

Date: 2021-03-19

File: **OZS-2020-0024**

Subject: **Recommendation Report**
Application for Temporary Use Zoning By-law
(To permit truck parking and outdoor storage of tractor trailers as a temporary use)
2538948 Ontario Inc. – Blackthorn Development Corp.
South side of Mayfield Road and west of Coleraine Drive
Part of Lot 17, Concession 11 Northern Division (Formerly Township of Toronto Gore), Part 4 Plan 43R1977 except Part 1 Plan 43R38657
Ward: 10

Contact: Steve Ganesh, Manager, Planning and Development Services,
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Report Number: Planning, Bld & Ec Dev-2021-216

Recommendations:

1. **THAT** the report titled: **Recommendation Report**, Application for Temporary Use Zoning By-law, **2538948 Ontario Inc. – Blackthorn Development Corp.**, South side of Mayfield Road and west of Coleraine Drive, Part of Lot 17, Concession 11 Northern Division (Formerly Township of Toronto Gore), Part 4 Plan 43R1977 except Part 1 Plan 43R38657, Ward 10 (OZS-2020-0024), to the Planning and Development Committee Meeting of April 12, 2021 be received;
2. **THAT** the Temporary Use Zoning By-law application submitted by 2538948 Ontario Inc. – Blackthorn Development Corp. be approved, on the basis that it represents good planning, it is consistent with the Provincial Policy Statement, confirms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in this Recommendation Report; and
3. **THAT** the Temporary Use Zoning By-law generally in accordance with the attached Appendix 10 to this report be adopted.

Overview:

- **This report recommends approval of the Temporary Use Zoning By-law application to permit the industrial use of the lands for outdoor storage of trucks and tractor trailers.**
- **The property is designated as “Industrial”, “Corridor Protection Area” and “Special Study Area” in the Official Plan.**
- **The property is designated “Business Park” and “Corridor Protection Area” in the Highway 427 Industrial Secondary Plan.**
- **The property is zoned Agricultural (A) by By-Law 270-2004, as amended. A Temporary Use Zoning By-law is required to permit the proposed use.**
- **A Statutory Public Meeting was held on November 16th, 2020. There was one delegation at the meeting and one written submission was received. Details of the Statutory Public Meeting are included in Appendix 8 of this report.**
- **The proposed Temporary Use Zoning By-law represents good planning, is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Brampton Official Plan.**
- **A Site Plan application is required for this development. This will allow staff to evaluate the details of the proposal and ensure any potential impacts on surrounding properties are addressed.**

Background:

This application was received on August 24, 2020 and has been reviewed for completeness and found to be complete in accordance the Planning Act. On September 9, 2020 staff issued formal notice that the application was deemed to be a complete application.

A Statutory Public Meeting was held on November 16th, 2020. There was one delegation at the meeting and one written submission was received. Details of the Statutory Public Meeting are included in Appendix 8 of this report.

Current Situation:

Proposal (Refer to Appendix 1):

The applicant is proposing a Temporary Use Zoning By-law to permit the use of the lands for outdoor storage of trucks and tractor trailers. The temporary use permission is proposed for a maximum period of three years.

Details of the proposal are as follows:

- Gravel parking area with drive aisles and maneuvering area to accommodate 459 truck trailer parking spaces;
- Access from Mayfield Road;
- Temporary and mobile office trailer;
- Stormwater Management Pond and buffer;
- Fence and security gate;
- Screening berm along Mayfield Road; and
- Acoustic earth berm.

Property Description and Surrounding Land Use (Refer to Appendix 2):

The lands have the following characteristics:

- Located on the south side of Mayfield Road west of Coleraine Drive;
- Currently vacant with agricultural use; and
- Rectangular shaped parcel with an area of approximately 9.94 ha (24.6 ac) and with frontage of approximately 170 m along Mayfield Road.

The surrounding land uses are described as follows:

North: Across Mayfield Road there is vacant lands in agricultural use and single detached dwellings located within the Town of Caledon.

South: Vacant lands in agricultural use and single detached dwellings.

East: Two single detached dwellings and vacant land in agricultural use.

West: Vacant lands in agricultural use.

Summary of Recommendations:

This report recommends that Council approve the proposal for the additional uses on the lands and adopt the Temporary Use Zoning By-law attached to this report as Appendix 10.

Planning Analysis Summary:

The proposal has regard for matters of provincial interest that are set out in the Planning Act. The application proposes a minor alteration to an existing zone for a period of three (3) years. The proposal and implementing Temporary Use Zoning By-law represent good planning, are consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan. A detailed planning analysis can be found in Appendix 7.

A Site Plan application is required for this development. This will allow staff to evaluate the details of the proposal and ensure any potential impacts on surrounding properties are addressed.

