

Date: 2020-09-11

Subject: **ZBA, 2487557 Ontario Inc. - Gagnon Walker Domes Ltd.**

Secondary Title: Recommendation Report, Application to Amend the Zoning By-law (To permit a Concrete Batching Plant) 2487557 Ontario Inc. - Gagnon Walker Domes Ltd., North Side of Wentworth Court and East of Deerhurst Drive, Ward 8, File OZS 2020-0002

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Report Number: Planning, Building and Economic Development-2020-105

Recommendations:

1. **THAT** the report titled: **Recommendation Report: Application to Amend the Zoning By-law (to permit a Concrete Batching Plant), 2487557 Ontario Inc. – Gagnon Walker Domes Ltd. – Ward 8 (Planning, Building and Economic Development – 2020-105 and File: OZS-2020-0002)** to the Planning and Development Services Meeting of October 5, 2020, be received;
2. **THAT** the Zoning By-law Amendment application submitted by Gagnon Walker Domes Ltd. on behalf of 2487557 Ontario Inc., Ward 8, File: OZS-2020-0002 be approved, on the basis that it represents good planning, including that 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, and for the reasons set out in this Recommendation Report; and,
3. **THAT** the amendment to the Zoning By-law, generally in accordance with the attached Appendix 13 to this report be adopted.

Overview:

- **This report recommends that this application to amend the Zoning By-law be approved.**

- The applicant proposes to develop a Concrete Batching Plant on a property located within an industrial area of the City.
- The subject property is designated “Industrial” in the Official Plan. An amendment to the Official Plan is not required.
- The subject property is designated “Industrial Use Area” in the Gore Industrial South Secondary Plan (Area 23). An amendment to the Secondary Plan is not required.
- The property is zoned “Industrial Three – Section 1565 (M3 – 1565)” in Zoning By-law 270-2004, as amended. The draft Zoning By-law Amendment attached in Appendix 13 will implement the proposed Concrete Batching Plant.
- The proposed Zoning By-law Amendment represents good planning, is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City of Brampton Official Plan.
- A Statutory Public Meeting for this application was held on June 22, 2020. No members of the public made representation at the Public Meeting, however written submissions were received. Details of the Statutory Public Meeting and a response to the written submissions are included in Appendix 10 of this report.
- The proposal is consistent with the “2018-2022 Term of Council Priorities” by supporting the “A City of Opportunities” theme. The proposal is consistent with the direction of providing job opportunities in the City’s employment lands.

Background:

The application was received on December 24, 2019. The application has since been reviewed for completeness and found to be complete in accordance with Section 34 (10.4) of the *Planning Act*. A formal Notice of Complete Application was provided to the applicant on February 13, 2020.

Current Situation:

Proposal:

The applicant has submitted an application for a Zoning By-law Amendment to permit a Concrete Batching Plant in addition to a number of industrial uses that are currently permitted on the property. Details of the proposal are as follows:

- A 15m² Operator's Control Room;
- An Aggregate Stockpile Enclosure;
- An Aggregate Weight Scale;
- Aggregate Hoppers and Conveyor;
- A Cement Storage Silo;
- Dry Mix Loading Point;
- A Concrete Lined Washout; and
- Associated surface parking.

Site access is provided through an existing 2-way vehicular driveway off Wentworth Court. Eighteen parking spaces are proposed for the site including 10 oversized vehicle spaces and 8 vehicular parking spaces.

The land is currently used as a parking lot for transport trucks. In that regard, some existing features of the site will continue to remain including an existing opaque fence and berm along the rear property line as well as chain-link fencing along the interior property lines.

Application to Amend the Zoning By-law

The property is currently zoned "Industrial Three – Section 1565 (M3 – 1565)" in Zoning By-law 270-2004. This special section zoning only permits industrial and limited non-industrial uses in the Industrial Three (M3) zone as well as specific direction regarding outside storage, fencing, and the maintenance of landscaped open space.

The proposed Zoning By-law Amendment would introduce a Concrete Batching Plant as a permitted use, as well as specific performance standards to implement its operation.

Property Description and Surrounding Land Use

The property has the following characteristics:

- A total site area of approximately 0.83 hectares (2.06 acres);
- Frontage of approximately 45.10 metres (147.96 feet) along Wentworth Court;
- A lot depth of 111.05 metres (364.33 feet);

- Is subject to easements for the purpose of the maintenance of a storm sewer in relation to the adjacent property at 42 Wentworth Court; and,
- Is currently utilized for the storage of transport trucks.

The surrounding land uses are described as follows:

North: Open space (Claireville Conservation Area);

East: An industrial building with associated office uses;

West: An industrial building with associated office uses; and,

South: Wentworth Court, beyond are industrial buildings with associated office uses.

Summary of Recommendations:

This report recommends that Council approve the proposal for the Concrete Batching Plant on the property, and enact the Zoning By-law Amendment attached to this report as Appendix 13. The proposal and implementing documents represent good planning, are consistent with the Provincial Policy Statement and conform to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, the City of Brampton Official Plan, and the Gore Industrial South Secondary Plan (Area 23).

Planning Analysis Summary:

The proposed development optimizes the use of the site, which is currently used as a surface parking lot for transport trucks and will generate employment opportunities. The proposal provides additional employment uses in the area that is identified as a “Provincially Significant Employment Zone” (PSEZ) in the Growth Plan for the Greater Golden Horseshoe. The proposed Zoning By-law Amendment conforms to the Official Plan and the Gore Industrial South Secondary Plan (Area 23) and is consistent with the “Industrial” designation for the site.

The various studies submitted by the applicant in support of the application have been reviewed by the City, demonstrating that the proposed development is appropriate from a technical perspective.

