

Detailed Planning Analysis

The proposal has been reviewed and evaluated against the Planning Act, Provincial Policy Statement, and Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, the City's Official Plan, and other applicable City of Brampton studies, guidelines and priorities.

The *Planning Act*, Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe (Growth Plan), the Peel Regional Official Plan, the Brampton Official Plan, and Highway 427 Industrial Secondary Plan provide direction and policies that encourage efficient and sustainable development through development, and the use of existing infrastructure to provide an appropriate mix and density of land uses and built form. These documents support land use planning in a logical, well-designed manner that supports sustainable long-term economic viability.

Planning Act R.S.O 1990 and Provincial Policy Statement, 2020

The proposed development has been reviewed for its compliance to matters of provincial interest as identified in **Section 2 of the Planning Act R.S.O 1990** in terms of:

- h) The orderly development of safe and healthy communities;*
- j) The adequate provision of a full range of housing, including affordable housing;*
- p) The appropriate location of growth and development;*
- o) The protection of public health and safety; and*
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.*
- r) The promotion of built form that*
 - i) is well designed,*
 - ii) encourages a sense of place, and*
 - iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.*

The site currently fronts onto an existing municipal road that is not constructed to industrial standards. The zoning by-law amendment contains a Holding (H) symbol to prevent the use enactment of the by-law until such time as the road is constructed to industrial standards. The owner will be required to enter into a cost-sharing agreement with all land owners abutting Old Castlemore Road east of Rainbow Creek for the design and reconstruction of Old Castlemore Road. This will ensure the road is upgraded to achieve

industrial road Class 'A' status which meets or exceeds City of Brampton standards to support truck movements, in accordance with Section 2 (h) of the Planning Act.

The proposed temporary use of the lands for truck and trailer parking is located on lands designated 'Logistic/Warehouse/Transportation' in the Highway 427 Industrial Secondary Plan and accordingly, does not encroach on lands designated for prestige industrial or office uses. The site is located within 800 meters of the Canadian Pacific Railway Vaughan Intermodal Terminal. The proposed use represents the appropriate location for the development in accordance with Section 2 (p).

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

The proposal was also reviewed for its compliance to the **Provincial Policy Statement (PPS)**. The PPS policies that are applicable to this application include:

- *Section 1.1.1 Healthy, liveable and safe communities are sustained by:*
 - a) *Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
 - 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;*
 - c) *Avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
 - d) *Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
 - e) *Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

- *Section 1.1.2 – Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area. Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas. Nothing in policy 1.1.2 limits the planning for infrastructure, public service facilities and employment areas beyond a 25-year time horizon.*

- *Section 1.1.3.1 Settlement areas shall be the focus of growth and development.*

• *Section 1.1.3.2 – Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) Efficiently use land and resources;*
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) Prepare for the impacts of a changing climate;*
- e) Support active transportation;*
- f) Are transit-supportive, where transit is planned, exists or may be developed; and*
- g) Are freight-supportive.*

• *Section 1.2.6.1 – Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*

• *Section 1.2.6.2 – Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:*

- a) there is an identified need for the proposed use;*
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.*

• *Section 1.1.3.6 – New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of use and densities that allow for efficient use of land, infrastructure and public service facilities.*

• *Section 1.3.1 – Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a 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;*

c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;

d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and

e) ensuring the necessary infrastructure is provided to support current and projected needs.

- *Section 1.3.2.6 – Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.*

Analysis: Planning Act

The proposed development is located within a settlement area as defined in provincial and municipal planning documents. The proposal is also located in an employment area, in close proximity to major goods movement transportation infrastructure networks such as Highway 410. The proposed temporary use will not prevent the lands from being developed for long-term logistics and transportation uses in accordance with the City's Official Plan policies in the future to meet long-term employment needs.

A Holding (H) symbol is recommended for the zoning by-law amendment which prevents the land use permissions until such time as an appropriate Noise Impact Study is submitted to the satisfaction of the City of Brampton. Staff recognizes that there are future planned residential uses to the west of the subject property, and the appropriate mitigation measures must be implemented on the subject property at the site plan stage of development and documented in the approved Noise Impact Study. Staff is satisfied that the recommended By-law Amendment and Holding (H) provisions satisfy policy 1.1.1 of the PPS.

