

Date: 2023-08-25

File: **OZS-2022-0029**

Subject: **Recommendation Report**
Application to Amend the Zoning By-law
(To permit the development of a 78,871 square metre industrial warehouse development consisting of two buildings)
Bousfields Inc. – Dream Industrial LP
0, 5200 Countryside Drive
Ward: 10

Contact: Emma De Melo, Development Planner, Development Services

Angelo Ambrico, Manager, Development Services

Report Number: Planning, Bld & Growth Mgt-2023-662

Recommendations:

1. That the report from Emma De Melo, Development Planner, Development Services to the Planning and Development Committee Meeting of September 25th, 2023, re: **Recommendation Report**, Application to Amend the Zoning By-law, **Bousfields Inc. – Dream Industrial LP**, 0, 5200 Countryside Drive, Ward 10, be received;
2. That the Application to amend the Zoning By-law, submitted by Bousfields Inc. – Dream Industrial LP, 0, 5200 Countryside Drive, Ward 10, File Number OZS-2022-0029, be approved on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, and confirms 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 report;
3. That the amendment to the Zoning By-law, generally in accordance with the by-law attached as Attachment 11 of this report be adopted;
4. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34(17) of the Planning Act, R.S.O. c.P. 13, as amended.

Overview:

- **Bousfields Inc. submitted the subject application on behalf of Dream Industrial LP to amend the Zoning By-law for their land holdings on June 16th, 2022. The proposal is to permit the development of a 78,871.9 square metre industrial warehouse consisting of two buildings on lands located north of Countryside Drive and east of Clarkway Drive, municipally known as 0 and 5200 Countryside Drive.**
- **A Public Meeting for the application was first held on September 12th, 2022. No public delegations and/or comments were received from residents. Details of the Public Meeting are included in Attachment 10 of this report.**
- **The property is designated ‘Industrial’ and ‘Special Study Area’ in Schedule A: General Land Use Designations of the Official Plan. The ‘Industrial’ designation permits 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 uses, subject to policies. An amendment to the Official Plan is not required to permit the proposed development.**
- **The property is designated ‘Prestige Industrial’, ‘Valleyland’, and ‘Stormwater Management Facility’ in the Highway 427 Industrial Secondary Plan (Area 47). An amendment to the Secondary Plan is not required.**
- **The property is zoned ‘Agricultural (A)’ as per Zoning By-law 270-2004, as amended, which permits agricultural uses, a single detached home, animal hospital, cemetery, kennel, or home occupation. A Zoning By-law Amendment is required to rezone the lands with a site-specific “Industrial Four (M4)” zone and “Floodplain (F)” exception zone in order to allow these lands to be developed for industrial manufacturing and warehouse distribution purposes.**
- **This report recommends that the application to amend the Zoning By-law on the subject lands be approved.**
- **The proposed Zoning By-law amendment represents good planning, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the general intent of the City of Brampton Official Plan.**
- **The proposal is consistent with the “Strategic Focus Area - Growing Urban Centres & Neighbourhoods, as it will facilitate the creation of an economy that thrives with communities that are strong and connected.**

Background:

Bousfields Inc. submitted the subject application on behalf of Dreams Industrial LP on June 16th, 2022, which was reviewed for completeness and found to be complete in accordance with the Planning Act on June 30th, 2022. A formal Notice of Complete Application dated June 30th, 2022 was provided to the applicant.

A Public Meeting for the development application was held on September 12, 2022. At this Public Meeting, no public delegations and no comments were received from residents. Details of the Public Meeting dated September 12th, 2022 are included in Attachment 10 of this report.

Current Situation:

Proposal (Refer to Attachment 1):

The rezoning application is to permit the development of the site for industrial development, which includes warehouse distribution uses. The conceptual location of the proposed buildings and associated parking and access locations have been illustrated in the applicant's Concept Plan (refer to Attachment 1).

