

Detailed Planning Analysis

City File: OZS-2020-0027

Overview

The proposal has been reviewed and evaluated against the Planning Act, Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, the City's Official Plan, the Bram East Secondary Plan and other applicable City of Brampton guidelines and priorities.

Planning Act

The proposed development has regard for the following matters of Provincial Interest as set out in the Planning Act:

Section 2 (h): the orderly development of safe and healthy communities;

Section 2 (k): the adequate provision of employment opportunities;

Section 2 (l): the protection of the financial and economic well-being of the Province and its municipalities;

Section (p): the appropriate location of growth and development;

Section 2 (q): the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and,

Section 2 (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.

Regard for these sections is reflected in the proposed Official Plan and Zoning By-law Amendment, the development proposal incorporates the following qualities:

- Supports orderly development and appropriate growth in the area;
- Allows for economic growth and employment opportunities through the proposed office development;
- Provides a land use that is compatible with the surrounding land uses;
- Supports walkability and active transportation to and from Airport road, as well as access to public transit through the bus stop located on Airport Road (Brampton Transit Bus Route 30); and
- The proposal will develop a sense of place for the surrounding neighbourhood, design characteristics will further be refined through the Site Plan application.

Provincial Policy Statement (2020)

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 the following matters of Provincial interest as identified in the Provincial Policy Statement.

1.1.1 Healthy, Liveable and sage 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;
- (h) Promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

The proposed development will support the financial well being of Ontario by generating employment opportunities for the surrounding community and neighboring residents. The proposal received a Bronze sustainability score, indicating that the proposed design aligns with the City of Brampton's Sustainability Principles and Goals.

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;
- (c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- (d) prepare for the impacts of a changing climate;
- (e) support active transportation;
- (f) are transit-supportive, where transit is planned, exists or may be developed; and
- (g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The proposed development location has access to adequate municipal servicing, the Region of Peel confirmed that there is an existing 300mm diameter watermain and a 250mm diameter sanitary sewer located on Yellow Avens Boulevard. The site design prepares for the impacts of a changing climate and incorporates features to mitigate adverse environmental impacts which is reflected in the Sustainability Assessment. The site is transit supportive as the subject property directly abuts an existing bus stop on Airport Road (Transit Bus Route 30).

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- (a) providing for an appropriate mix and range of employment and institutional 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;

(d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

The proposed development will assist the City of Brampton in meeting Provincial employment targets while supporting a wide range of economic opportunities to ensure the City of Brampton has an adequate range of employment uses to meet long-term needs.

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

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a framework for building stronger, more prosperous communities by managing growth over the long term. Guiding principles include supporting complete communities, providing a mix of housing types, and prioritizing intensification. The proposed development demonstrates conformity generally to this plan, including:

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 area;
- iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
- iv. areas with existing or planned public service facilities;

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;

The subject parcel is located within the Settlement Area that has a delineated built boundary. The site abuts existing residential neighbourhoods and is in close proximity to a neighboring commercial plaza. The proposed development will further diversify the uses available to neighbouring residents. The Region of Peel provided confirmation that the proposed development will be serviced with existing municipal water and wastewater systems, with no required upgrades.

2.2.2 (3) All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;
- c) encourage intensification generally throughout the delineated built up area;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

The subject property is located within a settlement area built boundary with existing infrastructure and services which will assist the City of Brampton in achieving its intensification targets. The site is appropriately scaled with abutting uses and provides commercial office uses and a restaurant that will aid in achieving a complete community.

2.2.5 (3) Retail and office uses will be directed to locations that support active transportation and have existing or planned transit.

The proposed development directly fronts a bus stop located on Airport Road that is serviced by an existing public transit system (Brampton Transit Bus Route 30).

