

Date: 2023-09-05

Subject: **Recommendation Report – City-Initiated Zoning By-law Amendment**
(To facilitate the development of a permanent office and associated outdoor storage use on the site)
5556, 5600 and 5620 Countryside Drive
Ward 10

Contact: Simran Sandhu, Advisor, Special Projects, Planning, Building and Growth Management

Steve Ganesh, Commissioner, Planning, Building and Growth Management

Report Number: Planning, Bld & Growth Mgt-2023-775

Recommendations:

1. That the report from Simran Sandhu, Advisor, Special Projects, Planning, Building and Growth Management to the Planning and Development Meeting of September 25, 2023, re: **Recommendation Report – City-Initiated Zoning By-law Amendment**, 5556, 5600 and 5620 Countryside Drive, Ward 10, be received;
2. That the amendment to the Zoning By-law generally in accordance with the by-law attachment as Attachment 9 of this report be adopted; and,
3. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 22(6.1) and Section 34(17) of the Planning Act, R.S.O c.P. 13, as amended.

Overview:

- **This report recommends approval of the City initiated amendment to the Zoning By-law to accommodate the development of the subject properties with a permanent office use and associated outdoor storage for truck and trailer parking.**

- **The subject properties are designated “Industrial” and “Corridor Protection Area” in the Official Plan and “Prestige Industrial” and “Heritage Resource” in the Highway 427 Industrial Secondary Plan (Area 47). An amendment to the Official Plan and Secondary Plan is not required and their respective policy intent will be maintained by application of a ‘Holding (H)’ provision in the enacting zoning by-law, whereby the proposed permanent permissions for associated truck and trailer storage uses will not apply until:**
 - **the subject three properties are consolidated, and**
 - **financial securities are provided to the City in conjunction with the planned office building development on these lands.**

- **The subject properties are zoned “Agricultural (A)” and “Residential Rural Estate Two (RE2)” by By-law 270-2004, as amended. A Zoning By-law Amendment is proposed to rezone the lands with a site-specific “Industrial One (M1)” zone in order for the subject properties to be developed for industrial purposes. The draft Zoning By-law Amendment attached as Attachment 9 will implement the proposed industrial uses.**

- **A Statutory Public Meeting for the Zoning By-law Amendment was held on August 28, 2023. Two members of the public attended the Statutory Public Meeting to speak to the amendment. Concerns were received from one of the affected landowners regarding existing industrial operations in the area, however no written correspondence expressing concern or issues with the proposed amendment were received. At the time of writing this report, the minutes for the Public Meeting still need to be approved by Council.**

- **The City-initiated Zoning By-law Amendment is consistent with the Strategic Focus Areas by supporting Growing Urban Centres & Neighbourhoods. The proposal is consistent with the direction of focusing on an economy that thrives with communities that are strong and connected.**

- **The City-initiated Zoning By-law Amendment represents good planning, has regard for the Planning Act, is consistent with the Provincial Policy Statement and is in conformity with A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City of Brampton Official Plan.**

Background:

A previous application for a Temporary Use Zoning By-law Amendment for the most westerly of the three subject properties (5556 Countryside Drive) was submitted in December of 2021 and its zoning amendment was enacted in March of 2022, to permit temporary outdoor storage, oversized vehicle parking, and vehicle parking for a period of not more than three years. Blackthorn Development Corp. on behalf of Darzi Holdings Inc. submitted that application. A Site Plan Application was filed in March 2022, which is currently in review.

A Statutory Public Meeting was held on August 28th, 2023 to provide information about the application to the public which satisfies the notice and statutory public meeting requirements in the Planning Act and the Planning Meeting policies in S. 5.30 of the Official Plan.

The subject properties are currently zoned for agricultural and residential uses. However, the City of Brampton's 2006 Official Plan designates this area as "Industrial" and the Highway 427 Industrial Secondary Plan, which was adopted by City Council on September 10, 2014, designates the area as "Prestige Industrial". Both of these designations point to the future development of this part of Brampton as an employment area. In addition to this application, staff are reviewing another application (File number: C11E15.002) for industrial uses south of Countryside Drive.

