



Principals

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May 15, 2023

GWD File: PN 2532

**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)  
2 County Court Boulevard - Soneil Markham Inc.**

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to Soneil Markham Inc. (Soneil); the registered owner of the property municipally known as 2 County Court Boulevard (located at the southeast corner of Hurontario Street and County Court Boulevard) in the City of Brampton (hereinafter referred to as the "subject site"). The subject site is located in the Ray Lawson County Court 'Primary' Major Transit Station Area (MTSA) pursuant to the new Region of Peel Official Plan and within a MTSA and Mobility Hub Gateway pursuant to the current, in-force City of Brampton Official Plan.

Soneil submitted a Zoning By-law Amendment Application to the City of Brampton for the phased redevelopment of the subject site for a mixed use, transit-oriented development in November 2022; which it continues to process with the City of Brampton Planning Staff (City File No. OZS-2023-0003).

Soneil has been actively engaged in the City of Brampton's MTSA Planning Study process. This has included, but is not limited to, Soneil's participation in the Ray Lawson MTSA Focus Group Session that was hosted by City Staff on February 8, 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 written correspondence outlined Soneil's concerns regarding the draft City-Initiated Official Plan Amendment pertaining to City-wide MTSA's (MTSA OPA).

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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.

### **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 that the subject site's is already identified as being located within the Mobility Hub Gateway in the Hurontario-Main Secondary Plan, it is our opinion that the Ray Lawson County Court MTSA should be added to the MTSA's that are currently identified in 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,**

 **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 Markham Inc.**  
**N. Dawan, Gagnon Walker Domes Ltd.**



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April 24, 2023

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Peter Fay, City Clerk  
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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)  
2 County Court Boulevard - Soneil Markham Inc.

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Soneil submitted an Application to Amend the City of Brampton Zoning By-law in November 2022 – City File No. OZS-2023-0003 (Amendment Application). The Amendment Application was deemed complete by the City of Brampton on January 16, 2023. The Statutory Public Meeting for the Amendment Application was held on March 20, 2023.

The Soneil Amendment Application proposes the phased redevelopment of subject site for a mixed use, transit-oriented development that is comprised of a combination of tall buildings along Hurontario Street and mid-rise buildings to the rear. Approximately 1,610 residential dwelling units are proposed at full build out along with a total of approximately 8,545 m<sup>2</sup> (92,000 ft<sup>2</sup>) of new commercial.

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The Amendment Application, as submitted, have been advanced in the context of the current, in-force City of Brampton Official Plan/Secondary Plan policies pertaining to the subject site, Mobility Hub Gateways and MTSA.

### **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. ***Current Soneil Amendment Application*** – The Soneil Amendment Application has been prepared, submitted and shall be reviewed in the context of the existing City of Brampton Official Plan policy framework; including those policies applicable to the City's Mobility Hub Gateways and MTSA. On this basis, Soneil objects to the approval of any proposed policy amendments advanced through the draft MTSA OPA that are deemed contrary to the current in-force policies of the City of Brampton Official Plan and Secondary Plan, as well as the Soneil Amendment Applications. Soneil has significant concerns with the potential impact that the draft MTSA OPA may have on the City of Brampton's previous and on-going review of the Amendment Application, including but not limited to the proposed deletion of the City's designated Mobility Hub Gateways and associated policies.

Considering the above, it is our opinion that the draft MTSA OPA should not apply to the subject site and/or the Soneil Amendment Application.

2. ***Deletion of Mobility Hub Gateway*** – The Mobility Hub Gateway in the City's Official Plan is intended to accommodate a concentration of higher intensity uses, but at higher levels than the City's MTSA. The proposed deletion of the Mobility Hub Gateway and all associated policy references from the City's Official Plan would remove this fundamental planning policy framework and reduce the role and function of the Mobility Hub Gateway within the City Structure, which is not supported by Soneil. Soneil does not support the removal of the Mobility Hub Gateway centred around the intersection of Hurontario Street and Steeles Avenue.
3. ***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."



4. **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.
5. **Policy 3.2.5.1 b)** – It is GWD’s opinion that the Soneil Amendment Application, provides a significant range of development forms, appropriate development massing, and sufficient consideration of contextual built form transitions given the subject’s geographic location with the Ray Lawson County Court MTSA. The Soneil Amendment Application proposes tall buildings along Hurontario Street that range between 23 to 45 storeys in height with transitional 5-storey mid-rise buildings to the rear. As currently drafted, Policy 3.2.5.1 b) could be interpreted to restrict and/or reduce the planned intensification and built forms that are currently advanced as part of the Soneil Amendment Application. Soneil does not support any proposed amendment to the City’s Official Plan which is contrary to their Amendment Application and development plan.
6. **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.
7. **Policies 3.2.5.2 i)** – Based on recent proposed changes to provincial legislation, this draft Policy may be deemed to be inconsistent with the draft Provincial Planning Statement, wherein office uses are generally encouraged to be located in mixed use areas rather than designated Employment Areas. Further, Soneil does not support any planning policy that would serve to further restrict the range of land uses permitted on the subject site or that is contrary to the land use mix proposed through the Soneil Amendment Application.
8. **Section 3.2.6** – The Soneil Amendment Application was submitted in November 2022. A Tertiary Plan has not been requested in the instance of the Soneil Amendment Application.

Soneil does not support any policy of the draft MTSA OPA which proposes to require a Tertiary Plan to be approved prior to the approval of the site specific Soneil Amendment Application. The Soneil Amendment Application should be exempt from any Tertiary Plan exercise considering its site specific circumstance.



As a general comment, we also recommend that Section 3.2.6 introduce appropriate transitional clauses for those development proposals which, like the Soneil development, are the subject of existing or previously approved Official Plan and/or Zoning By-law Amendment Applications to clarify that the requirements of Section 3.2.6 do not apply in those circumstances.

9. **Policy 3.2.6.3** – As a general comment, the 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.
10. **Section 3.2.7** – Similar to Soneil’s comments above, the policies of Section 3.2.7 should not apply to the consideration of the Soneil Amendment Application given that they were submitted in 2022 and already advanced through the development approvals process.

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.

### **Closing Remarks**

The subject site is located within the Regional of Peel approved ‘Ray Lawson County Court’ MTSA and within a MTSA and Mobility Hub Gateway pursuant to the current, in-force City of Brampton Official Plan. Soneil submitted Applications to Amend the City of Brampton Zoning By-law in November 2022.

The Amendment Application, as submitted, have been advanced in the context of the current, in-force City of Brampton Official Plan/Secondary Plan policies. The draft MTSA OPA proposes new policies for consideration in the review of development applications that are advanced within primary, planned and future MTSAs and deletes Mobility Hub Gateway policies from the Official Plan in their entirety. It is our opinion that it is inappropriate to apply new Official Plan policies and development requirements, as are proposed in the draft MTSA OPA, in the review of the Soneil Amendment Application.

In this regard, Soneil does not support any proposed amendment to applicable Official Plan policy which would, in Soneil’s opinion, serve to either negatively impact its proposed development plan as advanced through its Amendment Application, or serve to alter the current development approvals process.

Thank you for the opportunity to provide comments on the draft City-Initiated Official Plan Amendment – Major Transit Station Areas. We reserve 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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