



Principals

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

**Attention: Steve Ganesh, Commissioner, Planning, Building and Growth
Management
Michelle Gervais, Policy Planner
Claudia LaRota, Supervisor/Principal Planner**

**Subject: Public Input – Letter of Concern
Brampton Major Transit Station Areas
Draft Ray Lawson Boulevard Station MTSA Land Use Plan
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 northeast corner of Hurontario Street and County Court Boulevard) in the City of Brampton ("Subject Site"). The Subject Site is within the Ray Lawson County Court 'Primary' Major Transit Station Area ("MTSA") pursuant to the new Region of Peel Official Plan.

We write to express Soneil's concerns regarding: (1) the City's approach to seeking Committee/Council endorsement of the Draft MTSA Land Use Plans in the absence of a related policy framework, and (2) the potential implications of the Draft Ray Lawson Boulevard Station MTSA Land Use Plan on the Subject Site.

Background: Soneil ZBA Application and OP2006-247 Appeal

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

The Soneil ZBA Application proposes the phased redevelopment of the 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

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residential dwelling units are proposed at full build out along with a total of approximately 8,545 m² (92,000 ft²) of new office and retail commercial.

The ZBA Application, as submitted, has been advanced in the context of the current, in-force City of Brampton Official Plan/Secondary Plan policies pertaining to the Subject Site, including MTSA's and 'Gateway Mobility Hubs'.

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. At this Focus Group Session GWD provided City Planning Staff with Soneil's initial comments and concerns, which are generally consistent with those noted below.

Relatedly, Soneil appealed the City's decision to adopt Official Plan Amendment OP2006-247 to the Ontario Land Tribunal (OLT-23-00609, Appeal 008631).

The Draft MTSA Land Use Plans Should be Considered with Applicable Policies

We understand that the City's Planning Department anticipates tabling a Recommendation Report to Planning and Development Committee shortly to seek Council endorsement of numerous Draft MTSA Land Use Plans, including the Draft Ray Lawson Boulevard Station MTSA Land Use Plan, prior to the preparation of detailed policy associated with these Draft MTSA Land Use Plans.

Soneil has a fundamental concern about the prematurity of any City Council endorsement or adoption of the applicable Draft MTSA Land Use Plan in the absence of any related associated policy/development framework. In the absence of any land use and development planning policy, it is not possible for Soneil to review, assess and provide meaningful input on the Draft Ray Lawson Boulevard Station MTSA Land Use Plan in the context of the Soneil ZBA Application, or opine on the MTSA Land Use Plan's consistency with/conformity to Provincial, Regional and City policies/plans.

Concerns Regarding Draft Ray Lawson Boulevard Station MTSA Land Use Plan

Notwithstanding the challenge of considering the Draft MTSA Land Use Plans in the absence of related policies, GWD has reviewed the Draft Ray Lawson Boulevard MTSA Land Use Plan recently made available on the City of Brampton website (enclosed). Based on our review of this Draft MTSA Land Use Plan, we offer the following comments and recommendations on behalf of Soneil.

1. Proposed Land Use Designation

The Subject Site is proposed to be designated 'Office Mixed-Use' pursuant to the Draft Ray Lawson Boulevard Station MTSA Draft Land Use Plan. Soneil has serious concerns with this proposed land use designation as it is not consistent with the Soneil ZBA Application.



The Soneil ZBA Application has been prepared, submitted and is currently being reviewed in the context of the existing City of Brampton Official Plan policy framework, including those policies applicable to the City's MTSA's and Gateway Mobility Hubs. The applicable Hurontario-Main Corridor Secondary Plan designates the Subject Site 'Mixed Use Two'. Lands designated Mixed Use in the Secondary Plan are intended to accommodate mixed use developments incorporating a combination of office, commercial, institutional, medium and high density residential, cultural and entertainment uses.

It is Soneil's position, based on the limited information provided at this time, that the Subject Site should be designated 'High-Rise Mixed-Use' in the Draft MTSA Land Use Plan. Presumably, the High-Rise Mixed-Use designation would facilitate the redevelopment of the Subject Site for residential and non-residential uses as anticipated by the Soneil ZBA Application.

