



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
Council Meeting Item 7.2 – April 24, 2023
City-Initiated OPA – Major Transit Station Areas (City-Wide)
Preliminary Comments on Behalf of Canadian Tire Corporation, Limited
2021-2111 Steeles Avenue East, 10 and 12 Melanie Drive (1795 Steeles Ave E)
Brampton, ON
Our File: CAT/BRM/15-01**

We are the planning consultants for Canadian Tire Corporation, Limited (“Canadian Tire”), which is the owner of lands known municipally as 2021-2111 Steeles Avenue East, 10 and 12 Melanie Drive, Brampton (the “Lands”). The Canadian Tire Lands of approximately 36.5 ha (90.3 ac) are currently developed with existing buildings including for warehousing and operations, as well as a gas bar on the Steeles Avenue East frontage.

On behalf of Canadian Tire, we have been monitoring the City’s Official Plan Review and provided comments dated May 31, 2022 and we met with City Staff on June 15, 2022. For the Major Transit Station Areas Draft Official Plan Amendment (OPA) and associated Draft schedules dated January 3, 2023, we provided the enclosed comments dated February 10, 2023. It is our understanding based on Staff Report Planning, Bld & Growth Mgt-2023-239 dated March 8, 2023 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 part of Staff Report Planning, Bld & Growth Mgt-2023-239 (the “Staff Response”). Based upon our review of the latest Draft OPA, on behalf of Canadian Tire we have preliminary comments as outlined below and will continue to review the latest Draft OPA in more detail and may provide further comments as required.

DRAFT OPA

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

- We note that the Lands are identified as within “1. Bramalea GO” Primary Major Transit Station Area, as per Schedule 1B of the Draft OPA;
- Draft Policy 3.2.5.5 states “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.” **For the application for Site Plan Approval (City File no. SPA-2022-0185) that was submitted for a first phase**

- of redevelopment for warehousing uses (with office components) on an approximately 33.5 ha (82.7 ac) portion of the Canadian Tire lands, we request clarification that with the “generally achieve” language in the Draft Policy, that a minimum of 3 storeys in height will not be required as part of the proposed redevelopment;**
- With consideration to the “generally achieve” language of Draft Policy 3.2.5.5, we further request clarification as to whether a minimum building height of 3 storeys is to be required for all development outside of the interim development considerations protected by Draft Policy 3.2.7.8. **In our submission, a 3-storey building height may not be appropriate to consider for all uses, such as industrial or warehousing uses. As MTSA’s are to provide a mix of land uses, we suggest flexibility be provided for types of uses where a minimum height may not be appropriate or achievable;**
 - Draft Policy 3.2.6.1 states “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.” **For the above-referenced application for Site Plan Approval (City File no. SPA-2022-0185), we request confirmation that no tertiary plan will be required;**
 - For Draft Policy 3.2.6.5 that states “The Planning Justification Report submitted in conjunction with a residential or mixed-use development application shall include the following: ...”, in response to our previous comments dated February 10, 2023 that the required components of a Report are only applicable to residential development, the Staff Response states “The Planning Justification Report will be required for residential and mixed-use development proposals.” **For clarity and to reflect Staff’s intent, we suggest that residential” be added before “mixed-use development proposals”;**
 - 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 Planning Justification Report (“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 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 services, can be readily addressed through the Site Plan Approval process by way of standard submission requirements (e.g., Functional Servicing Report); and
- 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 Report 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 with 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.”**

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 Amendment.

Yours very truly,

ZELINKA PRIAMO LTD.



Jonathan Rodger, MScPI, MCIP, RPP
Principal Planner

cc. Canadian Tire Corporation, Limited (via email)
Davis Webb LLP (via email)
Michelle Gervais, City of Brampton (via email)