

Detailed Planning Analysis
City File Number: OZS-2024-0054

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, the City's 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), the Peel Regional Official 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:

(a) the protection of ecological systems, including natural areas, features and functions;

(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 proposal represents orderly development as it will make efficient use of the lands in accordance with Section p) of the Planning Act. The proposed temporary use of the lands for truck and trailer parking is located on lands designated 'Business Park' and 'Corridor Protection Area' in the Highway 427 Industrial Secondary Plan, and accordingly, does not encroach on lands designated for Prestige Industrial or office uses. The proposal maintains appropriate holding provisions with respect to an FSR, and TIS ensure that provincial interests are maintained.

The subject lands are located within the Ministry of Transportation (MTO) Protection Corridor and the proposed Highway 413 transportation corridor. As such, the primary temporary truck parking use as an interim use 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 and Highway 427. 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.

A Holding (H) symbol is recommended for the Zoning By-Law Amendment which prevents the land use permissions until such time as the appropriate studies are 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 and recreational facility are 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.

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

Region of Peel Official Plan (April 2022)

The Region of Peel Official Plan sets the Regional context for more detailed planning by protecting the environment, managing resources, directing growth and establishing a basis for providing Regional services in an efficient and effective manner. The subject application is within the “Urban System” in Schedule E-1: Regional Structure and “Designated Greenfield Area” in Schedule E-3 of the Region of Peel Official Plan. The subject lands are also within an “Employment Area” in Schedule E-4.

The proposal was evaluated against the applicable Region of Peel Official Plan Policies, and it was determined that the proposed development satisfies the pertinent Official Plan policies. The Region of Peel Official Plan sections that are applicable to this application include but are not limited to:

Section 5.4.16 Employ a comprehensive, integrated approach to land use planning, infrastructure planning and infrastructure investment to achieve the objectives of this Plan.

Section 5.4.19.7 - Development within the Designated Greenfield Areas shall be designed to meet or exceed the following minimum densities:

- *City of Brampton: 71 residents and jobs combined per hectare.*

Section 5.6.1 – To achieve sustainable development within the Urban System, reduce greenhouse gas emissions, and adapt the region to a changing climate.

Section 5.6.2 - To establish complete healthy communities that contain living, working and recreational opportunities, which respect the natural environment, resources and the characteristics of existing communities.

Section 5.6.3 - To achieve intensified and compact built form and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure, and public finances while taking into account the characteristics of existing communities and services.

Section 5.6.4 – To achieve an urban structure, form and densities which are pedestrian-friendly and transit-supportive.

Section 5.6.6 – To protect, restore and enhance the natural environment and conserve the resources of the Region, while recognizing the ecological integrity and physical characteristics of existing communities in Peel.

Section 5.6.11 – Direct urban development and redevelopment to the Urban System within the Regional Urban Boundary, as shown on Schedule E-1, consistent with the policies in this Plan and the local municipal official plan.

Section 5.6.12 – Plan for the provision and financing of Regional facilities and services so as to efficiently use existing services and infrastructure and encourage a pattern of compact built forms of urban development and redevelopment.

Section 5.6.13 Require development and redevelopment in the Urban System to proceed according to the growth management and phasing policies of this Plan, and the planned provision of necessary services.

Section 5.8.1 - To provide sufficient lands in Employment Areas in Peel to support a vibrant and sustainable regional economy, to further the economic development goals of the local municipalities and to contribute to complete communities, in accordance with the policies in the provincial Growth Plan and in accordance with the policies of this Plan including the forecasts set out in Table 3.

Section 5.8.2 – To protect Employment Areas for a range of employment uses and encourage a more intensive use of land.

Section 5.8.3 - To provide infrastructure and services that are required for the development of Employment Areas to facilitate economic development and support the achievement of the Region's employment forecasts.

Section 5.8.4 – To promote sustainable development of Employment Areas, in accordance with the Overarching Themes in Section 1.6 of this Plan.

Section 5.8.5 – To attract and retain a range of employment types in Peel.

Section 5.8.6 - To concentrate higher density employment uses such as Major Office in Strategic Growth Areas such as Urban Growth Centres, Major Transit Station Areas, the Regional Intensification Corridor and in other areas served by frequent transit and higher order transit.

Section 5.8.7 - To plan for, protect and preserve, Employment Areas for employment uses, including preserving the long-term viability by avoiding, minimizing, or mitigating the adverse impacts of residential development and other sensitive land uses on Employment Areas.

Section 5.8.8 - To align current and planned transit service investments with current and planned Employment Areas.

Section 5.8.9 - To encourage the availability of industry-leading affordable, symmetrical, broadband internet infrastructure in Employment Areas.

