

ISSUE DATE:
<b>Oct. 24, 2008</b>



Ontario  
Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

PL080248  
**PL051048**  
PL051251  
PL061159

Sierra Club of Canada Peel Region Group, Orlando Corporation, Maple Lodge Farms Limited, The May Family and related Corporations, Brampton Brick Limited and 840966 Ontario Limited and others have appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the Region of Peel to approve Amendment # 16 to the Region of Peel Official Plan

Approval Authority File No. P-05-022

OMB File No. O050167

OMB Case PL051048

Northwest Brampton Landowners Group Inc., 840966 Ontario Limited, Orlando Corporation and others have appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 300-255 of the City of Brampton

OMB File No. R050276, R060007 to R060013 and R060043

OMB Case No.: PL051251

Northwest Brampton Landowners Group Inc., 840966 Ontario Limited, Orlando Corporation and others appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the City of Brampton to approve Proposed Amendment No. 93-255 to the Official Plan for the City of Brampton

Approval Authority File No. P27-OP93-251

OMB File No. O050198, O060007 to O060012

OMB Case No.: PL051251

Orlando Corporation, 840966 Ontario Limited, Ivy Manor Estates Limited and others have appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the City of Brampton to approve Amendment No. OP92-270 to the Official Plan for the City of Brampton

Approval Authority File No.: P26S-40

OMB File No. O060221

OMB Case PL061159

Orlando Corporation, 840966 Ontario Limited and John Cutruzzola and others have appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the City of Etobicoke to City of Brampton to approve Amendment No. OP92-271 to the Official Plan for the City of Brampton

Approval Authority File No.: P26S-40)

OMB File No. O060222

OMB Case PL061159

Ornstock Developments Ltd., Lorwood Holdings, Inc., Ivy Manor Holdings Inc. and others have appealed to the Ontario Municipal Board under subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the Region of Peel to approve a New Official Plan for the City of Brampton

Approval Authority File No. P13MOP012

OMB File No. PL080248

**APPEARANCES:**

**Parties**

**Counsel/Agent\***

City of Brampton

Barnet Kussner

Regional Municipality of Peel

Stephen Garrod

Regional Municipality of Halton  
Town Of Halton Hills

Jeffrey Wilker/David Germain

Orlando Corporation  
Akeda Holdings Limited

Leo Longo

840966 Ontario Limited

Gerald Swinkin

Maple Lodge Farms Ltd.  
Brampton Brick Limited

Ronald Webb/Neil Davis

Mario and Maria Fasulo

Neil Davis

Ornstock Developments Limited

Murray Chusid

802158 Ontario Limited  
Queen/50 Developments Inc.

Mary Flynn-Guglietti

Kindwin (Mayfield) Development  
Corporation  
Osmington Inc.  
Heathwood Homes Limited

Michael Melling/Katarzyna Sliwa

Ivy Manor Estates Inc.  
Destona Homes (2003) Inc.  
Lorwood Holdings Inc.  
121249 Ont. Inc. (West)

Jason Park

1212949 Ontario Inc. (East) 2149014 Ontario Inc.	Blair Taylor
Elaine Crawford/R.W. Crawford Embleton Properties Inc.	Thomas Arnold
North West Brampton Landowners Group Inc. Metrus Development Inc. Metrus Central Properties Tesch Development Inc.	Nancy Smith
Catholic Cemeteries Archdiocese of Toronto	Mike Everard* (DNA)
Great Gulf Group of Companies	Lyn Townsend
Northview Downs Development Ltd.	Chris Barnett
Harvest Worship Centre (2055835 Ontario Inc.) Suraksha Sharma	Stephen D'Agostino/Beth Stacey
Huttonville Residents Association	George Kee*/Anthony Mason* (DNA)
Green Acres Farm (Participant)	Douglas Lent
John Cutruzzola	
Mark Argiriu	DNA

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. de P. SEABORN  
ON OCTOBER 7, 2008 AND ORDER OF THE BOARD**

The matters before the Board were scheduled for a further Pre-Hearing Conference and relate to numerous appeals in connection with the 2006 Brampton Official Plan, Regional Official Plan Amendment #16 (ROPA 16), Brampton West Secondary Plan, and Corridor Protection planning documents.

The parties have made considerable progress in setting out the issues and clarifying which policies are under appeal with respect to each official plan. Accordingly, at the request of Counsel for the Region and the City, the Board is in a position to issue orders approving those parts of the respective plans that are not under appeal. In this regard, the Board was provided with draft Orders approving each plan and planning evidence was presented by way of affidavit in support of the orders sought. There was no objection from Counsel appearing for the various appellants.

Accordingly, the Board approves the ROPA 16 and the 2006 Brampton Official Plan on the bases set out in Attachments "1" and "2" respectively, which include the Board's Orders in respect of these approvals.

With respect to the issues for the hearing, they are set out in Attachment "3" (Exhibit 7, as amended). Counsel have agreed that the Issues List is provided on the basis that there may be scope for modification of the issues as the pre-hearing process proceeds.

The next pre-hearing conference is scheduled for December 8, 2008 at 10am, Peel Living Centre, 9 Wellington Street, Brampton. There shall be no further notice of hearing and I remain seized of the pre-hearing process. At the next pre-hearing conference draft procedural orders will be finalized and, where appropriate, hearing dates for site-specific appeals can be set.

There shall be no further Notice of Hearing. I remain seized of the case management and pre-hearing process in respect of these matters.

