



Principals

Michael Gagnon  
Lena Gagnon  
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October 20, 2023

GWD File: PN.22.3206.00

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

**Attention:** Steve Ganesh, Commissioner, Planning, Building and Growth Management  
Henrik Zbogor, Director, City Planning & Design  
Shannon Brooks-Gupta, Principal Planner, City Planning & Design

**Subject:** Public Input – Letter of Concern  
Final Draft – Proposed ‘Brampton Plan’  
285 and 295 Queen Street East – Starbank Developments 285 Corp.

Gagnon Walker Domes Ltd. (“GWD”) acts as Planning Consultant to Starbank Developments 285 Corp. (“Starbank”); the Registered Owner of the properties known municipally as 285 and 295 Queen Street East in the City of Brampton (hereinafter referred to as the “subject site”). The subject site is located at the southwest corner of Queen Street East and Highway 410, and is located within the Rutherford ‘Primary’ Major Transit Station Area (“MTSA”).

Starbank is currently preparing redevelopment plans for the subject site, and a Pre-Application Consultation with City of Brampton Planning Staff is expected to be filed shortly. Starbank is desirous of redeveloping the subject site for a transit-oriented mixed use high-density Master Plan development. The proposal and concept plan layout will be refined as we work through the Development Application process.

Starbank has been actively engaged in the City of Brampton’s Official Plan and associated MTSA Planning Study process. This has included, but is not limited to, Starbank’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 Starbank to the City’s Planning and Development Committee dated February 10, 2023, April 24, 2023, July 17, 2023 and August 28, 2023 (a copy of prior written correspondence to the City of Brampton is attached to this letter in **Appendix 1**).

Starbank is an Appellant of City of Brampton Official Plan Amendment OP2006-247.

We write to express Starbank’s continued concerns regarding the potential implications of the final draft of the new proposed City of Brampton Official Plan (“Draft Brampton Plan”) policies on the subject site.

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## OVERVIEW of DRAFT BRAMPTON PLAN LAND USE DESIGNATIONS

The following are key designations and overlays of the Draft Brampton Plan that are proposed to apply to the subject site:

- Schedule 1 - City Structure:
  - 'Primary Major Transit Station Areas';
  - 'Primary Urban Boulevards' (Queen Street East);
  - 'Community Areas'.
- Schedule 2 - Designations:
  - 'Mixed Use'.
- Schedule 13f – Brampton Major Transit Station Areas QUE-3 – Rutherford Land Use Plan:
  - 'Mixed Use (High-Rise Mixed-Use)';
  - 'Potential Mid-Block Connection';
  - 'Proposed Public or Private Street Network';
  - 'Neighbourhood Park'.

## STARBANK'S ADDITIONAL CONCERNS REGARDING FINAL DRAFT BRAMPTON PLAN

GWD has reviewed the final Draft Brampton Plan on behalf of Starbank. The concerns raised in previous correspondence (**Appendix 1**), continue to be raised through this submission to the City of Brampton. In addition, Starbank has the following additional concerns as highlighted below:

- General overall comment – in many instances throughout the policy document, references to the Region of Peel have been deleted to reflect the upcoming dissolution of the Region of Peel. However, there are also instances where the reference to the Region of Peel has been left in, including in some cases requirements to seek a Regional Official Plan Amendment. We recommend that the Official Plan be revised to be consistent in referring to the Region of Peel.
- General overall comment – similar to the note above, in many policies through the Final Brampton Plan, references to the Natural Heritage System have been amended to remove the word 'Heritage'; however, there are many instances throughout the Final Brampton Plan, including on the Schedules thereto, where reference is made to the 'Natural Heritage System'. We recommend that the Official Plan be revised to be consistent in referring to the Natural Heritage System.
- General overall comment – in various policies (such as 2.2.3.11 j)), the policy language summarizes various performance standards that are to be regulated through a Zoning By-Law, including among others, materials. A Zoning By-Law is not permitted to regulate things like materials and colours. Recommend that the Official Plan be revised to remove reference to materials.
- Beginning on page 4-12 (Site and Area Specific Policies) as well as Policy 5.7, contain the Major Transit Station Area policies. Where comments in previous correspondence have not been addressed in the Final Brampton Plan, our previous written comments (**Appendix 1**) continue to apply.
- Policy 2.1.2.7 refers to all development in conformity with the City-Wide Growth Management Framework, however, there is no section in the Final Brampton Plan under



this heading, and no schedule includes this as a designation. It is not clear what this is referring to. We recommend that Staff clarify the intent of this policy.

- Previous comments on Policies 2.1.2.13 and 2.1.2.14 (previously 2.1.16 in earlier drafts of Brampton Plan) with regard to amending the word 'minimum' to 'target' have been made. However, Table 1 still refers to the growth forecasts as "minimum". We recommend that the title of Table 1 be amended to conform with the language of the policies.
- The wording of Policy 2.1.2.84 is not clear on how the limits of a Precinct Plan will be determined in the instances noted therein (i.e. where a Secondary Plan does not yet identify the location of Precincts).
- Within Policy 3.1.2 – Complete Communities is the heading 'Community Hubs'. The policy describes Community Hubs as being, among others, "future-proof" public spaces. What is "future-proof"? In addition, "Community Hubs" are not identified on any Official Plan Schedule – where are they located, and when would these policies apply. We request that staff provide clarification to this policy.
- Policy 3.2.6.2 speaks to requiring 'Adaptation Checklist' for all planning and development activities to expected regional climate impacts. It is not clear what 'Adaptation Checklist' means and how does each planning and development activity supposed to understand or know the expected regional climate impacts. This policy is too vague and not clear in what is intended. We recommend that the policy either be revised to clarify what is intended or to delete the policy.
- Part 3.3 and more specifically, Policy 3.3.1.2 speaks to housing targets. While it is recognized that affordable housing, housing mix and rental housing are targets, to state that the City working with other levels of government will 'work to achieve' these targets is very onerous and not reflective of changing market conditions. We recommend that the policy be amended to provide flexibility in how these targets are achieved.

