

August 10, 2017

City of Burlington
Planning and Development Committee
c/o City Clerk
426 Brant Street
Burlington, Ontario L7R 3Z6

Attn: Mayor Rick Goldring
Councillor Rick Craven
Councillor Marianne Meed Ward
Councillor John Taylor

Councillor Jack Dennison
Councillor Paul Sharman
Councillor Blair Lancaster
Committee Clerk Amanda LaPointe

Re: Compiled Official Plan Formal Submission Comments

Further to our letter dated, June 29, 2017, please accept this as our formal submission comments to the Draft Official Plan. The attached comments have been provided to the City of Burlington Official Plan Review staff but due to the impact that this document will have on the future of Burlington we feel it necessary to provide our comments directly to you.

We believe that there are significant gaps in the information provided in the Official Plan and want to emphasize that our commenting on this document should not be misconstrued as the Association accepting of it as a fulsome Official Plan.

On September 5, 2017, HHHBA will be making a delegation to Committee to bring light to our 28-pages of comments on the Draft Official Plan. We formally request that staff be directed to sit down with the HHHBA to further discuss our comments and the status of outstanding information and statistics that have been requested on numerous occasions (population/job forecasts for the various growth areas, etc.). We request this meeting to be set-up prior to our delegation to Committee in the hopes that this may streamline our issues list at that time.

We urge you to consider our above request, and are happy to discuss this with you; a presentation to Committee on this topic will be made on September 5, 2017.

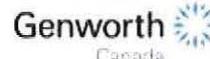
Yours sincerely,



Suzanne Mammel, MBA, CET
Executive Office and Policy Director, HHHBA

Copy:

- City of Burlington staff:
James Ridge, City Manager
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Andrea Smith, Manager of Policy and Research



CITY OF BURLINGTON OFFICIAL PLAN REVIEW

Summer 2017

Compiled submission from:



Hamilton-Halton
Home Builders'
Association

GENERAL:

In reviewing the draft Official Plan, we applaud the efforts of the City to create a new document that guides development in the years to come, and addresses the new realities the City is facing: growth via intensification versus greenfield development that has dominated development in recent decades, and new targets for growth imposed by the Province to meet the Growth Plan. We appreciate the opportunities afforded our Association to comment and provide input into the document in advance of it being finalized.

However, large sections of the document appear to be missing that we consider critical to understanding how the plan will work: there are no densities proposed for the Mobility Hubs, no guiding principles to how they are to develop. This coupled with a lack of information regarding population target (both status and goals to achieve) make it difficult to relate verbiage that suggests growing in a denser, more intensified fashion, with comments made that suggest population growth is on track, implying the status quo will suffice.

Additionally, in other sections of the document (eg. 8.1.1.3 Uptown Growth Centre) reads very prescriptively – more in keeping with a secondary plan and even site plan guidelines/conditions, which we do not consider appropriate for this high level document.

Significant detail is provided for specific properties. Without a proper understanding of the specifics of the properties in general, we offer that it would appear that many of the clauses and requirements are based on current zoning permissions. Whereas this may be what the City is desirous of maintaining, it may be more appropriate to review some or all of these properties to see what the highest and best use may now be, regardless of how recently the zoning was implemented. We consider this to be counterintuitive to moving forward with a new OP and new zoning, to embed current zoning into the new OP that may be a lost opportunity for good redevelopment.

In all practicality, there appears to be an approach to *limit* height in redevelopment, versus embracing it where appropriate. Given the inability to submit an OP amendment application within two years, the City is curtailing its ability to grow within the next two years, given the limitations here and the preliminary information provided through the mobility hubs study.

Certainly we believe that there are significant levels of detail for both specific properties, as well as policy areas, that we feel become onerous at this high level a document.

The disparity between the two approaches (virtually no information – with direction that it will be provided via the Mobility Hubs study, versus site specific design details) is confusing to the reader.

There are many references throughout the document linking "shall" with the provision of transit. We emphasize that while this is an appropriate goal of the City; private industry is not able nor is it appropriate to require private industry to provide transit. Accordingly, verbiage should be included, and the numerous clauses within the Official Plan as a whole should be changed, to reflect that it is the City who will provide transit, and that it will be directed to the nodes and corridor type locations where you would like to see intensification occur.

We believe that the title of the document "Growing Bold" and its correlation to similar themes under the City's strategic plan must be unapologetic and guide future applicants to successfully provide economically feasible, quality designs that are in keeping with these big picture City goals.

CHAPTER 2 – SUSTAINABLE GROWTH

2.2.3 PROVINCIAL PLAN BOUNDARIES AND CONCEPTS

General: the plans referred to are outdated. This was brought to the attention of staff at meeting on May 30, 2017. While it is recognized that the implication of changes to the plan is not simple, references elsewhere in the document to future plans (ie. Walkers/Cumberland future GO) is included. It is our opinion that the updated mapping should be the mapping included in the document.

Built Boundary: Reference is made to the minimum of 8,300 new housing units to be added between 2015 and 2031. We have on two occasions requested a status report on where the City is at with respect to the above, and the general status of achieving overall population targets. *Please provide as soon as possible.*

Urban Growth Centre: We have requested a status report as to the gross density target to date of the urban growth centre, to understand if densities being proposed through the OP and Mobility Hubs studies will bring us close to or achieving this target. *Please provide as soon as possible.*

Designated Greenfield Area: Reference is made to a "... minimum overall development density of 45 residents and jobs per gross hectare...." This section should be clarified to explain WHERE this target came from, and reference should be made to the fact that the Growth Plan will require these targets to increase considerably (currently 50 pj/ha increasing to 50 pj/ha and ultimately 80 pj/ha) in the near future, and certainly within the horizon of this OP.

Parkway Belt West Plan: while there are maps including locations of the other provincial plans, there does not appear to be information on this plan within the appendices.

2.3 THE URBAN STRUCTURE

General: Paragraph one doesn't read well, specifically: "... Where lands within the Urban Area fall along the spectrum" It should be reworked.

Mobility Hubs (h): It is appropriate to specify the densities expected through the Growth Plan for these mobility hubs. Please include.

Mixed Use Nodes (m): This should be reworded to say "Mixed Use Nodes and Intensification Corridors will be a focus of re-urbanization."

2.4.1 OBJECTIVES

(b) There is no reference to low rise, which seems odd, given that some of the development and redevelopment that occurs WILL be low rise.

(c) The term public expenditure needs clarification, a definition, etc. It is unclear that this infers investment by the City to facilitate/ensure successful private development.

2.4.2 GROWTH FRAMEWORK GENERAL POLICIES

(d) The term "justified" in front of frequent transit network appears throughout the document. In our meeting, we indicated this doesn't read well, nor does the reader understand the use of this term. It is recommended that the "justified" be removed, and some reference to current and potentially expanded "frequent transit network" be included. Please note that there is a lack of consistency with the inclusion of justified (or not) throughout the document.