Based on the above, staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the Provincial Policy Statement.

2020 Growth Plan for the Greater Golden Horseshoe

The subject lands are within the "Built-Up Area" as defined by the 2020 Growth Plan for the Greater Golden Horseshoe. 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 was evaluated with regard for the policies in the Growth Plan for the Greater Golden Horseshoe (GGH). The proposed development demonstrates conformity to the following sections of the Growth Plan:

2.2 Policies for Where and How to Grow

- 2.2.1.2 *Forecasted growth to the horizon of this Plan will be allocated based on the following:*
 - a) *the vast majority of growth will be directed to settlement areas that:*
 - i. *have a delineated built boundary;*
 - ii. *have existing or planned municipal water and wastewater systems; and*
 - iii. *can support the achievement of complete communities;*
- 2.2.5.1 *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;*
 - b) *ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;*
 - c) *planning to better connect areas with high employment densities to transit; and*
 - d) *integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.*
- 2.2.5.2. *Major office and appropriate major institutional development will be directed to urban growth centres, major transit station areas or other strategic growth areas with existing or planned frequent transit service.*
- 2.2.5.3. *Retail and office uses will be directed to locations that support active transportation and have existing or planned transit.*
- 2.2.5.4. *In planning for employment, surface parking will be minimized and the development of active transportation networks and transit-supportive built form will be facilitated.*
- 2.2.5.5. *Municipalities should designate and preserve lands within settlement areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities.*
- 2.2.5.6. *Upper- and single-tier municipalities, in consultation with lower-tier municipalities, will designate all employment areas in official plans and protect them for appropriate employment uses over the long-term. For greater certainty, employment area designations may be incorporated into upper- and single-tier official plans by amendment at any time in advance of the next municipal comprehensive review.*
- 2.2.5.7. *Municipalities will plan for all employment areas within settlement areas by:*
 - a) *prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use;*
 - b) *prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibiting any major retail uses that would exceed that threshold; and*

c) providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility.

• 2.2.5.8. The development of sensitive land uses, major retail uses or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.

• 2.2.5.9. The conversion of lands within employment areas to non-employment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:

a) there is a need for the conversion;

b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;

c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;

d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and

e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.

• 2.2.5.10. Notwithstanding policy 2.2.5.9, until the next municipal comprehensive review, lands within existing employment areas may be converted to a designation that permits non-employment uses, provided the conversion would:

a) satisfy the requirements of policy 2.2.5.9 a), d) and e);

b) maintain a significant number of jobs on those lands through the establishment of development criteria; and

c) not include any part of an employment area identified as a provincially significant employment zone unless the part of the employment area is located within a major transit station area as delineated in accordance with the policies in subsection 2.2.4.

• 2.2.5.11. Any change to an official plan to permit new or expanded opportunities for major retail in an employment area may only occur in accordance with policy 2.2.5.9 or 2.2.5.10.

• 2.2.5.12. The Minister may identify provincially significant employment zones and may provide specific direction for planning in those areas to be implemented through appropriate official plan policies and designations and economic development strategies.

• 2.2.5.13. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, will establish minimum density targets for all employment areas within settlement areas that: a) are measured in jobs per hectare; b) reflect the current and anticipated type and scale of employment that characterizes the employment area to which the target applies; c) reflects opportunities for the intensification of employment areas on sites that support active transportation and are served by existing or planned

transit; and d) will be implemented through official plan policies and designations and zoning by-laws.

