

**Detailed Planning Analysis**  
**City File Number: OZS-2024-0045**

**Overview**

The proposal has been reviewed and evaluated against the Planning Act, Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and other applicable City of Brampton guidelines and priorities.

The Planning Act, Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe (Growth Plan), and the Brampton Official Plan provide direction and policies that encourage efficient and sustainable development through development, and the use of existing infrastructure to provide an appropriate mix and density of land uses and built form. These documents support land use planning in a logical, well-designed manner that supports sustainable long-term economic viability.

**Planning Act R.S.O 1990:**

The proposed development has been reviewed for its compliance to matters of provincial interest as identified in Section 2 of the Planning Act R.S.O 1990 in terms of:

**Section 2:**

(f) The adequate provision and efficient use of communication, transportation, sewage and water services, and waste management systems;

(h) The orderly development of safe and healthy communities;

(o) The protection of public health and safety;

(p) The appropriate location of growth and development;

(q) The promotion of development that is designed to be sustainable, to support public transit, and to be oriented to pedestrians;

(r) The promotion of built form that,

- i. Is well-designed,
- ii. Encourages a sense of place, and
- iii. Provides for public spaces that are high quality, safe, accessible, attractive, and vibrant.

**Section 39: Temporary Use Provisions**

- (1) The council of a local municipality may, in a by-law passed under section 34, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law.
- (2) A by-law authorizing a temporary use under subsection (1) shall define the area to which it applies and specify the period of time for which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the by-law.
- (3) Despite subsection (2), the council may by by-law grant further periods of not more than three years each during which the temporary use is authorized.
- (4) Upon the expiry of the period or periods of time mentioned in subsections (2) and (3), clause 34 (9) (a) does not apply so as to permit the continued use of the land, buildings or structures for the purpose temporarily authorized.

### **Analysis: Planning Act R.S.O 1990**

The site currently has dual frontage along Coleraine Drive and Countryside Drive, both of which are not constructed to industrial standards. The zoning by-law amendment contains a Holding (H) symbol to prevent the use enactment of the by-law until such time as a satisfactory Functional Servicing Report, Traffic Impact Study and Noise Impact Study have been submitted and approved by the Region of Peel and the City of Brampton prior to enactment of the Temporary Zoning By-Law Amendment.

Furthermore, the proposal represents orderly development as it will make efficient use of the lands in accordance with Section p) of the Planning Act. The subject property is located within an area planned for industrial land uses and in close proximity to the existing CPKC Railway – Vaughan Intermodal Terminal, Highway 50 and the northerly extension of Highway 427.

The subject lands are located within the Ministry of Transportation (MTO) Protection Corridor and the proposed Highway 413 transportation corridor. As such, temporary truck parking as an interim use until September 2025 is deemed as an appropriate land use given the long-term development restrictions with proposed Highway 413. The proposed use represents the appropriate location for the development in accordance with Section 2 (p).

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

### **Provincial Policy Statement (PPS):**

The proposal was reviewed for its consistency with the matters of provincial interest as identified in the Provincial Policy Statement (PPS). Through staff review it was determined that the proposed development has regard for the pertinent PPS policies that are applicable to this application:

Section 1.1.1 – Healthy, liveable, and safe communities are sustained by:

- a. Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b. Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c. Avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d. Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e. Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- g. Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs

Section 1.1.2 – Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area. Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas. Nothing in policy 1.1.2 limits the planning for infrastructure, public service facilities and employment areas beyond a 25-year time horizon.

Section 1.1.3.1 – Settlement areas shall be the focus of growth and development.

Section 1.1.3.2 – Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) Prepare for the impacts of a changing climate;
- e) Support active transportation;
- f) Are transit-supportive, where transit is planned, exists or may be developed; and
- g) Are freight supportive.

Section 1.2.6.1 – Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odor, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Section 1.2.6.2 - Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) There is an identified need for the proposed use;
- b) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) Adverse effects to the proposed sensitive land uses are minimized and mitigated;
- d) Potential impacts to industrial, manufacturing, or other uses are minimized and mitigated.

Section 1.1.3.6 - New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of use and densities that allow for efficient use of land, infrastructure, and public service facilities.

Section 1.3.1 – Planning authorities shall promote economic development and competitiveness by:

- a) Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a

- wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) Facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites and seeking to address potential barriers to investment;
  - d) Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing Policy 1.4; and
  - e) Ensuring the necessary infrastructure is provided to support current and projected needs.

