



Principals

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April 24, 2023

**GWD File PN 21.2941.00
MTSA**

**The Corporation of the City of Brampton
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**Attention: Mayor and Members of Council
Peter Fay, City Clerk
Steve Ganesh, Commissioner, Planning, Building and Growth
Management
Michelle Gervais, Policy Planner, City Planning and Design
Claudia LaRota, Supervisor/Principal Planner, City Planning and
Design**

**Subject: Public Input – April 24, 2023 Planning & Development Committee
Item 7.2 - City-Initiated Official Plan Amendment
Major Transit Station Areas (City-Wide)
Soneil Mississauga Inc. and Soneil Oakville Inc.**

Gagnon Walker Domes Ltd. (GWD) is agent to Soneil Mississauga Inc. and Soneil Oakville Inc. (collectively Soneil); the registered owner of the properties municipally known as 261 & 263 Queen Street East in the City of Brampton (subject site). The subject site is located at the southwest corner of Queen Street East and Rutherford Road South and is located within the Regionally approved Rutherford 'Primary' Major Transit Station Area (MTSA).

Soneil participated in a Pre-Application Consultation with City of Brampton Planning Staff in November 2022 (City File No. PRE-2022-0158). Soneil is desirous of redeveloping the subject site for a transit-oriented mixed use Master Plan development featuring four (4) new tall buildings (including six (6) towers ranging between 29-46 storeys in height oriented toward Queen Street East and Rutherford Road South) as well as one (1) 12-storey mid-rise residential building located at the southwest corner of the subject site. The Master Plan proposes approximately 2,810 dwelling units and 2,450 m² of new commercial uses.

We have been monitoring and engaged in the City's MTSA Planning Study process, which has included our participation in the Rutherford MTSA Focus Group Session in March 2023, which remains ongoing.

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City-Initiated Official Plan Amendment - MTSA

On behalf of Soneil we have reviewed the City of Brampton Staff Recommendation Report dated March 8, 2023, along with the accompanying revised draft Official Plan Amendment (MTSA OPA). Based on our detailed review of the draft MTSA OPA, we offer the following comments, observations and recommendations.

1. **Policy 3.2.4.1** - Policy 3.2.4.1 of the draft MTSA OPA directs that “...a minimum number of residents and jobs will be applied.” However, the following sentence of this policy then references that “*The minimum number of residents and jobs combined per hectare...outlined in Table 1...*”. In the first sentence of this Policy, this would represent a total number of residents and jobs, while the second sentence of this Policy and Table 1 are density targets that are calculated across the whole of the MTSA.

We recommend that the first sentence of Policy 3.2.4.1 be amended, for clarity to read: “... a minimum density target of residents and jobs per hectare will be applied.”

2. **Policy 3.2.5.1** – It is unclear if the objectives of this Policy are meant to be met across the whole of the MTSA, or within each development application that is made within the MTSA. We recommend that language be added to this Policy that clarifies that these objectives are to be achieved across the whole of the MTSA, rather than for each site specific development application.
3. **Policy 3.2.5.1 b)** – The objective for transitioning to lower density established neighbourhoods is generally supportable, however, the reference to “*properties that do not have frontage along existing or planned higher order transit corridors*” should be removed. There are areas in MTSA’s, including the subject site, where there are properties that do not, or will not, have frontage along existing or planned higher transit corridors that do not necessarily require transition to lower heights. The policy should simply remove this portion of the draft policy and simply direct that proposed development achieve the appropriate transitions, which shall be determined on a site-by-site basis.
4. **Policies 3.2.5.2 b) and c)** – While the revised draft MTSA OPA replaced the words “if required” to “if appropriate” in regards to maximum building heights and maximum FSI within draft Policies 3.2.5.2 b) and c) respectively, we are of the understanding that the Minister of Municipal Affairs and Housing (through his letter to the Region of Peel, dated February 9, 2023) affirmed that it is deemed contrary to Region of Peel Official Plan policy (particularly Policy 5.6.19.10e, which was specifically modified by the Minister prior to his final approval) for any lower-tier municipality within the Region of Peel to impose maximum building heights within MTSA’s. In this regard, we recommend that Policies 3.2.5.2 b) and c) be amended to only direct that MTSA-specific land use policy identify minimum building heights and densities.



5. **Policy 3.2.6.3** – The proposed requirement for the submission of one (1) joint Tertiary Plan to be approved prior to allowing development applications to proceed within an MTSA does not recognize that different landowners may be at different stages of the development application process. This policy language, as currently drafted, has the potential to unreasonably “hold up” development applications that might otherwise be able to proceed to fulfill overall growth objectives. We recommend that the last sentence of draft Policy 3.2.6.3 be deleted in its entirety
6. **Section 3.2.7** – As a general comment, the introductory language of this Section should more clearly identify that these objectives are to be achieved across the whole of the MTSA, rather than for each site specific development application.
7. **Policies 3.2.7.1 and 3.2.7.2** – These Policies speak to the responsibility of the applicant to prepare a Growth Management and/or Servicing Strategy to assess the timing and delivery of servicing infrastructure. These Policies do not reflect that in most cases, this requires assessment or recommendation/implementation of servicing upgrades across lands that are not within the applicant’s control, as well as the timing of improvements that are not within the applicant’s control (i.e., City and Regional Capital Works Program changes, etc.).

Further, Policy 3.2.7.1 requires that a Growth Management Strategy be included as a section in a Planning Justification Report, which meets the established City Terms of Reference, and is satisfactory to the City and Region prior to a development application being deemed complete. It is inappropriate to require the Growth Management Strategy to be to the satisfaction of the City and Region prior to the development application being deemed complete. This Policy should only require that the Growth Management Strategy be deemed to have met the requirements of the established City Terms of Reference prior to deeming it complete, and thereafter, through the processing of the development application and the technical review, will the Growth Management Strategy be approved to the satisfaction of the City and Region.

Closing Remarks

Thank you for the opportunity to provide comments on the draft City-Initiated Official Plan Amendment – Major Transit Station Areas. Soneil reserves the right to provide further comments as necessary prior to Regional Council approval of the MTSA OPA.

Kindly accept this letter as our formal request to be notified of all future Open Houses, Public Meetings, Planning Committee and Council meetings to be held in connection with the City-Initiated Official Plan Amendment – Major Transit Station Areas. Lastly, we request notification of the passage of any and all By-laws and/or Notices on this matter.

Should you have any questions, please contact the undersigned.



Yours truly,

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Managing Principal Planner

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

cc: Soneil Mississauga Inc. and Soneil Oakville Inc.
N. Dawan, Gagnon Walker Domes Ltd.