

Date: 2021-11-12

Files: OZS-2021-0014

Secondary Title: RECOMMENDATION REPORT

Application to Amend the Zoning By-Law

(To permit a Pet Crematorium Use with an Enclosed Mezzanine.)

2775990 Ontario Inc. – Blackthorn Development Corp.

34-2500 Williams Parkway

West of Humberwest Parkway, North side of Williams Parkway

Ward: 8

Contact: Andrew Ramsammy, Assistant Development Planner, Planning, Building and Economic Development, 905-847-3473;
Steve Ganesh, Manager, Planning, Building and Economic Development, 905-874-2089.

Report Number: Planning, Bld & Ec Dev-2021-1160

Recommendations:

- 1. THAT** the report titled: **Recommendation Report**, Application to Amend the Zoning By-law, **2775990 Ontario Inc. – Blackthorn Development Corp, 34-2500 Williams Parkway**, Ward 8 (Planning, Bld & Ec Dev 2021-1160 and File OZS-2021-0014), to the Planning and Development Committee Meeting of December 6, 2021, be received;
- 2. THAT Zoning By-law Amendment application submitted by Blackthorn Development Corp, on behalf of 2775990 Ontario Inc., Ward: 8, Files: OZS-2021-0014 and Planning, Bld & Ec Dev 2021-1160, be approved**, on the basis that it represents good planning, it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, The Region of Peel Official Plan and the City's Official Plan for the reasons set out in the Planning Recommendation Report, dated November 12, 2021; and
- 3. THAT** the amendments to the Zoning By-law, generally in accordance with Appendix 7 to this report be adopted.

Overview:

- The application is proposing to amend the Zoning By-law to permit a Pet Crematorium use to the existing developed industrial site. The proposed use will have a minimum separation distance of 280 metres to a sensitive land use (daycare located in an industrial unit on Williams Parkway).
- The property is split-zoned “Industrial Four – 1548 (M4-1548) & “Industrial Three - 1513 (M3-1513)” by By-Law 270-2004, as amended. The subject Unit 34 (proposed for the pet crematorium use) is designated as M3-1513. An amendment to the Zoning By-law is required to permit the Pet Crematorium use, and a minimum separation distance of 280 metres from Residential, Open Space or Institutional uses.
- The property is designated “Industrial” in the Official Plan and “Industrial” in the Gore Industrial North Secondary Plan (Area 14). An amendment to the Official Plan and Secondary Plan is not required.
- An amendment to the Official Plan’s policies regarding separation distances (300 metre separation distance identified in *Section 4.8.5.8(ix)*) is deemed to not be required by staff in this case due to the finding that the proposed distance is generally in keeping with the referenced distance, and the consideration that the applicant has satisfied all Provincial requirements regarding separation to sensitive uses through an Environmental Compliance Approval.
- Staff recommend the Zoning By-law Amendment be approved. The proposal is in conformity with the Provincial Policy Statement, the Provincial Growth Plan, the Region of Peel Official Plan and the City of Brampton Official Plan.

Background:

This application was submitted by Blackthorn Development Corp. on March 16, 2021. This application was reviewed for completeness and found to be complete in accordance with Section 51 (19.1), Section 35 (10.4), and Section 22 (6.1) of the *Planning Act*. A formal Notice of Complete Application was provided to the applicant on May 26, 2021. The application was presented at a formal Public Meeting on September 13, 2021.

Current Situation:

Property Description and Surrounding Land Use:

The subject property has the following characteristics:

- is municipally known as 34-2500 Williams Parkway, which is on the North side of Williams Parkway, West of Humberwest Parkway;
- has a total site area of 4.06 hectares (10.05 acres);
- has a frontage of approximately 219.5 metres (720.14 feet) along Williams Parkway;
- has a total of six existing multi-unit buildings which form part of a standard Peel Region Condominium Corporation; and
- has a Gross Floor Area of 181 sq.m.

The surrounding land uses are described as follows:

North: Industrial uses in the form of manufacturing facilities abut the land, with existing residential uses beyond Cottrelle Boulevard to the north;

South: Industrial and Commercial uses in the form of manufacturing facilities, daycare facility, and personal services facilities exist to the south of the subject land;

East: Industrial and Commercial and Institutional uses in the form of manufacturing facilities and food service facilities exist to the east of the subject lands. Residential and Open Space uses exist beyond Humberwest Parkway; and

West: Industrial and Commercial uses in the form of manufacturing facilities and personal service facilities exist to the west of the subject land.