Details of the proposed industrial development are provided below:

- 575 parking spaces with a concrete trailer parking pad centrally located on the subject site between the two industrial buildings;
- Site coverage of approximately 48.30%;
- Landscaped area of approximately 9.22%;
- Front yard setback of 46.80 metres, rear yard setback of 44.73 metres, and side yard setbacks of 12-13 metres;
- Two industrial warehouse buildings:
 - Building A (located at the front of the site);
 - 1-storey industrial warehouse facility;
 - 35,678.8 sq. metres (384,043 sq. feet); and
 - 62 truck loading spaces along the rear of the building.
 - Building B (located to the rear of the site):
 - 1-storey industrial warehouse facility;
 - 43, 193.1 sq. metres (464,927 sq. feet); and
 - 112 truck loading spaces.

Property Description and Surrounding Land Use (Refer to Attachment 6):

The subject lands have the following characteristics:

- Located north of Countryside Drive and east Clarkway Drive, comprised of three parcels with an overall site area of approximately 16.307 hectares (40.30 ac);
- The property has an overall frontage of 350 metres (1148.29 feet) and a depth of 472 metres (1548.56 feet);
- There is an existing residential dwelling with frontage onto the north side of Countryside Drive located approximately 500 metres (1640.42 feet) east of Clarkway Drive that is proposed to be demolished; and
- Aside from the residential dwelling, the lands are being used for agricultural purposes.

The lands surrounding the subject lands are described as follows:

- North: Vacant agricultural lands, valleylands, and east-west oriented headwater drainage features;
- South: Countryside Drive, and beyond are agricultural lands and future residential lands designated in the Highway 427 Industrial Secondary Plan;
- East: Agricultural lands, single-detached home to the immediate east, and planned north-south arterial road to be located approximately 50 metres east;
- West: Vacant agricultural lands and Valleylands associated with the Clarkway Drive Tributary

Application to Amend the Zoning By-law:

The subject property is zoned “Agricultural - A” by By-law 270-2004 as amended. An amendment to the Zoning By-law is required to rezone the lands to facilitate future industrial development on the subject lands.

The proposed Zoning By-law Amendment will rezone the property to the Industrial Four – Section 3727 Zone (M4-3727), and “Floodplain (F) Zone” to permit the proposed industrial warehouse use, with site-specific exceptions to permit the proposed development.

A Holding Provision is proposed to be included with the Zoning By-law to ensure three outstanding matters (noted below) are addressed prior to development proceeding on the subject site.

- Firstly, the Region of Peel and City of Brampton require a satisfactory Functional Servicing Report. It is recommended that the Holding (H) symbol not be removed until such time as a satisfactory Functional Servicing Report is approved by the Region of Peel and City of Brampton.
- Secondly, a holding provision is recommended to ensure the appropriate arrangements are made with the Region of Peel to service the site. The property does not currently have access to an existing municipal sanitary sewer. The subject property will be required to connect to a future planned 525mm sanitary sewer which will extend from the future planned Arterial 'A2' road located east of the subject property to Clarkway Drive. The applicant will be required to work with the Region of Peel to determine an appropriate interim servicing solution until such time that the ultimate sanitary services are constructed on Countryside Drive.
- Thirdly, a holding provision is recommended to ensure the applicant makes the appropriate arrangements with the City to provide a single storm sewer system to service the development lands and Countryside Drive on an ultimate basis, or, an interim storm sewer system to service the development lands until the ultimate storm sewer servicing system for Countryside Drive is implemented.

Summary of Recommendations

This report recommends that Council approve the proposed amendment to the Zoning By-law attached to this report as Attachment 11. These documents will be used to implement a future site plan application.

Planning Analysis Summary:

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (2020), as well as the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City of Brampton Official Plan. The application proposes an industrial development in the Highway 427 Industrial Secondary Plan in an area suited for industrial growth and intensification.

The proposed Zoning By-law Amendment with the changes recommended by Staff represents good planning. Please refer to Attachment 10 "Detailed Planning Analysis" for additional details.

Matters of Provincial Interest

Planning Act:

The proposed Zoning Amendment supports the orderly development of safe and healthy communities and allows for economic growth and employment opportunities through the proposed industrial development. The proposal will make efficient use of the lands that are currently underutilized and occupied by a single-detached residential dwelling.

The application appropriately considers matters of provincial interest as set out in Section 2 of the Planning Act.

