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SENT VIA EMAIL

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October 5, 2022

Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, Ontario
M7A 2J3

Attention: Minister Clark

**Re: Region of Peel Official Plan Comments
c/o DG Group
City of Brampton
Region of Peel**

Dear Minister Clark,

KLM Planning Partners Inc. acts on behalf of DG Group and their affiliated companies that have been developing land within the Region of Peel for decades.

We have provided input into the Region of Peel Official Plan process and offer the following concerns that remain with the document, including:

Section 2.6.9 “Require the use of low impact development and green infrastructure approaches, as appropriate, to mitigate and adapt to climate change impacts, mitigate the impacts of development on natural heritage features, support the efficient and sustainable use of water resources and to manage stormwater.”

Municipalities are reluctant at best to accept low impact and green infrastructure yet conservation authorities are the ones that push this agenda however they are not the ones that will ultimately take ownership of it. If this is the direction required, then municipalities should revise their standards to reflect the inclusion of these measurers. Without the standards the development industry does not have a benchmark to follow.

Recommendation: In our view, this policy should be amended as follows: “***Encourage*** the use of low impact development and green infrastructure approaches, as appropriate, to mitigate and adapt to

climate change impacts, mitigate the impacts of development on natural heritage features, support the efficient and sustainable use of water resources and to manage stormwater.”

Section 2.6.20.7.e) *“incorporate appropriate low impact development and green infrastructure approaches.”*

Recommendation: Similar to the above, the policy should state *“**encourage** appropriate low impact development and green infrastructure approaches.”*

Section 2.14 and Tables 1 and 2, which outline the policies related to Regional Greenland systems, in our view needs a complete re-work. As noted above, the policies should be clear that those features which are identified through natural heritage studies and field verified, should be maintained. Otherwise, there is no need for additional and somewhat superfluous policies dealing with matters that are not relevant in determining what is and what is not developable land.

Section 2.14.29 *“Direct the local municipalities to interpret woodlands to include cultural woodlands and cultural savannahs. The interpretation, significance and level of protection of cultural woodlands and cultural savannahs shall be determined in accordance with Policy 2.14.20 and the criteria in Table 1. Within the Urban System, as shown on Schedule E-1, the significance and protection of these woodlands will require an additional evaluation through natural heritage studies required by the local municipalities in consultation with relevant agencies to evaluate and confirm the quality and function of the woodlands. The important ecological functions associated with cultural woodlands and cultural savannahs within the Urban System that contribute to the ecological function and integrity of the Greenlands System are recommended to be identified, protected and/or mitigated through restoration or enhancement to the greatest extent possible in accordance with the policies of this Plan”.*

Why would cultural woodland and savannah’s require protection? In our opinion we believe this is where hedgerows would be captured, which is ridiculous. Protect what needs to be protected, not the outliers or hedgerows.

Recommendation: In our view, this policy should be revised to state: *“Local municipalities shall only protect significant natural heritage features which have been identified through natural heritage studies and in field examination.”*

Section 3.7.8 *“Direct the local municipalities to incorporate policies in their official plans to require sustainable site and building design and construction practices, including policies, guidelines and standards that encourage energy performance exceeding the Ontario Building Code, where possible, and that work toward the objective of achieving net-zero emission buildings and communities. The policies, guidelines and standards should incorporate a range of measures to promote energy conservation and efficiency, the installation of alternative and renewable energy systems, water conservation, and orienting buildings and planting vegetation to maximize the use of solar and wind energy”.*

Why are we setting OP policies that are greater than the building code? The building code is Provincially mandated and is what should be followed.

Recommendation: In our view, this policy should be removed as it is an impediment to expedient housing construction.

Section 5.4.18.12 *“Require that between 2021 and 2051, a minimum of 55 per cent of the Region’s residential development occurring annually to be located within the Delineated Built Boundary”.*

50 is the target in P2G so why do they feel the need to exceed it?

Recommendation: In our opinion, this policy should be amended to reflect the target set out in a Place to Grow at 50%.

Section 5.4.19.6 *“Plan to achieve a minimum greenfield density target of 70 residents and jobs combined per hectare by 2051, to be measured over Peel’s Designated Greenfield Area”.*

P2G sets out the min density at 50 p/j per HA. Why is Peel using 70 as the min?

Recommendation: In our opinion, this policy should be revised to reflect the minimum target of 50 p/j per HA as required by A Place to Grow.

