



## Report Committee of Adjustment

**Filing Date:** July 4, 2023  
**Hearing Date:** November 14, 2023

**File:** A-2023-0217

**Owner/  
Applicant:** 7927959 Canada Corporation

**Address:** 9610 McLaughlin Road North

**Ward:** WARD 5

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

---

### **Recommendations:**

That application A-2023-0217 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 residential care home use and medical office use not operate concurrently;
3. That the residential care home and medical office uses be restricted to only operate within the existing building located in the SC-2254 Zone and that the uses not operate within the Floodplain Zone.
4. That the owner shall obtain a permit for a change of use prior to occupancy of the building;
5. That the owner shall obtain approval from the Credit Valley Conservation Authority, if deemed necessary;
6. That the owner shall dedicate 7 parking stalls to employee/staff parking only and 10 parking stalls to short-term clients only.
7. That a site plan application 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. The owner must acquire site plan approval for constructing the parking lot and for access layout, configurations, and permission. The McLaughlin Road access will be reviewed and may be restricted to right-in/right-out operations only;

8. Parking on any public road will only be permitted as per City of Brampton By-Law 93-93.
  9. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
- 

**Background:**

The applicant is requesting a residential care home use and a medical office use within the existing residential dwelling. The residential care home use is requested to seek permission to operate a customized after-school program for individuals with developmental disabilities, including short-term overnight respite. The medical office use is requested to seek permission to operate x-ray and ultrasound services. It should be noted that the proposed uses will be contained within the existing dwelling and no exterior modifications will occur on site with the exception of future construction to accommodate additional parking spaces. The uses are also not proposed to operate concurrently. The intent is for the residential care home use to operate first and once the use relocates, the medical office use will begin its operations.

**Existing Zoning:**

The property is split zoned 'Service Commercial (SC-2254)' and 'Floodplain (F)', according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variances:

1. To permit a medical office use whereas the by-law does not permit a medical office use;
2. To permit a residential care home use whereas the by-law does not permit a residential care home.

**Current Situation:****1. Maintains the General Intent and Purpose of the Official Plan**

The subject property is designated 'Residential' in the Official Plan and 'Convenience Retail' and 'Recreation Open Space' in the Brampton Flowertown Secondary Plan (Area 6). As per the Draft Official Plan, the subject lands are designated 'Community Areas' in Schedule 1 and 'Neighbourhoods' in Schedule 2.

The 'Residential' Official Plan designation permits predominantly residential land uses and may also include uses permitted in the Commercial and Institutional and Public Uses designations of this plan such as convenience retail uses (Section 4.2.1.1).

The requested variances are to permit the use of the lands for a residential care home and a medical office. In consultation with City Policy Planning staff, a residential care home is defined as per the Council approved Brampton Official Plan as:

**Residential Care Home** means a building or place offering supervised living accommodation that may include associated support services, accessory uses and amenities, and:

- a. Is licensed or funded under Federal or Provincial legislation;
- b. Is for persons requiring semi-independent or supervised group living arrangements; and,
- c. Is for more than 10 residents, exclusive of staff.

According to the letter of use provided by the applicant (Appendix A), a total of ten students would be accessing the proposed services however, not all ten students would be on the site at the same time. In this case, Policy staff have provided that the special needs housing term is more suitable and is defined in the Council approved Brampton Official Plan as:

**Special Needs Housing** means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory, or mental health disabilities, and housing for the elderly.

A Residential Care Home use is intended for larger, institutional type facilities whereas Special Needs Housing is intended for smaller housing facilities such as a single detached dwelling. One of the objectives outlined in the Residential policies of the Official Plan is to encourage affordable housing development as well as special needs and supportive housing in the community (Section 4.7 (vii)). Furthermore, the Official Plan recognizes that special housing needs are not typically met by the general housing market but are often satisfied by public, private and non-profit agencies and organizations. Section 4.2.6 of the Official Plan promotes the provision of specialized housing for a diverse community and that specialized housing are strategically located and integrated in the community to provide access to all public amenities including transportation, parks and open space.