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 with the "Urban System" as established in the Regional Official Plan (Schedule D). The Region of Peel Official Plan sections that are applicable to this application include:

5.3.1.5 To achieve an urban structure, form and densities which are pedestrian friendly and transit-supportive;

The subject property integrates into the existing sidewalk network on Yellow Avens Boulevard and Airport Road, providing connectivity to the surrounding residential neighbourhoods and commercial uses. The site is transit supportive as it directly fronts an existing Brampton Transit Bus Route bus stop, located on Airport Road.

(Urban System Objective) 5.3.1.4: To achieve intensified and compact form and a mix of land uses in appropriate areas that efficiently use land, infrastructure and public finances while taking into account the characteristics of existing communities and services;

5.3.2.2 Direct urban development and redevelopment to the Urban System within the 2031 Regional Urban Boundary, as shown on Schedule D, consistent with the policies in this Plan and the area municipal official plans.

The subject property is located within the Urban System as identified on Schedule D of the Regional Official Plan, the conceptual site plan portrays a compact built form that is appropriate for the area, while diversifying the uses available to area residents.

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

The Region of Peel provided written confirmation that the subject development can connect to existing municipal services without any adverse impact to the existing system.

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 plan is to guide development and infrastructure decisions and to set the basis for addressing the challenges of growth in Brampton. The Plan incorporates upper level planning policies of the PPS, Growth Plan and Regional Plan.

The subject lands are designated as "Residential" on Schedule A – General land use designations in the City of Brampton Official Plan. The Residential designation permits predominantly residential land uses however, complementary uses, shall be permitted subject to specific Secondary Plan policies or designations.

4.2.1.1 The Residential designations shown on Schedule "A" permit predominantly residential land uses including a full range of dwelling types ranging from single detached houses to high-rise apartments. Complementary uses, other than Places of Worship, shall be permitted subject to specific Secondary Plan policies or designations, and may include uses permitted in the Commercial and Institutional and Public Uses designations of this plan, such as schools, libraries, parks, community and recreation centres, health centres, day care centres, local retail centre, neighbourhood retail, convenience retail, or highway and service commercial uses.

The City of Brampton Official Plan policy 4.2.1.1 outlines permitted complementary uses based on the Secondary Plan sub-designation. Therefore, it can be concluded that the proposed commercial development is permitted as of right through the Residential Official Plan designation subject to the Secondary Plan designation. A further analysis of the Springdale Secondary Plan (Secondary plan Area 2) will exemplify why the proposed use is appropriate in the Residential designation.

4.3.7.1 The City may permit Motor Vehicle Commercial uses including gas bars, automobile service stations, limited automobile repair facilities and car washes in all of the land use categories on Schedule "A" of this Plan provided that, where applicable, such uses are appropriately designated in the respective Secondary Plans, and subject to Section 4.11.3.6 of this Plan and the Development Design Guidelines.

4.3.7.7 Notwithstanding the above policies, Business, Highway Commercial, Service Commercial or similar designations not explicitly identified in this Plan, may be permitted within "Residential" designations as shown on Schedule "A" as necessary and appropriate in the context of all other objectives and policies of this Plan, to either provide service to the

surrounding population or to provide service to a broader area or to those passing through the area, provided they are designated in the relevant Secondary Plan.

The Secondary Plan sub-designates the subject parcel as "Highway Commercial" (2.5.1), which is intended to service the traveling public through uses such as; service stations, gas bars, motor vehicle washing establishments and related activities. Given the auto-oriented uses permitted as of right through the current Secondary Plan designation, the proposed restaurant and drive-through generally align with the uses permitted through the "Highway Commercial" sub-designation.

4.11.3.6.1 Designation of auto-oriented uses shall be subject to the policies in Section 4.3.7 of this Plan and the Secondary Plans. As a general policy, auto-oriented development is not permitted at main gateways, in the Central Area, office centres, within close proximity to residential areas and to other auto-oriented uses.

