

Date: 2023-03-16

File: **OZS-2022-0043**

Subject: **Recommendation Report**
Application to Amend the Official Plan and Zoning By-law
(to permit a five-storey office building)
J.L. Richards & Associates – 2849150 Ontario Inc.
150 First Gulf Boulevard
West of Highway 410 and south of Steeles Avenue E.
Ward: 3

Contact: Nitika Jagtiani, Development Planner, Development Services
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Report Number: Planning, Bld & Growth Mgt-2023-317

Recommendations:

1. THAT the report titled: **Recommendation Report**, Application to Amend the Official Plan and Zoning By-law, **J.L. Richards & Associates – 2849150 Ontario Inc.**, 150 First Gulf Boulevard, Ward 3 (City File: OZS-2022-0043 and Planning, Bld & Growth Management 2023-176), dated March 16, 2023, to the Planning and Development Committee Meeting of April 24, 2023, be received;
2. THAT the applications for an **Amendment to the Official Plan and Zoning By-law**, submitted by **J. L. Richards & Associates.**, on behalf of 2849159 Ontario Inc., (City File: OZS-2022-0043 and Planning, Bld & Growth Management 2023-176), be approved, on the basis that the application 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 for the reasons set out in this Planning Recommendation Report dated March 16th, 2023;
3. THAT the amendment to the Official Plan generally in accordance with Appendix 12 of this report be adopted;

4. THAT the amendment to the Zoning By-law generally in accordance with Appendix 13 of this report be adopted; and,
5. THAT no further public notice or public meeting be required for the attached Official Plan and Zoning By-law Amendment pursuant to Section 22 (6.1) and Section 34 (10.4) of the Planning Act, R.S.O., c.P. 13, as amended.

Overview:

- **This report recommends approval of an application to amend the Official Plan and Zoning By-law to permit the development of a five-storey office building with accessory commercial and private recreational uses.**
- **The subject property is designated “Industrial” on Schedule A of Brampton’s Official Plan. The “Industrial” designation permits a full range of industrial, manufacturing, distribution, mixed industrial/ commercial, commercial self-storage warehouse and data processing uses. It also allows limited office uses. An amendment to the Official Plan is not required.**
- **The subject property is designated “General Employment 2”, in the Highway 410 and Steeles Secondary Plan (SPA5). Office and ancillary uses are not listed as permitted uses in this designation. An amendment to the Secondary Plan is required to re-designate the subject lands from “General Employment 2” to “Prestige Employment” to facilitate the proposed development.**
- **The subject property is zoned “Industrial (M2)” as per Zoning by By-law 270-2004, as amended. The ‘Industrial (M2)’ zone permits a variety of industrial, limited non-industrial and accessory uses on the subject property. The applicant intends to establish office uses as the principal use on the subject property when offices are only permitted as an accessory use. Therefore, an amendment to the Zoning By-law is required to facilitate the proposed development.**
- **The application received a Sustainability Score of 67 overall and achieved the Silver threshold.**
- **A statutory Public Meeting for this application was held on January 23rd, 2023. No members of the public were in attendance. Details of the Public Meeting are included in Appendix 11 of this report.**
- **The proposal represents good planning, 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 and Brampton Official Plan.**

- **The applications are consistent with the “2022-2026: Term of Council Priorities” by supporting the “A City of Opportunities” theme. The proposal is consistent with the direction of building complete and sustainable communities to accommodate growth for people and jobs.**

Background:

J.L. Richards & Associates, on behalf of 2849150 Ontario Inc., submitted the subject applications for proposed amendments to the Official Plan and Zoning By-law on November 30th, 2022. The application was been deemed complete in accordance with the requirements of the *Planning Act* and a formal Notice of Complete Application was issued on December 15th, 2022.

The initial application proposed the development of a four-storey office building. The application was heard at the public meeting on January 23rd, 2023 and there were no members of the public in attendance. The results of the public meeting and correspondence received are attached in Appendix 11.

On March 14th, 2023, the applicant submitted a second submission to address comments from staff and external agencies. In addition, the applicant revised the proposal to increase the height to five storeys.

Current Situation:

Proposal (Please refer to Appendix 1)

The application proposes an amendment to the Official Plan and Zoning By-law to permit a five-storey office building with accessory commercial and private recreational uses.

Details of the proposal are as follows:

- One 5-storey office building with a building footprint of 963.0 sq. m. and a gross floor area (GFA) of approximately 3,821.8 sq. m.
- The proposed building will include:
 - Office space with a GFA of 2,706.4 sq. m.,
 - A product showroom with a GFA of 432.4 sq.m.
 - Private indoor recreational facility (indoor badminton courts) with a GFA of 683 sq. m.
- Two full movement vehicular entrances are provided at the north-east corner from First Gulf Boulevard and another at the south-east corner from Biscayne Crescent.
- The proposed development will provide 40 parking spaces on site (including three carpool spaces, nine EV Charging Stations and 13 future EV charging stations) and two barrier free parking spaces, which is a reduction from the Zoning By-law's

requirement of 117 spaces. The applicant proposes that additional parking for the proposed use also be provided at their adjacent property at 69 First Gulf Boulevard (this property is owned by Pearl Homes). This matter will be reviewed and addressed at through the Site Plan application process.