Section 1.3.2.6 – Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

Section 1.6.7.2 – Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

Section 1.7.1 – Long-term economic prosperity should be supported by:

- e) Optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities;
- f) Encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

### **Analysis: Provincial Policy Statement**

The proposed development is located within a Settlement Area as defined in provincial and municipal planning documents. The proposal is also located in an Employment Area and in close proximity to major goods movement transportation infrastructure networks such as Highway 50. The proposed temporary use will not prevent the lands from being developed for long-term logistics and transportation uses in accordance with the City's Official Plan policies in the future to meet long-term employment 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 industrial land uses, and in close proximity to the existing CPKC Railway – Vaughan Intermodal Terminal, Highway

50 and the northerly extension of Highway 427. Two existing residential dwellings exist within the immediate vicinity, where appropriate buffers, landscape treatments, and noise mitigation measures will be implemented through the Lifting of the H and Site Plan approval process.

A Holding (H) symbol is recommended for the Zoning By-Law Amendment which prevents the land use permissions until such time as an appropriate Functional Servicing Report, Noise impact Study and Traffic Impact Study is submitted to the satisfaction of the City of Brampton. Staff is satisfied that the recommended By-law Amendment and Holding (H) provisions satisfy policy 1.1.1 of the PPS.

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

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe**

The Growth Plan promotes development that contributes to complete communities, creates street configurations that support walking, cycling and sustained viability of transit services which creates high quality public open spaces.

The subject lands are located within the 'Designated Greenfield Area' on Schedule 2 – A Place to Grow Concept of the Growth Plan for the Greater Golden Horseshoe (2020). The proposal was evaluated against the Growth Plan for the Greater Golden Horseshoe (GGH), and it was determined that it conforms to the applicable policies of the Growth Plan.

The subject lands are also located within a Provincially Significant Employment Zone (PSEZ). PSEZs are areas defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development.

The proposed development demonstrates conformity to the following sections of the Growth Plan:

Section 2.2.1.2 – Forecasted growth to the horizon of this plan will be allocated based on the following:

- a) The vast majority of growth will be directed to settlement areas that:
  - i. have a delineated built boundary;
  - ii. have existing or planned municipal water and wastewater systems; and
  - iii. can support the achievement of complete communities;

Section 2.2.5.1 – Economic development and competitiveness in the GGH will be promoted by:

- a) Making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;
- b) Ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;
- c) Planning to better connect areas with high employment densities to transit; and
- d) Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment

Section 2.2.5.5 - Municipalities should designate and preserve lands within settlement areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities.

Section 2.2.5.6 - Upper- and single-tier municipalities, in consultation with lower-tier municipalities, will designate all employment areas in official plans and protect them for appropriate employment uses over the long-term. For greater certainty, employment area designations may be incorporated into upper- and single-tier official plans by amendment at any time in advance of the next municipal comprehensive review.

Section 2.2.5.7 – Municipalities will plan for all employment areas within settlement areas by:

- a) Prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use;
- b) Prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibiting any major retail uses that would exceed that threshold; and
- c) Providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility.

Section 2.2.5.8 - The development of sensitive land uses, major retail uses or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.

Section 2.2.5.12 – The Minister may identify provincially significant employment zones and may provide specific direction for planning in those areas to be implemented through appropriate official plan policies and designations and economic development strategies.

Section 2.2.5.13 - Upper- and single-tier municipalities, in consultation with lower-tier municipalities, will establish minimum density targets for all employment areas within settlement areas that: a) are measured in jobs per hectare; b) reflect the current and anticipated type and scale of employment that characterizes the employment area to

which the target applies; c) reflects opportunities for the intensification of employment areas on sites that support active transportation and are served by existing or planned transit; and d) will be implemented through official plan policies and designations and zoning by-laws.

Section 2.2.5.17 - Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment that cross municipal boundaries and are major trip generators, on matters such as transportation demand management and economic development. If necessary, the Minister may identify certain areas that meet these criteria and provide direction for a coordinated approach to planning.

Section 2.2.6.2 – Notwithstanding Policy 1.4.1 of the PPS, 2020, in implementing Policy 2.2.6.1 municipalities will support the achievement of complete communities by:

- a) Planning to accommodate forecasted growth to the horizon of this Plan;
- b) Planning to achieve the minimum intensification and density targets in this Plan;
- c) Considering the range and mix of housing option and densities of the existing housing stock; and
- d) Planning to diversify their overall housing stock across the municipality.

