

Detailed Planning Analysis
City File Number: OZS-2025-0030

Overview

Blackthorn Development Corp. submitted an application on behalf of 2458171 Ontario Inc. to amend Zoning By-law 270-2004, as amended, to permit the parking and storage of Oversized Motor Vehicles and Utility Trailers (“trucks and trailers” or “truck and trailer”) for a temporary period of three (3) years (“subject application”) on lands municipally known as 3420 Queen Street East at the northeast quadrant of Queen Street East and Sun Pac Boulevard (“subject lands”). The subject application has been reviewed and evaluated against the *Planning Act*, R.S.O. 1990, c. P.13; Provincial Policy Statement, 2024; Region of Peel Official Plan, 2022; City of Brampton Official Plan, 2006; City of Brampton Official Plan, 2023; and other applicable City of Brampton guidelines and priorities.

The *Planning Act*, Provincial Policy Statement, Region of Peel Official Plan, Official Plan, 2006, and Brampton Plan, 2023, provides 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 forms. 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, c. P.13

The *Planning Act* is the legal framework for land use planning in Ontario. Section 2 of the Act provides matters of provincial Interest, which the Council of a municipality must have regard to. This includes the adequate protection and conservation of ecological systems, agricultural resources, and natural resources; supply of infrastructure; provision of orderly development; provision of public services, health, and safety; provision of a full range of housing including affordable housing; provision of employment opportunities; protection of economic well-being; growth and development in appropriate locations that is sustainable, supports public transit, and oriented to pedestrians; provision of built forms that are well-designed, encourages a sense of place, and provides high-quality public spaces that are safe, accessible, attractive and vibrant.

2. *The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,*
 - (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;*
 - (i) *the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
 - (j) *the adequate provision of a full range of housing, including affordable housing;*
 - (k) *the adequate provision of employment opportunities;*

- (l) *the protection of the financial and economic well-being of the Province and its municipalities;*
 - (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 of high quality, safe, accessible, attractive and vibrant;*
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, c. P.13

The subject lands maintains frontage onto Queen Street East, which is a Major Arterial Road and a Secondary Urban Boulevard, which are intended to support higher order transit. The subject lands are designated “Employment Areas” and “Mixed-Use Employment” in the Brampton Plan, 2023. These road typologies and land use designations are not intended to support truck and trailer parking and are instead intended to support a diverse mix of employment uses with appropriate densities, particularly major office employment and population-serving uses, that are supported by transit to contribute to the creation of competitive, attractive, and highly functional employment areas. This includes minimizing surface parking in Employment Areas. Furthermore, the subject lands are located within a “Planned Major Transit Station Area”. Major Transit Station Areas (“MTSAs”) are intended to support transit-supportive densities and uses that contribute to the creation of complete communities.

The subject application is not considered to have regard to relevant matters of provincial interest as provided in Section 2 of the *Planning Act*. The proposed use of the subject lands for parking and storage of trucks and trailers is not considered to contribute to the provision of desirable employment opportunities in a manner that protects the economic well-being of the City, Region and Province in accordance with the planned intent and function of the subject lands. The proposed use does not include any structures, buildings, or a development type that is considered to support public transit, particularly within the context of being located within a Planned MTSA, which supports higher densities and an appropriate mix of land uses to create transit-supportive and complete communities. This is not representative of orderly development of safe and healthy communities as per Sections 2(h, p, q) or to the creation of a well-designed built form

that fosters a sense of place and provides high-quality, safe, accessible, attractive, and vibrant public spaces in accordance with Section 2(r).

The subject application is considered an undesirable and underutilized development onto lands that are otherwise an appropriate location for employment growth including offices and major offices, commercial, recreational, entertainment, restaurant, and other employment-supportive and population-serving uses.

Provincial Policy Statement, 2024:

The Provincial Planning Statement, 2024, (“PPS”) is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, while building upon housing and transit-supportive policies from both documents.