2.5 SUSTAINABLE GROWTH – DEVELOPMENT CRITERIA

General: In this section, it is important that "fit" be understood. In this light, there needs to be an improved understanding of the definition of compatibility, as this is very subjective in nature. Further, a definition of "land use vision" is required. While we recognize this was discussed in one of the meetings, and industry was referred to Chapter 8, this discusses priorities, and the term land use vision is not included in the chapter.

2.5.2 POLICIES

(a)((v))((b)) This section needs further discussion to understand implementation and its effect on developments. It suggests working arrangements between private developers.

(a)((vii)) Public service facilities and specific uses, and their proximity to transit is more a function of City transit planning and site location, vs. a requirement to be satisfied through a development proposal. It is listed as a "shall be evaluated", however is outside of the control of private development.

(b)((c)) This section is problematic since all neighbourhoods in the city are now existing. This takes all mid and high rise buildings and moves them to the periphery of a neighbourhood, because the requirement uses the word shall. There are areas within the mobility hubs, and potential throughout the City, that can accommodate mid and high rise and are not on the periphery of a neighbourhood (ie. The draft concepts based on public input from the mobility hubs shows a number of locations where mid and high rise are proposed and NOT on the periphery of a neighbourhood. This needs to be rectified.

(b)((e)) The industry needs a better understanding of what criteria will be used to determine if an area-specific plan is required in conjunction with a development. Further, the OP needs to be careful that area-specific plan and financial analysis, as referred to in 6.5.2 Policies are not interchanged.

CHAPTER 3 – COMPLETE COMMUNITIES

3.1 HOUSING

There is no definition provided in Tab 13 – Definitions for *affordable* in this context. We note that in this context *affordable* is not the same as *affordable housing* – a social housing product. Definition is required.

3.1.1.1 HOUSING SUPPLY - OBJECTIVES

(b) While we believe we understand the intention of this paragraph, it may be appropriate to provide some verbiage that recognizes that it is not necessarily the actual existing stock that is required to be maintained, rather the quantity and approximate location of.

(f)(i) Recognizing that our municipal OPs address rental housing, we submit that Burlington is not in the same category as Toronto for the provision of rental housing. We would recommend the following alternative standards for rental housing provision in these circumstances:

“the rental vacancy rate..... has been at or above **two** percent...” – this is similar to the provision of rental housing in Hamilton, which is far closer in size and makeup to Burlington than is Toronto.

(f)(iv) The intent of protecting rental rates is generally understood, however the wording here is subjective and needs further clarification.

(h) It may be appropriate to discuss some of the financial tools, noted elsewhere in the document, that the City may use/have at its disposal for the provision of rental housing.

3.1.2 HOUSING AFFORDABILITY

(a) We note that the PPS requires a municipality to establish targets and policies to meet the current and future needs for housing affordability. Recognizing that a subsequent section commits to working with the Region to update its Municipal Housing Statement, there appears to be a lack of current information to substantiate the targets and rationale for them. Our review could only find a Regional strategy document dated March 2010. It would seem that a more current and frequent review is appropriate.

(b) This section suggests that *affordable housing* provisions may be mandated as part of everyday developments. This needs to be discussed with our industry on how such determinations will be made, at what stage in the process, etc., as it has a significant implication on the built form, the economic viability of projects. We request that further discussion take place at this time to understand the intent of this section, or wording provided for clarification.

(c) In various locations within the document, there is discussion about *community benefit* provisions. We note there is no definition for this term, and for the uninformed reader, it may not be

apparent that community benefits are typically provided by a private developer as a result of a Section 37 agreement for which they have received something in return. This, and other section in which *community benefits* are referred, require clarification to ensure the end user that this is not a standard provision by a developer in applications that meet as of right zoning, densities, etc.

Further, we would suggest that a Section 37 bonusing policy be publicly consulted on and updated, given the changing face of the City.

3.1.3.2 – ASSISTED AND SPECIAL NEEDS HOUSING – POLICIES

(b) Our comments here are the same as those stated for 3.1.2 (b) above - We request that further discussion take place at this time to understand the intent of this section, or wording provided for clarification.

3.2.2 POLICIES

(q) As outlined in previous submissions/sections of the draft OP, the criteria here are more appropriate for a zoning bylaw than an OP. Public service facilities and specific uses, and their proximity to transit is more a function of City transit planning and site location, vs. a requirement to be satisfied through a development proposal. It is listed as a "shall be evaluated", however is outside of the control of private development.

3.4.3 PUBLIC ART

This section needs to establish that generally, the provision of public art on the part of private development is done as a community benefit (see above) and is done as part of a Section 37 agreement. It needs to be clear that this is not a requirement of site plan or development, but rather is "over and above". We would suggest that wording be included that for public art in capital projects, etc. that funding be addressed.

3.5.2.5 CULTURAL HERITAGE RESOURCES – POLICIES – DEVELOPMENT/REDEVELOPMENT POLICIES

(d) It is recognized through the OP that the Heritage Impact Study is required prior to any approvals being received, versus the potential practise of being required as part of a complete application.

(i) A definition is missing for *landmark trees*.

CHAPTER 4 – ENVIRONMENT AND SUSTAINABILITY

4.2.1 OBJECTIVES

(g) The City should ensure that mapping is available for hazard lands.

(m)(iii) The application of natural heritage system policies to lands *adjacent* to the system needs to be defined and clarified. Policies applicable to the system itself are not necessarily appropriate for lands adjacent.

4.2.3 GREENBELT NATURAL HERITAGE SYSTEM

We recognize that this section and the policies are separate from, and are not intended to address or enhance issues associated with the Provincial Greenbelt Plan. However, a clarification statement to this effect should be included, given the document uses the term *Greenbelt* frequently in this section, which in current times is generally known to mean the green areas between urban development and rural areas around the Greater Holden Horseshoe.

4.4.1.2 WATER RESOURCES – OBJECTIVES

(l) The word Stormwater at the beginning of this sentence should be removed (typo).

4.4.2.1 POLICIES - WATERSHED MANAGEMENT

(a) While the City acknowledges that watershed and subwatershed studies may be reviewed from time to time "and update every five years", we note that many of the studies listed in Appendix C are decades old with no current review. We are aware of instances where this is hindering development potential (ie Rambo Creek subwatershed study), and urge the City to commit to the review of these studies especially in areas where redevelopment is expected.

4.4.3 WATER RESOURCE AND STORMWATER MANAGEMENT

(j) Policies for the use of Low Impact Development should be created by the City to support this initiative.

(m) This section should conclude with the addition of "*, where appropriate.*", given that all of these may or may not be applicable to a given development or site alteration.

(n) Wording needs to be clarified to explain that this does not include conveyance systems, such as outlet piping.

(o) Question: is the City required to carry out such reporting on its own activities listed here? ie snow removal/ salting?