Section 5.4.19.7 *“Development within the Designated Greenfield Areas shall be designed to meet or exceed the following minimum densities:*

- *City of Mississauga: 87 residents and jobs combined per hectare;*
- *City of Brampton: 71 residents and jobs combined per hectare; and,*
- *Town of Caledon: 67.5 residents and jobs combined per hectare”.*

Similar to above, why is Brampton required to achieve 71 p/j per HA when the min density in P2G is 50 p/j per HA.? This min density target starts to ensure single detached dwellings will be limited in numbers in order to achieve the min density. Is this really what the Province wants to arbitrarily restrict housing types because of a much higher min density than prescribed by the Province?

Recommendation: In our view, this policy should be revised to reflect the target set out in the Growth Plan.

5.6.19.9 *“Direct the local municipalities to establish policies in their official plan for each Primary and Secondary Major Transit Station Area delineated on Schedule E-5 in accordance with Section 16(16) of the Planning Act within 1 year from the date of provincial approval, to the satisfaction of the Region that addresses the following:*

- a. *The minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated within the delineated boundary in accordance with Table 5 of this Plan;*
- b. *The authorized use of land in the area and buildings and structures within the delineated boundary; and*

- c. *The minimum densities that are authorized with respect to buildings and structures in the delineated boundary.”*

In addition to the above policy, Section 5.6.19.10 *“The local municipalities shall undertake comprehensive planning for Primary and Secondary Major Transit Station Areas to address the following matters to the satisfaction of the Region:*

- a. *the minimum density for each Major Transit Station Area as prescribed on Table 5, maximum densities may also be established at the discretion of the local municipality;*
- b. *the minimum number of residents and jobs that will be accommodated within the Major Transit Station Area;*
- c. *the permitted uses in each station that supports complete communities;*
- d. *the character of the station area or stop;*
- e. *the minimum height for land uses within the Major Transit Station Area, maximum heights may be established at the discretion of the local municipality;*
- f. *policies that prohibit the establishment of land uses and built forms that would adversely impact the ability to meet the minimum density prescribed on Table 5;*
- g. *identify and protect lands that may be required for future enhancement or expansion of transit infrastructure in collaboration with municipalities and municipal and provincial transit authorities;*
- h. *land use compatibility and the separation or mitigation of sensitive land uses in accordance with provincial guidelines, standards, and procedures;*
- i. *protect and mitigate against natural and human-made hazards in accordance with Section 2.16 of this Plan;*
- j. *a phasing plan or strategy to ensure infrastructure and services are delivered in a manner that supports complete communities, including open space, accessible public amenities, and active transportation infrastructure;*
- k. *strategies to support increased multi-modal access and connectivity to local and regional transit services in support of transit service integration;*
- l. *implementation of the Healthy Development Framework in accordance with Section 7.5 of this Plan, including but not limited to consideration of site design and urban design elements, high-quality public realm improvements, and built forms;*
- m. *a description of the future actions that may be required to implement the plan, which may include Community Improvement Plans, inclusionary zoning, community planning permit Systems, TOD Guidelines, financial incentive programs, and other appropriate implementation tools;*
- n. *land use in Major Transit Station Areas that overlap with Employment Areas which are identified on Schedule E-4 and subject to Policy 5.8.36.*
- o. *foster collaboration between public and private sectors to support development within all Major Transit Station Areas, such as joint development projects; and*
- p. *alternative development standards to support development within all Major Transit Station Areas, such as reduced parking standards.”*

In our view, this study is another layer of review and process that is unnecessary and redundant.

Recommendation: The above policies should be removed and instead replaced with the following: *“All Major Transit Station Areas shall be planned and designed in accordance with the policies at set out in A Place to Grow, the Growth Plan for the Greater Golden Horseshoe.”*

5.6.20.1 *“To stage and sequence the development within delineated secondary planning areas in accordance with the logical phasing of development in Designated Greenfield Areas.”* Staging of development implies that municipal services are not available. However, if municipal services are available, why is staging and sequencing necessary? In our view, this should be removed as staging is an impediment to allowing development to proceed in a timely fashion when services are available.

Recommendation: In our opinion, Section 5.6.20.1 should be removed.

5.6.20.14.11 *“In accordance with Section 5.9 of this Plan, collaborate with local municipalities to ensure housing development contributes towards creating complete communities in the 2051 New Urban Area, specifically: a) Require a housing assessment for planning applications of approximately 50 units or more. Local municipalities or the Region can require a housing assessment for applications less than 50 units, as deemed appropriate. The housing assessment will be consistent with local and Regional housing objectives and policies and demonstrate contributions towards Peel wide new housing unit targets shown in Table 4. The housing assessment, while being required by local municipal official plan policies, shall be undertaken by a development applicant as directed”.*

Why is a housing assessment necessary when we already have to provide PJR’s which deal with Provincial policies and which includes a discussion on housing and affordability in accordance with the PPS and P2G? Another unnecessary task to add to already long list of things that are required to be submitted as part of a development application!