- 2.3.1.1 *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*
- 2.3.1.2 *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*
 - a) *efficiently use land and resources;*
 - b) *optimize existing and planned infrastructure and public service facilities;*
 - c) *support active transportation;*
 - d) *are transit-supportive, as appropriate; and*
 - e) *are freight-supportive.*
- 2.3.1.3 *Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*
- 2.3.1.4 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*
- 2.3.1.5 *Planning authorities are encouraged to establish density targets for designated growth areas, based on local conditions. Large and fast-growing municipalities are encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas.*
- 2.4.1.1 *Planning authorities are encouraged to identify and focus growth and development in strategic growth areas.*
- 2.4.1.2 *To support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, strategic growth areas should be planned:*
 - a) *to accommodate significant population and employment growth;*
 - b) *as focal areas for education, commercial, recreational, and cultural uses;*
 - c) *to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and*
 - d) *to support affordable, accessible, and equitable housing.*

2.4.1.3 Planning authorities should:

- a) prioritize planning and investment for infrastructure and public service facilities in strategic growth areas;*
- b) identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas;*
- c) permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;*
- d) consider a student housing strategy when planning for strategic growth areas; and*
- e) support redevelopment of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.*

2.4.2.2 Within major transit station areas on higher order transit corridors, planning authorities shall plan for a minimum density target of:

- a) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit;*

2.4.2.3 Planning authorities are encouraged to promote development and intensification within major transit station areas, where appropriate, by:

- a) planning for land uses and built form that supports the achievement of minimum density targets; and*
- b) supporting the redevelopment of surface parking lots within major transit station areas, including commuter parking lots, to be transit-supportive and promote complete communities.*

2.4.2.6 All major transit station areas should be planned and designed to be transit-supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where feasible:

- a) connections to local and regional transit services to support transit service integration;*
- b) infrastructure that accommodates a range of mobility needs and supports active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and*
- c) commuter pick-up/drop-off areas.*

2.4.3.1 Planning authorities shall plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.

2.8.1.1 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) 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 intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
- e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.*

2.8.1.4 Major office and major institutional development should be directed to major transit station areas or other strategic growth areas where frequent transit service is available.

- 2.8.2.1 *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.*
- 2.8.2.2 *Planning authorities shall protect employment areas that are located in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations.*
- 2.8.2.3 *Planning authorities shall designate, protect and plan for all employment areas in settlement areas by:*
- a) planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;*
 - b) prohibiting residential uses, commercial uses, public service facilities and other institutional uses;*
 - c) prohibiting retail and office uses that are not associated with the primary employment use;*
 - d) prohibiting other sensitive land uses that are not ancillary to uses permitted in the employment area; and*
 - e) including an appropriate transition to adjacent non-employment areas to ensure land use compatibility and economic viability.*
- 2.8.2.4 *Planning authorities shall assess and update employment areas identified in official plans to ensure that this designation is appropriate to the planned function of employment areas. In planning for employment areas, planning authorities shall maintain land use compatibility between sensitive land uses and employment areas in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas.*

Analysis: Provincial Policy Statement, 2024:

The subject lands are located within “settlement areas” and is further an “employment area” in the PPS. In accordance with Section 2.3.1 of the PPS, settlement areas support land use patterns that efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive; and are freight-supportive. In accordance with Section 2.8.1, employment areas are to provide an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs. This includes encouraging employment intensification alongside compatible mixed-use developments to support complete communities. Furthermore, as per Section 2.8.2, employment areas are to be protected over the long term by ensuring that employment uses including manufacturing, research and development, warehousing, goods movement, and associated retail, office, and ancillary uses can be supported while prohibiting other certain uses to maintain its viability.

The subject lands are designated “Mixed-Use Employment”, in the Brampton Plan, 2023, which does not support outdoor storage of trucks and trailers. As per Section

2.8.2.4 of the PPS, planning authorities are responsible for assessing and updating employment areas to ensure that the designation is appropriate for the planned function of the employment area. The proposed use of the subject lands for truck and trailer parking is not considered an appropriate use for this designation. Furthermore, Section 2.8.1.4 provides that major office and major institutional uses should be directed to MTSA's where frequent transit service is available, and Section 2.4.2.3 supports the redevelopment of parking lots within MTSA's to be transit-supportive and promote complete communities.

The subject lands are located within a "Planned" MTSA within the Brampton Plan, 2023, which is intended to transition into either a "Primary" or "Secondary" MTSA. Section 2.4.2 of the PPS requires the provision of 160 residents and jobs per hectare within MTSA's. This density target is intended to be achieved through the development and redevelopment of land that is accompanied by appropriate land use patterns and compatible and intensified built forms. This includes the redevelopment of surface parking lots to be transit-supportive and to promote complete communities. In the context of employment areas, major office and major institutional uses should be directed to MTSA's where frequent transit service is available, as per Section 2.8.1.4.

The subject application is not considered to align with the provincial direction to support complete communities, efficient infrastructure use, or long-term economic development in employment areas and MTSA's. The proposed use of the subject lands for truck and trailer parking functions in contravention of the planned and intent and function of the subject land's policy framework, which supports employment intensification in transit-supportive and compact urban forms.