4.5.2.2 WATERFRONT – PUBLIC ACCESS AND USE – POLICIES

(f) This section reads: "A continuous Waterfront Trail shall be implemented through development and/or redevelopment...." This needs clarification to read "where possible" or "as appropriate" given that there are large sections of the waterfront where a trail may never occur, and certainly may not be carried out by private development.

4.5.3.2 WATERFRONT – DEVELOPMENT – POLICIES

- (d) The density calculation proposed here are not in keeping with Provincial rules for calculating densities in the Growth Plan (2017) – waterfront trails is not a listed takeaway.
- (g) It should be clarified that public art provisions in this manner would be provided if community benefits through a Section 37 agreement are being provided, not as of right as part of development.
- (l) This paragraph should clarify that said survey and grading being provided is applicable if, and to the extent that, a portion of the Waterfront Trail is being provided by the development.

CHAPTER 6 – INFRASTRUCTURE, TRANSPORTATION AND UTILITIES

6.1.1 GENERAL – OBJECTIVES

- (a) in the first line, "are" should be revised to "is"
- (b) As noted elsewhere in our comments, it should be clarified that the Area Specific plans are a City initiative (both from a funding perspective and who is taking on the initiative).

6.1.2 POLICIES

- (a)((v)) Please refer to our comment above regarding Area Specific plans.
- (c) This statement refers to the area-specific plans determining priority growth areas, which to some may be misconstrued as Primary Growth areas. Wording to clarify that the intent is to determine areas within the Primary and/or Secondary Growth areas should be included.
- (d) This clause references that the *highest priority* will be given to the Downtown and Uptown Growth Centres. While we agree with this approach, it seems counterintuitive given that the mobility hubs are Primary Growth areas and the Uptown Growth node is a Secondary Growth area. This results in an inconsistency in the approach between planning (B1, Mobility Hubs) and provision of infrastructure.

6.2.1 MULTIMODAL TRANSPORTATION - GENERAL – OBJECTIVES

- (j) We are supportive of the City's desire to make a shift towards "other" forms of transportation. We recognize the City's work over the winter in providing draft parking ratio standards that are in keeping with influencing people to choose other means of transportation. We expect that finer grained documents, as they come to fruition, to be in keeping with this statement and the overall multi-modal transportation initiative.

6.2.1.2 POLICIES

(d) Please clarify if the "detailed transportation study" referred to here is the same as a typical traffic study/analysis that is often a condition of development approval.

(i) We note that the word "justified" should be removed, as discussed elsewhere in our comments. However, we also recommend that Primary/Secondary Growth areas be included in the list where enhanced infrastructure will be prioritized.

6.2.2.1 URBAN STREETS AND RURAL ROADS – POLICIES

(e) We again recommend that Primary/Secondary Growth areas be included in the list where TPMs are considered.

(l) As noted elsewhere in our comments, it appears that the condominium development form is no longer desirable by the City. There will be few opportunities for development which includes public roadway provision, whereas in intensified low rise forms, condominium developments are far more viable. We request that this be discussed in detail with our members to understand the City's rationale and intent, PRIOR to implementing this OP.

(n) Please explain the rationale for **encouraging** an increased tolerance for at-capacity conditions in Mixed Use Intensification Areas and Areas of Employment.

(p) We again recommend that "City initiated" be the preface for Area-Specific Plans.

6.2.3.1 TRANSIT – OBJECTIVES

(e) It is again noted that development cannot provide transit connections – please clarify that this is infrastructure such as sidewalk connections to public roadways abutting the development, that then form part of an overall connectivity to transit locations, outside of the control of private development.

6.2.3.2 POLICIES

(b) We again note that Primary and Secondary Growth areas should be listed as priority locations for the provision of transit.

(d) This seems to be the only place in the document where justified and candidate options are noted for the frequent transit network. As mentioned elsewhere, it is recommended that the use of these terms be eliminated, as it assumes that a constructed network was justified, and a candidate route is a normal part of a decision making process. These terms are more appropriate within an overall transit study.

(f) We again recommend the inclusion of Primary and Secondary Growth areas. Further, we refer you to our comment in 6.2.1 (j) regarding transportation management through parking initiatives.

6.2.4.1 ACTIVE TRANSPORTATION – OBJECTIVES

(f) Please preface Area-Specific Plans with "City initiated"

6.2.5.2 RAIL – POLICIES

(a) Please preface Area-Specific Plans with "City initiated"

6.2.9.2 MOBILITY HUB CONNECTORS – POLICIES

(c) It is assumed that in this instance, the Area-Specific Plan noted is the Mobility Hubs study. However, we again recommend that the term be prefaced with "City initiated".

6.2.10.2 TRANSPORTATION DEMAND MANAGEMENT

(e) It is noted that community or area-specific programs will be outside of the control/scope of private development. Therefore the encouragement of such programs is inappropriate – it is either something the City WILL or WON'T carry out.

6.3.2 UTILITIES – POLICIES

(d) This sentence reads incorrectly and requires extra words.

6.4.2 PHASING OF INFRASTRUCTURE – POLICIES

At various locations in this Section, the term Area-Specific Plans is included. We again note that the term should be prefaced with "City initiated". A second recommendation would be to clarify in the definition that all references to Area-Specific means that the funding and initiative be borne by the City.

6.5.2 FINANCIAL SUSTAINABILITY – POLICIES

(i) It is the opinion of our members that no individual development should be required to analyse their impact on the overall infrastructure model to determine its financial impact on the City. This work can and should be conducted by the City through its Development Charges By-laws, as may be updated from time to time, and the background studies done to prepare them. The City is very aware of its goals for intensification, and through the development of the OP is directing growth to specific areas. It is the City who should be responsible for ensuring this is done. This needs to be clarified.

CHAPTER 7 – DESIGN EXCELLENCE

7.1 URBAN DESIGN

General: It is inappropriate for an Official Plan to delve into such minutiae as building design policies. Section 7.1 is the first instance where this is discussed, and refers the reader to Chapter 8.

We have included specific details throughout our comments below in Chapter 8, but we need to reinforce that it is not appropriate to have such level of detail in an Official Plan, that is more suitable to Site Plan Guidelines, and/or issues reviewed by a Design Review Panel, both of which are tools at the City's disposal and all of which feeds through the Site Plan Process. Imagine needing an OP review for issues such as fencing heights, driveway locations, etc. This is onerous on a development applicant, and slows down an already lengthy process, and brings such items into a public discussion, none of which we consider appropriate.

Chapter 7, as discussed at meetings, results in a lack of flexibility that was provided for, and built into the Sustainability guidelines.

Further, Paragraph three indicates that "proponents *shall* implement the policies of this chapter....) and we are concerned that this statement will override the use of "should", "consider", etc. elsewhere in the document.

7.1.1 OBJECTIVES

(d) It has been noted previously that proximity of a project to public transit is outside of the scope of any private developer. This section requires a developer to "ensure" that projects "... Are well served by public transit". While we believe we understand the intent of the statement, it is not executed properly and is easily misconstrued.

