

**Filing Date:** March 1, 2021  
**Hearing Date:** March 30, 2021

**File:** A-2021-0037

**Owner/  
Applicant:** 2459727 ONTARIO INC. / COLIN CHUNG, GLEN SCHNARR AND ASSOCIATES INC.

**Address:** 67 Sun Pac Boulevard

**Ward:** 8

**Contact:** Mark Michniak, Planner III, Development

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**Recommendations:**

That application A-2021-0037 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 no storage or waste collection is permitted in the front yard;
3. That no storage or waste collection is permitted in the rear yard;
4. That the applicant shall remove all dead trees in the front yard and shall provide in this landscape buffer: 5 Norway Maple, 70 mm caliper, in wire basket root ball, evenly spaced, as per City of Brampton Deciduous Tree Planting Detail;
5. That the use be approved for a temporary period of five (5) years from the final date of the decision of the Committee;
6. That no vehicle repair or storage of items other than trucks and trailers shall occur on the site, otherwise the variances shall be deemed null and void; and
7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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**Background:**

A previous approval to allow the variances within this application was approved by Committee for a temporary period of five (5) years (File A16-015). As a condition of this previous approval the owner was required to obtain a Site Plan Approval including the execution of a Site Plan Agreement (File SP07-032-002).

**Existing Zoning:**

The property is zoned "Industrial Four – Section 1548 (M4-1548)" according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variance:

1. To permit truck and truck trailer parking with associated office trailer on the property for a temporary period of five (5) years; whereas the use is not permitted.
2. To permit a minimum front yard depth of 13m, whereas 20m is required.
3. To permit a minimum side yard width of 1.0m, whereas 8.0m is required.
4. To permit no landscaping in a side yard, whereas a minimum of 50 percent of a required side yard requires landscaping.

**Current Situation:**

**1. Conforms to the Intent of the Official Plan**

The property is designated "Industrial" in the Official Plan and "Industrial" in the Gore Industrial North Secondary Plan (Area 14). The Secondary Plan recognizes the storage of good as an industrial use and allows for outside storage subject to detailed design considerations. The long term planned function for the site as an industrial use is not undermined by the requested variances. Subject to the recommended conditions of approval, the requested variances are consider to maintain the general intent of the Official Plan.

**2. Conforms to the Intent of the Zoning By-law**

The property is zoned "Institutional Four – Section 1548 (M4-1548)" according to By-law 270-2004, as amended.

The storage of goods within an enclosed building is a recognized use within this zone and truck and trailer parking is often an accessory component of industrial uses The variance to allow this as a standalone use can be viewed similarly to these permitted industrial uses. The variance is in keeping with the general intent of the By-law.

The second and third variances both relate to the reduction of setbacks. The intent of setback provisions within the Zoning By-law is to reduce potential negative impacts on adjacent properties. The uses on adjacent properties are similar in nature and do not appear to be negatively impacted. The variances are in keeping with the general intent of the By-law.

The intent of the final variance is to maintain an appropriate streetscape and to facilitate drainage. The removal of landscaping in the side yard does not appear to impact the

streetscape or drainage of the property. The variance is in keeping with the general intent of the By-law.

3. Desirable for the Appropriate Development of the Land

Outside storage by nature can become unsightly if the site is not maintained and appropriately screened from view. To maintain appropriate screening the setback areas should be free of all storage and waste collection and planted with trees to screen the site. Furthermore, there should be no other outside storage permitted on the site other than the proposed truck and truck trailer parking. Subject to the recommended conditions, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The proposed truck and truck trailer parking is requested for a period of five (5) years. This provides the City with the opportunity to reconsider whether the use should persist. In addition, the variances will not create an adverse impact on adjacent properties. Due to both the temporary nature of the use and lack of adverse impacts, the variances are considered to be minor in nature.

Respectfully Submitted,



Mark Michniak, Planner III, Development