Region of Peel Official Plan, 2022

The Region of Peel Official Plan, 2022 ("Peel OP") provides planning direction in the Region of Peel to protect the environment, manage resources, direct growth to appropriate locations, and establish a basis for providing Regional services in an efficient and effective manner. The subject lands are within the "Urban System" in Schedule E-1, "Employment Areas" in Schedule E-4, "Planned MTSA" in Schedule E-5, and is further located along a "Local Intensification Corridor", Queen Street East, in Schedule E-2, which is served by bus rapid transit.

- 5.4.1 *To optimize the use of the existing land supply of the Region by directing a significant portion of growth to the Delineated Built-up Areas through intensification, particularly Strategic Growth Areas such as the Urban Growth Centres, intensification corridors and Major Transit Station Areas.*
- 5.4.2 *To establish minimum intensification, employment density, and greenfield density targets.*
- 5.4.3 *To manage growth based on the growth forecasts, intensification targets, employment density targets, and greenfield density targets of this Plan.*
- 5.4.6 *To optimize the use of the existing and planned infrastructure and services.*

- 5.4.7 *Promote 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.*
- 5.4.8 *To support planning for complete communities in Peel that are compact, well-designed, transit-supportive, offer transportation choices, include a diverse mix of land uses, accommodate people at all stages of life and have an appropriate mix of housing, a good range of jobs, high quality open space, and easy access to retail and services to meet daily needs.*
- 5.4.18.4 *To intensify development on underutilized lands.*
- 5.4.18.6 *To optimize all intensification opportunities across the Region and maximize development within Strategic Growth Areas.*
- 5.4.18.7 *To intensify Employment Areas to optimize lands for future growth.*
- 5.4.18.8 *Facilitate and promote intensification.*
- 5.4.18.9 *Accommodate intensification within Urban Growth Centres, intensification corridors, nodes and Major Transit Station Areas and any other appropriate areas within the Delineated Built-up Area.*
- 5.6.1 *To achieve sustainable development within the Urban System, reduce greenhouse gas emissions, and adapt the region to a changing climate.*
- 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.*
- 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.*
- 5.6.4 *To achieve an urban structure, form and densities which are pedestrian-friendly and transit-supportive.*
- 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.*
- 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.*
- 5.6.19.1 *Leverage infrastructure investments by planning for transit-supportive densities and increased transit ridership within Major Transit Station Areas.*
- 5.6.19.2 *Encourage a balance mix of transit-supportive uses, as defined by local municipalities, such as residential, retail, offices, open space, and public uses that supports the needs of employees and residents in a walkable environment.*

- 5.6.19.3 *Recognize a diverse range of station typologies that accommodate increased densities and increased transit ridership.*
- 5.6.19.6 *Each Major Transit Station Area shall reflect one of the station classifications outlined below and shown on Table 5 and Schedule E-5 to support transit-supportive development and increased ridership. This will be based on the form and function of the station to be established in the official plan of the local municipality:*
- c) *Planned Major Transit Station Area – Areas identified in this plan which are intended to become Major Transit Station Areas, but require further study and assessment prior to being delineated. Transit infrastructure may be existing and operational, however, in some of these areas transit infrastructure may still be in delivery or currently unfunded and without a commitment for funding.*
- 5.6.19.14 *Ensure existing surface parking lots and other land uses within Major Transit Station Areas that do not meet the objectives of this Plan will be encouraged to redevelop and expansions to existing uses shall be managed in accordance with transition policies incorporated in the local official plan.*
- 5.6.19.15 *Direct the local municipalities to establish policies in their official plans that identify Planned Major Transit Station Areas and protect them for transit-supportive densities, uses, and active transportation connections.*
- 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.*
- 5.8.2 *To protect Employment Areas for a range of employment uses and encourage a more intensive use of land.*
- 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.*
- 5.8.4 *To attract and retain a range of employment types in Peel.*
- 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.*
- 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.*
- 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.*
- 5.8.20 *Use the employment forecasts in Table 3 for employment land use planning in the Region.*
- 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.*

- 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.*
- 5.8.23 *Direct the local municipalities to include policies in their official plans that support the intensification of existing Employment Areas with compatible employment uses.*
- 5.8.27 *Employment Areas are encouraged to be planned to achieve a minimum employment density of:*
- *30 jobs per hectare in Brampton*
- 5.8.41 *Encourage high density employment uses such as major office and appropriate major institutional development to locate in Urban Growth Centres, to Major Transit Station Areas and areas with existing frequent transit service or existing or planned higher order transit service.*
- 5.8.46 *Employment Areas shall be planned and designed to minimize surface parking and be easily accessible by a range of transportation modes including transit and active transportation.*

