

**Ministry of Municipal
Affairs
and Housing**

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March 27, 2024

Tara Buonpensiero
Peel Region
Chief Planner and Director of Planning and Development Services
tara.buonpensiero@peelregion.ca

Sent via email only

Dear Tara Buonpensiero,

**RE: City of Brampton Official Plan (Brampton Plan)
Ministry File No.: 21-EOP-234876**

Ministry staff are aware that on November 1, 2023, City of Brampton Council passed by-law 195-2023 to adopt a new Brampton Official Plan, which is currently before Peel Region for a decision. Ministry staff have reviewed the new Brampton Official Plan and offer the below comments respecting Area 52 - Heritage Heights for the Region's consideration as the approval authority. We appreciate the time that the Region is taking to review and consider the Ministry's comments.

Based on our review of the new Brampton Official Plan, we understand that Schedule 1A – City Structure proposes to identify a 'Secondary Urban Boulevard' overlay within Heritage Heights. We further understand that Primary and Secondary Urban Boulevards are intended to follow major streets in the City and that the framework for new development on each Boulevard will be established by a Secondary Plan, as per section 2.2.4 of the Official Plan.

By way of background, we note that on April 6, 2022, the City of Brampton Council adopted the Heritage Heights Secondary Plan, which identifies land uses and plans for an urban arterial roadway road, called 'The Grand Boulevard', in replacement of the planned Highway 413 Transportation Corridor ("Highway 413"). Subsequently, the Minister of Municipal Affairs and Housing appealed the Heritage Heights Secondary Plan to the Ontario Land Tribunal. This appeal was made on the basis that the adopted plan is inconsistent with the Provincial Policy Statement, 2020 ("PPS") and does not conform with the Growth Plan for the Greater Golden Horseshoe, 2019 ("Growth Plan"), both of which direct planning authorities to plan for and protect planned infrastructure corridors for current and future needs, and to prohibit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

Consistency with and Conformity to Provincial Policies and Plans

Regarding the newly adopted Brampton Official Plan, in-effect policies in the PPS and the Growth Plan require planning authorities to plan for and protect infrastructure corridors. Development shall not be permitted in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

Ministry staff have concerns that the proposed identification of the Secondary Urban Boulevard overlay in the Heritage Heights is intended to follow a proposed major street – specifically The Grand Boulevard. This appears to be based on the City’s adopted Heritage Heights Secondary Plan and if approved would enable development permissions within the proposed Highway 413 corridor as well as the Northwest Greater Toronto Area (“GTA”) Transmission Corridor, which are being planned for and protected by the Ministry of Transportation and the Ministry of Energy, respectively. Accordingly, it is the Ministry’s view that the proposed new Brampton Official Plan is contrary to in-effect provincial policies in the PPS and the Growth Plan respecting corridor protection.

Conformity to the Peel Region Official Plan

On December 6, 2023, *Bill 150, Planning Statute Law Amendment Act, 2023* received Royal Assent. The legislation brought into effect the Regional Official Plan as adopted by Peel Regional Council, which includes the corridor protection policies and conceptual mapping of the Highway 413 and the Northwest GTA Transmission Corridor. The legislation also maintained modifications removing mapping and textual references to the Heritage Heights GO Station in order to uphold the protection of the planned corridors in the Ontario Land Tribunal appeal of the Heritage Heights Secondary Plan. The legislation requires that any decision of a municipality under the Planning Act on or after the deemed approval date must conform to the legislatively approved official plans. This means the Region’s decision on Brampton’s proposed new Official Plan must conform with the Region’s official plan, including the corridor protection policies.

Based on ministry staff’s review of the new Brampton Official Plan, the proposed Secondary Urban Boulevard overlay in the Heritage Heights Secondary Plan area appears to be located within the conceptually mapped Highway 413 and the Northwest GTA Transmission Corridor, as shown on Schedule F-2 – Major Road Network of the Peel Region Official Plan. This proposed Secondary Urban Boulevard overlay – which appears to plan for The Grand Boulevard – is in conflict with the Peel Region Official Plan’s corridor protection policies, which specifically require the Highway 413 and the Northwest GTA Transmission Corridor to be planned for and protected to meet current and projected needs, and prohibits development in these planned corridors that could preclude or negatively affect the use of the corridors.

Request for Modifications

The Highway 413 and the Northwest GTA Transmission Corridor are planned corridors that are under study and are actively being protected for by the Ministry of Transportation and the Ministry of Energy, respectively. Accordingly, ministry staff respectfully request the following modifications to the new Brampton Official Plan to ensure that it is consistent with the PPS and conforms to the Growth Plan and Peel Region Official Plan regarding corridor protection:

1. To remove the 'Secondary Urban Boulevard' overlay and instead reflect the 'Planned Corridors' overlay in Schedule 1A – City Structure for the Heritage Heights Secondary Plan area.
2. To include policies relating to the 'Planned Corridors' overlay that specifically require the Highway 413 and the Northwest GTA Transmission Corridor to be planned for and protected, and to prohibit development in these planned corridors that could preclude or negatively affect the use of the corridors for which it was identified.

We additionally request that the Region add ministry staff to the list of individuals who will receive the Notice of Decision on the Brampton Official Plan. Please include Heather Watt, Manager (Heather.Watt@Ontario.ca) and Jennifer Le, Acting Senior Planner (Jennifer.Le@Ontario.ca) to the circulation list.

We thank you for your time in considering our comments. Should you have any questions or wish to discuss these comments in more detail, please contact Heather Watt and/or Jennifer Le at the email addresses noted above.

Thank you,



Laurie Miller
Regional Director
Municipal Services Office, Central Ontario