This is the Order of the Board.

"J. de P. Seaborn"

J. de P. SEABORN  
VICE CHAIR

ATTACHMENT "1"

PL051048

ONTARIO MUNICIPAL BOARD

Sierra Club of Canada Peel Region Group, Orlando Corporation, Maple Lodge Farms Limited, The May Family and related corporations, Brampton Brick Limited and 840966 Ontario Limited have appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the Region of Peel to adopt Amendment No. 16 to the Region of Peel Official Plan

**BEFORE:**

J. de P. Seaborn  
Vice-Chair

)  
)  
)

Tuesday, October 7, 2008

**THESE MATTERS** having come on for a public hearing:

**THE BOARD ORDERS** that in accordance with the provisions of section 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, Amendment No. 16 to the Region of Peel Official Plan is hereby approved in its entirety, save and except the portions of Amendment No. 16 listed on Appendix A, attached to and forming part of this Order, which remain subject to appeal.

**AND THE BOARD ORDERS** that the portions of Amendment No. 16 which are listed on Appendix A shall be determined through the hearing process or as otherwise consented to by the parties and approved by the Board.

**AND THE BOARD FURTHER ORDERS** that it may be spoken to in the event that any matters should arise in connection with the implementation of this Order.

SECRETARY

Draft Order prepared October 6, 2008

## Appendix A

The following portions of Official Plan Amendment No. 16 remain subject to appeal:

1. Item 36, being Section 5.6.3.2.3.
2. Item 38, being Section 5.6.3.2.5.
3. Item 48, being Section 5.6.4.2.6.
4. The following portions of item 120:
  - a. Second Bullet Point: addition of "Conceptual North-South Corridor/Bramwest Parkway Study Area"; and
  - b. Ninth Bullet Point: deletion of north-south conceptual corridor in Western Brampton.
5. The following portions of item 121:
  - a. First Bullet Point: addition of a note "Protect wider Rights-of-Way, where necessary, at intersections";
  - b. Sixth Bullet Point: modifying Winston Churchill from Steeles to Hwy.401, from 36m to 45m; and
  - c. Seventeenth Bullet Point: modifying Queen Street West from Mississauga to Chinguacousy, from 36/45m to 45m.
6. Schedule E, insofar as it applies to land designated as Conceptual North-South Corridor/Bramwest Parkway Study Area.
7. Schedule E, insofar as it applies to notation stating "North-South Corridor/Bramwest Parkway study Area – Precise major roads in these areas will be determined through future studies and Official Plan Amendments".
8. Schedule F, insofar as it applies to the notation stating "protect wider rights-of-way, where necessary, at intersections.
9. Schedule F, insofar as it applies to modifying the right-of-way width for that portion of Winston Churchill Boulevard from Steeles Avenue to Hwy.401.
10. Schedule F, insofar as it applies to modifying the right-of-way width for that portion of Queen Street West located between Mississauga Road and Chinguacousy Road.

ATTACHMENT "2"

PL080248

ONTARIO MUNICIPAL BOARD

Ornstock Developments Ltd., Lorwood Holdings, Inc., Ivy Manor Holdings Inc. and others have appealed to the Ontario Municipal Board under subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the Region of Peel to approve a New Official Plan for the City of Brampton  
Approval Authority File No. P13MOP012  
OMB File No. PL080248

BEFORE:

J. de P. Seaborn  
Vice-Chair

)  
)  
)

Tuesday, October 7, 2008

**THESE MATTERS** having come on for a public hearing.

**THE BOARD ORDERS** that in accordance with the provisions of section 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, the City of Brampton's new Official Plan is hereby approved in its entirety, save and except the policies and map schedules set out in **Exhibit "A"** [City of Brampton's New Official Plan (2006) Pending Appeals] attached hereto and forming part of this Order.

**AND THE BOARD ORDERS** that the Pending Appeals filed in respect of the City of Brampton's new Official Plan, as itemized on Exhibit "A" hereto, shall be determined through the hearing process or as otherwise consented to by the parties and approved by the Board.

**AND THE BOARD FURTHER ORDERS** that in all other respects, the City of Brampton's new Official Plan (as dated October 7, 2008) is hereby approved as set out in Exhibit "B" to Exhibit 5.

**AND THE BOARD FURTHER ORDERS** that it may be spoken to in the event some matter or matters should arise in the connection with the implementation of this Order.

SECRETARY

EXHIBIT "A"

CITY OF BRAMPTON'S NEW OFFICIAL PLAN (2006) PENDING APPEALS

Appellants' Lands Located in Bram West Secondary Plan Area  
 Site Specific Property Appeals  
 Neither  
 Both

Alto & Bertis  
 Embleton (A. Vuletic, C. Chinn)  
 W. M. Fazio (Davis Webb)  
 Great Oak (Townsend)  
 Harvest Workshop (TR)  
 Ivy Manor/Bestona (FMC)  
 Kinwin (Davies Howe)  
 Leewood (FMC)  
 Maple Lodge (Davis Webb)  
 Northview Downs (Davis)  
 NWBLG (Turkstra/Ilazza)  
 Orlando (Alto & Bertis)  
 Ormstock (Blaney & GLB)  
 Sitakeha Sharma (TR)  
 1212048 (FMC/OMH)  
 802158 (McMillan)