Section 2.2.7.1 - New development taking place in designated greenfield areas will be planned, designated, zoned, and designed in a manner that:

- a) Supports the achievement of complete communities;
- b) supports active transportation; and
- c) encourages the integration and sustained viability of transit services.

Section 2.2.7.2 – The minimum density target applicable to the designated greenfield area of each upper- and single-tier municipality is as municipality is as follows:

- a) The Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare;

### **Analysis: A Place to Grow: Growth Plan for the Greater Golden Horseshoe**

The subject site is located within the 'Designated Greenfield Area' within the Growth Plan, in which infrastructure services and public transit are planned. The proposal conforms to the Growth Plan for the GGH by directing development within the 'Designated Greenfield Area'. Furthermore, the proposed development is temporary in



nature and will not prevent the lands from being developed in the future for higher-order employment uses. The proposal will support the movement of goods within the City of Brampton and Region of Peel for the 3-year duration of the Temporary Use By-Law in accordance with Sections 2.2.5.1, 2.2.5.5, and 2.2.5.6.

The proposed truck and trailer parking is temporary in nature, and as such, will not preclude the site from adhering to the minimum intensification targets established in the Growth Plan in accordance with Section 2.2.7.2.

Policy 2.2.5.8 states that development of sensitive land uses, major retail uses, or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment. The subject property is located within a location planned for industrial land uses, and in close proximity to the existing CPKC Railway – Vaughan Intermodal Terminal, Highway 50 and the northerly extension of Highway 427. Two existing residential dwellings exist within the immediate vicinity, where appropriate buffers, landscape treatments, and noise mitigation measures will be implemented through the Lifting of the H, and Site Plan approval process.

Based on the above, staff is satisfied that the proposed Temporary Zoning By-law Amendment is consistent with the policies of the Growth Plan.

#### **City of Brampton Official Plan (2006):**

The City of Brampton Official Plan guides the physical growth and development of the City and guides land use decision-making to meet the needs of current and future residents to 2031. The plan incorporates policies from the Region of Peel Official Plan, PPS, and Growth Plan to address land use planning decisions.

The property is designated “Industrial” and “Special Study Area” in Schedule A: General Land Use Designations of the Official Plan. The “Industrial” designation permits light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing, and distribution. The Brampton Official Plan sections that are applicable to this application include but are not limited to:

#### Section 4.4.2 – Industrial

The Industrial section of this Plan provides for the development of light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing, and distribution. Corporate head offices and high-performance industrial uses such as research and development facilities are also permitted in the Industrial designation. The designation of non-industrial uses will be strictly controlled as they are intended to primarily provide a supporting role to the local employment base. It is recognized that employment areas accommodate a certain range of ancillary uses without negatively impacting the viability of employment lands or employment operations. Accordingly,

these uses are not subject to policy 4.4.2.18. Major Retail development shall not be permitted in areas designated industrial in the Official Plan.

Section 4.4.2.2 - The City will accommodate employment growth to 2031 in the order of 70,000 to 90,000 employment land employment jobs, which may include limited amounts of service, retail, office and institutional uses. This growth will occur on new lands designated primarily as employment land and existing vacant employment lands. Some of the employment growth may be accommodated through the intensification of existing employment areas provided that the City-wide forecasts as outlined in.

Section 5.10.1 – The City may enact temporary use by-laws for renewable periods of not more than 3 years, permitting the use of land, buildings or structures on a temporary basis. The provisions of Section 39 of the Planning Act, 1990, regarding the enactment and subsequent extensions to such by-laws shall apply.

Section 5.10.2 - The City shall, in considering the enactment of a temporary use by-law, be satisfied that:

- (i) The proposed temporary use does not create or aggravate any situation detrimental to adjacent complying uses;
- (ii) The temporary use does not adversely affect surrounding uses in terms of air pollution, odour, noise, light or traffic generation;
- (iii) The temporary use does not interfere with the development of adjacent areas that are developing in accordance with this Plan;
- (iv) Adequate provision will be made for off-street parking and loading facilities; and,
- (v) The temporary use does not create a service demand that the City and other relevant public authorities cannot fulfill.

Section 5.10.3 – Temporary Use by-laws may be passed without the necessity of amending this Plan provided the use is a temporary one which utilizes largely existing or temporary buildings and structures and does not require the extensive construction of permanent buildings or structures or, the significant alteration of the land to accommodate the temporary use.

Section 5.10.4 - Upon the expiry of the time period(s) authorized by a temporary use bylaw, the use of land, buildings or structures that were permitted under such a by-law shall cease to exist and shall not be considered nonconforming within the context of the Planning Act or this Plan.