Analysis: Region of Peel Official Plan, 2022

Section 5.4 for Growth Management provides that the optimization of land through growth and intensification is to be accommodated and directed to intensification corridors and MTSAs in accordance with the Peel OP's growth forecasts and density targets. This growth will support the provision of complete communities that are efficient, compact, and transit-supportive and will feature an appropriate range and mix of land uses to accommodate short and long-term housing, jobs, open space, retail and service needs. Intensification forms include the development of underutilized lots and infill development including Employment Areas.

Section 5.6 for Urban Systems provides direction that the City is to plan for transit-supportive densities on lands located within MTSAs, which includes a balanced mix of transit-supportive uses within walkable streets to meet the current and future needs of residents. Additionally, surface parking lots are discouraged and the appropriate redevelopment of those lands to meet the objectives of MTSAs are encouraged. Section 5.6.19.15 directs municipalities to protect Planned MTSAs for transit-supportive densities, uses and active transportation connections.

Section 5.8 for Employment Areas provides direction that lands located within Employment Areas are to be protected; promote sustainable development; provide a diverse range of employment opportunities near major infrastructure including rail corridors, current, and planned transit; protect existing and future employment areas to meet long-term market demands including the locational requirements of diverse employment sectors including employment lands in proximity to major goods movement facilities and corridors; be planned and designed to minimize surface parking and be accessible by a range of transportation options; and achieve the density target of 30 jobs per hectare. Furthermore, lands located within Employment Areas that are also

located within an MTSA are intended to support high-density employment uses such as major office and major institutional uses.

The subject application is not considered to meet the intent and purpose of the subject lands in accordance with the policy context of the Peel OP. The subject lands are designated Employment Areas and are further located within a Planned MTSA. These designations support higher density employment uses such as major offices, major institutional uses, and an appropriate mix of transit-supportive uses to meet current and future employment needs.

City of Brampton Official Plan (2006):

The City of Brampton Official Plan, 2006 ("Official Plan, 2006") provides comprehensive policy direction to guide the physical growth and development in the City that addresses land use, built form, transportation, health, and the environment to meet the needs of current and future residents to the year 2031. The Official Plan, 2006, is the policy framework manage challenges of growth to position the City as the preferred choice to live, work, and play. The subject lands are designated "Employment" in Schedule 1: City Concept, and "Business Corridor" in Schedule A: General Land Use Designations. The subject lands maintains frontage onto Queen Street East, which is a "Primary Intensification Corridor" in Schedule 1.

3.2.6.1 *Primary Intensification Corridors are those which are primarily identified as higher order transit corridors linking major destinations within and beyond the City. These include Queen Street; Main Street/Hurontario Street (shown in the Region of Peel Official Plan as forming part of the Regional Intensification Corridor); Steeles Avenue; Bovaird Drive; Mississauga Road; Bramalea Road and, Airport Road. Primary Intensification Corridors shall be planned to accommodate intense mixed-use development at higher densities supported by the City's highest level of transit service.*

4.4 *It is the objective of the Employment Area policies to:*

- b) *Designate high quality employment areas close to major transportation and transit facilities that support the principles of complete communities by providing convenient access to jobs and that are compatible with adjacent natural areas and land uses;*
- c) *Encourage a City-wide average live-work ratio of 2:1 by 2031 that will contribute to sustainability and enhance the quality of life of the community;*
- d) *Protect the supply of designated employment areas within the City for purposes including, but not limited to, manufacturing, warehousing, offices and associated retail and ancillary services;*

4.4.1 *A number of uses shall be prohibited on lands designated Business Corridor including auto-body paint and repair, automobile repair, commercial self-storage warehouses, and retail and industrial uses that involve outdoor storage and outdoor display of merchandise. In addition, a superior level of urban design is required to maintain the positive business image of the City's industrial areas, including restricting open storage and truck trailer parking areas away from their entrances.*

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.*

- 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.*
- 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.*
- 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 use of the subject lands for the parking and storage of trucks and trailers is not permitted within the Business Corridor designation, which permits a range of industrial employment and employment related uses intended to serve adjacent employment areas and the general public. This includes offices including major offices, retail, restaurants, hotels, motels, entertainment and places of worship. Industrial uses that involve outdoor storage is not permitted within this designation. Furthermore, the subject lands are located along Queen Street East, which is a Primary Intensification Corridor, which is intended to support higher densities and a mix of appropriate uses that are transit-supportive to achieve complete communities.

