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*A Professional Planning Practice*

**VIA EMAIL**

June 3, 2022

Mayor and Members of Council  
City of Brampton  
2 Wellington Street W  
Brampton, ON  
L6Y 4R2

Attention: Mr. Peter Fay, City Clerk

Dear Sirs/Mesdames:

**Re: City of Brampton Official Plan Review  
Preliminary Comments on Behalf of Choice Properties REIT  
Brampton, ON  
Our File: CHO/BRM/21-01**

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We are the planning consultants for Choice Properties REIT ("Choice") for the Brampton Official Plan Review. Choice owns a number of properties throughout Brampton, including the following (referred to as the "Choice Lands"):

- 1 Presidents Choice Circle;
- 25 Cottrelle Boulevard;
- 250 First Gulf Boulevard;
- 55 Mountainash Road;
- 379 Ordenda Road;
- 10-40 Lagerfeld Drive; and
- Vacant Lands at Lagerfeld Drive and Bovaird (PL 43M1927 BLK 2).

At this time, with the exception of the vacant lands at 10-40 Lagerfeld Drive and the vacant Lands at Lagerfeld Drive and Bovaird, Choice does not have specific redevelopment intentions for the above sites, and seeks to maintain existing operations as well as opportunities for minor infill and expansion.

On behalf of Choice, we have been monitoring the Brampton Official Plan Review process and have reviewed the April 2022 Draft Brampton Official Plan and Draft Schedules in the context of the Choice Lands. Based upon our review of the Draft Official Plan, on behalf of Choice Properties we have preliminary comments as outlined below and will continue to review the Draft Official Plan in more detail and may provide further comments as required.

#### **CITY OF BRAMPTON OFFICIAL PLAN REVIEW**

Based on our review of the Draft Official Plan schedules:

- According to Schedule 1, City Structure:

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- 1 Presidents Choice Circle is shown as Employment, while Mississauga Road is shown as Corridor and City-wide Rapid Transit;
  - 25 Cottrelle Boulevard is shown as Employment, while Airport Road is shown as Corridor and City-wide Rapid Transit;
  - 250 First Gulf Boulevard is shown as Employment;
  - 379 Orenda Road is shown as Employment and Town Centres, along a Primary Urban Boulevard (Steeles);
  - 55 Mountainash Road is shown as Neighbourhoods, while Bovaird Drive East is shown as Corridor and City-wide Rapid Transit; and
  - 10-40 Lagerfeld Drive and the vacant lands at Lagerfeld Drive and Bovaird are shown as Neighbourhoods and Town Centres.
  - According to Schedule 2, City Wide Growth Management:
    - 1 Presidents Choice Circle is shown as Employment, within a Planned Major Transit Station Area, while Mississauga Road is shown as a Corridor;
    - 25 Cottrelle Boulevard is shown as Employment, while Airport Road is shown as a Corridor;
    - 250 First Gulf Boulevard is shown as Employment;
    - 55 Mountainash Road is shown as Neighbourhoods along a Corridor;
    - 379 Orenda Road is shown as Employment, within a Primary Major Transit Station Area and Town Centre, while Steeles is shown as a Corridor and Primary Urban Boulevard; and
    - 10-40 Lagerfeld Drive and the vacant lands at Lagerfeld Drive and Bovaird are shown as Neighbourhoods, within a Primary Major Transit Station Area and Town Centre, along a Corridor (Bovaird).
  - According to Schedule 3C, Streets Network:
    - 1 Presidents Choice Circle is located along a Major Arterial (Regional) and a Collector;
    - 25 Cottrelle Boulevard is located along a Major Arterial (Regional) and a Collector;
    - 55 Mountainash Road is located along a Major Arterial (Regional) and a Collector;
    - 250 First Gulf Boulevard is located along a Minor Arterial;
    - 379 Orenda Road is located along a Major Arterial (Regional) and Collector; and
    - 10-40 Lagerfeld Drive and the vacant lands at Lagerfeld Drive and Bovaird are located along a Major Arterial (Regional) along Bovaird, Minor Arterial along Creditview and a Collector along Lagerfeld.
  - According to Figure 1, Functional Street Classifications in Brampton:
    - 1 Presidents Choice Circle is located on an Employment Collector;
    - 379 Orenda Road is located on a Regional Road and an Employment Collector;
    - 25 Cottrelle Boulevard is located on a Regional Road and an Employment Collector;
    - 250 First Gulf Boulevard is located on a Commercial Connector;
    - 55 Mountainash Road is located on a Regional Road and Neighbourhood Residential;
    - 10-40 Lagerfeld Drive is located on a Regional Road and Neighbourhood Residential; and