#### **Analysis: City of Brampton Official Plan (2006)**

In accordance with S. 5.10.2 ii) of the Official Plan, staff recommends the use of a Holding (H) symbol in the Temporary Use By-law to ensure that a satisfactory Functional Servicing Report, Noise Impact Study and Traffic Impact Study is received by staff prior to the use permissions commencing.

City Staff understands that revisions are required to the Functional Servicing Report prepared by Crozier to demonstrate how the City's minimum criteria for stormwater quantity, quality, and water balance can be achieved on the subject site, as well as additional details pertaining to the feasibility of overall servicing. City Staff recommends that the Holding (H) symbol shall not be lifted until such time that a satisfactory Functional Servicing Report has been provided by the applicant to ensure the feasible servicing are implemented on-site at the site plan stage of development.

Furthermore, a Traffic Impact Study prepared by UrbanTrans has been submitted in support of the application to assess the impacts of the proposed temporary use on the local transportation network. The Traffic Impact Study has been reviewed by City and Regional Traffic staff and has not been deemed fully satisfactory to support the proposed development. Minor refinements to the Traffic Impact Study are required to satisfy Region of Peel requirements as Coleraine Drive is a Regional Road that is heavy truck restrictive.

In accordance with Section 5.10.2 ii) of the Official Plan, Staff recommends the use of a Holding (H) symbol to prevent the commencement of the temporary use permissions until such time as a Traffic Impact Study is submitted to the satisfaction of the City of Brampton and the Region of Peel.

A satisfactory Noise Impact Study is required to be submitted by the applicant to satisfy the Ministry of Environment Conservation and Parks (MECP) guidelines. At the time of writing this report, a Noise Impact Study was received and is currently under review by City Engineering staff. City staff are recommending the use of a Holding (H) symbol, which will require a satisfactory Noise Impact Study to demonstrate that appropriate noise mitigation measures are implemented on-site.

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 given the long-term development restrictions with the MTO Protection Corridor Area proposed Highway 413 in accordance with 5.10.2(iii).

The Temporary Use By-law is proposed for until September 2025 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 "Employment" in Schedule 2: Designations of the Official Plan. The 'Employment' designation permit land uses such as warehousing, distribution,

construction, light and heavy industrial uses, trades, outdoor storage, and other uses requiring a range of land parcel sizes. The 'Brampton Plan' sections that are applicable to this application include but are not limited to:

Section 2.2.8 - Brampton Plan provides a clear and stable long-term vision for the city that will promote economic growth, leading to capital investments in infrastructure, innovation and employee development. That confidence spills over to the residents and labour market that grows to depend on these jobs. Within Employment Areas, new ideas, talent, and both local and foreign investment converges to revitalize older industrial areas, intensify employment opportunities, and expand economic opportunities in Designated Greenfield Areas.

Section 2.2.8.1 – Employment Areas are to be preserved to provide a diverse range of high-quality jobs and services and to foster innovation. To achieve this, Brampton Plan will:

- a. Protect Employment Areas and Plan for Employment Growth. Identify and preserve new and existing Employment Lands for employment growth and intensification to 2051, ensure adverse impacts between employment and sensitive land uses are minimized to maintain land use compatibility.
- b. Encourage Opportunities and Provide Flexibility. Support opportunities to connect Employment Areas to the rest of the city by transit to ensure residents can conveniently access a broad range of economic opportunities.

Section 2.2.8.2 - This section also addresses policies related to Provincially Significant Employment Zones and employment land conversions. Employment Areas will generally:

- a. Enhance the role of Brampton as an employment centre and primary office location within Peel Region, while accommodating a significant share of forecasted employment growth;
- b. Provide for a range of employment uses at appropriate locations that contribute to the creation of complete communities;
- c. Protect and preserve 'Employment Areas' from sensitive land uses that may adversely affect the continued viability of existing employment uses and their expansion in the future;
- d. Ensure that new development is compatible with the land uses and the pattern of adjacent and surrounding development;
- e. Encourage a high quality of urban design;
- f. Promote sustainable development practices;
- g. Improve the pedestrian experience; and,
- h. Improve access to transit services.

Section 2.2.8.3 - Lands within the Employment designation will be protected and reserved for employment uses including manufacturing, warehousing, logistics, office, and associated commercial, retail and ancillary uses.

