



Report
Staff Report
 The Corporation of the City of Brampton
 5/12/2025

Date: 2025-04-28

File: OZS-2023-0004

Subject: **Recommendation Report – Application to Temporarily Amend the Zoning By-law**
To permit a motor vehicle sales establishment on the north-easterly portion of the lands for a temporary basis for a period of no more than three (3) years
George Karathanassis – Glen Schnarr and Associates Inc.
 9296 Highway 50
 Ward 10

Contact: Chinoye Sunny, Development Planner, Development Services & Design

 Angelo Ambrico, Manager, Development Services & Design

Report number: Planning, Bld & Growth Mgt-2025-329

RECOMMENDATIONS:

1. That the report from Chinoye Sunny, Development Planner, Development Services, to the Planning and Development Committee Meeting of May 12, 2025, re: **Recommendation Report – Application to Temporarily Amend the Zoning By-law**, George Karathanassis – Glen Schnarr and Associates Inc., File: OZS-2023-0004, 9296 Highway 50, Ward 10, be received;
2. That the application for a Temporary Zoning By-law Amendment submitted by Glen Schnarr and Associates Inc. on behalf of George Karathanassis be approved on the basis that it is consistent with the Provincial Policy Statement, and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and the City's Official Plan, and for the reasons set out in this Recommendation Report;
3. That in accordance with the Planning Act, Council supports the proposed temporary use for a period of up to three (3) years from the date of adoption of the By-law included as Attachment 10 to this report; and
4. That the amendments to the Zoning By-law, generally in accordance with the attached Attachment 10 to this report be adopted;

5. That no further notice of public meeting be required for the attached Zoning By-law Amendment as per Section 34(10.4) of the Planning Act, R.S.O. c.P. 13, as amended.

OVERVIEW:

- That the report recommends approval of the proposed Temporary Use By-law Application to permit the interim motor vehicle sales establishment on the subject property, for a period of no more than three (3) years.
- The property is designated 'Residential' in Schedule A: General Land Use Designation and 'Neighbourhood Retail' in Schedule A2: Retail Structure of the Official Plan. No amendment to the Official Plan is required to permit the proposed temporary use development.
- The property is designated 'Community Areas' in Schedule 1A: City Structure and 'Mixed Use' in Schedule 2: Designation, as per Brampton Plan.
- The property is designated 'District Retail' and 'Special Policy Area 6' in the Bram East Secondary Plan (Area 41). No amendment to the Secondary Plan is required to permit the proposed temporary use development.
- As per Zoning By-law 270-2004, as amended, the subject property is zoned Residential Rural Estate Two (RE2) which permits a single detached dwelling, supportive housing residences, and purposes accessory to the other permitted purposes. A Temporary Zoning By-law Amendment is required to facilitate the proposed development.
- A Statutory Public Meeting for the application was held at the Planning and Development Committee Meeting on May 15, 2023. No members of the public spoke at the meeting and no written correspondence was received. Details of the Statutory Public Meeting are included in Attachment 7 of this report.
- The proposal is consistent with the City of Brampton Strategic Focus Area of Growing Urban Centres and Neighbourhoods by contributing to an economy that thrives with communities that are strong and connected.
- The application represents good planning, has regard for the Planning Act, is consistent with the Provincial Policy Statement 2024, the Regional

Official Plan, the City of Brampton Official Plan (2006), Brampton Plan (2024).
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BACKGROUND

The land subject to the Temporary Use Zoning By-law Amendment is located at 9296 Highway 50, which is north of Cottrelle Boulevard and west of Highway 50. Glen Schnarr and Associates Inc. submitted an application on behalf of George Karathanassiss on January 19, 2023, and it was deemed complete on February 14, 2023, in accordance with Section 34 (10.4) of the Planning Act.

The Statutory Public Meeting was held at the Planning and Development Committee Meeting on May 15, 2023. No members of the public spoke at the meeting and no written correspondence was received.

Since the time of receipt of the application and the public meeting, City Staff and the applicant have been working together to refine the technical details associated with the proposal. The applicant has submitted three (3) submission packages to be able to resolve various technical issues associated with the proposal.

CURRENT SITUATION

Proposal

A Temporary Use By-law to amend the Zoning By-law has been filed with the City to develop a motor vehicle sales establishment on the north-easterly portion of the lands for a temporary basis for a period of no more than three (3) years.