Appealed Policies	Alto & Bertis	Embleton (A. Vuletic, C. Chinn)	W. M. Fazio (Davis Webb)	Great Oak (Townsend)	Harvest Workshop (TR)	Ivy Manor/Bestona (FMC)	Kinwin (Davies Howe)	Leewood (FMC)	Maple Lodge (Davis Webb)	Northview Downs (Davis)	NWBLG (Turkstra/Ilazza)	Orlando (Alto & Bertis)	Ormstock (Blaney & GLB)	Sitakeha Sharma (TR)	1212048 (FMC/OMH)	802158 (McMillan)
Ss.1.4			X													
Ss.2.1						X						X				
Ss.2.2				X										X		
Ss.2.4.5				X										X		
Ss.2.5.2				X									X	X		
Ss.3.1				X										X		
Ss.3.2.2													X			
Ss.3.2.3				X									X	X		
Ss.3.2.7		X														
Ss.4.1.1.2			X			X										
Ss.4.1.1.15				X									X	X		
Ss.4.1.2		X														
Ss.4.1.4		X														
Ss.4.1.4.1				X										X		
Ss.4.1.5.7				X									X	X		
Ss.4.2.2				X										X		
Ss.4.2.2.1				X										X		
Ss.4.2.2.2				X										X		
Ss.4.2.3				X										X	X	
Ss.4.2.3.1				X										X		
Ss.4.2.3.2				X										X		
Ss.4.2.3.4				X										X		
Ss.4.2.3.6(iv)																X
Ss.4.2.4.2													X			
Ss.4.2.4.3													X			
Ss.4.2.7																X
Ss.4.2.8				X										X		
Ss.4.2.8.1				X										X		
Ss.4.2.8.5				X										X		
Ss.4.2.9				X										X		
Ss.4.2.9.5				X										X		
Ss.4.2.11				X										X		

This Pending Appeals Matrix must be read in conjunction with the City of Brampton Official Plan, as approved by the Board's Order dated October 7, 2008. It more clearly identifies specific sections, sub-sections and schedules that remain under appeal.



	Alcota (Ald & Berley)	Embleton (A & Vreider-C. Orjund)	M.C. McFadden (Davis Webb)	Great Gul (Townsend)	Harvest Worship (TR)	W. Manbr/bestona (FMC)	Kirwin (Davies-Howe)	Lorwood (FMC)	Maple Lodge (Davis Webb)	Northley Bbms (Davis)	NWBK (Triketra Mazza)	Orlando (Ald & Berley)	Oristdek (Blansys & Clab)	Suraketa Sharma (TR)	1212949 (FMC/OMH)	802158 (McMillan)
Ss.4.5.7.6	X									X	X	X				
Ss.4.5.7.7										X		X				
Ss.4.5.7.8												X				
Ss.4.5.9.2	X									X	X					
Ss.4.5.10										X						
Ss.4.5.11										X						
Ss.4.5.13 preamb	X										X					
Ss.4.5.13.7	X										X					
Ss.4.5.13.8	X										X					
Ss.4.5.13.10	X										X					
Ss.4.8				X										X		
Ss.4.8.1				X										X		
Ss.4.8.2				X										X		
Ss.4.8.8				X										X		
Ss.4.9		X		X										X		
Ss.4.9.1				X										X		
Ss.4.9.1.12											X					
Ss.4.9.1.13											X					
Ss.4.9.2				X										X		
Ss.4.9.3				X										X		
Ss.4.9.4				X										X		
Ss.4.10.2.6.2											X					
Ss.4.11										X						
Ss.4.11.1.6 (ii)				X								X	X		X	
Ss.4.11.2.3										X						
Ss.4.11.2.8										X						
Ss.4.13.2					X	X	X		X	X					X	
Ss.4.13.2.2					X	X	X			X					X	
Ss.4.13.2.2.7										X						
Ss.4.14.1 (2nd para)											X					
Ss.5.2			X	X		X			X		X	X			X	
Ss.5.4.5						X										
Ss.5.5.1					X	X	X								X	
<b>Appealed Map Schedules</b>																
Schedule 1		X											X			X
Schedule A	X	X	X	X	X	X	X				X	X		X	X	
Schedule A1		X														
Schedule A2						X		X								X

This Pending Appeals Matrix must be read in conjunction with the City of Brampton Official Plan, as approved by the Board's Order dated October 7, 2008. It more clearly identifies specific sections, sub-sections and schedules that remain under appeal.

	Airco (Aird & Berfile)	Embleton (A. Vireto, C. Grubb)	M.S. Macario (Davis Webb)	Great Gulf (Townsend)	Harvest Workshop (TR)	Ivy Manor/Destina (FMC)	Kinwin (Davies Howe)	Lorwood (FMC)	Maple Lodge (Davis Webb)	Northview Downs (Davis)	WVBLG (Turkista Mazza)	Orlando (Aird & Berfile)	Orinstock (Blansky & GLB)	Sudaksha Sharma (TR)	2128x6 (FMC/OMH)	802158 (McMillan)
Schedule B					X	X	X				X	X			X	
Schedule B1					X	X	X				X	X			X	
Schedule C								X								
Schedule C1								X			X					
Schedule D	X		X	X	X	X	X	X	X	X	X	X			X	
Schedule SP44(a)									X							
Schedule G			X	X	X	X									X	
Schedule H				X	X	X									X	
CH Map											X					