(i) We recognize a goal of the City is to create design guidelines. We support this approach. However, it should be a separate document that does not form part of the OP, but, like other documents, is listed in Appendix A-5 for reference. Further to this point, there are many locations throughout the document (as noted above) where detailed minutiae have been embedded into the OP, which if not specifically addressed would require an OP Amendment. We strongly urge staff to remove all such detail and include them in documents such as a Design Guideline.

7.1.2 GENERAL POLICIES

(b) This statement may have far reaching implications, not considered by staff. A new residential zoning by-law may then require even a small residential renovation to require innovations. Staff should review and revise as appropriate.

(d) This section refers the reader to the appropriate documents and guidelines that form policy of the City, in Appendix A. Appendix A includes draft policies that are not yet in effect at the time of the OP. These should be removed.

(f) This section should be revised to read: "An interdisciplinary staff committee **and/or** an outside advisory body....." We assume this refers to the BUD/Design Review Panel. As such this should clearly be stated.

7.1.3 COMMUNITY DESIGN

(b) Distinctive and recognizable designs may not mean good designs. As such it may not be appropriate to model new developments after them.

7.1.4 PUBLIC REALM

General: Many of the clauses in this section refer to improvements to the public realm, through municipal undertakings, reconstruction, etc. It must be recognized and acknowledged that improvements in level of service versus those improvements required for new population cannot be paid for through Development Charges. Further, new development should not be seen as a primary mechanism through which improvements in the level of service is provided for our City. Specifically, the City must develop a Section 37 Bonus standard/policy in which the protocol for these provisions is provided.

7.1.5 SITE AND BUILDING DESIGN

General: This section includes many details that we feel are inappropriate level of detail for an Official Plan, and more suitable in a site plan or design guideline. It makes it onerous on developments to implement some of this level of detail without the need for an OPA. Further, it may ease changing trends or desires for vision to put these types of criteria in guidelines, allowing for changes by the City without the need for a public OPA.

We recommend that a clause that references various documents be included to replace much of this detail and refer you to 7.2.2 Policies, Item (c) as a good example of such a clause.

(b) The reference in this clause to buffering measures suggests that there will be buffering in all instances. We suggest that the wording be revised to "... And buffering measures (if appropriate)..."

(c) The wording "... And reduce the *adverse impacts* of shadowing." Suggests an improvement over existing conditions. We suggest that "reduce" be replaced with "minimize".

(n) As noted in a number of instances above, it is outside of the scope of private development to control the location and availability of public transit. Thus it is not necessarily possible to "connect to public transit". This section needs revisiting.

(o) This clause is problematic as all projects may not have publicly accessible open space at grade. Further, this is an example of site specific detail which is better included in a site plan guidelines or design guideline. If the OP is approved with this in, one may require an OP Amendment if this is not achieved.

(t) This clause refers to "upgraded level of architectural treatment", however this term is neither defined nor explained within the document.

(f) We believe this clause should be revised to read: "The location, amount, position and design of *ground related* parking areas...." as an underground parking lot may not have access to, nor may it be desirable to provide access to pedestrian destinations.

(u) Please clarify if it is the city's intent to mandate underground/internal parking outside of mobility hub areas, for smaller types of developments, etc. It will be rare that it is not possible, but may make smaller projects economically unfeasible.

(v) Please clarify how it will be determined where bicycle parking facilities SHALL be required.

(z) This clause suggests there is a move on the City's part to prefer solar heat provision to other sustainable goals such as green roofs, etc. all of which are beneficial to the environment but rarely able to be provided together. This should be clarified. Further, it is noted that the City has prepared a separate sustainability guideline and perhaps no reference to specific items such as this should be included within the document, rather a reference made to that guideline and the City's expectation that it be followed.

(bb) Please ensure that this reference to building design is in keeping with the wording recently approved through the revised Tall Buildings Guidelines.

7.1.5.1 MID-RISE BUILDINGS

General: It is surprising that there are sections in this chapter for both Mid-rise buildings and Tall Buildings, yet there is not reference to low rise construction.

Further, the entire section on mid-rise buildings reads as a design guideline, and has no place in a high level document such as an OP. It is recommended that similar to the recently approved Tall Buildings Guidelines, a separate document be prepared for mid-rise should this level of detail be desired as policy by the City.

We recommend that a clause that references various documents be included to replace much of this detail and refer you to 7.2.2 Policies, Item (c) as a good example of such a clause.

7.1.5.2 TALL BUILDINGS

General: As noted above, this level of detail is not appropriate in the OP, given the City has recently approved a document outlining these requirements. We again recommend that a clause that references the Tall Buildings Guidelines be included to replace much of this detail, and refer you to 7.2.2 Policies, Item (c) as a good example of such a clause. This then allows the flexibility for those guidelines to be updated to reflect current trends and objectives, as may be deemed appropriate from time to time, without the need to carry out an OPA.

7.2.2 SUSTAINABLE DESIGN – POLICIES

General: As noted above, this level of detail is not appropriate in the OP, given the City has recently approved a document outlining these requirements. We again recommend that the details in this section be removed, and limited to 7.2.2 Policies, Item (c), which is a good example of such a clause. This then allows the flexibility for those guidelines to be updated to reflect current trends and objectives, as may be deemed appropriate from time to time, without the need to carry out an OPA. This is perfectly explained in Clause (f) in the same section.

(g) This section needs reviewing, as it implies that Area Specific Plan will be required. Please refer to other sections of this document regarding our concerns on Area Specific Plans.

CHAPTER 8 – LAND USE POLICIES – URBAN AREA

8.1.1.1.2 POLICIES

(h) Is there a hierarchy with which these sections apply, in the event of discrepancies?

(l) As noted elsewhere in these comments, we are very concerned with the level of detail provided in this section that is more appropriate as site plan comments, design guidelines, etc. It is inappropriate to have this level of detail in an OP, dictating detailed design of projects.

(This is one of two main criticisms we have with the OP – that the level of detail in many sections is not appropriate for an OP. This was a unanimous concern of the various stakeholders in our membership, including planners, consultant, and builders alike).

(m) Will the new parking standard be in place prior to adoption of this OP? Are the requirements for these plans to be provided only if the proponent is seeking to lower the standards proposed through that process?

(n) In many instances, providing open space in an intensified development (ie. A tall building) is not appropriate. Please advise how this "appropriate amount" is to be determined.

(o) In many locations within this draft document, the term "justified frequent transit network" is used. We suggest the elimination of the word "justified" as discussed with staff during our meetings.

(p) A discussion needs to occur about Area-Specific Plans. These, as per the document definition, include secondary plans, neighbourhood plans, etc. which are typically prepared by the City. There further needs to be an understanding of how it will be determined when/where these are required. Please see our other comments which relate to area-specific plans elsewhere throughout this document.