Furthermore, it is our opinion that the housing targets are very optimistic and untenable. It is very difficult to achieve these targets given the current and anticipated future market conditions. We strongly recommend that these targets be reconsidered to reflect the reality of the market conditions and effective implementation. Without financial support and affordable housing development initiatives/investments from all levels of government, these targets, if maintained as is, are not achievable.

### **Closing Remarks**

We understand that the Final Draft of Brampton Plan was released the week of September 18, 2023 for public review and comment. We note that while our office has been actively monitoring the Brampton Plan process and previously provided public input into this exercise, neither GWD nor our Client were immediately informed by the City that the Final Draft had been released at that time.

Further, we understand that certain critical Draft Brampton Plan Schedules which are intended to form part of Brampton Plan have not yet been released or included for public consultation. Notwithstanding, the City had requested that all public input on the Draft (as partially released) be received by October 2, 2023 in order to be considered as part of an upcoming final Staff Recommendation Report.



Respectfully, this commenting period of a mere two (2) weeks is inadequate given the magnitude and broadness of the scope of the planning exercise as it pertains not only to our Client, but also all other landowners and other stakeholders in the City of Brampton.

As noted above, we understand that the City's Planning Department intends to table a final Recommendation Report to Planning and Development Committee on October 23, 2023, that recommends that City Council adopt the Draft Brampton Plan at the November 1, 2023 Council Meeting. The aforementioned Recommendation Report, which was made available on October 16, 2023, provides the schedules omitted as noted above, which provides only one (1) week to comment; this too is an inadequate commenting period.

In the spirit of meaningful and appropriate consultation, we believe that City Planning Staff should extend the commenting period until November 2023 and defer the consideration of a final Recommendation Report thereto.

Thank you for the opportunity to provide public input. While our Client wishes to express its general support, they do have reservations and may provide further comments as necessary during the process.

Yours truly,

**Andrew Walker, B.E.S., M.C.I.P., R.P.P.**  
**Partner, Principal Planner**

cc: Starbank Developments 285 Corp.  
I. Kagan, Kagan Shastri DeMelo Winer Park LLP  
M. Gagnon, Gagnon Walker Domes Ltd.  
A. Sirianni, Gagnon Walker Domes Ltd.  
H. Singh, Gagnon Walker Domes Ltd.



# APPENDIX #1



Principals

Michael Gagnon  
Lena Gagnon  
Andrew Walker  
Richard Domes

February 13, 2023

GWD File PN 22.3206.00  
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 – Statutory Public Meeting  
City-Initiated Official Plan Amendment  
Major Transit Station Areas  
Starbank Development Corporation

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to Starbank Development Corporation (Client); the Registered Owner of 285 and 289 Queen Street East, in the City of Brampton (hereinafter referred to as the “subject site”). We have been asked to review and provide the City of Brampton with our comments, observations and recommendations in connection with the Information Report and Statutory Public Meeting regarding City-Initiated Official Plan Amendment – Major Transit Station Areas (MTSA). The subject site is located in the Rutherford ‘Primary’ MTSA.

**City-Initiated Official Plan Amendment - MTSA**

According to the City of Brampton Staff Report, the purpose of the City-Initiated Official Plan Amendment – Major Transit Station Areas is to propose the addition of interim Official Plan policies to better guide development and land use decisions in MTSA’s, while the detailed planning and technical studies for Primary MTSA’s are completed and until Brampton Plan (the ‘New’ Brampton Official Plan) is in effect. The OPA includes: a new schedule showing the boundaries of Primary MTSA’s and the locations of Planned MTSA’s; interim set of policies to support intensification and to guide development; and deletes the Mobility Hub policies, schedules and references.

The City of Brampton has scheduled the Statutory Public Meeting to receive public comments on the draft City-Initiated Interim MTSA Policies Official Plan Amendment on Monday, February 13, 2023.

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On behalf of Starbank Development Corporation, we have reviewed the City of Brampton Staff Report dated January 10, 2023, along with the accompanying Draft Official Plan Amendment, and offer the following comments, observations and recommendations.

1. **Section 3.1 (6)** of the draft OPA includes the proposed text for the new **Section 3.2.4 – Major Transit Station Areas**. More specifically, the third introductory paragraph under proposed Official Plan **Section 3.2.4** directs that “...a variety of housing option that include a mix of affordable rental and ownership housing types and unit sizes shall be provided” in terms of addressing affordable housing objectives. We recommend that the policy be revised to use progressive language such as ‘encourage’ and ‘strive to provide’, as opposed to being prescriptive. Without financial support and affordable housing development initiative/investment from all levels of government, these targets, may not be achievable.
2. Continuing with **Section 3.1(6)**, and the fourth introductory paragraph under proposed Official Plan **Section 3.2.4**, the last sentence appears to contradict the rest of the paragraph. In this regard, the paragraph notes that the transportation network for MTSA’s will be designed to support and integrate active transportation, local transit services and inter-municipal/inter-regional higher order transit services. These transit services are motorized modes of transportation. The last sentence is contradictory as it notes that non-motorized travel will be the preferred option within MTSA’s. We recommend that this sentence be re-worded to reflect the objective of walkable communities, that are transit-supportive.
3. **Section 3.1 (6)** of the draft Official Plan Amendment, and more specifically proposed Official Plan **Section 3.2.5.1**, it is not clear if the objectives of this policy are meant to be met across the whole of the MTSA, or within each development application within an -identified MTSA. The introductory statement notes “All development within an MTSA...” In particular, subsection f) speaks to providing a diverse, equitable and inclusive set of public service facilities and community services. It may not be feasible for each application, depending on the size of the property, location, or existing neighbourhood characteristics (i.e. industrial/employment areas, predominantly urban built forms, etc.) to provide this. We recommend that the policy be amended to reflect that these objectives are to be achieved across the whole of the MTSA.
4. General Comment – **Section 3.1(6)** of the draft Official Plan Amendment, and more specifically proposed Official Plan **Section 3.2.5.2** – is the study referenced here the current MTSA Study that is ongoing by the City of Brampton, or is this a separate development application-based study to be completed by development proponents when applications are submitted?
5. **Section 3.1(6)** of the draft Official Plan Amendment, and more specifically proposed Official Plan **Section 3.2.5.2 b)** speaks to building heights and FSI. The policy makes a reference to maximum heights if required. We recommend that the policy be amended to only reference the minimum heights. The subject site, along with other MTSA locations, are located in an area of the City that is subject to the recently adopted Council resolution on unlimited height and density.