The subject site is located on the southwest corner of McLaughlin Road North and Williams Parkway West which are identified as Urban Collector on Schedule B – City Road Hierarchy of the Official Plan and Primary Transit Corridor on Schedule C – Transit Network. Section 4.5.2.2 (v) provides that Urban Collectors are to be planned, designed, designated, and constructed with wider asphalt to accommodate bicycle lanes, on-street parking and encourage transit service. Section 4.5.4.12 provides that Primary Transit Corridor provide high frequency services and are major grid services linking destinations within and outside the City. The subject lands are accessible by public transit as there are bus stops at the intersection of McLaughlin Road North and Williams Parkway West. Furthermore, the lands abut a recreational trail parallel to Fletchers Creek.

The subject lands are further designated ‘Convenience Retail’ in the Brampton Flowertown Secondary Plan (Area 6). Section 2.5.1 of the Brampton Flowertown Secondary Plan provides that uses permitted on lands designated as Convenience Retail shall permit the range of uses and be developed in accordance with the Local Retail policies and other relevant policies of the Official Plan. Section 4.3.5 of the Official Plan provides that Local Retail centers consist of Neighbourhood Retail and Convenience Retail site which are usually located in residential areas in order to serve the shopping needs of the community. Permitted uses typically include small scale retail stores,

supermarkets or specialty stores, junior department stores, pharmacies, restaurants and service establishments that primarily serve the surrounding residential area (Section 4.3.5.4). Furthermore, Section 4.3.5.7 of the Official provides that the City may permit complementary uses such as office, service commercial uses, etc. in conjunction with any of these Local Retail designations. The requested variance to permit a medical office use on the subject lands is consistent with the intent of the convenience retail designation.

A portion of subject lands are designated 'Recreational Open Space' in the Brampton Flowertown Secondary Plan (Area 6). Section 5.1 of the Brampton Flowertown Secondary Plan provides that lands designated Recreational Open Space, including cemeteries, shall be developed in accordance with the Recreational Open Space policies of Section 4.7 of the Official Plan. Section 4.7 of the Official Plan provides recreational open space provides an integrated open space system which consists of both natural and cultural heritage. Section 4.7.1.4 of the Official Plan provides that development is generally prohibited within lands designated recreational open space areas with the exception of recreational and cultural facilities, conservation projects, cemeteries, public transit and essential public works and utilities. The proposed uses will be contained within the existing dwelling and no work is proposed to the dwelling and is not anticipated the lands designated Recreational Open Space as there are no changes on the site.

The minor variance application has been reviewed by the Credit Valley Conservation Authority (CVC) who have advised that a portion of the property is regulated due to the floodplain and erosion hazard associated with Fletcher's Creek in the letter dated July 26, 2023 (Appendix B). Approximately half of the property is situated within the floodplain for hazard lands and development is prohibited without the written approval of the CVC. The CVC advised that the description of the residential care home use appears to fall into a use not permitted within the hazardous lands. As for the medical office use, the CVC recommends that the use only be added to the current SC-2254 Zone, and not the lands zoned as floodplain. The lands zoned as floodplain is applicable to a small portion of the dwelling. The applicant is not proposing any alteration to the dwelling or the site to accommodate the proposed uses. Staff note that the subject lands are not located within the Natural Heritage System as per Schedule 6B of the Council approved Brampton Official Plan.

The requested variance is not considered to have significant impacts within the context of the Official Plan and Secondary Plan policies, and is considered to maintain the general intent and purpose of the Official Plan.

An Official Plan Amendment and Zoning By-law Amendment application (City File C02W09.011) was approved to redesignate the subject lands from "Residential" to "Convenience Commercial" and rezone the property from "Agricultural" to "Service Commercial - SC - Special Section" to allow for site specific scoped commercial uses. As a result of the approved Official Plan Amendment and Zoning By-law Amendment, the subject lands were split-zoned Service Commercial, Special Section 2254 (SC-2254) and Floodplain (F). The SC-2254 Zone permits commercial uses including an office, a nursing home, a commercial school, etc. The subject property is located at the southwest corner of McLaughlin Road and Williams Parkway East and abuts Fletchers Creek, open space lands, residential subdivision and industrial uses. Given the location of this property and its surrounding context, the residential care home use and medical office use are considered to serve the needs of the local community.

