

**Date:** 2023-01-20

**File:** **OZS-2022-0016**

**Subject:** **RECOMMENDATION REPORT**  
Application to amend the Zoning By-law for a Temporary Period of Three Years  
*(To permit the outdoor storage of oversized vehicles, associated 20 personal motor vehicle parking, and accessory office space)*  
**Glen Schnarr & Associates Inc. – 2769197 Ontario Inc.**  
8195 Winston Churchill Boulevard  
East side of Winston Churchill Blvd, North of Steeles Ave W.  
Ward: 6

**Contact:** David Vanderberg, Manager, Planning, Building and Growth Management, 905-874-2325, david.vanderberg@brampton.ca

**Report Number:** Planning, Bld & Growth Mgt-2023-112

**Recommendations:**

1. **THAT** the report titled: **Recommendation Report**, Application to Amend the Zoning By-law for a Temporary Period of Three Years, **Glen Schnarr & Associates Inc. – 2769197 Ontario Inc.**, 8195 Winston Churchill Boulevard Ward 6 (File: OZS-2022-0016), dated January 20, 2023 to the Planning and Development Committee Meeting of February 13, 2023, be received;
2. **THAT** Temporary Zoning By-law Amendment application submitted by Glen Schnarr & Associates Inc. on behalf of 2769197 Ontario Inc., Ward: 6, File: OZS-2022-0016, be approved, on the basis that it is consistent with the *Planning Act* and the City's Official Plan for the reasons set out in this report;
3. **THAT** the amendments to the Zoning By-law, generally in accordance with Appendix 8 to this report, be adopted subsequent to the approval of the following studies: Functional Servicing Report, Noise Study, Traffic Impact Study, and Environmental Impact Study; and

**Overview:**

- **This report recommends approval of an application to amend the Zoning By-law for a temporary period of three years to permit the outdoor storage of oversized vehicles, personal vehicle parking, and an accessory office space at 8195 Winston Churchill Boulevard, with minor revisions being completed some technical studies prior to the Council approval of the amending by-law.**
- **It is noted that a site plan application will need to be approved prior to establishment of the temporary use.**
- **The property is designated “Industrial” and “Open Space” in the Official Plan and “Highway & Service Commercial” & “Standard Industrial” in the Bram West Secondary Plan (Area 40a). In accordance with Section 5.10.2 of the Official Plan, a temporary use bylaw does not require an amendment to the Official Plan.**
- **The property is zoned as “Agricultural (A)” by By-Law 270-2004, as amended. An amendment to the Zoning By-law is required to permit the proposed uses for a temporary period of 3 years.**
- **A Statutory Public Meeting was held on June 16<sup>th</sup>, 2022. There were no delegations at the meeting. However, there was one written submission received by Gagnon Walker Domes on behalf of Maple Lodge Farms Ltd. Details of the Statutory Public Meeting are included in Appendix 10 of this report.**
- **The proposed Temporary Use Zoning By-law amendment is consistent with the Planning Act and the City of Brampton Official Plan Temporary Use Policies.**
- **The proposal is consistent with the “2022 - 2026 Term of Council Priorities” by supporting “A City of Opportunities” theme. The proposal is consistent with the direction of building complete communities to accommodate growth for people and jobs.**

**Background:**

This application was submitted by Glen Schnarr & Associates Inc. on February 28th, 2022. This submission was reviewed for completeness and found to be complete in accordance with the Planning Act. A formal Notice of Complete Application was provided to the applicant on March 23rd, 2022.

## **Current Situation:**

### Proposal:

The applicant is proposing to amend the Zoning By-law to temporarily permit storage of oversized motor vehicles. It is also proposed that the existing dwelling on the site be used for an associated office.

Details of the proposal are as follows:

- repurposing of the existing dwelling for an office use with a total Gross Floor Area of approximately 453 square metres;
- 20 personal motor vehicular parking spaces located towards the front of the property;
- 100 oversized vehicle parking spaces at the rear of the existing building;
- Open space at the rear (east) of the property to remain largely undisturbed;
- 3m landscape buffers on the north and south property boundaries; and
- A sound barrier along the northern property line to mitigate noise impacts to the adjacent residential properties.

### Property Description and Surrounding Land Use

The subject property has the following characteristics:

- is municipally known as 8195 Winston Churchill Boulevard, which is on the east side of Winston Churchill Boulevard, north of Steeles Avenue West;
- has a total site area of approximately 2.0 hectares (4.9 acres);
- has a frontage of 50.5 metres on Winston Churchill Boulevard;
- is currently developed with a one-storey single detached dwelling and three accessory buildings; and,
- has areas in the rear of the property that are regulated by the Credit Valley Conservation Authority.