6. General Comment – **Section 3.1(6)** of the draft Official Plan Amendment, and more specifically proposed Official Plan **Section 3.2.6** – is the MTSA Block Concept Plan referenced in this proposed policy the same as a Tertiary Plan?
7. **Section 3.1(6)** of the draft Official Plan Amendment, and more specifically, proposed Official Plan **Section 3.2.6.4**, we applaud the policy “encouraging” owners within an area to work together to produce the Block Concept Plan. However, the policy then goes on to note an individual owner may complete the Plan for the entire area if others decide not to participate. The policy does not reflect situations where other owners may not necessarily “decide not to participate”, but rather the owner proceeding to prepare the plan may not be aware of other owners who are in the process of preparing an application. The Policy also does not reflect whether this plan is one that gets revised from time-to-time as successive applications are brought forward. We recommend that this policy be deleted in its entirety.
8. General Comment – **Section 3.1(6)** of the draft Official Plan Amendment, and more specifically proposed Official Plan **Section 3.2.6.5 g)** – is the phasing of development referred to in this policy within each site-specific development, or across the whole of the MTSA? There are instances, depending on the size and extent of the development proposed where phasing could occur in both instances.
9. **Section 3.1(6)** of the draft Official Plan Amendment, and more specifically, proposed Official Plan **Section 3.2.7.1**, speaks to the preparation of a Growth Management Strategy. It would appear, but is not clear in the policy, that this is similar to the Growth Management Staging and Sequencing Reports prepared in the Block Plan process. Confirmation and clarification is required, and should be worked into the proposed policy. It is not clear in the proposed policy who prepares this report (the first application in the MTSA, each application (i.e. updating the original report)), or the mechanism to ensure coordination where applicants may not be aware that others are planning/proceeding to file site-specific applications.
10. **Section 3.1(6)** of the draft Official Plan Amendment, and more specifically, proposed Official Plan **Section 3.2.7.3**, should include less prescriptive language such as “encourage” or “explore”. In some cases, there may be constraints to consolidation of parcels (owners not prepared to sell, varying lengths of commercial leases, etc.) that would preclude this from occurring. Official Plan policy should not mandate the requirement of a property owner to purchase other properties, and conversely, to sell properties. There are policies in place to require applicants to demonstrate conformity with various policy objectives, along with demonstrating that proposed developments do not preclude the overall objectives of the MTSA. These are sufficient, and we recommend that this policy be deleted in its entirety.
11. **Section 3.1(6)** of the draft Official Plan Amendment, and more specifically, proposed Official Plan **Section 3.2.8**, is a policy section specifically related to Planned MTSA’s, and speaks to the nature of these areas requiring further study to determine appropriate land use considerations before they are delineated.





Proposed Official Plan **Sections 3.2.4 through 3.2.7** provide interim policies for MTSA locations, that appear to refer to the Primary or Secondary MTSA's; those that are delineated, however, those policies are not under a specific section heading that identifies those policies as being specific to the delineated MTSA's. In addition, they include generic references to "development in a MTSA", which would include Planned MTSA's; this would appear to conflict with the Planned MTSA section (Section 3.2.8). We recommend that the previously noted proposed sections be placed under an appropriate heading to reflect the MTSA's that the policies apply to.

12. The draft Official Plan Amendment to introduce Interim MTSA Policies is premature, given that the MTSA study is ongoing, and a number of the Focus Group Sessions for the Primary MTSA's are either occurring after the Public Meeting (Mount Pleasant MTSA on February 16, 2023), or have yet to be scheduled (Bramalea GO, Brampton GO, Centre, Kennedy and Rutherford). These reflect a large number of Primary MTSA locations where the greatest heights and densities are expected to be accommodated, including the MTSA within which the subject site is located (Rutherford MTSA). We recommend any decision on this draft City-Initiated OPA be deferred until after input is received from all of the Focus Group Meetings for all of the MTSA locations.

### **Closing Remarks**

Thank you for the opportunity to provide comments on the Draft City-Initiated Official Plan Amendment – Major Transit Station Areas. Our Client reserves the right to provide further comments as necessary prior to Council approval of the Official Plan Amendment.