The requested variances to permit a residential care home facility and medical office use will provide services to individuals with developmental disabilities and later provide x-ray services. The applicant advised that the residential care home use and medical office use will not operate simultaneously and are not anticipated to negatively impact the surrounding area. Therefore, subject to the recommended conditions of approval, the requested variances are 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 split zoned 'Service Commercial,' Special Section 2254 (SC-2254) and 'Floodplain' (F), according to By-law 270-2004, as amended.

Variance 1 is requested to permit a medical office use whereas the by-law does not permit a medical office use. Variance 2 is requested to permit a residential care home use whereas the by-law does not permit a residential care home. The intent of the by-law in regulating permitted uses on a property is to ensure compatibility with other uses permitted on site.

The current use of the residential dwelling on site as a professional office use is listed as a permitted use within the SC-2254 Zone. The requested variances will facilitate the existing use in conjunction with the proposed residential care home use and medical office use. The applicant has provided that the proposed uses will not run concurrently with the residential care home use operating for approximately 3-5 years. Once the residential care home use ceases, the property will be converted to a medical office providing x-ray and ultrasound services.

An office use is listed as one of the permitted uses within the SC-2254 Zone. However, the SC-2254 Zone excludes a medical office and real estate office from the permitted uses. As previously mentioned, the site was subject to an approved Official Plan Amendment and Zoning By-law Amendment with the intention that the existing residential dwelling be used for commercial purposes. The use of the property as a medical office can be considered as similar types of uses that are complementary to the planned commercial intent for the site.

The proposed residential care home use is similar to the permitted nursing home use as both uses provide support services for persons requiring semi-independent or supervised care. Given the nature of the property and surrounding context, the proposed uses are not anticipated to generate negative impacts to the operations and function of the site and surrounding area. A condition of approval is recommended that the residential care home use and medical office be restricted to the SC-2254 Zone and not the Floodplain Zone. The effect of the condition is to ensure there are operations within the portion of the property zoned Floodplain. Subject to the recommended conditions of approval, the variances maintain the general intent and purpose of the Zoning By-law.

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

The requested variances to permit a residential care home use and medical office use are considered to be minor in nature as they will not alter the character of the area or create any adverse impacts on-site or off-site. The presence of these additional uses will serve the surrounding residential area and

is considered to be compatible with the permitted commercial uses on the property. The applicant has provided a Traffic Brief and Parking Justification dated October 31, 2023 (Appendix C) concluding that the proposed parking spaces will adequately support the proposed uses. To further address parking concerns, staff are requesting that the applicant submit a site plan application to address the configuration and layout of parking spots and access configurations. Additional traffic and parking related conditions are recommended to ensure an appropriate distribution of parking spaces is provided on site and that the associated works are completed. Subject to the recommended conditions of approval, the proposed variances are considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The variances requested to permit a residential care home use and medical office use are consistent with the general intent and purpose of the Official Plan, Secondary Plan and Zoning By-law. The uses will operate within the existing residential dwelling on the property and will function in a manner that is similar to the permitted uses permitted in the SC-2254 Zone. Furthermore, no exterior modifications to the existing dwelling are proposed and the proposal is expected to maintain current site conditions. No negative impacts to the site or surrounding properties are anticipated resulting from the proposed uses. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

*François Hémon-Morneau*

François Hémon-Morneau, Principal Planner/ Supervisor

## **Appendix A – Letter of Use**



Principals

Michael Gagnon  
Lena Gagnon  
Andrew Walker  
Richard Domes

July 20, 2023

Corporation of the City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

**Attn: François Hémon-Morneau, Planner III, Development Services**

**Re: Letter of Use – Residential Home Care  
Committee of Adjustment - Minor Variance Application  
9610 McLaughlin Road North, City of Brampton, Ontario  
(City File: A-2023-0217) (GWD File: 2962.00)**

**Dear François:**

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to 7927959 Canada Corp., the Registered Owner of 9610 McLaughlin Road North, in the City of Brampton (hereinafter referred to as the “subject site”).