Section 2.2.8.5 – The following uses are permitted on lands designated Employment Area on Schedule 2:

- a. Heavy and light industrial uses, including but not limited to manufacturing, processing, warehousing, distribution, storage, transportation facilities, truck parking, offices, vehicle repair and services, vehicle sales and service, industrial trade schools, utilities, vertical agriculture and controlled environment agriculture, agri-food sector businesses, and ancillary functions.
- b. Commercial uses, subject to appropriate screening, such as: outdoor storage areas, impound areas, storage, display or parking of heavy equipment, and uses that emit noise or vibration, create large volumes of regular truck traffic, and large structures such as domes or out-buildings with a negative visual impact subject to the policies in this section.
- c. Waste management facilities, including but not limited to landfill sites, transfer stations, community recycling centres, and waste processing and recovery plants.

Section 2.2.8.6 – The following additional uses are permitted, provided they are ancillary to the lands designated Employment Areas in which they are located and do not hinder the planned function of the Employment designation:

- a. Offices associated to the employment use, such as manufacturing, research and development and warehousing.
- b. Open spaces and Privately-owned Publicly Accessible Open Spaces.
- c. Small-scale restaurants, catering facilities, and small-scale service uses such as courier services, banks, and print shops.
- d. Small scale retail uses that are ancillary to and on the same lot as the principal employment use.

Section 2.2.8.7 – Ancillary uses may be permitted within the Employment Area designation, including appropriate locations for office, ancillary retail, service uses, and restaurant uses, which will be evaluated based on their potential impacts to ensure compatibility of uses within Employment Areas in accordance with the policies of this Plan and provincial plans and guidelines.

Section 2.2.8.9 - Major facilities will be directed to lands designated Employment Area to avoid, or if avoidance is not possible, to minimize and mitigate any potential adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Section 2.2.8.10 - To ensure the long-term operational and economic viability of major facilities, the planning and development of any proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial land use compatibility guidelines, standards, and procedures:

- a. There is an identified need for the proposed use;
- b. Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c. Adverse effects to the proposed sensitive land use are minimized and mitigated; and,
- d. Potential impacts to industrial, manufacturing, or other uses are minimized and mitigated.

Section 2.2.8.11 - Elementary and secondary schools and other sensitive land uses will not be permitted within the Employment Areas designation, unless permitted through a Major Transit Station Area study.

Section 5.12.39 - The Zoning By-law may contain holding provisions that specify the use(s) of land, buildings or structures that will be permitted when the holding symbol is removed consistent with the Planning Act. Until such time as the holding provision is removed, these uses will not be permitted.

Section 5.12.39 – The Zoning By-law may contain holding provisions that specify the use(s) of land, buildings or structures that will be permitted when the holding symbol is removed consistent with the Planning Act. Until such time as the holding provision is removed, these uses will not be permitted.

Section 5.12.40 - Holding provisions may be used to ensure that the goals, objectives, and policies of Brampton Plan are met prior to the holding symbol being removed. Holding provisions may be used to address requirements relating to such matters as servicing infrastructure; Natural Heritage, environmental or flood protection measures; noise, vibration, or odor mitigation; built form requirements; site plan processes and other such matters relating to the goals, objectives, and policies of this Plan.

Section 5.12.41 - To lift a holding symbol and permit development in accordance with the underlying zone, the applicant will need to fulfil the conditions identified in the holding by-law or as set out in the Zoning By-law. Once those conditions are satisfied, Council or its designate may lift the holding symbol to permit development.

Section 5.12.42 - A temporary use by-law will define the land to which it applies and prescribe the period of time during which it is in effect, to a maximum of three years

Section 5.12.43 - The City will consider the following when considering approval of a temporary use by-law:

- a. The proposed use will conform to the policies of Brampton Plan;
- b. The proposed use will be of a temporary nature, and will not entail major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original uses upon the termination of temporary use provisions;

- c. The proposed use is compatible with the surrounding land uses and character of the surrounding area;
- d. The proposed use is properly serviced and does not require the extension or expansion of existing municipal services;
- e. The proposed use does not create any traffic issues within the surrounding area;
- f. The proposed use will include sufficient parking facilities entirely on-site; and,
- g. The proposed use is generally desirable and compatible with the surrounding community.

Section 5.12.44 - Temporary use by-laws may be passed without the necessity of amending Brampton Plan provided the use is a temporary one which utilizes largely existing or temporary buildings and structures and does not require the extensive construction of permanent buildings or structures or, the significant alteration of the land to accommodate the temporary use.

