



November 29, 2017

Delivered By Hand

City of Burlington
Clerk's Department
426 Brant Street
Burlington, Ontario L7R 3Z6

Attention: Amber La Pointe, Committee Clerk

Dear Ms. LaPointe:

**Subject: New Draft Official Plan & Downtown Mobility Hub
Secondary/Precinct Plan
2069 & 2079 Lakeshore Road & 383 and 385 Pearl Street
Lakeshore Burlington Inc.**

Lakeshore Burlington Inc. is the owner of properties within the easterly portion of the "Old Lakeshore Planning Precinct" known municipally as 2069 and 2079 Lakeshore Road and 383 and 385 Pearl Street (the "subject land").

Recently, the City of Burlington released a 2nd draft of the New Official Plan and this document includes a planning framework for the new Downtown Mobility Hub Secondary Plan.

Background:

The City of Burlington is required to accommodate its fair share of growth, just like every other municipality in the GTA. At the same time, the development landscape in the City of Burlington has changed dramatically in recent years and redevelopment and intensification opportunities are limited. The typical and predominant "greenfield" form of development in the City is no longer available as these lands have been exhausted. The only option is to grow up and not out. This is a fundamental change that Burlington is striving to embrace through the preparation of a new official plan and secondary plans for each of the mobility hubs, including the subject land.

Lakeshore Burlington Inc. has been an active participant in the Official Plan review and the City's process to develop a new secondary plan for the area known as the "Downtown Mobility Hub".

Context:

The subject land is located in the northeast quadrant of the intersection of Lakeshore Road and Pearl Street and is within the City's only Urban Growth Centre (the City's primary intensification area). These lands are within comfortable walking distance of the Burlington Bus Terminal, within the area identified as the "Anchor Mobility Hub".

The subject land is located in the middle of an area including a number of tall buildings that extend easterly on Lakeshore Road from Brant Street to approximately Smith Avenue. Tall buildings are located immediately to the west include: 360 Pearl Street – 17 storeys (constructed in 2007); and, 390 Pearl Street – 14 storeys (constructed in 2012). Immediately to the east of the subject land is 374 Martha Street – a potential 26 storey building. A series of tall buildings ranging in height from 12 to 18 storeys currently exist to the east of the subject land. The existing tall buildings to the east represent the easterly extension of tall building built forms that are significant elements of the city's downtown. Clearly, the subject land is located in an existing tall building environment.

History:

The City of Burlington has been actively preparing the New Official Plan and the planning framework for a series of mobility hubs. Each mobility hub serves a similar function to promote transit supportiveness and to implement "The Big Move". The subject land is located within what is known as the "Downtown Mobility Hub". The New Official Plan and the Downtown Mobility Hub Secondary Plan are required to provide the City with a realistic method to accommodate Burlington's future growth while at the same time enabling the City to satisfy Provincial growth requirements.

While the City has identified that new planning frameworks and policies are to be developed for the mobility hubs, the Downtown Mobility Hub is noted as the City's top priority. The Downtown Mobility Hub has been identified as the area in the City where the lion's share of future intensification and redevelopment is to be accommodated. The secondary plan for the Downtown Mobility Hub has yet to be completed and we have been advised by City Planning staff that the background studies required to justify the proposed New Official Plan and the Downtown Mobility Hub Secondary Plan have yet to be completed and may not be available until next year.

In the new Draft Official Plan (version 2.0), the subject land has been identified as being located within the Downtown Mobility Hub and more specifically within "Downtown Core Precinct". A maximum height limit of 17 storeys is proposed for the subject land, subject to satisfying a series of mixed-use requirements.

Although a formal planning application(s) has yet to be made in respect of the redevelopment of the subject land, the redevelopment of the subject land was given serious consideration at the Ontario Municipal Board hearing for 374 Martha Street. The desire of Lakeshore Burlington Inc. to redevelop its lands for tall building/high density uses was discussed in detail at this hearing. In addition, the City of Burlington has also conducted pre-submission consultation with Lakeshore Burlington Inc. in respect of a preliminary tall building concept to redevelop the subject land.

Concerns:

The 2nd Draft of the New Official Plan, including the Downtown Mobility Hub Planning Framework, is seriously flawed and the City is unable to provide the supporting background studies. Therefore, we have a number of significant concerns that include but are not limited to the following:

- The geographic extent and area of the "Urban Growth Centre" has been arbitrarily modified and reduced such that the existing population and employment density calculations are inflated. This compromises the City's ability to accommodate the required amount of future redevelopment and intensification within the Urban Growth Centre – as a key focus for development to accommodate intensification;
- The extent of the "Downtown Mobility Hub" in the Plan is inconsistent with the area of the "Urban Growth Centre", as determined by the Province of Ontario, and serves no purpose as the areas outside of the defined (and approved) Urban Growth Centre are protected from change and cannot accommodate additional growth;
- The population and employment table included on page 2-12 of the track changes version of the 2nd Draft of the New Official Plan appears to fail to recognize and accommodate the growth/intensification requirements for the Downtown Mobility Hub (the additional growth requirements that are required to be met by 2031 to satisfy the minimum population and density target of 200 people and jobs for this area);
- The Draft Official Plan fails to promote and facilitate an appropriate level of intensification and redevelopment within the Urban Growth Centre to support and ensure the viability of the existing and future transit services;
- The Plan fails to provide policies and a framework to promote, support, enhance and expand the use and function of the downtown bus terminal;
- The Draft New Official Plan fails to promote an appropriate scale and mix of uses where appropriate, particularly insofar as the optimization of the redevelopment and intensification of the subject land is concerned;

- Provincial policy as established in the Provincial Policy Statement, Places to Grow and the Growth Plan is not adequately addressed and implemented; and,
- The proposed requirement for office uses to be included on the second and/or third floors of a new building are inappropriate in this location.