- The vacant lands at Lagerfeld and Bovaird are located on a Regional Road, Neighbourhood Connector and Neighbourhood Residential.
- According to Schedule 4, Provincial Plans and Policy Areas:
  - 1 Presidents Choice Circle, 250 First Gulf Boulevard, 25 Cottrelle Boulevard, and 379 Orenda Road are identified as Built-up Area and Provincially Significant Employment Zones (PSEZ);
  - 55 Mountain Ash and 10-40 Lagerfeld Drive are identified as Built-up Area; and
  - The vacant lands at Lagerfeld and Bovaird are identified as Built-up Area and Designated Greenfield Area.
- According to Schedule 5, Designations:
  - 1 Presidents Choice Circle, 25 Cottrelle Boulevard and 250 First Gulf Boulevard are designated Employment;
  - 379 Orenda Road is designated Mixed Use Employment and Mixed use Districts;
  - 55 Mountainash Road is designated Neighbourhoods; and
  - 10-40 Lagerfeld Drive and the vacant lands at Lagerfeld and Bovaird are designated Mixed-Use Districts.

At this time, our preliminary comments for the Draft Official Plan are as follows:

- Policy 2.2.2.a for Mixed-Use Districts designation as shown on Schedule 2 states “The Mixed-Use Districts designation concentrates a diversity of functions, a higher density of development, a greater degree of mixed-uses, and higher level of transit connectivity within a Major Transit Station Area, compared to the areas abutting and surrounding the Mixed-Use District” while Policy 2.2.2.c for Employment Areas states “The Employment designation allows for a wide range of industrial uses, located in areas where they are unlikely to cause negative impacts on adjacent lands and where they meet the locational requirements of such uses. ... Mixed-Use Employment areas are generally located on the periphery of Employment Areas and are clusters of economic activity and provide a broad range of non-residential uses.” **In the context of the various designations, we request clarification as to the uses permitted in these designations and if the more flexible range of permitted uses in the Mixed-use Districts prevail over the uses permitted in Employment Areas. We also request clarification that warehouse/industrial uses are permitted since the lands at 379 Orenda Road are within both a Mixed-Use District and Mixed Use Employment Designation on Schedule 5 (there are no Mixed-Use Districts shown on Schedule 2);**
- Policy 2.2.3 states “Overlays, which are shown on Schedule 5, then apply to one or more of the underlying designations. The following provides a summary of each overlay which forms Our Strategy for Building an Urban City: ...”, **however the overlays as referenced (i.e., Urban Centre, Town Centre, etc.) are not shown on Schedule 5 and clarification is requested;**
- Policy 2.2.7 states “The following uses may be permitted within ... Town Centres as shown on Schedule 2: .a A broad range of residential, retail, personal service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses may be permitted. .b Mixed-use buildings with active uses, such as cafes, restaurants, local-serving retail and person service uses, at-grade will be encouraged. .c New surface accessory parking lots and surface commercial