However, in the absence of draft policies associated within the proposed land uses the identification of the appropriate land use designation and policies is not possible. Prior to any consideration of potential land use designations within the Ray Lawson Boulevard Station MTSA associated draft planning policies must be provided for review and comment.

2. Height Transition Area Overlay

A 'Height Transition Area' overlay has been applied along the east limits of the Subject Site. As noted above, no policy framework has been advanced to clarify the intent of this proposed overlay, or to enable Soneil to assess its potential impact on the Subject Site and the Soneil ZBA Application. While a similar overlay exists in the Secondary Plan, there is no information provided at this time as to what impacts the Draft MTSA Land Use Plan Height Transition Area overlay will have on development transition considerations.

Further, the City has not provided any justification as to why such an overlay is being considered on the Subject Site, but not for other sites within the Ray Lawson Boulevard Station MTSA and various other Draft MTSA Land Use Plans which have similar geographic and contextual situations. We request that staff explain the purpose and impact of the Height Transition Area overlay and provide the associated draft policies when they are available.

Helping Homebuyers, Protecting Tenants Act, 2023 (Bill 97)

On April 6, 2023, Ontario announced the next steps in its plan to build 1.5 million homes by 2031. As part of this announcement was the Province's introduction of Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023* ("Bill 97"), and the release of the draft Provincial Planning Statement, which is intended to replace the current Provincial Policy Statement and the Growth Plan. Bill 97 received Royal Assent on June 8, 2023, but has not yet been proclaimed into force.



Among other matters, Bill 97 introduced changes to the *Planning Act* that promotes mixed use development, where the mix of uses are compatible, and to protect and preserve areas that contain largely industrial and manufacturing uses as employment areas. The definition of “area of employment” precludes commercial uses, including retail and office uses, in those areas. Similarly, the draft Provincial Planning Statement proposes to prohibit retail and offices uses that are not associated with the primary employment use in employment areas.

Based on the limited amount of information provided at this time, it is impossible to assess whether the proposed Office Mixed-Use designation for the Subject Site aligns with recent Provincial direction regarding employment areas and intensification of MTSA's. The Subject Site (which is currently developed with stand-alone office and retail uses, and designated as a Mixed Use area in the Official Plan, which allows residential uses) is not an “area of employment” as defined by Bill 97. On this basis, it is our opinion that the High-Rise Mixed-Use designation is more appropriate for the Subject Site.