The City of Burlington recently approved Tall Building Guidelines ("TBGs"). The TBGs are intended to establish a series of criteria that are to be considered and addressed to promote compatibility and fit of new tall buildings. The TBGs are not intended to be policy but rather to provide a series of tools to be used as part of the assessment of new development applications for tall buildings. It is understood that the redevelopment of the subject land must respect and satisfy the intent of the TBGs.

The manner in which the City describes and proposes to regulate the maximum height of buildings through proposed New Official Plan and Downtown Mobility Hub Secondary Plan policies is flawed. City references to maximum building height in terms of the number of storeys is inappropriate in an emerging urban centre, especially within an "Urban Growth Centre". In our opinion, effective planning policies within an urban environment are most appropriately based on an understanding and evaluation of the relationship of new development to other existing and planned land uses, built form in the vicinity of the site, environmental elements, harmonious fit and an ability to mitigate potential adverse impacts. The 2nd Draft of the New Official Plan fails to satisfy this test.

We are adamantly opposed to any efforts that fail to encourage, promote and facilitate the optimal redevelopment of the subject land.

Lakeshore Burlington Inc. is carefully examining the redevelopment potential of the subject land in recognition of the above and:

1. the importance of the subject land within the Downtown Mobility Hub/Urban Growth Centre;
2. the necessity to grow up rather than out;
3. the City's constrained ability to accommodate its fair share of new development;
4. Provincial growth requirements; and,
4. emerging redevelopment and intensification trends

Request:

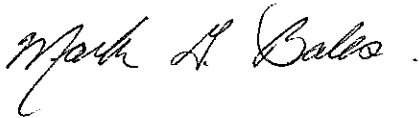
We are not satisfied that the Draft New Official Plan City will realistically accommodate the built form and scale of development that is required to be accommodated within the Urban Growth Centre and the subject land in particular. Notwithstanding the redevelopment status of the subject land (pre-submission consultation has occurred and Lakeshore Burlington Inc. has

participated in the Ontario Municipal Board hearing for 374 Martha Street), there has been no direct consultation with the landowner. In our opinion, the subject land is best suited to accommodate a tall building significantly greater than 17 storeys and should be recognized accordingly.

Based on the above, we request the City not to approve the New Official Plan (including the Downtown Mobility Hub Secondary Plan Framework) at this time and refer these matters back to staff with direction to address the comments noted above.

We look forward to working with City Planning Department staff and City Council to address our concerns.

Yours truly,
Lakeshore Burlington Inc.

A handwritten signature in cursive script, reading "Mark G. Bales".

Mark G. Bales, MCIP, RPP



PB-50-17
505-08
Correspondence

November 29, 2017

Delivered By Hand

City of Burlington
Clerk's Department
426 Brant Street
Burlington, Ontario L7R 3Z6

Attention: Amber La Pointe, Committee Clerk

Dear Ms. LaPointe:

**Subject: New Draft Official Plan & Downtown Mobility Hub
Secondary/Precinct Plan
2107 and 2119 Old Lakeshore Road
Old Lakeshore Burlington Inc.**

Old Lakeshore Burlington Inc. is the owner of properties within the easterly portion of the "Old Lakeshore Planning Precinct" known municipally as 2107 and 2119 Old Lakeshore Road (the "subject land").

Recently, the City of Burlington released both a 2nd draft of the New Draft Official Plan and the framework for the new Downtown Mobility Hub Secondary Plan.

Background:

The City of Burlington is required to accommodate its fair share of growth, just like every other municipality in the GTA. At the same time, the development landscape in the City of Burlington has changed dramatically in recent years and redevelopment and intensification opportunities are limited. The typical and predominant "greenfield" form of development in the City is no longer available as these lands have been exhausted. The only option is to grow up and not out. This is a fundamental change that Burlington is striving to embrace through the preparation of secondary plans for each of the mobility hubs, including the subject land. The mobility hub areas have been confirmed as the locations within the City where the lion's share of future intensification and redevelopment is to be accommodated. Special recognition of the Downtown Mobility Hub has been made as it (including the subject land) is identified as the "primary intensification area". In fact, City Council has noted that the Old Lakeshore Precinct area represents the City's last "Golden Egg", representing opportunities for increased height, density and public benefits.

History:

In 2009, planning and urban design consultants retained by the City of Burlington prepared a series of urban design guidelines for the redevelopment and intensification of this area – “Old Lakeshore Road Precinct Phase II: Urban Design Guidelines” (“UDGs”). At that time, the UDGs were intended to feed into previous efforts by the City to review and update the Official Plan and to develop new planning policies to guide the redevelopment and intensification of this area/precinct. However, as this planning effort evolved, the City determined that additional review and study of this area is required. Therefore, the land use policy framework for the Old Lakeshore Planning Precinct was deferred.

After the release of the UDGs, the City of Burlington proposed to “down-zone” lands (including the subject land) through the passing of By-law 205. Old Lakeshore Burlington Inc. and others appealed the proposed down-zoning to the Ontario Municipal Board (“OMB”). In its decision, the OMB refused the City’s request to down zone the lands and upheld the existing zoning standards allowing a building(s) with a maximum height of twelve (12) storeys.

The OMB concluded that “change, must ... embrace the emphasis on intensification established by the Growth Plan and the PPS, and reflect the ‘new approach to city building in the GGH’.” The OMB also interpreted the proposed down-zoning as an “attempt (by the City) to effectively reduce the existing land supply for intensification” that “may be actually prejudicial to the public interest”.