- parking lots are not permitted.” **We request clarification that employment uses, including industrial / warehouse uses with associated surface parking would continue to be permitted** (in relation to Policy 2.2.112 that states “Employment and Mixed-Use Employment areas are important places for business and economic activities and comprise the City’s “Employment Areas” as identified in the Region of Peel Official Plan. Employment areas will be protected and reserved for employment uses including manufacturing, warehousing, logistics, office, and associated commercial, retail and ancillary uses further described in this section” and Policy 2.2.113 “The Mixed-Use Employment designation may permit a broader range of uses on lands that provide a land use buffer as well as transition between Employment areas and Neighbourhoods. Development in Mixed-use Employment areas will front onto and provide address on arterial roads and Rapid Transit corridors to support the transit function of these corridors”), **whereby flexibility and clarity should be added as to permissions for employment uses;**
- Policy 2.2.12 states “Growth and development will contribute to excitement, vibrancy, and a high quality of urban living within Centres by: ... .c Offering a variety of formal and informal gathering spaces through the provision of recreation open spaces, city parks, urban plazas, and community-led services.” **In our submission, flexibility should be added to the policy since recreation open spaces, city parks, urban plazas, and community-led services may not be appropriate or applicable for employment uses within Centres;**
  - Policy 2.2.18 states “Each Urban Centre and Town Centre will have a Secondary Plan that will: ... .j Assess opportunities for green infrastructure including tree planting, stormwater management, urban agriculture, and green roofs.” **We request clarification that urban agriculture and green roofs will be encouraged and not required;**
  - Policies 2.2.23 states “New automobile-oriented uses and development forms are prohibited in Centres” and Policy 2.2.3.5 states “Along Boulevards, the Zoning By-law will prohibit new automobile-oriented land uses and development forms.” **As “automobile-oriented uses” is not defined, we request clarification that employment uses such as warehousing are not considered “automobile-oriented uses”;**
  - Policy 2.2.32 states “Development along either side of Primary and Secondary Urban Boulevards will achieve a high level of design excellence ... to: ... .b Define the distinct character of the street and street edge. ... .i Offer a variety of formal and informal gathering spaces through the provision of recreation open spaces, city parks, urban plazas, and community-led services. .j Support a mixed-use environment comprised of residential, major institutional uses, offices, urban format retail uses, and other services that support Primary and Secondary Urban Boulevards as places for people to live, work, and play locally”. **In our submission: for part .b, flexibility should be added to account for site context, grades and operational aspects as it relates to defining the street edge; for part .i, flexibility should be added since the provision of recreation open spaces, city parks, urban plazas, and community-led services may not be appropriate or applicable for employment or retail uses; for part .j, employment uses should be referenced;**
  - Policy 2.2.35 states “Along Boulevards, the Zoning By-law will prohibit new automobile-oriented land uses and development forms.” **We request clarification**

- as to what is intended by “automobile-oriented land uses and development forms” and in our submission, modestly sized infill buildings should be permitted as interim development prior to long-term redevelopment;
- Policy 2.2.36 for Boulevards states “Where new development includes parking as an accessory use, such parking will be located underground or, if within the principal building, not fronting a public street. Stand alone above-grade parking garages will not be permitted.” **In our submission, flexibility should be added for lands with an employment designation, where uses such as manufacturing and warehousing are not conducive operationally for parking underground or within the principal building and to accommodate modestly sized infill buildings and expansions to existing buildings prior to long-term redevelopment;**
  - Policy 2.2.40 for Corridors states that “Corridors are shown as linear overlays on Schedule 2. The Corridors overlay generally applies to any lot with frontage on the Corridor, provided that: ... .d Where a Secondary Plan or Precinct Plan defines a Corridor differently, the boundaries in the Secondary Plan will prevail. .e Where the Corridor overlay applies to a Boulevard, the Boulevard policies will prevail” and Policy 2.2.41 states “All underlying Neighbourhood or Employment designations will be permitted along Corridors.” Policy 2.2.42 states “Where development is proposed within a Mixed-Use District, the permitted uses for the Mixed-Use District will prevail.” Lastly, Policy 2.2.43 states “Where the Corridor overlay overlaps with the Employment and the Mixed-Use Employment designations, the Employment and the Mixed-Use Employment designation policies take prevail to ensure the protection and preservation of the City’s finite employment land base.” **For the Lands at 379 Orenda Road that are shown on Schedule 2 as Employment, in proximity to a Town Centre within the boundary of the Primary Major Transit Station Area, with the Steeles Avenue East along the frontage shown as Corridors and Primary Urban Boulevard, in our submission, the layers of designations, overlays and policies should be simplified in order to ease interpretation of the applicable policies;**
  - Policy 2.2.45 states “Within the Corridor overlay, development will: ... .b Ensure that mid-block pedestrian connections are established from the Corridor to nearby streets. .c Where the site is a large lot: .i Establish an enhanced circulation network through the site that prioritizes the needs of pedestrians, cyclists, and transit users. .ii Build phases closest to the Corridor prior to the development of phases located at the rear of the site. .iii Be prohibited from including functions or uses likely to cause nuisance due to noise, odour, dust, fumes, vibration, radiation, glare, or high levels of truck traffic.” **In our submission, flexibility should be provided in the policy by adding “, where appropriate” after “development will” in order to account for site context, operational aspects and the need to accommodate employment and retail uses such as warehouses and large commercial retail stores along corridors;**
  - Policy 2.2.49 states “Mixed-Use Districts are designated areas centered on Primary Major Transit Station Areas on Schedule 5. Mixed-Use Districts will: .a Facilitate transit supportive development and increased transit ridership, providing the highest level of connectivity for the immediate surrounding uses. .b Concentrate a broad range of residential, retail, personal service, office, cultural, institutional, hospitality, recreational, and other related uses.” **In our submission,**