(q) There needs to be an understanding that in many instances, commercial uses provided by a developer proponent provide for a range of zoning uses. They do not become tenants or owners of said commercial spaces. It would be more appropriate for the City to have verbiage to discuss what they may desire carrying out to promote an end user/lessee in providing such service. A proponent can only provide zoning for such use, not provide the actual service.

8.1.1.2 DOWNTOWN URBAN CENTRE

General: This section lacks considerable detail as a whole. Reference is made to establishing minimum density targets, but no detail is provided in terms of quantum of population or jobs to be achieved that will apply to this area of the City. There are no guiding objectives provided to give the reader an idea of the direction where this section "may" be going. It is understood that most information will come through the Mobility Hubs study. However, in its current form, the OP does not provide anything concrete on which a proponent could submit an application and understand if they were in conformity or not. This is not a supportable position

8.1.1.2.1 GENERAL OBJECTIVES

- (l) Are we continuing with the term "precinct system"?
- (n) It should be acknowledged that while providing for adequate parking, it is the intent to minimize excess parking to support walkability, transit, etc.
- (o) Spelling mistake "support"

8.1.1.2.2 GENERAL POLICIES

- (a) Further detail should be provided in this section to inform the reader as to where the City currently stands relative to this target. This has been an ongoing request and is critical to understanding the growth of the City.
- (b)((l)) "Shall" should not apply to the provision of commercial uses along pedestrian pathways.
- (e) The City may want to consider changing "shall" to "should" for the maximum size of individual commercial uses. There may be other uses (eg an urban gym facility) that exceed this size.
- (i) There needs to be an understanding of "development close to cultural heritage resources". Close is not defined.

8.1.1.2.3.2 ST. LUKE'S AND EMERALD NEIGHBOURHOOD PRECINCTS – POLICIES

General: This section suggests that gentle intensification measures such as secondary suites, accessory dwelling units, which may be appropriate for these areas, will not be allowed.

8.1.1.2.4 DOWNTOWN RESIDENTIAL MEDIUM AND/OR HIGH DENSITY PRECINCTS

General: It is impossible to comment or assess this document with a complete lack of content in this section. A significant portion of the growth, whether from population or jobs, will come from intensification of the downtown. The OP is incomplete without such details.

This is the second major concern our membership has with this Draft OP – there is insufficient direction provided to consider it complete.

8.1.1.2.5 DOWNTOWN WATERFRONT, PARKS AND OPEN SPACE LANDS PRECINCT

General: On the mapping documents, these areas are referred to as "Waterfront West". The wording and mapping sections of the document should be consistent.

(d) The wording in this section is problematic in that it says that "... Waterfront shall come into public ownership" however is done through applications for redevelopment, which suggests that other options are available. The City should explain its intent for acquiring these lands, depth of expected acquisition, etc.

8.1.1.2.6 OLD LAKESHORE ROAD MIXED USE PRECINCT

General: It is impossible to comment or assess this document with a complete lack of content in this section. A significant portion of the growth, whether from population or jobs, will come from intensification of the downtown. The OP is incomplete without such details.

8.1.1.2.7 DOWNTOWN CORE PRECINCT

General: It is impossible to comment or assess this document with a complete lack of content in this section. A significant portion of the growth, whether from population or jobs, will come from intensification of the downtown. The OP is incomplete without such details.

8.1.1.2.8 WELLINGTON SQUARE MIXED USE PRECINCT

General: It is impossible to comment or assess this document with a complete lack of content in this section. A significant portion of the growth, whether from population or jobs, will come from intensification of the downtown. The OP is incomplete without such details.

8.1.1.2.9.2 DOWNTOWN MAJOR INSTITUTIONAL DESIGNATION – POLICIES

(a)((iv)) This section refers the reader to Subsection 8.2.4, which does not exist.

8.1.1.2.11 WATERWAY

(b) This section refers to specific sites by anecdotal historical names; which may not be known to the reader, nor in the future may they be known by staff. It is recommended that these be revised to street addresses.

8.1.1.2.12 URBAN DESIGN

General: It is impossible to comment or assess this document with a complete lack of content in this section. A significant portion of the growth, whether from population or jobs, will come from intensification of the downtown. The OP is incomplete without such details.

8.1.1.2.13 TRANSPORTATION AND PARKING

General: It is impossible to comment or assess this document with a complete lack of content in this section. A significant portion of the growth, whether from population or jobs, will come from intensification of the downtown. The OP is incomplete without such details.

8.1.1.2.14 TRANSIT

General: It is impossible to comment or assess this document with a complete lack of content in this section. A significant portion of the growth, whether from population or jobs, will come from intensification of the downtown. The OP is incomplete without such details.

8.1.1.3 UPTOWN URBAN CENTRE

General: There are no quantum population or job target numbers provided to indicate how development is to occur in this primary growth area. Further, substantial detail is provided that is inappropriate for an OP document – it is more appropriate to a design guideline or site plan guideline (reference to fencing locations, landscaping, location of banners, façade articulation, etc.)

This section is indicative of BOTH of our major concerns – lack of high level details, and yet detailed minutiae in other instances, neither of which is appropriate for an OP.

8.1.1.3.1 GENERAL OBJECTIVES

(k) It may be appropriate to provide a map of this area.

8.1.1.3.2 GENERAL POLICIES

(i) Detailed criteria for developing specific properties are included in the OP. We do not consider this appropriate in an OP document for any specific property that should be handled as part of a rezoning or site plan application.

8.1.1.3.3.2 POLICIES

(a)((i)) This section refers to freestanding townhouses not being allowed. Are condominium tenured townhouses acceptable?

(b) Two permitted uses may not be applicable nor desirable in residential forms. Please clarify.

(d) It is recommended that a statement such as this be included in the Downtown sections of the OP.

(e) Is it the City's intent that all buildings have commercial/retail uses on the ground floor? I.e. Traditional townhouses, stacked townhouses/back to back and variations therein cannot be provided within the Uptown area?

(f) Are the zoning clauses here still appropriate? There are now Tall Building Guidelines that were not in place when the specific policies were implemented. Further should details such as this be in the OP?

Note: We discontinued reading the remainder of the Uptown Section based on the following: It is understood that a detailed review of the Uptown Area was carried out previously. However, this work may not be the current direction the city wishes to take, nor should details such as this be included in an OP simply because they are available. We are not supportive of zoning and/or site plan level details being included in any area of the Official Plan document.

8.1.2 MOBILITY HUBS

General: This section refers to "accomodat(ing) a significant share of the City's future population and employment growth". It is our position that an understanding of significant is appropriate, through analysis of growth necessary to achieving the 2031 targets, and allocating them to the specific growth areas and mobility hubs.