We have actively participated in City planning initiatives including the subject land for many years, including the 2009 “Old Lakeshore Road Precinct Phase II: Urban Design Guidelines”, the above-noted OMB hearing, the ongoing Official Plan review and the secondary plan development process for the Downtown Mobility Hub and the City’s Urban Growth Centre. Although there have been a number of Open Houses for the Downtown Mobility Hub Secondary Plan, there have been no direct consultations with Old Lakeshore Burlington Inc. or its representatives to discuss future planning policies for the subject land.

As part of the Downtown Mobility Hub Secondary Plan public consultation process, City Planning Department staff and its consultants have inconsistently shown the redevelopment and intensification potential of the subject land:

- Open House #2 on June 21st, 2017 – Maximum building height of 11 storeys (this maximum height fails to respect the above-noted OMB decision).
- Open House #3 on September 7th, 2017 – Maximum building height of 15 storeys
- Further to the completion of the Open Houses, City Planning staff prepared Planning Report PB-68-17. This report includes a series of appendices. Appendix B includes conceptual massing that indicates that a maximum height limit for the subject land of six (6) storeys. This maximum height fails to respect the above-noted OMB decision.

These inconsistencies are confusing, as any reduction of the height and density below the current existing permissions would be contrary to the OMB decision noted above and the evolving nature of redevelopment and intensification within the City's primary intensification area.

In addition, City Planning has indicated that a separate Area Specific Plan for the Old Lakeshore Precinct is required to address specific matters including the "complexity of this area", the City's Tall Building Guidelines and a number of other related and area specific issues – see pages 20 and 21 of City Planning Report PB-68-17.

Notwithstanding the recommendations of City Planning staff to undertake additional analysis and review of the redevelopment and intensification potential of the subject land, we note that the recently released 2nd draft version of the New Official Plan includes an entire section devoted to detailed planning policies for the Old Lakeshore Planning Precinct [Section 8.1.1(3.10 – 8.1.1(3.11))] and the City is not committing to undertake or complete the Area Specific Plan.

Concerns:

We have a number of significant concerns that include but are not limited to the following:

To-date the City has not carefully and realistically examined the built form and scale of development that is to be accommodated on the subject land and, as noted earlier, there has been no consultation with the landowner and an Area Specific Plan has not been completed. In our opinion, the subject land is best suited to accommodate tall building uses and should be recognized accordingly.

We are adamantly opposed to any efforts that:

1. promote the down-zoning of the subject land; and,
2. fail to encourage, promote and facilitate the optimal redevelopment of the subject land.

Old Lakeshore Burlington Inc. is carefully examining the redevelopment potential of the subject land in recognition of the above and:

1. the importance of the subject land within the Downtown Mobility Hub/Urban Growth Centre;
2. the necessity to grow up rather than out;
3. the City's constrained ability to accommodate its fair share of new development;
4. Provincial growth requirements; and,
4. emerging redevelopment and intensification trends

Request:

Insofar as the redevelopment of 2107 and 2119 Lakeshore Road are concerned, we are hereby requesting the City of Burlington to not approve the 2nd Draft of the New Official Plan and refer it back to City Planning staff to ensure that it is modified as follows:

Delete Sections 8.1.1(3.10) and 8.1.1(3.11) in their entirety and replace with a new Section 8.1.1(3.10) that states:

- The Old Lakeshore Planning Precinct is designated a new "Special Policy Area – Old Lakeshore Planning Precinct";
- A new Area Specific Plan is to be prepared for the Special Policy Area - Old Lakeshore Planning Precinct. New land use and redevelopment policies for the Old Lakeshore Planning Precinct will recognize the unique attributes of properties within this Area Specific Plan area and will establish a planning framework to accommodate high density development. Future land use policies and development standards will promote and enhance the prominent role that these lands represent within the Downtown Mobility Hub Secondary Plan area;

and,

- Until such time as an Area Specific Plan is approved and comes into effect, existing Official Plan policies in effect the day prior to the approval of this Plan shall continue to apply. This will allow the City to undertake and complete a detailed planning policy review and analysis in conjunction with consultation with the public and the landowners.

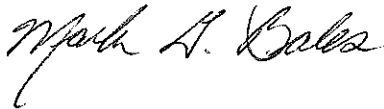
Efforts by the City of Burlington to promote and approve planning policies for the subject land in both the New Official Plan and the Downtown Mobility Plan Secondary Plan prior to the completion of an Area Specific Plan and without consultation with the landowner are inappropriate and prejudicial.

We also find the manner in which the City describes and proposes to regulate the maximum height of buildings through proposed New Official Plan and Downtown Mobility Hub Secondary Plan policies to be flawed. City references to maximum building height in terms of the number of storeys is inappropriate in an emerging urban centre, especially within an "Urban Growth Centre". In our opinion, effective planning policies within an urban environment are most appropriately based on the relationship of new development to other existing and planned land uses and built form in the immediate vicinity, environmental elements, harmonious fit and an ability to mitigate potential adverse impacts.

We are adamantly opposed to any efforts that fail to encourage, promote and facilitate the optimal redevelopment of the subject land.

We look forward to working with City Planning Department staff and City Council to address our concerns.

Yours truly,
Old Lakeshore Burlington Inc.

A handwritten signature in cursive script, reading "Mark G. Bales".

