



Principals

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October 23, 2023

GWD File: PN.18.2532.00

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

**Attention: Mayor and Members of City of Brampton Planning and Development Committee/City Council**

**Peter Fay, City Clerk**

**Steve Ganesh, Commissioner, Planning, Building and Growth Management**

**Henrik Zbogar, Director, Integrated City Planning**

**Subject: LETTER OF CONCERN**

**261 & 263 Queen Street East – Soneil Mississauga Inc. and Soneil Oakville Inc.**

**Item 7.1: October 23, 2023 Planning and Development Committee Meeting; Recommendation Report – Proposed Adoption of the City of Brampton 2023 Official Plan (Brampton Plan); Proposed Adoption of Major Transit Station Areas Policies**

Gagnon Walker Domes Ltd. (“GWD”) acts as Planning Consultant to Soneil Mississauga Inc. and Soneil Oakville Inc. (“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 Hurontario Street and County Court Boulevard and is within the QUE-3 Rutherford ‘Primary’ Major Transit Station Area (“MTSA”) and the City’s ‘Urban Growth Centre’.

Soneil has been actively engaged in the City of Brampton’s Official Plan Review process and associated MTSA Planning Study. This has included, but is not limited to: written correspondence provided to the City on the initial draft of the ‘new’ City of Brampton Official Plan on June 14, 2022; Soneil’s participation in the Rutherford MTSA Focus Group Session hosted by City Staff on March 23, 2023; and through written correspondence provided to the City on the Draft Rutherford MTSA Land Use Plan and Draft MTSA policies dated April 24, 2023, May 15, 2023, July 18, 2023 and August 28, 2023. Soneil has also appealed the City’s decision to adopt Official Plan Amendment OP2006-247 to the Ontario Land Tribunal (OLT-23-00609, Appeal 008631).

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Soneil participated in a Pre-Application Consultation with City of Brampton Planning Staff in November 2022 (City File No. PRE-2022-0158). Soneil currently plans to redevelop the subject site with a transit-oriented, mixed-use Master Plan 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 to 20 storey residential building located at the southwest corner of the subject site. The Master Plan proposes approximately 2,810 dwelling units and 2,450 m<sup>2</sup> of new commercial floor space. A formal Zoning By-law Amendment application for the proposed Soneil redevelopment is scheduled to be submitted to the City of Brampton in early 2024.

GWD writes to express Soneil's concerns regarding the recommendations contained within the City of Brampton Planning Department's Recommendation Report (dated October 23, 2023) entitled "Proposed Adoption of the City of Brampton 2023 Official Plan (Brampton Plan)"/ "Proposed Adoption of Major Transit Station Areas Policies", which recommends that City Council authorize the passing of a by-law (draft by-law attached as Attachment 1 to the Recommendation Report) to repeal the 2006 City of Brampton Official Plan (except for Part II and Part II) and to adopt the 'new' proposed 2023 City of Brampton Official Plan.

## **OVERVIEW of the 'NEW' PROPOSED 2023 CITY of BRAMPTON OFFICIAL PLAN LAND USE DESIGNATIONS & OVERLAYS**

The following are the key designations and overlays that are proposed to apply to the subject site pursuant to the final draft of the 'new' proposed 2023 City of Brampton Official Plan:

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

## **SONEIL'S CONCERNS with the FINAL DRAFT of the 'NEW' PROPOSED 2023 CITY of BRAMPTON OFFICIAL PLAN**

GWD has reviewed the aforementioned Recommendation Report, including the final draft of the 'new' proposed 2023 City of Brampton Official Plan, on behalf of Soneil. Soneil has significant concerns with the final draft of the 'new' proposed 2023 City of Brampton Official Plan as highlighted below:



## **1. City Structure: Urban Centres & Urban Growth Centre**

Soneil acknowledges Policy 1.1.8b) which confirms that land uses and designations that were approved prior to the implementation of the 'new' proposed 2023 City of Brampton Official Plan will be permitted to be established and continue without the need for an amendment to the 'new' proposed 2023 City of Brampton Official Plan. Further, proposed Policy 1.1.8d) acknowledges that where there is a conflict between the Secondary Plan and the 'new' proposed 2023 City of Brampton Official Plan, that the Secondary Plan policies will prevail unless otherwise specified.

