

July 4, 2022

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

Via email: cityclerksoffice@brampton.ca

Dear Mr. Mayor and Members of Council

**RE: BRAMPTON COUNCIL AGENDA JULY 6, 2022, ITEM 10.4.1
DRAFT BRAMPTON OFFICIAL PLAN
BRAMALEA CITY CENTRE & 410 / STEELES LANDS
MHBC FILE: 9519Y**

MacNaughton Hermsen Britton Clarkson Planning Limited (“**MHBC**”) is retained by Morguard Corporation (“**Morguard**”) with respect to the Bramalea City Centre (“**BCC**”) located at 25 Peel Centre Drive and a group of commercial / employment properties (“**410 / Steeles Lands**”) that are generally bound by Kennedy Road, Steeles Avenue East, Rutherford Road South and existing employment lands as shown below.



Bramalea City Centre



410 / Steeles Lands

We would like to commend staff on the preparation of a progressive and forward looking draft Official Plan (“OP”) document. The OP contains many salient objectives and policies. However, there are a number of concerns with respect to certain proposed policies as well as with the overall review and approval process as it relates to timing.

We have provided written comments to staff on behalf of Morguard (see attached letter) expressing concerns with respect to the draft OP. Since that time we have had a constructive discussion with staff about our concerns and we would like to continue working with staff to resolve these concerns in the interest of ensuring that the OP provides a forward looking and flexible approach to managing growth and development on Morguard’s lands. As these lands are designated for further growth and intensification in the draft OP, it is important to recognize that these lands are occupied by existing successful commercial centres which provide important services, jobs, amenities and shopping opportunities to the community. It is thus critical to ensure that any new policies offer the necessary flexibility for these commercial centres to continue operating and responding to market changes while the overall goal of intensification and redevelopment is achieved in the long term.

To this end we support extending the timeline for approval of the draft OP to allow for a sufficient amount of time to work with staff on these policies. An OP is the City’s most important land use document and endures over many years. It is therefore necessary that sufficient time be allotted to ensuring that proper review, assessment and improvements to the draft policy framework can take place before the plan is adopted by Council.

We appreciate your consideration of these comments. If you require any additional information, please do not hesitate to contact us.

Yours Truly,

MHBC

A handwritten signature in black ink, appearing to read 'Gerry Tchişler', written over a light blue circular stamp.

Gerry Tchişler, M.Pl., MCIP, RPP
Associate

Encl.

June 3, 2022

Andrew McNeill
Manager, Official Plan and Growth Management
City of Brampton
2 Wellington Street West
Brampton, ON
L6Y 4R2

Via email: opreview@brampton.ca

Dear Mr. McNeill

**RE: DRAFT BRAMPTON OFFICIAL PLAN COMMENTS
BRAMALEA CITY CENTRE & 410 / STEELES LANDS
MHBC FILE: 9519Y**

MacNaughton Hermsen Britton Clarkson Planning Limited ("**MHBC**") is retained by Morguard Corporation ("**Morguard**") with respect to the Bramalea City Centre ("**BCC**") located at 25 Peel Centre Drive and a group of commercial / employment properties ("**410 / Steeles Lands**") that are generally bound by Kennedy Road, Steeles Avenue East, Rutherford Road South and existing employment lands as shown below. A Site Plan Control application is currently being processed by the City to permit a residential development at BCC in accordance with existing zoning permissions.



Bramalea City Centre



410 / Steeles Lands

We would like to commend staff on the preparation of a progressive and forward looking draft Official Plan (“OP”) document. The OP contains many salient objectives and policies. However, there are a number of concerns with respect to certain policies (as described below) as well as with the overall review and approval process as it relates to timing.

A comment submission deadline of June 3, 2022 and a target for a recommendation meeting on June 29, 2022 is not a sufficient amount of time for proper consideration of feedback received from the public, performing the necessary revisions to the OP document and again releasing the updated draft OP for public review ahead of the June 29, 2022 meeting with sufficient time for public review. An OP is the City’s most important land use document and thus should not be rushed. The upcoming July 1, 2022 deadline for conformity to Provincial policy is for upper-tier OP documents (i.e. the Region of Peel Official Plan), not lower-tier OPs like the Brampton OP. Therefore, there is no imperative need for a shortened review period with a goal of a June 29, 2022 recommendation meeting for adoption. The OP review period can be reasonably extended into the summer months to ensure thorough review and consultation occurs.