Mark G. Bales, MCIP, RPP



PB-50-17
505-08
Correspondence

November 29, 2017

Delivered By Hand

City of Burlington
Clerks Department
426 Brant Street
Burlington, ON L7R 3Z6

Attention: Amber LaPointe, Committee Clerk

Dear Ms. LaPointe:

Subject: Proposed New Official Plan for the City of Burlington

Carriage Gate Homes is the owner of several properties in the City of Burlington, primarily within the Urban Growth Centre and the Downtown Mobility Hub Secondary Plan Area. We have been actively involved in the Official Plan Review process with City staff and colleagues from the Hamilton Halton Home Builder's Association. The New Official Plan is of great importance to us.

This letter is in response to the notice we received regarding the statutory public meeting being held by the City of Burlington Planning and Development Committee on November 30, 2017.

Background:

Since the adoption of the Official Plan in 1994, the City of Burlington has experienced dramatic changes and is now at a very important point in its evolution. Burlington is no longer a developing suburb, it is now a developing city. As Mayor Goldring noted this spring:

"... Back in 1994, we had all sorts of room left for greenfield development and at this particular time we have virtually zero room left for greenfield development, so the new official plan is about transitioning Burlington from being a suburban community to much more of an urban one".

and

"... this plan formalizes the city's focus on growing smart In the [proposed] official plan we've clearly defined where we want to see more density and we've defined it in five areas of the city where we have primary growth areas ... within our downtown, around our three GO stations and in an area called Uptown".

Mary Lou Tanner, the Director of Planning has also noted *“we’re going to grow up ...”* and recognizes that transit must be aligned with density and most importantly that the majority of the new development and redevelopment will occur in the downtown (the Primary Growth Area) and in the vicinity of the GO stations through intensification, while stable residential neighbourhoods are to be protected.

The Plan presents a focused effort to implement the city’s new Strategic Plan which was approved unanimously by City Council in 2016. We fully support the guiding principles in the Strategic Plan and expect to see the establishment of a planning policy framework in the New Official Plan that implement the Strategic Plan and its vision.

The New Official Plan (“the Plan”) is an urban structure based plan, based on the success of a series of nodes (including the downtown) and corridors. The Plan correctly acknowledges that the identified intensification areas within the city (the GO station areas and the Urban Growth Centre – the downtown) will experience significant change over the next twenty years and beyond.

As City Council and staff can appreciate, the creation of a new Official Plan is a significant undertaking, requiring input from the public, City Council, the development industry and many other stakeholders. City Planning takes information and inspiration from City Council, the public, various stakeholders and the development industry and uses its professional expertise and judgement to create the Plan. The new planning policy framework is intended to not only respond to the requests of the public and various stakeholders but also to the statutory requirements established by the Province of Ontario and the Region of Halton. This is a very challenging balancing act.

The new Plan will effectively establish the “blue print” for the City that is intended to effectively guide and manage future growth from now until approximately 2031. City Planning Department staff have worked very hard and must be commended for the manner in which they conducted themselves and undertaken this effort.

The result of City Planning staff’s efforts has been two versions of the New Official Plan. The second version prepared by City staff is intended to address many of the comments that had been received from the public, the development industry, the Planning Committee and City Council on the first version. The second version of the Plan has been modified significantly to respond to the comments received and must be reviewed thoroughly and carefully.

Please note that we have provided you with two additional letters that outline site specific development concerns that we have in respect of specific properties that we own that are impacted by both the New Plan and the proposed policies for the Downtown Mobility Hub Secondary Plan.

Concerns:

While we commend staff for their efforts, we have not had enough time to review the revised Plan in detail and we have yet to receive copies of the detailed studies that have been completed by the City's consultants in support of the proposed Plan. In the absence of this information and the lack of time for due process, we are unable to provide comprehensive comments at this time. In addition, significant and substantive changes and additions have been made to the Plan that we are unable to review in such short order.

However, in the limited time that we have had to review the Plan, we are not of the opinion that the Plan satisfies Provincial policy as contained in the "Provincial Policy Statement" and the "Growth Plan for the Greater Golden Horseshoe" (the "Provincial Growth Plan").

In addition, the City of Burlington recently approved Tall Building Guidelines ("TBGs"). The TBGs are intended to establish a series of criteria that are to be considered and addressed to promote compatibility and fit of new tall buildings. The TBGs are not intended to be policy but rather to provide a series of tools to be used as part of the assessment of new development applications for tall buildings. It is understood that the redevelopment of individual properties must respect and satisfy the intent of the TBGs.

The manner in which the City describes and proposes to regulate the maximum height of buildings through proposed New Official Plan is flawed. City references to maximum building height in terms of the number of storeys is inappropriate in an emerging urban centre, especially within an "Urban Growth Centre". In our opinion, effective planning policies within an urban environment are most appropriately based on an understanding and evaluation the relationship of new development to other existing and planned land uses, built form in the vicinity of the site, environmental elements, harmonious fit and an ability to mitigate potential adverse impacts. The 2nd Draft of the New Official Plan fails to satisfy this test.

Request:

We hereby request that the 2nd Draft of the New Official Plan be received by Planning and Development Committee and referred back to City Planning staff with direction to:

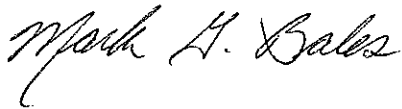
- Provide Carriage Gate Homes with copies of all background studies prepared by its consultants in support of the Plan prior to December 15th, 2017 for review; and,

- That City staff be directed consult with the development industry commencing in mid-January 2018 to discuss and review comments on the Plan further to having been provided with an adequate opportunity to review the background studies.

This request is reasonable as it provides Carriage Homes an appropriate opportunity to comprehensively review and comment on the document and the supporting background studies and to provide City staff an opportunity to respond without unduly impacting the City's schedule.

