



**WESTON
CONSULTING**

planning + urban design

Clerks Department
426 Brant Street
Burlington, Ontario
L7R 3Z6

April 5, 2017
File 7643

Attn: Ms. Angela Morgan, City Clerk

Dear Ms. Morgan

**Re: 143 Blue Water Place & 105 Avondale Court
Response to Draft Official Plan, April 2017**

Weston Consulting is the Planning Consultant for the owners of the above referenced lands. This letter is in response to the new draft 2017 Official Plan policies that are being presented to the Committee of the Whole on April 6, 2017. Following are our concerns related to height and the provision for new rights of ways.

Height

The subject lands are designated *Residential- Low Density* in the current in-force Official Plan. Section 7.5.6- Residential Areas of the OP prescribes the development policies for these areas which include, building type, density and compatibility.

It is recognized that the majority of the existing policies in the in-force Official Plan have been duplicated in the new draft 2017 OP. However, additional policies have been added, specifically related to height:

Section 8.3.2.1 d) On lands designated Residential – Low Density, the maximum height of *development shall* be established through the implementing Zoning By-Law.

Section 8.3.2.1 e) For development, *re-development* or infill *developments* on lands designated Residential- Low Density, the following additional criterion *shall* be considered when evaluating minor variance applications for increased height:

- (i) the maximum building height *should* be comparable to the average height of the highest points of the rooflines of existing residential buildings on

the immediately adjoining properties sharing lot lines with the lands under application.

It is our opinion that these policies are too prescriptive and redundant. Section 8.3.2.1 b) requires that other ground orientated dwellings, not including single and semi- detached housing types, *be compatible with the scale, urban design and community features of the neighbourhood*. Compatibility is a defined term in the draft OP: *development or redevelopment which may or may not be the same as or similar to existing development, but can co-exist with the surrounding areas without unacceptable impacts*. This approach to determine maximum height is appropriate as it does not limit redevelopment to existing by-laws or lands immediately around any property. It is also reinforced through Section 2.5.1 a) Development Criteria Objectives and Section 2.5.1 a).i Development Criteria Policies of the new draft Official Plan.

Right of Ways:

Blue Water Place is a private road which provides access to not only residence on the subject property, but provides direct and indirect access to several residential dwellings. New draft OP policies seek to *encourage* new redevelopment projects to provide/ dedicate these roads to the City:

Section 8.3.1.2 d) *Development* which proposes the creation of a new common roadway *shall be encouraged* to provide the roadway in the form of a public right-of-way.

It is unclear how this provision is intended to implemented. If the City requests that an existing private road to become public, compensation to the landowner should be made.

We ask the Committee consider implications of the above referenced policies and request Planning Policy staff to remove or provide additional clarity.

Yours truly,

Weston Consulting

Per:



Martin Quarcoopome, BES, MCIP, RPP
Associate

- c. T. Perruzza, First Urban Inc.
- S. Chelliah, Bloomfield Homes