Section 5.12.45 - Upon the expiry of the time period(s) authorized by a temporary use bylaw, the use of land, buildings or structures that were permitted under such a by-law will cease to exist and will not be considered nonconforming within the context of the Planning Act or this Plan.

### **Brampton Plan 2023 Analysis**

In accordance with S. 5.12.43 of the Official Plan, staff recommends the use of a Holding (H) symbol in the Temporary Use By-law to ensure that a satisfactory Functional Servicing Report and Traffic Impact Study is received by staff prior to the use permissions commencing.

City Staff understands that revisions are required to the Functional Servicing Report prepared by Crozier to demonstrate how the City's minimum criteria for stormwater quantity, quality, and water balance can be achieved on the subject site, as well as additional details pertaining to the feasibility of overall servicing. In accordance with Section 5.12.43(d), Staff recommends that the Holding (H) symbol shall not be lifted until such time that a satisfactory Functional Servicing Report has been provided by the applicant to ensure the feasible servicing are implemented on-site at the site plan stage of development.

Furthermore, a Traffic Impact Study prepared by UrbanTrans Consulting has been submitted in support of the application to assess the impacts of the proposed temporary use on the local transportation network. The Traffic Impact Study has been reviewed by City and Regional Traffic staff and has not been deemed fully satisfactory to support the proposed development, as some revisions are required to address remaining technical issues. In accordance with Section 5.12.43(e) of the Official Plan, Staff recommends the use of a Holding (H) symbol to prevent the commencement of the temporary use permissions until such time as a Traffic Impact Study is submitted to the satisfaction of the City of Brampton and the Region of Peel.

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 industrial 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 is generally satisfactory with minor comments 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 is generally satisfactory with minor comments 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 truck and trailer parking for an interim period until September 2025, the proposed use includes sufficient parking facilities entirely on-site in accordance with Section 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 until September 2025 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'.

### **Highway 427 Industrial Secondary Plan (Area 47):**

The proposed development is located within the Highway 427 Industrial Secondary Plan Area 47. The property is designated "Prestige Industrial", "Corridor Protection Area", and "Scoped Appealed Lands" in the Highway 427 Industrial Secondary Plan. The Secondary Plan outlines the policies associated with each designation. The Secondary Plan policies that are applicable to this application include but are not limited to:

Section 5.2.1.1 - Employment lands are an integral part of creating a complete community and will assist in achieving the City's employment targets. As such, the provision of employment lands is a critical element of this Secondary Plan.

Section 5.2.1.2 - Development within the lands designated Prestige Industrial, Business Park, Office Node and Logistics/Warehouse/Transportation can proceed based on individual subdivision or site plan applications, where appropriate, and prior to the



completion of the Master Environmental Servicing Plan subject to submitting the following studies that consider the natural heritage system, floodplain management, stormwater management, existing arterial roads and development staging constraints as determined in consultation with the City: an Urban Design Brief, an Environmental Impact Study, a Functional Servicing Report, a Traffic Impact Study and a Cost Sharing Agreement.

5.2.7.1 – The lands designated Prestige Industrial on Schedule SP47(a), shall permit the range of uses and be developed in accordance with Part 1, Section 4.4, and other relevant policies of the Official Plan. Permitted uses include research and development facilities, communication and/or telecommunication facilities, manufacturing and processing of semi processed or fully processed materials deemed not to have harmful impacts arising from dust, fumes, odour, noise or vibrations, assembling, packaging and warehousing facilities, provided that such uses operate within wholly enclosed buildings and have no outdoor storage of goods and materials subject to the location and screening criteria contained within the implementing zoning by-law. In addition, lands within the Prestige Industrial designation shall also permit offices, hotels, conference/convention centers, and within which may permit limited accessory retail, and business support services. Day nurseries and open space uses such as stormwater management facilities may also be permitted within lands designated Prestige Industrial, without an amendment to this Plan.

Ancillary and service retail uses (up to 25% of the total gross floor area of the principal use but not exceeding 550 sq. metres in gross floor area) shall be permitted where integrated as a component of an employment use.

