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May 18, 2022

VIA E-MAIL

Our File No. 160435

City of Brampton  
2 Wellington Street West  
Brampton, ON L6Y 4R2

c/o Peter Fay - City Clerk  
Email: [peter.fay@brampton.ca](mailto:peter.fay@brampton.ca)

Dear Mr. Fay,

**Re: Written Submission by Argo TFP  
Mattamy (Credit River) Limited (“Mattamy”)  
Application for Zoning By-law Amendment  
10201 Mississauga Road and 0 Mississauga Road (the “Mattamy Site”)  
Report Number: Planning, Bld & Ec Dev-2002-452**

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Aird & Berlis LLP is counsel to Argo TFP Brampton I Limited and Argo TFP Brampton II Limited (herein collectively referred to as “Argo TFP”). Argo TFP owns lands to the west of the Mattamy Site in the southwest quadrant of Mississauga Road and the adjoining CN rail corridor. Argo TFP’s lands are in the same Secondary Plan (Mount Pleasant) as the Mattamy Site.

The recommendation that accompanies the above-noted staff report is for the City of Brampton to pass the requested zoning by-law amendment to facilitate the development of the Mattamy Site for 105 townhouse units. Attached to the staff report (as Appendix 12) is a draft of the proposed zoning by-law amendment. Our client has reviewed this draft amendment in detail with the assistance of its land use planning consultants.

In general, Argo TFP supports the staff recommendation to pass the zoning by-law amendment as provided. More specifically, Argo TFP supports the inclusion of the following Holding (H) Symbol, which is proposed to be applied to the portion of the Mattamy Site being rezoned “Residential Townhouse A Holding – Section 3629 (R3A(H)-3629)”:

*3629.5 Holding (H) Symbol:*

*(a) Removal of the Holding (H) symbol shall not occur until the following conditions are fulfilled:*

*1) The Owner shall provide financial securities for the design and construction of Lagerfeld Drive from approximately 264 metres west of Creditview Road to Mississauga Road in accordance with Engineering Plans, to the satisfaction of Commissioner, Public Works and Engineering.*

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The intention of this (H) is to ensure the costs of design and construction associated with the extension of Lagerfeld Drive are in place before development on the Mattamy Site proceeds. On this point, we can confirm that Argo TFP, Mattamy and other affected landowners have engaged in discussions towards achieving mutually satisfactory financial arrangements associated with the extension of Lagerfeld Drive west from its current terminus, across the designated *Open Space* areas, through the south portion of the Mattamy Site, and ultimately connecting to Mississauga Road at a point that will provide access into Argo TFP's lands. Our client submits that this extension of Lagerfeld Drive as described is an important infrastructure improvement within the Mount Pleasant Secondary Plan, not only as a means of facilitating interconnectivity between future development sites, but also connecting these sites to the Mount Pleasant GO Station.

At this time, Argo TFP requests that the City ensure that not only is the Lagerfeld Drive extension financially secured (which is the purpose of the above-noted (H)), but also that the timing of implementation is secured. As presently drafted, there is no restriction within the draft zoning by-law amendment that would prevent the full 105-unit buildout of the proposed townhouse development prior to the completion of the Lagerfeld Drive extension. All that is required by the proposed (H) is that "financial securities" be provided. We note that Mattamy's development as shown on the updated Concept Plan (see Appendix 1 to the staff report) will be reliant upon a temporary "Phase 1" access road as well as a temporary "right-in/right-out" access onto Mississauga Road until the Lagerfeld Drive extension is completed. What is not confirmed is how long this "temporary" situation will be permitted to continue without the Lagerfeld Drive extension.

As well, Argo TFP submits that should other affected landowners make their own financial arrangements concerning the future construction of the Lagerfeld Drive extension, such arrangements should not permit Mattamy to escape its obligation to contribute financially to the cost of such construction to the satisfaction of other contributing landowners. Argo TFP anticipates this obligation being imposed by the City on Mattamy as a condition of draft plan approval for the subject development (i.e. that the Lagerfeld Drive extension east of Mississauga Road be completed prior to registration). Further, to ensure appropriate cooperation amongst the landowners, and to ensure orderly development in accordance with principles of good land use planning (as well as Provincial, Regional and City policies) we ask that the City consider whether the above-noted (H) should be modified to require not only the provision of financial securities associated with the Lagerfeld Drive extension, but also the completion of the extension itself before the (H) can be removed.

Representatives of Argo TFP, including the undersigned, are available to discuss the contents of this letter at the convenience of staff or members of Council. We thank you for your consideration and look forward to receiving a copy of Council's Notice of Decision on this matter.

Yours truly,

AIRD & BERLIS LLP



Patrick J. Harrington

cc. Argo TFP  
C. Chung, GSAI