**clarity should be provided for Mixed-Use Districts with Employment Designations on Schedule 5 that employment uses are permitted;**

- Policy 2.2.50 states “Within Mixed-Use Districts as shown on Schedule 5, the following range of uses may be permitted: .a A broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses. .b Mixed-Use Buildings, with retail and service uses at grade, with residential and non-service office uses directed to the rear of buildings and to upper floors.” **In our submission, for .a, clarity should be provided for Mixed-Use Districts with Employment Designations on Schedule 5 that employment uses are permitted, while for .b “generally” should be added before “directed to” in order to provide flexibility to accommodate site context and operational needs;**
- Policy 2.2.68 states “Where development is being considered at the intersection of two streets of different typologies, development will be oriented toward the higher-order street. Access may be provided from the lower-order street.” **We request clarification that access may be provided by both the higher-order and lower-order streets;**
- Policy 2.2.102 states “Secondary Plans will identify appropriate locations for large-scale non-residential uses.” **In our submission, “new” should be added before “large-scale non-residential uses” in order to clarify that existing uses are permitted”;**
- Policy 2.2.103 states “Where a new large-scale non-residential use is proposed within the Neighbourhood designation, the following criteria will apply: ... .a The use is suitable to be located in the Neighbourhood designation and does not otherwise belong within a Mixed-Use District or Mixed-Use Employment designation or along a Corridor. New large-scale residential uses will not be permitted within Centres and Primary Urban Boulevards.” **We request clarification as to what is intended by “suitable” and “does not otherwise belong”, as well as to whether large retail stores such as food stores within mixed-use developments would be interpreted as “large-scale non-residential” uses;**
- Policy 2.2.126 states “Within areas of the Mixed-Use Employment designation where a Major Transit Station Area Study has been completed and approved through an amendment to this Plan, in accordance with the policies of Chapter 3 of Brampton Plan, compatible new residential uses that do not conflict with the main employment use may be permitted outside of a subsequent Municipal Comprehensive Review process, and subject to other relevant policies of this Plan.” **In our submission clarity should be provided as to what is intended by “main employment use”;**
- Policy 2.2.127 states “Mixed-Use Employment areas can contribute to the creation of 15-minute neighbourhoods when located within a Delineated Major Transit Station Area. City-initiated Major Transit Station Area Studies will identify appropriate locations for retail, residential, commercial, and non-ancillary uses within the Mixed-Use Employment designation that are also within a Major Transit Station Area, provided that: ... .f Parking is integrated underground where possible or located behind or at the side of the new building to reduce the visual impact of parking areas from the public realm”, in the context of our comment for Policy 2.2.36 for Boulevards as noted above, we note the flexibility under Policy 2.2.127.f