5.2.7.2 – Development of the lands within the Prestige Industrial designation shall be based on the following policies:

- i) An enhanced building design shall be required and undeveloped portions of lots shall be landscaped to achieve the intended prestige image;
- ii) Outdoor storage including truck trailer parking as a primary use shall not be permitted;
- iii) Limited accessory outside storage areas shall not directly abut arterial class roads and shall be appropriately set back and screened in accordance with the requirements of the implementing zoning by-law;
- iv) From a streetscape perspective, large lots/blocks shall be encouraged along arterial roads;
- v) The number of access points from individual lots to public roads shall be minimized. Shared access and internal connections between multiple lots is encouraged;
- vi) Provision shall be made to minimize adverse impacts on adjacent residential uses that exist or which are planned for the area through site design, landscaping and appropriate buffer treatments;

- vii) Natural features are to be integrated in site design where appropriate and feasible, and are to be supplemented by landscaping in order to create a “parklike” setting;
- viii) The City may require the submission of a detailed development concept or Tertiary Plan as part of a planning application to demonstrate how the subject lands and adjacent area can be comprehensively developed to the satisfaction of the City and the Region of Peel;
- ix) The negative visual impact of automobile and truck parking, service and delivery areas shall not be intrusive, and shall be minimized in accordance with the City’s Development Design Guidelines and the site specific architectural design and landscape and screening measures contained within the approved urban design guidelines for these lands.

Section 7.2.1 - The City of Brampton recognizes the importance of protecting the future GTA West Transportation Corridor and its associated interchanges and accesses. The City also recognizes the interests of the Province and neighbouring municipalities to ensure that the development of the Area 47 OMB Order PL141189 dated March 28, 2017. - Under appeal to the extent of the Corridor Protection Area. 57 lands does not preclude or predetermine the findings and requirements of the ongoing Environmental Assessment, the potential routing of the corridor and the future location of interchanges and accesses.

In recognition of these interests, the following policies will apply to all development applications and planning approvals that pertain to lands within the Corridor Protection Area on Schedule SP47(a):

- i) The City and the Region of Peel will continue to work with MTO to assist with the GTA West Corridor EA process;
- ii) Any amendments to reflect the release of lands from the Corridor Protection Area may occur without the need for an official plan amendment;
- iii) Development applications wholly within the Corridor Protection Area shall not be approved by the City;
- iv) The review of development applications for lands within the Corridor Protection Area shall occur as follows:
  - a. Applications may be processed to the extent practical in conjunction with the progress of the GTA West Corridor EA and in a manner that does not preclude or predetermine the findings and requirements of the Environmental Assessment, potential route alignment options or the future location of interchanges and accesses;
  - b. If there is any uncertainty or dispute as to whether the lands have been released from the Corridor Protection Area, through consultation with the Province, the Province will confirm whether the lands have been formally released;
  - c. If there is disagreement by any affected party about whether lands should be released, the City, the Region and the Province will consult with each other to resolve that issue as soon as practicable;

- v) Notwithstanding (iv) above, zoning by-laws pursuant to Section 39 of the Planning Act may permit the temporary use of land, buildings, or structures provided the temporary use meets the following conditions:
- a. Is consistent with the general intent of this Chapter;
  - b. Is compatible with adjacent land uses;
  - c. Is temporary in nature and can be easily terminated when the temporary zoning by-law expires;
  - d. Does not require new buildings or significant structures;
  - e. Does not require significant grading of lands;
  - f. Sufficient servicing and transportation capacity exists for the temporary use;
  - g. Maintains the long-term viability of the lands for the uses permitted in this Plan; and,
  - h. The duration of use and proposed interim use are to the satisfaction of the City.

Section 7.2.2 - A Block Plan for the residential lands, or a Tertiary Plan with respect to employment lands, that are outside of the Corridor Protection Area shall demonstrate through the submission of a transportation study, among other means, to the satisfaction of the City and the Region that a comprehensive road network, access and servicing plan can be accommodated, or can be reserved, in the Block Plan or Tertiary Plan, as appropriate, that will effectively integrate development and accommodate improvements to the internal and external road networks.

Section 7.2.3 - Once an alignment for the GTA West Corridor has been approved as part of an Environmental Assessment, the City will undertake a review to determine if any adjustments to the land use designations are required. The results of the review will be implemented by way of an official plan amendment.

**Analysis: Highway 427 Industrial Secondary Plan (Area 47):**

The property is “Prestige Industrial”, “Corridor Protection Area”, and “Scoped Appealed Lands” in Secondary Plan Area SP47.

Section 5.2.9.1 of the Secondary Plan permits outdoor storage subject to screening criteria. The applicant is providing 3 metres of landscaping, including planting and fencing, along all lot lines abutting the proposed temporary use to reduce any visual impacts in accordance with Section 5.2.9.1 of the Highway 427 Secondary Plan.

