



Principals

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April 8, 2024

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**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
85 Steeles Avenue West, City of Brampton – Loblaw Properties Limited
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") acts as Planning Consultant to Loblaw Properties Limited ("Loblaw"); the registered owner of the property municipally known as 85 Steeles Avenue West in the City of Brampton ("subject site"). The subject site is located at the southwest quadrant of Hurontario Street/Main Street and Steeles Avenue West and is located within the Gateway Terminal 'Primary' Major Transit Station Area ("MTSA").

Loblaw 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, written correspondence provided to the City on the Draft Gateway Terminal MTSA Land Use Plan and Draft MTSA policies dated July 31, 2023 and August 28, 2023; and written correspondence provided to the City on the final draft of the Brampton Plan dated October 23, 2023.

Loblaw currently envisions the redevelopment of the subject site for a mix of residential and commercial uses contained within a range of High-Rise buildings located north of

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Lancashire Lane, and Low-Rise to Mid-Rise buildings located to the south of Lancashire Lane.

We write to express Loblaw'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".

STAFF PROPOSED MODIFICATIONS to MTSA POLICIES of BRAMPTON PLAN

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

More specifically, the Staff recommended modifications will allow the City to impose maximum building height and density policies for MTSA through future City-initiated Amendments (i.e., MTSA Precinct Plans and/or Secondary Plan Amendments). Permissions for unlimited height and density for development properties that are located "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 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 the Brampton Plan for Primary MTSA with respect to height and density:

1. Delete the following Policy a) in 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.”

The Staff Recommendations also propose a land use modification to MTSA Land Use Schedule 13c of the Brampton Plan.

Based on our review of the Recommendation Report, while City Staff are not including prescribed maximum building heights for lands located within a Primary MTSA within the modifications to the Brampton Plan at this time, we understand that City Staff are considering the building height ranges listed below for lands designated in the Brampton Plan as ‘Mixed-Use (High-Rise)’ and ‘Mixed-Use (Office)’ and located within a 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).

LOBLAW’S CONCERNS with PROPOSED MODIFICATIONS to MTSA POLICIES of BRAMPTON PLAN

In addition to those outstanding concerns in connection with the Brampton Plan outlined in Loblaw’s written correspondence provided to the City dated October 23, 2023, Loblaw has concerns with the proposed modifications to the MTSA policies of the Brampton Plan as advanced in the City Recommendation Report, as summarized below:

- Presently there are no maximum building height policies prescribed in the Brampton Plan for the City’s MTSAs. It is our opinion that the proposed modifications have the potential to substantially impact the planned development context in the City, particularly within Primary MTSAs. 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.
- We believe that it is unnecessary for City Staff to impose maximum building heights and densities in MTSA’s in order to facilitate a range of housing types in the City and MTSA’s, and that housing diversity can be achieved in the MTSA’s without the



need for these undue height and density maximums. This is proven directly through Loblaw's development vision, which currently advances High-Rise, Mid-Rise, and Low-Rise buildings within a range of building heights.

- The introduction of maximum density and height maximums within MTSA's could negatively impact Loblaw's ability to realize its ultimate development vision for the subject site, which seeks to transform it into a modern, transit-oriented mixed use development.
- Insufficient consideration has been provided to transition provisions. More specifically, it is unclear as to whether a planning/development application that has been prepared under the premise of no maximum building height and density within a MTSA, and which has been submitted prior to any future City-initiated amendment through the MTSA Planning Study, would be subject to compliance with any future City-initiated Amendments that 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 the approval of any future City-initiated MTSA amendment that seeks to impose maximum height and density (and it coming into force) should not be required to comply with the policies of such an amendment. Transition provisions must be included in the 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 future MTSA Study.
- In its reasons for recommending to modify MTSA Building Height Policy a), City Staff note that that maximum heights are identified in Table 4 – Building Typologies of the 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 the 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 the Brampton Plan for the City's MTSA's.
- The term "(as) appropriate" is used in the proposed policy modifications for Building Height Policy a) and Density Policy f), as it pertains to the opportunity for unlimited height and maximum density for lands within an 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 within an MTSA and adjacent to an MTSA transit station/stop 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, it is located at the southwest quadrant of Hurontario Street/Main Street South and Steeles Avenue West. The existing Gateway Terminal Station (which will feature future LRT service) is located on the opposite side of Steeles Avenue West, approximately 50 metres away at the northwest corner of Hurontario Street/Main Street South and Steeles Avenue West. While the subject site is adjacent to the station/stop, it is not directly abutting the transit station/stop. Similarly, Loblaw's Master Plan vision contemplates the redevelopment of the subject site for multiple High-Rise buildings, which following their redevelopment will be adjacent to the MTSA transit station/stop, but not directly abutting it. The City has granted development approvals for heights above 40 storeys for properties that are located further away from the MTSA Station than the subject site.

- Attachment 2 of the Recommendation Report includes a previous City Staff Report dated June 23, 2022 regarding unlimited height and density. Within the Recommendation Report contained in Attachment 2 is a concept plan identified as Appendix 3 that identifies a conceptual build out of the City of Brampton "Uptown" area, including the subject site. Please note that Loblaw does not endorse this concept plan.

Closing Remarks

As summarized above, Loblaw has concerns with the proposed modifications to the City Council adopted Brampton Plan regarding maximum heights and density within MTSA's. Loblaw requests 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.

On behalf of Loblaw, GWD **requests that Planning and Development Committee refer the Recommendation Report back to Planning Staff to provide the opportunity for Loblaw and Planning Staff to participate in proper and meaningful consultation in effort to address Loblaw's concerns.**

Further, pursuant to Loblaw's previous correspondence regarding Brampton Plan MTSA Schedule 13m, we request that City Council endorse a request to the Region of Peel to modify Schedule 13m of the City adopted Brampton Plan to redesignate that portion of the subject site currently proposed as 'Mixed-Use (Mid-Rise Mixed-Use)' to 'Mixed-Use (High-Rise Mixed-Use)', and that portion of subject site designated 'Neighbourhood (Mid-Rise Residential)' as 'Mixed-Use (Mid-Rise Mixed-Use)'.

We reserve right to provide additional comments to the City of Brampton and/or the Region of Peel on behalf of Loblaw 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,

Richard Domes, B.A., C.P.T
Partner, Principal Planner

cc: L. Loberti/ L. Shrourou, Loblaw Properties Limited
M. Gagnon/ N. Dawan, Gagnon Walker Domes Ltd.