Proposal:

The applicant is proposing to amend the Zoning By-law permit the addition of a Pet Crematorium use to the existing developed industrial site. The proposed use will have a minimum separation distance of 280 metres from an existing day care use (sensitive land use) that is located within an industrial unit at 2021 Williams Parkway, to the south-west. An amendment to the Official Plan's policies regarding separation distances (300 metre separation distance identified in *Section 4.8.5.8(ix)*) is deemed to not be required by staff in this case due to the finding that the proposed distance is generally in keeping

with the referenced distance, and the consideration that the applicant has satisfied all Provincial requirements regarding separation to sensitive uses through an Environmental Compliance Approval.

Additional Details of the proposal are as follows:

- The proposed use will be limited to the Gross Floor Area (GFA) of the subject unit (Unit 34);
- An Enclosed Mezzanine is proposed to be added to Unit 34; and
- No other changes are proposed to the site as a whole.

Summary of Recommendations

This report recommends that Council approve and enact the Zoning By-law amendment attached hereto as Appendix 7.

Analysis

The proposed Zoning Amendment was evaluated with regard to the Planning Act, the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the Region of Peel Official Plan. The proposal is also consistent with the Industrial policies outlined in Section 4.4.2 of the City's Official Plan, and appropriately considers matters of provincial interest as set out in Section 2 of the Planning Act. The detailed analysis of these documents can be found in Appendix 8.

Summary

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe as well as the Region's Official Plan and City's Official Plan.

Corporate Implications:

Financial Implications:

There are no financial implications associated with the amendment to the Zoning By-law.

Economic Development Implications:

Economic Development supports the application for the business of a pet crematorium. The applicant has been diligent during the planning process to ensure they abide by all municipal and provincial regulations that are required. More specifically, they have followed the requirements as outlined under the Environmental Protection Act to submit an Environmental Compliance Approval (ECA) (includes noise and air emissions) before any equipment or work is done to the space. In doing so, they have obtained

clearance by the Ministry that will allow them to operate, pending zoning approval.

Brampton among other municipalities have seen the effects of COVID on our business community. By supporting this application we are facilitating efficient uses in areas that are vacant or underutilized. As well, this contributes to employment density of the area as outlined in the Growth Plan Policy.

Environmental Implications:

The Pet Crematorium facility requires an Environmental Compliance Approval (ECA) under Section 9 of the Environmental Protection Act. An ECA is reviewed and issued by the Ministry of the Environment, Conservation and Parks (MECP). There are extensive requirements for an ECA for a waste thermal treatment facility including emissions modelling. Those models would allow an assessment of the odour impacts at the nearest point of impingement. City Staff does not become involved in the air quality model reviews. These reviews are part of the ECA application.

The applicant has obtained clearance from the Ministry in the form of an ECA issued on September 10, 2021, confirming environmental compliance. The operation must satisfy specific conditions set out in the ECA and undergo continuous monitoring.

Other Implications:

Public feedback was received by way of letters, email and a petition from tenants of the subject property. The majority of concerns related to air quality, odour and noise, among other concerns are outlined in Appendix 9. The applicant has obtained clearance from the MECP in the form of an ECA, which confirms the proposal satisfies MECP requirements, and will be monitored to maintain permissible standards.

Term of Council Priorities:

This application is consistent with the 2019-2022 Term of Council, in particular “A Well-run City (Good Government)” priority. The previous Information Report and the associated public meeting contribute to compliance of this priority with respect to encouraging public participation by engaging the community.

Conclusion:

The Development Services Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed. It is noted City Staff does not become involved in the air quality model reviews. Air quality is reviewed as part of the MECP ECA application. The applicant has obtained clearance from the Ministry through the issuance of an ECA for the Pet Crematorium facility in the subject unit on September 10, 2021. Staff is satisfied that the Zoning By-law Amendment application is appropriate for the site. The amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (2020) and the Peel Region Official Plan. Furthermore, the application is

consistent with the principles and overall policy direction of the City's Official Plan. Staff therefore recommend that the Zoning By-law Amendment be approved.

Authored by:

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Attachments:

- Appendix 1 - Location Map
- Appendix 2 - Official Plan Designation
- Appendix 3 - Secondary Plan Designations
- Appendix 4 - Zoning Designations
- Appendix 5 – Existing Land Uses
- Appendix 6 - Propane Facilities
- Appendix 7 - Zoning By-law Amendment
- Appendix 8 - Detailed Planning Analysis
- Appendix 9 - Public Meeting
- Appendix 10 - Correspondence Received
- Appendix 11 - Results of Application Circulation