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,

**Andrew Walker, B.E.S., M.C.I.P., R.P.P.**  
Partner and Principal Planner

**Michael Gagnon, B.E.S., M.C.I.P., R.P.P.**  
Partner and Managing Principal Planner

**cc: Starbank Development Corporation**  
**Anthony Sirianni, Gagnon Walker Domes Ltd.**  
**Harjap Singh, Gagnon Walker Domes Ltd.**



Principals

Michael Gagnon  
Lena Gagnon  
Andrew Walker  
Richard Domes

April 24, 2023

GWD File PN 22.3206.00  
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)**  
**Starbank Development Corporation**

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to Starbank Development Corporation (Client); the Registered Owner of 285 and 295 Queen Street East, in the City of Brampton (hereinafter referred to as the "subject site"). The property is located on the south side of Queen Street East, on the west side of Highway 410 and is located within the Rutherford 'Primary' MTSA.

We have been monitoring and actively engaged in the City's MTSA Planning Study process, and we previously provided comments on the draft City-Initiated Official Plan Amendment – Major Transit Station Areas (MTSA) on February 13, 2023.

**City-Initiated Official Plan Amendment - MTSA**

On behalf of Starbank Development Corporation, we have reviewed the City of Brampton Staff Recommendation Report dated March 8, 2023, along with the accompanying revised Draft Official Plan Amendment (OPA). We note that revisions to the Draft Official Plan Amendment have incorporated most of our previous comments. Following our detailed review of the revised Draft Official Plan Amendment, we offer the following additional comments, observations and recommendations.

1. **Policy 3.2.4.1** of the draft revised OPA includes directs that "...a minimum number of residents and jobs will be applied." The next sentence then references "*The minimum number of residents and jobs combined per hectare...outlined in Table*

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- 1...’ In the first sentence, this would represent a total number of residents and jobs, while the second sentence and Table 1 are density targets that are calculated across the whole of the MTSA. We recommend that the first sentence be amended to read: ‘... a *minimum density target of residents and jobs per hectare will be applied.*’
2. **Policy 3.2.5.1** – While the revisions to policy to indicate lands within “Primary” MTSA’s and the reference to being developed in accordance with the applicable Secondary Plan designation to generally meet the listed objectives partially addresses our earlier comments, it is still not clear if the objectives of this policy are meant to be met across the whole of the MTSA, or within each development application within a “Primary” MTSA. We recommend that language be added to the policy lead-in paragraph that the objectives are to be achieved across the whole of the MTSA.
  3. **Policy 3.2.5.1 b)** – The objective for transitioning to lower density established neighbourhoods is 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 the “Primary” MTSA’s, including the subject site, where there are properties that do 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 part, and simply direct transitioning from the location of the highest built form to the existing lower density areas to achieve the appropriate transitions.
  4. **Policy 3.2.5.2 b) and c), and Policies 3.2.5.4 and 3.2.5.5** – While the revised Draft OPA replaced “if required” to “and if appropriate” with regard to maximum building heights and maximum FSI, we continue to recommend that the policy be amended to only reference the minimum heights. The subject site, along with other MTSA locations, are located in an area of the City that is subject to the recently adopted Council resolution on unlimited height and density, in addition to the letter dated February 9, 2023 to the Region of Peel which clarifies that through the modifications and approval of the Region of Peel Official Plan in November 2022, the local municipalities are not permitted to assign maximum building heights in MTSA’s.
  5. **Policy 3.2.5.3** – Is a new policy that has been added to this version of the draft OPA. The policy is vague and not clear when Inclusionary Zoning may apply, as it states that it may apply to ‘specific “Primary” MTSA’s’, but does not specify which ones. Further, it does not include criteria to decide when, if and where it would apply. Inclusionary Zoning is one (1) of many tools available to be utilized to address housing concerns, which is already being addressed through the housing compatibility component of the Planning Justification Report. We recommend that this policy be deleted in its entirety.
  6. **Policies 3.2.6, 3.2.6.1 and 3.2.6.2** – In the opening paragraph of Policy 3.2.6, it notes that Tertiary Plans be prepared if the site is adjacent to a new higher order transit station that is proposed or that the site is adjacent to an existing higher order



transit station, but then appears to expand this requirement to all areas of a “Primary” MTSA in Policy 3.2.6.1. These statements appear to contradict themselves. Further, given the language of Policy 3.2.6.1, is Policy 3.2.6.2 necessary; we recommend deletion of Policy 3.2.6.2 given the wording of Policy 3.2.6.1.

7. **Policy 3.2.6.3** – While the revised Draft OPA partially addresses our previous comments, we remain concerned as this policy still assumes that all applications are proceeding at the same time. The requirement for the submission of one joint Tertiary Plan does not recognize that different landowners may be at different stages of the development application process for their sites. We are concerned with this policy language as it has the potential to hold up applications that otherwise might be able to proceed. We recommend that the last sentence be deleted in its entirety. This is further supported by the inclusion of Policy 3.2.6.4 which speaks to the process whereby an already approved Tertiary Plan may be modified in the instance where different landowners are on different development timelines.
8. **Policies 3.2.7.1 and 3.2.7.2** – These policies speak to the responsibility of the applicant to prepare a Growth Management Strategy to assess the timing and delivery of servicing infrastructure. The policy does not reflect that in most cases this requires assessing or recommending/implementing servicing upgrades across lands that are not in the applicants control, or timing of improvements that are not in the applicants control (i.e. City and Regional Capital Works Program changes, etc.).

Further, the policy requires that the Growth Management Study be included as a section in the Planning Justification Report, meet the established terms of reference, and be to the satisfaction of the City and Region, prior to deeming the application complete. It is inappropriate to require the strategy to be to the satisfaction of the municipalities prior to deeming the application complete. The policy should only require that the strategy be deemed to have met the requirements of the terms of reference prior to deeming it complete, and thereafter, through the processing of the application and the technical review will the strategy ultimately be approved to the satisfaction of the municipalities.