Provincial Policy Statement (PPS):

The proposed zoning By-law amendment contemplates the development of the subject lands from primarily vacant lands to permit the proposed 78,871.9 square metres of industrial and warehouse space across two (2) buildings. As such, the proposed industrial units will contribute to the City in meeting its employment forecasts in accordance with policy 1.3.1 and 1.3.2.1 of the PPS. Ultimately, the proposal will allow for an increase in the diversity of uses that will introduce employment use on lands that are currently underutilized. The applicant has submitted a Noise Impact Study to reduce the potential for adverse effects on future residential uses planned for the lands located south of the subject site in accordance with policy 1.2.6.1.

Staff is satisfied that the proposed Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement.

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

The subject site is located within the 'Settlement' area within the Growth Plan. The proposal will contribute to new economic and employment opportunities in accordance with Section 1.2.1 through the optimization of primarily vacant land and the overall expansion of land use diversity through the introduction of industrial warehouse uses.

Staff is satisfied that the proposed Zoning By-law amendment is consistent with the policies of the Growth Plan.

Municipal Planning Documents

Region of Peel Official Plan:

The proposed Zoning By-law Amendment supports the policies and objectives of the Region of Peel Official Plan. The proposed development will direct growth to the delineated built-up area as identified in Schedule E-3 of the Official Plan and the proposal has been developed with regard to the employment policies in section 5.8 of the Region of Peel Official Plan.

Staff is satisfied that the proposed Zoning By-law amendment is consistent with the policies of the Region of Peel Official Plan.

City of Brampton Official Plan:

The subject property is designated as “Industrial,” and “Special Study Area” on Schedule A – General Land Use Designations in the City of Brampton’s Official Plan. The Industrial section of this Plan provides for the development of light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution as well as ancillary uses. The proposal is consistent with the Industrial policies outlined in Section 4.4.2 of the City’s Official Plan.

Staff is satisfied that the proposed Zoning By-law amendment is consistent with the policies of the City of Brampton Official Plan.

Highway 427 Industrial Secondary Plan:

The subject site is located within the approved portion of the Highway 427 Industrial Secondary Plan (Area 47) and is designated “Prestige Industrial”, “Valleyland”, and “Stormwater Management Facility”. This designation permits a range of uses and shall be developed in accordance with Part 1, Section 4.4, and other relevant policies of the Official Plan. Permitted uses include research and development facilities, communication and/or telecommunication facilities, manufacturing, and processing of semi-processed or fully processed materials deemed not to have harmful impacts arising from dust, fumes, odor, noise or vibrations, assembling, packaging and warehousing facilities, provided that such uses operate within wholly enclosed buildings and have no outdoor storage of goods and materials subject to the location and screening criteria contained within the implementing zoning by-law. The proposed industrial warehouse and distribution uses are consistent with those permitted in the Secondary Plan.

City of Brampton Zoning By-law:

The lands are zoned “Agricultural (A)” and “Agricultural – 1735 (A-1735)” by By-law 270-2004, as amended. An amendment to the Zoning By-law is required to rezone the lands with a site-specific “Prestige Industrial (M4)” zone and “Floodplain (F)” exception zone in order to allow these lands to be developed for industrial manufacturing and warehouse distribution purposes.

In order to facilitate the proposed development, the Zoning By-law Amendment proposes to rezone the lands to a ‘*Prestige Industrial (M4)*’ zone, with site-specific exceptions. Lands within the natural heritage system are proposed to be rezoned “Floodplain (F)”.

Holding Provision

A Holding symbol is recommended for the lands and is included in the zoning by-law amendment. The Holding Symbol is intended to prevent the development of the lands until the Functional Servicing Report and Stormwater Management Report are approved by the Region of Peel and City of Brampton staff, and to ensure that the appropriate

arrangements are made with Region of Peel and City of Brampton staff with respect to servicing. Specifically, the Holding Symbol as set out in Section M4 (H)-3079 of the attached Zoning By-law 270-2004 prohibits the development of the lands until the following is satisfied:

- i. Confirmation that a satisfactory Functional Servicing Report be provided and approved to the satisfaction of the Toronto Region Conservation Authority, the Region of Peel, and the City of Brampton.
- ii. That appropriate arrangements are made to address site servicing to the satisfaction of the City of Brampton and Region of Peel.
- iii. That appropriate arrangements are made between the applicant, the City of Brampton, and its consultant for the Countryside Drive design project to provide a single storm sewer system to service both development lands and Countryside Drive on an ultimate basis, including but not limited to design, front-end financing, construction, maintenance and securities. If the timing does not work to install the combined storm sewer system, the applicant shall install an interim storm sewer system and associated infrastructures to service the development lands until the ultimate storm sewer servicing system for Countryside Drive has been implemented, including but not limited to design, front-end financing, construction, maintenance, securities, decommissioning and subsequent connection to the ultimate storm sewer system.