Current Situation:

The purpose of this staff report is to recommend Council approval to amend the Zoning By-law to permit industrial land uses which will facilitate the development of a permanent office use and associated outdoor storage on the subject three properties. Details of the proposal are as follows:

- To amend the Zoning By-law to a site-specific Industrial One (M1 (H)) zone to accommodate the proposed office and associated outdoor storage use. A list of the proposed permitted uses also include:
 - Industrial uses:
 - An Office;
 - The manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building, but excluding a motor vehicle repair shop and a motor vehicle body shop as a principal or accessory use;
 - A printing establishment;
 - A warehouse;
 - A parking lot
 - Non-Industrial uses:
 - A radio or television broadcasting and transmission establishment;
 - A furniture and appliance store;

- A recreational facility or structure;
- A community club;
- An animal hospital;
- A place of worship only within areas shown on Schedule G, H and I
- Associated Uses:
 - Outdoor Storage, provided it is associated with an office use
- A total Gross Floor Area (GFA) of 1,600 square metres (based on the current concept plan as shown in Attachment 1. Some modification to the concept plan may occur at the time of the future site plan application).
- Internal vehicular access will be provided to the proposed office use.
- A Holding (H) Symbol provision will be placed on the subject properties.

Property Description and Surrounding Land Use

The current conditions on-site are as follows:

- The three subject properties have a total site area of 4 hectares (9.89 acres);
- The subject properties have a total frontage of approximately 310.4 metres (1,018.4 feet) along Countryside Drive; and
- 5556 Countryside Drive contains a Heritage Resource, which is an existing “Listed” heritage home.

The surrounding land uses are described as follows:

North: Vacant agricultural lands.

South: Countryside Drive, beyond which are planned industrial use lands that are subject to development application file: C11E15.002.

East: Vacant Agricultural lands.

West: Coleraine Drive, beyond which are proposed Institutional uses subject to an MZO initiated application file: OZS-2022-0005 and agricultural lands.

Zoning By-law Amendment

The proposed amendment to the Zoning By-law 270-2004 is required to rezone the lands from the current “Agricultural (A)” and “Residential Rural Estate Two (RE2)” zones to a site-specific “Industrial One – Special Section 3719 (M1 (H) - 3719)” zone with a ‘Holding (H)’ provision to facilitate a permanent office use and associated outdoor storage use for truck and trailer parking.

The proposed zoning provisions will include appropriate provisions including minimum landscape open space, and required screening of outdoor storage. The site-specific provision relating to screening will require screening of outdoor storage from public view. A ‘Holding (H)’ symbol is also put on the subject properties and is not to be removed until such time that confirmation has been provided that:

- the three parcels (5556, 5600 and 5620 Countryside Drive) are assembled under one ownership,
- that truck parking is contingent on the office use and not be allowed as of right until a Site Plan Application is advanced to address any technical and/or design matters and to ensure that financial securities are in place.

Summary of Recommendations:

This report recommends that Council approve a Zoning By-law amendment that is generally in accordance with Attachment 9, respectively. The By-law will accommodate the future approval of a site plan application for this use on this site.

Planning Analysis Summary:

This proposal and implementing documents have regard for matters of provincial interest that are set out in the Planning Act. The City-initiated amendment to the Zoning By-law is consistent with the Provincial Policy Statement, the goals and objectives of the City's Official Plan, and conforms to the Growth Plan for the Greater Golden Horseshoe and the Region of Peel Official Plan.

The proposal is located within the 'Urban System' as defined in Schedule E-1 of the Region of Peel Official Plan, and is located within the 'Industrial' designation in the City of Brampton Official Plan. The proposed development is an efficient use of lands within the City's built-up area, and the Region's 'Urban System'. There is clear direction in the Growth Plan and Provincial Policy Statement to encourage the efficient development of lands with municipal sewage and water services, and to promote compact built form, and diversity of land uses for complete communities. The proposed development aligns with provincial direction to promote development that is more compact and makes efficient use of land, and infrastructure.

Please refer to Attachment 8 "Detailed Planning Analysis" for additional details.

Matters of Provincial Interest

Planning Act

This development proposal has regard for the matters of Provincial interest as set out in Section 2 of the Planning Act. The proposed development has regard for Section 2(h), (k), (p) and (r) of the Planning Act. Upgrades to Countryside Drive will ensure that future development is adequately serviced by transportation infrastructure, while ensuring the orderly development of safe and healthy community, in accordance with Section 2(h) of the Planning Act.