Planning Act:

The proposal has regard for the following matters of provincial interest as set out in Section 2 of the Planning Act. The proposed development represents orderly development (Section 2(h)) in an appropriate location (Section 2(p)) that is well-designed (Section 2(r)). Lastly, it provides employment opportunities (Section (k)). The application is in conformity with the Planning Act and satisfies the requirements of Section 39, which enables Temporary Use Zoning By-laws.

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 PPS includes policies promoting land use patterns which are efficient and avoid environmental or public health and safety concerns. The proposed temporary use respects development patterns and makes efficient use of land existing infrastructure.

The proposed Temporary Use Zoning By-law is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020):

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) includes policy and direction intended to accommodate and forecast growth in complete communities as well as the importance of maintaining an adequate supply of land for a broad range of employment uses. Lands located near major goods movement corridors should be preserved for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities. The proposed Temporary Use Zoning By-law conforms to the applicable sections 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 conforms to the related policies with respect to healthy communities efficiently using resources.

The proposed Temporary Use Zoning By-law conforms to the applicable sections of the Region of Peel Official Plan.

City of Brampton Official Plan:

The City of Brampton Official Plan provides guidance and policies for the future of the City. The subject property is designated “Industrial”, “Special Study Area”, and “Corridor Protection Area” on Schedule A of the Official Plan. Although the subject proposal does not meet all of the policies of the “Industrial” designation, it does meet the Temporary Use policies of section 5.10.2 of the Official Plan. Temporary Use By-laws that meet these criteria do not require an amendment to the Official Plan.

There are no anticipated undue negative impacts on the neighboring properties. A Site Plan application is required for this development. This will allow staff to evaluate the details of the proposal and ensure any potential impacts on surrounding properties are addressed. Since the subject application is for a temporary period of three (3) years the proposal does meet the intent of the Official Plan.

Highway 427 Industrial Secondary Plan (Area 47):

The property is designated “Business Park” and “Corridor Protection Area” in the Highway 427 Industrial Secondary Plan (Area 47). The “Business Park” designation permits a range of industrial uses including outside storage. Although the use is generally permitted, the subject proposal does not meet all of the policies within the

Secondary Plan. However, Temporary Use By-laws that meet the criteria set out in the Official Plan do not require an amendment to this plan.

Community Engagement:

The statutory public meeting for this application was advertised in the local newspaper, and the application was circulated to City Departments, commenting agencies, and to property owners within 240 metres of the subject lands by mailings, which exceed the requirements of the Planning Act. A copy of all department/agency comments are included in Appendix 9 of this report. Notice signs were also placed on the subject lands to advise members of the public that an application to amend the Zoning By-law had been filed with the City. This report along with the complete application requirements, including studies have been posted to the City's website.

A Statutory Public Meeting for this application was held on November 16th, 2020. There was one delegation at the meeting and one written submission was received. Details of the Statutory Public Meeting are included in Appendix 8 of this report.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this report. Revenue that is collected through the development application fees are accounted for in the approved operating budget.

Other Implications:

There are no other Corporate implications associated with this application.

Living the Mosaic – 2040 Vision:

This report has been prepared in full consideration of the overall vision that the people of Brampton will “Live the Mosaic”. This report aligns with the vision that Brampton will contain ancillary centres that provide logistics functions and industrial activity which is central to the economy.

Term of Council Priorities:

This application is consistent with the “City of Opportunities” theme. It supports spreading employment opportunities across the City. The proposal satisfies this by efficiently using land and infrastructure to create employment opportunities.

Conclusion:

The Development Services Division undertook a circulation of the application to ensure all technical and financial matters have been satisfactorily addressed. Staff is satisfied with the proposed Temporary Use Zoning By-law Amendment application. The proposal represents good planning, including consistency with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, Region of Peel Official Plan and City of Brampton Official Plan.

This report recommends that Council enact the Zoning By-law Amendment attached hereto as Appendix 10 for a temporary period of three (3) years. The Temporary Use Zoning is appropriate considering that the proposed temporary use is an efficient use of land and existing infrastructure, is appropriate for the area, and is not expected to create undue adverse impacts on adjacent uses.

In summary, the application is appropriate for the orderly development of the lands and represents good planning.

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Attachments:

- Appendix 1: Concept Plan
- Appendix 2: Location Map
- Appendix 3: Official Plan Designations
- Appendix 4: Secondary Plan Designations
- Appendix 5: Zoning Designations
- Appendix 6: Aerial & Existing Land Use
- Appendix 7: Detailed Planning Analysis
- Appendix 8: Results of the Public Meeting
- Appendix 9: Results of the Application Circulation
- Appendix 10: Zoning By-law Amendment