Community Engagement:

The application was circulated to City Departments and external agencies for review and comment. The public was first notified of this application by way of the public information signage that was erected on the property which contained information on the proposed designation/zone changes being requested. Notice of the application to members of the public was also provided by way of the Notice of Complete application that was posted in the newspaper.

Notices of the formal Statutory Public Meetings for this development application held on September 12th, 2022 were provided to property owners within 240 metres of the subject lands in accordance with and exceeding the Planning Act requirements.

At the September 12th, 2022 statutory public meeting, no members of the public spoke to the application and no written submissions were received. Details of this meeting are included in Attachment 10 of this report.

A copy of all departmental/agency comments is attached as Attachment 11 to this report. This report along with the complete application requirements, including studies have been posted to the City's website.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this application. Revenue that is collected through the development application fees is accounted for in the approved operating budget.

Other Implications:

Other Implications: City Planning Staff is generally satisfied that the proposed development is consistent with the uses and permissions that are set out in the Official Plan and Secondary Plan. Comments from the Region will be required for on-site site servicing.

Strategic Focus Area:

This application is also consistent with the Strategic Focus Area - **Growing Urban Centres & Neighbourhoods**. The proposal will facilitate an economy that thrives with communities that are strong and connected. It supports the building of complete communities to accommodate growth for people and jobs. The redevelopment of lands makes more efficient use of land and resources and takes advantage of existing infrastructure.

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”. This report aligns with the vision that Brampton will be a mosaic of complete neighborhoods and vibrant centres.

Conclusion:

Staff is satisfied that the proposed Zoning By-law Amendment represents good planning. The proposal has regard for matters of provincial interest in Section 2.0 of the Planning Act, and the proposed development conforms to provincial plans including the Growth Plan for the Greater Golden Horseshoe, and is consistent with the Provincial Policy Statement. Furthermore, the proposal conforms to the principles and policy direction of the Region of Peel Official Plan, the City of Brampton Official Plan, and the Highway 427 Industrial Secondary Plan (Area 47), provided a Holding Provision is in place until the Functional Servicing Report and servicing issues have been addressed to the satisfaction of the Region of Peel, and City of Brampton.

The report recommends that Council enact the Zoning By-law Amendment attached hereto as Attachment11. The Zoning By-law Amendment is appropriate for the orderly development of the lands considering the following:

- A holding provision is being placed on the property in order to ensure a satisfactory Functional Servicing Report to the satisfaction of the Region of Peel and City of Brampton. The holding provision can be lifted in the future once the Region of Peel and City of Brampton engineering staff provide clearance;
- A holding provision is being placed on the property to ensure the appropriate arrangements are made to service the site with respect to sanitary servicing and stormwater management;
- The proposal conforms to provincial plans such as the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement;
- The proposed development conforms to the City of Brampton Official Plan and Highway 427 Industrial Secondary Plan;
- The Tertiary Plan will facilitate the comprehensive development of the subject lands and neighbouring properties;
- The proposed development supports employment opportunities in the City of Brampton.

Further technical review will take place at the site plan stage of review, including verification of the sustainability score, and other matters pertaining to the detailed design of the site.

Authored by:

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Attachments:

Attachment 1: Concept Plan

Attachment 2: Location Map

Attachment 3: Official Plan (Schedule "A" General Land Use Designations) Extract

Attachment 4: Highway 427 Industrial Secondary Plan (Land Use Schedule), Extract

Attachment 5: Zoning Extract

Attachment 6: Aerial Plan / Existing Land Uses

Attachment 7: Heritage Resources

Attachment 8: Tertiary Plan

Attachment 9: Detailed Planning Analysis

Attachment 10: Results of the Public Meeting

Attachment 11: Draft Zoning By-law Amendment

Attachment 12: Results of Application Circulation

Attachment 13: Sustainability Snapshot