Pursuant to previous written correspondence, the subject site should continue to be designated in the 'new' proposed 2023 City of Brampton Official Plan to reflect the current land use permissions for the subject site and its role within the City Structure. The City's Central Area and Urban Growth Centre have historically been identified as the primary focus for the accommodation of the City's planned growth, at the City's highest intensity, since the City's adoption of the current 2006 Official Plan. Pursuant to the Provincial Growth Plan, the Urban Growth Centre is an area of Provincial significance that is to accommodate amongst the highest density and built form in the City of Brampton. The proposed new land use designations and overlays for the subject site, which appear to remove the subject site from the Central Area designation and omit it from the limits of the new 'Urban Centres' overlay, effectively down-designates the subject site within the City Structure.

In the absence of the 'Urban Centre' overlay, according to Table 5 building types shall be restricted to Mid-Rise forms in the absence of additional detailed study; and if determined to be appropriate through additional study, High-Rise buildings shall be inferior in scale to those with 'Urban Centres'. The subject site should be identified in the 'new' proposed 2023 City of Brampton Official Plan as being an appropriate location for amongst the highest, most intense mixed use developments within the City.

- **Requested Modification: Add the subject site into the limits of an 'Urban Centre' on Schedule 1A – City Structure**

## **2. Building Typologies**

- Table 5 provides an summary of the range of built forms permitted within each designation or overlay within the 'new' proposed 2023 City of Brampton Official Plan. For lands that are located within an 'Urban Centre' overlay, High-Rise buildings are permitted. However, pursuant to Table 5 the determination of the appropriate height of High-Rise buildings will be confirmed through additional study, Secondary Plans and the 'new' proposed 2023 Official Plan policies. Consideration of the detailed analysis completed as part of site specific development applications must also be acknowledged in Table 5 as part of the determination of High-Rise building heights.



- **Requested Modification: Modify Table 5 by including the following at the end of the 3<sup>rd</sup> column pertaining the Additional Permissions for Urban Centres “... as well as through the consideration of site specific development applications”.**

### 3. Urban Design

- Policy 3.1.1.7 outlines the intent that new development shall consider the existing context, however it should be appropriately specified that the planned context also requires consideration.
  - **Requested Modification: Revise Policy 3.1.1.7b) to also consider planned context for new developments.**
- Policy 3.1.1.9 should more specifically require that new development not “adversely” impact adjacent properties from a wind, noise, vibration, traffic perspective. Further, reference to the polices and/or schedules of ‘new’ proposed 2023 City of Brampton Official Plan should be included to clarify the location of noted “view corridors” that are intended to be protected through this policy. In addition, the intent to protect daylight and privacy between buildings should be quantified.
  - **Requested Modification: Revise Policy 3.1.1.9 to include the word “adversely” preceding the words “adjacent properties”.**
  - **Requested Modification: Revise Policy 3.1.1.9 to include reference or definition of “view corridors”.**
  - **Requested Modification: Revise Policy 3.1.1.9a) to include the word “adequate” preceding the word “daylight” and delete the word “protect” preceding the word “privacy”.**
- Policy 3.1.1.15 outlines consideration for development and place making for all new developments, however the considerations outlined in this policy may not apply to all new development.
  - **Requested Modification: Revise the last sentence of the first paragraph to Policy 3.1.1.15 to include the words “Where applicable,” preceding the words “all new development”.**
- Policy 3.1.1.54 outlines design considerations between the transition for High-Rise buildings to abutting low-rise areas in order to permit High-Rise built forms. This policy is vague may discourage the development of High-Rise buildings at appropriate locations within Strategic Growth Areas such as MTSAs. Further, it is not clear what is meant by “very tall towers” nor what is considered “greater minimum tower separation”. This should be clarified or the policy removed from draft Official Plan policy.