8.1.2.2 DEVELOPMENT APPLICATIONS PRECEDING AN AREA-SPECIFIC PLAN

General: We have noted our concerns with use of the term Area-specific plan. It is recognized elsewhere in the document that the OP will incorporate information from the Mobility Hubs Study to inform development. Therefore, references to the 2014 Opportunities and Constraints Study are inappropriate as it will be out of date for the completion of this document.

8.1.3 MIXED USE NODES AND INTENSIFICATION CORRIDORS

General: We applaud the fact that the intent for these areas is to intensify "generally within mid-rise and tall building forms". However, in reviewing the details, we note that tall buildings are not allowed within any of the classifications throughout this section. Further, there are again references to the areas being "highly accessible by public transit" – in the form of "shall". This is NOT within the control of private developers, and therefore this issue should be addressed (in general, throughout the document as this is only one of many instances where such a reference is made". It must be clearly understood that it is not the intent of the City to require private industry to develop and improve the City's transit offerings.

8.1.3.1.1 OBJECTIVES

(i) This clause needs further explanation – HOW is development to be offset by a range of open space? Is this through the provision of parkland dedication or some other mechanism not yet described?

8.1.3.1.2 GENERAL POLICIES

We offer that there may be too many sub-categories defined through b) to g) inclusive. In reading through, we see the distinction, but suggest that these may limit potential for some areas which may, over time, be more appropriately re-classified from one to the other.

(j) There needs to be clarification provided with respect to "priority locations" for redevelopment: there is no reference here that these locations are secondary to the primary intensification areas of the urban growth centre, Uptown growth centre and mobility hubs.

(q) We question the inclusion of the reference to Primary and Secondary Growth Areas – does this clause not apply to mixed use nodes regardless of their location?

(r) Earlier in our comments we have noted concern about "Area-Specific Plan(s)" – this wording seems very appropriate and should be included elsewhere where we have raised this concern.

(t) This clause includes a reference to a "full extent of development intensity" not being made available due to soil contamination. It is our position that money invested through redevelopment to mitigate these issues often is justification in itself to warrant increased intensification, otherwise development becomes unviable. This should somehow be addressed in the document, and if elsewhere, a reference made for the user to cross-reference.

(v) We again comment that some of the detail provided in this section is more appropriate in a zoning by-law or site plan guideline. Throughout the OP as a whole, this needs to be addressed. In some instances, parking requirements in (viii) to (x) may make it impossible to provide parking. Remaining clauses past (x) are again too specific for this high level a document.

8.1.3.2.1 – MIXED USE COMMERCIAL DESIGNATION – POLICIES

(e) The sizing of these areas (for all land use designations) should be more flexible, to allow fit and compatibility and intent to drive how intensification occurs. It may be that a site 18ha is appropriate in this form of redevelopment. This comment applies to all forthcoming designations throughout the document.

(f) Whereas the guiding principles of the Nodes and Corridors section refers to mid-rise and tall buildings, your largest and theoretically most intense version of redevelopment within your nodes and corridors precludes tall buildings. We believe there are opportunities throughout the City where tall buildings can and should be embedded into the OP, and it is a missed opportunity to exclude them at this stage.

(h) This clause requires clarification – are you referring to lot coverage of at most 50%? Is this appropriate in a redevelopment and intensification situation?

(l)(ii) This should read "a multi-residential or **mixed use** building form"

(n) Are these public outdoor amenity spaces intended to be public or privately owned?

(p)(iii) Throughout the document there are references for motor vehicle dealerships and the number of entrances. The reference in the document is to one "curb cut" – this is a construction term and really has no place in an OP. If the intent is to limit the number of access points, a term such as that is more appropriate.

However, all of the detail in (p) is again zoning and/or site plan related and should not be included in an OP.

8.1.3.2.3 SITE SPECIFIC POLICIES

As noted above, we believe there are lost opportunities for redevelopment by limiting existing specific parcels to approved zoning (in the absence of other rationale, we have assumed this to be the case).

Further, this section precludes the development of grocery stores, which are elsewhere virtually protected. This seems counter-intuitive.

8.1.3.3.2 POLICIES

(b) The last sentence of the paragraph should be revised to read "that is more appropriate ~~at~~ for each location."

(e) Our comment above regarding specifying land sizes applies to this comment as well.

(g)(ii) We believe the limitation to 6 storeys inappropriate. There are locations within the City where higher buildings are accommodated successfully into areas such as these. Please review and reconsider.

(h) Reference is made to clause (f) in this paragraph, which should be corrected to reference paragraph (g)

Further, you have specific criteria for redevelopment of areas in subsection (i) – any applications for redevelopment would have to undergo a ZBA (rezoning application) and therefore these clauses can and should be eliminated from this section as they can be appropriately included in said ZBA.

This sub-clause also references two further sub-clauses, both as (a). And, the maximum height here refers to 11 stories whereas mixed use is up to 12 stories. (There are a number of instances where 11 and 12 stories are incorrectly mixed and should be reviewed and corrected throughout the document).

(h)(iv) Reference is made here to underground parking. We believe that a viable alternative is a parking structure, either standalone or incorporated into a building. This comment applies throughout the OP document – in some instances it is included as an option and elsewhere not.

(i) Reference is made here to subsections (f) and (g) which should be revised to (g) and (h)

We again question the maximum of 11 stories.

(l)(ii) We believe this clause to be unnecessary. If you are able to justify a full residential development, why would the location be dictated here?

(m) and (n) The limitation in size for specific uses seems more appropriate in a zoning bylaw than an OP.

(p) The wording in Section 8.1.3.2.2 n) refers to the same requirement for another land designation, but is better worded: there is includes "will encourage" not "shall require". We believe with the clarification requested in that section, "will encourage" is more appropriate.

8.1.3.3.3 SITE SPECIFIC POLICY

(a) Again the reference to (f) and (g) should be to (g) and (h). Further, there is again an inconsistency between references to maximum heights of 11 and 12 stories. Further, the reference to Guelph Line and Upper Middle is not included in (h). We also believe there are other locations (ie. Including but not limited to Brant and Upper Middle) that are also appropriate for this type of development.

Subsection (ii) is another example of where the inclusion of a parking structure, as discussed above, is an appropriate alternative to underground parking.

8.1.3.4.1 LOCAL CENTRE DESIGNATION – OBJECTIVES

(b) and (c) The references and objectives to "provide opportunities for a limited range" In (b) and "to retain a significant retail and service commercial presence" seem at odds with each other. This should be reworded for clarity.

8.1.3.4.2 POLICIES

(c) Our comment immediately above also applies to the reference to a limited range of issues here.

(d) It appears the intent is that there be no entertainment, recreational uses in this category (thus eliminating uses such as neighbourhood pubs or eateries).

(f) Again we believe that the height limitation is too significant.

(h) Through (j) Please refer to our comment above re limitation of square footages for specific uses, which we believe more appropriate in a zoning bylaw.