Section 5.10 permits the enactment of temporary use by-laws to permit the use of land, buildings, or structures for a maximum period of 3 years. Section 5.10.2 provides the criteria to satisfy when evaluating applications for temporary uses. In accordance with Section 5.10.2:

- (i) is a non-complying use to the Business Corridor designation, which is considered to interfere with adjacent uses that are or will comply with this designation;
- (ii) is anticipated to generate additional traffic and non-stationary noise and air pollution through the movement of freight vehicles, particularly during peak hours;
- (iii) is considered to interfere with the appropriate and desirable development of surrounding lands, which are designated Business Corridor and also located within a Planned MTSA;
- (iv) provides on-site parking and loading only for the operation and function of the proposed use; and

- (v) is generally considered not to create excessive service demands for the City and other public authorities.

The subject application is not considered to meet and satisfy the requirements for temporary use by-laws in accordance with Section 5.10.2 and functions in contravention of the planned intent and function of the Business Corridor designations and the planned intent and function of lands located along Primary Intensification Corridors.

City of Brampton Plan Official Plan, 2023 (Brampton Plan):

The City of Brampton Official Plan, 2023 (“Brampton Plan”) establishes comprehensive policies that guide growth and development to achieve the strategic vision to the year 2051. The Brampton Plan reinforces upper-level planning policies of the PPS and the Peel OP, which includes environmental protection, public health, sustainable land development, infrastructure, public services, economic growth, housing, employment, transportation, heritage, and climate resiliency. The Brampton Plan recognizes the City’s unique geography and establishes a City Structure to strengthen the City’s position as a complete and vibrant place to live, work, and play in Ontario. The subject lands are designated “Employment Areas” in Schedule 1A – City Structure, “Mixed-Use Employment” in Schedule 2 – Designations, and is further located within a Planned MTSA in Schedule 1A. The subject lands maintains frontage onto Queen Street East, which is identified as a “Planned Corridor” in Schedule 1A, which supports higher order bus rapid transit.

2.1.1.1 *The City Structure will create complete communities across Brampton grounded in the four pillars of sustainability (environmental, social, economic, and cultural sustainability). By integrating these pillars, Brampton Plan will create a vibrant and sustainable natural and built environment, a thriving local economy, and a more socially cohesive and equitable city through the integration and coordination of the City-Wide Growth Management Framework and Mobility Framework by:*

- d. *Promoting **15-minute neighbourhoods** through the design and retrofit of new and existing communities and appropriate **infill** in Neighbourhoods to support community health, well-being, and quality of life. This is accomplished by focusing housing, jobs, and people in locations that are well-supported by transit and **Active Transportation networks**.*
- e. *Directing the majority of growth to **Strategic Growth Areas** of the city, including Urban and Town **Centres**, Primary and Secondary Urban **Boulevards**, and **Major Transit Station Areas**, as identified on **Schedule 1A** to support **sustainable** city-building and to prioritize investments in regional and city **infrastructure** including water, sewage, transit, community and emergency facilities, and commercial amenities. This will lead to the efficient use of land, **infrastructure**, and **services**.*
- k. *Contribute to the City’s fiscal health and stimulate economic development through job creation and employment retention and attraction.*
- m. *Ensure employment lands remain reliable places to do business, attract employment and provide opportunities for attraction, retention and expansion.*

2.1.2.1 *The elements that help shape our city, found in both the **Designated Greenfield Area** and **Built-Up Area**, and are the basis for our **growth management** hierarchy, as shown on **Schedule 1A** and further described in Part 2.2, are defined as follows:*

