



## Report Committee of Adjustment

**Filing Date:** April 20, 2023  
**Hearing Date:** November 14, 2023

**File:** A-2023-0318

**Owner/  
Applicant:** 2846721 ONTARIO LIMITED

**Address:** 120 Advance Boulevard

**Ward:** WARD 7

**Contact:** Rajvi Patel, Planner I

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### Recommendations:

That application A-2023-0318 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 automobile impound facility shall only be permitted in association with a motor vehicle repair shop for a temporary period of three years;
3. That the automobile impound facility shall be screened from public view;
4. The applicant shall remove the storm sewer pipe installed without approvals at the rear of the property and reinstate the drainage ditch to its original condition, in accordance with site plan application SP00-041.001, to the satisfaction of the City of Brampton Environment and Development Engineering within 120 days of the Committee's Decision or as extended at the discretion of the Director of Environment and Development Engineering;
5. That the applicant provides the required \$1250.00 planning review fee to the Toronto and Region Conservation Authority as per their later dated November 6, 2023;
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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### Background:

The subject lands have been subject to a previous approved minor variance (A19-074) which permitted an automobile impound facility outside the area bounded by Queen Street, Highway 410, Steeles Avenue and Kennedy Road, whereas the by-law only permits an automobile impound facility within the area bounded by Queen Street, Highway 410, Steeles Avenue, and Kennedy Road. Upon review of the current minor variance A-2023-0318, the applicant is requesting the same variance without Condition #1 listed in the Notice of Decision for A19-074 (see Appendix A).

Existing Zoning:

The property is zoned 'Industrial Two (M2)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an automobile impound facility outside the area bounded by Queen Street, Highway 410, Steeles Avenue and Kennedy Road, whereas the by-law only permits an automobile impound facility within the area bounded by Queen Street, Highway 410, Steeles Avenue, and Kennedy Road.

**Current Situation:**

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

The subject property is designated 'Industrial' in the Official Plan and 'General Employment 2' in the Highway 410 and Steeles Secondary Plan (Area 51).

The general intent of the 'Industrial' Official Plan designation is to provide for a range of light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution. Non-industrial uses will be strictly controlled as they are intended to primarily provide a supporting role to the local employment base.

The subject lands are further designated as 'General Employment 2' in the Highway 410 and Steeles Secondary Plan (Area 5). The General Employment 2 in addition to the General Employment 1 designation allows for a broad range of industrial uses including but not limited to waste processing and transfer stations, and outdoor storage areas, only as accessory to an industrial use.

Additionally, the subject lands are recognized to be located within a Provincially Significant Employment Zone (PSEZ). PSEZ's are identified by the Province for the purposes of long-term planning for job creation and economic development. As per the Council endorsed Draft City of Brampton Official Plan, the subject lands are designated 'Employment Areas' (Schedule 1) and 'Employment' (Schedule 2) of the Draft City of Brampton Official Plan. The general intent of Employment Areas is to provide for a diverse range of high-quality jobs and services to foster innovation.

Lands designated Employment will be protected and reserved for employment uses including manufacturing, warehousing, logistics, office, and associated commercial, retail and ancillary uses. The Draft Official Plan provides that compatibility with surrounding uses is a major factor to mitigate

any potential adverse impacts. One of the permitted uses within the Employment designation include commercial uses, subject to appropriate screening, such as impound areas (Section 2.2.8.5 (b)).

The requested variance is to permit an automobile impound facility outside of the permitted boundaries. The subject lands are located within an industrial area primarily consisting of automobile related uses and the continuation of the use is not anticipated to negatively impact the industrial use and character of the area. The proposed impound facility would operate in conjunction with the permitted motor vehicle repair use. Subject to the recommended conditions of approval, 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 subject property is currently zoned 'Industrial Two,' (M2), according to By-law 270-2004, as amended.