### **Closing Remarks**

Thank you for the opportunity to provide further comments on the revised Draft City-Initiated Official Plan Amendment – Major Transit Station Areas. Our Client reserves the right to provide further comments as necessary prior to Council approval of the Official Plan Amendment.

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,

**Andrew Walker, B.E.S., M.C.I.P., R.P.P.**  
**Partner, Principal Planner**

**Michael Gagnon, B.E.S., M.C.I.P., R.P.P.**  
**Partner, Managing Principal Planner**

**cc: Starbank Development Corporation**  
**Anthony Sirianni, Gagnon Walker Domes Ltd.**  
**Harjap Singh, Gagnon Walker Domes Ltd.**



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July 17, 2023

GWD File: PN.22.3206.00

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**Attention:** 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 – Letter of Concern  
Brampton Major Transit Station Areas  
Draft Rutherford Road Station MTSA Land Use Plan  
285 and 289 Queen Street East  
Starbank Developments 285 Corp.

Gagnon Walker Domes Ltd. (“GWD”) acts as Planning Consultant to Starbank Developments 285 Corp. (“Starbank”); the Registered Owner of the properties municipally known as 285 & 289 Queen Street East in the City of Brampton (hereinafter referred to as the “subject site”). The subject site is located at the southwest corner of Queen Street East and Highway 410, and is located within the Rutherford ‘Primary’ Major Transit Station Area (“MTSA”).

Starbank is currently preparing redevelopment plans for the subject site, and a Pre-Application Consultation with City of Brampton Planning Staff is expected to be filed shortly. Starbank is desirous of redeveloping the subject site for a transit-oriented mixed use high-density Master Plan development. The proposal and concept plan layout will be refined as we work through the Development Application process.

Starbank has been actively engaged in the City of Brampton’s MTSA Planning Study process. This has included, but is not limited to, Starbank’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 Starbank to the City’s Planning and Development Committee dated February 10, 2023 and April 24, 2023.

Starbank is an Appellant of City of Brampton Official Plan Amendment OP2006-247.

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## **Proposed City of Brampton Recommendation Report**

We understand that the City of Brampton Planning Department is anticipating the tabling of a Recommendation Report to the July 31, 2023 Planning and Development Committee Meeting to seek Council endorsement of numerous Draft MTSA Land Use Plans, including the Draft Rutherford Road Station MTSA Land Use Plan, prior to the preparation of detailed policy associated with these draft Land Use Plans.

Starbank has significant concerns with the advancement of an MTSA Land Use Plan for Council endorsement or adoption, as it is premature in the absence of any associated policy/development framework related thereto.

### **Rutherford Road Station Draft Land Use Plan**

Notwithstanding the concerns noted above, GWD has reviewed the Draft Rutherford Road Station MTSA Land Use Plan that was 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, observations and recommendations.

- 1. *Proposed Land Use Designation and Absence of Associated Land Use Development Policies*** – The subject site is proposed to be designated ‘High-Rise Mixed-Use’, and ‘Mid-Rise Mixed-Use’ pursuant to the Draft Rutherford Road Station MTSA Land Use Plan. Additionally, two (2) ‘Proposed Public or Private Street Network’ and one (1) ‘Neighbourhood Park’ are proposed on the subject site. Three (3) ‘Mid-block Connections’ are proposed adjacent to the westerly limit of the subject site.

Currently, the subject site is designated ‘Central Area’ and located along a ‘Primary Intensification Corridor’, as well as being located within the City’s ‘Urban Growth Centre’ pursuant to the in-force City of Brampton Official Plan. Within the applicable Queen Street Corridor Secondary Plan, the subject site is designated ‘Central Area Mixed-Use’.

Starbank has significant concerns that no detailed land use planning policy has been advanced in concert with the Rutherford Road Station (MTSA) Draft Land Use Plan. In the absence of any planning policy direction, it is not possible for Starbank to appropriately review, assess and provide input on the Draft Land Use Plan to ensure that in our opinion the proposed land use is consistent/conforms with Provincial, Regional and City policies.

Given its proximity to transit and to contextual considerations, Starbank believes that the entire subject site should be designated ‘High-Rise Mixed-Use.’ In this regard, the ‘Mid-Rise Mixed-Use’ designation on the subject site should be re-designated to ‘High-Rise Mixed-Use.’

- 2. *Proposed Public or Private Street Network*** – The north-south component of the ‘Proposed Public or Private Street Network’ that connects Clark Blvd. in the south (erroneously labelled Eastern Avenue on the Rutherford Road Station Draft Land



Use Plan) with Queen Street East in the north should be relocated to be in the location of the current private driveway access through the subject site (illustrated on the Rutherford Road Station Draft Land Use Plan). The 'Mid-Block Connections' should not extend over to the relocated roadway.

**Neighbourhood Park** – We are also requesting that the 'Neighbourhood Park be relocated to the northeast corner of the north-south 'Proposed Public or Private Street Network) in the location where the current driveway access is located and the southerly east-west leg of the 'Proposed Public or Private Street Network.'

In the absence of any detailed draft land use and development policy associated with the various land use designations and overlays identified on the Draft Rutherford Road Station MTSA Land Use Plan it is our opinion that any consideration of the Draft Rutherford Road Station MTSA Land Use Plan by Planning and Development Committee or City Council is premature.

### **Closing Remarks**

In consideration of the above noted concerns, Starbank does not support the Planning Department's intent to table the Draft Rutherford Road Station MTSA Land Use Plan for Planning and Development Committee/City Council's consideration at this time.