- *2.2.5.14. Outside of employment areas, development criteria should be established to ensure that the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site.*

- *2.2.5.15. The retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities.*

- *2.2.5.16. Existing office parks will be supported by: a) improving connectivity with transit and active transportation networks; b) providing for an appropriate mix of amenities and open space to serve the workforce; c) planning for intensification of employment uses; d) ensuring that the introduction of any non-employment uses, if appropriate, would be limited and would not negatively impact the primary function of the area; and e) approaches to transportation demand management that reduce reliance on single-occupancy vehicle use.*

- *2.2.5.17. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, are encouraged to undertake a co-ordinated approach to planning for large areas with high concentrations of employment that cross municipal boundaries and are major trip generators, on matters such as transportation demand management and economic development. If necessary, the Minister may identify certain areas that meet these criteria and provide direction for a co-ordinated approach to planning.*

- *2.2.5.18. In recognition of the importance of cross-border trade with the United States, this Plan recognizes a Gateway Economic Zone and Gateway Economic Centre near the Niagara-United States border. Planning and economic development in these areas will support economic diversity and promote increased opportunities for cross-border trade, movement of goods, and tourism.*

- *2.2.6.2 Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:*

- a) planning to accommodate forecasted growth to the horizon of this Plan;*

- b) planning to achieve the minimum intensification and density targets in this Plan;*

- c) considering the range and mix of housing options and densities of the existing housing stock; and*

- d) planning to diversify their overall housing stock across the municipality.*

Analysis: Growth Plan for the Greater Golden Horseshoe

The proposal conforms to the Growth Plan by directing development within the delineated built-up area and within an area with existing public service facilities. The proposed

development is temporary in nature and will not prevent the lands from being developed in the future for higher-order employment uses. The proposal will support the movement of goods in the Region of Peel for the 3-year duration of the Temporary Use By-law.

The proposed truck and trailer parking is temporary in nature, and as such, will not preclude the site from adhering to the minimum intensification targets established in the Growth Plan.

Based on the above, staff is satisfied that the proposed amendment is consistent with the policies of the Growth Plan.

Regional Official Plan (April 2022)

The Region of Peel Official Plan facilitates decisions with regard to land use matters, and guides growth and development within the lower-tier municipalities in the Region of Peel. The subject lands are within the “Urban System” in Schedule E-1: Regional Structure, the “Designated Greenfield Area” in Schedule E-3, and the “Employment Area” in Schedule E-4 of the Region of Peel Official Plan. The proposal has been evaluated against the Region of Peel Official Plan to ensure that it conforms to the Plan. The Region of Peel Official Plan sections that are applicable to this application include but are not limited to:

5.6 The Urban System

- *5.6.1 To achieve sustainable development within the Urban System, reduce greenhouse gas emissions, and adapt the region to a changing climate.*
- *5.6.2 To establish complete healthy communities that contain living, working and recreational opportunities, which respect the natural environment, resources and the characteristics of existing communities.*
- *5.6.3 To achieve intensified and compact built form and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances while taking into account the characteristics of existing communities and services.*
- *5.6.4 To achieve an urban structure, form and densities which are pedestrian-friendly and transit-supportive.*
- *5.6.4 To achieve an urban structure, form and densities which are pedestrian-friendly and transit-supportive.*
- *5.6.11 Direct urban development and redevelopment to the Urban System within the Regional Urban Boundary, as shown on Schedule E-1, consistent with the policies in this Plan and the local municipal official plan.*
- *5.6.12 Plan for the provision and financing of Regional facilities and services so as to efficiently use existing services and infrastructure, and encourage a pattern of compact built forms of urban development and redevelopment.*

5.4.19 Greenfield Density

5.4.19.7 Development within the Designated Greenfield Areas shall be designed to meet or exceed the following minimum densities:

- City of Mississauga: 87 residents and jobs combined per hectare;
- City of Brampton: 71 residents and jobs combined per hectare; and,
- Town of Caledon: 67.5 residents and jobs combined per hectare.

5.8 Employment Areas

5.8.1 To provide sufficient lands in Employment Areas in Peel to support a vibrant and sustainable regional economy, to further the economic development goals of the local municipalities and to contribute to complete communities, in accordance with the policies in the provincial Growth Plan and in accordance with the policies of this Plan including the forecasts set out in Table 3.

