



Principals

Michael Gagnon  
Lena Gagnon  
Andrew Walker  
Richard Domes

**April 8, 2024**

GWD File: PN.92.242.00

**The Corporation of the City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2**

**Attention: Mayor and Members of City of Brampton Planning and Development Committee/City Council**

**Peter Fay, City Clerk**

**Steve Ganesh, Commissioner, Planning, Building and Growth Management**

**Marlon Kallideen, Chief Administrative Officer**

**Henrik Zbogor, Director, Integrated City Planning**

**Michelle Gervais, Policy Planner, Integrated City Planning**

**Subject: LETTER OF CONCERN**

**10 and 26 Victoria Crescent, 376, 379, 383, 387, 390 and 391 Orenda Road, and 24 Bramalea Road**

**Lark Investments Inc.**

**Item 7.2: April 8, 2024 Planning and Development Committee Meeting;  
Recommendation Report: Proposed Modifications to Brampton Plan  
Major Transit Station Area Policies**

Gagnon Walker Domes Ltd. ("GWD") and Delta Urban Inc. ("Delta Urban") acts as Planning Consultant to Lark Investments Inc., Ebrahim Investments Inc., EP 24 Bramalea Inc., and EP 383 Orenda Inc. ("Lark"); the registered owner of the properties noted above and as follows:

- 24 Bramalea Road – EP 24 Bramalea Inc.
- 376, 379, 387 390 and 391 Orenda Road – Lark Investments Inc.
- 10 Victoria Crescent – Ebrahim Investments Inc.
- 383 Orenda Road –EP 383 Orenda Inc.
- 26 Victoria Crescent – Lark Investments Inc.

10 and 26 Victoria Crescent, 376, 379, 383, 387, 390 and 391 Orenda Road and 24 Bramalea Road, in the City of Brampton are hereinafter referred to as the "subject site". The subject site is located within the KIT-2 Bramalea GO Station 'Primary' Major Transit

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**GAGNON WALKER DOMES LTD.**

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790  
www.gwdplanners.com • Toll Free: 1-855-771-7266

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Station Area (“MTSA”). An ownership map illustrating the location of the lands comprising the subject site is in **Appendix 1**.

Lark has been actively engaged in the City of Brampton’s Official Plan Review process and associated MTSA Planning Study. This has included, but is not limited to, Lark’s participation in the Bramalea GO MTSA Focus Group Session that was hosted by City Staff on April 13, 2023, and through formal written correspondence prepared by GWD and Delta Urban on behalf of Lark to the City’s Planning and Development Committee dated June 3, 2022, February 13, 2023, April 24, 2023, July 18, 2023, August 28, 2023 and October 23, 2023. Lark has also appealed the City’s decision to adopt Official Plan Amendment OP2006-247 to the Ontario Land Tribunal (OLT-23-00609), relating to the City’s MTSA Planning Study within the City’s current Official Plan.

We write to express Lark’s concerns regarding the recommendations contained within the City of Brampton Planning Department’s Recommendation Report (dated March 21, 2024) entitled “Recommendation Report: Proposed Modifications to Brampton Plan Major Transit Station Area Policies”.

Lark has put forward a vision, which was endorsed by Council on October 20, 2021 and on December 8, 2021, to transform the subject site from existing low-order industrial uses towards a dynamic mixed-use complete community, with an emphasis on higher density and a broader range of residential and employment uses which are transit-oriented/supportive and pedestrian friendly.

Lark participated in a Pre-Application Consultation with City of Brampton Planning Staff on January 17, 2024 (City File Nos. PRE-2023-0153, PRE-2023-0154 and PRE-2023-0155). Lark currently plans to redevelop the subject site with a transit-oriented, mixed-use Master Plan with multiple new tall buildings. A copy of the enhanced development concept plan submitted with the Pre-Consultation Application is included in **Appendix 2**. A formal Official Plan Amendment, Zoning By-Law Amendment and Draft Plan of Subdivision Applications are scheduled to be submitted to the City of Brampton in 2024.

### **STAFF PROPOSED MODIFICATIONS to MTSA POLICIES of BRAMPTON PLAN**

The Recommendation Report recommends that modifications to the (yet to be approved) Brampton Plan be endorsed by City Council and that these modifications be included in the version of Brampton Plan that is currently being considered for approval by Regional Council. City Staff anticipate that the Brampton Plan (including the new proposed modifications) will be approved by Regional Council on April 25, 2024.