- c. **Major Transit Station Areas**, as shown on **Schedules 1A** and **1B**, are planned to transition over time into vibrant high **density** walkable places that include open spaces, **services** and amenities, employment uses, an attractive **public realm**, and are located within walking distance or easy access to transit facilities. These areas will become home to new residents and jobs that will be able to enjoy the features of a **15-minute neighbourhood**.
 - d. **Corridors** represent key current and planned Priority Bus (Züm) linkages that provide connections within and across Brampton and the broader region. These areas will provide for a mix of uses and transit supportive forms and densities.
 - f. **Employment Areas** cover those areas where a large number of people who live in Brampton, or commute from the surrounding region, work. This includes areas protected for employment uses, while protecting more industrial areas against conflict and encroachment of sensitive uses. The goal of these areas is to create productive and desirable places to attract and retain investment.
- 2.1.2.3 A mix of **transit-supportive** uses will be provided along **Corridors** within the Neighbourhoods designation, with higher densities permitted within **Major Transit Station Areas** to promote transit ridership subject to the policies of this Plan.
- 2.1.2.5 **Employment Areas** will accommodate a diverse mix of employment uses including businesses and industries in locations supported by transit **infrastructure**. **Major Transit Station Areas** located within **Employment Areas** may permit other non-employment uses, subject to further planning studies and in accordance with the policies of this Plan and the Region of Peel Official Plan.
- 2.1.2.20 **Intensification** in Brampton will be accommodated by:
- a. Directing **intensification**, with the highest densities and heights primarily to **Centres**, which includes the Provincial Urban Growth Centre, Urban **Centres**, Town **Centres**, **Boulevards**, along **Corridors** and within **Major Transit Station Areas**.
 - b. Promoting a variety of built forms along **Boulevards** and **Corridors**. **Development** in these areas will respond to the existing and planned built form context in their respective designations, subject to the transition, form and design policies of this Plan.
 - f. Employment **intensification** will be focused on **Centres**, **Boulevards**, and **Major Transit Station Areas (Schedule 1A)** generally through **Major Office development**.
- 2.1.2.35 **Employment Areas** will be planned to meet or exceed a minimum of 30 jobs per hectare.
- 2.2.5.5 Where a **Corridor** overlay overlaps with an Employment or Mixed-Use Employment designations, the Employment and Mixed-Use Employment designation policies prevail.
- 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.
- 2.2.8.2 **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**;
 - d. Ensure that new development is compatible with the land uses and the pattern of adjacent and surrounding development;
- 2.2.8.3 Lands within the Employment designation will be protected and reserved for employment uses including manufacturing, warehousing, logistics, office, and may permit commercial, retail and **ancillary** uses in accordance with the policies of this Plan.
- 2.2.8.4 The Mixed-Use Employment designation may permit a broader range of employment uses on lands that provide a land use buffer, as well as transition between lands designated Mixed-Use, Employment, and Neighbourhoods, subject to further planning studies. **Development** in the Mixed-Use Employment designation will front onto and provide a municipal address on **Rapid Transit** corridors to support and integrated land use and transit function of these corridors.
- 2.2.8.13 The following uses are permitted on lands designated Mixed-Use Employment on **Schedule 2**:
 - a. **Major Office** will be the predominant use in the Mixed-Use Employment designation.
 - b. Where the Mixed-Use Employment designation is located in an Overlay, the form policies of the Overlay will prevail.
 - c. Commercial uses such as commercial recreation, hotels, convention centres, motels, and entertainment uses, and retail uses such as restaurants and other services uses which are below the Major Retail threshold may be permitted provided the uses:
 - i. Are located in the periphery of the **Employment Area**;
 - ii. Front onto and provide a municipal address on existing or planned Rapid Transit corridors to support the integrated land use and transit functions of these corridors;
 - iii. Are accommodated in a multi-storey mixed-use office building; and,
 - iv. Provide a buffer to sensitive land uses to maintain land use compatibility in accordance with the policies of this Plan and Provincial plans and guidelines.
 - d. A limited range of light industrial uses may be permitted that are compatible with the permitted commercial uses.
 - e. Service commercial uses will be located along the edge of the Mixed- Use Employment designation abutting Neighbourhoods.
 - f. Public facilities such as bus depots and emergency facilities.
- 2.2.8.14 **Development** will contribute to the creation of competitive, attractive, highly functional Employment and Mixed-Use Employment areas by:
 - b. Mitigating the potential **negative impacts** from traffic generated by **development** within Employment and Mixed-Use Employment designations;
 - g. Encouraging office along the frontages of arterial roads or in places of higher visibility;
 - h. Providing landscaping on the front and flanking yards adjacent to a public street and open space to create an attractive streetscape, and screening parking, loading and service areas including large open storage areas; and,

- i. Open storage areas will not be permitted fronting onto a street. Where open storage and/or outdoor processing of goods and materials as accessory/**ancillary** uses are permitted, the zoning by-law will ensure that the open storage and/or processing is:
 - i. As appropriate, limited in extent;
 - ii. Generally located on an area of the property where **adverse effects** on **sensitive land uses** are avoided and where avoidance is not possible, mitigated in accordance with Provincial policy and the Province's land use compatibility guidelines; and,
 - iii. Screened by fencing and landscaping, where viewed from adjacent streets and neighbouring land uses.