Details of the Proposal (refer to Attachment 1)

Details of the proposal are as follows:

- Temporary (3 years) motor vehicle sales establishment use.
- A temporary sales office measuring approximately 70.85 square metres.
- The existing one-storey dwelling will be retained for residential use by the property owner.
- A total of 16 vehicular parking spaces.
- Additional pavement hardscaping of 97 square metres.
- Access from Highway 50.

Property Description and Surrounding Land Use (refer to Attachment 6)

The lands have the following characteristics:

- A total site area of 0.73 hectares (1.81 acres);
- An existing one-storey dwelling with an accessory structure; and
- An approximate frontage of 77.68 metres along Highway 50.

The surrounding land uses are described as follows:

- **North:** a single detached dwelling and vacant lands subject to a future townhouse development application (City Site Plan File: SPA-2021-0122).
- **South:** a single-detached dwelling and a retail plaza.
- **East:** Highway 50, beyond which are vacant lands for future development located within the City of Vaughan.
- **West:** an existing low-density residential subdivision.

Further details on this application can be found in the Detailed Planning Analysis contained in Attachment 9, which contains an evaluation of the various technical aspects, including matters addressed in the site-specific studies submitted by the applicant.

Summary of Recommendations

This report recommends that Council endorse the approval of the proposed amendment to the Zoning By-Law, generally in accordance with Attachment 10, respectively. The proposal and implementing documents represents good planning, is consistent with the Provincial Policy Statement, the Region of Peel Official Plan, and the City of Brampton Official Plan. Please see associated details in Attachment 9 – Detailed Planning Analysis.

Application to Amend the Zoning By-Law

The subject property is zoned 'Residential Rural Estate Two (RE2)' by By-Law 270-2004 as amended. The Temporary Use By-Law is required to permit the proposed motor vehicle sales establishment use. The By-law will include site-specific provisions regarding the motor vehicle sales establishment.

Future Access Easement

The City of Brampton and the Region of Peel have identified that the subject property and the neighbouring lands to the north and south (specifically municipally addresses 0 Clarkway Drive, 9318 Highway 50, 9296 Highway 50, and 9278 Highway 50) will require future reciprocal access easements between those properties. This is required because individual accesses to each of these properties will not be supported upon their redevelopment due to access management standards. Highway 50 is a Regional road that is identified as a 'Major Arterial Road' in Schedule 3C of the Brampton Plan, and is a key corridor within the City for the movement of goods and services. At this time, no discussions have taken place with the adjacent landowners regarding the future access easement as the properties are not being redeveloped at this time. The City's Traffic staff have agreed that the access easement matter will be considered further through the future site plan application for these lands, with the expectation that access easements will be required to be registered prior to the issuance of Site Plan Approval.

PLANNING ANALYSIS SUMMARY

The proposal has been reviewed and evaluated against the Planning Act, Provincial Policy Statement (2024), the Region of Peel Official Plan, the City's Official Plan, and other applicable City of Brampton guidelines and priorities.

The proposed By-law, with the changes recommended by Staff, represents good planning. Please refer to Attachment 9 "Detailed Planning Analysis" for additional details.

Matters of Provincial Interest

Planning Act, R.S.O., 1990

The proposal is for a temporary use application to permit the development of a motor vehicle sales establishment. Temporary use applications are for a specified period of time and shall not exceed three (3) years as per Section 39 of the Planning Act.

The proposal represents orderly development as it will make efficient use of the lands. The proposed temporary change of use will be compatible with the nearby commercial plaza with no negative impacts to the surrounding community are anticipated in accordance with Section p) of the Planning Act. The proposal incorporates enhanced landscape screening to ensure that neighboring properties are not impacted by the temporary use development in accordance with Section r) of the Planning Act.

Based on the above, Staff is satisfied that the proposed development has regard for matters of provincial interest in the Planning Act.

Provincial Planning Statement (PPS 2024)

The proposed development is located within a Settlement Area as defined in provincial and municipal planning documents. The proposed temporary use will not prevent the

lands from being developed for long-term uses in accordance with the City's Official Plan policies in the future to meet long-term residential needs.

Policy 1.2.6.1 of the PPS states that major facilities and sensitive land use shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety, and to ensure the long term economic viability of major facilities in accordance with provincial guidelines and procedures.

The subject property is located within a location planned for residential / mixed-use land uses. Existing residential dwellings exist within the immediate vicinity, where appropriate buffers, landscape treatments, and noise mitigation measures will be implemented through the By-law amendment and Site Plan approval process. The proposed temporary change of use will be compatible with the nearby commercial plaza and adjacent residential lands and no negative impacts to the surrounding community are anticipated

Based on the above, staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the Provincial Policy Statement.

