



Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

May 15, 2023

GWD File PN 21.2941.00

The Corporation of the City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

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: Additional Public Input
May 15, 2023 Planning & Development Committee
Item 7.3 - City-Initiated Official Plan Amendment Major Transit Station
Areas (City-Wide)
261 & 263 Queen Street East
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 has been actively engaged in the City of Brampton's MTSA Planning Study process. This has included Soneil's participation in the Rutherford MTSA Focus Group Session that was hosted by City Staff on March 23, 2023, and through formal written correspondence prepared by GWD on behalf of Soneil to the City's Planning and Development Committee dated April 24, 2023 (attached). GWD's previous written correspondence outlined Soneil's concerns regarding the draft City-Initiated Official Plan Amendment pertaining to City-wide MTSA's (MTSA OPA).

GWD has reviewed the revised MTSA OPA included in the City of Brampton's Supplementary Recommendation Report in connection with the draft MTSA OPA dated April 28, 2023. While City Staff have included some modifications to the draft MTSA OPA, the modified draft MTSA OPA fails to address our client's concerns.

GAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790
www.gwdplanners.com • Toll Free: 1-855-771-7266

**CONFIDENTIALITY
CAUTION**

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.



Additional Concerns

In addition to the comments provided in GWD's April 24, 2023 correspondence, we note that the policy modifications within the Supplementary Recommendation Report (specifically those made to proposed Policies 3.2.5.4 and 3.2.5.5 of the draft MTSA OPA) are intended by City Planning Staff to acknowledge existing, in force policies in the Brampton Official Plan/Secondary Plans; which provide opportunity exceed stipulated maximum height and density permissions, as may be applicable, without the need for an Official Plan Amendment.

In this regard, sufficient justification has not been provided as to why these draft policies are only intended to be applicable to the Bramalea GO, Brampton GO, Mount Pleasant GO and Gateway Terminal MTSA's, given that such provision already exists in the Brampton Official Plan and relevant Secondary Plans.

For clarity, and given the subject site's location within the Brampton Urban Growth Centre and Queen Street Corridor Secondary Plan, it is our opinion that the Rutherford MTSA should be added to draft Policy 3.2.5.4 and/or Policy 3.2.5.5.

Closing Remarks

We reserve the right to provide further comments 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,

for

**Michael Gagnon, B.E.S., M.C.I.P., R.P.P.
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.



Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

April 24, 2023

**GWD File PN 21.2941.00
MTSA**

**The Corporation of the City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2**

**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.

GAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790
www.gwdplanners.com • Toll Free: 1-855-771-7266

**CONFIDENTIALITY
CAUTION**

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.



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,

Michael Gagnon, B.E.S., M.C.I.P., R.P.P.
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.