5.8.2 To protect Employment Areas for a range of employment uses and encourage a more intensive use of land.

5.8.3 To provide infrastructure and services that are required for the development of Employment Areas to facilitate economic development and support the achievement of the Region's employment forecasts.

5.8.4 To promote sustainable development of Employment Areas, in accordance with the Overarching Themes in Section 1.6 of this Plan.

5.8.5 To attract and retain a range of employment types in Peel.

5.8.6 To concentrate higher density employment uses such as Major Office in Strategic Growth Areas such as Urban Growth Centres, Major Transit Station Areas, the Regional Intensification Corridor and in other areas served by frequent transit and higher order transit.

5.8.7 To plan for, protect and preserve, Employment Areas for employment uses, including preserving the long-term viability by avoiding, minimizing, or mitigating the adverse impacts of residential development and other sensitive land uses on Employment Areas. 5.8.8 To align current and planned transit service investments with current and planned Employment Areas.

5.8.9 To encourage the availability of industry-leading affordable, symmetrical, broadband internet infrastructure in Employment Areas.

5.8.10 To provide for a diverse range of employment opportunities near major infrastructure including Pearson Airport, the Brampton-Caledon Airport, 400 series highways, rail corridors, and current and planned transit.

5.8.11 To provide sufficient land in Employment Areas in Peel to support a vibrant and sustainable regional economy.

5.8.12 To support the development, maintenance, and implementation of a coordinated employment strategy between the local municipalities and Region.

5.8.13 To support innovative approaches to accommodating employment uses.

5.8.14 To support Employment Areas in mitigating and adapting to climate change.

5.8.15 Designate and protect Employment Areas in Peel as shown on Schedule E-4.

5.8.16 Direct the local municipalities to designate Employment Areas in accordance with Schedule E-4.

5.8.17 Direct the local municipalities to include contextually appropriate policies and mapping in their official plans on provincially significant employment zones in accordance with Figure 12, responsive to the relevant provincial guidance.

5.8.18 Direct the local municipalities to identify land uses and establish appropriate policies in the local municipal official plans to accommodate an adequate supply of employment land within the Regional Urban Boundary and Industrial/Commercial Centres in the Rural System to achieve the forecasts in Table 3. Local municipalities are further encouraged to identify and designate specialized employment uses within Employment Areas through supportive policies in their Official Plans.

5.8.19 Direct the local municipalities to include employment designations in their official plans to accommodate a diverse range of employment uses to achieve the employment forecasts set out in Table 3 and to accommodate a variety of employment uses in accordance with the locational and market requirements of these uses.

5.8.20 Use the employment forecasts in Table 3 for employment land use planning in the Region.

5.8.21 Direct high-density employment uses such as major office and major institutional development to Strategic Growth Areas, and other areas with existing or planned higher order transit service.

5.8.22 Protect existing and future Employment Areas to meet the long-term market demands and locational requirements of a diverse range of employment sectors and uses, including Employment Land adjacent to and in proximity to major goods movement facilities and corridors.

5.8.23 Direct the local municipalities to include policies in their official plans that support the intensification of existing Employment Areas with compatible employment uses.

5.8.24 Monitor, in cooperation with the local municipalities, the supply of employment lands on an annual basis to determine if adequate supply exists to accommodate forecasts in Table 3.

5.8.25 Assist the local municipalities in maximizing their economic development objectives and facilitating the development of Employment Areas through the provision of Regional infrastructure and services such as water and wastewater services, transportation and human services to Employment Areas based on the availability of servicing capacity and subject to capital budget allocation. 5.8.26 Protect and support Employment Areas as identified on Schedule E-4 of the Region of Peel Official Plan for employment uses.

5.8.27 Employment Areas are encouraged to be planned to achieve a minimum employment density of:

- 26 jobs per hectare in Caledon*
- 30 jobs per hectare in Brampton*
- 45 jobs per hectare in Mississauga*

5.8.28 Protect and support existing and future Employment Areas in the vicinity of the Toronto Pearson International Airport, the Brampton-Caledon Airport, major highway interchanges and rail yards for manufacturing, warehousing and associated retail, office and ancillary facilities where appropriate.