- 2.2.8.18 In accordance with the study requirements outlined in the Region of Peel Official Plan, City-initiated **Major Transit Station Area** Studies may identify appropriate locations for retail, residential, commercial, and non-ancillary uses within the Mixed-Use Employment designation, subject to Regional review and approval.

- 2.2.8.19 Where a City-initiated **Major Transit Station Area** Study has identified retail, residential, commercial, and non-ancillary uses within the Mixed- Use Employment (Office Mixed-Use) designation in the **Major Transit Station Area** Policies section, the following policies apply in support of creating **15-minute neighbourhoods**:
 - a. The types of permitted **ancillary** uses are of a scale that serve the local neighbourhood and employees such as commercial uses including but not limited to convenience commercial, retail, personal service, social services, child care, office and restaurants.
 - b. The permitted **ancillary** uses described in sub-section .a are encouraged to be located within the base of buildings or integrated within a building designated Mixed-Employment (Office Mixed-Use).

- 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.
- 5.12.43 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.

- 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.

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

Analysis: City of Brampton Official Plan, 2023 (Brampton Plan):

Employment Areas are to support clusters of business and economic uses such as light and heavy industrial, commercial, and waste management. This includes manufacturing, warehousing, logistics, office, and other appropriate ancillary commercial uses. The Mixed-Use Employment designation is generally located in the periphery of Employment Areas and permits a broad range of employment, employment-supportive and population-serving uses such as office, major office, commercial, recreation, hotels, convention centres, entertainment, and some appropriate retail uses such as restaurants. Some residential uses may be permitted within MTSA's, subject to further detailed evaluations. These uses are intended to be in compact and vertical urban forms to contribute to the creation of competitive, attractive and highly functional Employment Areas.

As per Section 2.2.8, lands designated Mixed-Use Employment that are also located within a MTSA have the potential to support the integration of non-employment uses in appropriate and compatible forms. The objective is to develop vibrant, mixed-use areas and innovation hubs. Although Planned MTSA's are not a protected MTSA under the Planning Act, Planned MTSA's will transition into either a "Primary" or "Secondary" MTSA through further studies. As such, Planned MTSA's are to maintain transit-supportive uses, densities, order, and development patterns in a parallel manner to that of Primary and Secondary MTSA's.

Section 5.12.43 provides requirements when considering temporary use by-laws. Accordingly, the proposed temporary use of the subject lands for truck and trailer parking:

- a. is a non-complying use to the Mixed-Use Employment Designation, does not meet the planned intent and function of lands located within MTSA's, and is therefore not considered to conform to the policies of the Brampton Plan;
- b. is for a temporary period of three (3) years and is not anticipated to entail major construction or investment by the owner that would otherwise create undue hardship in reverting the lands back to support the intended planned use and function of the subject lands;
- c. is not considered to comply with the current policy framework for the subject lands and is further considered to not be compatible with the policy framework for surrounding lands, which are also designated Mixed-Use Employment and are also within a MTSA;
- d. does not require an extension or expansion of existing municipal services as no buildings or structures are being proposed;

- e. is accompanied by a Traffic Impact Study prepared by Candevcon Group Inc. dated April 14, 2025, which evaluates projected traffic to the year 2031, and the impact of the proposed temporary use within this projection. The study finds that the background traffic at the signalized intersection of Queen Street East and Sun Pac Boulevard will maintain an overall Level of Service of “B” (very good) during A.M. peak hours, and “D” (fair) during P.M. peak hours. The northbound, southbound, and eastbound turning lane movements maintains a Level of Service of “F” (unsatisfactory) during A.M. and P.M. peak hours and may result in spillback of vehicles on adjacent lanes. When modelling for the inclusion of site-generated traffic from the proposed temporary use, the study This includes modifying signal timing plans during peak hours and extending the storage of turning lanes. As trucks will be turning northbound from both eastbound and westbound lanes to access the subject lands, additional traffic is anticipated;
- f. provides on-site parking only for the operation and function of the proposed use; and
- g. is not considered to be generally desirable and compatible with the surrounding community. The proposed use functions in contravention to the planned intent and function of the subject lands within the policy context of the Mixed-Use Employment designation and the planned intent and function of lands located within a Planned MTSA.

