

October 6, 2022

Ministry of Municipal Affairs and Housing
777 Bay Street
16th Floor
Toronto, ON
M7A 2J3

Sent Via Email to jennifer.le@ontario.ca

Dear Ms. Jennifer Le:

**RE: Proposal – ERO 019-5684, Ministry Reference Number 21-OP-215006
Approval to Amend a Municipality’s Official Plan
Regional Municipality of Halton’s Regional Official Plan Amendment 49
1602211 Ontario Limited Branthaven, 735 Oval Inc., 1471681 Ontario
Inc., S&G Consulting Inc., 5135 Fairview Holdings Inc and Branthaven
Development Corporation**

I am writing to you on behalf of the above noted Landowners who own lands within the Appleby Major Transit Station Area (MTSA) adjacent to Oval Court. Attached to this letter is the May 13, 2022, submission to the Region of Halton setting out the Clients concerns regarding ROPA 49. The Region of Halton did not undertake revisions to address these matters.

As noted in the attached letter, there is a fundamental concern that ROPA 49 does not conform with the requirements of the Provincial Growth Plan in that it effectively accommodates growth only to 2041 rather than the 2051-time horizon required by the Growth Plan and provides no direction to local municipalities as to how to plan for growth beyond 2041.

When one looks at the planned growth for the Appleby MTSA, the Region of Halton reduced the planned growth for this area. As a MTSA on a Priority Transit Corridor, as set out on Table 2B, the Density Target for the Appleby MTSA should be 150 residents and jobs combined per hectare. However, the Region in ROPA 49 is only planning for 120 residents and jobs combined per hectare for the Appleby MTSA. This is an ever- greater concern when considering that the Region notes on Table 2B that these Density Targets are planned to be achieved post 2051. It is difficult to see how the Provincial vision for these MTSA will be achieved in the near future in this planning context.

In recent discussions with the City of Burlington, the City will not be moving forward on the Secondary Planning for Appleby MTSA for at least another 18 months. It is recognized that there are benefits in comprehensive planning processes however the long and protracted timeframes for the local municipalities to prepare and deliver these secondary plans materially impacts the ability to provide needed housing, jobs and other community services. The timing of development of the Oval Court MTSA will be significantly delayed if there is the requirement to wait for the City of Burlington to get this done. It is critical for the Plan to contain clear language that allowed for development applications to be approved prior to Secondary Planning due to priority of developing MTSA's and other strategic growth areas. Examples of these changes include amending Section 77 (2.4 (5)) by adding a sentence that development applications within Strategic Growth Areas are permitted to be approved prior to the adoption of the Area Specific plan. Section 81.4 4) should be amended to clearly state that development approvals can occur prior to the approval of the Secondary plan. This would allow timely and proactive development of these important transit supportive communities.

Of significant concern is the concerns in ROPA 49 regarding land use compatibility. This issue is set out in the attached letter in detail. ROPA 49 proposes the deletion of Section 79.3(12) (page 47) which prior this change allowed for site specific studies. This policy is replaced with the policies of 143 (12) a) b). Although it is recognized that the Provincial Policy Statement contains language on land use compatibility, there is a need to refine that direction within ROPA 49 to place the priority on ensuring the development of MTSA's, achieving the full breadth of uses within those mixed-use communities while ensuring the appropriate mitigation for the existing employment uses. Future employment uses are best planned recognizing the overarching priority of a strong vibrant mixed used development for the MTSA.

We look forward to the opportunity to discuss these concerns further with you.

Respectfully submitted,

BRANTHAVEN DEVELOPMENT CORP



Steve Stipsits

CEO