The surrounding land uses are described as follows:

- North: Two single-storey residential dwellings beyond which is an industrial facility currently being used by Maple Lodge Farms;
- South: A property developed with one building primarily used for retail and industrial uses accompanied by natural heritage features to the rear;
- East: Vacant land; and
- West: Winston Churchill Boulevard, beyond which are residential dwellings and agricultural lands located in the Town of Halton Hills.

### Summary of Recommendations

This report recommends that Council approve the temporary Zoning By-law amendment attached hereto as Appendix 8. The temporary permission would apply for a period of three (3) years. If the landowner would like to extend the use of the property for a longer temporary period, they will need to submit a new application for temporary use. Staff notes that prior to the establishment of the storage use on the property, a site plan application will first also need to be approved.

### Planning Analysis

The proposed Temporary Zoning By-law Amendment is consistent with the Temporary Use By-law policies outlined in Section 5.10 of the City's Official Plan and satisfies Section 39 of the Planning Act, which enables Temporary Use Zoning By-laws for three year periods.

Included in the application were various reports and studies in support of the proposal. These documents included: the Planning Justification Report (PJR); Noise Study; Functional Servicing Report (FSR); and the Traffic Impact Study (TIS). These documents provided the rationale and evidence needed to determine whether the proposal met the intent of the Official Plan.

In review of these documents it was determined that the proposed temporary use would not impact the long term planning vision for the property and is not anticipated to have negative impacts on existing adjacent uses.

Potential impacts related to noise and the disruption of the natural heritage features were identified and solutions to satisfactorily mitigate those impacts have been identified. The solutions include the erection of a new noise barrier as well as site configurations that will protect and maintain the existing natural heritage features. Staff note there are minor revisions required for the above noted reports and studies and will need to be finalized prior to the adoption of the implementing by-law.

The site plan application will help to ensure that: all proposed works on site are satisfactory; there are no negative impacts to the surrounding uses, financial securities are received to help ensure that required physical features are implemented, and a site plan agreement is registered on title.

The detailed analysis of these documents can be found in Appendix 8.

Community Engagement

The statutory public meeting for this application was advertised in the local newspaper, and the application was circulated to City Departments, commenting agencies, and to property owners within 240 metres of the subject lands by mail, which exceeds the requirements of the Planning Act.

A copy of department/agency comments are included in Appendix 12 of this report. Notice signs were also placed on the subject lands to advise members of the public that an application to amend the Zoning By-law 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 June 16<sup>th</sup>, 2022. Details of the Statutory Public Meeting are included in Appendix 10 of this report. No delegations were received, but one letter of correspondence was received from GWD planners on behalf of Maple Lodge Farms, the owner of the chicken processing plant located to the north of the subject site.

Below is a table containing a summary of the issues that were raised through GWD’s letter, and the staff’s responses to them:

Issue	Response
That the proposed encroachment into the floodplain will have negative impacts on 8175 Winston Churchill Blvd.	The applicant has revised their proposal to remove the below grade stormwater chamber as well as the oversized parking spaces that were initially located in the floodplain.
That a temporary use permission should not including a full rezoning from Agricultural (A) to Industrial Two (M2)	The Draft Zoning By-law has been revised to no longer rezone the lands to an industrial zone. It now maintains the current Agricultural (A) zoning with additional temporary use provisions.
Proposed works should not be considered “Temporary” as per the Official Plan	The proposed works do not include any new structures on the property, and moderate site improvements are to be completed to allow the use to function while mitigating issues, such as the the noise barrier and stormwater chamber. These improvements can be removed to allow for the future redevelopment of the site in line with the City’s planning policies for the area.

**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.

**Term of Council Priorities:**

The application is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs.

Living the Mosaic – 2040 Vision

This report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’.

**Conclusion:**

The Development Services Division undertook a circulation of the application to ensure that all technical matters have been satisfactorily addressed. The application is consistent with the Planning Act and the Temporary Use By-law policies of the City’s Official Plan. Staff therefore recommend that the temporary Zoning By-law Amendment be approved.

Authored by:

Reviewed by:

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Planning, Building and Growth  
Management

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Approved by:

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Steve Ganesh, MCIP, RPP  
Commissioner  
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Marlon Kallideen  
Chief Administrative Officer

**Attachments:**

Appendix 1 - Concept Plan

Appendix 2 - Location Map

Appendix 3 - Official Plan Designation

Appendix 4 - Secondary Plan Designations

Appendix 5 - Zoning Designations

Appendix 6 – Existing Land Uses

Appendix 7 – Heritage

Appendix 8 – Temporary Zoning By-law Amendment

Appendix 9 - Detailed Planning Analysis

Appendix 10 - Public Meeting Results

Appendix 11 - Results of Application Circulation