- with the “where possible” language. **In order to provide for additional flexibility for site context and operational needs, we suggest that “where possible” be moved to before “Parking is integrated”;**
- Policy 2.2.129 states “Service commercial uses will be located along the edge of the Mixed-Use Employment designation abutting Neighbourhoods.” **We request clarification that service commercial uses are permitted where there is no abutting neighbourhood and that service commercial uses are not required with the “will” language;**
  - Policy 2.2.131 states “Development will contribute to the creation of competitive, attractive, highly functional Employment and Mixed-Use Employment Areas by: ... .f Providing adequate parking and loading on-site where appropriate and avoiding parking between the building and sidewalk.” **In our submission: for part .f, “where possible” should be added before “avoiding parking between” in order to provide for flexibility to account for site context and operational needs;**
  - Policy 2.2.141 states “Green development practices that will be considered in the design of developments in Employment Areas include: ...”. **In our submission “will be considered” should be changed to “may be considered” in order to clarify that the practices are not requirements;**
  - Policy 2.3.46 states “To achieve design excellence in the city’s built-form and public realm, and to encourage successful implementation, the City will: ... .g Utilize the Sustainable New Communities Program to ensure planning and development applications for new development to achieve a minimum level of sustainability performance.” **In our submission, “Where appropriate,” should be added before “Utilize the” since the utilization of the Sustainable New Communities Program may not be applicable under all circumstances, such as for minor expansions or additions to existing buildings;**
  - Policy 2.3.135 states “New programs and initiatives will be developed to *encourage* [emphasis added] the application of green infrastructure in new development and existing communities, especially in strategic growth areas, including but not limited to green, blue and/or cool roofs ...” and Policies 2.3.139 and 2.3.140 include similar language as to encouraging green, blue, or cool roofs, while Policy 2.3.136 states “The City will develop a Green Roof By-law that will provide guidance and *regulate the implementation* [emphasis added] of green roofs, or of alternative roof surfaces that achieve similar levels of performance to green roofs”. **We request clarification as to the encouragement of green, blue and/or cool roofs under Policies 2.3.135, 2.3.139 and 2.3.140 (which is preferred for flexibility) versus the future requirement for a green roof, or of alternative roof surfaces under Policy 2.3.136;**
  - Policy 2.3.180 states “The City will, prior to the approval of any site-specific development proposal, require the approval of a functional servicing report and a stormwater management plan ...” **In our submission, “Where appropriate” should be added before “The City will,” since requiring such studies may not be applicable under all circumstances, such as for minor expansions to existing buildings;**
  - Policy 2.3.397 states “Minimum parking requirements may be reduced or eliminated, and maximum parking limits and shared parking requirements may be established by the Zoning By-law, in Centres, Boulevards, and Corridors and other

areas determined by Council.” **In our submission, the determination of any maximum parking limits should include consideration as to operational requirements for uses, including commercial uses as well as employment uses;**

- Policy 2.3.402 states “Surface parking lots, where permitted, should be designed to meet all of the following: .a Minimize the number and width of vehicle entrances that interrupt pedestrian movement by consolidating accesses with adjacent developments/properties and providing internal access easements with adjacent properties. ... .g Support the installation of solar canopies over surface parking lots.” **In our submission, “where appropriate” should be added after “should be designed” in order to provide flexibility for where the consolidation of accesses is not possible due to grades or operational reasons and where the installation of solar canopies is not anticipated due to operational needs;**
- Policy 2.3.472 states “Where permitted uses are in proximity to and potentially have adverse impacts on sensitive uses either within the same designation or an adjacent designation, amendments and minor variances to the Zoning By-law will consider building setbacks to maximize the separation distance from sensitive use(s). Site plan control will consider the siting of structures and/or outdoor operations to minimize potential adverse impacts to sensitive use(s)”. **In our submission we suggest that “, or other measures,” should be added after “building setbacks” to protect employment uses from neighbouring sensitive land uses;**
- Policy 2.3.474 states that “Sensitive land uses, including residential uses, where permitted or proposed outside of and adjacent to or near to Employment Areas or within the influence area of major facilities, should be planned to ensure they are appropriately designed, buffered and/or separated as appropriate from Employment Areas and/or major facilities to: .e Permit Employment Areas to be developed for their intended purpose”. **In our submission we suggest that “should” be replaced with “shall” or “will” to protect employment uses from neighbouring sensitive land uses. We also ask that clarification be provided as to whether potential noise impacts would be included for consideration as it relates to buffering and/or separation.**
- **As a general comment, in our submission, all defined terms under the Glossary should be italicized for ease of review; and**
- **We request clarification as to the applicability of Section 22(2.1) of the *Planning Act*, that states that no person or public body shall request an amendment to a new official plan before the second anniversary of the first day any part of the plan comes into effect, which is the same for Secondary Plans under 22(2.2.1).**

**We would welcome the opportunity to meet with Staff to discuss our comments further.**

In addition, please kindly ensure that the undersigned is notified of any further meetings with respect to this matter as well as notice of the adoption of the Official Plan.

Should you have any questions, or require further information, please do not hesitate to call.



Sincerely,

**ZELINKA PRIAMO LTD.**

A handwritten signature in blue ink, appearing to read 'H. Froussios'.

Harry Froussios, MCIP, RPP  
Senior Associate

cc. Choice Properties REIT (Via Email)