle Repair Shop (City File No. A-2023-0314). The new Minor Variance Application proposes that the Motor Vehicle Sales Establishment in conjunction with a Motor Vehicle Repair Shop be permitted on a permanent basis. It is GWD's opinion that a permanent approval is appropriate for the reasons set out in our initial Planning Justification letter initially provided with the Minor Variance Application, dated October 11, 2023.

The permanent approval will provide Nawab Motors with the necessary land use certainty that is required for it to expend future significant investment on the existing building. More specifically, subject to the approval of the proposed Minor Variance on a permanent basis, Nawab Motors plans on expanding the existing building to provide a larger, modern, Motor Vehicle Repair Shop operation, which will in turn create more local jobs within the City of Brampton.

Upon review of the City Staff Report, we are happy to acknowledge that City Staff have confirmed its support for the Minor Variance through several key aspects identified in the Staff Report, including, but not limited to the following:

GAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790
www.gwdplanners.com • Toll Free: 1-855-771-7266

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- *“One of the permitted uses within the Employment designation includes vehicle repair and services and vehicle sales and service (Brampton Plan Section 2.2.8.5 (a)).”*
- *“The subject lands are located within an industrial area primarily consisting of motor vehicle repair and motor vehicle sales uses, therefore, the requested variance is not anticipated to negatively impact the industrial use and character of the surrounding area.”*
- *“The requested variance to permit the motor vehicle sales uses is not expected to negatively impact the uses of the lands as the M2 Zone permits motor vehicle repair uses and limited retail and office uses in conjunction with such permitted uses.”*
- *“The form and configuration of the proposed development will continue to contribute to the efficient use of the lands and will support an existing major employment use within the City.”*

The City’s recommendation of approval of the Minor Variance, is subject to the following proposed Conditions of Approval:

1. *“That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;*
2. *That a site plan application for the proposed building addition shall be submitted within 120 days of the Committee’s decision or within an extended period of time as approved by the Director of Development Services;*
3. *That the motor vehicle sales use only be permitted in conjunction with the motor vehicle repair use;*
4. *That all motor vehicle sales shall occur within the building and at the rear of the building;*
5. *That there be no outside display of motor vehicles for sale within the front yard soft landscaping and within the parking area designated for employees and visitors at the front of the property;*
6. *That the approval be granted for a temporary period of five years from the final date of the Committee’s decision; and*
7. *That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.”*

While City Staff’s support of the Minor Variance request is well received, our Client has serious concerns with the recommended Conditions of Approval; particularly Conditions 1, 4, 5 and 6.

Concerns with Condition 6

Most notably, our Client is concerned with Condition 6, which recommends another temporary approval period of five (5) years. While this condition may permit Nawab Motors to operate for another abbreviated period, such a condition of approval would render the proposed enlargement of the employment building unfeasible from both an logistical and financial perspective. In this scenario, Nawab Motors would not be in a position to commit to delivering the building addition, as required through Condition 2, if its use and function are not guaranteed on a permanent basis.

Our Client’s previous CoA Approval in 2018 contained a temporary 5-year conditional approval period. Since that time, our Client has demonstrated that the inclusion of a Motor Vehicle Sales Establishment on the Subject Site does not negatively impact the industrial uses and character of the surrounding area. Furthermore, the Brampton Plan that was recently approved by City Council permits Motor Vehicle Sales on the Subject Site and provides the City’s future intent for these lands. It is requested that Condition 6 be deleted.



Concerns with Condition 1

The proposed Minor Variance seeks to permit a Motor Vehicle Sales Establishment in conjunction with a Motor Vehicle Repair Shop. The proposed land use permission shall apply to the entire Subject Site. The purpose and intent of proposed Condition 1 is unclear. As noted above, the proposed building addition, as identified in the Minor Variance Sketch submitted with the Application, is not the subject of a Minor Variance approval; but rather if pursued, would be subject to a separate Site Plan Approval process. The Minor Variance Sketch showing the conceptual building addition has been provided to show Nawab Motor's future intent, subject to the granting of permanent land use approval by the CoA. Through a future potential Site Plan Approval process alterations to the proposed building addition as conceptually identified in the Minor Variance Sketch may be desired or necessary as part of the detailed design process. For the reasons above, we believe that Condition 1 is inappropriate and should be deleted.

Concerns with Conditions 4 and 5

Conditions 4 and 5 recommend restrictions on where motor vehicle sales and motor vehicle display can occur on the Subject Site. Specifically, these conditions limit the motor vehicle sales operations to only being permitted internal to a building and within the rear yard. In effort to ensure that at least a minimum amount of street exposure is provided for the Motor Vehicle Sales Establishment use Nawab Motors requests that Conditions 4 and 5 be modified to permit a maximum of three (3) motor vehicles to be displayed in the west interior side yard.

Nawab Motors' Proposed Modifications to the City Staff's Conditions of Approval

With the aforementioned in mind, we request that the CofA consider the following modifications to City Staff's recommended Conditions of Approval (modifications in red text):

1. ~~That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;~~
2. That a site plan application for the proposed building addition shall be submitted within 120 days of the Committee's decision or within an extended period of time as approved by the Director of Development Services;
3. That the motor vehicle sales use only be permitted in conjunction with the motor vehicle repair use;
4. That all motor vehicle sales shall occur within the building and at the rear of the building except that the outside display of a maximum of three (3) motor vehicle sales shall be permitted in the west interior side yard;
5. That there be no outside display of motor vehicles for sale within the front yard soft landscaping ~~and within the parking area designated for employees and visitors at the front of the property;~~
6. ~~That the approval be granted for a temporary period of five years from the final date of the Committee's decision;~~ and
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void."

We thank both City Staff and the CoA for their consideration of the proposed modifications to City Staff's recommended Conditions of Approval of the Minor Variance Application. The recommended modifications would deem Nawab Motor's pursuit of the enlargement of the employment building to be viable for their purposes, ensure that a minimum amount of commercial



exposure is provided from the street while also maintaining adequate landscaping with the front yard, and allow for the future potential Site Plan Approval process to direct the detailed design of the proposed building addition, as appropriate.

Yours truly,

Richard Domes, B.A., C.P.T.
Partner, Principal Planner

C.c.: Tehseen Gul, 2411038 Ontario Ltd.
M. Gagnon/N. Klymciw, Gagnon Walker Domes Ltd.