Section 5.8.10 - To provide for a diverse range of employment opportunities near major infrastructure including Pearson Airport, the Brampton-Caledon Airport, 400 series highways, rail corridors, and current and planned transit.

Section 5.8.11 - To provide sufficient land in Employment Areas in Peel to support a vibrant and sustainable regional economy.

Section 5.8.12 - To support the development, maintenance, and implementation of a coordinated employment strategy between the local municipalities and Region.

Section 5.8.13 – To support innovative approaches to accommodating employment uses.

Section 5.8.14 - To support Employment Areas in mitigating and adapting to climate change.

Section 5.8.15 – Designate and protect Employment Areas in Peel as shown on Schedule E-4.

Section 5.8.16 - Direct the local municipalities to designate Employment Areas in accordance with Schedule E-4.

Section 5.8.17 - Direct the local municipalities to include contextually appropriate policies and mapping in their official plans on provincially significant employment zones in accordance with Figure 12, responsive to the relevant provincial guidance.

Section 5.8.18 - Direct the local municipalities to identify land uses and establish appropriate policies in the local municipal official plans to accommodate an adequate supply of employment land within the Regional Urban Boundary and Industrial/Commercial Centres in the Rural System to achieve the forecasts in Table 3. Local municipalities are further encouraged to identify and designate specialized employment uses within Employment Areas through supportive policies in their Official Plans.

Section 5.8.19 - Direct the local municipalities to include employment designations in their official plans to accommodate a diverse range of employment uses to achieve the employment forecasts set out in Table 3 and to accommodate a variety of employment uses in accordance with the locational and market requirements of these uses.

Section 5.8.20 – Use the employment forecasts in Table 3 for employment land use planning in the Region.

Section 5.8.21 - Direct high-density employment uses such as major office and major institutional development to Strategic Growth Areas, and other areas with existing or planned higher order transit service.

Section 5.8.22 – Protect existing and future Employment Areas to meet the long-term market demands and locational requirements of a diverse range of employment sectors and uses, including Employment Land adjacent to and in proximity to major goods movement facilities and corridors.

Section 5.8.23 – Direct existing and future Employment Areas to meet the long-term market demands and locational requirements of a diverse range of employment sectors and uses, including Employment Land adjacent to and in proximity to major goods movement facilities and corridors.

Section 5.8.24 – Monitor, in cooperation with the local municipalities, the supply of employment lands on an annual basis to determine if adequate supply exists to accommodate forecasts in Table 3.

Section 5.8.25 – Assist the local municipalities in maximizing their economic development objectives and facilitating the development of Employment Areas through the provision of Regional infrastructure and services such as water and wastewater services, transportation and human services to Employment Areas based on the availability of servicing capacity and subject to capital budget allocation. 5.8.26 Protect and support Employment Areas as identified on Schedule E-4 of the Region of Peel Official Plan for employment uses.

Section 5.8.27 – Employment Areas are encouraged to be planned to achieve a minimum employment density of:

- *30 jobs per hectare in Brampton*

Section 5.8.28 – Protect and support existing and future Employment Areas in the vicinity of the Toronto Pearson International Airport, the Brampton-Caledon Airport, major highway interchanges and rail yards for manufacturing, warehousing and associated retail, office, and ancillary facilities where appropriate.

Analysis: Region of Peel Official Plan (April 2022)

The Peel Region Official Plan indicates that Employment Areas permit a wide range of uses including manufacturing, warehousing, offices, and associated retail and ancillary facilities. Further, as identified on *Figure 12 – Provincially Significant Employment Zones* of the Regional OP, the Subject Lands are within a Provincially Significant Employment Zone, specifically No.15 – Pearson Airport Hub (Highway 50 Corridor). Provincially Significant Employment Zones are areas of economic output strategically located to provide stable, reliable employment across the Region and neighbouring areas (Vaughan, Caledon), and are intended to provide opportunities to improve coordination between land use planning, economic development, and infrastructure investment to support long term job creation. The proposed temporary uses on the Subject Lands continue to support the Provincially Significant Employment Zones goals

and targets by providing a logistics related use to support the economic viability of the Region.

Based on the above, staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the Region of Peel Official 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)

The proposed temporary truck and trailer parking lot has been assessed in accordance with the policies of the City of Brampton Official Plan, including *Section 5.10 Temporary Use By-Laws*.