To move further towards an approval of the Plan at this time is premature.

Yours truly,
Carriage Gate Homes

A handwritten signature in cursive script that reads "Mark G. Bales".

Mark G. Bales, MCIP, RPP

VIA E-MAIL

December 4, 2017

City of Burlington
426 Brant Street
PO Box 5013
Burlington, Ontario
L7R 3Z6

Attention: Angela Morgan, City Clerk
Mayor Goldring and Members of Council

Denise Baker
Partner
T: 905-829-8600
dbaker@weirfoulds.com

File 99999.99904

Dear Mayor and Members of Council:

**RE: City of Burlington Proposed New Official Plan (November 2017) and
Proposed Downtown Mobility Hub Precinct Plan and Proposed Official Plan Policies**

We are solicitors for 01665349 Ontario Inc. regarding its properties located at 481 John Street and 482 Elizabeth Street, in the City of Burlington. We are providing this written submission to you on behalf of our client after having reviewed the proposed Burlington Official Plan (November 2017 version) and the proposed downtown Mobility Hub Precinct Plan and proposed Official Plan policies. We have the following overarching comments with respect to these two documents:

We are concerned with the proposed changes to the Urban Growth Centre Boundary. To our knowledge, the Urban Growth Centre boundary at the Province has not changed as between the Growth Plan 2006 and the Growth Plan 2017. The mapping that we have from the Province with respect to the Burlington Urban Growth Centre boundary is different from what is being proposed in the new Burlington Official Plan. More importantly, there is no background material available to indicate how or why the City of Burlington is amending the Urban Growth Centre boundary from that which is shown in the current inforce Official Plan or the Province's mapping.

Any information from the Province that is being relied upon to justify an amendment to the Urban Growth Centre boundary should be made available to the public and to City council for

the obvious reason that the boundaries of the Urban Growth Centre will materially impact all of the policies within the Urban Growth Centre to ensure that a minimum of 200 persons and jobs per hectare can be achieved, as is required by the Growth Plan. This is particularly important because currently the City is not achieving the minimum 200 persons and jobs per hectare target within the Urban Growth Centre.

Our second overarching issue is the fact that none of the background material has been made available to the public, or Council, with respect to the proposed Official Plan policies. How can the public make informed submissions, and more importantly how can Council make an informed decision on any of the policies, when the background materials supporting the policies are being withheld? We respectfully request that Council direct staff to release to the public all background work that has been completed to date, in advance of any decision being made on the Official Plan.

More specific concerns with respect to my client's properties include, but are not limited to, the following:

In the proposed Official Plan the City has the following policy/caveat:

8.1.1.(3) DOWNTOWN URBAN CENTRE

The Downtown Urban Centre is presently under review through the Downtown Mobility Hub Area-Specific Plan process. Additional objectives and/or policies may be added to this section, subject to the outcome of the area-specific plan process, and incorporated as part of this Plan and/or through a future amendment to this Plan.

This is generally repeated in policy/caveat:

8.1.1.(3.12) DOWNTOWN CORE PRECINCT

The policies of the Downtown Core Precinct continue to be developed as part of the Downtown Area-Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.

These policies make it clear that the work as it relates to the creation of policies for the Downtown Urban Centre and the Downtown Core designation remains unfinished. It is therefore inappropriate to be bringing forward policies for these areas on a piecemeal basis. The entire Downtown Urban Centre and the Downtown Core Precinct should be reviewed holistically to ensure that the policies reflect the Official Plan and Growth Plan objectives in their totality. Further, such a piecemeal approach as the one proposed adds unnecessary expense to ratepayers who are required to retain consultants to review the Official Plan multiple times as new policies are introduced. This will result in an unwieldy process going forward.

As a result of the unfinished work and the piecemeal approach being taken, we have concerns with all of the proposed policies under the Downtown Urban Centre heading in the proposed Official Plan.

There are also some inherent inconsistencies in the proposed policies. For example in section 8.1.1.(3.12) the Plan identifies the Downtown Core Precinct as the pre-eminent destination for office and major office uses....

However in policy 8.1.1.(3.12.1) a) the policies pertaining to permitted uses indicate only that such office uses “*may*” be permitted. It is submitted that if the Downtown Core is to be the pre-eminent location for offices, these uses should be permitted without qualification.

The policy then goes on to say that “8.1.1.(3.12.1) b) Development *shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1.(3.12.1) a) of this Plan. However since there is uncertainty whether the uses found in 8.1.1.(3.12.1) a) are in fact permitted (by virtue of the use of the word “*may*”), 8.1.1.(3.12.1) b) becomes meaningless.

The above, while only one example, demonstrates an Official Plan that has been put together with limited thought to its overall implementation. Time should be taken to ensure that nomenclature is precise, so that the document is absolutely clear to the average reader on what the City’s policies are.

Policy 8.1.1.(3.12.1) c) speaks to a permitted height of 17 storeys in the Downtown Core Precinct. However we have not seen any analysis as to why such an arbitrary number has been chosen for lands proposed to be designated Downtown Core. In fact, recently on lands adjacent

to my client's lands, across John Street, staff has recently supported the development of a 23 storey building. There is no information available as to why that site should be permitted 23 storeys and my client's site is limited to 17 storeys. In the absence of this detailed analysis, there is no transparency in the planning process, leading landowners being treated differently from one another by the City without a rational land use planning explanation.

Finally we have concerns with respect to the Implementation section of the proposed Official Plan. For example, policies 12.1.1.(3) c) and d). It is our position that the policies should contain clear direction in what circumstances an Official Plan amendment would be permitted. This would ensure the necessary transparency in the planning process in every instance, not just on an ad hoc basis.