The applicant has revised their application since the public meeting to add an additional storey. This change is not considered to have a significant impact on the functionality of the site or effect on the surrounding land uses. Staff do not consider a further public meeting to be required for the change.

Property Description and Surrounding Land Uses:

The property has the following characteristics:

- is municipally known as 150 First Gulf Boulevard;
- has a total site area of approximately 3,010 sq. m. (0.3 ha) in size;
- has a frontage of approximately 41 m along Biscayne Crescent; and
- is currently vacant land.

The surrounding land uses are described as follows:

North: Industrial uses, with commercial uses beyond.

South: Biscayne Crescent, beyond which are industrial uses.

East: Industrial uses, beyond which is Highway 410.

West: First Gulf Boulevard, beyond which is land owned by the applicant and occupied by a distribution facility.

Application to Amend the Official Plan

The subject property is designated “General Employment 2” in the Highway 410 and Steeles Secondary Plan (SPA 5). Office and ancillary uses are not listed as permitted uses in this designation. An amendment to the Secondary Plan is required to facilitate the proposed development. In order to permit the proposed office use, the applicant proposes to re-designate the subject lands from “General Employment 2” to “Prestige Employment”.

Application to Amend the Zoning By-law

The subject property is zoned “Industrial (M2)” as per Zoning By-law 270-2004, as amended. Uses permitted in this zone include a variety of industrial, limited non-industrial and accessory uses on the subject property. The applicant intends to establish office uses

as the principal use on the subject property when offices are only permitted as an accessory use.

The proposed Zoning By-law Amendment rezones the property to “Industrial (M2) – Special Section 3696”. This will permit the proposed uses of local office use, accessory commercial (product showroom) and accessory private recreation uses (badminton court); as well as provide associated performance standards including landscape buffer strip and reduced minimum parking requirements.

Summary of Recommendations:

This report recommends that Council approve the application to permit the development of a five-storey office building on subject lands and adopt the amendment to the Official Plan and Zoning By-law to permit the proposed use on site (please see Appendix 12 and 13 respectively). These documents will be used to implement an ongoing site plan application (SPA-2023-0021).

Planning Analysis Summary:

The proposal to amend the Official Plan and Zoning By-law to facilitate an office building on subject lands is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe as well as the City and Region’s Official Plan. The application is also consistent with Section 2 of the Planning Act. In addition, the proposed development is consistent with the general vision and intent of the Official Plan.

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

Additional information with respect to individual policies are provided in Appendix 9 (Detailed Planning Analysis).

Planning Act, (2020):

This development proposal has regard for matters of provincial interest as set out in Section 2 of the Planning Act, including:

- the orderly development of safe and healthy communities;
- the adequate provision of employment opportunities;
- the protection of the financial and economic well-being of the Province and its municipalities; and,
- the appropriate location of growth and development.

The subject proposal conforms to the matters of provincial interests in supporting orderly development and appropriate growth, providing for a significant number of job

opportunities, providing a mix of office and industrial/commercial uses that are well served with the existing infrastructure, transit and road network. Staff is satisfied that the application is in compliance with the matters of provincial interests as set out in the Planning Act.

Provincial Policy Statement (PPS), (2020):

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 current proposal is an efficient and appropriate use of the subject employment lands for a mix of office, industrial and commercial uses, and meets the intent of the Provincial Policy Statement. The proposed development will promote economic development and competitiveness by providing for an appropriate mix and range of employment to meet long term needs of the community. The increase in density on the subject lands will result in more employment which will contribute to meeting the current and future needs of the local industry and community. It relies on the existing infrastructure and services available in the area and does not require unnecessary extension of the infrastructure. The proposal is consistent with the Provincial Policy Statement.

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

The Growth Plan for the Greater Golden Horseshoe provides a framework regarding growth and development that supports economic prosperity, protects the environment, and helps communities to achieve a high quality of life. The proposed office development is located within a Settlement Area and is within a Built-up area. The proposal is consistent with Growth Plan for the Greater Golden Horseshoe policies as it will utilize existing municipal services, and will contribute to the achievement of a complete community through intensification of a vacant parcel of land which is accessible to transportation and transit facilities. The proposed development is ancillary to the existing distribution centre adjacent to the subject lands owned by the same applicant. The proposed development will increase economic opportunities on site and will utilize the small parcel in an efficient manner.

Staff is satisfied that the proposed development is consistent with the applicable sections of the Growth Plan.