In response to comments received by City Staff regarding the Committee of Adjustment Minor Variance Application (City File: A-2023-0217) for the subject site, this Letter of Use has been prepared on behalf of our Client and *Rise Respite Resource Solutions* in order to provide City Staff with a description of the proposed Residential Home Care use for the subject site.

The operations of *Rise Respite Resource Solutions* is described as follows:

- A total of seven (7) staff members are proposed to be working for *Rise Respite Resource Solutions* on the subject site.
- A total of ten (10) students/patrons/patients would be attending *Rise Respite Resource Solutions*; however, each individual has a specific schedule based on the service they are accessing and all will not be on the premises at the same time.
- *Rise Respite Resource Solutions* provides Family Support Services for persons with a developmental disability, inclusive of after school/Day respite care, life skills training, group activities, social activities, and behavioral therapy.
- *Rise Respite Resource Solutions* would also like the opportunity to provide our clients with short term over night Respite Support. Over night respite Support is a

---

**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

**CONFIDENTIALITY  
CAUTION**

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.





short term stay that provides supervised care to persons with developmental disabilities whose family members might have personal emergencies which requires them to need someone to care for their loved ones in their absences.

*Rise Respite Resource Solutions* has been operating successfully from their existing location in the City of Mississauga for five (5) years and has proven to be a well needed service in the Region of Peel. As a result of the increasing demand, *Rise Respite Resource Solutions* hopes to expand their services into the City of Brampton.

Currently *Rise Respite Resource Solutions* is operating from 6535 Millcreek Drive, Unit #65, in the City of Mississauga. Further information regarding the services provided by *Rise Respite Resource Solutions* can be found on their website: <https://www.3rsolutions4u.ca>

Should you have any further questions regarding the operations of *Rise Respite Resource Solutions* please feel free to contact the undersigned.

Yours truly,

Anthony Sirianni,  
Planning Associate  
[asirianni@gwdplanners.com](mailto:asirianni@gwdplanners.com)

C.c.: 7927959 Canada Corp.  
Rise Respite Resource Solutions  
Charles Ng – City of Brampton  
A. Walker, Gagnon Walker Domes Ltd.  
M. Gagnon, Gagnon Walker Domes Ltd.



Principals

Michael Gagnon  
Lena Gagnon  
Andrew Walker  
Richard Domes

July 20, 2023

Corporation of the City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

**Attn:** François Hémon-Morneau, Planner III, Development Services  
Jeanie Myers, Secretary Treasurer, Committee of Adjustment

**Re:** Letter of Use – Medical Office  
Committee of Adjustment - Minor Variance Application  
9610 McLaughlin Road North, City of Brampton, Ontario  
(City File: A-2023-0217) (GWD File: 2962.00)

**Dear François:**

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to 7927959 Canada Corp. the Registered Owner of 9610 McLaughlin Road North, in the City of Brampton (hereinafter referred to as the “subject site”).

In response to comments received by City Staff regarding the Committee of Adjustment Minor Variance Application (City File: A-2023-0217) for the subject site, this Letter of Use has been prepared on behalf of our Client and *Queen West X-ray and Ultrasound Services* in order to provide City Staff with a description of the proposed Medical Office use for the subject site.

The operations of *Queen West X-ray and Ultrasound Services* is described as follows:

- A total of twenty (20) staff members are proposed to be working with rotational shifts for *Queen West X-ray and Ultrasound Services* on the subject site.
- Hours of operation are from 8:00a.m. to 8:00p.m. 7-days a week.
- *Queen West X-ray and Ultrasound Services* provides X-ray, Ultrasound and Walk-in Clinic services.

*Queen West X-ray and Ultrasound Services* has been operating successfully from their location at 400 Queen Street West in the City of Brampton since 2005.

---

**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

**CONFIDENTIALITY  
CAUTION**

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.



Further information regarding the services provided by *Queen West X-ray and Ultrasound Services* can be found on their website: [www.queenwestimaging.com](http://www.queenwestimaging.com)

Should you have any further questions regarding the operations of *Queen West X-ray and Ultrasound Services*, please feel free to contact the undersigned.

