



## Report Committee of Adjustment

**Filing Date:** July 28, 2023  
**Hearing Date:** November 14, 2023  
**File:** A-2023-0244  
**Owner/  
Applicant:** 2 Bramkay St Holdings ULC  
**Address:** 2 Bramkay Street  
**Ward:** 8  
**Contact:** Megan Fernandes, Planning Technician

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### Recommendations:

That application A-2023-0244 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 applicant obtain Site Plan Approval under City File SPA-2023-0107, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
  3. 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 property was previously granted Minor Variance approval regarding application A200/04 on June 22, 2004. The approved variances include the following:

1. To allow for outside storage to a maximum height of 8.7m between 200m and 260m of Queen Street.
2. To allow outside storage to a maximum height of 11.6m beyond 260m of Queen Street.

Staff have determined that the previous variances still maintain their effect. As the applicant intends to attract new tenants to the property, the outside storage area will eventually be phased out.

Existing Zoning:

The property is zoned 'Industrial M3A- Special Section 366 (M3A-366)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To provide a front yard setback of 18.24m whereas the By-law requires a minimum front yard setback of 21.0m;
2. To provide 296 parking spaces whereas the By-law requires a minimum of 403 parking spaces; and
3. To permit a minimum landscape open space of 29% of the required exterior side yard width whereas the by-law requires a minimum landscape open space of 50% of the exterior side yard width.

**Current Situation:**

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

The property is designated 'Industrial' and located within the Lester B. Pearson International Airport (LBPIA) Operating area in the Official Plan and is further designated 'General Employment 2' in the Airport Intermodal Area Secondary Plan (Area 4). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

Furthermore, the property is designated 'Employment' and located within the Lester B. Pearson International Airport (LBPIA) Operating area in the Council endorsed Brampton Plan.

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

Variance 1 is requested to provide a front yard setback of 18.24m whereas the By-law requires a minimum front yard setback of 21.0m. 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.

The applicant is requesting a front yard setback reduction of 18.24m which is 2.76m less than the required minimum front yard setback of 21.0m permitted in the zoning by-law. The existing building on site has a height of 11.7m and the existing front yard setback of 18.24m complies with the zoning by-law. In this case, the request relates to the proposed building addition with a height of 15m whereby Section 366.2 b) 4) of the Zoning by-law states for a building 15.0 metres or less, but greater than 12.0 metres in height: 21.0 metres is required. The variance is required to approve the existing site condition of 18.24m. The reduced setback does not create negative massing impacts to the public realm or impact

the functionality or site layout as the addition will be located towards the rear of the property. Subject to the recommended conditions of approval, variance 1 is considered to be minor in nature.

Variance 2 is requested to provide 296 parking spaces whereas the by-law requires a minimum of 403 parking spaces. The intent of the by-law in regulating the minimum parking requirements for industrial properties is ensure that sufficient parking is provided for all of the industrial/commercial units on the site.

The proposed reduction represents approximately 26.5% of the overall parking requirement for the site. A parking study was prepared by GHD dated September 18, 2023 was submitted in support of the application. City staff reviewed the parking study and found it to be satisfactory. The study concluded that 296 parking spaces is expected to adequately service the anticipated future needs of the site. Subject to the recommend conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit a minimum landscape open space of 29% of the required exterior side yard width whereas the by-law requires a minimum landscape open space of 50% of the exterior side yard width. The intent of the by-law in regulating the minimum landscape open space requirements for industrial properties is to ensure that a satisfactory streetscape and landscape buffer between properties is maintained. The reduced landscaped area proposed for the side yard will not alter the character of the area. Subject to the required site plan approval, the reduced landscape strip can meet the intent of this provision, which is to ensure that appropriate landscaping is provided in this industrial zone. The requested variances conform to the general intent and purpose of the zoning by-law.

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

In this instance, the minor variance application is submitted to facilitate a warehouse expansion on the south east side of the subject property. In relation to variance 1, the 2.76m reduction is not anticipated to negatively impact the streetscape as the addition is located away from the frontage of the property. The existing building has an approximate gross floor area (GFA) of 37,462 square metres with 93 existing parking spaces (including 8 accessible parking spaces). The proposed expansion is approximately 22,367 square metres in size and the overall GFA of the building inclusive of the addition will be approximately 59,829 square metres in size. Through a review of the application and aforementioned parking study, staff are of the opinion that the vehicle parking for the users of the site (employees and guests) can be sufficiently accommodated with the 296 parking spaces shown on the provided site plan. In relation to variance 3 to permit a minimum landscape open space of 29% to the exterior side yard width is in relation to the relocation of the current second access point on Bramkay St. Although the landscape open space area is reduced, the proposed changes to the area includes a parking area for employees and visitors which is a significant improvement from the existing access for trucks. A condition of approval is provided, that the applicant obtain Site Plan Approval under City File SPA-2023-0107, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. Subject to the recommended conditions, the proposed variances are desirable for the appropriate development of the land.

### 4. Minor in Nature

The proposed variances are not anticipated to negatively impact the daily function and operation of the subject property or adjacent properties. The variances are not anticipated to generate significant adverse impacts on-site or off-site or limit the functionality of the site. Through the review of the parking study submitted by GHD, City Traffic Staff find that sufficient parking will be provided for both staff and visitors for the industrial development. Subject to the recommended conditions of approval, the variances are minor in nature.

Respectfully Submitted,

*Megan Fernandes*

Megan Fernandes, Planning Technician