The variance is requested to permit an automobile impound facility outside the area bounded by Queen Street, Highway 410, Steeles Avenue and Kennedy Road, whereas the by-law only permits an automobile impound facility within the area bounded by Queen Street, Highway 410, Steeles Avenue, and Kennedy Road. The intent of the by-law in regulating the location of automobile impound facilities is to ensure that these facilities are only located within heavy industrial areas where they will only have minor visual impacts to the surrounding area.

The subject lands are occupied by an existing one-storey building containing restaurant, towing and motor vehicle repair shop businesses. The requested variance is intended to facilitate the continued use on the property. Staff note that a previously approved minor variance (A19-074) permitted the owner to use a portion of the site for an automobile impound facility. The purpose of the current minor variance (A-2023-0318) is to continue the automobile impound facility in rear portion of the property.

In this case, the subject property is not located within the boundaries that permit automobile impound facilities, however it is zoned M2 which permits heavier industrial uses along with outside storage. The M2 Zone permits as-of-right outdoor storage, as long as the storage area is located in the rear yard or interior side yard and is screened from public view. The automobile impound facility is proposed to be associated with an existing motor vehicle repair shop that is currently using the proposed impound area for outside storage. The existing outdoor storage area will be located at the rear of the building and the area will be enclosed from the public realm. Staff do not anticipate that the automobile impound facility will adversely impact the use and operations of the other tenants on site or negatively impact the streetscape. Therefore, subject to the recommended conditions of approval, the 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 is not anticipated to create any adverse impacts on the subject property or neighbouring properties. The automobile impound facility is proposed to be in conjunction with an existing motor vehicle repair shop, so it will not be a significant alteration to the existing land use. The proposed development is not anticipated to compromise the existing surrounding area which primarily consists of industrial uses as it maintains the general policies and provisions of the Official Plan and

Zoning By-law. During the application review process, Engineering Staff provided that a storm sewer pipe was installed without approvals at the rear of the property. A condition of approval is recommended to reinstate the drainage ditch that was originally approved for the property. Staff strongly recommend that the associated condition remain as it is an outstanding matter that is unresolved. The requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The proposed automobile impound facility will function in a similar manner to the existing outdoor storage area, and will not significantly increase the impact of the lands on the surrounding industrial area. A condition is recommended to only permit the automobile impound facility in association with a motor vehicle repair shop to ensure that the primary function of the property is maintained. Subject to the recommended conditions of approval, the variance is considered to be minor in nature.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Planner I

**Appendix A – Committee of Adjustment Decision for A19-074**



FILE NUMBER A19-074

HEARING DATE MAY 28, 2019

APPLICATION MADE BY 2470259 ONTARIO INC.

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:

1. To permit an automobile impound facility outside of the area bounded by Queen Street, Highway 410, Steeles Avenue and Kennedy Road.

(120 ADVANCE BOULEVARD – PART OF LOT 4, BLOCK A, PLAN M-216)

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: D. Colp

SECONDED BY: R. Power

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

  
MEMBER

  
MEMBER

  
MEMBER


  
MEMBER

  
MEMBER

DATED THIS 28TH DAY OF MAY, 2019

**NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE JUNE 17, 2019**

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

Flower City



brampton.ca

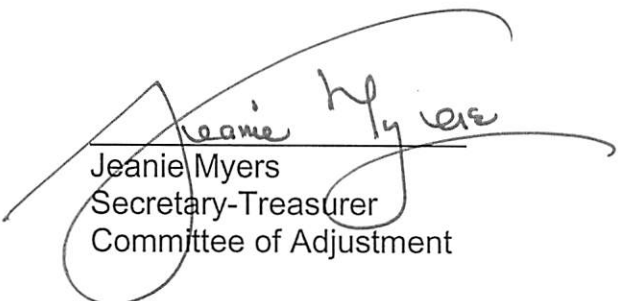
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A19-074**

