

**Date:** 2023-03-08

**Subject:** **Recommendation Report – City-initiated Official Plan Amendment – Major Transit Station Areas – City-wide**

**Contact:** Michelle Gervais, Policy Planner, Integrated City Planning

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**Report Number:** Planning, Bld & Growth Mgt-2023-239

**Recommendations:**

1. That the report from Michelle Gervais, Policy Planner, Integrated City Planning to the Planning and Development Committee meeting of April 24, 2023, re: **Recommendation Report, City-Initiated Official Plan Amendment-Major Transit Station Areas, City-wide**, be received;
2. That the amendments to the Official Plan, generally in accordance with the attached Appendix 1 to this report, be adopted; and
3. That the City Clerk be directed to forward a copy of the Recommendation Report and Council resolution to the Region of Peel for information.

**Overview:**

- **Major Transit Station Areas (MTSAs) are to be planned to create a compact urban form with a diverse mix of land uses, varied housing types, tenures, and affordability, employment and amenities that support existing and planned transit and active transportation infrastructure.**
- **There are 27 MTSA's in Brampton located along existing or planned high order transit corridors (Kitchener GO line, Hurontario/Main LRT, Queen Street BRT and Highway 407 transitway).**
- **Brampton is undertaking a MTSA Study to implement a local policy framework to facilitate transit-supportive development in MTSAs. The MTSA Study, including technical study recommendations, will provide the building block upon which future land use schedules, policies, zoning and urban design guidelines will be created for the "Primary" MTSAs.**
- **Prior to the completion of the MTSA Study and the adoption of Brampton Plan, interim MTSA Official Plan policies are required to guide development proposals in MTSAs.**

- **This report recommends approval of a City-initiated Official Plan Amendment (OPA) to Brampton's 2006 Official Plan that proposes to:**
  - 1. Add a new schedule that identifies and delineates the boundaries of "Primary" MTSAs and the location of "Planned" MTSAs.**
  - 2. Prescribe the minimum number of residents and jobs combined per hectare for each "Primary" MTSA.**
  - 3. Add definitions for Planned, Primary and Secondary MTSAs.**
  - 4. Add interim MTSA policies to support intensification and to guide development.**
  - 5. Delete all references (schedules, policies and definitions) to "Mobility Hubs" in the Official Plan.**
- **The proposed OPA is a proactive initiative that includes a number of policies to ensure that Brampton has the relevant planning framework to manage the on-going transformation of lands along Brampton's high order transit corridors.**
- **A statutory public meeting for the City-initiated OPA was held on February 13, 2023. One member of the public spoke at the public meeting. Correspondence has been received with respect to the OPA.**

## **Background:**

Major Transit Station Areas (MTSAs) are to be planned to create a compact urban form with a diverse mix of land uses, varied housing types, tenures, and affordability, employment and amenities in close proximity that supports existing and planned transit and active transportation infrastructure.

There are 27 MTSA's in Brampton located along existing or planned high order transit corridors (Kitchener GO line, Hurontario/Main LRT, Queen Street BRT and Highway 407 transitway). Of the 27 MTSAs, 14 are delineated as "Primary" and 13 are classified as "Planned" in the Region of Peel's Official Plan (approved by the Province in November 2022).

## *MTSA Study*

Brampton's MTSA Study was initiated in December 2021 and includes the following four (4) phases of work:

- Phase 1 – Preliminary Area Plans
- Phase 2 – Policy Directions and Recommendations
- Phase 3 – Preparation of Zoning By-law and Urban Guidelines
- Phase 4 – Planning Framework for "Planned" MTSAs

Work is currently underway on Phases 1 and 2. This includes the preparation of preliminary area plans and work being undertaken by the City's consultant that was retained to prepare a Master Servicing Plan and Transportation Study.

The MTSA Study, including the technical study recommendations, will provide the building block upon which future land use schedules and policies for “Primary” MTSAs will be implemented through separate Official Plan Amendments (OPAs). In addition, the MTSA Study will provide input into the preparation of urban design guidelines and the required Zoning By-law amendments to pre-zone the lands within the “Primary” MTSAs.