The above highlights just some of our concerns with the proposed Official Plan. We would be pleased to meet with staff to discuss our concerns in advance of the adoption of the Official Plan by Council.

Yours truly,

WeirFoulds LLP



Denise Baker

DB/mw

cc : client

11137767.1

Dear Planning Committee:

My name is Pam Casey and my family have lived in Burlington for over 36 years, 33 years in a house and in the last 3 years the two of us are in an apartment at the Brock. We moved from Mississauga in 1981 to raise our 3 children here and now our 2 granddaughters are growing up here too. Burlington is a wonderful community for families.

I have seen lots of change happening in Burlington over the years as the city has grown. The population has grown as well and with this growth comes changes in particular, new tall buildings. I don't mind the changes as I want to see Burlington prosper (particularly downtown) and continue to be one of best middle size communities.

I am in favour of the development in downtown Burlington. Currently our downtown area needs improving. There are vacant areas such as stores in Village Square and on Brant Street. During our major events such as the Sound of Music and the Rib fest, the downtown changes as lots of folks will come to dine and take part in the events. I am hoping with all of this development, more folks will come to live downtown and make it an active & prosperous place that I know it can be.

Sending new folks the message that there the new highrises are at the GO train stations mobility hubs, this is not what the message that i want to happen. I love our view of the lake from the 14th floor, being close to Spencer Smith Park and a 10 minute walk downtown. I want others to move downtown and experience that too.

Bottom line these new tall buildings have a smaller environment footprint and residents in them don't use so many resources as the residents in large homes. It is great for Burlington's overall environment footprint as well.

However what I don't want to continue is the discourse and anger that is growing with the current residents. With the recent approval of the new tall building at Brant and James and all the other recommended changes, has come so much anger.

Let's move on Burlington residents. It is time to make our new official plan a good one and make Burlington a place that folks want to live in and move to.

Pam

Pam Casey
Pcasey472@outlook.com



70 Townsend Ave.,

Burlington, Ontario

November 30, 2017

To: Burlington Planning and Development Committee

From: Tom Muir, resident.

Subject: Nov. 28 Statutory Meetings - 1. Proposed new official plan (PB-50-17); 2. Proposed downtown mobility hub precinct plan and proposed official plan policies (PB-81-17)

Dear Councilors;

I am writing this correspondence for the record of this meeting.

I found the subject meeting impossible for me to delegate personally. The two sets of agenda items documentation reports are too formidable to be able to read, study, assess, and then comment on intelligibly in the time that was made available to the public. This is what I found to be impossible.

It continues to appear that Council is determined to ram these major policy changes through the process, and it seems the Statutory Meetings are little more than a box checking exercise to fulfill the Planning Act requirements.

What I see happening here is Council and planners hurrying to conclude the biggest business deal in city history and they want to work out the details later. Hello?

I understand exactly what they are doing, but I would like to settle the entire matter before it is approved as legally binding, in force and effect.

I'm sure any reasonable resident would agree. Even the developers group doesn't seem comfortable with the pace.

The residents are the ones paying for this. Those not being heard is a matter of public record, and they will have to live with something they may not be happy with, for a very long time.

From all my experience, this majority of Council is really driving the bus by not stopping it for sober second thoughts and public input. Some say it's been 6 years, so let's go, no waiting, no more thinking or public discussion – details later.

So we are supposed to digest and judge 6 years of push compressed into 1000 pages (or so or more with all the revisions), in 1 month or so.

And this is just the proposed OP, never mind the Mobility Hub and Precinct Plans that are all being piled onto the public process at the same time in an impossible to comprehend sequence. In this Nov. 28 meeting, the downtown hub and precinct and proposed OP policies are also on the agenda.

I have previously commented on the issues of the Downtown Precinct proposed plans, and these are broadly shared and expressed by residents. Too much height and density, traffic and parking, unrealistic assumptions about transportation, no compliance with existing OP, absence of any other vetted and approved OP/bylaws, or Hubs, in force and effect, to justify extensive and non-compliant amendments of existing and determinative OP.

The preferred precinct plan tabled Nov. 28 is another complex document with numerous implications. Included are sacrifice of existing business, inflationary land prices and rents, and so are not demonstrably compliant with the PPS pointing to the need for commercial uses to be planned for and increased, a mix and range of employment uses, a diversified economic base, employment sites supporting a wide range of economic activities, and take into account the need of existing business.

Nowhere does the PPS say that existing business needs are to be sacrificed.

On Dec. 4, the other 3 GO Mobility Hubs are being considered in another Statutory Meeting of P&D. This furthers the impossibility of reviewing and commenting on all of the information documents provided for this meeting so quickly and comprehensibly.

This is an impossible situation that must be paused or stopped if there is to be any sense brought to bear on how wrong on so many counts, including business, this apparent hurry is.

I bet most people in Burlington have no idea what is being done here.

Do I really have to remind you that this is the OP? - the plan for 25 years that embeds 25 stories as of right in the laws, even in existing stable neighborhoods, something we have been assured for the whole 6 years would not be allowed to happen??

There are so many missing pieces that are critical parts of any plan that is to function, to actually work, and deliver good results for the residents of the city.

As has been said – whose city is it?

The OP approval plan timeline is leading, and out of synch with the Mobility Hubs approval timeline plan. The Hubs plans are the major component of the proposed OP delivery.

Even a cursory look at the Hubs plans reveals huge growth plans that are only half-baked. I was particularly shocked by the plan in Aldershot to increase the population by 27,200 (present is 18,000?).