4.11.3.6.2 Where permitted, auto-oriented development shall be designed to reinforce street edges, achieve a pedestrian scale and contribute to a high quality public realm and streetscapes through a combination of site planning, landscaping and built form including:

- Locating the principal building at or near the street edge;
- Locating parking and service areas away from the street such as at the rear or flank of the building that are not facing or exposed to the public realm, and/ or screened from neighbouring properties;
- Locating the stacking and drive-through lanes at the rear or side yards and not between the building and the street to minimise the impact on streetscape and the adjacent properties, and to ensure a positive contribution to the pedestrian environment;
- Landscaping the stacking and drive-through lanes and the parking areas to soften the visual elements; and,
- Maintaining an effective level of vehicular traffic functions both within the site and on the surrounding road network and providing clear separation of vehicular and pedestrian traffic to ensure ease and safety of movement.

The development proposal was evaluated against policy 4.11.3.6.1 of the Brampton Official Plan. The as-of-right land use permissions listed in the Secondary Plan designation and Zoning By-law allow for a range of auto-oriented uses such as, but not limited to; service station or gas bar, motor vehicle washing establishment and related activities. The proposed restaurant and drive-through mirror the as-of-right land use permissions identified in the Secondary Plan and Zoning By-law. City Staff have reviewed and commented on a variety of studies to ensure any adverse visual or acoustic impact on neighboring properties is properly mitigated and that the site conforms to the objectives identified in Official Plan policy 4.11.3.6.2. Further refinement to the site design will be carried out through the forthcoming Site Plan application.

4.3.2.9 The City shall interpret the location of Retail designations on Schedule "A2" of this Plan to be approximate. The City shall require the specific location of Retail centers and all other commercial uses including livework units in a residential area to be designated in Secondary Plans, where applicable.

The development application proposes an amendment to City of Brampton Official Plan Schedule A2, the Convenience Retail designation will be added to Schedule A2 to reflect the proposed retail location.

Springdale Secondary Plan (Area 2)

The property is sub-designated “Highway Commercial” in the Springdale Secondary Plan (Area 2 – Schedule 2). The policies that area applicable to this application include but are not limited to:

2.5.1 Lands designated Highway Commercial on Schedule 2 shall be used for those purposes that are primarily oriented to the traveling public and are limited to service stations, gas bar, motor vehicle washing establishments and related activities.

The intent of the “Highway Commercial” sub-designation permits commercial uses aimed at auto-oriented travel, with little pedestrian or active-transit connectivity. The applicant has submitted an Official Plan Amendment application to amend the Springdale Secondary Plan (Area 2) to re-designate the subject lands from “Highway Commercial” to “Convenience Retail”. Section 2.4 of the Springdale Secondary Plan defines and lists the permitted uses of the “Convenience Retail” sub-designation as the following:

2.4.1 Uses permitted on lands designated Convenience Retail on Schedule 2 shall permit the range of uses and be developed in accordance with the Local Retail policies of Section 4.3.5 and other relevant policies of the Official Plan.

The City of Brampton Official Plan section 4.3.5.4 lists the permitted uses of the Local Retail designation as:

4.3.5.4 Permitted uses typically include small scale retail stores, supermarkets or specialty stores, junior department stores, pharmacies, restaurants and service establishments that primarily serve the surrounding residential area.

Notwithstanding the permission for restaurant uses, drive-through facilities, where permitted shall be located in the site plan sensitive to their impact on adjacent residential areas.

As noted above, the “Highway Commercial” designation is oriented towards developing land uses that service the traveling public. The area surrounding the subject lands consists of existing residential neighbourhoods and some commercial uses, the re-designation of the subject property to “Convenience Retail” will permit the commercial office development and restaurant and drive-through which will be accessible to local area residents through, active transit and public transit. City of Brampton Official Plan policy 4.3.5.4 states that drive-through facilities, where permitted shall be located sensitive to their impact on adjacent residential areas. The development proposal has implemented site design features and zoning performance standards to minimize any adverse impact of the drive-through on neighbouring residential units, such as; landscape buffering, building siting and compacting the queuing lane. Further refinement to the site design will be undertaken through the forthcoming Site Plan application.