#### *January 25, 2023 Council Resolution - Brampton Plan*

At the January 23, 2023 Planning and Development Committee meeting, a staff report entitled “*Recommendation Report: The Impacts of Bill 23, More Homes Built Faster Act, 2022 on Brampton Plan*” was approved (Resolution PDC008-2023) and this decision was ratified by council on January 25, 2023 (Resolution C008-2023). The report outlined how significant changes arising from Bill 23 require a review and update of Brampton Plan (which was nearing completion), but that the province to-date has provided no clarity on timing of key pieces needed to inform a conformity exercise, thereby delaying finalization and approval of Brampton Plan. With the approval of the recommendation report and in light of impacts to Brampton Plan timelines, staff received direction to bring forward amendments to Brampton’s 2006 Official Plan, including policy updates as an interim measure to guide ongoing development in MTSA.

#### **Current Situation:**

It is the expectation that areas surrounding the City’s rapid transit corridors will be a major focus for growth, intensification and redevelopment over the long term. Brampton is already experiencing growth through intensification along some of the City’s high order transit corridors where “Primary” MTSA are located.

To better guide development and land use decisions in MTSA as the detailed planning and technical studies for “Primary” MTSA are being completed and until Brampton Plan is in effect, staff is proposing that the 2006 Official Plan be amended to add a number of short-term MTSA policies by way of a City-initiated OPA. This is a proactive initiative to ensure that Brampton has the relevant planning framework to guide the on-going transformation of lands along Brampton’s rapid transit corridors.

#### *Proposed City-initiated Official Plan Amendment (OPA)*

The effect of the proposed OPA is to amend the current 2006 Official Plan to:

1. Add a new schedule that identifies and delineates the boundaries of “Primary” MTSA and the location of “Planned” MTSA in conformity with the Region’s 2051 Official Plan.
2. Prescribe the minimum number of residents and jobs combined per hectare for each “Primary” MTSA in conformity with Table 5 – Minimum Densities of MTSA in the Region’s 2051 Official Plan.
3. Add definitions for Planned, Primary and Secondary MTSA.
4. Add interim MTSA policies to support intensification and to guide development.

5. Delete all references (schedules, policies and definitions) to “Mobility Hubs” in the Official Plan.

Provided below is an explanation of the amendments contained within the proposed OPA.

#### *MTSA Schedule and Minimum Densities*

The Region of Peel’s 2051 Official Plan (referred herein as the “Plan”) directs local municipalities to delineate the boundaries of all Primary and Secondary MTSA in their Official Plan in accordance with Schedule E. The Plan also directs local municipalities to establish policies in their Official Plan for each “Primary” and “Secondary” MTSA delineated on Schedule E-5. These policies shall be in accordance with the *Planning Act* and be adopted by City Council within 1 year from the date of provincial approval (November 22, 2022) of the Plan. The policies shall include the minimum number of residents and jobs, collectively, per hectare for each delineated MTSA as outlined in Table 5 of the Plan.

The proposed City-initiated OPA fulfills the Regional MTSA policy requirements by adding a new Official Plan schedule that identifies and delineates the boundaries of “Primary” MTSA and the location of “Planned” MTSA as per the Region’s Schedule E-5 and by adding a new table to the Official Plan that includes the minimum number of residents and jobs, collectively, per hectare for all “Primary” MTSA. At this time, there are no “Secondary” MTSA in Brampton. If Secondary MTSA are delineated in Brampton by the Region of Peel, a City-initiated Official Plan Amendment will be required to include the necessary policies for Secondary MTSA.

#### *Definitions*

In the current 2006 Brampton Official Plan, MTSA are defined as “*the area including and around any existing or planned higher order transit station within a settlement area; or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500m radius of a transit station, representing about a 10-minute walk*”. The OPA proposes to delete the current MTSA definition and replace it with a new MTSA definition and a new Protected MTSA definition. In addition, the proposed OPA includes three separate definitions to conform with the defined station classifications (Planned, Primary and Secondary) in the Region’s Plan. The proposed MTSA definitions can be found in **Appendix 1**.