## ATTACHMENT "3"

PL080248

### ISSUES LIST

#### APPEALS AGAINST THE CITY OF BRAMPTON 2006 OFFICIAL PLAN<sup>1</sup>

- A. The Great Gulf Group of Companies (represented by Townsend, Rogers)**
1. Is it appropriate to designate land uses and environmental features respecting their properties on Schedule A and Schedule D given that the planning process for the Bram West Secondary Plan is still ongoing? Given the Note to Schedule A, will the City forego the requirement for an Official Plan Amendment if alterations are needed to be made to the Official Plan to correspond with the result of the Bram West planning process? If the answer to the latter is affirmative, the appellant stated that this part of the appeal may be withdrawn.
  2. Is the modified wording associated with "significance" in Section 4.5, Schedule D and Section 5.2 consistent with the Provincial Policy Statement and the criteria for approval under the current approved Bram West Secondary Plan?
  3. Will the "Low and Medium Density Residential" designation in the approved Bram West Secondary Plan be eliminated as it does not exist in Section 4.1.1.2 and because of the policy in Section 1.4 that the Official Plan shall prevail if there is conflict or inconsistency between the primary plan and a secondary plan?
  4. Is it appropriate and necessary to require the undertaking of a market study, as stated in Section 4.2.12, for the approval of the Service Commercial use on their property, given its small scale and existing designation in the approved Bram West Secondary Plan?
- B. Kindwin (Mayfield) Development Corporation (represented by Davies Howe)**
1. Will the "Low and Medium Density Residential" designation in the approved Bram West Secondary Plan be eliminated as it does not exist in Section 4.1.1.2 and because of the policy in Section 1.4 that the Official Plan shall prevail if there is conflict or inconsistency between the primary plan and a secondary plan?

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<sup>1</sup> The identification of specific appellants as the source of specific issues is done as a matter of convenience only. It is acknowledged that all parties to these appeals are entitled to address any of the issues that have been identified by other parties, and a party is not restricted solely to the issues identified by that party. However, issues that can be raised by any party are limited to policies which (i) are the subject of an appeal by an appellant and (ii) have not been scoped out by that appellant such that they are no longer under appeal.

2. Is it appropriate and necessary to require the undertaking of a market study, as stated in Section 4.2.1.2, for the approval of the Service Commercial use on their property, given its small scale and existing designation in the approved Bram West Secondary Plan?

3. Is it appropriate to designate environmental features respecting their property on Schedule D given that the planning process for the Bram West Secondary Plan is still ongoing? Given the Note to Schedule A, will the City forego the requirement for an Official Plan Amendment if alterations are needed to be made to the Official Plan to correspond with the result of the Bram West planning process? If the answer to the latter is affirmative, the appellant stated that they will be willing to consider withdrawing this part of the appeal.

**C. 1212949 Ontario Inc. (represented by J. Park, Fraser Milner Casgrain LLP - lands west of Heritage Rd.)**

1. Do the Corridor Protection Area policies and mapping including but not limited to Section 4.13.2 represent good planning given that they will freeze development for an indefinite period of time?

2. Why does the new Official Plan not provide a framework for cost sharing of infrastructure as well as road and bridge construction?

3. Are the environmental feature policies and mapping respecting their properties appropriate given the ongoing planning process for the Bram West Secondary Plan?

4. Whether the boundaries for Block 40-5 are appropriate?

**D. 1212949 Ontario Inc. (represented by B. Taylor, O'Connor MacLeod Hanna LLP - lands east of Heritage Rd.)**

1. Why is the alignment for Heritage Road Bypass not identified in the Official Plan? Will the Official Plan permit the division of Block Plan 40-3 into two portions? Will this result in piecemeal planning and does it represent good planning?

2. For the Finger Lands, is it onerous to require draft approval of the first residential subdivision be contingent upon the Office Centre lands fronting on Mississauga Road given that the latter is not owned by the appellant?

**E. Lorwood Holdings Inc. (represented by J. Park, Fraser Milner Casgrain LLP)**

1. Do the Corridor Protection Area policies and mapping including but not limited to Section 4.13.2 represent good planning given that they will freeze development for an indefinite period of time?

2. Does the Official Plan provide for cost sharing of infrastructure including but not limited to that for road and bridge construction?
3. Are the environmental feature policies and mapping respecting their properties appropriate given the ongoing planning process for the Bram West Secondary Plan?
4. Whether the boundaries for Block 40-5 are appropriate?

**F. Ivy Manor Estates (represented by Fraser Milner Casgrain)**

1. Do the Corridor Protection Area policies and mapping including but not limited to Section 4.13.2 represent good planning given that they will freeze development for an indefinite period of time?
2. Does the Official Plan provide for cost sharing of infrastructure including but not limited to that for road and bridge construction?
3. Are the environmental feature policies and mapping respecting their properties appropriate given the ongoing planning processing for the Bram West Secondary Plan?
4. Whether the boundaries for Block 40-5 are appropriate?

**G. North West Brampton Landowners Group (represented by Turkstra Mazza)**

1. Should the policies in Section 4.5.3.4 be re worded to include opportunities for stormwater management facilities both “within ” and “adjacent to” valley and watercourse corridors so as to provide greater flexibility for technical solutions?
2. Should the Conservation Authority and Ministry of Natural Resources be listed as commenting agencies as opposed to approval authorities in Sections 4.5.6.2, 4.5.7.6, and 4.5.7.7?
3. Is it more appropriate to refer to the Province’s Natural Heritage Reference Manual as a guide rather than prescriptive standards and if so, should the word “standards” be deleted from Section 4.5.6.6 (formerly Section 4.5.6.3)?
4. Is it appropriate and acceptable to apply the Provincial Policy Statement language to non provincially significant natural features in an urban context as set out in Sections 4.5.6.5, 4.5.7.1, and 4.5.9.2? Is it more appropriate to delete this policy and rely on other applicable policies in the Official Plan instead?
5. Regarding Section 4.5.6.15, is it appropriate to require the “no net loss” test be met with respect to the natural heritage features depicted on Schedule D which should not be finalized given that the Subwatershed Study and the Secondary Plan are still ongoing?

