

**DETAILED PLANNING ANALYSIS**

City File Number: OZS-2021-0014

**Planning Act**

Section 2: Matters of Provincial Interest

This application is consistent with matters of provincial interest as identified in the *Planning Act* in terms of:

- *Section 2(k): The adequate provision of employment opportunities;*
- *Section 2(o): The protection of public health and safety.*

*Section 2(k): The adequate provision of employment opportunities*

The subject application proposes to permit a pet crematorium use to the existing developed industrial site. The application is consistent with the objectives of Section 2(k) in that it adds to the employment uses on the subject land that may be vacant or underutilized.

*Section 2(o): The protection of public health and safety*

Through the Ministry of the Environment, Conservation and Parks permit review, the Emissions Summary and Dispersion Modelling Report and Noise Report was reviewed as part of an Environmental Compliance Approval (ECA). The Ministry provided clearance, confirming the use and associated equipment satisfies Ministry standards. The operation must meet specific conditions set out in the ECA and undergo continuous monitoring.

**Provincial Policy Statement**

Part IV of the Provincial Policy Statement (PPS) presents the Vision for Ontario's Land Use Planning System. This vision statement outlines that the long term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy. In order to achieve this vision, the document sets out a range of policies related to different aspects of land use planning. Through a detailed review, it has been determined that, overall, the proposal is consistent with the Provincial Policy Statement.

Section 1.1 provides direction to manage land use to achieve efficient and resilient development and land use patterns. Employment and environmental/public health and

safety concern policies are addressed through Section 1.1.1(b) and (c) as outlined below.

- Section 1.1.1(b)(c) – “Healthy, livable and safe communities are sustained by:*
- b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; and*
  - c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns.”*

The proposed Zoning By-law amendment is consistent with the policies of *Section 1.1.1(b)*. The addition of the proposed use will broaden the range and mix of employment uses permitted within the existing industrial site. The proposed amendment also meets the intent of *Section 1.1.1(c)*. Through the Ministry of the Environment, Conservation and Parks permit review, the Emissions Summary and Dispersion Modelling Report and Noise Report was reviewed as part of an Environmental Compliance Approval (ECA). The Ministry provided clearance, confirming the equipment involved in the operation satisfy Ministry standards.

The PPS provides policies directly related to the Employment aspect of land use planning; specifically, Section 1.3. Policies within this section promote economic development and competitiveness.

- “Section 1.3.1(b) – Planning authorities shall promote economic development and competitiveness by*
- b) Providing opportunities for 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.”*

*Section 1.3.1(b)* encourages providing a diverse economic base by maintaining a range of sites for employment uses that support a wide range of economic activities. The proposed Zoning By-law Amendment is consistent with *Section 1.3.1(b)* as the additional use will add to the existing range employment uses in the area.

Based on the above analysis, the subject proposal is in compliance with the objectives of the Provincial Policy Statement.

## **2020 Growth Plan for the Greater Golden Horseshoe**

The subject lands are within the “Built-Up Area - Conceptual” as defined by the 2020 Growth Plan for the Greater Golden Horseshoe (GGH). The Growth Plan promotes development that contributes to complete communities, creates street configurations

that support walking, cycling and sustained viability of transit services which creates high quality public open spaces. The proposal is consistent with the policies and objectives of the Growth Plan.

Policy 1.2.1 identifies the “*Guiding Principles*” of the GGH, including how land is developed and how resources are managed and protected. These include, but are not limited to:

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.*
- *Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.*

The Guiding Principles of the GGH provide support for the achievement of complete communities that aim to meet people’s needs for daily living and accommodation of new economic and employment opportunities as they emerge.

The proposed Zoning By-law Amendment is consistent with the policies of Section 2.2.1.4(a) and 2.2.5.1(a) outlined below which provide direction to achieve complete communities and promote economic development.

*Section 2.2.1.4(a) – Applying the policies of this Plan will support the achievement of complete communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities.*

*2.2.5.1(a) – Economic development and competitiveness in the GGH will be promoted by:*

*a) Making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;*

The proposal will assist in achieving a complete community and encourage economic development and competitiveness by introducing an employment use that will efficiently use land that is vacant or underutilized, and contribute to the employment density of the area.

Based on the above analysis, the subject proposal is in compliance with the policies of the Growth Plan for the Greater Golden Horseshoe.

## **Regional Official Plan**

The subject application is within the “Urban System” area as established in the Regional Official Plan (ROP). The Urban System is composed of a variety of communities that contain diverse living, working and cultural opportunities. Section 5.3.2.6 states that it is

the policy of Regional Council to direct the area municipalities to include policies in their Official Plans that support the Urban System objectives and policies, and to support pedestrian friendly and transit supportive urban development, while taking into account the characteristics of existing communities and services.

The General Objectives for the Urban System are outlined in Section 5.3 of the ROP. Policy 5.3.1.3 aims to establish healthy complete urban communities that contain living, working and recreational opportunities, which respect the natural environment, resources and the characteristics of existing communities.