Recommendation: In our opinion, this policy should be removed and this study should not be required.

Section 5.8.35 *“Notwithstanding Policy 5.8.34, the local municipalities may accommodate new retail and commercial uses in Employment Areas by designating lands Mixed-Use Employment in Brampton or Employment Commercial in Mississauga, subject to a municipally initiated study and local official plan policies to the satisfaction of the Region that demonstrate the following: a) the lands to be re-designated are located on the periphery of an Employment Area; b) the building(s) have direct frontage onto a corridor that is supported by existing or planned rapid transit; c) the proposed uses are accommodated in a multi-storey mixed-use office building; d) appropriate transition and buffering are provided to sensitive uses; e) the planned function and viability of the Employment Area including movement of goods are not adversely impacted; and f) the development exceeds the minimum Employment Area density for the local municipality prescribed in Policy 5.8.27”.*

Why not permit residential uses in a mixed use employment designation, where it is appropriate? This policy precludes that ability. In our view, the policy should state:

Recommendation: The following revised policy should be incorporated into the Official Plan: *“Notwithstanding Policy 5.8.34, the local municipalities may accommodate new **residential**, retail and commercial uses in Employment Areas by designating lands Mixed-Use Employment in Brampton or Employment Commercial in Mississauga, to the satisfaction of the Region that demonstrate the following: a) the lands to be re-designated are located on the periphery of an Employment Area; b) the building(s) have direct frontage onto a corridor that is supported by existing or planned rapid transit; c) the proposed uses are accommodated in a multi-storey mixed-use office building; d) appropriate transition and buffering are provided to sensitive uses; e) the planned function and viability of the Employment Area including movement of goods are not adversely impacted; and f) the development exceeds the minimum Employment Area density for the local municipality prescribed in Policy 5.8.27”.*

Section 5.9 Housing could in fact use a complete overhaul however, if not possible, the most critical policy and table requiring deletion is noted below:

Section 5.9.11 *“Require a housing assessment for planning applications of approximately 50 units or more. Local municipalities or the Region can require a housing assessment for applications less than 50 units, as appropriate. The housing assessment will be consistent with local and Regional housing objectives and policies and demonstrate contributions towards Peel-wide new housing unit targets shown in Table 4. The housing assessment, while required by local municipal official plan policies, shall be undertaken by a development applicant as directed”.*

As noted above, why is a housing assessment necessary when we already have to provide PJR’s? Another task to add to already long list of things that are required to be submitted as part of a development application. Furthermore, this is directly related to the affordable housing policies, which are problematic and will be difficult to achieve. Table 4, which sets out the affordable housing targets is very problematic, as detailed further below.

Table 4 – Peel-Wide New Housing Unit Targets

Target Area	Targets
Affordability	That 30% of all new housing units are affordable housing, of which 50% of all affordable housing units are encouraged to be affordable to low-income households.
Rental	That 25% of all new housing units are rental tenure.
Density	That 50% of all new housing units are in forms other than detached and semi-detached houses.

The obvious issue is that 30% of **all new** housing units need to be affordable, period, full stop. How is any project going to proceed if 30% of the total units have to be affordable? This is a completely unrealistic target. Previous policies were 10% of the units across the region were to be affordable, which is a more realistic metric to obtain.

Recommendation: In our view, this policy should be removed and the housing market should dictate the type of housing that will be offered with the Region, Province and Federal Governments looking after affordable housing (affordable as described in the PPS).

Section 5.9.39 and 5.9.40 provide polices related to inclusionary zoning. Why is inclusionary zoning required? It has never been used before and is a new concept that someone has developed and which is specifically tied to creating affordable housing units. If the Region is going to provide affordable housing units why is inclusionary zoning required?

Recommendation: In our view, inclusionary zoning is another impediment to allowing development to proceed and bringing much needed housing to the market. In our opinion, these two sections should be abandoned.

We trust the above will be addressed prior to issuing the approval of the document. Should you have any questions, do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.

A handwritten signature in blue ink, appearing to be 'KM', is written over the company name.

Keith MacKinnon BA, MCIP, RPP
Partner

cc. Juli Laudadio – DG Group
cc. Darren Steedman – DG Group