6. Does the policy language of Section 4.5.6.22 strike an appropriate balance between the natural and man made character of a site? Is the language inappropriately vague?
7. Regarding Section 4.5.7.2, is it appropriate to prohibit site alterations within a floodplain including community building works such as watercourse realignment that is normally acceptable if supported by a subwatershed Study or EIR?
8. Regarding Section 4.5.10, should wording be included to more appropriately reference the Conservation Authorities' strategies and models as one of the many instead of the only source of background information used to identify significant features to be protected?
9. Regarding Section 4.5.11, is the policy language for what constitutes "no negative impacts" respecting "Areas of Natural and Scientific Interest" inappropriately vague?
10. Should Schedule D be finalized when the Subwatershed Study and the Secondary Plan are still underway?
11. Regarding Section 4.11.2.3, is it appropriate for the City to require phasing of a development after the approval of an Official Plan Amendment or a Secondary Plan? Should the City not define phasing intentions during the application process and prior to the granting of approvals?
12. Regarding Section 4.11.2.8, is it appropriate to release development on the basis of an applicant's ability to attract or develop non residential assessment? Is residential assessment less desirable than non-residential assessment?
13. Regarding Section 4.13.2, is it more appropriate to replace the wording "will be required" with "maybe required" respecting the need for a north south higher order transportation corridor as the full extent of the North West Brampton development will be subject to future environmental assessment studies?
14. Regarding Section 4.13.2.2.7, is the reference to "any abutting areas (including Secondary Plan Areas 51, 52 and 53)" appropriate? Will the policy prohibit any development within North West Brampton or any land adjacent to the Corridor Protection Area until all alignments, environmental assessments, property and capital budgeting for the North South Corridor is completed and approved? Is such approach reasonable and practical and does it give recognition to the potential of implementing development based on the available and planned transportation network?
15. How does the new Official Plan relate to OP 93-255 and Zoning By-law 300-2005 (Corridor Protection) which have been appealed to the OMB?
16. Regarding Section 5.2, are the definitions for "Designated and Available" and "Designated Growth Areas" potentially contradictory? Should a secondary plan

be “completed” instead of “commenced” for land to be designated and available for residential growth?

**H. Ornstock Development Ltd. (represented by GLB and Murray Chusid)**

1. Regarding Section 2.5.2, is the policy excessively restrictive in limiting employment land conversion to residential uses applications to those initiated by municipalities only? Would it be more appropriate to judge such proposals based on individual merits and for their land, as part of the ongoing Secondary Plan Review and Block Plan process?
2. Regarding Section 3.2.2, are there too many “transit supportive node” designations that may potentially diminish and weaken the role of Downtown Core as the City’s major office centre?
3. Regarding Section 3.2.3, should major retail uses be considered as employment uses in the Brampton Official Plan to reflect the expanding role and function of the service economy?
4. Regarding Sections 3.2.3, 4.1.1.15, 4.1.5.7, 4.3.1, 4.3.1.8, 4.3.2.16 and 4.11.1.6(ii), will these policies unduly frustrate private sector initiated applications to convert employment lands to essential uses? Are these policies regarding employment land conversion adequately supported in the local context? Is the policy wording sufficiently clear as it relates to the assessment of adverse impact, long term economic development and financial well being of the City?
5. Regarding Section 4.2.4.2, is the policy overly restrictive and unreasonable in preventing the consideration of residential uses on the subject site without giving due regards to its merits including its location adjacent to natural heritage features?
6. Regarding Section 4.2.4.3, is it appropriate to require proponents to physically or financially contribute to the development of gateway features along the Mississauga Road Corridor (Bram West) which are beyond the limits of their properties?
7. Regarding Section 4.3 c), should the live work ratio be deleted as it has not been substantiated or sourced?
8. Regarding Section 4.4.2.1 (v), (vi) and (vii), is it appropriate to include target dates for road network as it may result in the postponement of development approvals until the infrastructure is built?
9. Regarding Section 4.5.2.8, is it appropriate to provide Council with the right to require an Environmental Impact Report (EIR) even when it can be demonstrated that such a Report may be unnecessary?