The proposed use of the subject lands for the parking and storage of trucks and trailers is not considered to meet the planned intent and function of the Mixed-Use Employment designation, and is not considered to meet the requirements and goals of lands located within MTSA's. The proposed use is not permitted, functions as an underutilization of land when considering the density target of 30 jobs per hectare and the City's long-term employment objectives, and is not considered to contribute to the creation of complete and highly functional employment areas that reinforces the City's employment lands in accordance with the policy framework. Furthermore, the subject application is not considered to satisfy the requirements of Section 5.12.43 for temporary use by-laws.

Secondary Plan (Airport Intermodal Secondary Plan, Area 4)

The subject property is designated “Highway and Service Commercial” in the Airport Intermodal Secondary Plan (Area 4), which permits a range of commercial and industrial uses.

- 2.5.1 Uses permitted on lands designated Highway and Service Commercial on Schedule 4 may include:
 - i.) retail warehousing (and other space extensive retailing) limited to those which are not engaged in the selling of food;
 - ii.) home furnishing, garden centres and home improvement retail warehouse;
 - iii.) automobile service stations, gas bars, repair facilities, sales and leasing establishments, and associated uses;
 - iv.) restaurants;
 - v.) convenience stores;
 - vi.) personal service shops;
 - vii.) recreation facilities and community clubs;

- viii.) offices;
- ix.) banks, trust companies or financial institutions;
- x.) retail establishments; and
- xi.) hotels/motels and banquet halls.

Analysis: Airport Intermodal Area Secondary Plan, Area 04

The proposed use of the subject lands for the parking and storage of trucks and trailers is not permitted within lands designated Highway and Service Commercial. Echoing the parent policies of the Brampton Plan, the proposed use is not considered to be a desirable and orderly development of the subject lands, which is supported by the policy framework to be a complete and highly functional employment area that is transit-supportive.

Zoning By-law:

The subject lands are zoned 'Service Commercial – Section 1823 (SC-1823)' in Zoning By-law 270-2004, as amended. This zone permits a range of commercial uses including but not limited to offices, financial institutions, retail, personal service shops, dry cleaning, restaurants, hotel, motel, service stations, warehouses, and permitted accessory uses.

Analysis Zoning By-law:

The proposed use constitutes 'Outside Storage', which is defined as "the storage of goods, inventory, materials, machinery or vehicles including oversized motor vehicles not actively engaged in loading and unloading of goods and materials in conjunction with a business located within a building or structure on the same lot" in accordance with Section 5 of the Zoning By-law. The Service Commercial, Special Section 1823 zone does not permit Outside Storage.

An amendment to the Zoning By-law is required to permit the proposed use of the subject lands for truck and trailer parking for a temporary period of three (3) years. The subject application was reviewed in accordance with Section 5.10.2 of the Official Plan, 2006, and Section 5.12.43 of the Brampton Plan for temporary use by-laws and is not considered to satisfy the prescribed requirements when considering the planned intent and functions of the subject lands within the applicable policy framework.

Technical Studies

Arborist Report

A Tree Inventory and Arborist Report prepared by The Urban Arborist dated September 2, 2022, accompanies the subject application. This report provides an inventory of trees located on the subject lands and assesses their health and provides technical guidance on preservation, removal and replanting. The report inventoried 25 trees and identified

20 for removal, and 25 for replanting in accordance with the City's Tableland Tree Assessment Guidelines.

Functional Servicing and Stormwater Management Report

A Functional Servicing and Stormwater Management Report prepared by Urbanworks Engineering Corporation dated August 2024, accompanies the subject application. This report provides information on how the proposed development can be serviced with storm drainage and addresses the Storm Water Management strategy for the subject lands. An Operations and Maintenance Letter dated November 28, 2024, accompanies this report that outlines the operations and maintenance plan for the proposed stormwater management system.

Planning Justification Report

A Planning Justification Report prepared by Blackthorn Development Corp. dated March 2025, accompanies the subject application. This report provides a planning rationale of the subject application which includes a policy analysis of the Provincial Policy Statement, 2020; A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020; Region of Peel Official Plan, 2022; and the City of Brampton Official Plan, 2006. This report concludes that the proposed use of the subject lands for the temporary parking of trucks and trailers aligns with applicable provincial and municipal policy framework.

Traffic Impact Study

A Traffic Impact Study prepared by CGE Transportation Consulting dated February 18, 2025, accompanies the subject application. The study examines the impact of the proposed development on the adjacent road network. The study finds that the site can be accommodated on the surrounding road network with minimal impact; no additional improvements are required; available parking spaces will be adequate; and on-site circulation is acceptable.