- **Requested Modification: Revise Policy 3.1.1.54 by deleting the first sentence, and clarifying what is considered “very tall tower”.**

#### **4. Sustainable Development Polices**

- Policy 3.2.3.3 of the ‘new’ proposed 2023 City of Brampton Official Plan is intended to promote energy and emission reductions towards near net-zero greenhouse gas emissions, however the use of the word “will” in this policy makes the implementation of near net-zero buildings and communities a requirement. This policy is intended to be aspirational and accordingly Policy 3.2.3.3 should be modified.
  - **Requested Modification: Replace the word “will” following the word “buildings” with the words “are encouraged to”.**
- Policy 3.2.4.3 and Policy 3.2.6.2 direct that development applications must include a climate change vulnerability and risk assessment and adaptation checklist to assess potential impact as a result of climate change. Soneil is concerned with its ability to submit the requested assessment and checklist as part of any future development application(s), as this contentious global issue may be out of the scope of a single, site specific development application.
  - **Requested Modification: Delete Policy 3.2.4.3**
  - **Requested Modification: Delete Policy 3.2.6.2**
- Policy 3.3.1.2, Policy 3.3.1.60, Table 8 and Table 9 outline the City of Brampton’s affordable housing targets. Soneil has concerns with the overly ambitious affordable housing targets and associated policies of the of the ‘new’ proposed 2023 City of Brampton Official Plan concerning affordable housing. These new policies are not contained within the 2006 City of Brampton Official Plan. Soneil requests that the City reconsider its affordable housing targets and associated policies to ensure that it correctly balances the level and extent of affordable housing with other housing needs to ensure that municipal efforts to deliver affordable housing do not deter or frustrate the development of all housing within the City of Brampton.

#### **5. Precinct Planning**

- Policy 2.1.2.46, and Policies 5.5.18 through 5.5.26 include new proposed Official Plan policies regarding Precinct Planning that do not currently apply to the subject site under the 2006 City of Brampton Official Plan. Specifically, proposed Policy 5.5.19 stipulates that Precinct Plans will be approved through an Official Plan Amendment, prior to the approval of any Draft Plan of Subdivision or “significant” Zoning By-law Amendment within that Precinct.



It is Soneil's position that a Precinct Plan is not required to advance a future Zoning By-law Amendment application for the subject site and that the requirement of a Precinct Plan would unnecessarily delay the planned redevelopment of the subject site and abutting parcels to the west.

## **6. Complete Application Requirements**

- Section 5.11 of the 'new' proposed 2023 City of Brampton Official Plan outlines Pre-Consultation requirements including criteria to have a development application deemed "complete" by the City. This includes the proposed requirement that a development application will only be deemed "complete" once, amongst other matters, confirmation is provided by the Region of Peel that servicing and transportation capacity is present or has been committed to. Soneil is concerned with the proposed policy framework in the of the 'new' proposed 2023 City of Brampton Official Plan to establish development application "completeness".

## **Closing Remarks**

As summarized above, Soneil has significant concerns with respect to the final draft of the 'new' proposed 2023 City of Brampton Official Plan. On behalf of Soneil, GWD **requests that Planning and Development Committee refer the Recommendation Report back to Planning Staff to provide the opportunity for Soneil and Planning Staff to participate in additional consultation in effort to address Soneil's concerns.**

It is GWD's understanding that the Region of Peel remains the approval authority as it pertains to the final approval of the 'new' proposed 2023 City of Brampton Official Plan at this time. We reserve right to provide additional comment to the City of Brampton and/or the Region of Peel on behalf of Soneil in connection with this matter prior to final approval.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Richard Domes', written over a light blue circular stamp.

**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