More specifically the recommended modifications will allow City Staff to impose maximum building height and density policies for Primary MTSAs through future MTSA Precinct Plan and/or Secondary Plan amendments. Permissions for unlimited height and density for development properties that are adjacent to an MTSA transit station or stop, and within the Queen Street/Highway 410 intersection are also being proposed.

The City Planning Staff’s rationale behind the recommended policy modifications restricting height and density stems from their observation that recent development



applications within MTSA's across the City have placed a predominant emphasis on developing properties for High-Rise buildings (in some cases exceeding 60 storeys). City Staff contend that while High-Rise buildings contribute to the City's housing supply, they do not provide an appropriate range of housing types that meet the needs of the City's diverse population.

City Staff propose the following modifications to Chapter 4: Site and Area Specific Policies of Brampton Plan for Primary MTSA's with respect to height and density:

1. Delete the following Policy a) to Chapter 4 – MTSA Heights:

*~~"a) The maximum building heights identified in Table 4 – Building Typologies of this Plan do not apply to any lands within a Primary Major Transit Station Area.~~*

2. Add the following new Policy a) to Chapter 4 – MTSA Heights:

*a) Maximum heights as identified in Table 4 – Building Typologies do not apply to any lands within a Primary Major Transit Station Area until such time as City-initiated amendments are adopted through the Major Transit Station Area Study, prescribing suitable maximum building heights, including opportunities for unlimited height for lands adjacent to the transit station or stop, and within the Queen Street and Highway 410 intersections, as appropriate."*

3. Delete the word "Minimum" from the Chapter 4 – MTSA Minimum Densities subsection heading.
4. Add the following Policy f) in Chapter 4 – MTSA Heights:

*"f) Appropriate maximum FSI densities (including opportunities for unlimited density) for lands located within a Primary Major Transit Station Area may be determined through City-initiated amendments to be undertaken as part of the Major Transit Station Area Study."*

Based on our review of the body of the Recommendation Report, while City Staff are not including prescribed maximum building heights for lands located within a Primary MTSA at this time, we understand that City Staff are considering the following building height ranges for lands designated 'Mixed-Use (High-Rise and Office)' and located within a Primary MTSA:

Location	Building Height (Storeys)
Properties Adjacent to Transit Station/Stop and at the Highway 410/Queen Street Intersection	No maximum
Mid-Block with frontage along a Primary Transit Corridor (located between two stations/stops)	25 – 40
All other High-Rise areas	14 – 25 (existing zoning provisions beyond these ranges will be maintained).



## **LARK'S CONCERNS with PROPOSED MODIFICATIONS to MTSA POLICIES of BRAMPTON PLAN**

In addition to those significant outstanding concerns in connection with Brampton Plan outlined in Lark's written correspondence provided to the City dated October 23, 2023 (**Appendix 3**), Lark has significant concerns with the proposed modifications outlined in the Recommendation Report, as summarized below:

- Presently there are no maximum building height policies prescribed in Brampton Plan for the City's MTSA's. It is our opinion that the proposed modifications have the potential to substantially impact the planned development context in the City. Particularly within MTSA's. Imposing maximum building heights and densities in Primary MTSA's is overly restrictive and should not be dedicated in Primary MTSA's. Further, housing diversity can be achieved in the MTSA's without the need for these undue height and density maximums. MTSA's have been specifically planned to accommodate high concentrations of population and employment growth to optimize the use of land, support existing/planned infrastructure investments, and achieve minimum growth/intensification targets. The proposed modifications could compromise these objectives.
- The introduction of maximum density and height maximums within MTSA's could unduly impact Lark's ability to realize its development vision for the subject site. The imposition of maximum building heights could compromise the significant efforts that have been expended in the planning of the Lark Master Plan redevelopment to-date, which seeks to transform this underutilized area of the City into a modern, transit-oriented mixed-use development.
- Insufficient consideration has been provided to transition provisions. More specifically, it is unclear whether a planning/development application that has been prepared under the premise of no maximum building height and density within a Primary MTSA, and which has been submitted prior to any future City-initiated Amendment through the MTSA Planning Study, would be subject to compliance with future City-initiated Amendments, which impose maximum building height and density restrictions within an MTSA. It is our opinion that any site or area specific planning/development application that is submitted prior to any future City-initiated Amendment being approved and in force through the MTSA Planning Study that seeks to impose maximum building heights and densities, should not be required to comply with the policies of such Amendment. Transition provisions must be included in Brampton Plan and in any future City-initiated Amendment through the MTSA Planning Study, which clearly provide that planning/development applications that are either already approved or which are currently in the planning review process will not be subject to any future height and density maximums, as may be proposed through the MTSA Planning Study.
- In its reasons for recommending to modify Building Height Policy a), City Staff note that maximum heights are identified in Table 4 – Building Typologies of Brampton Plan, however this is not correct as it pertains to 'High-Rise' buildings. In fact, no maximum building height has been prescribed for the 'High-Rise' building typology