Municipal Planning Documents

Region of Peel Official Plan (2022)

The subject lands are located within the 'Urban System' as delineated in "Urban System" in Schedule E-1: Regional Structure. The proposed development represents an efficient built form that will optimize the use of an underutilized and utilize existing infrastructure.

The proposed development provides appropriate service commercial land uses through the inclusion of a motor vehicle sales establishment on the residential lands which will access to surrounding active transportation in accordance with Section 5.6.27.4. The proposal also utilizes existing servicing and infrastructure to redevelop an underutilized piece of land within the City in accordance with Sections 5.4.18.2 and 5.4.18.3.

The proposal will contribute to a complete community and intensify once underutilized lands to incorporate a temporary redevelopment with a mix a land uses on an appropriate area. Furthermore, in accordance with Sections 5.6.19.2 and 5.6.19.4, the proposed development incorporates a connection to the existing public sidewalk system which provides a pedestrian-friendly walkable access to other land uses in the community.

Based on the above, staff is satisfied that the proposed Temporary Use Zoning By-law Amendment conforms to the policies of the Region of Peel Official Plan.

City of Brampton Official Plan (2006)

The property is designated 'Residential' in Schedule A: General Land Use Designations and 'Neighbourhood Retail' in Schedule A2: Retail Structure. The 'Residential'

designation permits a full range of dwelling types ranging from single-detached dwellings to high-rise apartments. The 'Neighbourhood Retail' designation are usually located in residential areas in order to serve the shopping needs of the community.

The proposal incorporates enhanced landscaping on the site to adequately screen the motor vehicle sales establishment from adjacent properties and includes a connection to the existing public sidewalk system which provides a pedestrian-friendly walkable access to other land uses in the community in accordance with Sections 4.2.1.14, 4.11.4.2, and 4.11.4.7.

Although a motor vehicle sales establishment is not permitted as per S.4.35.7, the proposal is for a temporary use redevelopment which allows for redevelopment of the site with an amendment to the Official Plan in accordance with S.5.10.2.

The proposed development application meets the applicable criteria of enacting a Temporary Use By-Law outlined in Section 5.10.2 of the City of Brampton Official Plan:

- The proposal does not create and/or aggravate any situation detrimental to adjacent complying uses in accordance with Section 5.10.2(i).
- The temporary use does not interfere with the development of adjacent areas.

The Temporary Use By-law is proposed for a period of no longer than three (3) years in accordance with Section 5.10.1 of the City of Brampton Official Plan and the Planning Act. Based on the above, Staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the City of Brampton Official Plan.

Brampton Plan, 2023

The property is designated 'Community Area' in Schedule 1A and 'Mixed Use' in Schedule 2: Designations of the Official Plan. The City has identified that these lands should be planned for Mixed Use redevelopment in the future. The site will need to be developed in conjunction with the adjacent property owners in order to pursue a permanent residential development. However, currently there are no formal plans for future development, as the abutting property owners do not intend to develop their land for the foreseeable future.

The proposal is to temporarily permit the development of a motor vehicle sales establishment on the subject lands. In accordance with S.5.12.44 of the Official Plan, Temporary Use by-laws may be passed provided that the temporary buildings / structures do not significantly alter the lands. The existing residential dwelling is planned to be maintained on the site and only a temporary office of 70.85 square metres is proposed.

The proposed development application meets the applicable criteria of enacting a Temporary Use By-Law outlined in Sections 5.12.42 to 5.12.45 of the City of Brampton Official Plan:

- As the development application does not propose any permanent structures or buildings, the proposed use will be of temporary nature and will not entail major construction or investment. There will be no hardship in reverting to the original uses upon termination of the temporary use in accordance with Section 5.12.43(b).
- As the subject area is designated for commercial uses, the proposed temporary use is compatible with the surrounding land uses and character of the surrounding area in accordance with Section 5.12.43(c).
- The Functional Servicing Report has been deemed satisfactory with and confirms that the proposal does not require the extensions or expansion of existing municipal services in accordance with Section 5.12.43(d).
- The Traffic Impact Study has been deemed satisfactory and confirms that the proposal does not create any traffic issues within the surrounding area in accordance with Section 5.12.43(e).
- As the Temporary Use proposes the development of a motor vehicle sales establishment and the proposed use includes sufficient parking facilities entirely on-site in accordance with Section 5.12.42 and 5.12.43(f).
- Based on all of the above, the proposed use is generally desirable and compatible with the surrounding community in accordance with Section 5.12.43(g).