Analysis: Region of Peel Official Plan

The subject lands are designed “Employment Area” in the Region of Peel Official Plan. The proposed temporary truck and trailer parking lot will support the goods movement network as the lands within Highway 427 Industrial Plan evolve to support a variety of logistics, industrial and employment uses. The proposed truck and trailer parking lot will service the surrounding land uses and larger goods movement network in the Region of Peel for a temporary period of three years. The proposed temporary use will not prevent the lands from developing for more compact, higher-order employment uses in the future in accordance with the greenfield intensification targets and employment policies established in the Region of Peel Official Plan.

Based on the above, staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the Region of Peel Official Plan.

City of Brampton Official Plan (2006):

The City of Brampton Official Plan guides the physical growth and development of the City and guides land use decision-making to meet the needs of current and future residents to 2031. The plan incorporates policies from the Region of Peel Official Plan, PPS, and Growth Plan to address land use planning decisions.

The property is designated “Industrial” and “Special Study Area” in Schedule A: General Land Use Designations of the Official Plan. The “Industrial” designation permits light to

heavy industrial uses such as manufacturing, processing, repair and service, warehousing, and distribution.

The lands are also located in the Highway 427 Industrial Secondary Plan, and are designated "Logistics/Warehouse/Transportation". The Brampton Official Plan sections that are applicable to this application include but are not limited to:

4.4.2 Industrial

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. Corporate head offices and high performance industrial uses such as research and development facilities are also permitted in the Industrial designation. The designation of non-industrial uses will be strictly controlled as they are intended to primarily provide a supporting role to the local employment base. It is recognized that employment areas accommodate a certain range of ancillary uses without negatively impacting the viability of employment lands or employment operations. Accordingly, these uses are not subject to policy 4.4.2.18. Major Retail development shall not be permitted in areas designated industrial in the Official Plan.

Policies

4.4.2.1 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. 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.

4.4.2.2 The City will accommodate employment growth to 2031 in the order of 70,000 to 90,000 employment land employment jobs, which may include limited amounts of service, retail, office and institutional uses. This growth will occur on new lands designated primarily as employment land and existing vacant employment lands. Some of the employment growth may be accommodated through the intensification of existing employment areas provided that the City-wide forecasts as outlined in.

5.10.1 The City may enact temporary use by-laws for renewable periods of not more than 3 years, permitting the use of land, buildings or structures on a temporary basis. The provisions of Section 39 of the Planning Act, 1990, regarding the enactment and subsequent extensions to such by-laws shall apply.

5.10.2 The City shall, in considering the enactment of a temporary use by-law, be satisfied that:

(i) The proposed temporary use does not create or aggravate any situation detrimental to adjacent complying uses;

(ii) The temporary use does not adversely affect surrounding uses in terms of air pollution, odour, noise, light or traffic generation;

(iii) The temporary use does not interfere with the development of adjacent areas that are developing in accordance with this Plan;

(iv) Adequate provision will be made for off-street parking and loading facilities; and,

(v) The temporary use does not create a service demand that the City and other relevant public authorities cannot fulfill.

5.10.3 Temporary Use by-laws may be passed without the necessity of amending this Plan provided the use is a temporary one which utilizes largely existing or temporary buildings and structures and does not require the extensive construction of permanent buildings or structures or, the significant alteration of the land to accommodate the temporary use.

5.10.4 Upon the expiry of the time period(s) authorized by a temporary use bylaw, the use of land, buildings or structures that were permitted under such a by-law shall cease to exist and shall not be considered nonconforming within the context of the Planning Act or this Plan.