The following comments and concerns with respect to specific policies in the OP should be considered for the next version of the draft OP:

- 1) Policy 2.2.7.b indicates that mixed use buildings are encouraged. Although the word “encouraged” is used, having this policy under the “Permitted Uses” section may create confusion and result in an interpretation that only mixed use buildings are permitted within Urban Centres given that single use buildings are not also listed as a permitted use. Note that Policy 2.2.26.b for Primary Urban Boulevards has similar language but specifically clarifies that single use buildings are permitted. We request clarification that single use buildings are permitted in Urban Centres and that Policy 2.2.7.b be updated to reflected same.

Policies 2.2.26.b and 2.2.27.d indicate that single use buildings are not permitted along Primary and Secondary Urban Boulevards within Urban Centres. BCC has a number of single use out-parcel buildings along Queen Street and Dixie Road which are identified as Primary and Secondary Urban Boulevards (respectively). These uses serve an important commercial function and are expected to operate for the foreseeable future. To ensure these uses can be reconfigured, upgraded and expanded, as needed we request that these policies be modified to be applicable to “new” single use buildings. It should also be clarified that, for large land holdings, only the portions of the property abutting the Boulevards are subject to the mixed use requirement. BCC is a 33 ha contiguous property. Only the portions of the property abutting the Boulevards should be subject to this policy as opposed to the entirety of the land holding.

- 2) Policy 2.2.7.c indicates that new surface accessory parking lots and surface commercial lots are not permitted. Although the general reduction in the amount of surface parking in areas designated for intensification is common, there needs to be some flexibility in this policy to accommodate small accessory surface lots for new uses and to ensure existing operators of surface parking lots, such as BCC, can continue to operate and modify their sites as needed while they transition into more intensified areas over the long term.

Small accessory surface lots serve an important function for commercial, office and residential development by providing convenient areas for short term customer parking and visitor parking. Although most parking for such uses can be located below grade or in a parking structure over time in order to use land efficiently, small surface lots provide an important function as short term parking.

More specifically, BCC also requires the flexibility to modify, relocate and replace buildings and parking areas on site. The BCC lands are approximately 33 ha in area with over 1.5 million square feet of commercial and office space. Flexibility is required to ensure that these uses can continue to function appropriately as the area redevelops into an intensified urban centre over the long term. Provision of sufficient and convenient parking is a critical consideration of bricks and mortar commercial and office tenants and thus the OP needs to ensure that surface parking at BCC can be configured as needed over time. The following policy should be added for BCC:

“Notwithstanding Policy 2.2.7.c, on lands known as the Bramalea City Centre, bound by Queen Street East, Team Canada Way, Clark Boulevard and Dixie Road, new surface parking lots shall be permitted where they are the result of new development that requires the relocation, modification or re-configuration of existing surface parking areas.”