10. Regarding Sections 4.5.6.2, 4.5.7.6, and 4.5.7.7, should the Conservation Authority and the Ministry of Natural Resources be listed as consulting agencies rather than approval authorities?
  11. Regarding Section 4.5.7.9, is it acceptable to withhold granting parkland credits for vista blocks when they form part of the open space park system?
  12. Regarding Section 5.2, should the definitions for “Comprehensive Review” “Employment Area” and “Municipal Comprehensive Review” be revised so as to include private studies and to clarify the role and function of retail as an employment use? Are the said definitions awkward and inconsistent with one another and should they therefore be reworded?
  13. Is the extent of the ‘Employment Area’ designation on Schedule 1 and ‘Office’ designation on Schedule A reflective of their vision for the site currently being considered in the ongoing Secondary Plan Review and Block Plan process?
  14. Is it appropriate to include the proposed alignment for the Heritage Road Bypass on Schedules B and B1 when it is still undetermined and will be subject to an ongoing Environmental Assessment process?
  15. Are the natural heritage feature designations on Schedule D respecting their site appropriate given the applicable environmental studies are not yet completed?
- I. Embleton Properties, Marilyn and Michael Ufkes, and Emiko and Shirley Teramoto (represented by A. Vuletic and C. Chung)**
1. Regarding Section 3.2.7, Schedule 1 and Schedule A, is it appropriate to designate Huttonville as a Unique Community without providing the attributes for such designation?
  2. Regarding Schedule A1 and all of Section 4.1.2 except 4.1.2.9, is the Upscale Executive Housing Special Policy Area designation for their land appropriate considering the local circumstances and the City’s goal of providing more affordable housing?
  3. Regarding Section 4.1.4, should their land be redesignated from Village Residential to Residential in view of its relative “remoteness and detachment” from the Village Residential uses along Embleton Road?
- J. 802158 Ontario Ltd. and Queen/50 Developments Inc. (represented by GLB and Mary Flynn-Guglietti, McMillan LLP)**
1. Respecting the Employment Areas, Business Corridors, Office and Deferral designations on Schedule 1 and Schedule A generally located on both the north and south sides of Queen Street between Highway No. 50 and McVean Drive, should designations await the decision on their applications? Should their land

be more appropriately designated Regional Retail based on the scope of retail uses proposed?

2. Should Schedule A2 be revised to reflect the limits of their properties and the Regional Retail designation proposed?
3. Regarding Section 4.2.3 and Section 4.2.7, are there too many Office Centre designations in the City? Will this undermine the effort to revitalize Downtown, Queen Street Corridor and the Bram West Office Centre?
4. Regarding Sections 4.3.1, 4.3.1.2 (ii) and 4.3.1.2 (iv), are these policies sufficiently clear and consistent, or are they contradictory and vague? In particular,
  - (i) Are the policies regarding Industrial redundant given that there are already distinct policies for Industrial designation?
  - (ii) Is it appropriate to restrict department and food stores uses serving a local function while infilling and redevelopment for noise sensitive public and institutional uses such as supportive housing are permitted?
  - (iii) Is the reference to “proximity” to 400 series Highways respecting hotel and motel uses sufficiently clear?
5. Regarding Sections 4.3.1.8, 4.3.2.16 and 4.11.1.6(iii), is it the intent to allow only municipally initiated employment land conversion applications? Should such applications be assessed on their merits, regardless of who the proponent is? Are the policies supported by local need? Are the criteria for assessing adverse impacts sufficiently clear?
6. Regarding Section 5.2, should the definitions for “Comprehensive Review”, “Employment Area” and “Municipal Comprehensive Review” be revised so as to include private studies and to clarify the role and function of retail as an employment use? Are the said definitions problematic and inconsistent with one another and should they therefore be reworded?

**K. Suraksha Sharma (represented by GLB and Stephen D'Agostino, Thomson Rogers)**

1. Regarding Section 2.2 and Section 2.4.5, do the policies sufficiently recognize the community’s cultural and religious diversity? Do the proposed policies sufficiently acknowledge Places of Worship as an essential community service and a key function in the development of a complete and sustainable community?
2. Regarding Section 2.5.2, should the Employment Areas and conversion policies prohibit Places of Worship within Employment Areas?

3. Regarding Section 3.1, should specific mention be given to Places of Worship as part of the Sustainable Planning Framework? Should Places of Worship be permitted in all land uses subject to meeting a set of reasonable criteria?
4. Regarding Sections 3.2.3, 4.1.1.15, 4.1.5.7, 4.3.1, 4.3.1.8, 4.3.2.16 and 4.11.1.6(ii), will these policies unduly eliminate private sector initiated applications to convert employment lands to essential uses? Should such proposals be considered based on their merits, regardless of the proponent?
5. Regarding Section 4.1.10.4, should applications for conversion of land to residential and associated land uses including places of worship be assessed on their merits or as part of a land use study initiated by the municipality?
6. Regarding Section 4.1.4.1, should Places of Worship be a permitted use in Village Residential?
7. Regarding Sections 4.2.2, 4.2.2.1 and 4.2.2.2, should specific policies be included to permit Places of Worship in the Central Area?
8. Regarding Sections 4.2.3, 4.2.3.1, 4.2.3.2 and 4.2.3.4, should Places of Worship be permitted in Employment Areas since the Official Plan already provide for a broad range of sensitive uses in Employment Areas?
9. Regarding Sections 4.2.8 and 4.2.8.1, 4.2.8.5, 4.2.9, 4.2.9.5 and 4.2.11, should these Retail policies explicitly include Places of Worship as a permitted use?
10. Regarding Sections 4.3.2 and 4.3.2.1, should the Industrial policies explicitly include Places of Worship as a permitted use and not be dependent on a designation in a Secondary Plan?
11. Regarding Sections 4.8, 4.8.1, 4.8.2 and 4.8.8, is it premature to approve these policies in view that the Places of Worship Policy Review is still ongoing? Should applications be considered on their own merits while the Policy Review is underway?
12. Regarding Section 4.9, 4.9.1, 4.9.2, 4.9.3 and 4.9.4, is it appropriate from a land use perspective to prohibit Places of Worship within historic districts? Should the reference to "Cultural Heritage" be expanded to include "adaptive reuse" of all structures including homes and not just heritage resources? Should "adaptive reuse" be applied to accommodate Places of Worship as well?
13. Regarding Section 5.2, are the definitions for "Comprehensive Review", "Employment Area" and "Municipal Comprehensive Review" appropriate as they relate to employment land conversion and the review of privately filed applications? Should the definition for "Community Services" explicitly include Places of Worship? Are the definitions inconsistent

