

Detailed Planning Analysis
City File Number: OZS-2020-0001

Overview

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

Planning Act

The application is in compliance with matters of provincial interest as identified in the Planning Act R.S.O 1990 in terms of the following:

- *Section 2(h) the orderly development of safe and healthy communities*
- *Section 2(k) the adequate provision of employment opportunities*

The application has appropriate regard for provincial matters and provides for a mixed use building and provides for employment opportunities.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 39(1) of the Planning Act, and advise that the application satisfies these criteria. Section 39(1) states:

Section 39 (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.

Section 39(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.

The application fulfills the requirements of this section. It is noted that the proposal is for a temporary period of three years and does not significantly deviate from the overall intent of the lands.

Provincial Policy Statement

Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Planning Act. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use

planning and development. The applications are consistent with the PPS, including the following policies:

Section 1.1.1 – Healthy liveable 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;

The proposed temporary land uses do not significantly change or impact the surrounding area, but provide an additional form of housing and employment opportunities.

Section 1.1.3 Settlement Areas

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

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;*

The proposal is for a mixed use development within an underutilized building, located within a settlement area.

Section 1.3 Employment

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;*
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4;*

The subject application meets the above noted policies as the proposal provides for a temporary use of the underutilized building to be used as a medical office and pharmacy to serve the surrounding community.

Based on the above, staff is satisfied that the proposed development is consistent with the policies in the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe includes policy and direction intended to accommodate and forecast growth in complete communities. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenience access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing options to accommodate a range of incomes and household sizes.

The relevant policies contained within the Growth Plan that are implemented by this particular development proposal are included in Section 2.2.1 Managing Growth. According to Section 2.2.1, within settlement areas, growth is to be focused in:

- Delineate built-up areas;
- Areas with existing or planned public service facilities.

The proposal conforms to Section 2.2.1 of the Growth Plan by contributing towards creating complete communities that feature a diverse mix of land uses and convenient access to local stores, services, and public service facilities.

Based on the above, staff is satisfied that the proposed development is consistent with the policies of the Growth Plan.

Region of Peel Official Plan

The Region of Peel Official Plan sets the Regional context for more detailed planning by protecting the environment, managing resources, directing growth and establishing a basis for providing Regional services in an efficient and effective manner. The subject lands are located within the 'Urban System' designation in the Region of Peel Official Plan and the following policies apply:

Section 5.3.1.3 – To establish healthy urban communities that contain living, working and recreational opportunities, which respect the natural environment, resources and the characteristics of the community.

Staff is of the opinion that the temporary land use should not have a negative effect on the surrounding land uses.

Section 5.3.1.4 – To achieve intensified and compact 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

The proposal is to redevelop an existing building for a mixed use development that will support the surrounding community in a compatible manner.

The proposed development is consistent with the above noted policies since it comprises a compact form of development within the Regional Urban Boundary that will efficiently use existing services and infrastructure. Based on the above, staff is satisfied that the proposal conforms to the Region of Peel Official Plan.

City of Brampton Official Plan

The City of Brampton's Official Plan provides comprehensive policies that facilitate land use decision making. The purpose of the City of Brampton's Official Plan is to give clear direction as to how physical development and land use decisions should plan to meet the current and future needs of its residents.

The subject property is designated 'Residential' according to Schedule A – General Land Use Designations of the City of Brampton Official Plan. The Residential designation permits predominately residential land uses including a full range of dwelling types and other complementary uses.

Section 5.10 of the Official Plan speaks to Temporary Use By-laws, and notes that Temporary Use by-laws are zoning by-laws which permit the use of land, buildings or structures for a limited period of time. Where appropriate, the City shall use temporary use provisions in a zoning by-law to recognize short term uses of land, buildings or structures.

The following policies from Section 5.10 are applicable:

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 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;*

The property is designated 'Residential' on Schedule A of the Official Plan, which permits a full range of dwelling types ranging from single detached units to high-rise apartments. Complementary uses are permitted subject to specific Secondary Plan policies or designations such as convenience retail and service commercial uses. The property is designated 'Medium Density Residential' in the Springdale Secondary Plan (Area 2).

