

Detailed Planning Analysis
City File Number: OZS-2024-0029

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 Region of Peel Official Plan, and the Brampton Official Plan provide direction and policies that encourage efficient and sustainable growth 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 encourage sustainable long-term economic viability.

Planning Act R.S.O 1990:

The Planning Act is the provincial legislation which sets the rules for land use planning in Ontario. The proposal has been reviewed for its compliance to matters of provincial interest, which the Council of a municipality must have regard. This is identified in Part 1, Section 2 of the Planning Act. An assessment was completed to identify specific sections of the Act that are applicable to this application, but are not limited to:

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 36: Holding Provision By-Law

(1) The council of a local municipality may, in a by-law passed under section 34, by the use of the holding symbol “H” (or “h”) in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law.

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 subject property fronts onto an existing municipal road (Highway 50). The Zoning By-Law amendment contains a Holding (H) symbol in accordance with Section 36 of the Planning Act to prevent the use enactment of the by-law until such time that satisfactory a Functional Servicing Report and Grading Plan are submitted to the City, Region of Peel and TRCA, prior to the 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 proposed temporary use of the lands for truck and trailer parking is located on lands designated ‘Logistic/Warehouse/Transportation’ in the Highway 427 Industrial Secondary Plan, and accordingly, does not encroach on lands designated for Prestige Industrial or office uses. A Scoped Stormwater Design Brief was prepared to demonstrate how the proposed development will integrate with the surrounding natural heritage system and assist with the management of stormwater on the subject lands and adjacent properties.

Given the above rationale, Staff are satisfied that the proposed development is consistent with matters of provincial interest as set out in the Planning Act.

Provincial Policy Statement (PPS):

The Provincial Policy Statement (PPS) sets out fundamental planning principles and provides policy direction on matters of provincial interest related to land use planning and development. This application is consistent with matters of Provincial Interest as identified in the PPS, providing guidance for suitable growth while ensuring that resources of provincial health, public health, and the quality of the natural and built environment are protected. Through staff review, it was determined that the proposed development has regard for the relevant PPS policies that are applicable to this application:

Section 1.1.1 – Healthy, livable, 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 range and mix of residential, employment, institutional, 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 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; and

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;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive*

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

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 1.3.1- 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 1.3.2.1- Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that 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. Settlement Areas are defined as urban and rural settlement areas and include cities, towns, villages and hamlets. The subject property is located within an urban area of the Region of Peel and City of Brampton. The proposed development is also located in an Employment Area and along Highway 50 which is a major goods movement transportation infrastructure network. The location of the property is nearby a major Intermodal Rail Terminal that relies greatly on trucking for the carriage of goods.

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 and grading plan 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.

The proposed development is promoting efficient growth and land use patterns over the long term by providing a development that will connect with municipal infrastructure and services, while avoiding the disruption of land development on adjacent property in the near future. The proposed development can integrate seamlessly within its surrounding location as the community will be a main destination for many industrial, warehouse and agricultural uses. The proposed development will support multiple existing and nearby economic activities including office, warehouse, intermodal freight transportation and repair, while contributing to the long-term financial success of the City through the provision of employment opportunities. The proposed development supports livable, healthy communities by representing an appropriate and supportable form of development, in accordance with Sections 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.6 of the PPS.

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 proposed development is consistent with the policies of Section 1.3 as it supports economic development on an underutilized site which is already designated for employment uses. The proposed development accommodates the employment uses envisioned by allowing for economic activity, through the parking of trucks and trailers, to continue and support the range of employment uses nearby. Furthermore, the proposal provides a planned for use of the property to continue until the ultimate development objective is realized in a location ideal for these uses until the final Site Plan is complete which will utilize the proximity of major goods and freight movement facilities within the vicinity. The proposed temporary Zoning By-law Amendment is consistent with the policies contained within Section 1.3.1, 1.3.2.1 and 1.3.2.6 of the PPS.

Based on the above, Staff are 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 for the Greater Golden Horseshoe (Growth Plan) provides a framework for building stronger, prosperous communities through the management of growth over the long term. Guiding principles include supporting complete communities, providing a mix of employment opportunities, and prioritizing intensification. The Growth Plan provides guidance surrounding transportation, infrastructure planning, land use planning, urban form, housing, natural heritage, and resource protection issues in the interest of promoting economic prosperity.

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

Section 1.2.1 – Guiding Principles

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.*
- *Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.*
- *Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, include integrated service delivery through community hubs, by all levels of government.*
- *Provide for different approaches to manage growth that recognize the diversity of communities in the GGH.*

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*

- c) *Within settlement areas, growth will be focused in:*
 - i. *delineated built-up areas;*
 - ii. *strategic growth areas;*
 - iii. *Locations with existing or planned transit, with a priority higher order transit where it exists or is planned; and*
 - iv. *areas with existing or planned public services facilities*

Section 2.2.1.4- Applying the policies of this Plan will support the achievement of complete communities that:

- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;*

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 interim use of the vacant land will increase employment opportunities in the surrounding area. 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 and Highway 50. The proposed use of trailer parking and outdoor storage are complementary to the surrounding warehouse and logistical uses. Residential properties currently exist to the north (approximately 350 metres) and to the west (approximately 650 metres) from the subject site. Technical studies were completed to determine impacts in surrounding areas. 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 are 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 and Grading Plan is received by staff prior to proposed uses commencing.