8.1.3.4.3 SITE SPECIFIC POLICIES

(b) Reference is made to specific sites which are existing, and are exempted from the above height limitations. These are examples of GOOD intense use of land that can be seen as examples of how to intensify elsewhere. We suggest that these are rationale enough to re-look at the height limitations in these various categories.

(c) and (d) We believe the limitations on these properties precludes flexibility in redevelopment. This is a recurring theme in the various land use designations.

8.1.3.5.1 OBJECTIVES

(a)(iii) This is not a characteristic and should be removed from the list.

8.1.3.5.2 POLICIES

(b) Part of our various discussions re the OP and the Mobility Hubs was the notion that a mixed employment/residential mix was being considered for intensification in employment areas, on the basis that it did not limit the employment, but was rather in addition to that "amount" of use. Some reference to this should be included in this section.

(e) The wording should be revised to "the City shall support....." as is included elsewhere in the document.

8.1.3.6.2. POLICIES

(e) We again refer you to our concerns above to "shall" and "frequent transit network" and the use of "frequent" in this context.

(f)(ii) There seems to be inconsistency in the document with respect to motor vehicle dealerships. While outside of our association's scope, it is evident and brought to your attention to address.

(j) We again note the discrepancy between 11 and 12 stories.

There are references to nodes within Mobility Hubs. It is our opinion that a statement should be made that all areas within a mobility hub are subject to that plan and outside of this type of classification. Otherwise, references within the respective mobility hub should have these definitions and clarifications within those sections of the document. As these uses are as yet undetermined, it seems inappropriate to make specific requirements available here – it pre-determines the outcome of the mobility hubs study areas.

Subsection (ii) should again include the option for a parking structure.

Subsection (iii) refers to community benefit. This is more appropriate when a Section 37 bonusing policy is in place.

(l) and (m) A clause should be included that where lands are within a mobility hub, those rules supersede this section. Further, reference is made to "within the podium of a mid-rise or tall building", however tall buildings have been excluded from these land designations.

Subsection (m) may be re-worded as follows: "An alternative target may be established through an area specific plan, **such as the Mobility Hubs study.**"

(v) Our concerns related to the level of detail required for motor vehicle dealerships is noted above.

(w) This section belongs in the Mobility Hubs section. There needs to be consistency in the approach here.

8.1.3.6.3 SITE SPECIFIC POLICIES

We again note our concern that the limitations on existing properties should be reviewed in the context of a future rezoning and new OP, as they current zoning may limit opportunities for redevelopment and intensification. Further, the level of detail for some properties is best left in a zoning bylaw vs. an OP

(b)((v)) There should be a minimum building height.

(b)((vi)) We question "majority" vs. "all"

(d) *We note that there is only one instance in the entire version of the OP where a tall building is allowed. This illustrates the core of our main concerns with the document – that while great effort has been made to create a Tall Building Guideline, at this time only one building in the entire City has as of right official plan approval, and that only limited.*

Further clauses in this section area again too detailed for a document of this high level.

8.1.3.7.2 URBAN CORRIDOR – EMPLOYMENT DESIGNATION - POLICIES

(f)(ii) We question why industrial buildings are limited to two storeys if they can be built higher therefore using employment lands more efficiently.

(i) We again recommend that there be a blanket statement within each designation that refers users to the Mobility Hubs sections that supersede these sections, to ensure there is no conflict in statements once the Mobility Hubs work is complete.

(k) We recommend that for consistency, similar verbiage to this replace similar clauses for other land use designations that refer to FAR, square footage, etc.

(l) Our same concerns apply to this set of motor vehicle policies.

8.1.3.7.3 SITE SPECIFIC POLICIES

Our previously noted concerns apply.

8.2.1.2 EMPLOYMENT LANDS – POLICIES

(d) This is a good example of how a clause can be worded to eliminate the need for zoning and/or site plan level detail.

(e) These type of details are inappropriate in an OP and are better left for a zoning bylaw and/or site plan guideline. The "intent" of what is desire here is covered in clauses such as (d) above, and/or other recommendations/suggestions made in Part A of our comments.

8.2.3.2 BUSINESS CORRIDOR DESIGNATION – POLICIES

(g)(vi) Enhanced landscaping is not required for any other land use. Why here, and why this level of detail in an OP?

8.2.3.3 SITE SPECIFIC POLICIES

(a) The level of detail in the sub-clauses is more appropriate in a zoning bylaw and/or site plan guidelines.

(g)((v) Reference is made here to a "comprehensive site plan" – is this an Area Specific Plan?

(h) While not familiar with the specifics of this site, we question why a parking structure or underground parking would NOT be permitted.

8.3.1 RESIDENTIAL NEIGHBOURHOOD AREAS – POLICIES

This section is labelled 8.1.3.2.2 which is inappropriate. It affects the numbering of the remainder of 8.3.1

(f) While the preamble to 8.3.1 refers to tall buildings, it is then disappointing to see that the maximum supportable building height is 12 stories, which is mid-rise and therefore doesn't qualify as a tall building. Our concern about tall buildings is noted in our previous submission (Submission B)

(h) This clause is confusing. Are you referring to lot coverage?

8.3.1.2 GENERAL POLICIES

(d) It is surprising to see a philosophy from the City that prefers public roads to private. This should be discussed as moving forward there is little opportunity for the creation of public roadways in intensified situations, and infill is more likely to be of a private nature.

8.3.2.1 RESIDENTIAL LOW-DENSITY POLICIES

(b) An example of a compatible building product would be bungalow townhouses in a condominium form that often are calculated as low density. Please confirm a product such as this is the type of example you are referring to.

(e) The determination for a height change appears to only apply to minor variances. Please confirm that a rezoning application would be allowed the same leeway.

8.3.3.1 RESIDENTIAL MEDIUM DENSITY – POLICIES

(a) The inclusion of single family dwellings in a medium density zone seems out of place.

(b) As noted elsewhere, there is inconsistency in the density calculations between zoning and parkland policies.

(c)((ii)) Why is there a requirement for limiting height to four stories? There is a density limit to be reached in this zone.

8.3.4.1 RESIDENTIAL HIGH DENSITY – POLICIES

(b) We note that there is inconsistency in the figures used in determining "high density" projects within the document between this section and 12.1.3.6.2: this chapter refers to 76-185 units per hectare and Ch. 12, greater than 50 units per hectare. The sections should be revised for consistency.

(c)((i)) We would recommend consistency with the Provincial transit proximities of 500m or 800m.

(c)((iii)) It is counter-intuitive to have a policy where you are required to conform to a zoning by-law as a condition of being allowed to submit a zoning by-law amendment. This clause should be deleted.

(d)((iv)) We believe the City should be transparent in this OP and clarify that community benefits may be provided as part of development through a Section 37 bonusing agreement, based on an approved Section 37 policy. While not available on the City's website, nor listed in Appendices, we are aware there may be a policy currently being used, and would recommend it be reviewed and consulted on with the industry. The OP should reflect the practise that will be used in instances where high density projects are approved.