Zoning By-law

The property is zoned Highway Commercial 2 (Two) – Special Section HC2-1399, an amendment to the Zoning By-law is required to permit the change in commercial uses, alterations to yard depths and minimum landscape areas. The proposed zoning changes and performance standards will implement the policies of the Official Plan and Zoning by-law to ensure that the site is properly integrated to the surrounding area. See Appendix 8 for the Zoning By-law.

Technical Analysis

Land Use

This application proposes a commercial development consisting of two (2) commercial buildings; a one-storey restaurant and drive-through and a one-storey multi-unit commercial building with a total of six (6) units. The site features surface parking with 48 spaces (four accessible) and two vehicular access driveways via Yellow Avens Boulevard. The proposed zoning by-law establishes zoning performance standards such as minimum front, rear, interior and exterior yard depths and widths, landscaping requirements and permitted uses. The uses described above that are proposed on the property are acceptable from a land-use perspective.

Urban Design

An Urban Design brief was prepared by KLM Planning Partners Inc. dated July, 2020 and received as part of the first submission. Comments provided to the applicant by City staff required revisions to open space components, landscaping requirements, waste collection areas, fencing and active transportation. Subsequent Urban Design Briefs revisions were submitted to the City, the October 2021 re-submission was deemed satisfactory

Transportation/Traffic

A Traffic Impact Study (TIS) was prepared by R.J. Burnside & Associated Limited, dated June, 2020 and received as part of the first submission. Revisions to the TIS were requested by City Traffic Staff regarding access, curb radii amongst other revisions. A response to such revisions was submitted by R.J Burnside dated April 14th, 2021, indicating that revisions to the conceptual site plan would be made to satisfy traffic requirements, such revisions include, but are not limited to: stop sign and bar, access signage and revisions to access radii.

The Region of Peel comment letter dated September 2nd, 2021 outlines the gratuitous dedication of land to fulfil the Region's Right of Way Requirements for Airport Road as per Schedule F of the Regional Official Plan. Regional comments indicate that the property requirement for Airport Road is 25.25 metres measured from the centreline, a 0.3 metre reserve and 15 x 15 metre daylight triangle. The gratuitous dedication will be undertaken at the Site Plan application stage.

Site Servicing

A Functional Servicing Report was prepared by V.A. Piscione & Associates Inc. dated December 14th, 2020, recommending that the subject land can be adequately serviced with existing municipal services. As identified in the Municipal Act (2001), the Region of Peel is responsible for water and waste water servicing (amongst other responsibilities). The Region provided written approval dated September 2nd, 2021 stating that the proposed development

can be serviced through the existing 300mm diameter watermain and a 250mm diameter sewer located on Yellow Avens Boulevard.

City of Brampton staff did require minor revisions to the Functional Servicing Report, as it related to Storm Water Management for the site. City staff received an addendum letter dated August 25th, 2021 indicating that the Storm Water Management system was adequate for City standards, City of Brampton Engineering staff subsequently approved the Functional Servicing Report and addendum letter.

Noise Review

A revised Noise Control Study, dated September 16, 2021 was submitted to the City of Brampton for review. The study lists the potential sources of noise from Building A as the rooftop HVAC, drive-thru speaker and delivery truck, noise sources from Building B are the six (6) rooftop HVAC units, the receptors of these noise areas are listed as the 2nd storey windows of the residential buildings on Kettlewell Crescent. The report indicates that the receptors to the north of the development comply with the relevant MECP Noise Control Criteria. The Noise Study was subsequently approved by City of Brampton staff.

Sustainability

Sustainability score and summary documents are required to be submitted as part of an initiative to gauge how a development proposal satisfies the City's environmental sustainability requirements. In this respect, a development proposal is scored on a set of established criteria (i.e. walkability, and low impact development engineering practices). Staff have assessed the proposed development on City's sustainability criteria and have concluded that it has achieved an overall sustainability score of 38, achieving the City's Bronze Threshold. The proposal meets City's required minimum sustainability standards, further refinements to the development at the Site Plan stage may increase the sustainability score.