#### *MTSA Policies*

The proposed OPA adds interim MTSA policies to support intensification and to guide development as the City undertakes its MTSA Study and awaits clarity from the province on implementing Bill 23 in regards to Brampton Plan. The Region’s MTSA policies recognize that there will be a gap between the delineation of MTSA by the Region and the establishment of local MTSA policies in accordance with the *Planning Act*. The Region’s Plan establishes development review criteria for proposed developments that

are submitted within a MTSA during this time period. To supplement the Region's intent, the proposed OPA includes policies that will state the objectives for all MTSAs, establishes a comprehensive framework for reviewing development applications submitted in "Primary" MTSAs, and implementation policies.

The proposed MTSA objective policies for "Primary" MTSAs are required to ensure that any development proceeding prior to the City completing its comprehensive MTSA planning assists in achieving the delivery of transit-oriented communities, including a compact urban form with a diverse mix of land uses, housing types, amenities and employment uses in close proximity that supports existing and planned transit infrastructure.

The current Official Plan includes Tertiary Plan policies (Section 5.35) that allows the City to require the applicant to prepare a Tertiary Plan as part of a complete development application where a new higher order transit station is proposed or the site is adjacent to an existing higher order transit station. A Tertiary Plan includes a vision and a detailed land use study intended to guide new development within an area that the City determines would benefit from such a study. Since Brampton's MTSA planning study is still underway, the use of Tertiary Plans are important, as it will provide the necessary comprehensive framework for reviewing development applications in a "Primary" MTSA in the absence of detailed policies. The policies in the proposed OPA encourage the use of Tertiary Plans within "Primary" MTSAs.

To ensure that growth takes place in a coordinated and fiscally responsible manner in "Primary" MTSAs, the proposed OPA includes a requirement that a Growth Management Strategy (GMS) be submitted in conjunction with a development application. The GMS will form a section of the Planning Justification Report and will be required to outline the adequate and timely provision of both hard and soft infrastructure and services to support future growth. The requirement for a Growth Management Strategy is an interim policy while Brampton completes its MTSA Study.

It may be deemed necessary to include a number of the proposed OPA MTSA policies in the future MTSA OPAs that will be forwarded to City Council for adoption by November 22, 2023.

### *Maximum Height in MTSAs*

A letter dated February 9, 2023 from Minister Steve Clark was sent to the Peel Regional Chair with respect to maximum height limitations in MTSAs. The letter from the Minister indicated that as part of the Province's approval of the Region's Official Plan in November 2022, the Province removed the language that provided the discretion of lower-tier municipalities to set maximum heights within MTSAs. This letter indicated that any endorsement by Regional Council of maximum height provisions is contrary to the Province's modifications made to the legally in-effect Regional Official Plan.

After the Minister's letter was received, staff from the Region of Peel met with Ministry staff to provide their perspective on maximum heights in MTSAs. Ministry staff have committed to provide a response based on their discussion with the Region. To date, a response from the Ministry has not been received.

The proposed MTSA OPA includes language about the policies that will be implemented through future amendments to the applicable Secondary Plan for each "Primary" station that will address, among other matters, the minimum, and if appropriate, maximum building heights. If it is determined by the Ministry that maximum heights cannot be established by lower-tier municipalities in MTSAs, then the subsequent OPAs that will be forwarded by staff to City Council for adoption in November 2023 will not include maximum building heights.

### *Planned MTSAs*

The Region's Plan requires that local municipalities establish policies in their Official Plans identifying "Planned" MTSAs and protect them for transit-supportive densities, uses and active transportation connections. The proposed OPA includes the necessary "Planned" MTSA policies that conform with the Region's Plan.

### *Mobility Hub*

Mobility Hubs are a general planning concept focused on encouraging transit connectivity and mixed-use development, whereas through Growth Plan policy, the Province sets land use planning guidance and mandatory density targets (number of people and jobs) that must be planned for within MTSAs. To avoid confusion between Mobility Hubs and MTSAs, and to clarify the focus on meeting mandated Provincial requirements, the references (schedules, policies and definitions) to "Mobility Hubs" in the current Official Plan are proposed to be deleted.