Closing Remarks

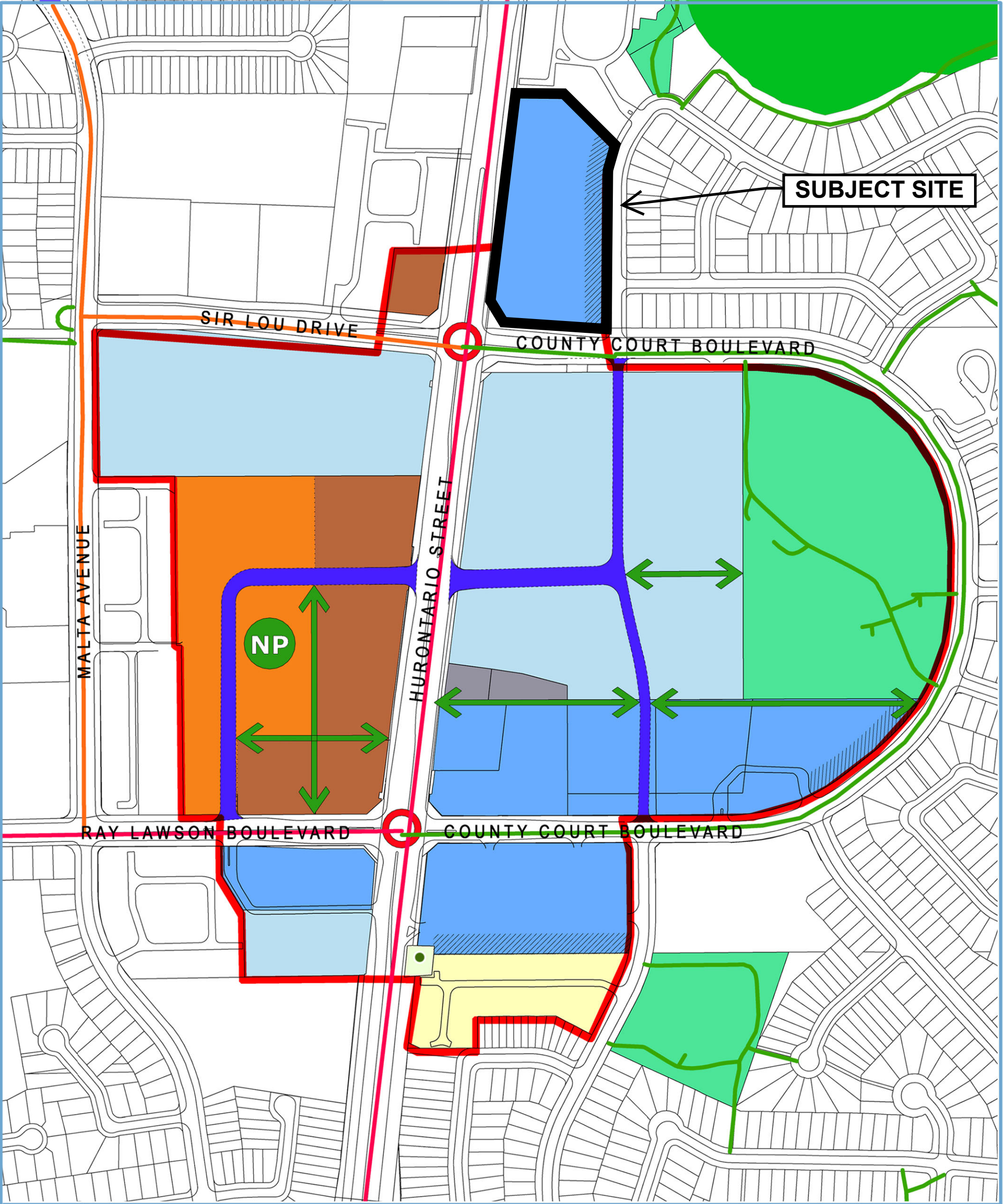
Soneil does not support the Planning Department's intent to table the Draft MTSA Land Use Plans for Planning and Development Committee/City Council's consideration in the absence of an associated policy framework. We request that the City defer any consideration of the Draft MTSA Land Use Plans until such time as a draft policy framework has been prepared and circulated for public comment. In our view, the Draft MTSA Land Use Plan can only be considered together with the associated policy framework. Advancing significant land use planning initiatives in a piece-meal fashion creates cumbersome, duplicative processes and is not good planning.

Soneil would welcome opportunity to meet with City Staff to further discuss its concerns. We reserve the right to provide further comments.

Yours truly,

Richard Domes, B.A., C.P.T
Partner, Principal Planner

cc: Soneil Mississauga Inc. and Soneil Oakville Inc.
M. Gagnon/ N. Dawan, Gagnon Walker Domes Ltd.
I. Tang / L. English, BLG



LEGEND

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| LOW-RISE RESIDENTIAL | PROPOSED PUBLIC OR PRIVATE STREET NETWORK | EXISTING ACTIVE TRANSPORTATION NETWORK LINK |
| MID-RISE MIXED-USE | PROPOSED PARK | PROPOSED PROTECTED BIKE LANE OR CYCLE TRACK |
| HIGH-RISE MIXED-USE | NATURAL HERITAGE SYSTEM | PROPOSED BIKE LANE OR BUFFERED BIKE LANE |
| OFFICE MIXED-USE | EXISTING OPEN SPACE | HEIGHT TRANSITION AREA |
| INSTITUTIONAL | EXISTING CEMETERY | |
| UTILITY | MTSA BOUNDARY | |
| DESIGNATED HERITAGE PROPERTY | MTSA STATION | |

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BRAMPTON MAJOR TRANSIT STATION AREAS
RAY LAWSON BOULEVARD STATION DRAFT LAND USE PLAN