- 3) Policy 2.2.10 indicates that the evaluation of building height and form in Urban Centres will consider, among other things, visual impacts on lower scale Neighbourhoods. It is unclear what a visual impact on a lower scale Neighbourhood would constitute and whether this is indeed a relevant planning goal when considering a designation that is planned to achieve the highest level of density in the City. Policy 2.2.10 already lists relevant height and form-related criteria like access to sunlight, wind impacts and impacts on public spaces and heritage properties. Therefore, visual impact on a lower scale Neighbourhood should be removed as a criteria in the evaluation of building height and form.
- 4) Policy 2.2.23 indicates that new automobile-oriented uses are prohibited in Urban Centres. The term “automobile-oriented uses” should be clarified. This term should not include uses that require a significant amounts of parking like large-format commercial uses such the BCC shopping centre and its various out-parcel buildings. If the City intends to consider such uses as “automobile-oriented uses”, we request that an exception be added for BCC lands. BCC is a successful and thriving commercial centre and it is imperative that the OP provides a flexible policy framework so that BCC can continue to evolve with changes in commercial real estate and shopping trends. This is an especially important consideration given the impact of covid-19 on bricks and mortar shopping as well as the broader proliferation of online shopping.
- 5) Policy 2.2.24 indicates that structured parking in new development will be located underground or in above grade structured parking that doesn’t face the street. Additionally, standalone above grade parking structures will be prohibited. BCC currently contains two above grade parking structures which form an important part of the parking supply. Above grade parking structures will form an even more important part of the parking supply as BCC intensifies over the long term and there becomes an ever greater need to balance parking requirements for existing commercial uses with the redevelopment of existing surface lots for higher density uses. Public transit will play an increasingly important role in moving people to and from BCC over time. However, the automobile will continue to be an important transportation mode for people accessing BCC from the surrounding neighbourhoods and beyond and thus we request that BCC be exempt from this prohibition in order to facilitate its long term redevelopment. Should the City not provide such exemption, Policy 2.2.24 should be amended to prohibit “new” standalone parking structures which would allow existing structures to be reconfigured, upgraded and expanded as needed.
- 6) The OP appears to use the terms “Tall / Tall Plus” and “High-Rise / High-Rise Plus” interchangeably whereas only “Tall / Tall Plus” is defined in the document. We would like clarification that these

terms are referring to the same thing. If so, the OP should be revised to only include one set of terms to maintain consistency.

- 7) Policy 2.2.9 indicates that “High-Rise / High-Rise Plus” are only permitted in the Urban Centres where they achieve a high level of design excellence and conformity with Urban Design policies. Table 4 indicates that “Tall / Tall Plus” may be permitted in Urban Centres subject to a “Precinct Plan study”. We understand that the effect of Policy 2.2.9 and Table 4 is to prohibit any building greater than 12 storeys in Urban Centres until a Precinct Plan study has been completed. This is an overly restrictive policy for development within an intensification area. The OP should be revised to permit buildings greater than 12 storeys within Urban Centres with accompanying policies regarding a high standard of design and general conformity with urban design principles.
- 8) Policy 2.2.123 indicates that new retail developments that include one or more stores totaling 3,000 square metres or more of retail gross floor or 1,000 square metres for individual units may only be permitted in the Mixed-Use Employment designation through an amendment to the OP and subject to certain criteria. The 410 / Steeles Lands contain an existing shopping centre which is almost fully built out. A policy should be added that recognizes existing shopping centres and ensures their ability to expand and develop over time without being subject to Policy 2.2.123.
- 9) Policy 3.1.130 requires that Area-Specific Urban Design Guidelines be submitted as part of a complete site plan application for any sites that area greater than 1 hectare or if the site is located in a Centre, Boulevard, Corridor or Hub. Good urban design is an important component of the development process. However, Policy 3.1.130 is a mandatory policy and does not allow room for consideration of a site’s physical or policy context or the type of development being proposed in the determination of whether an Area Specific Urban Design Guideline must be prepared as part of the site plan process. This would suggest that such guidelines are required even when there is sufficient urban design policy in the existing OP, secondary plan, precinct plan or the city-wide guidelines. Policy 3.1.130 should be modified to state that and Area-Specific Urban Design Guidelines “may” be required to allow the flexibility and discretion in circumstances where there is sufficient urban design guidance.
- 10) Policies 2.1.33.c, 2.1.49 and 2.2.4 state that a Major Transit Station Area (“MTSA”) study, Secondary Plan and Precinct Plan may be required for MTSA’s and Urban Centres prior to a major rezoning taking place and should such studies not already be in place prior to a development application being submitted, the applicant would be responsible for the completion of such studies. The orderly development of growth areas is an important planning consideration. However, this policy should be revised to state that applications for single developments should be permitted to proceed without an MTSA study, Secondary Plan and Precinct plan to ensure that development opportunities that are not area-wide can be realized without delay.

We appreciate your consideration of these comments. If you require any additional information, please do not hesitate to contact us.

Yours Truly,
MHBC

A handwritten signature in black ink, appearing to read 'Gerry Tchisler', written in a cursive style.

Gerry Tchisler, M.Pl., MCIP, RPP
Associate