Further details regarding site access, layout and servicing of the site will be addressed through the review of the associated site plan application (SPA-2019-0075). The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and conforms with the Growth Plan for the Greater Golden Horseshoe, Region of Peel Official Plan, the City’s Official Plan, and the Gore Industrial South Secondary Plan (Area 23). For more information regarding the planning analysis of this application, please refer to Appendix 9 – Detailed Planning Analysis.

Matters of Provincial Interest:

Planning Act:

The proposed development has regard for the following matters of provincial interest as set out in Section 2 of the Planning Act:

Section 2(a) – The protection of ecological systems, including natural areas, features and functions;

Section 2(h) – The orderly development of safe and healthy communities;

Section 2(k) - The adequate provision of employment opportunities; and

Section 2(p) - The appropriate location of growth and development.

Provincial Policy Statement (PPS):

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

The proposed development optimizes the use of land and existing infrastructure within the settlement area, while contributing to the mix of employment uses offered in Brampton. Staff is satisfied that the proposed development is consistent with the applicable sections of the Provincial Policy Statement (PPS).

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

The Growth Plan for the Greater Golden Horseshoe provides a framework for how land is developed, resources are managed and protected, and public dollars are invested. One of the key principles of the document notes the flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors. The proposed land use will contribute to the mix of employment uses in the area. The subject site is identified as a “Provincially Significant Employment Zone” which are protected employment areas for the purpose of long-term planning for job creation and economic development.

Region of Peel Official Plan:

The Region of Peel Official Plan provides a long-term policy framework that is used to manage Peel’s growth and development. The subject lands are located within the “Urban System” designation in the Region of Peel Official Plan. The intent of the Regional Official Plan is to manage resources, direct growth and establish a basis for providing Regional services in an efficient and effective manner. The proposal conforms to relevant policies of the Regional Official Plan by directing redevelopment to within the urban boundary to help optimize the supply of available land, and by adding uses that support employment opportunities in the City.

City of Brampton Official Plan:

The purpose of the City of Brampton's Official Plan is to guide development and infrastructure decisions on issues related to land use, built form, transportation and the environment. The subject lands are designated 'Industrial' in Schedule A and "Employment Areas" in Schedule 1. The "Industrial" designation permits light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution as well as Corporate head offices and high performance industrial uses. The proposal satisfies the general intent of the Official Plan by providing a use consistent with the permitted uses in "Employment Areas" and "Industrial" designation. Staff are satisfied that this proposal conforms to the overall intent of the City's Official Plan with respect to retaining and enhancing business, industry and employment opportunities within the City. The proposed application conforms to the Official Plan.

Gore Industrial South Secondary Plan (Area 23):

The subject land is designated "Industrial" in the Gore Industrial South Secondary Plan. This designation permits activities including warehousing, manufacturing, processing of raw or semi-processed materials, repair workshops, and the storage of goods. Outside storage areas may also be permitted within "Industrial" designated sites, subject to detailed design considerations. The proposed Concrete Batching Plant is consistent with the permissions of the "Industrial" designation in the Gore Industrial South Secondary Plan.

Community Engagement:

The application was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject site, and was advertised in the Brampton Guardian, exceeding the Planning Act requirement of 120 metres for such applications.

All correspondence received from residents has been provided in Appendix 11 – Correspondence Received, and from commenting agencies in Appendix 12 – Results of Application Circulation.

A Statutory Public Meeting for this application was held on June 22, 2020. There were no members of the public that made representations at the Public Meeting, however written submissions were provided.

Details of the Statutory Public Meeting and a response to the written comments are included in Appendix 10 of this report.

Corporate Implications:

Financial Implications:

There are no financial implications identified at this time. Revenue collected through development application fees are accounted for in the approved operating budget.

Other Implications:

There are no other corporate implications associated with this application.

Term of Council Priorities:

This application to amend the Zoning By-Law is consistent with the “A City of Opportunities” theme. The proposal will provide employment opportunities through the addition of a Concrete Batching Plant use on the site. The operations of the plant are set back from the street and buffered with fencing to minimize impacts on neighbouring properties including Open Space that is located at the rear.

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.’ The proposed application specifically meets the intent of Vision 2: In 2040, Brampton will be a mosaic of vibrant centres with quality jobs, a rich range of activities, and integrated living.

Conclusion:

This report recommends that Council enact the Zoning By-law Amendment attached hereto as Appendix 13 as the proposal represents an appropriate use of the land by introducing an employment use on lands designated for this purpose in the City’s Official Plan and Zoning By-law.

The subject site is identified as a “Provincially Significant Employment Zone” which are protected employment areas for long-term planning regarding job creation and economic development. The proposed Zoning By-law Amendment will contribute to the City’s efforts to protect the supply of designated employment areas within the City for employment purposes. The proposed Concrete Batching Plant is consistent with other industrial uses in the immediate vicinity of the subject site.

The proposed development is consistent with the Provincial Policy Statement (2020, and conforms to the Growth Plan for the Greater Golden Horseshoe (2019), Region of Peel Official Plan and the City’s Official Plan. Staff is satisfied that the applications represent good planning and recommend approval of the Zoning By-law Amendment Application.

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Attachments:

- Appendix 1: Concept Site Plan
- Appendix 2: Location Map
- Appendix 3: Official Plan Designations
- Appendix 4: Secondary Plan Designations
- Appendix 5: Zoning Designations
- Appendix 6: Aerial and Existing Land Use
- Appendix 7: Heritage Resources
- Appendix 8: Propane Facilities
- Appendix 9: Detailed Planning Analysis
- Appendix 10: Results of the Public Meeting
- Appendix 11: Correspondence Received
- Appendix 12: Results of Application Circulation
- Appendix 13: Draft Zoning By-law Amendment