(e) The provision of at grade common space for residents is a design element which is more appropriate for discussion with a design review panel and/or inclusion in a Site Plan Guideline. Detail of this nature is not appropriate in an OP.

8.3.4.2 SITE SPECIFIC POLICIES

While not aware of the details of these cases, the inclusion of details such as this seem more appropriate in a zoning by-law than an OP. We would recommend that they be included in the comprehensive zoning bylaw that we understand will follow this OP process.

8.3.5 NEIGHBOURHOOD CHARACTER AREAS

This preamble refers the reader to Schedule 'B', where Neighbourhood Character Areas are mapped. However, Schedule B includes no such reference in either the legend or on the mapping.

8.7.1.2 ACCESSORY DRIVE THROUGHS – POLICIES

(c)(ii) This clause should be revised to indicate that the drive through is not located between the building's *front* façade and a public right of way.

CHAPTER 11 – PUBLIC PARTICIPATION AND ENGAGEMENT

11.2.1 PUBLIC AND AGENCY PARTICIPATION – GENERAL POLICIES

(a)((vi)) While we recognize the importance of consultation in the development process, the Planning Act specifically outlines those processes by which the public has a say (at noted in your subsection (b) of same Section. Please clarify the intent here is not to make other processes, such as site plan approval, a public process.

(g) We are very supportive of this initiative, and note that this is an area where the City needs improvement, based on experiences over the last one to two years.

(j) While we acknowledge the City's intent to allow for a full spectrum of consultation as outlined earlier in this chapter, it may be misconstrued by some that EMPOWERMENT allows for a decision making process in all development applications, which supersedes that of the land owner and/or developer. Clarity needs to be provided about how and when (or if) instances of EMPOWERMENT occur as part of private development.

11.3.1 PROCEDURES

(a)((ii)) Wording to indicate that said webpage will be provided by the City, as is the current practice, should be included. This allows for control of the information by City staff, in a uniform manner and location understood by the public.

(a)((viii)) It may be appropriate to add wording such as "and/or its successors" to the term Ontario Municipal Board, given the current Provincial review of the same.

CHAPTER 12 – IMPLEMENTATION AND INTERPRETATION

12.1.2 GENERAL POLICIES

- (c)** Forecast should be replaced with forecasted (two instances in this paragraph)
- (e)** This statement is problematic and needs clarification and discussion with our membership. As it currently reads it is broad based with no limitation of implementation.
- (g)** We again ask that the term Area-Specific Plan be prefaced with "City initiated"

12.1.2.1 OFFICIAL PLAN

- (b)** Wording needs to be added to clarify that after the initial 10 year review of an OP, further reviews shall not exceed five years (as per the Planning Act)
- (d)** We recommend rewording this sentence as follows: "... and may determine if **an earlier or additional** review is required."
- (f)** We recommend that this clause be reworded to replace "shall" with "**may be assessed against any or all** of the following"

12.1.3.1 ZONING BY-LAW

This section really highlights concerns we have noted throughout our comments: it is the intent that "the Official Plan provides high level direction" ,whereas in many instances it takes on the level of detail of Zoning by-laws, secondary plans, and in some instances, site plan level details. We again urge staff that an Official Plan is NOT the place for such level of detail.

12.1.3.1.2 ZONING BY-LAW POLICIES

- (g)** What is form based zoning? It is neither defined nor referred to elsewhere within the document.

12.1.3.1.3.2 HOLDING ZONES POLICIES

(a)((v)) The supporting studies noted here are typical of the requirements for development applications such as OPA, ZBA, subdivision, site plan. Given that they are to be submitted and approved as part of those applications, we fail to see the need for implementation of a holding provision on the same basis.

12.1.3.1.5 COMMUNITY BENEFITS

As noted elsewhere in our comments, we recommend that the City review and consult on its Section 37 process and formalize same with our industry.

We further recommend that wording be included in this paragraph to ensure that any benefit collected from private development be invested into the same ward in which the development occurred.

12.1.3.1.5.2 POLICIES

(e) Please refer to our comment above regarding proximity of benefit to development. The word "should" should be replaced with "shall".

12.1.3.4.2 COMMUNITY PLANNING PERMIT SYSTEM – POLICIES

General: Through discussions about the Official Plan, it is apparent that staff is desirous of proceeding with future development via this means. However, as this is a departure from historical procedures at the City, this needs to be consulted on, and discussed IN DEPTH, with the industry and possibly other stakeholders, to understand the intent, and mechanisms on how this would work.

12.1.3.6.2 – PARKLAND DEDICATION – POLICIES

(d) The collection of money for cash-in-lieu should be consistent with the recent changes to the Planning Act.

12.1.4 AREA-SPECIFIC PLANS

Throughout our comments we have urged the use of City initiated Area-Specific Plans. While we recognize this section indicates that plans **shall** be prepared by the City, this is qualified by the statement below (12.1.4.2 (c)). This is further confused with the inclusion of a reference to "privately initiated" in 12.1.5.1.2 (b).

Further, we are not aware of a listing of area-specific plans that has been prepared by the City and is currently public. As such it is unclear as to whether or not, or when, a private investor may be required to undertake such a process, which puts growth (whether residential or employment based) at risk.

Further, there are instances noted where there is ambiguity as to who will undertake and fund said plan. Please clarify this in all instances throughout the document.

12.1.4.2.1 OTHER SUPPORT STUDIES

(a)((iv)) Please clarify what is required by a Financial Impact Analysis

12.1.4.2.2 MOBILITY HUB AREA-SPECIFIC PLANS GUIDING POLICIES

(c) As noted in our meetings, we question why the potential Walker's Line/Cumberland Avenue GO station location was NOT included in the current Mobility Hub review.

12.1.5.1.2 DEVELOPMENT APPLICATIONS – POLICIES

(a) We note that the site plan process has been excluded from the list of applications, and believe this to be in error.

(b) We again note our concern with the potential for Area-Specific plans to be referred to as privately initiated, and a lack of understanding of how/when this would be determined.

12.1.5.1.2.1 COMPLETE APPLICATIONS

(b)((v)) Please define financial impact study and who is qualified to carry out same.

CHAPTER 13 – DEFINITIONS

While we have not reviewed all definitions in this section, the following require clarification:

Affordable Housing – there seems to be a suggestion that rental housing is only for those with low incomes, and home ownership those with high incomes. This needs to be corrected.

Net Density – as mentioned previously, we recommend that this definition be in keeping with that used by the Province in calculating densities. The list of exclusions in this definition are INCLUSIONS in the Provincial definition. This proposed definition would suggest densities are higher than they would be deemed to be per the Growth Plan.

CHAPTER 14 – SCHEDULES AND TABLES

We have previously brought to your attention mapping areas respecting the Aldershot Mobility Hub on Schedule B and C, with an inconsistency between a Primary Growth Area and a stable residential area. This should be rectified.