Region of Peel Official Plan:

The Regional Official Plan provides a long-term policy framework that protects the environment, manages resources, and forecasts growth. The subject site is located within the “Urban System” and “Built Up Area” designation in the Region of Peel Official Plan. The proposal conforms to the related policies within the Regional Official Plan by directing redevelopment within the urban boundary to help optimize the supply of available land and supporting the achievement of healthy communities.

City of Brampton Official Plan:

The City of Brampton Official Plan provides comprehensive policies that facilitate land use decision making. The purpose of the City of Brampton's Official Plan is to give clear direction as to how physical development and land use decisions should plan to meet the current and future needs of its residents. The proposal is consistent with the Official Plan as it meets the general intent of the plan regarding the type of development (office building), and has regard to the existing and adjacent industrial uses in the area. Staff is satisfied that the objectives of the Official Plan have been met.

The subject lands are designated as "Employment" on Schedule 1 City Concept and "Industrial" on Schedule A – General Land Use Designations of the Official Plan. The Industrial designations identified on Schedule "A" of this Plan 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. An amendment to the Official Plan is not required. Section 4.4.2.19 and 4.4.2.20 of the Official Plan speaks to permitting local office uses and ancillary uses within lands designated Industrial, subject to several requirements. Staff has reviewed these policies and are satisfied that the requirements are being met.

Highway 410 and Steeles Secondary Plan (Area 5):

The subject land is designated as "General Employment 2" in the Highway 410 and Steeles Secondary Plan (SPA 5). As noted in the Secondary Plan, office and ancillary uses are not listed as permitted uses in this designation. As mentioned above staff is in support of the proposed amendment as the proposed office uses are ancillary to the distribution centre owned by the applicant at 69 First Gulf Blvd. The proposed development is in line for what is functional within the industrial subdivision and is compatible with the surrounding land uses. Staff is satisfied with the proposed Official Plan Amendment to re-designate the subject lands from "General Employment 2" to "Prestige Employment" to facilitate the proposed development.

Zoning By-law Amendment:

The property is zoned "Industrial (M2)" as per Zoning By-law 270-2004, as amended, which permits industrial uses such as a variety of industrial, limited non-industrial and accessory uses on the subject property. The applicant intends to establish office uses as the principal use on the subject property when offices are only permitted as an accessory use. The application proposes to re-zone the subject property to permit a local office use, accessory commercial (product showroom) and accessory private recreational uses (badminton court). Staff is satisfied with the proposed Zoning provisions for the development of the lands.

Community Engagement

The application was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject lands, in accordance with and exceeding the Planning Act requirement of 120 metres for such applications. A copy of all department/agency comments are attached as Appendix 11 to this report. Notice signs were placed on the subject lands to advise members of the public that an application for a proposed amendment to the Official Plan and Zoning By-law had been filed with the City.

A Statutory Public Meeting for this application was held on January 23, 2023 and there were no members of the public in attendance. Details of the Statutory Public Meeting are included in Appendix 11 of this report.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this application. 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.

Term of Council Priorities:

This application is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs. The proposal satisfied this by:

- Efficiently using land and existing infrastructure; and
- Providing opportunity for employment and economic growth.

Living the Mosaic – 2040 Vision

This report directly aligns with the vision that Brampton will be a mosaic of complete neighborhood, as the application, proposes to increase employment opportunities within the City. This report has been prepared in full consideration of the overall vision that the people of Brampton will “Live the Mosaic”. The proposed development supports Brampton 2040 Vision 2 – Jobs and Living Centres by taking a vacant site and developing it with office use.

Conclusion:

Staff recommend approval of the proposed amendments to the Official Plan and Zoning By-law (as attached in Appendix 12 and 13 respectively) as the following criteria have been satisfied:

- The subject application represents good planning, including that it is consistent with the Provincial Policy Statement and conforms to the Grown Plan for the Greater Golden Horseshoe, the Peel Region Official Plan, and the City’s Official Plan; and
- Located in close proximity to major roads (First Gulf Boulevard and Steeles Ave.) and major highways (Highway 410 and Highway 407), the subject lands are well suited to accommodate the proposed office building. The proposed use will support the economic and policy objectives of the Region of Peel and the City of Brampton by way of providing employment opportunities in an area that is well-served by municipal infrastructure and transportation services.
- Technical requirements have been addressed through studies submitted in support of the proposal and approved by City staff. As a result of the above, the proposed development represents good planning and is in the public interest.

Authored by:

Reviewed by:

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Approved by:

Submitted by:

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Commissioner
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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 & Existing Land Use
- Appendix 7: Sustainability Snapshot
- Appendix 8: Building Elevations
- Appendix 9: Detailed Planning Analysis
- Appendix 10: Results of the Application Circulation
- Appendix 11 Result of public meeting
- Appendix 12: Draft Official Plan Amendment
- Appendix 12A: Draft Official Plan – Schedule A
- Appendix 13: Draft Zoning By-law Amendment
- Appendix 13A: Draft Zoning By-law – Schedule A