The proposed medical office and pharmacy use is not permitted in the residential designation of the Secondary Plan, however the proposed uses are complementary to the existing surrounding residential neighbourhood and would not create or aggravate

any situation detrimental to them. The temporary uses are compatible to the Official Plan and Secondary Plan designations.

- ii. The temporary use does not adversely affect surrounding uses in terms of air pollution, odour, noise, light or traffic generation;*

Staff do not foresee the temporary use posing a negative impact on the surrounding land uses. It is noted that no residents provided comments at the public meeting. Matters such as landscaping and design of the parking area will be addressed through a site plan application to ensure any potential impacts are mitigated.

- iii. The temporary use does not interfere with the development of adjacent areas that are developing in accordance with this Plan;*

The surrounding lands are developed and are predominately residential uses. The proposal does not require significant site alternations, building construction or additions. If the application is approved the applicant will be required to go through site plan approval in order to adjust the parking lot and ensure there is a landscape buffer between land uses.

- iv. Adequate provision will be made for off-street parking and loading facilities; and*

The proposal demonstrates that parking is contained within the site and the Traffic Impact Study which was submitted in support of the application concluded that there will be little to no impact on local traffic.

- v. The temporary use does not create a service demand that the City and other relevant public authorities cannot fulfill.*

There does not appear to be any servicing constraints for the proposed development.

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 by-law, the use of and, buildings or structures that were permitted under such a by-law shall cease to exist and shall not be considered non-conforming within the context of the Planning Act or this Plan.

The subject proposal meets the intent of the above noted policies as the proposal is for a temporary period of three years. The proposed temporary use of a medical office and pharmacy is contained within the existing building on the subject property and only

minor alternations are proposed to the parking lot and landscape features in order to ensure there is a buffer between the land uses, therefore the subject application does not appear to have a detrimental impact on the surrounding land uses. Furthermore, a traffic impact study was submitted as part of the subject application and there does not appear to be any traffic concerns related to the subject proposal.

Springdale Secondary Plan (SPA 2)

The subject property is located within the Springdale Secondary Plan (SPA 2) and is designated as 'Medium Density Residential'. The proposed medical office and pharmacy use is not permitted in the residential designation of the Secondary Plan, however the proposed uses are complementary to the existing residential neighbourhood and is proposed for a temporary three year period. An amendment to the Secondary Plan is not required.

City of Brampton Zoning By-law

The subject property is split zoned 'Agricultural' (A) and 'Residential' (R1D-807) by By-law 270-2004, as amended. An Amendment to the Zoning By-law is required in order to permit the proposed use. The applicant is proposing a temporary re-zoning for a three year period. The recommended By-law proposes to permit the medical office, pharmacy and residential uses for a period of three years.

Land Use

Staff is of the opinion that this development application complies with the applicable sections of the Planning Act. The proposed land uses are supportable in terms of the technical requirements, and also in terms of established planning principles. The proposed development is supportable from a land use perspective based on the following:

- It is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (2019) and the Peel Region Official Plan;
- It promotes appropriate development and supports a complete community;
- It introduces a compatible redevelopment of the subject property; and,
- Is it supportable from a technical perspective with respect to the various approved studies submitted by the applicant.

Technical Requirements

The following are brief synopses of the documents that were provided in support of the development application.

Planning Justification Report (PJR)

A PJR was submitted to the City to provide a rationale for the development and the associated policies within the Planning Act, Provincial Policy Statement, the Region of

Peel Official Plan, the City's Official Plan and Zoning By-law. Staff reviewed the report and are satisfied with the justification provided by the applicant.

Traffic Impact Study

A Traffic Impact Study was submitted in support of the subject application. The proposed Mixed-use development is expected to generate a total of 16 trips during the PM peak hours. The access to the proposed mixed-use development will be un-signalized with a stop-control at the access approach. The proposed medical use is not expected to have a significant impact on traffic in the area.

The proposed development provides for 24 parking spaces, which meets the intent of the By-law.

The Traffic Study has been reviewed by staff and staff is satisfied with the report.

Conclusion

The proposed application is consistent with the Provincial Policy and meets the general intent of the Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City of Brampton Official Plan. The proposed development if approved is temporary in nature, after which the applicant intends to file formal development applications for a seniors care/residential facility.