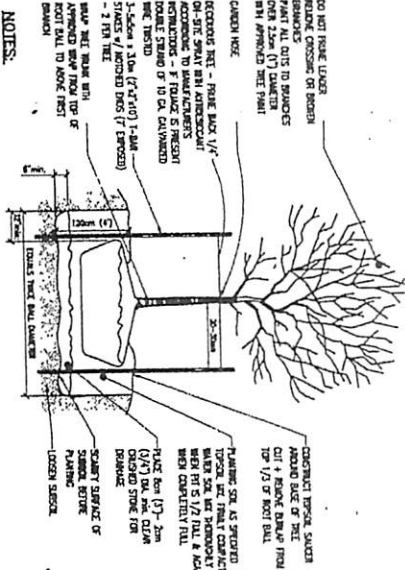
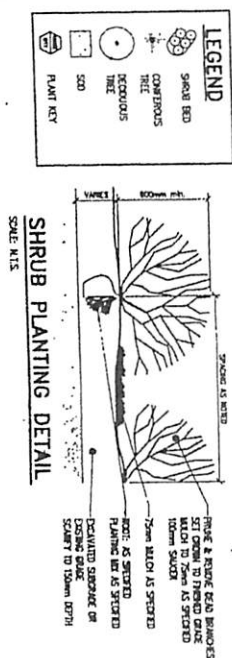
DATED: **MAY 28, 2019**

Conditions:

1. That the applicant shall remove the storm sewer pipe installed without approvals at the rear of the property and reinstate the drainage ditch to its original condition, in accordance with Site Plan Application SP00-041.001, within 180 days of the date of the Committee's decision to the satisfaction of the City of Brampton Public Works and Engineering Department;
2. That the automobile impound facility shall be screened from public view;
3. That the automobile impound facility shall only be permitted in association with a motor vehicle repair shop;
4. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice; and,
5. 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

PLANT LIST						
KEY	DATE	HEIGHT	COL.	NOTES	REMARKS	SPACING /sq
A	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
B	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
C	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
D	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
E	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
F	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
G	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
H	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
I	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
J	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
K	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
L	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
M	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
N	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
O	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
P	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
Q	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
R	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
S	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
T	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
U	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
V	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
W	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
X	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
Y	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100
Z	10/20/66 PLANTING 10/20/66	70cm	100	100	100	100



**LANDSCAPE PLAN**

SCALE: 1 : 200

NOTES:

- ## GENERAL

## LANDSCAPING

1. Generally, at this time to confer with the National Master Specifications - NECA, Landscape Institute.
1. (one) 51, City Avenue  
City of St. Louis  
St. Louis, MO 63106, TDD/CHL, Tel.  
(314) 922-3155
2. The Contractor must notify the Planning and Building Department of the City prior to commencement of any paving.
3. The location of all trees on street frontages must be reported by the Planning and Building Department.
4. The Owner is required to complete a list of landscape items to be included on Landscape Certificates prepared by a Landscape Architect to the Planning and Building Department and to request an inspection by the Department.
5. The paving material first to stone, above, or grades are specified and conforming to the "Commonwealth Association Before Cities Specifications and Standards" to the Landscape Architect.
6. Check of quantities and report any errors or discrepancies to the Landscape Architect.
7. All trees to be banded and banded prior at 4 inches to be 100 years.
8. When planting material is used on the street, the entire area must be cut and removed from the pit.
9. All areas of planting material are minimum.
10. Specified and for landscaping plants:  
Landscape and be a large, mature, rounded young tree. It shall be free of disease, damage, rot, or other defects. The specimen shall not be sprayed with a fertilizer or growth regulator. The specimen shall be planted in a hole that is 1/2 the width of the specimen and the depth shall be 1/2 the depth of the specimen and be subject to the approval of the Director of Parks and Recreation.
11. Paving of parking areas with 75mm of Specified Paving or Color Bore material or approved paving by Landscape Architect.

CITY OF BRAMPTON  
Planning & Building Department  
LANDSCAPE PLAN

**APPROVED**

### Abstract: When Positive and Negative