In the 2006 Official Plan, some of the "Primary" MTSAs are designated as either an "Anchor Hub" or a "Gateway Hub". Both the Anchor Hub and Gateway Hub Official Plan policies include a minimum floor space index that is to be achieved over the entire hub area and a range of building heights. The MTSA OPA that staff will be forwarding to Council for adoption in November 2023 will include the Planning Act requirement of identifying the minimum densities with respect to buildings and structures on lands in each MTSA. Until such time as the City's MTSA Study is completed and the final MTSA OPA is adopted by Council in November 2023, it is necessary to recognize existing permissions regarding floor space index (FSI) and building height ranges for the Brampton GO, Bramalea GO, Mount Pleasant GO and Gateway Terminal MTSAs. The draft OPA that was presented at the statutory public meeting has been revised to include the applicable FSI and building height range policies.

## *Planning Act*

According to Section 16 (17) of the *Planning Act*, Brampton City Council is required to adopt Official Plan policies for “Primary” (Protected) MTSA by November 22, 2023 (within 1 year after the approval of the Region’s Official Plan) that include:

1. Identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated in the area;
2. Identify the authorized uses of land and of buildings or structures on lands in the area; and
3. Identify the minimum densities that are authorized with respect to buildings and structures on lands in the area.

The proposed OPA satisfies sub clauses (16) (a) of the *Planning Act*, but does not include the prescribed information in sub clauses (16) (b) (i) and (ii) of the *Planning Act*. As required by the *Planning Act*, a subsequent OPA will be forwarded to City Council that will include the required information in sub clauses (16) (b) (i) and (ii) by November 22, 2023 (within 1 year of the Province’s approval of the Region’s Official Plan). The final MTSA studies will provide guidance for establishing and implementing the required *Planning Act* MTSA policies.

## **Planning Analysis**

For the reasons outlined in Appendix 2, the recommended OPA has regard for matters of Provincial interest, is consistent with the Provincial Policy Statement, 2020 and conforms or does not conflict with the Growth Plan, the Region of Peel Official Plan and Brampton Official Plan. Staff are also of the opinion that the recommended OPA represents good planning and is in the public interest. On the basis of the information and analysis provided in this report, it is recommended that the OPA found in Appendix 1 be adopted by Council.

## *Community Engagement:*

A statutory Public Meeting for the City-initiated OPA was held on Monday, February 13, 2023. There was one member of the public that made representation before the Planning and Development Committee. Written submissions were submitted with respect to the proposed City-initiated OPA and can be found in **Appendix 4**. A response to the question raised by the member of the public at the public meeting can be found in **Appendix 3** and a response to the correspondence received can be found in **Appendix 5**.

## **Corporate Implications:**

### Financial Implications:

There are no financial implications associated with the proposed OPA.

## Other Implications:

### *Communications Implications*

A statutory Public Meeting for the City-initiated OPA was held on Monday, February 13, 2023. Notice of the proposed City-initiated OPA was published in the Brampton Guardian and on the City's webpage in January 2023.

### **Term of Council Priorities:**

This report and associated recommendations comply with the 2019-2022 Term of Council Priorities "Opportunities" priority by assisting to achieve a number of the "Connected" initiatives, such as creating complete communities and supporting community hub concept.

For more information about the Term of Council Priorities, visit [www.brampton.ca/EN/City-Hall/Council-Priorities/Pages/Welcome.aspx](http://www.brampton.ca/EN/City-Hall/Council-Priorities/Pages/Welcome.aspx)

### Living the Mosaic – 2040 Vision

This report has been prepared in full consideration of the overall vision that the people of Brampton will "Live the Mosaic".

### **Conclusion:**

To better guide development and land use decisions in MTSA's as the detailed planning and technical studies for "Primary" MTSA's are being completed and until Brampton Plan is in effect, staff is proposing that the 2006 Official Plan be amended to add interim MTSA policies by way of a City-initiated OPA. The recommended OPA represents good planning and is in the public interest. On the basis of the information and analysis provided in this report, it is recommended that the OPA found in **Appendix 1** be adopted by Council.



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**Attachments:**

Appendix 1 – Official Plan Amendment  
Appendix 2 – Detailed Planning Analysis  
Appendix 3 – Results of Public Meeting  
Appendix 4 – Correspondence Received  
Appendix 5 – Response to Correspondence Received