Without these Hubs reviewed by an engaged public before the OP being approved means the proposed OP will also be half-baked - if it proceeds to approval as is proposed, far ahead of the Hubs plans, which are far from complete.

Overall, there is no transportation/transit plan – a big hole. There is no concrete idea to be seen how people will get around anywhere, just convenient assumptions and assertions without proof.

You are not mandated to just tell people to walk – that's just not thinking about it.

There is no traffic or parking plan. There is no plan to deal with all the extra cars the planners are unwilling to admit will appear and are not providing for. No active transport plan to help up the modal split, while admitting it will never replace the car.

The not yet existent biking plan will go down in flames when the New St. trial is cancelled, as staff recommends and Committee agreed.

Again, there is no overall employment/commercial plan.

In the meantime, development proposals are being approved based on proposed OP/bylaw and Hubs ideas that have no force and effect, and as a result the killing of existing business and commercial continues apace.

These essential parts of the whole are missing, and there are others not mentioned here. But it seems that the planners and Council don't care.

What is being suggested by Council is that half-baked is good enough.

These BIG changes are a BIG deal, and to watch this Council just push what they want through, will make public consultation a fake and sham process that will not make a whit of difference by the look of things.

Don't try to kid anyone, or yourself, that this is not the case, with the haste that is so obvious.

So for all intents and purposes, you have already approved the unapproved proposed plans that you are here asking the public about in order to meet the Planning Act and Municipal Act laws on process and procedure.

This borders on illegitimacy, and failure of fiduciary duty that all the city participants in this apparent misadventure are responsible to deliver.

If you persevere in this hurried, ill-considered concluding process to get this entire OP to approval, when it is far from done, my view is that this Council and the planners will be determining the future of the city from the grave.

Thank you, Tom Muir

From: CROZIER CATHERINE [<mailto:CATHERINE.CROZIER@ca.mcd.com>]

Sent: Thursday, November 30, 2017 3:23 PM

To: LaPointe, Amber; ecob47@gmail.com; Meed Ward, Marianne; Mailbox, Office of Mayor Rick Goldring; Craven, Rick; Taylor, John; Lancaster, Blair; Dennison, Jack; Sharman, Paul

Cc: coresidents@gmail.com; 'jcrozier@feelgoodgifts.ca'; 'joe_p_galea@sympatico.ca'

Subject: FW: Do not rush the Adoption of this Official Plan tonight, Defer to June, 2018

To Senior Burlington Officials: I am a lifetime Burlington resident, home owner and we are business owners in Burlington. I wholeheartedly support these sentiments and hope we do not erode the beauty and liveability of the BEST city in Canada if not the world. Please STOP and provide for citizen engagement and discussion to enable a sequenced and strategic vision we will all be proud to call our own.

With thanks,

Catherine Crozier

3103 South Drive

Burlington, ON

L7N 1H5

Dear Planning Committee:

My name is Pam Casey and my family have lived in Burlington for over 36 years, 33 years in a house and in the last 3 years the two of us are in an apartment at the Brock. We moved from Mississauga in 1981 to raise our 3 children here and now our 2 granddaughters are growing up here too. Burlington is a wonderful community for families.

I have seen lots of change happening in Burlington over the years as the city has grown. The population has grown as well and with this growth comes changes in particular, new tall buildings. I don't mind the changes as I want to see Burlington prosper (particularly downtown) and continue to be one of best middle size communities.

I am in favour of the development in downtown Burlington. Currently our downtown area needs improving. There are vacant areas such as stores in Village Square and on Brant Street. During our major events such as the Sound of Music and the Rib fest, the downtown changes as lots of folks will come to dine and take part in the events. I am hoping with all of this development, more folks will come to live downtown and make it an active & prosperous place that I know it can be.

Sending new folks the message that there the new highrises are at the GO train stations mobility hubs, this is not what the message that i want to happen. I love our view of the lake from the 14th floor, being close to Spencer Smith Park and a 10 minute walk downtown. I want others to move downtown and experience that too.

Bottom line these new tall buildings have a smaller environment footprint and residents in them don't use so many resources as the residents in large homes. It is great for Burlington's overall environment footprint as well.

However what I don't want to continue is the discourse and anger that is growing with the current residents. With the recent approval of the new tall building at Brant and James and all the other recommended changes, has come so much anger.

Let's move on Burlington residents. It is time to make our new official plan a good one and make Burlington a place that folks want to live in and move to.

Pam

Pam Casey
Pcasey472@outlook.com
905-467-3763



IBI GROUP
200 East Wing – 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

November 30, 2017

Mayor Goldring and Members of Council
City of Burlington
426 Brant Street
Burlington, ON
L7R 3Z6

Dear Mayor Goldring:

COMMENTS ON PROPOSED NEW CITY OF BURLINGTON OFFICIAL PLAN - RE: 960 CUMBERLAND DRIVE - CEDAR SPRINGS RACQUET CLUB

We are the planning consultants retained by the Owner to review the subject lands in the context of the City's Official Plan exercise, and specifically the sub-component which reviewed City-wide employment land designations and needs. The Owners were not able to attend either of the Public Meeting sessions on November 30. However, please accept these comments under the requirements of the Planning Act with respect to written submissions prior to a decision being made on the new Official Plan.