Analysis: Brampton Official Plan

In accordance with S. 5.10.2 ii) of the Official Plan, staff recommends the use of a Holding (H) symbol in the Temporary Use By-law to ensure that a satisfactory Noise Impact Study is received by staff prior to the use permissions commencing. City Staff understands that the Noise Impact Study has been deemed unsatisfactory, and has not been submitted in accordance with Ministry of Environment Conservation and Parks (MECP) guidelines. At this time it still needs to be determined what noise barrier height will be needed in accordance with the MECP guidelines. The height of the noise barrier and berm on the subject property may impose further restrictions on the number of truck and trailer parking spaces on the site, due to the grading requirements along the westerly side yard lot line. City Staff recommends that the Holding (H) symbol shall not be lifted until such time that a satisfactory Noise Impact Study has been provided by the applicant to ensure the appropriate noise mitigation measures are implemented on-site at the site plan stage of development to protect future residential uses to the west from the impacts of noise generated from the property.

A Traffic Impact Study prepared by CGE Transportation Consulting has been submitted in support of the application to assess the impacts of the proposed temporary use on the local transportation network. The Traffic Impact Study has been reviewed by City Traffic staff and has not been deemed satisfactory to support the proposed development. In accordance with policy 5.10.2 ii) of the Official Plan, staff recommends the use of a

Holding (H) symbol to prevent the commencement of the temporary use permissions until such time as a Traffic Impact Study is submitted to the satisfaction of the City of Brampton.

Landscaped screening will be implemented at the site plan stage of development to reduce the impacts of the proposal on proposed residential uses to the west in accordance with policy 5.10.2 (iii) of the Official Plan.

The Temporary Use By-law is proposed for a period of 3 years in accordance with policy 5.10.1 of the City of Brampton Official Plan and the Planning Act.

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

Highway 427 Industrial Secondary Plan (Area 47):

The subject lands are currently designated 'Logistics/Warehouse/Transportation' in the Highway 427 Industrial Secondary Plan. The 'Logistics/Warehouse/Transportation' designation permits. The Highway 427 Industrial Secondary Plan sections that are applicable to this application include but are not limited to:

5.2.9.1 The lands designated Logistic/Warehouse/Transportation on Schedule SP47(a) shall permit the range of uses and shall be developed in accordance with Part 1, Section 4.4, Subsection 4.4.2 and other relevant policies of the Official Plan. Permitted uses shall include Prestige Industrial and those listed in Section 5.3.7 of this Plan. Outdoor storage of goods and materials will be permitted subject to the location and screening criteria contained within the implementing zoning by-law. In addition, open space uses such as stormwater management facilities shall also be permitted.

5.2.9.2 Lands within the Logistic/Warehouse/Transportation designation may be further divided into classes of industrial zones in the zoning by-law on the basis of the following:

- *The requirements of industry for road access;*
- *The type and extent of outside storage; and*
- *The need to minimize potential conflicts between different classes of land uses.*

5.2.9.3 The development of lands within the Logistic/Warehouse/Transportation designation will be subject to development standards, including landscaping and buffering, to ensure that the potential impact of industrial operations on adjoining uses will be minimized. From a streetscape perspective, large lots/blocks are encouraged along arterial roads.

5.2.9.4 The negative visual impact of automobile and truck parking, service and delivery areas shall not be intrusive, and shall be minimized in accordance with the City's Development Design Guidelines and the site specific architectural design and landscape and screening measure contained within the approved urban design guidelines for these lands.

5.2.9.5 Outside storage areas including truck trailer parking shall not directly abut arterial roads, shall be limited in size and be appropriately set back and screened in accordance with the requirements of the implementing zoning by-law.

5.2.9.6 The City may require the submission of a detailed development concept or Tertiary Plan, as part of a planning application, to demonstrate how lands within the Logistic/Warehouse/Transportation designation can be comprehensively developed to the satisfaction of the City and the Region of Peel.

Analysis: Highway 427 Industrial Secondary Plan (Area 47)

Policy 5.2.9.1 of the Secondary Plan permits outdoor storage subject to screening criteria. The applicant is providing 3 metres of landscaping along all lot lines to reduce the visual impacts of the proposed use temporary use in accordance with the policies of the Secondary Plan. The proposed use is temporary and as such, does not require an amendment to the Brampton Official Plan, or the Secondary Plan which constitutes a chapter of the Official Plan, in accordance with policy 5.10 (Temporary Use By-laws).