in Table 4 of Brampton Plan, which instead provides for a height range of “13 full storeys or greater.” As noted above, there are no maximum building height policies currently prescribed in Brampton Plan for the City’s MTSA’s.

- The term “(as) appropriate” is used in the policy modifications for Building Height Policy a) and Density Policy f) as it pertains to the opportunity for unlimited height and density for lands within and MTSA and adjacent to an MTSA transit station or stop. The inclusion of the term “(as) appropriate” in these policy modifications renders the intent of these policies inadequately vague, specifically as it pertains to whether a development property that is located adjacent to an MTSA transit station/stop or at the Highway 410/Queen Street intersection would actually qualify for unlimited height and density.
- There is insufficient clarity in the Recommendation Report and proposed policy modifications as to what the City considers being ‘adjacent’ to the MTSA transit station/stop, and at what distance and/or physical separation threshold would the unlimited height and density permissions no longer apply.

As it pertains to the subject site, while it consists of several separate properties, a number of those properties (along the Steeles Avenue East corridor, between Steeles Avenue East and Orenda Road) are located directly adjacent the Bramalea GO Station, with the remaining properties being adjacent to, but not directly abutting the transit station/stop.

- Lastly, as noted in the prior October 23, 2023 correspondence, Schedule 13a of the new Brampton Plan designates a portion of the subject site as Office Mixed-Use in the Bramalea GO Primary Major Transit Station Area. Lark continues to be concerned with this Schedule, and as noted in prior correspondence, continue to request that the portion of the subject site designated Office Mixed-Use and Mid-Rise Residential be redesignated Mixed-Use (High-Rise Mixed-Use).

### **Closing Remarks**

As summarized above, Lark has significant concerns with respect to the proposed modifications to the City Council Adopted Brampton Plan, and their potential impact on a future Lark development application.

On behalf of Lark, GWD requests:

1. **That Planning and Development Committee not support the recommended modifications to Building Policy a) and that no maximum building height or density be applied to the subject site;**
2. **That Planning and Development Committee endorse a request, to the Region of Peel, to modify Schedule 13a of the adopted Brampton Plan to redesignate the Subject Site to a “Mixed-Use (High-Rise Mixed-Use) land use designation; and,**



3. **That Planning and Development Committee refer the Recommendation Report back to Planning Staff, as it relates to the subject site, to provide the opportunity for Lark and Planning Staff to participate in additional consultation in an effort to address Lark's concerns.**

We reserve right to provide additional comments to the City of Brampton and/or the Region of Peel on behalf of Lark in connection with this matter prior City Council's consideration of the Recommendation Report and prior to final approval of the Brampton Plan by Regional Council.

Yours truly,

**Andrew Walker, B.E.S., M.C.I.P., R.P.P.**  
**Partner, Principal Planner**

cc: Lark Investments Inc.  
Ebrahim Investments Inc.  
EP 24 Bramalea Inc.  
EP 383 Orenda Inc.  
M. Ghassan, Delta Urban Inc.  
A. Lam, Delta Urban Inc.  
S. D'Agostino, Thomson Rogers Barristers and Solicitors  
A. Sirianni, Gagnon Walker Domes Ltd.  
H. Singh, Gagnon Walker Domes Ltd.  
M. Gagnon, Gagnon Walker Domes Ltd.