With respect to the subject lands, we have made previous submissions to staff and Council. These included:

1. Initial screening request under the employment lands review
2. Detailed Planning Justification Report for a proposed conversion from employment designation to primarily a mixed use designation including residential uses
3. Delegation and presentation to Planning Committee in support of report submission and to address recommendations on the employment land review

In advance of the November 30 Public Meeting, we have reviewed the proposed Official Plan document. We note that the subject lands are identified/proposed to be designated on the following Schedules:

1. Employment Lands and Areas of Employment Overlay on Schedule B – Urban Structure
2. Employment Growth Area on Schedule B-1 – Growth Framework
3. Employment Lands – Business Corridor on Schedule C – Land Use-Urban Area

It is our opinion that the material previously provided through our various submissions provided the appropriate planning rationale to convert these lands from employment uses to a mixed-use option that includes residential. We are not providing those submissions as attachments to this letter, but wish to highlight the following main points:

1. The subject lands currently contain a use that is not employment in nature, but rather an established recreational use
2. This site is well-suited to accommodating additional uses, such as a form of residential intensification that would diversify and complement the recreational nature of the current use

Mayor Goldring and Members of Council – November 30, 2017

3. Given that the lands do not provide an employment use, they do not form a critical component of the City's employment land base
4. There are no land use compatibility impacts associated with a conversion

As we have noted on other submissions, a conversion of this site to a mixed-use option that includes residential is only possible at the time of a comprehensive review exercise such as this, and thus the opportunity is now for this decision to be made.

Thank you

A handwritten signature in black ink, appearing to read 'Mike Crough', with a long horizontal stroke extending to the left.

Mike Crough RPP MCIP
Senior Planner

December 1, 2017

Ms. Angela Morgan
City Clerk
City of Burlington
426 Brant Street
P.O Box 5013
Burlington, ON
L7R 3Z6

Dear Ms. Morgan:

**Re: Draft City of Burlington Official Plan – November 2017
Mattamy (Monarch) Limited
2082, 2086 and 2090 James Street
City of Burlington
Our File No.: 2017/04**

We are Planning Consultants for Mattamy (Monarch) Limited ("Mattamy") with respect to the subject lands located at 2082, 2086 and 2090 James Street in Downtown Burlington. The subject lands represent a key gateway site and entry to the Downtown. On behalf of Mattamy, we provide the following comments and concerns regarding the latest version of the Draft Official Plan dated November 2017.

Mattamy has closely monitored the Downtown Mobility Hub planning process culminating with Staff Report PB-68-17 which recommended key land use policy directions put forth by City Planning staff for the Downtown Mobility Hub Draft Precinct Plan. The recommendations of Staff Report PB-68-17 were presented to Committee of the Whole on September 28, 2017 and fully endorsed by City Council on October 10, 2017. The Draft Precinct Plan identified the Mattamy lands within the "Downtown Core Precinct" which permits a maximum height of 17 storeys. The Draft Precinct Plan has been instrumental in Mattamy's continued interest in the subject lands, and has provided comfort in the future acquisition of these lands and moving forward with development applications.

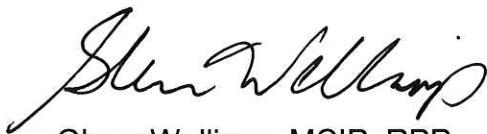
The recently released Draft Official Plan dated November 2017 proposes a new "Downtown Mid-Rise Residential Precinct" designation for the subject lands with a policy permission for a maximum of 11 storeys. The Draft Official Plan is inconsistent with the policy direction of the Draft Precinct Plan for the subject lands. Mattamy was not notified or adequately consulted on the changes between the Draft Precinct Plan and Draft Official Plan (November 2017) despite several meetings and ongoing discussions with City staff. In speaking with City Mobility Hub staff at the November 20, 2017 Open House, I understand that the

basis for the designation change was due to technical concerns regarding the redevelopment potential of the subject lands based on the existing floodplain and creek conditions. These technical concerns were previously discussed with City Planning and Engineering staff at length and have since been addressed through recently completed engineering reports. Given the size of the subject lands (i.e. 0.23 hectares), the floor plate for an 11 storey vs. 17 storey building would not be significantly different. The assumptions made by City staff coupled with insufficient consultation on the latest Draft Official Plan is concerning. It is expected that development applications will be filed shortly for the subject lands consistent with the Draft Precinct Plan with detailed reports addressing all technical aspects of the proposed development.

Based on the above-noted comments, Mattamy requests that the final version of the Official Plan to be presented to Council in January 2018 show the subject lands within the "Downtown Core Precinct" designation with a height permission to a maximum of 17 storeys consistent with the policy directions of the Draft Precinct Plan. Alternatively, Council could defer consideration of the designation on the subject lands until the technical aspects of the redevelopment are further reviewed. In either case, the technical justification is necessary to support any redevelopment of the subject lands.

Please ensure we are notified of any future meetings and/or Council decisions on the ongoing Official Plan Review. We would also request that we be forwarded any notice of decision made with respect to the new Official Plan.

Yours truly,
WELLINGS PLANNING CONSULTANTS INC.

A handwritten signature in black ink, appearing to read 'Glenn Wellings', written in a cursive style.

Glenn Wellings, MCIP, RPP

- c. City of Burlington Planning Department
Mattamy (Monarch) Limited
Turkstra Mazza

December 1, 2017

Ms. Angela Morgan
City Clerk
City of Burlington
426 Brant Street
P.O Box 5013
Burlington, ON
L7R 3Z6

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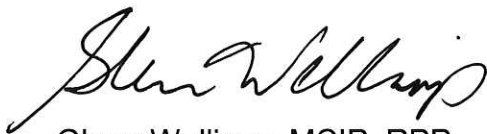
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Glenn Wellings, MCIP, RPP

- c. City of Burlington Planning Department
Mattamy (Monarch) Limited
Turkstra Mazza