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

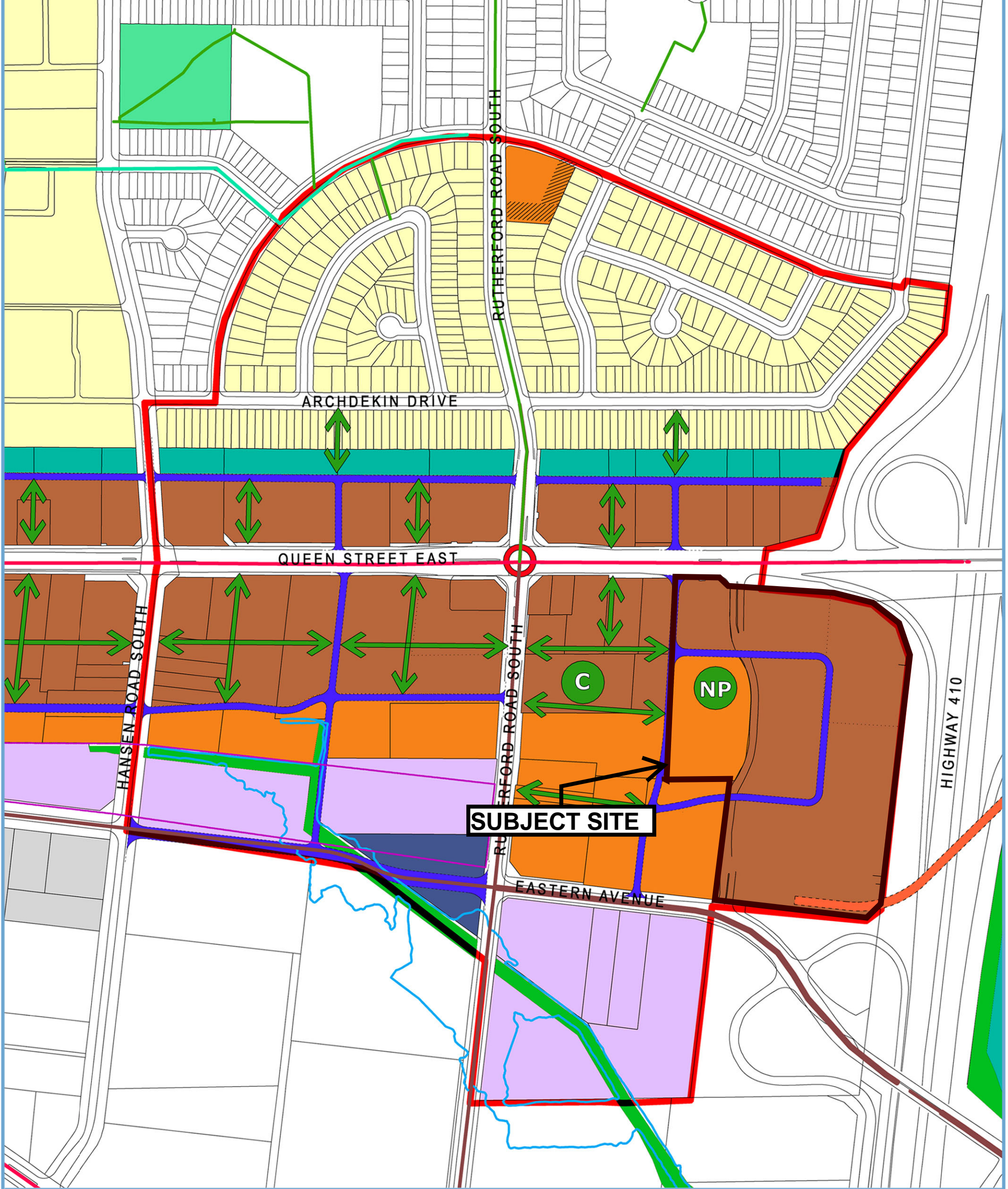
Should you have any questions, please contact the undersigned.

Yours truly,

**Andrew Walker, B.E.S., M.C.I.P., R.P.P.  
Partner and Principal Planner**

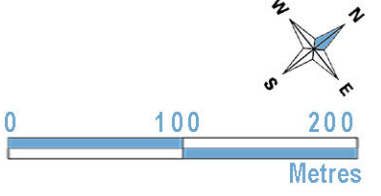
**cc: Starbank Developments 285 Corp.  
R. Mehdi, Turner Fleischer Architects  
L. Wong, Turner Fleischer Architects  
I. Kagan, Kagan Shastri DeMelo Winer Park LLP  
M. Gagnon, Gagnon Walker Domes Ltd.  
A. Sirianni, Gagnon Walker Domes Ltd.  
H. Singh, Gagnon Walker Domes Ltd.**





### LEGEND

- |                         |   |   |
|-------------------------|---|---|
| LOW-RISE RESIDENTIAL    | PROPOSED PUBLIC OR PRIVATE STREET NETWORK | EXISTING ACTIVE TRANSPORTATION NETWORK LINK |
| MID-RISE MIXED-USE      | MID-BLOCK CONNECTION                      | PROPOSED MULTI-USE PATH / BOULEVARD PATH    |
| HIGH RISE MIXED-USE     | PROPOSED PEDESTRIAN BRIDGE                | PROPOSED PROTECTED BIKE LANE OR CYCLE TRACK |
| INSTITUTIONAL           | PROPOSED LANDSCAPE BUFFER                 | PROPOSED SHARED ROADWAY                     |
| PRESTIGE INDUSTRIAL     | NATURAL HERITAGE SYSTEM                   | TRCA FLOODLINE                              |
| FIRE STATION            | EXISTING OPEN SPACE                       | SPECIAL POLICY AREA                         |
| PROPOSED PARK           | M TSA BOUNDARY                            | HEIGHT TRANSITION AREA                      |
| POTENTIAL COMMUNITY HUB | M TSA STATION                             |   |