**Yours truly,**

**Anthony Sirianni,  
Planning Associate  
[asirianni@gwdplanners.com](mailto:asirianni@gwdplanners.com)**

**C.c.: 7927959 Canada Corp.  
Dr. Anil Sharma  
Charles Ng – City of Brampton  
A. Walker, Gagnon Walker Domes Ltd.  
M. Gagnon, Gagnon Walker Domes Ltd.**

**Appendix B – Letter from Credit Valley Conservation Authority dated July 26, 2023**



**Credit Valley  
Conservation**  
inspired by nature

July 26, 2023

VIA EMAIL

City of Brampton, Committee of Adjustment  
City Clerk's Office  
Brampton City Hall  
2 Wellington Street West  
Brampton, ON L6Y 4R2

**Attention: Jeanie Myers, Secretary-Treasurer**

**Re: City File No. A-2023-0217  
CVC File No. A 23/217  
7927959 Canada Corp.  
9610 McLaughlin Road North  
Part of Lot 9, Concession 2 WHS  
City of Brampton**

---

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

**CVC REGULATED AREA:**

Based on our mapping, a portion of the property is regulated due to the floodplain and erosion hazard associated with Fletcher's Creek. As such, the property is regulated by CVC and subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

**PROPOSAL:**

It is our understanding that the applicant is requesting the Committee to approve a Minor Variance application to seek relief from the Zoning By-law to permit two additional uses on the subject site:

- 1) Medical Office; and,
- 2) Residential Care Home.



July 26, 2023

Re: City File No. A-2023-0217  
CVC File No. A 23/217  
7927959 Canada Corp.  
9610 McLaughlin Road North  
Part of Lot 9, Concession 2 WHS  
City of Brampton

---

### **COMMENTS:**

Through a previous OPA/ZBA application for this property, CVC staff reviewed the limits of the hazards and commented that the lands within the hazards should be designated as Open Space (OS) in the Official Plan and zoned Floodplain (F) in the Zoning By-Law. Based on City mapping, approximately half of the property is in the F zone for the hazard lands. We would not support a change to the zoning of the hazard lands to a less restrictive zoning.

Further, there are certain uses under the Provincial Policy Statement (2020) and CVC policies that are not permitted in hazardous lands, including an institutional use associated with hospitals, nursing homes, preschool, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, erosion, dynamic beach processes and/or failure of protection works/measures. Based on the description of the Residential Care Home provided in the cover letter (GWD, July 4, 2023), it appears to fall into a use not permitted within the hazardous lands.

Based on information available in our office, a portion of the building may fall within the flood hazard, as well as the majority of the access and parking.

For the proposed medical office use, we would recommend the use only be added to the current SC-2254 zone, and not the F zone. The hazardous lands should remain in a restrictive zoning (F) with restricted uses.

### **Conclusion**

The current proposal is to allow two additional uses to the property. CVC staff have concerns with the proposed Residential Care Home use, due to certain uses not permitted by policy within the hazardous lands, which cover approximately half the property. Further we have concerns with adding additional uses applicable to the entire property, rather than enabling additional uses only to the SC zone. CVC staff are not supportive of rezoning the natural hazard lands (F zone) to a less restrictive zoning; however, we may be supportive of rezoning or adding uses to the area outside the hazards if a feasible concept and use is proposed.

As noted above, a permit from CVC will be required prior to any development proposed within the regulated area on this property. Should any future development be proposed, early consultation is recommended to confirm CVC requirements.

Please note that CVC has not received payment of the review fee for this application. The applicant should forward this directly to CVC at the earliest convenience.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x 325).

July 26, 2023

Re: City File No. A-2023-0217  
CVC File No. A 23/217  
7927959 Canada Corp.  
9610 McLaughlin Road North  
Part of Lot 9, Concession 2 WHS  
City of Brampton

---

Sincerely,

  
Trisha Hughes

Acting Senior Planner

cc: François Hémon-Morneau, City of Brampton  
7927959 Canada Corp. (owner)  
Gagnon Walker Domes Ltd. (agent)

**Appendix C – Traffic Brief and Parking Justification dated October 31, 2023**