The Temporary Use By-law is proposed for a period of no more than three (3) years in accordance with Sections 5.12.42 to 5.12.45 of the City of Brampton Official Plan 'Brampton Plan' and the Planning Act. Based on the above, Staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the Brampton Plan.

Bram East Secondary Plan (Area 41)

The proposed development is located within the Bram East Secondary Plan (Area 41). The property is designated 'District Retail' and 'Special Policy Area 6' within the Secondary Plan.

Although a motor vehicle sales establishment is not permitted as per S.3.2.1.2(i) of the Secondary Plan, the proposal is for a temporary use redevelopment which allows for redevelopment of the site with an amendment to the Official Plan in accordance with S.5.10.2 of the 2006 Official Plan and S.5.12.44 of Brampton Plan.

Based on the above, Staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the Bram East Secondary Plan (SP41).

Zoning By-law

The 'Residential Rural Estate Two (RE2)' zone which permits a single detached dwelling, supportive housing residences, and purposes accessory to the other permitted purposes.

A Temporary Use Zoning By-law is required to facilitate the proposed use, as a motor vehicle sales establishment is not permitted by the current '*Residential Rural Estate Two (RE2)*' zone on the subject property. This Recommendation Report includes a copy of the proposed Temporary Use Zoning By-law Amendment required to be passed by Council in the event that the application is approved.

Community Engagement

The application was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject lands in accordance with and exceeding the Planning Act requirement of 120 metres for such applications. Public Notice signs were also placed on the subject lands to advise members of the public that an application had been filed with the City. This report along with the complete application requirements, including studies, have been posted to the City's website.

A Statutory Public Meeting for this application was held on May 15, 2023. No members of the public made delegations at the meeting and no pieces of written correspondence were received. Details of the Statutory Public Meeting are included in Attachment 7 of this report.

CORPORATE IMPLICATIONS

Financial Implications:

There are no financial implications identified at this time. Revenue collected through development application fees are accounted for in the approved operating budget.

Other Implications:

There are no other corporate implications associated with this application.

STRATEGIC FOCUS AREA

The report aligns with the strategic focus area "Growing Urban Centres & Neighbourhoods". The Temporary Zoning By-law Amendment will support commercial services within the City of Brampton.

Living the Mosaic – 2040 Vision

This report directly aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres with quality jobs. This report has been prepared in full consideration of the overall vision that the people of Brampton will 'Live the Mosaic'.

CONCLUSION

Staff is satisfied that the proposed Temporary Use By-law Amendment represents good planning. The proposal has regard for matters of provincial interest in Section 2.0 of the Planning Act, and the proposed development represents good planning, has regard for the Planning Act, is consistent with the Provincial Policy Statement 2024, the Regional Official Plan, the City of Brampton Official Plan (2006), Brampton Plan (2024).

The report recommends that Council enact the Temporary Use By-law Amendment attached hereto as Attachment 10. The By-law is appropriate for the orderly development of the lands considering the following:

- The proposed temporary use aligns with policies within the City of Brampton Official Plan (2006) and Regionally approved 'Brampton Plan', specifically Section 5.10 – Temporary Use By-Laws and Sections 5.12.42 to 5.12.45 - Temporary Use By-Laws, respectively; and
- The appropriate measures will be implemented to reduce the visual impacts of the proposed motor vehicle sales establishment on any neighbouring residential uses.

The application is appropriate for the orderly development of the lands and represents good planning. Staff recommends approval of the Temporary Use Zoning By-law Amendment, as the proposal is in the public interest.

Authored by:

Reviewed by:

Chinoye Sunny
Development Planner
Planning, Building and Growth
Management

Allan Parsons, MCIP, RPP
Director, Development Services & Design
Planning, Building and Growth
Management

Approved by:

Approved by:

Steve Ganesh, MCIP, RPP
Commissioner
Planning, Building and Growth
Management

Marlon Kallideen
Chief Administrative Officer

Attachments:

- Attachment 1— Concept Plan
- Attachment 2— Location Map
- Attachment 3— Official Plan Designations
- Attachment 4— Secondary Plan Designations
- Attachment 5— Zoning Designations
- Attachment 6— Aerial & Existing Land Use
- Attachment 7— Results of Public Meeting
- Attachment 8— Results of External Circulation
- Attachment 9— Detailed Planning Analysis
- Attachment 10— Draft Zoning By-law Amendment
- Attachment 10A— Draft Zoning By-law Amendment Schedule