**L. Harvest Worship Centre (represented by Stephen D'Agostino, Thomson Rogers)**

1. Regarding Section 2.2 and Section 2.4.5, do the policies sufficiently recognize the community's cultural and religious diversity?
2. Regarding Section 2.5.2, should the Employment Areas and conversion policies prohibit Places of Worship within Employment Areas?
3. Regarding Section 3.1, should specific mention be given to Places of Worship as part of the Sustainable Planning Framework? Should Places of Worship be permitted in all land uses subject to meeting a set of reasonable criteria?
4. Regarding Sections 3.2.3, 4.1.1.15, 4.1.5.7, 4.3.1, 4.3.1.8, 4.3.2.16 and 4.11.1.6(ii), will these policies unduly eliminate private sector initiated applications to convert employment lands to essential uses? Should such proposals be considered based on their merits, regardless of the proponent?
5. Regarding Section 4.1.10.4, should applications for conversion of land to residential and associated land uses including places of worship be assessed on their merits or as part of a land use study initiated by the municipality?
6. Regarding Section 4.1.4.1, should Places of Worship be a permitted use in Village Residential?
7. Regarding Sections 4.2.2, 4.2.2.1 and 4.2.2.2, should specific policies be included to permit Places of Worship in the Central Area?
8. Regarding Sections 4.2.3, 4.2.3.1, 4.2.3.2 and 4.2.3.4, should Places of Worship be permitted in Employment Areas since the Official Plan already provide for a broad range of sensitive uses in Employment Areas?
9. Regarding Sections 4.2.8 and 4.2.8.1, 4.2.8.5, 4.2.9, 4.2.9.5 and 4.2.11, should these Retail policies explicitly include Places of Worship as a permitted use?
10. Regarding Sections 4.3.2 and 4.3.2.1, should the Industrial policies explicitly include Places of Worship as a permitted use and not be dependent on a designation in a Secondary Plan?
11. Regarding Sections 4.8, 4.8.1, 4.8.2 and 4.8.8, is it premature to approve these policies in view that the Places of Worship Policy Review is still ongoing? Should applications be considered on their own merits while the Policy Review is underway?
12. Regarding Section 4.9, 4.9.1, 4.9.2, 4.9.3 and 4.9.4, is it appropriate from a land use perspective to prohibit Places of Worship within historic districts? Should the reference to "Cultural Heritage" be expanded to include "adaptive reuse" of all

structures including homes and not just heritage resources? Should “adaptive re use” be applied to accommodate Places of Worship as well?

13. Regarding Section 5.2, are the definitions for “Comprehensive Review”, “Employment Area” and “Municipal Comprehensive Review” appropriate as they relate to employment land conversion and the review of privately filed applications? Should the definition for “Community Services” explicitly include Places of Worship?

**M. Mario and Maria Fasulo (represented by N. Davis, Davis Webb)**

1. Regarding Section 4.2.14, does the policy sufficiently reflect the breadth of live work arrangements in the City?
2. Regarding Section 4.9 and 4.9.2, do the Cultural Heritage and Cultural Heritage Landscape policies adequately reflect the scope of Brampton’s history and heritage? Is the definition for “Cultural Heritage” sufficiently clear?

**N. Orlando Corporation (represented by L. Longo, Aird & Berlis)**

1. Regarding Schedules A, B, and B1, and Sections 2.1, 4.4.2.4, 4.4.2.15 to 4.4.2.18, 4.13.2 and 4.13.2.2, should the North South Transportation Corridor be realigned to go westerly into Halton Region instead of going through their land south of Steeles Avenue West such that the Corridor Protection Area designation and related policies on their land can be removed?
2. Regarding Schedules B and B1 and Section 4.4.2.4, is the proposed extension of Edgewater Road west of Heritage Road appropriate?
3. Regarding Sections 4.5.6.2, 4.5.6.5, 4.5.7.6 and 4.5.9.2, should the Credit Valley Conservation Authority be given an approval role as supposed to a consultative role?
4. Are the buffer and dedication policies appropriate including Sections 4.5.6.19, 4.5.6.21, and 4.5.6.22 (i) and (vii), the preamble of Section 4.5.13, Sections 4.5.13.7, 4.5.13.8, and 4.5.13.10? Are they consistent with the Planning Act parkland dedication requirements?
5. Is the “Other Wetlands” designation on Schedule D respecting their land appropriate?
6. Is the pathway proposed on the lands south of Steeles Avenue West as depicted on Schedule C1 appropriate?
7. Is the Class B Heritage designation for 2377 Steeles Avenue West appropriate? Is the requirement for onsite retention of cultural heritage resources including Sections 4.9.1.12 and 4.9.1.13 appropriate?

