



April 19, 2023

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  
Planning & Development Committee Item 7.2 – April 24, 2023  
City-Initiated OPA – Major Transit Station Areas (City-Wide)  
Preliminary Comments on Behalf of Choice Properties REIT  
Brampton, ON**

**Our File: CHO/BRM/21-02**

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We are the planning consultants for Choice Properties REIT (“Choice”) for the Brampton Official Plan (“OP”) Review process. Choice owns a number of properties throughout Brampton within the delineations of Major Transit Station Areas (“MTSAs”), including 379 Orenda Road (the “subject lands”).

The subject lands are currently improved by a significant industrial operation home to Weston Foods, which operates an industrial-scale bakery on the site. The facility provides baked food products to an extensive network of retail and wholesale customers across the GTA. More than 200 jobs are generated by the existing Weston Foods operation.

At this time, Choice does not have specific redevelopment intentions for the subject lands, and seeks to maintain and protect existing operations while allowing for future potential expansions. There is no expectation on the part of either Weston Foods or Choice that this well-established and important industrial employer will vacate the subject lands in the foreseeable future.

On behalf of Choice, we have been monitoring the City’s OP Review process and provided comments dated February 10, 2023 related to the Interim MTSA Draft Official Plan Amendment (“OPA”) dated January 3, 2023, and submitted comments dated June 3, 2022 related to the first draft release of a new OP.

It is our understanding based on the Staff Report dated March 8, 2023 (2023-239) that Staff are recommending that the latest Draft OPA attached to the Staff Report be adopted. Responses to our comments dated February 10, 2023 were provided by Staff as Appendix 5 to the Report (the “Staff Response”). We understand that the policies of the latest Draft OPA to be heard at Planning Committee on April 24, 2023 are intended to be adopted on an interim basis in advance of a new Brampton OP being in full force and effect to ensure conformance with the Region of Peel Official Plan (“ROP”) and Growth Plan as it relates to land use in Brampton’s MTSAs.

On behalf of Choice, we have reviewed the Staff Report and associated appendices and have outlined our preliminary comments below. We will continue to review the draft policies as more information becomes available, and may provide further comments as needed.

## **BACKGROUND**

### **Existing Official Plan Context**

Under the City of Brampton Official Plan, the subject lands are designated as follows:

- Schedule 1 – City Concept as Employment; and
- Schedule A – General Land Use Designations as Business Corridor.

### **Provincial Context**

The subject lands are located within a Provincially Significant Employment Zone (“PSEZ”). Choice was made aware in late 2021 that the subject lands, and other properties within the vicinity of the Bramalea GO Station, are the subject of a proposed Minister Zoning Order (“MZO”).

As per the City’s Bramalea GO MTSA Workshop held on April 13, 2023, our understanding is that the boundaries of the proposed MZO have been refined and that subject lands are no longer in scope. However, we note that nearby properties remain in the scope of the MZO, and will continue to monitor and provide comment as opportunities arise. We are not aware of a decision by the Minister on the proposed MZO as of the date of this letter.

## **PRELIMINARY COMMENTS ON DRAFT MTSA POLICIES**

At this time, our preliminary comments for the latest Draft OPA are as follows:

- We note that the subject lands are identified within “1. Bramalea GO” Primary Major Transit Station Area, as per Schedule 1B of the Draft OPA;
- Draft Policy 3.2.5.5 states that, *“The Bramalea GO [MTSA] (KIT-2) ... as shown on Schedule 1b shall generally achieve a floor space index of 3.0 over the entire MTSA within buildings 3-25 storeys in height.”* In our submission, a 3-storey building height may not be appropriate to consider for all uses, such as industrial or warehousing uses. A minimum building height may preclude certain employment uses within MTSA’s, which is inconsistent with Draft Policy 3.2.4. **As MTSA’s are to provide a mix of land uses, including employment, we suggest flexibility be provided for types of uses where a minimum height may not be appropriate or achievable to ensure opportunities for employment growth are maintained. We suggest that the following be added to the end of 3.2.5.5: “Employment uses may be exempt from the minimum building height requirements of this Policy.”;**
- Draft Policy 3.2.7.1 states that a Growth Management Strategy shall be included in a Planning Justification Report (“PJR”), in accordance with the City’s Terms of Reference. **We note that the current Planning Justification Report Terms of Reference does not speak to a Growth Management Strategy component, and seek clarification that the PJR Terms of Reference are intended to be updated with appropriate guidance should this Draft Policy be adopted;**