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), as the lands are planned for industrial uses and mitigation measures for existing residential uses related to noise and odour will be further reviewed through a future Site Plan application
- The Functional Servicing Report will be reviewed by staff through the proposed Holding Provision to confirm it does not require the extensions or expansion of existing municipal services in accordance with Section 5.10.2(i).
- The Traffic Impact Study (TIS) is to be reviewed by staff through the proposed Holding symbol within the attached By-law, which requires written confirmation from the Region of Peel and City that they have been completed to their satisfaction in accordance with Section 5.10.2(ii).
- The temporary use does not interfere with the development of adjacent areas given the long-term development restrictions within the MTO Protection Corridor Area proposed Highway 413 in accordance with 5.10.2(iii).

The proposed development and temporary zoning by-law amendment included in Attachment 10 of this report addresses the policies in Section 5.10 of the Official Plan. Staff is satisfied that the proposed temporary development is in accordance with the City of Brampton Official Plan.

'Brampton Plan' 2023

Brampton's new Official Plan, the Brampton Plan ("City OP"), was adopted by City Council in November 2023 and approved by the Region of Peel in May 2024, and came into effect on June 6th, 2024.

The Official Plan (referred to herein as "Brampton Plan") for the City of Brampton sets out a strategic and comprehensive approach to guiding growth and development in a manner that reflects the unique context of Brampton.

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 5.12.40 - 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' Analysis

The proposed temporary truck and trailer parking lot along with the recreational facility have been assessed in accordance with the policies of the City of Brampton Official Plan, including Sections 5.12.42 to 5.12.45 - Temporary Use By-Laws.

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 proposed uses are permitted in the Employment Designation the proposal is confirming to the policies of Brampton Plan as noted in Section 5.12.43(a)

- 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 will be reviewed by staff through the proposed Holding Provision to confirm it does not require the extensions or expansion of existing municipal services in accordance with Section 5.12.43(d).
- The Traffic Impact Study (TIS) is to be reviewed by staff through the proposed Holding symbol within the attached By-law, which requires written confirmation from the Region of Peel and City that the TIS have been completed to their satisfaction in accordance with Section 5.12.43(e). Sufficient on site parking is proposed to accommodate the use in accordance with 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 proposed development and temporary zoning by-law amendment included in Attachment 10 of this report addresses the policies in Section 5.12.42 to 5.12.45 of the Brampton Plan. Staff is satisfied that the proposed development is in accordance with the City of Brampton Official 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 “Business Park” and “Corridor Protection Area” 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.

Section 5.2.8.1 - The lands designated Business Park on Schedule SP47(a), shall permit the range of uses and shall be developed in accordance with Part 1, Section 4.4, Subsection 4.4.2 and other relevant policies of the Official Plan. Permitted uses shall include: all permitted uses within the Prestige Industrial designation listed in Section 5.3.7 of this Plan, and shall permit limited outdoor storage of goods and materials subject to the location and screening criteria contained within the implementing zoning by-law. In addition, open space uses such as stormwater management facilities shall also be permitted. Warehousing as a primary use will be permitted provided that the Office component will generally be in the order of 5% of the gross floor area of the buildings.

Section 5.2.8.2 - Lands within the Business Park designation may be further divided into classes of industrial zones in the zoning by-law on the basis of the following:

- The requirements of industry for road access;*
- The type and extent of outside storage; and*
- The need to minimize potential conflicts between different classes of land uses.*

Section 5.2.8.3 - The development of lands within the Business Park designation will be subject to development standards, including landscaping and buffering, to ensure that the potential impact of industrial operations on adjoining uses and uses in close proximity to the industrial use area will be minimized. From a streetscape perspective, large lots/blocks are encouraged along arterial roads. The number of access points from individual lots to public roads shall be minimized. Shared access and internal connections between multiple lots is encouraged.

Section 5.2.8.4 - Outside storage areas including truck trailer parking shall not directly abut arterial roads, shall be limited in size and be appropriately set back and screened in accordance with the requirements of the implementing zoning by-law.

Section 5.2.8.5 - The City may require the submission of a detailed development concept or Tertiary Plan, as part of a planning application, to demonstrate how lands within the Business Park designation can be comprehensively developed to the satisfaction of the City and the Region of Peel.

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 designated “Business Park” and “Corridor Protection Area” 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 subject property is designated “Business Park” and “Corridor Protection Area” in the Highway 427 Industrial Secondary Plan. The proposed uses are temporary and as such, does not require an amendment to the Brampton Official Plan, or the Secondary Plan which constitutes a chapter of the Official Plan, in accordance with policy 5.10 & 5.12 (Temporary Use By-laws).

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 and recreational facility 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 Region Conservation Authority;*
- II. That written confirmation be provided by the Region of Peel Commissioner of Public Works and the City of Brampton that a satisfactory Traffic Impact Study has been completed in accordance with Region of Peel & City of Brampton Terms of Reference.*