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 the Lifting of the H and Site Plan application.
- Refinements are needed to the Functional Servicing Report and Grading Plan at this time and a Holding symbol has been added to the By-law, which requires written confirmation from City Staff, Region of Peel and the TRCA.

The Temporary Use By-law is proposed for a 3-year period 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

On May 16th, 2024, the Region of Peel formally issued a notice of approval with modifications for the City of Brampton's new Official Plan, known as the 'Brampton Plan.' The Plan is scheduled to take effect on June 6th, 2024, except for any sections that may be subject to appeal.

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.

Analysis: Brampton Plan

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).
- As the Temporary Use proposes truck and trailer parking for an interim period, 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).

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 'Logistic/Warehouse/Transportation' 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 5.2.9.3 - The development of lands within the Logistic/ Warehouse/ Transportation designation will be subject to development standards, including landscaping and buffering, to ensure that the potential impact of industrial operations on adjoining uses will be minimized. From a streetscape perspective, large lots/blocks are encouraged along arterial roads.

Section 5.2.9.4 - 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 measure contained within the approved urban design guidelines for these lands.

Section 5.2.9.5 - 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 5.2.9.6 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 Logistic/Warehouse/Transportation designation can be comprehensively developed to the satisfaction of the City and the Region of Peel.

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

The property is designate 'Logistic/ Warehouse/ Transportation', as per te Highway 427 Industrial Secondary Plan (Secondary Plan Area 47).

Section 5.2.9.1 of the Secondary Plan permits outdoor storage subject to screening criteria. The applicant is providing a minimum of 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.

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 property is zoned 'Industrial two- Special Section 3594' (M2-3594). The 'Industrial two' zone permits industrial, non-industrial and accessory uses. Uses that are permitted under Special Section 3594 include:

a) Industrial

- i) the manufacturing, cleaning, packaging, processing, repairing, or assembly of goods, foods or materials including a motor vehicle repair shop and a motor vehicle body shop*
- ii) non-obnoxious industrial uses involving the manufacture and storage of goods and materials in the open and such uses as the storage, repair and rental equipment, and a transport terminal, but not including a junk yard, salvage yard, wrecking yard, quarry or pit a motor vehicle body shop*
- iii) a printing establishment*
- iv) a warehouse*

b) Non-industrial

- i) a radio or television broadcasting and transmission establishment*
- ii) a community club*

c) Accessory

- i) an associated educational use*
- ii) an associated office*
- iii) a retail outlet operated in connection with a particular purpose*
- iv) permitted by (a)(i) and (a)(iii) above provided that the total gross*
- v) commercial floor area of the retail outlet is not more than 15% of*
- vi) the total gross industrial floor area of the particular industrial use*
- vii) purposes accessory to the other permitted purposes*

Analysis: Zoning By-law

A Zoning By-law amendment is required to permit the proposed development and 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 “Industrial two- Special Section 3594 (M2-3594)” zone on the subject property. The subject property has been subject to a previous rezoning application to rezone the subject property from Agricultural (A) to Industrial Two (M2-3594) to permit a truck transport terminal. The proposed development reflects the property’s use for temporary parking, storage of trucks and trailers until such time as the truck transport terminal is eventually constructed. The site-specific Zoning By-law requirements for setbacks and landscape buffering have been implemented in the proposed development. The proposed use is similar and complements the existing permitted use of truck terminal and is only for a temporary period of time.

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:

Holding (H):

- i) Until the Holding (H) symbol is removed, the lands shall only be used in accordance with the Industrial Two Special Section 3594 (M2-3594) zone.

The Holding (H) symbol shall not be removed until the following conditions have been fulfilled:

- i) Written 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 Toronto and Region Conservation Authority;

- ii) Written confirmation that a satisfactory Grading Plan has been provided to the satisfaction of the City of Brampton and the Region of Peel.

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.

Technical Studies

The following technical requirements have been satisfied:

The following paragraphs summarize the technical studies and reports that were provided in support of the development application. Staff note that the Functional Servicing Report and Grading Plan are outstanding and subject to a Holding (H) provision.

Planning Justification Report

The Planning Justification Report that was prepared by Glen Schnarr & Associates (GSAI), 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 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 Report

A Functional Servicing (Stormwater Management Design Report) was prepared by MGM Consulting Inc. to assess how the site may be serviced regarding proposed site grading, stormwater management, water supply, and erosion and sediment control during construction.

City of Brampton Environmental Engineering Staff, the Region of Peel and TRCA 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.

Truck Swept Path Analysis

A Truck Swept Path Analysis (Truck Movements Plan) was completed by RJ Burnside & Associates Limited to evaluate the space required when a turning vehicle maneuvers. The purpose of the study is to ensure the design can accommodate vehicle usage during operation.

Noise Control Feasibility Study

A detailed Noise (Acoustic) Study was undertaken by East and West Inc., C/O for the previously approved amendment to the Zoning By-law to permit a truck transport terminal comprising warehouse, vehicle repair, vehicle parking and storage and office uses. The current acoustic environment surrounding the subject property is partly industrial due to the presence of the major railway facility across from the subject land. Major trucking operations are also housed within the CP facility and on nearby roadways. The proposed property is also located along Hwy 50 which is a major transportation source of noise due to the increased volume of automobile and truck traffic serving the railway facility.