8. Regarding Section 4.3.2.11, is it appropriate or does it represent good planning to restrict the location and extent of warehousing and distribution uses as a means to minimize impacts on the proper functioning of the road network and to provide for other uses that yield greater employment or assessment?
9. Regarding Section 4.3.2.18(i), is it appropriate or does it represent good planning to locate the majority of building frontage on an Industrial site close to the street line of the frontage and to remove buildings requiring loading doors from arterial and collector roads?
10. Regarding Section 4.4.11, are the Transportation Implementation and Monitoring policies appropriate or do they represent good planning?
11. Regarding Section 4.5.6.22 (i), is it appropriate or does it represent good planning to require the maintenance of the landforms and physical features of the site in their natural state to the greatest extent possible to ensure protection and enhancement of natural heritage in development design?
12. Regarding Section 4.5.6.22 (vii), is it appropriate or does it represent good planning to require project proponent to convey watercourse and valley corridors and associated buffer and setback gratuitously to the City or the Conservation Authority to ensure that they are conserved in perpetuity from development?
13. Regarding Section 4.5.9.2, is it appropriate or does it represent good planning to require development and site alteration on land adjacent to Provincially Significant Wetlands or lands within or adjacent to other significant wetlands be subject to the demonstration of no negative impact on natural features and their ecological functions?
14. Regarding Section 4.10.2.6.2, is it appropriate or does it represent good planning that semi public open spaces are not considered as contributing to parkland dedications under the Planning Act?
15. Regarding Section 4.14.1 second paragraph, is it appropriate or does it represent good planning to release a greater proportion of North West Brampton development based on future transportation and environmental studies, and on the assumption that the development of Bram West and other areas could be limited in advance of a clear commitment to a North South Higher Order Transportation Corridor?

**O. Akeda Holdings (represented by L. Longo, Aird & Berlis)**

1. Are the Open Space designation on Schedule A and Valleyland Watercourse Corridor designation on Schedule D respecting their land appropriate?
2. Regarding Sections 4.5.6.2, 4.5.6.5, 4.5.7.6 and 4.5.9.2, should the Toronto Region Conservation Authority be given an approval role as supposed to a consultative role?

3. Are the buffer and dedication policies appropriate including Sections 4.5.6.19, 4.5.6.21, and 4.5.6.22 (i) and (vii), the preamble of Section 4.5.13, Sections 4.5.13.7, 4.5.13.8, and 4.5.13.10? Are they consistent with the Planning Act parkland dedication requirements?
4. Regarding Section 4.5.6.22 (i), is it appropriate or does it represent good planning to require the maintenance of the landforms and physical features of the site in their natural state to the greatest extent possible to ensure protection and enhancement of natural heritage in development design?

**P. Maple Lodge Farms (represented by R. Webb, Davis Webb)**

1. Should the Corridor Protection Area designation on Schedules "A", "B" and "B1" permit consideration of a more easterly alignment adjacent to the creek for the future Bram West Parkway instead of across Maple Lodge Farms' land on Lots 1, 2 and 3 Concession 6 W.H.S.?
2. Should the North South Collector Road designation in Concession 5 as shown on Schedules "B" and "B1" be extended straight southerly to Steeles Avenue instead of teeing back into Heritage Road north of Steeles Avenue to avoid mixing of industrial and residential traffic along this collector road?
3. Should the alignment of the Secondary Transit Corridor along Financial Drive on Schedule "C" within Concessions 5 and 6 W.H.S. be revised to match that of the alignment of Financial Drive on Schedules "B" and "B1" such that it does not bring a transit corridor through or immediately adjacent to the land used for the existing Maple Lodge Farm operation?
4. Should the proposed Citywide Pathway on Schedule "C1" that runs through the Maple Lodge Farms property, specifically land within Concession 6 W.H.S. south of Credit River be deleted as the easement is not in public ownership?
5. Should the Wetland designation on Schedule "D" for the following lands be deleted as they appear to be under cultivation and are not wetlands:
  - (i) An area extending north of the Maple Lodge Farms lagoon in the western half of Lot 3 Concession 6;
  - (ii) An area near the mid concession forest extending west in a 'V' shape from the said forest in the western half of Lot 4 Concession 6;
  - (iii) An area near the northern limit of Lot 4 close to Winston Churchill Boulevard in the western half of Lot 4 Concession 6; and,
  - (iv) An area extending north from the southern limit of Lot 5 in the western half of Lot 5 Concession 6.

6. Should Block Plan 40-4 be deleted from both Schedule "H" and Section 5.5.1 as the requirement for block plan and associated planning approvals will unduly delay the continued growth of the Maple Lodge Farms operation? Should the southerly boundary of Block Plan Area 40-5 be revised to coincide with the creek north of Financial Drive, since the creek serves as a natural boundary and such that most of the designated Industrial area can be included into Block Plan Area 40-4? Alternatively, should Section 5.5.1 be modified to provide exemption for the expansion of Maple Lodge Farms industrial facility?
7. Should Section 4.13.2.2 be deleted as neither the Bram West Parkway nor the north south transportation facility are necessitated by the existing or planned development on the Maple Lodge Farms lands? Is it fair or equitable to require that lands owned by Maple Lodge Farms within the Corridor Protection Area or abutting area to contribute property and/or capital towards construction of the facility? Alternatively, should Section 4.13.2.2. be modified to provide exemption for the Maple Lodge Farms lands? Similarly, should other relevant policies including Sections 4.4.2.13, 4.4.2.15, 4.4.2.16, 4.4.2.17, 4.4.2.18 and 4.13.2 be either deleted or modified to provide exemption for the Maple Lodge Farms lands?

**Q. Northview Downs (represented by Chris Barnett, Davis LLP)**

1. Is the proposed designation of the Northview Downs lands (as shown on Schedule A2 of the Official Plan) to permit the development of the subject property as a convenience retail centre appropriate at this time?