- Draft Policy 3.2.7.1 states, “To ensure that growth takes place in a coordinated and fiscally responsible manner, a Growth Management Strategy is required to be submitted by the applicant for development applications and Tertiary Plans submitted within a “Primary” MTSA ... [as] a section of the Planning Justification Report.” **In our submission, a combined PJR and Growth Management Strategy should not be required for all development applications such as as-of-right development, and/or infill development prior to comprehensive redevelopment.**

In response to our previous comment requesting clarification as to whether a PJR would be required for as-of-right development, the Staff Response states “A [PJR] that includes a Growth Management Strategy is required to be submitted in conjunction with a development application. If the property has as-of-right- zoning permissions, there is still a requirement to understand how infrastructure and services are delivered ...” However, we note that as written, the Draft Policies are unclear as to if/when a PJR would be required as part of a complete application. **In our submission, an as-of-right proposal that would only require Site Plan Approval should not require a PJR or Growth Management Strategy to be submitted as part of a complete application, as a planning rationale should not be required where implementing policies and zoning are in place. We therefore request that the policies be revised to clearly state when a PJR is required for development in MTSAs, and that they only be required through an Amendment process.** Matters raised by Staff, such as infrastructure and service capacity, can be readily addressed through the Site Plan Approval process by way of standard submission requirements (e.g., Functional Servicing Report, etc.);

- Draft Policy 3.2.6.1 states that, “A Tertiary Plan in accordance with Section 5.35 of this Plan may be required for an application submitted within a “Primary” MTSA. The boundaries of the Tertiary Plan will be determined at the Pre-Consultation Application stage.” **We request clarification as to whether all development within an MTSA will be required to either submit or form part of a Tertiary Plan at the time of a redevelopment application;**
- Draft Policy 3.2.6.3: “To ensure co-ordination between applications in the same Tertiary Plan area, applicants will be advised through the Pre-consultation Application process if there are other development applications submitted within the same Tertiary Plan area. All applications within the same Tertiary Plan area will be required to submit one joint Tertiary Plan.” **We suggest revising this policy from “will be required” to “may be required” to allow for flexibility, as in our submission, participation in a joint Tertiary Plan may not be appropriate for all types of development proposals (e.g., expansions).**
- Draft Policies 3.2.6.3 and 3.2.7.10 direct for a high degree of coordination among land owners within specified areas that are to be determined at the time of an application. **We seek clarification as to whether the City anticipates the subject lands would be subject to participation in collaborative process of a Tertiary Plan and/or Developer Cost Sharing Agreement** given their frontage on a public road, size, and connection to existing services, and that the subject lands are not anticipated to undergo comprehensive redevelopment in

the foreseeable future. **The need for the layers of additional study and landowner coordination for the subject lands is unclear.**

- Draft Policy 3.2.7.8 states, “*The redevelopment of existing low-rise non-residential uses may occur gradually over the long-term. Notwithstanding the minimum population and employment densities in Table 1, building additions, and/or alterations may be permitted for non-residential uses, where it can be demonstrated that they do not impact the MTSA objectives as set out in this Plan.*”

In our comments dated February 10, 2023, we submitted that the policy should include the flexibility to provide for infill development for non-residential uses prior to comprehensive redevelopment at an appropriate and feasible time to allow for increased densities on individual sites. The Staff Response states, “*The flexibility for infill development for non-residential uses prior to comprehensive redevelopment will be reviewed in more detail as the Brampton MTSA Study is being completed. If deemed appropriate, the necessary policies will be included in the applicable Secondary Plan policies that will be forwarded to Council for adoption by November 22, 2023.*”

With new Draft Policies 3.2.5.4 and 3.2.5.5 related to generally achieving a floor space index over the entire MTSA in specified minimum building heights, **we reiterate our comment that the policy should include the flexibility to provide for infill development for non-residential uses prior to comprehensive redevelopment to accommodate development that proceeds prior to additional policies going forward in November 2023 for consideration by Council. In addition, we request clarification as to how development is to demonstrate that they “do not impact the MTSA objectives” to the satisfaction of Staff and Council.**

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

Yours very truly,

**ZELINKA PRIAMO LTD.**



Rob MacFarlane, MPL, MCIP, RPP  
Senior Associate

cc. Choice Properties REIT (via email)