Staff is satisfied that the proposed development is consistent with the matters of provincial interest as set out in the Planning Act.

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 application is consistent with Section 1.1.1 (b) of the PPS which speaks to accommodating an appropriate mix of employment types. The proposal will also contribute to the mix and range of employment uses and encourages a diverse economic base by adding to the range of economic activities and employment uses in the area which aligns with Section 1.3.1(a) and (b).

Staff is satisfied that the proposed development is consistent with the applicable sections of the Provincial Policy Statement.

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

The Growth Plan for the Greater Golden Horseshoe includes policy and direction intended to accommodate and forecast growth in complete communities. These are communities that are well designed to meet people’s needs for daily living by providing convenient access to local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. The subject property is located within the Designated Greenfield Area – Conceptual of the Growth Plan and will contribute to achieving a complete community and encourage economic development and competitiveness by introducing employment use that will efficiently use land and contribute to the variety of employment opportunities and employment density. The recommendations conform to the applicable sections of the Growth Plan.

Municipal Planning Documents

Region of Peel Official Plan:

The Regional Official Plan sets the Regional context for more detailed planning by protecting the environment, managing resources, directing growth and establishing a basis for providing Regional services in an efficient and effective manner. The subject lands are located within the “Urban System” designation in the Regional Official Plan. The proposed Zoning By-law Amendment conforms to the Regional Policies with respect to healthy communities and planning for employment areas for employment uses. Staff is satisfied that the proposed development conforms to the Region of Peel Official Plan.

City of Brampton Official Plan:

The City of Brampton Official Plan provides guidance and policies for the future of the City. The proposal is consistent with the Official Plan as it meets the intent of the plan regarding the type of development and that the environmental policies are met, the design of the development is consistent with the policies and that all technical matters have been resolved.

The lands are designated “Employment”, “Designated Greenfield” on Schedule 1 – City Concept, and “Industrial” and “Corridor Protection Area” on Schedule A – General Land Use Designations of the City of Brampton Official Plan. The “Employment” designation includes various employment generating land uses such as industrial, retail, business and office uses. The “Industrial” designation permits light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution. The permitted uses proposed in the Zoning By-law Amendment align with the permitted uses of the Industrial designation and contributes to the employment growth 2031 targets making efficient use of the land that is designated for employment.

The City-initiated application has demonstrated that the proposal adheres to the policies of the designated land uses identified in the Official Plan. Staff is satisfied that the proposed Zoning By-law Amendment is consistent with the policies of the City of Brampton Official Plan. No amendment to the Official Plan is required to facilitate this proposal.

Highway 427 Industrial Secondary Plan Area 47 Policy Review:

The property is designated “Prestige Industrial” and “Heritage Resource” in the Highway 427 Industrial Secondary Plan (Area 47). The “Prestige Industrial” designation permits a range of industrial uses including manufacturing and processing of semi-processed or fully-processed materials, warehousing facilities to office and conference centres.

Section 5.2.7.2 of the Secondary Plan identifies that outdoor storage (including truck trailer parking) is permitted provided that it is not the primary use, and is to be appropriately screened, as is proposed herein.

The proposed by-law includes site-specific provisions to provide appropriate landscape buffers, setbacks and screening requirements to mitigate potential impact of the industrial operation and outdoor storage on adjacent uses. The proposed enacting zoning by-law amendment will enforce the policy intent of the Secondary Plan. No amendment to the Official Plan and Secondary Plan is required to facilitate this proposal.

City of Brampton Zoning By-law:

The lands are zoned “Agricultural (A)” and “Residential Rural Estate Two (RE2)” by By-law 270-2004, as amended. An amendment to the Zoning By-law is required to rezone the lands with a site-specific “Industrial One (M1)” zone in order to allow these lands to be developed for industrial uses including office use and associated outdoor storage for truck and trailer parking.

‘Holding (H)’ Provision

A 'Holding (H)' 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 with the associated outdoor storage of trucks and trailers until:

- confirmation has been provided that the three parcels (5556, 5600 and 5620 Countryside Drive) are assembled under one ownership,
- technical and/or design matters are resolved and financial securities are in place in conjunction with the office development.