POLICY PLANNING | PLANNING, BUILDING AND ECONOMIC DEVELOPMENT | CITY OF BRAMPTON

# BRAMPTON MAJOR TRANSIT STATION AREAS RUTHERFROD ROAD STATION DRAFT LAND USE PLAN

DRAFT FOR DISCUSSIONS ONLY MAY 2023



Principals

Michael Gagnon  
Lena Gagnon  
Andrew Walker  
Richard Domes

August 28, 2023

GWD File: PN.22.3206.00

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: Public Input – August 28, 2023 Planning Committee**  
**Statutory Public Meeting – Major Transit Station Areas**  
**Draft Brampton Plan Policies and**  
**Draft Rutherford Road Station MTSA Land Use Plan**  
**285 and 289 Queen Street East**  
**Starbank Developments 285 Corp.**

Gagnon Walker Domes Ltd. ("GWD") acts as Planning Consultant to Starbank Developments 285 Corp. ("Starbank"); the Registered Owner of the properties municipally known as 285 & 289 Queen Street East in the City of Brampton (hereinafter referred to as the "subject site"). The subject site is located at the southwest corner of Queen Street East and Highway 410, and is located within the Rutherford 'Primary' Major Transit Station Area ("MTSA").

Starbank is currently preparing redevelopment plans for the subject site, and a Pre-Application Consultation with City of Brampton Planning Staff is expected to be filed shortly. Starbank is desirous of redeveloping the subject site for a transit-oriented mixed use high-density Master Plan development. The proposal and concept plan layout will be refined as we work through the Development Application process.

Starbank has been actively engaged in the City of Brampton's MTSA Planning Study process. This has included, but is not limited to, Starbank'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 Starbank to the City's Planning and Development Committee dated February 10, 2023, April 24, 2023 and July 17, 2023.

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**GAGNON WALKER DOMES LTD.**

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Starbank is an Appellant of City of Brampton Official Plan Amendment OP2006-247.

### **City of Brampton Information Report**

We understand that the City of Brampton Planning Department is tabling an Information Report to the August 28, 2023 Planning and Development Committee Meeting, including the holding of a Statutory Public Meeting in connection with the proposed MTSA policies and schedules as part of the future Official Plan Amendment recommending adoption of Brampton Plan. Public input on the proposed policies is being sought at the Statutory Public Meeting.

### **Rutherford Road Station Draft Land Use Plan and Proposed Policies**

Notwithstanding the concerns noted above, GWD has reviewed the Draft Rutherford Road Station MTSA Land Use Plan that was 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, observations and recommendations.

- 1. *Proposed Land Use Designation and Absence of Associated Land Use Development Policies*** – The subject site is proposed to be designated ‘Mixed-Use (High-Rise Residential)’ pursuant to the revised Draft Rutherford Road Station MTSA Land Use Plan. Generally, we are supportive of this designation as it would appear to be consistent with the Manga Amendment Application.

We are also generally supportive of the Mixed-Use Areas policies. Similar to the comments above, the policies appear to be consistent with the Manga Amendment Application. In this regard, we recommend that in subsection b), that the word “required” be replaced with the words “shall be encouraged.” We support the removal of references to maximum density and heights.

Given its proximity to transit and to contextual considerations, Starbank continues to believe that the entire subject site should be designated ‘Mixed-Use.’ In this regard, the ‘Mid-Rise Mixed-Use’ designation on the subject site should be re-designated to ‘High-Rise Mixed-Use.’

- 2. *Proposed Public or Private Street Network*** – Starbank continues to believe that the north-south component of the ‘Proposed Public or Private Street Network’ that connects Clark Blvd. in the south (erroneously labelled Eastern Avenue on the Rutherford Road Station Draft Land Use Plan) with Queen Street East in the north should be relocated to be in the location of the current private driveway access through the subject site (illustrated on the Rutherford Road Station Draft Land Use Plan).

The response to the previous Input Letter in Appendix 5 of the Staff Report notes the proximity of the MTO lands for not undertaking this revision. In this regard, we note that the existing private driveway already has an existing intersection with traffic lights on Queen Street. It would be more efficient to maintain the existing intersection, than to create an entirely new one, and remove the existing one.



The 'Mid-Block Connections', south of the proposed Neighbourhood Park on the draft Land Use Plan should not extend over to the relocated roadway and through to the interior circulation road; it was not shown on the previous draft, and the change was not requested by Starbank.

- 3. Neighbourhood Park** – We also continue to request that the 'Neighbourhood Park be relocated to the northeast corner of the north-south 'Proposed Public or Private Street Network) in the location where the current driveway access is located and the southerly east-west leg of the 'Proposed Public or Private Street Network.'

Further to the response to comments provided in Appendix 5 of the Staff Report, it would appear that staff misinterpreted the last comment, as the request was not to relocate the proposed park adjacent to Queen Street and the on-ramp to Highway 410. To assist, a plan is provided which illustrates where the request to relocate the park is to be located.

- 4. Proposed MTSA Policies** – It is unclear how the Interim Policies of OPA2006-247 are being integrated with these proposed policies. There are various criteria from the Interim policies on guiding development applications that are not part of these proposed policies. It would appear that the proposed MTSA policies for inclusion in the future Brampton Plan as outlined in Appendix 1 to the August 28, 2023 Information Report is incomplete. The full set of proposed policies should be brought forward, as opposed to a piecemeal fashion.