The current “Corridor Protection Area” designation greatly inhibits development for the unseeable future due to the proposed Highway 413. The lands are designated for Logistics in the Official Plan and note that Brampton is a major national logistics hub of warehousing and light manufacturing with links by rail, air, and roads. The movement of goods has an integral role in the logistics economy and job sector of Brampton.

Based on the above, Staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the Highway 427 Secondary Plan (SP47).

### **Zoning By-law**

The subject properties are currently zoned 'Agricultural (A)'.

### **Analysis: Zoning By-law**

The 'Agricultural (A)' zone permits land uses such as agricultural purposes, single detached dwellings, supportive housing residence types, cemeteries, animal hospitals, kennels, a home occupation, and/or accessory uses.

A Temporary Use Zoning By-law is required to facilitate the proposed use, as truck and trailer storage is not permitted by the current "*Agricultural – A*" 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.

A Holding Provision is proposed to be included with the Temporary Use By-law to ensure outstanding matters are addressed prior to the commencement of the temporary land use permissions. In this regard, the Holding Symbol prohibits the development of the lands until the following is satisfied:

- I. Confirmation that a satisfactory Functional Servicing Report has been provided and approved to the satisfaction of the City of Brampton, the Region of Peel and the Toronto and Region Conservation Authority;*
- II. Confirmation that a satisfactory Noise Report has been proved and approved to the satisfaction of the City of Brampton.*
- III. Confirmation that a satisfactory Traffic Impact Study has been provided and approved to the satisfaction of the Region of Peel.*

### **Technical Studies**

The following paragraphs summarize the technical studies and reports that were provided in support of the development application.

### **Planning Justification Report**

The Planning Justification Report prepared by SGL Planning and Design Inc. was submitted to provide policy context and planning rationale to support the proposed development. The report concludes that the objectives of the PPS, the Growth Plan, the Region of Peel Official Plan, the City of Brampton Official Plan, and the Highway 427 Secondary Plan are satisfied that the proposed development represents good planning.

Planning staff have reviewed the PJR and found it satisfactory.

### **Functional Servicing and Stormwater Management Report**

A Functional Servicing Report was prepared by C.F. Crozier & Associates Inc. to assess how the site may be serviced regarding site grading, stormwater management, water supply, and sanitary sewage.

City of Brampton Environmental Engineering staff have determined that minor revisions are required to the Functional Servicing Report to demonstrate how the City's minimum criteria for stormwater quantity, quality, and water balance can be achieved on the subject site, as well as additional details pertaining to the feasibility of overall servicing. A Holding provision is recommended for the Temporary Use By-law which requires the applicant to submit a satisfactory Functional Servicing Report prior to the temporary use permissions commencing.

### **Traffic Impact Study**

A Traffic Impact Study (TIS) was prepared by UrbanTrans to assess the transportation related aspects of the proposed development. The memo includes a review and assessment of the existing road network, potential impact of traffic generated by the proposed development, and identification of the mitigation measures required to ensure the road network operates safely upon completion of the project.

At this time, City of Brampton and Region of Peel staff have provided high level comments and require further refinement to the Traffic Impact Study. A Holding Provision is recommended in the Temporary Use By-law which requires the submission of a satisfactory Traffic Impact Study to the satisfaction of the City of Brampton prior to the commencement of the temporary use permissions.

### **Stage 1 and 2 Archaeological Assessment**

A Stage 1 and 2 Archaeological Assessment was prepared by AMICK Consultants Limited in support of this application. The City of Brampton Heritage staff have confirmed that the archaeological assessment and archaeological conservation requirements have been met.

### **Tree Inventory & Preservation Plan**

A Tree Inventory & Preservation Plan was prepared by Kuntz Forestry Consulting Inc. The Open Space department have reviewed the Tree Inventory & Preservation Plan and have found the document to be satisfactory.

### **Environmental Impact Study**

An Environmental Impact Study was prepared by GEI Consultants to assess the potential impacts of the proposed development on the natural features located on the subject property. Environmental Planning staff have evaluated the study and have no further concerns with respect to the Environmental Impact Study.

### **Noise Study**

The Noise Control Feasibility Report was prepared by Valcoustics to assess the feasibility of a proposed temporary truck and trailer parking lot. The purpose of the noise study was to assess the impact of noise generated by the development, and the adjacent residential properties to the south west of the property.

The Noise Study has not been approved by the City of Brampton at this time. A Holding Provision is recommended in the Temporary Use By-law which requires a satisfactory Noise Impact Study to the satisfaction of the City of Brampton prior to the Lifting of the Holding Symbol.