Community Engagement

The City-initiated Zoning By-law amendment was circulated to property owners within 240 metres of the subject lands in accordance with and exceeding the Planning Act requirements. This report along with the information report and presentation have been posted on the City’s website.

A Statutory Public Meeting for this application was held on August 28th, 2023. There were two (2) delegations from members of the public at the meeting and one (1) inquiry was received expressing interest to the proposal, however no written correspondence expressing concern or issues was received. At the time of writing this report, it is staffs understanding that the minutes for the Public Meeting are not available and will be published with the September 13th Council Agenda at will be approved at the September 13th Council meeting. A summary chart of the concerns raised is included below:

Concerns Raised at Public Meeting	Staff Response
Public Roads are not built to accommodate heavy truck and truck traffic will impact the area.	<p>A Study has been conducted and completed in October 2022 and January 2023 in regards to the Arterial Roads within Area 47. A Municipal Class Environmental Assessment was done for Coleraine Drive and Countryside Drive, west of Clarkway Drive to Highway 50.</p> <p>The recommended improvements from the Class EA Study for Part A includes that widening of Coleraine Drive to 4 lanes.</p> <p>The recommended improvements from the Class EA Study for Part B includes that widening of Countryside Drive to the south from west of Clarkway Drive to Regional Road 50. Countryside Drive is to be widened to 4 lanes between The Gore Road and Regional Road 50. The Planning Horizon for this project is 2031.</p> <p>The Highway 427 Industrial Secondary Plan Area 47 Transportation Master Plan (SP47 TMP, 2014) was completed to assess and recommend the transportation</p>

	<p>infrastructure required to support the full build out of Secondary Plan Area 47 by 2031. This included recommendations for road widening and realignment of Coleraine Drive, Clarkway Drive, and Countryside Drive.</p> <p>The City of Brampton Transportation Master Plan identifies Coleraine Drive as a primary regional truck route.</p> <p>City staff have informed that the abutting roads are able to accommodate trucks traffic, provided that truck sizes are limited. Further details in this respect will be reviewed through a future site plan application.</p>
<p>Further amendments required for truck and trailer parking</p>	<p>The proposal gives the opportunity to provide truck and trailer parking on the site, provided that the office headquarters is constructed on the site. The Zoning By-law Amendment has a 'Holding (H)' provision which will be lifted once conformation is provided that the three subject properties are consolidated, and that technical issues are resolved and financial securities for the office use are submitted to the City.</p> <p>In relation to the Official Plan and Secondary Plans, no further amendments are required to facilitate the proposed associated truck and trailer parking use.</p>
<p>Appropriate screening be provided for the outdoor storage</p>	<p>The outdoor storage will require appropriate screening as outlined in the Zoning By-law Amendment.</p> <p>Site Plan Approval will also be required for the subject properties at which time all issues in relation to screening/noise walls will be addressed.</p>

Corporate Implications:

Financial Implications:

There are no financial implications associated with this application.

Other Implications:

There are no other Corporate implications associated with this application

Strategic Focus Area:

This application is consistent with the “Growing Urban Centres & Neighbourhoods” strategic focus area. It supports the building of complete communities to accommodate growth for people and jobs. The proposed development will provide employment opportunities.

Living the Mosaic – 2040 Vision

This report directly aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres with quality jobs. This report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’.

Conclusion:

Staff is satisfied that the City-initiated Zoning By-law Amendment represents good planning, including that it 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 of Brampton Official Plan and the Highway 427 Industrial Secondary Plan. In summary, the proposal is appropriate for the development of the subject land and Staff therefore recommend that the Zoning By-law Amendment be approved.

Authored by:

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Attachments:

- Attachment 1: Concept Plan
- Attachment 2: Location Map
- Attachment 3: Official Plan Designations
- Attachment 4: Secondary Plan Designation
- Attachment 5: Zoning Designations
- Attachment 6: Aerial and Existing Land Use
- Attachment 7: Heritage Resource
- Attachment 8: Detailed Planning Analysis
- Attachment 9: Draft Zoning By-law Amendment