### Closing Remarks

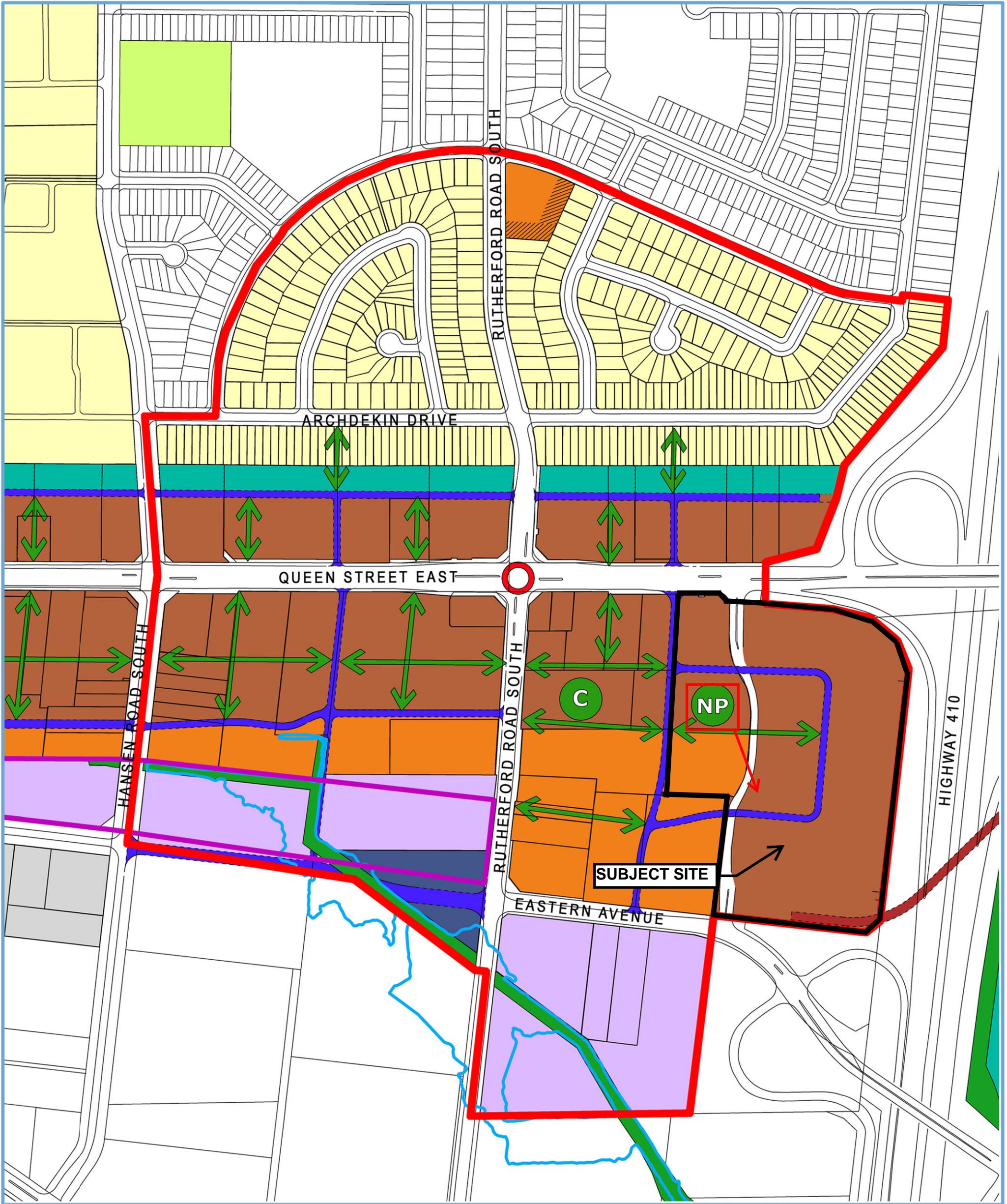
Starbank would welcome the opportunity to meet with City Staff to further discuss its concerns. We reserve the right to provide further comments.

Should you have any questions, please contact the undersigned.

Yours truly,

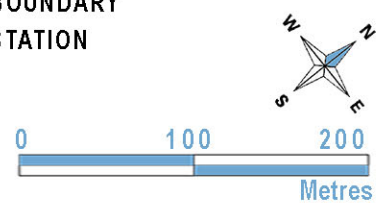
**Andrew Walker, B.E.S., M.C.I.P., R.P.P.**  
**Partner and Principal Planner**

cc: **Starbank Developments 285 Corp.**  
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**M. Gagnon, Gagnon Walker Domes Ltd.**  
**A. Sirianni, Gagnon Walker Domes Ltd.**  
**H. Singh, Gagnon Walker Domes Ltd.**



## LEGEND

- |                                      |   |   |
|--------------------------------------|---|---|
| NEIGHBOURHOOD (LOW-RISE RESIDENTIAL) | NATURAL HERITAGE SYSTEM                   | PROPOSED PUBLIC OR PRIVATE STREET NETWORK |
| MIXED-USE (MID-RISE MIXED-USE)       | PARKS AND OPEN SPACE (NEIGHBOURHOOD PARK) | MID-BLOCK CONNECTION                      |
| MIXED-USE (HIGH-RISE MIXED-USE)      | PROPOSED LANDSCAPE BUFFER                 | HEIGHT TRANSITION AREA                    |
| EMPLOYMENT (PRESTIGE INDUSTRIAL)     | SPECIAL POLICY AREA                       | M TSA BOUNDARY                            |
| EMPLOYMENT (INDUSTRIAL)              | TRCA FLOODLINE                            | M TSA STATION                             |
| EMPLOYMENT (FIRE STATION)            | PROPOSED NEIGHBOURHOOD PARK               |   |
| PROPOSED PEDESTRIAN BRIDGE           | POTENTIAL COMMUNITY HUB                   |   |



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