The proposed Zoning By-law Amendment to permit a Pet Crematorium use will contribute to achieving the objectives listed above. The proposed use being located in an industrial plaza, will be surrounded by other industrial uses which will maintain the character of the community. Expanding the list of permitted industrial uses in the By-law will also add to the working opportunities within the community, while also offering a service to nearby neighborhoods that families may require at some point in time.

Objectives and Policies concerning Air Quality are provided in Section 2.2.3 of this plan. The goal of the Region stated in Section 2.2.3.1 is to create healthier and sustainable communities by improving local air quality and reducing greenhouse gas emissions. Although the Region does not have authority to regulate air emissions, air quality can be improved by the Region through the land use and infrastructure planning processes and through leadership in reducing emissions associated with corporate operations. Policy provided to improve air quality through the land use planning process is outlined in Section 2.2.3.3.7 below.

*Section 2.2.3.3.7 – “Support the development of area municipal official plan policies including, but not limited to, setbacks for residential developments, transportation corridors and the separation of sensitive land uses from both planned and existing sources of harmful emissions.”*

As outlined in Section 2.2.3.3.7 above, the City of Brampton Official Plan includes policies for setbacks to residential developments and sensitive land uses from planned and existing sources of harmful emissions. The City of Brampton Official Plan review section below will go into greater detail of the setback requirement. Through the Ministry of the Environment, Conservation and Parks permit review, the Emissions Summary and Dispersion Modelling Report was reviewed as part of an Environmental Compliance Approval (ECA). The Ministry provided clearance, through the issuance of the ECA, confirming the use and associated equipment satisfy Ministry air quality standards.

The proposal conforms to the Policies of the Region of Peel Official Plan.

Through the review of the application, the Region of Peel has identified that there are no objections to the Zoning By-Law Amendment application.

## City of Brampton Official Plan

The subject land is designated as “Employment” on Schedule 1 – City Concept and “Industrial” on Schedule A – General Land Use Designations of this Plan. The proposal is consistent with the objectives of the Employment and Industrial policies as outlined in this Plan.

The “Employment” designation is a wide designation that includes various employment generating land uses such as industrial, retail, business and office uses. As outlined in Section 4.4 of the Official Plan, an objective of the Employment Area policy is to retain and enhance business, industry and employment opportunities within Brampton. The proposed Pet Crematorium use will make efficient use of vacant or underutilized area and contribute to create employment opportunities in the City.

The “Industrial” designation provides for the development of light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution. The purpose of the Industrial designation is outlined in section 4.4.2 of the Official Plan.

*Section 4.4.2.1 – “The Industrial designation shall provide for the development of industrial, manufacturing, distribution, mixed industrial/ commercial, commercial self-storage warehouses, data processing and related uses and limited office uses, and may also permit limited service and retail uses, open space, public and institutional use as practical and appropriate subject to the appropriate sub-designations and policies in the relevant Secondary Plan. Within the Industrial designation, areas intended for open storage and truck trailer parking shall be identified in the relevant Secondary Plan. Places of Worship shall be permitted in limited locations subject to Section 4.9.8 of this Plan”*

The industrial designation is intended to encourage the development of various industrial, manufacturing, distribution and mixed industrial uses. Based on the language of the Official Plan, the proposed Pet Crematorium is considered a Thermal Degradation Use for Medical, Veterinary or Pathological Waste. This use is categorized as an industrial use which is consistent with the Official Plan policies.

The proposed Pet Crematorium is also subject to Section 4.8.5 – Transfer Stations, Incinerators and Waste Processing Plants of this Plan.

*Section 4.8.5.8(ix) – “Notwithstanding Section 4.8.5.8 (viii), Hazardous Waste Processing Use for Hazardous Waste Chemicals or Manufacturing Intermediaries, or Medical, Veterinary or Pathological Waste, and Thermal Degradation (Hazardous Waste) Use for Medical, Veterinary or Pathological Waste may only be permitted by way of a Site-Specific Zoning By-law Amendment on lands designated Industrial, provided the use is located a minimum of 300 meters from a Sensitive Land Use, and where the following*

*matters have been demonstrated to the satisfaction of the City (section 4.8.5.9 ix):*

- *The applicant shall conduct a review of surrounding land uses to demonstrate the compatibility of the proposed facility with land uses in the potential influence area of the application;*
- *The applicant shall demonstrate that appropriate mitigation and/or buffering measures can be implemented to address any potential adverse impacts from the operation including, but not limited to noise, odour, vibration, dust, traffic and the impacts of an operational upset or accident;*
- *The applicant shall demonstrate the appropriate traffic management measures through a Traffic Impact Study;*
- *The applicant shall provide an Operational Management Plan to demonstrate how they will manage litter, vermin, and odour;*
- *The applicant shall demonstrate appropriate wastewater and stormwater management measures;*
- *The applicant shall provide appropriate visual screening of the operation;*
- *The applicant shall provide sufficient development setbacks and/or buffers to protect, preserve and enhance the natural heritage system; and*
- *The applicant shall provide a Fire Safety Consultant Report.*