An amendment to the Secondary Plan is not required to permit the proposed temporary use. Staff is satisfied that the proposed Temporary Use By-law is consistent with the policies of the City of Brampton Official Plan.

Zoning By-law:

The Temporary Use By-law is required as the proposed truck and trailer storage is not permitted by the current “*Agricultural - A*” zone on the subject property.

A Holding Provision is proposed to be included with the Temporary Use By-law to ensure outstanding matters are addressed prior to the commencement of the temporary land use permissions. In this regard, the Holding Symbol prohibits the development of the lands until the following is satisfied:

- I. Confirmation that a satisfactory Functional Servicing Report has been provided and approved to the satisfaction of the City of Brampton;*
- II. Confirmation that a satisfactory Traffic Impact Study has been provided to the satisfaction of the City of Brampton;*
- III. Confirmation that a satisfactory Noise Impact Study has been provided to the satisfaction of the City of Brampton;*
- IV. Old Castlemore Road, east of the Rainbow Creek Corridor to Regional Road 50 be rebuilt to the City’s Industrial Road Standard (Class ‘A’ Standard).*

Technical Requirements:

The following paragraphs summarize the technical studies and reports that were provided in support of the development application.

Planning Justification Report

The planning justification report prepared by Blackthorn Development Corp was submitted to provide the policy context and planning rationale to support the proposed development. The report concludes that the objectives of the PPS, the Growth Plan, the Region of Peel Official Plan, the City of Brampton Official Plan, and the Bramalea Secondary Plan are satisfied that the proposed development represents good planning. Planning staff have reviewed the PJR and found it satisfactory.

Functional Servicing and Stormwater Management Report

A Functional Servicing Report was prepared by Urbanworks Engineering to assess how the site may be serviced regarding site grading, stormwater management, water supply, and sanitary sewage. The report concludes that the existing site sanitary and water service connections are sufficient and capable of supporting the proposed development. The proposal does not require any new connections for sanitary servicing or water servicing purposes. An underground infiltration gallery is proposed to water balance mitigation and quality control for stormwater management purposes, and detention storage is proposed via an overland depression storage.

City of Brampton Engineering staff have received a revised Functional Servicing Report from the applicant which is under review. A Holding provision is recommended for the Temporary Use By-law which requires the applicant to submit a satisfactory Functional Servicing Report prior to the temporary use permissions commencing.

Archaeological Assessment

A Stage 1 and Stage 2 Archaeological Assessment was prepared by Archeoworks Inc. The report indicates that no further field investigation is needed. The applicant has also submitted the Ministry Letter confirming the report has been entered into the Ontario Public Register of Archaeological Reports. Heritage staff are satisfied with the Archaeological Report.

Traffic Impact Study

A Traffic Impact Study was prepared by CGE Transportation Consulting in support of the application to assess the potential impact of traffic generated by the proposed development and to identify the mitigation measures required to ensure the road network operates safely, and efficiently upon completion of the project. The report concluded that the site traffic generated by the proposed development would have a negligible impact on the performance of the local transportation network.

The Traffic Impact Study has not been approved by the City's Traffic services department. A H provision is recommended in the Temporary Use By-law which requires the submission of a satisfactory Traffic Impact Study to the satisfaction of the City of Brampton prior to the commencement of the temporary use permissions.

Arborist Report

An Arborist Report was prepared by Landscape Planning Ltd, and includes an inventory of trees conducted in November 2022. The report documents a total of eight (8) trees on the subject property. The report recommends the retention of all trees on site. Open Space staff have reviewed the documents and found them satisfactory to support the development application.

Acoustical Report

An Acoustical Report was prepared by HGC Engineering in support of the development application. Noise generated on-site including the sound impact of truck movements and activity in the parking area were assessed. The Noise Impact Study is to be revised to be in accordance with Ministry of Environment Conservation and Parks (MECP) guidelines. City Staff recommends that the Holding (H) symbol not be lifted until a satisfactory Noise Impact Study has been provided by the applicant to ensure the appropriate noise mitigation measures are implemented on-site to protect future residential uses to the west from the impacts of noise generated from the property.