*Where it is required to provide the following information to support an application for a Certificate of Approval, as required under the Ontario Environmental Protection Act, the applicant shall provide the following information to the City:*

- *Air Quality (including odour) Impact Report; and*
- *Noise Study.”*

The proposed Zoning By-law Amendment is consistent with the policy of the Official Plan listed above. The use is proposed to operate on Industrial designated land as specified in *Section 4.8.5.8(ix)*. The applicant has also submitted the applicable documents as required by this section for Staff review. No concerns were raised as a result this review. The Air Quality Impact Report (Emissions Summary and Dispersion Modelling Report) and Noise Study was prepared and reviewed by the Ministry of the Environment, Conservation and Parks as part of an Environmental Compliance Approval (ECA). The Ministry provided clearance to the review, issuing an ECA permit.

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 modest nature of the change and the consideration that the applicant has satisfied all Provincial requirements regarding separation to sensitive uses through an Environmental Compliance Approval.

The proposal is consistent with the objectives of the City of Brampton Official Plan.

## **Secondary Plan**

The property is designated as “Industrial” in the Gore Industrial North Secondary Plan (Area 14). The proposal is consistent with the objectives of the Industrial Policies as outlined in Section 1.1 of the Gore Industrial North Secondary Plan.

*“Section 1.1 Industrial Use Area shall mean land which is predominately used for industry. The Industrial Use category includes such activities as warehousing, manufacturing, processing of raw or semi-processed materials, repair workshops, and the storage of goods. Industry will be permitted provided that no constraint is imposed on the sound industrial development of the area. In no case will a residential use be permitted in the Industrial Use Area, with the exception of one dwelling unit for the use of a caretaker or person employed in the maintenance of land, buildings, or equipment thereon.”*

The proposal is consistent with the policies of the Gore Industrial North Secondary Plan. The proposed use is an industrial use and achieves the intent of the Secondary Plan designation. An amendment to this plan is not required.

## **Zoning**

The subject lands are split-zoned as “Industrial Four -1548 (M4-1548)” & “Industrial Three – 1513 (M3-1513)” by Zoning By-law 270-2004, as amended. The subject Unit 34 (proposed for the pet crematorium use) is designated as “M3-1513”. A Zoning By-law Amendment is required to permit the proposed pet crematorium use. The Zoning By-law amendment proposes a change from the existing “Industrial Three – 1513 (M3-1513)” zone to a site-specific Industrial Three zone. The site-specific zone will permit the proposed pet crematorium use while also maintaining the current “Industrial Three – 1513” By-law permissions regulating the northern portion of the property. Specific provisions of this proposed zoning designation are listed below:

- (1) For the purpose of this section, an Animal Crematorium shall mean a facility where the remains of animals which were once household pets and not agricultural livestock, are cremated within a building or structure in accordance with Provincial Regulations with ash remains packaged in a sealed plastic bag or urn for return to owners.
- (2) The Animal Crematorium Use is permitted to a maximum Gross Floor Area of 181 Square metres;
- (3) The Animal Crematorium use shall only be permitted within the unit addressed as Unit 34, 2500 Williams Parkway;
- (4) Parking shall be required in accordance with Section 1513.2(11), except that no additional parking shall be required for a mezzanine within the unit used for storage purposes only;
- (5) Only one animal crematorium will be permitted.

The site-specific provisions offer a definition of the proposed use and operation. It will also limit the use to the Gross Floor Area of the individual unit, and goes further to specify the use shall only be permitted within the unit addressed as Unit 34, 2500 Williams Parkway, the unit subject to the application. Applying these provisions will ensure the use is appropriately set back from the Daycare Use (sensitive land use) located at 2021 Williams Parkway.

## **Sustainability Score and Summary**

### *Bronze Threshold Score NOT Achieved*

The City of Brampton's Sustainability Metrics are used to evaluate the environmental sustainability of development applications. In this case, the subject site is already fully developed with an industrial mall, and the subject application proposes the addition of an additional specific land use which will not require any substantial physical changes to the subject property. There is no opportunity for the additional of this pet crematorium use to result in the subject site being able to achieve the City's Bronze sustainability threshold.

## **Documents Submitted in Support of the Application**

- Cover Letter;
- SaniFlame Inc. Cover Letter;
- RWDI Cover Letter;
- Zoning By-law Amendment application form;
- Draft Zoning By-law Amendment;
- Comment Response Matrix;
- Site Concept Plan;
- Unit Concept Plan;
- Property Survey;
- Draft Public Notice Signage;
- Public Consultation Strategy;
- Planning Justification Report;
- Noise Attenuation Statement;
- Dust Odour Report (Emissions Summary and Dispersion Modelling Report);
- Parcel Abstract; and
- Sustainability Scoring Matrix and Summary